



**AGENDA  
CITY COMMISSION MEETING  
Tuesday, October 18, 2016  
1:00 PM**

**City Administrative Center, 301 N. 8th Street**

**I. Note:**

**Pre-meeting at 11:00 a.m. – 11:45 a.m. at the City Administrative Center for a presentation by Fire Chief Shelton and Police Chief Utz on the activity report from the fireworks season. Time permitting, Chief Utz will give the Commissioners an opportunity to see the new Bearcat police vehicle and Chief Shelton will give a walking update of the Central Fire Station construction project. The viewing of the Bearcat and the construction update will occur outside the City Administrative Center in the area between the the City Administrative Center, the Law Enforcement Center and the Central Fire Station.**

**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**

A. October 4, 2016 City Commission minutes.

**V. PUBLIC COMMENT Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**

**VI. CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

A. The Governing Body is asked to consider and allow the Mayor to proclaim November 1, 2016 as Extra Mile Day in Garden City, Kansas.

B. The Governing Body is asked to consider and approve a request from Bonnie Bribiesca, Graphic Stitching Unlimited, to be categorized as a Local Business on the application for an Itinerant Merchant license.

C. The Governing Body is asked to consider and authorize the petition process for the use of special assessments for the 2300 block of N. 9<sup>th</sup> Street.

**VII. REPORT OF THE CITY MANAGER**

A. Zoo Director Newland will present the September 2016 monthly staff report

from Lee Richardson Zoo.

- B. Presentation of the results of the City's annual equipment and vehicle auction from the Garden City Police Department.
- C. Presentation of the September 2016 staff report from the Garden City Regional Airport.
- D. Presentation of the Monthly Revenue Report and Burial Chart for September 2016 from the Cemetery Department.
- E. Presentation of the Monthly Financial Report from Service and Finance.
- F. Presentation of September 2016 Fire Department activity reports.
- G. Presentation of the September 2016 activity reports from the Garden City Police Department.
- H. Presentation of the 3rd Quarterly Report - 2016 from the Public Utilities Department.

#### **VIII. MEETINGS OF NOTE**

- October 17, 2016 - KMU Legislative Luncheon at City Administrative Center, Meeting Room from 12:00 p.m. - 1:00 p.m.
- October 18, 2016 - Black Hills Energy Public Officials dinner at Samy's Spirits and Steakhouse from 6:00 p.m. - 8:00 p.m.
- October 20, 2016 - League of Kansas Municipalities 2016 Regional Supper at the Wheatland Broadband Center, 416 S. Main Street, Scott City, Kansas - 5:30 p.m.
- October 22, 2016 - Boo! At the Zoo, gates open at 4:00 p.m.
- October 26, 2016 - Annual State of the City address at the Garden City Area Chamber of Commerce breakfast at the Golf Club at Southwind - 7:30 a.m.
- October 27, 2016 - Great Plains Development Inc. Banquet and Annual Meeting, Dodge City Country Club, 1900 Country Club Drive, Dodge City, Kansas at 5:30 p.m.
- October 28, 2016 - City of Garden City's United Way End of Drive Event, location TBD, 11:30 a.m. - 1:00 p.m.
- November 5, 2016 - Banner Art Auction, Clarion Inn - 6:30 p.m.
- November 12, 2016 - Veterans Day Parade, Main Street from 10:00 a.m. - 11:00 a.m., fireworks approximately 30 minutes after sunset.
- December 4, 2016 - Downtown Evening Christmas Parade, Main Street - 6:00 p.m.
- December 10, 2016 - Tuba Christmas, Main Street from 3:00 p.m. - 5:00 p.m.

#### **IX. CONSIDERATION OF APPROPRIATION ORDINANCE**

- A. Appropriation Ordinance No. 2421-2016

#### **X. CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

- A. The Governing Body is asked to consider and approve the amendment to the Zoning Regulations of Garden City, Kansas to amend Section 2.030, Definitions, to include Physical Fitness Facility, to amend Sections 17.030 and

18.030 to allow physical fitness centers as a conditional use, and to amend Section 24.060 to specify parking spaces for physical fitness centers.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance Amending The Zoning Regulations For The City Of Garden City, Kansas To Regulate The "I-1" Light Industrial District And The "I-2" Medium Industrial District; Amending Zoning Regulation Sections 17.030, 18.030 And 24.060; Repealing In Their Entirety Current Zoning Regulation Sections 17.030, 18.030 And 24.060; All To The Code Of Ordinances Of The City Of Garden City, Kansas.
- B. The Governing Body is asked to consider and approve an amendment to the Garden City Zoning Regulations Section 2.030 Definitions to define retail and other uses and clarify setbacks.
1. Ordinance No. \_\_\_\_\_ - 2016, an ordinance amending the Zoning Regulations for The City of Garden City, Kansas to define retail and other uses; amending Zoning Regulation Section 2.030; repealing in its entirety current Zoning Regulation Section 2.030; all to the Code of Ordinances for The City of Garden City, Kansas.
- C. The Governing Body is asked to consider and approve an amendment to the Garden City Zoning Regulations for Permitted Use Sections 13.020 "C-O" Office and Service Business District, 14.020 "C-1" Neighborhood Shopping District, 15.020 "C-2" General Commercial District, and 16.020 "C-3" Central Business District to allow variety stores, home improvement centers, and physical fitness facilities and centers as defined in GC2016-50.
1. Ordinance No. \_\_\_\_\_-2016, an ordinance amending the Zoning Regulations for the City of Garden City, Kansas to regulate the "C-O" Office and Service Business District, "C-1" Neighborhood Shopping District, "C-2" General Commercial District, and "C-3" Central Business District; amending Zoning Regulation Sections 13.020, 14.020, 15.020, and 16.020; repealing in their entirety current Zoning Regulation Sections 13.020, 14.020, 15.020, and 16.020; all to the Code of Ordinances of the City of Garden City, Kansas.
- D. The Governing Body is asked to consider and approve the amendments to Articles 32 through 35 of the Zoning Regulations of Garden City, Kansas to comply with Federal Aviation Authority (FAA) regulations as found in the Code of Federal Regulations (CFR) Title 14 Part 77.
1. Ordinance No. \_\_\_\_\_-2016, an ordinance amending the Zoning Regulations for the City of Garden City, Kansas to regulate airspace and land use compatibility in compliance with federal aviation authority guidelines as found in the Code of Federal Regulations title 14 part 77; amending Zoning Regulation Articles 32 and 33; repealing in their entirety current Zoning Regulation articles 32, 33, 34, and 35; all to the Code of Ordinances for the City of Garden City, Kansas.
- E. The Governing Body is asked to consider the comprehensive plan

amendment and the rezoning of 900 Lareu Rd. from “R-3” Multiple Family Residential District to “C-2” General Commercial District.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance approving the rezoning of land from “R-3” multiple family residential district to “C-2” General Commercial 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; all to the Code of Ordinances of the City of Garden City, Kansas.
- F. The Governing Body is asked to consider and approve an unsafe structure order for 205 S Fourth Street, Garden City, Kansas.
1. Resolution No. \_\_\_\_\_-2016, a resolution fixing a time and place at which the owner, owner’s agent, any lien holder of record and any occupant of the main structure and the accessory structures may appear and show cause why the structures should not be condemned and ordered repaired, or demolished and removed, pursuant to section 18-83 et seq of the code of ordinances of the City of Garden City, Kansas.
- G. The Governing Body is asked to consider and approve an unsafe structure order for 207 S Fourth Street, Garden City, Kansas.
1. Resolution No. \_\_\_\_\_-2016, a resolution fixing a time and place at which the owner, owner’s agent, any lienholder of record and any occupant of the main structure and the accessory structures may appear and show cause why the structures should not be condemned and ordered repaired, or demolished and removed, pursuant to section 18-83 et seq of the code of ordinances of the City of Garden City, Kansas.

## **XI. OLD BUSINESS**

- A. None.

## **XII. NEW BUSINESS**

- A. The Governing Body is asked to consider and approve a waiver request from Vestas-American Wind Technology, Inc., a Transportation Partners & Logistics customer, for a reduction in the KDOT curfew conditions imposed on over width and over length loads.
- B. The Governing Body is asked to consider and approve (subject to minor changes or additions made by counsel) an agreement with WGP-KHC, LLC, Transportation Partners and Logistics, LLC and the City of Garden City to relocate gas mains at the transload facility.
- C. The Governing Body is asked to consider and approve the 2017 Southwest Kansas Coalition Legislative Agenda.
- D. The Governing Body is asked to consider and approve the federal and state editions of the 2017 Garden City Legislative Agenda.

- E. The Governing Body is asked to consider and approve an Interlocal Agreement between the City of Garden City and USD 457 concerning the development and maintenance of a walking track and open park space on real property owned by USD 457 east of Victor Ornelas Elementary School.
- F. The Governing Body is asked to consider and approve free vehicle admission to Lee Richardson Zoo for active and inactive military and veterans of any branch of service presenting military identification or proof of service for November 11-13, 2016 in honor of their service in the Armed Forces.
- 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. The Governing Body is asked to consider and approve the Facility Use Agreement Renewal between Fullscope Training LLC and the Garden City Police Department.
- 2. The Governing Body is asked to consider and approve the Assignment and Assumption of Lease Agreement by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee) for lease of space located at Garden City Regional Airport.
- 3. The Governing Body is asked to consider and approve a Product Lease Agreement with Mail Finance for a postage machine.
- 4. The Governing Body is asked to consider and approve one new On Premise Cereal Malt Beverage license and three Off Premise Cereal Malt Beverage renewal licenses.
- 5. The Governing Body is asked to consider and approve the licenses for October 18, 2016.

### **XIII. CITY COMMISSION REPORTS**

A. Mayor Law

B. Commissioner Fankhauser

C. Commissioner Cessna

D. Commissioner Dale

E. Commissioner Doll

**XIV. OTHER ENTITIES**

- A. Presentation of the September 8, 2016 minutes from the Airport Advisory Board.
- B. Presentation of the September 20, 2016 meeting minutes for the Police/Citizens Advisory Board.
- C. Presentation of the August 22, 2016 and September 9, 2016 Garden City Recreation Commission Board minutes.
- D. Presentation of the October 4, 2016 Zoo Advisory Board minutes.

**XV. ADJOURN**

## THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City  
October 4, 2016

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, October 4, 2016 with all members present. Commissioner Doll opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

The 2016 Leadership Garden City Class of 2016 was present and introduced to the Governing Body.

Commissioner Cessna moved to allow the Mayor to proclaim October 2-8, 2016 as Public Power Week in Garden City, Kansas. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to allow the Mayor to proclaim the month of October 2016 as National Disability Employment Awareness Month in Garden City, Kansas. 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

Director of Aviation Powell presented a report on the annual FAA Airport Certification Inspection conducted on September 7-9, 2016.

Finance Director Hitz provided the monthly Sales Tax report for Governing Body review.

Meetings of note:

- October 3, 2016 – TP&L Transload Groundbreaking, 900 Farmland Road – 8:00 a.m.
- October 6, 2016 - Diversity Breakfast at the Clarion Inn and Conference Center, 7:30 a.m. - 9:00 a.m.; Multi Cultural Summit 9:30 a.m. - 3:30 p.m.
- October 8-10, 2016 - League of Kansas Municipalities 2016 Annual Conference in Overland Park, Kansas
- October 17, 2016 – KMU Legislative Luncheon at City Administrative Center, Meeting Room from 12:00 p.m. – 1:00 p.m.
- October 18, 2016 – Black Hills Energy Public Officials dinner at Samy’s Spirits and Steakhouse from 6:00 - 8:00 p.m.
- October 20, 2016 - League of Kansas Municipalities 2016 Regional Supper at the Wheatland Broadband Center, 416 S. Main Street, Scott City, Kansas - 5:30 p.m.
- October 22, 2016 - Boo! At the Zoo, gates open at 4:00 p.m.
- October 26, 2016 - Annual State of the City address at the Garden City Area Chamber of Commerce breakfast at the Golf Club at Southwind - 7:30 a.m.
- November 5, 2016 - Banner Art Auction, Clarion Inn - 6:30 p.m.
- November 12, 2016 – Veteran’s Day Parade, Main Street – 10:00 – 11:00 a.m.
- December 4, 2016 - Downtown Evening Christmas Parade, Main Street - 6:00 p.m.
- December 10, 2016 – Tuba Christmas, Main Street – 3:00 – 5:00 p.m.

Appropriation Ordinance No. 2420-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,368,422.88 was read and considered section by section. Commissioner Doll moved to approve and pass Appropriation Ordinance No. 2420-

2016A. 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

The Governing Body considered and approved a resolution relating to the close out of the Garden City Family YMCA, Inc. 2009 IRB issue.

Resolution No. 2663-2016, "A RESOLUTION OF THE CITY OF GARDEN CITY, KANSAS APPROVING THE SALE OF A PROJECT FINANCED WITH THE PROCEEDS OF REVENUE BONDS OF THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF (1) SPECIAL WARRANTY DEED, (2) A BILL OF SALE, (3) A TERMINATION AND RELEASE OF LEASE, AND, (4) A SATISFACTION, DISCHARGE AND RELEASE OF INDENTURE (GARDEN CITY FAMILY YMCA, INC.)" was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2663-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered and approved two resolutions allowing the City of Garden City to participate in the Kansas Moderate Income Housing (MIH) Grant Program from the Kansas Housing Resources Corporation (KHRC).

Resolution No. 2664-2016, "A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATION GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH VICTOR ARCOS AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM" was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2664-2016. 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

Resolution No. 2665-2016, "A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH CG INVESTMENTS, LLC AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM" was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2665-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Commissioner Fankhauser moved to select the CG Investments, LLC as the priority project between the two projects as requested by the Kansas Housing Resources Corporation. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to appoint Vinh Phuoc Nguyen to fill the unexpired term set to expire in December 2016 on the Cultural Relations Board. 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

Commissioner Doll moved to approve the proposal from Athco, LLC for \$24,971 to purchase and install playground equipment for Santa Fe Park. 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

Commissioner Doll moved to approve the following:

1. The Governing Body considered and approved a contract for professional services between the City of Garden City and Pinegar, Smith & Associates, Inc.
2. The Governing Body considered and approved the licenses for October 4, 2016.
3. Quit Claim Deed from heirs of J.J. Amos and Bill Rhymes transferring Spaces 1, 3, and 4, Lot 549, Zone A, of Valley View Cemetery to Mary L. Amos.

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

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

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

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Chris Law, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

### **City Commission Reports**

Commissioner Doll thanked the employees that work at the Electric Department and stated she was very grateful for them. Commissioner Doll commented that the pre-meeting topic about smart irrigation was an informative meeting. Commissioner Doll congratulated Director of Aviation Powell and Airport staff for their work leading up to the FAA inspection. Commissioner Doll thanked the job coaches and clients at Mosaic for the work they do in our community.

Mayor Law thanked both the Electric Department employees and the clients of Mosaic for the work they do in our community. Mayor Law thanked Communications Supervisor Maureen Miller for her 30 years of service to the Garden City Police Department and the community. Mayor Law invited everyone to attend the Pink Hard Hat event on October 10, 2016 at 9:30 a.m.

Commissioner Fankhauser congratulated the 2016 Leadership Garden City Class. Commissioner Fankhauser thanked and congratulated the Electric Department and stated that 102 years serving Garden City is a long time. Commissioner Fankhauser stated he was impressed with the TP&L facility that will be built in Garden City as it will be the largest in North America.

Commissioner Cessna echoed the thoughts of the other Commissioners on Leadership Garden City Class, Electric Department employees and Mosaic staff and clients. Commissioner Cessna reminded everyone that city wide cleanup has started and will continue through October 14, 2016.

Commissioner Dale congratulated and thanked the 2016 Leadership Garden City class and welcomed them back to attend any Commission meeting. Commissioner Dale stated it was nice to have the TP&L Transload facility utilizing the property located on Farmland Road.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Celyn N. Hurtado, City Clerk  
**DATE:** October 18, 2016  
**RE:** Extra Mile Day Proclamation

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### **ISSUE:**

The Governing Body is asked to consider and allow the Mayor to proclaim November 1, 2016 as Extra Mile Day in Garden City, Kansas.

### **ALTERNATIVES:**

1. Approve the request to allow the Mayor to proclaim November 1, 2016 as Extra Mile Day in Garden City.
2. Deny the request.

### **RECOMMENDATION:**

Staff recommends approval of the request to allow the Mayor to proclaim November 1, 2016 as Extra Mile Day.

### **FISCAL NOTE:**

None.

### **ATTACHMENTS:**

Description	Upload Date	Type
2016 Extra Mile Day proclamation	10/13/2016	Backup Material

# PROCLAMATION

**WHEREAS,** Garden City, Kansas is a community which acknowledges that a **special vibrancy exists within the entire community** when its individual citizens collectively, **“go the extra mile” in personal effort, volunteerism, and service;** and

**WHEREAS,** Garden City, Kansas is a community which encourages its citizens to **maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction** to their individual ambitions, family, friends, and community; and

**WHEREAS,** Garden City, Kansas is a community which chooses to shine a light on and celebrate individuals and organizations within its community who **“go the extra mile” in order to make a difference and lift up fellow members of their community;** and

**WHEREAS,** Garden City, Kansas acknowledges the **mission of the Extra Mile America to create 550+ Extra Mile cities in America** and is proud to support **“Extra Mile Day” on November 1, 2016.**

**NOW, THEREFORE, BE IT RESOLVED,** that I, Chris Law, Mayor of the City of Garden City, Kansas, do hereby proclaim November 1, 2016 to be:

## EXTRA MILE DAY

I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

**SIGNED AND SEALED** this 18<sup>th</sup> day of October, 2016.

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Chris Law, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Celyn N. Hurtado, City Clerk  
**DATE:** October 18, 2016  
**RE:** 2016 Graphic Stitching Unlimited request

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### **ISSUE:**

The Governing Body is asked to consider and approve a request from Bonnie Bribiesca, Graphic Stitching Unlimited, to be categorized as a Local Business on the application for an Itinerant Merchant license.

### **BACKGROUND:**

Ms. Bribiesca has come before the Governing Body in previous years to request consideration as a Local Business for the purposes of the Itinerant Merchant license. Ms. Bribiesca owns and normally operates her business at 7435 Access Road in Finney County, however during the holiday season she would like to set up at 201 W. Kansas Avenue.

Governing Body has approved this request in 2012, 2013, 2014 and 2015.

### **ALTERNATIVES:**

1. Approve the request to be considered a Local Business.
2. Deny the request to be considered a "Local Business" and require the applicant to be considered a Non-Local Business and pay the fees related to it.

### **RECOMMENDATION:**

Staff has no recommendations.

### **FISCAL NOTE:**

The cost for a Local Itinerant Merchant license is \$365 for one year. The cost for a Non-Local Itinerant Merchant license is \$300 per day or \$900 per month.

### **ATTACHMENTS:**

Description	Upload Date	Type
2016 Graphic Stitching Unlimited	10/13/2016	Backup Material



NON-LOCAL ITINERANT MERCHANT LICENSE APPLICATION

Date: 10/11/16

1. Name of Business  
Graphic Stitching Unlimited

2. Names and birth dates of all who will be working under this license. Please provide copies of Driver's Licenses or State issued ID's. (continue on back if needed)

Name	DOB	Dr License #
<u>Bonnie Bribiesca</u>	<u>12/01/1968</u>	<u>K00-69-5223</u>

2. Have any of the above mentioned been convicted of a felony? If yes, explain.  
No

3. Address of applicant  
101 Jo Ella Dr., Holcomb, KS 67851

4. Kansas State Sales Tax # (must attach copy)  
004-800679836 F-01

5. Briefly describe the nature of the business.  
monogramming/embroidery on hats, jackets, etc.

6. Location where business will be conducted. (Must provide written permission from property owner.)  
201 W. Kansas, Garden City, KS

7. Trade references (past customers)

Name	Address
<u>Finney Co. Treasurer</u>	<u>Garden City, KS</u>
<u>JH Enns Trucking</u>	<u>Garden City, KS</u>

8. Period of time for which license is to be issued:  
November 25, 2016 - December 24, 2016

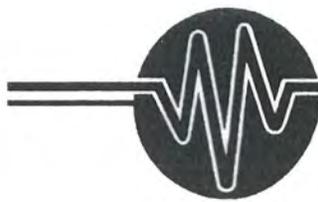
9. Fee (\$300 per day/\$900 per month)  
Bribiesca 10/11/16

Applicant signature Date

For office use only

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

Receipt #	City Clerk
License#	Police Dept.
Dates Valid	



# TEAM ELECTRONICS

Since 1950, "Our Service is the Difference."

10-11-16

To whom it may concern:

Graphics Stitching has my permission to temporarily locate their business on the vacant lot just west of Team Electronics from 11/25/16 thru 12/31/16

Frank Schmale

Team Electronics



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** Consideration of the use of special assessments for the 2300 block of N. 9<sup>th</sup> Street.

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### **ISSUE:**

The Governing Body is asked to consider and authorize the petition process for the use of special assessments for the 2300 block of N. 9<sup>th</sup> Street.

### **BACKGROUND:**

Vernon and Wilma Solze have approached staff and are requesting authorization for the use of special assessments to provide infrastructure improvements to the 2300 block of N. 9<sup>th</sup> Street. (See Exhibit 1) The infrastructure improvements will include paving along with curb and gutter on 9<sup>th</sup> Street. For the utility improvements, water, sewer, electric are to be added along 9<sup>th</sup> Street. In addition, sewer and electric services are to be added to the west alley along 9<sup>th</sup> Street. Refer to the attached map of the existing utility locations. (See Exhibit 2.)

There are sixteen (16) lots in the Solze Subdivision, with eight (8) lots on each side of 9<sup>th</sup> Street. There will be fourteen (14) properties that will be contributing to the special assessments. Lots 7 and 8 of block B (2302 N 9<sup>th</sup>) will not be contributing. The parcels participating in the program are highlighted in blue on the attached map. (See Exhibit 2.)

The property owners are requesting the City pay 70% of the total costs with the owners contributing 30% of the total costs. They are also requesting the 30% to be carried over a ten year time-frame for the parcels involved in the special assessment. The applicant has provided sewer and street estimates to complete the project. The total amount expected for this project is estimated at \$181,466.20. (See Exhibit 3.) This amount does not include financing fees.

### **ALTERNATIVES:**

The Governing Body may:

1. Authorize staff to begin the petition process.
2. Not approve the specials request.

### **RECOMMENDATION:**

Staff recommends authorization to begin the petition process.

### **FISCAL NOTE:**

If the petition process is authorized, the special assessment district will provide 30% of the funding with the City-at-large providing 70% of the funding. The City's portion will likely impact the 2018 budget.

**ATTACHMENTS:**

Description	Upload Date	Type
Exhibit 1	10/12/2016	Backup Material
Exhibit 2	10/12/2016	Backup Material
Exhibit 3	10/12/2016	Backup Material

## Exhibit 1

City Commissioners

09/14/ 2016

City of Garden City

Ref: Block 2300 of North 9<sup>th</sup>, see map

We, the undersigned property owners, hereby request the City of Garden City to provide improvement to the street and block of 2300 North 9<sup>th</sup> with paving, curb and gutter. Utility hook ups for gas and water should be added along 9th street. Sewer & electric service are also requested along the property alley on the west side of Block 2300 North 9<sup>th</sup>.

The property owners also request that the City provide seventy percent (70%) of the financing and the property owners provide thirty percent (30%) of the financing. Exception being the two lots on the South East end of Block 2300 or address 2302 & 2304 North 9<sup>th</sup> to be exempt from the 30% special taxes. On the 16 lots of Block 2300 only 14 will carry the 30% ten (10) year special taxes

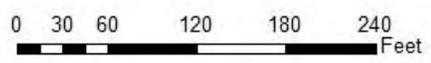
Land owners

Vernon & Wilma Solze

Eric Solze

Exhibit 2

Solze Replat



- Yellow line: Sewer
- Red line: Electric



# Exhibit 3

September 28, 2016

Eric Solze  
Vern Solze  
1102 Kingsbury St.  
Garden City, Kansas 67846

Re: BUDGET PROPOSAL FOR SEWER LINE AND STREET PAVING - 9<sup>th</sup> Street - Garden City, Kansas

Eric:

We submit the following breakdown for the sewer and street pavement. Our proposal includes labor, materials, equipment, contractor fee and sales tax. Sewer and street design specifications as per City of Garden City. This budget proposal includes replacing the concrete gutter and curb on the north end of street.

## SANITARY SEWER

1	Pot Holes & Locating Existing Lines	5.00	Ea	285.00	1,425.00
2	Sanitary Sewer	473.80	LF	44.00	20,847.20
3	Connect To Existing Manhole	1.00	Ea	750.00	750.00
4	Manholes	1.00	Ea	4,445.00	4,445.00
5	Sanitary Sewer Clean Out	6.00	Ea	400.00	2,400.00
6	4" Service Lines	120.00	LF	24.00	2,880.00
7	Construction Staking	1.00	LS	1000.00	1000.00
					<b>\$33,747.20</b>

## STREET PAVING

1	Remove Existing Paving	100.00	SY	15.00	1,500.00
2	Valley Concrete	100.00	SY	64.00	6,400.00
3	Street Excavation	400.00	CY	12.50	5,000.00
4	Curb & Gutter	1,180.00	LF	26.00	30,680.00
5	AB2 Base	2,078.00	SY	6.50	13,507.00
6	6" Asphalt Paving	1,773.00	SY	34.00	60,282.00
7	Erosion Control	1.00	LS	3,800.00	3,800.00
8	Construction Staking	1.00	LS	3,500.00	3,500.00
9	Traffic Control	1.00	LS	3,450.00	3,450.00
					<b>\$128,119.00</b>
<b>TOTAL</b>					<b>\$161,866.20</b>

# Exhibit 3

Solze Development Cont.

## ENGINEERING PROPOSAL FOR SEWER AND STREET CONSTRUCTION:

We received the following cost breakdown from the engineering firm of SMH Engineering - Manhattan, Ks

Estimated Engineering cost:

Sewer Line Design	\$7,800.00
Street Design	\$11,800.00

NOTE: The engineering cost estimates are not included in our base bid for construction

NOTE: This budget cost estimate is subject to change after this project has been engineered and has received final approval by the City of Garden City, Ks.

### General Exclusions:

Electrical service, water service, gas service, relocating any underground utilities or city fees other than building permit.

Thank you for the opportunity to bid this project. If you have any questions please contact our office.  
620-276-6811

Sincerely:



Tom Waller  
Project Manager  
Lee Construction Inc.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kristi Newland, Zoo Director  
**DATE:** October 18, 2016  
**RE:** Lee Richardson Zoo monthly report - September 2016

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**ISSUE:**

Zoo Director Newland will present the September 2016 monthly staff report from Lee Richardson Zoo.

**BACKGROUND:**

Attached is the September 2016 monthly staff report from Lee Richardson Zoo

**ALTERNATIVES:**

None

**RECOMMENDATION:**

None

**FISCAL NOTE:**

None

**ATTACHMENTS:**

Description	Upload Date	Type
September 2016 zoo monthly report	10/11/2016	Backup Material



# CITY OF GARDEN CITY ZOO DEPARTMENT SEPTEMBER 2016 MONTHLY REPORT

## ANIMAL DIVISION

### **ACCESSIONS:**

**Births/Hatchings:** None

### **Transactions (Purchases, donations, etc.)**

2.2	Red crested pochards	Transfer from Sedgwick Co Zoo
2.2	White cheeked pintails	Transfer from Sedgwick Co Zoo
1.0	Bald eagle	Transfer from Sedgwick Co Zoo
1.0	Crested coua	Transfer from Sedgwick Co Zoo

### **DEACCESSIONS**

**Deaths:** None

### **Transactions (Sales, donations, etc.)**

1.2	Bar headed geese	Transfer to Sedgwick Co Zoo
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Acclimating rhinos to process of/and dulling horns to reduce risks of injury during future introductions. Horn pieces sent to USFWS to help train dogs to detect smuggled rhino horn. Reintroducing male lion, Razi, to females, Amali and Lulu, who are both contracepted. 1.0 elk received annual hormone implant. Keeper interviewed for Neighbors section of GC Telegram. Registrar participated in ISC and Grow Well advisory board meetings.

## ADMINISTRATION DIVISION

Accreditation was awarded for another 5 years (LRZ's 7<sup>th</sup> consecutive accreditation) at an accreditation hearing during the AZA National conference which was attended by the Zoo Director, General Curator, Curator of Education, and FOLRZ Exec. Director. A Staff accreditation celebration/thank you lunch was held. Staff participated in "A Wild Affair" preparations, event, and debrief. Director and Curator of Educ. attended United Way Pacesetter committee meetings and helped with Kick-off event. Director participated in City's Legislative Policy meeting, and a pre-event meeting with Leave a Legacy event coordinator, and was interviewed regarding fundraising for zoo's new primate habitat. Director and Administrative Assistants attended vehicle planning training. The zoo returned to regular hours of operation (8:00-5:00). Director and Curator of Educ. are consulting with IT, Electric Department and electrician on security camera project. All staff received annual fire extinguisher training from GCFD. Annual TB tests were administered for all zoo staff and volunteers by Grow Well Clinic.

## EDUCATION DIVISION

Education staff planned and hosted the International Red Panda Day event on Sept. 18th for 127 attendees, and the International Rhino Day event on Sept. 25 for 356 attendees. Butterfly coloring pages were sent to all local grade schools in recognition of Butterfly Appreciation Day. Curator of Educ. filled a lead role in organizing/recruiting volunteers for "A Wild Affair". The Education Division gave 77 formal programs to 2124 people, and reached an additional 713 people through 10 hours of informal programming (i.e. keeper chats, discovery carts on grounds). Thirteen classes ranging in age from first grade to college learned about invertebrates, bison, Native American animal uses, or animal reproduction via four zoo discovery boxes or artifacts utilized by their teachers. Distance Learning programs earned \$360 in fees. Program development and scheduling continues for the 2016/2017 school year. Various signs are under development (signs for new animals, Butterfly Garden, etc...). Staff assisted with Mississippi kite physical therapy and are assisting with organizing an EcoMeet event to be held next month.

## MAINTENANCE DIVISION

Our primary focus for September was the yard conversion for the Asian Wild Horse area. Four gates were built and installed to facilitate ease of access for both staff and animals. Facilities Manager coordinated contractor efforts to install an automatic sprinkler system in the yard, and to run electric power to the barn. Work on the new Basilisk exhibit continues (modifying the front window for improved guest viewing and safe containment and creating a pond for the water-loving lizard). The Giraffe viewing deck as well as the "gorilla tree" received an annual application of water sealer. There were several new signs installed (at duck feeders and on the Giraffe encounter "tiki hut"). Maintenance team assisted with repairs to the rhino scale. Trees were trimmed to maintain a clear perimeter fence as required by USDA. The maintenance team also helped prepare for "A Wild Affair" and performed regular grounds maintenance. Various repairs to sewer lines, water lines, fences and motors also were completed.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Emily Burns, Garden City Police Department Budget Analyst  
**DATE:** October 18, 2016  
**RE:** 2016 City Auction Summarization.

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### **ISSUE:**

Presentation of the results of the City's annual equipment and vehicle auction from the Garden City Police Department.

### **BACKGROUND:**

On September 24, 2016 Scott Auction conducted the annual City Auction. A total of 93 bidders were registered and present. Items sold during the auction included office chairs, file cabinets, cubicles, desks, lawn equipment and miscellaneous items. The Police Department sold 4 fleet vehicles, 2 forfeiture vehicles and 17 abandoned vehicles.

### **ALTERNATIVES:**

None.

### **RECOMMENDATION:**

None.

### **FISCAL NOTE:**

The total net sale for the City of Garden City is \$11,124.45. Below is a breakdown of the auction income by department:

Administration	\$351.45
Cemetery	\$334.80
Computer Support	\$14.40
Electric Department	\$224.55
Fire Department	\$9.90
Housing Authority	\$407.70
Police Department	\$9,470.25
Solid Waste	\$27.45
Lee Richardson Zoo	\$115.65
Parks Department	\$168.30

A vehicle was inadvertently sold to an unauthorized purchaser for \$1,250.00. The purchaser returned the vehicle to the Police Impound and the funds were returned to the purchaser. The vehicle will be sold at the next auction.

### **ATTACHMENTS:**

Description	Upload Date	Type
Consignor Total Report	10/6/2016	Backup Material
Consignor Settlement	10/6/2016	Backup Material

Consignor Totals by Consignor

161 - GC IMPOUND & SURPLUS AUCTION 9-24-16 : 1/1/2016 - 12/31/2016

Lot Count	Invoice Price	Expenses	Manual Adj	Commission	Buy Back Fees	Payment Type Surcharge	Due to Consignor	CO Balance Adj	Payments	Balance
50 - Garden City Police Dept., 143	8,072.50	0.00		-807.25	0.00	0.00	7,265.25		0.00	7,265.25 ✓
51 - GARDEN CITY Elec. Department, 23	249.50	0.00		-24.95	0.00	0.00	224.55		0.00	224.55 ✓
52 - Garden City Municipal Court, 1	0.00	0.00		0.00	0.00	0.00	0.00		0.00	0.00
53 - Garden City Parks Dept., 26	187.00	0.00		-18.70	0.00	0.00	168.30		0.00	168.30 ✓
54 - Garden City Housing Authority, 21	453.00	0.00		-45.30	0.00	0.00	407.70		0.00	407.70 ✓
55 - Garden City Zoo, 6	128.50	0.00		-12.85	0.00	0.00	115.65		0.00	115.65 ✓
56 - Garden City Cemetary, 22	372.00	0.00		-37.20	0.00	0.00	334.80		0.00	334.80 ✓
57 - Garden City solid waste, 5	30.50	0.00		-3.05	0.00	0.00	27.45		0.00	27.45 ✓
58 - Garden City Fire Department, 3	11.00	0.00		-1.10	0.00	0.00	9.90		0.00	9.90 ✓
59 - Garden City IT Dept, 1	16.00	0.00		-1.60	0.00	0.00	14.40		0.00	14.40 ✓
60 - Garden City Administration, 74	390.50	0.00		-39.05	0.00	0.00	351.45		0.00	351.45 ✓
61 - Finney County Sheriff Dept., 48	3,936.50	0.00		-393.65	0.00	0.00	3,542.85		0.00	3,542.85
62 - Garden City Police Dept. (Forfeiture), 2	2,450.00	0.00		-245.00	0.00	0.00	2,205.00		0.00	2,205.00 ✓
Totals: 375	16,297.00	0.00	0.00	-1,629.70	0.00	0.00	14,667.30	0.00	0.00	14,667.30

- 393.65  
# 1236.05

OK# 11432 - FISO 3,542.85  
CR# 11433 - City Total 11,124.45

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

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**Consignor: 50**

Garden City Police Dept.  
 C/o Emily Burns  
 304 N 9th  
 GARDEN CITY, KS 67846  
 Phone:620-276-1300

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
1	ASUS LAPTOP AND MISC TOOLS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 165	10.00
2	BOX MISC TOOLS, GUAGES, TRIMMER LINE, LOGITEC MOUS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 105	30.00
3	STACK OF CUT OFF BLADES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 142	19.00
4	BATTERY BOOSTER BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	12.50
5	9X7 4 PERSON TENT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	7.50
6	LAUNDRY BASKET OF CLOTHING, SHOES, BELTS, MISC	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	2.50
7	BYCYCLE SEAT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
8	OVERNIGHT CASE, VASE, PRINT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
9	ILLUSTRAVOX STANDARD PORTABLE PHONOGRAPH/PROJECTOR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	3.00
10	JEWELRY BOX, LONGABERGER BASKET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	5.00
11	PAINT BY # & AURORA RACE TRACK IN BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	7.00
12	CROCK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	3.00
13	ELECTRIC SKILLET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	5.00
14	ELGIN CLOCK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	2.50
15	BOX OF 8 GLASSES +16	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	0.00
16	KITCHENAID MIXER + 15	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	8.00
17	UMBRELLA STAND	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	1.00

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Lot#	Lead	Date	Transaction Description	Amount
18	4-SCALE MODEL CARS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	22.50
19	GREEN PHEASANTS, MISC GLASSWARE, CAKE PLATES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
20	DOLL HOUSE FURNITURES, DOLLS & BOX OF TOYS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 136	5.00
21	ROSE PITCHER/BOWL SET, HOMER LAUGHLIN CHINA	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 105	1.00
22	CALPHALON BAKEWARE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	6.00
23	FLAT - MIRROR, PADDLE, TRAY, WINDOW CLINGS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
24	FRANKOMA POTTERY	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	17.00
25	HORSE STATUE & CAKESTAND	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	3.00
26	LAUNDRY BASKET - LIGHT, JEWEL BOX, WALL HANGINGS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	2.00
27	BLUE ROSE IMPERIAL CHINA	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
28	TOY CARS, SHAVING MUG, BROWN JUG, RADIO, MISC	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 163	7.50
29	TIN CUPS, SALUD LIQOUR GLASSES, BAR SERVING TRAYS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
30	WOOD PLANES, FISHING REEL, METAL CAR +29	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 116	22.50
31	FLAT SILVERWARE, BREAD PAN	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	10.00
32	PITCHER, BOWLS, MISC GLASSWARE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
33	PINK, BLUE, WHITE DEPRESSION GLASSWARE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
34	WHALE, APPLE, ROCKS, BLUE/CREAM CERAMIC PLATES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
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Lot#	Lead	Date	Transaction Description	Amount
35	PINK ROSE CHINA SET + 36	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	0.00
36	RED DECANTER & BLUE VASE, ANTIQUE LAMP IN TOTE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	3.00
37	ANGELS AND MISC SMALL VASES +38	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
38	COOKIE CUTTERS, ROLLING PIN, BAKING ROUNDS + 37	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	6.00
39	CLOCKS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	7.00
40	BELLS & MARBLES	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
41	PINK & GREEN DEPRESSION GLASS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	27.50
42	MISC CLEAR GLASS, CANDLE HOLDERS, DECANT, CAND DIS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
43	3 GLASS BOWLS, 2 BLUE COASTERS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
44	HOLLAND SALT/PEPPER, 3 MONOGRAMMED GLASSES, PITCHER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
45	BLUE CHIP/DIP, 4 HEAVY CLEAR GLASSES + 46	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
46	WAVE CLIPS, CAKE CUTTERS + 45	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
47	BLUE BELL & BIRDS, VASES, CANDLE STICKS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
48	FLAT - SALT & PEPPER SHAKERS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	16.00
49	HEAVY GLASS DISHES - 8 PC SET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
50	MISC VASES, MUGS, CUPS +51	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
51	WISHING WELL, 6 ROSE GLASSES, BLUE COFFEE POT +50	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	10.00
52	PASTEL DISHES	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
53	PEPSI COLA CARRIER, KNIFE RACK, RADIO, LEAD DISPLA	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 163	7.00

**Consignor Settlement**

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Lot#	Lead	Date	Transaction Description	Amount
54	MISC GLASSWARE, VASES, MUGS, BUCKET +55	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
55	BLUE CANDLESTICKS, YELLOW SUGAR CREAMERS + 54	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
56	COMPRESSION GUAGE & SOCKET SET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	10.00
57	TEA CUPS & SAUCERS, POTTERY VASE + 58	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	0.00
58	JAGUAR, GOOSE, BLACK VASE + 57	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	1.00
59	RED GLASSWARE, CANDLABRA, GREEN BUTTER DISH	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	2.00
60	2 OIL LAMPS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 102	22.00
61	FLAT OF BOOKS +62 + 63	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 162	0.00
62	MISC DISPLAY SIGNS FOR CHINA +61 +63	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 162	0.00
63	MISC COOKBOOKS & BOOKS + 61 +62	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 162	1.00
64	METAL BANKS, BOOK ENDS & PO PINS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	47.50
65	MISC CHINA PLATES, GLASS BOWL+66	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	0.00
66	LEAD CHRYSTAL DISHES, CAKE PLATES, CHINA DOLL +65	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
67	GREEN DEPRESSION GLASS - ORANGE GLASS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	12.50
68	7 HEAVY GLASSES & VASE +69	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
69	3 FLOWER VASES, COOKBOOK AND AZTEC WOMAN VASE +68	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	42.50
70	MISC SUNGLASSES, ROCKS, MOBILE SHAVER, MISC ITEMS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 102	6.00
71	5 HEAVY GLASS PLATES, 3 HEART CANDY DISHES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
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Lot#	Lead	Date	Transaction Description	Amount
72	6 & 7 PC GLASS SETS +73	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 168	0.00
73	OLD SPEAKER +72	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 168	30.00
74	FANCY TEA/WATER DISPENSER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	1.00
75	6 PC GLASS SET & RELISH TRAY +76	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	0.00
76	PFALTZGRAFF, CASSEROLE DISH +75	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
77	7 DESSERT PLATES & GLASS BOWL	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
78	3 PCS CARNIVAL GLASS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	15.00
79	SKATES, CREAMERS, CANNISTERS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	22.50
80	3 PC CERAMIC BOWLS, ONE W/LID +81	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	0.00
81	FRUIT BOWL, LAMP W/SHADE HAS MARBLE BASE +80	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
82	WHITE CANDY DISHES & VASE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	13.00
83	BOXES OF MISC TOYS - TINKER TOYS, CLOWNS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	15.00
84	ICE CRUSHER, SCALE, FILM SPLICER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
85	ORANGE CAST IRON POT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	11.00
86	SHRINER'S HAT, TABLECLOTHES & HANKIES	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
87	LG BOX - UMBRELLA, COPPER PICTURES & COFFEE POT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	6.00
88	FLAT - CRUISE SHIP, DOLL, OWLS, NUT CRACKERS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 153	4.00
89	11 PC BLUE GLASSWARE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
90	ICE CREAM BUCKETS IN BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 163	5.00
91	OLD SCRAPBOOK, W/ MISC FABRIC & HEATING PAD	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 168	1.00

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
92	9 PC CRYSTAL STEMWARE, SUGAR, CREAMER, BUD VASE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
93	CAPE COD RED AVON, BLUE COFFEE POT, BIRD CLOCK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
94	2 SMALL GLASS CANDLE HOLDERS, 13 PLATES	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
95	2 LG GLASS CANDLE HOLDERS, PINK & WHITE LAMP	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	20.00
96	BRASS CHANDELIER, GLASS CANDY DISH	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	13.00
97	12 PC MISC CRYSTAL PCS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	4.00
98	MISC KITCHEN/BATHROOM CERAMIC WALL HANGINGS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00
99	TRAIN SET IN BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	22.00
100	LG RELISH TRAY & BABY BLANKET IN BOX	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
101	12 PCS CRYSTAL STEMWARE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	2.00
102	FLAT MISC GLASSWARE, GREEN GLASS CANDY BASKET +13	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 168	0.00
103	BOX "COLLECTION" BOOKS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 168	1.00
104	GLASS LAMP SHADE +106	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	0.00
105	SMALL GUITAR	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
106	METAL ADVERTISING THERMOMETERS +1049	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 148	27.50
107	FOLDING MIRROR & DISPLAY BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	1.00
108	MIRRORED WALL SHADOW BOX + 109	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 153	0.00
109	2 FISHING TACKLE BOXES +108	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 153	7.00
110	11 PC BLUE GLASSWARE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
Date:	9/23/2016
Page:	7

Lot#	Lead	Date	Transaction Description	Amount
189A	LAUNDRY BASKET W/MISC ITEMS, EGGCOOKER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	12.00
235	10 QTS OIL & GAL ANTI FREEZE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	12.50
253	3 FRAMED PRINTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	3.00
264	12 AUTOMOTIVE LAPTOP MOUNTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	1.00
270	2 BOAT FUEL CANS, RED	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
301	YAMAHA 350 ATV #JY4AH12YX40000306	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	350.00
308	PD2 1976 JEEP CJ7 77245M, WHITE SOFT TOP, RED, V#J6A93EH059745	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	900.00
309	PD10 1999 DODGE RAM 1500 SLT LARAMIE TMU, BURGANDY, TANTO COVER, EXT CAB, V8, V#3B7HC12Z8XG150777	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 117	550.00
310	PD9 1976 DODGE SPORTSMAN CLASSIC TMU, WHITE, NO KEY, V#F44CF6V094680	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	75.00
311	PD18 2001 BMW 740IL TMU, BLACK, 4DR, NO KEY, V#WBAGH93421DP26423	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	350.00
312	PD15 1996 PONTIAC GRAND PRIX SE TMU, BURNT ORANGE, 4DR, NO KEYS, V#1G2WJ52M7TF220794	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
313	PD21 1986 FORD RANGER 74795M (TMU), 5SPD STANDARD, REG CAB, 2 DR, LIGHT BLUE, V#1FTBR10A9GUD28677	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	250.00
314	PD3 2001 BUICK REGAL LS TMU, SILVER, 4DR, NO KEY, V#2G4WB55K311165165	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	275.00
315	PD16 1994 PONTIAC FIREBIRD TRANSAM 25TH ANNIV EDIT 161559M, WHITE/BLUE STRIPES, 2 DR, HARD TOP, V#2G2FV22P8R2239023	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	500.00
316	PD5 1999 CHEVROLET VENTURE MINIVAN 151663M, GREEN, NO KEY, V#1GNDX03E2XD316661	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	525.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
317	PD14 1997 FORD EXPEDITION XLT 4X4 217183M, BURGANDY, V#1FMFU18L7VLA01988	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	250.00
318	PD8 1995 DODGE AVENGER 192192M, GREEN, V6 24 VALVE, V#4B3AU52N7SE104490	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
319	PD11 2000 FORD F150 XLT TMU, RED, 2WD, EX CAB, GRILL GUARD, V#1FTRX17L2YKA82371	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	350.00
320	PD20 1993 FORD TEMPO GL 03240M, TMU, 5 SPD, WHITE, 2DR, V#1FAPP31X2PK187298	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
321	PD19 1995 MERCURY COUGAR XR7 162825M, GREEN, V8, SUNROOF, V#1MELM62WXSH659177	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
322	PD7 1998 DODGE DAKOTA SLT 4X4 TMU, BLUE, V8 MAG, XCAB, V#1B7GG22Y42S596333	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	675.00
324	PD4 1992 CADILLAC SEDAN DEVILLE 108430M, BLUE, 4.9 PORT FUEL INJ V8, NO KEY, V#1G6CD53B8N4222624	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
325	PD6 1992 CHEVROLET BLAZER S10 4X4 187296M, WHITE, 2DR, V#1GNCT18W1N0140091	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	250.00
326	PD31 2010 FORD CROWN VIC - FLEX FUEL TMU, B/W, KEY, V#2FABP7BV7AX119520	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
327	PD34 2006 FORD CROWN VIC TMU, B/W, KEY, V#2FAFP71W16X128832	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 117	625.00
329	PD32 2006 FORD CROWN VIC TMU, B/W, KEY, V#2FAFP71W36X128833	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	650.00
330	PD30 2009 FORD CROWN VIC TMU, B/W, KEY, V#2FAHP71V39X139769	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	100.00
400	COSTUME JEWELRY	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 185	4.00

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6055
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
401	COSTUME JEWELRY	9/29/2016	Invoice Sale Price(Qty=2) Bid Card # 101	6.00
402	COSTUME JEWELRY	9/24/2016	Invoice Sale Price(Qty=7) Bid Card # 133	7.00
403	COSTUME JEWELRY CHOICE FLAT -MEN'S TIE TACKS, ETC	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	15.00
404	COSTUME JEWELRY - CHOICE FLAT-WOMEN'S JEWELRY	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	17.50
405	JEWELRY BOX	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	1.00
		9/29/2016	Payment to Consignor - CK# 11433	( 7,265.25)

Total Quantity:	150.00
Total Invoice Sale Price:	8,072.50
Total Commission:	( 807.25)
Total Due to Consignor:	7,265.25
Total Payments:	( 7,265.25)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount	10%
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**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount	\$0
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THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

## Consignor Settlement

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6056
Date:	9/23/2016
Page:	1

**Consignor: 51**

GARDEN CITY Elec. Department  
 C/O POLICE DEPT.  
 GARDEN CITY, KS 67846

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
111	11 - STACKING MEETING ROOM CHAIRS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	5.00
112	BLACK ROLLING OFFICE CHAIR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 117	1.00
118	OFFICE CHAIR, ROLLING - BLACK, LEATHER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 117	11.00
153	BOX OF LINEMAN'S SAFETY BELTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	15.00
154	BOX OF LINEMAN'S SAFETY BELTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	15.00
155	BOX OF LINEMAN'S SAFETY BELTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 146	15.00
219	5-OVERHEAD FLOOD LIGHTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	80.00
220	TOOLS, CORDS, FLASHLIGHT, DRILL, BAG	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	5.00
242	6 YARD LIGHT GLOBES	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
332	MAP CABINETS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	2.00
333	METAL DBLE PED DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
334	METAL SGLE PED DESK & CORKBOARD	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
335	DBLE PED ANTIQUE WOOD DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
336	4 DRAWER LEGAL FILE, TAN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	4.00
337	4 DRAWER LEGAL FILE, OFF WHITE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 147	6.00
338	4 DRAWER LETTER FILE, GRAY	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	2.00
339	4 DRAWER LEGAL FILE, BROWN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 165	6.00
340	4 DRAWER LEGAL FILE, BROWN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 165	9.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6056
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
341	2 DRAWER LEGAL FILE, BROWN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 165	5.00
342	CUBICLE DESK COMPONENTS & PARTS - ALL	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	1.00
343	5 DRAWER BLUEPRINT CABINET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	30.00
344	5 DRAWER BLUEPRINT CABINET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	7.50
345	5 DRAWER BLUEPRINT CABINET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	30.00
		9/29/2016	Payment to Consignor - CK# 11433	( 224.55)

Total Quantity:	23.00
Total Invoice Sale Price:	249.50
Total Commission:	( 24.95)
Total Due to Consignor:	224.55
Total Payments:	( 224.55)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6057
Date:	9/23/2016
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**Consignor: 54**

Garden City Housing Authority

Garden City, KS 67846

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
113	BLUE, WOOD ARMED OFFICE CHAIR +114	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	0.00
137	KEYBOARDS, MICE, ETC +138	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	0.00
138	2 BOXES TONER CART. +137 +139	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	0.00
139	DELL MONITOR +137 +138	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	1.00
140	ELECTRIC TYPEWRITER +141	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	0.00
141	2 HEPA FILTER FANS +140	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	6.00
177	5 BOXES REFRIG TRAY PARTS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
180	HUMIDIFIER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	1.00
181	BROTHER INTELLIFAX 2920 +182	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	0.00
182	CANON PIXMA MP495 PRINTER +181	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	2.50
185	BOX PLUMBING/ELEC PARTS, TOOL BAG, ETC	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 158	40.00
246	SPEED QUEEN DBLE STACK GAS COIN OP CLOTHES DRYER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	30.00
247	SPEED QUEEN COIN OP COMMERCIAL WASHING MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 122	85.00
248	SPEED QUEEN COIN OP COMMERCIAL WASHING MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	65.00
249	SPEED QUEEN COIN OP COMMERCIAL WASHING MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 199	24.00
250	SPEED QUEEN COIN OP COMM CLOTHES NAT GAS DRYER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	2.50

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6057
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
251	SPEED QUEEN COIN OP COMM CLOTHES NAT GAS DRYER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 122	85.00
252	SPEED QUEEN COIN OP COMM CLOTHES NAT GAS DRYER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	65.00
254	3 FRAMED POSTERS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 195	1.00
255	3 FRAMED PICTURES/PRINTS - LIMITED EDITION	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	15.00
256	SPEED QUEEN DBLE STACK COIN OP CLOTHES DRYER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 187	30.00
		9/29/2016	Payment to Consignor - CK# 11433	( 407.70)

Total Quantity:	21.00
Total Invoice Sale Price:	453.00
Total Commission: (	45.30)
Total Due to Consignor:	407.70
Total Payments: (	407.70)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

## Consignor Settlement

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6058
Date:	9/23/2016
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**Consignor: 53**

Garden City Parks Dept.

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
114	OFFICE CHAIR, BROWN TWEED +113	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	0.00
115	OFFICE CHAIR, BLUE FLECKED + 113 +114	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	1.00
116	OFFICE CHAIR, BLUE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	4.00
117	OFFICE CHAIR, GRAY	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 120	3.00
165	2 CHRISTMAS LIGHT STORAGE BAGS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 101	5.00
187	DELL PRINTER 3110CN + 188	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
188	KEYBOARD TRAY +187	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
189	DBLE PED METAL DESK, TAN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	1.00
218	SGLE PED WOOD DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
221	CUBICLE WALL CABINET +222	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	0.00
222	GRAY METAL SGLE PED LG DESK +221	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	1.00
223	GRAY METAL SGLE PED LG DESK W/ CONTENTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	1.00
226	2 DRAWER LATERAL FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	12.00
231	WOOD L=DESK W/HUTCH TOP	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 175	1.00
236	BLACK 4 DRAWER LEGAL FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 116	27.50
237	BROWN 4 DRAWER LETTER FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	11.00
258	CUBICLE PANELS & PARTS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
261	PCA 30" P/P COLOR TV	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6058
Date:	9/23/2016
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Lot#	Lead	Date	Transaction Description	Amount
279	CRAFTSMAN LAWN MOWER, GREEN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	17.00
280	CRAFTSMAN LAWN MOWER, NO REAR WHEELS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	7.50
281	ALLEN 418 HOVER MOWER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	27.50
282	MANTIS TILLER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 196	25.00
283	CRAFTSMAN LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	15.00
284	ORANGE STIHL CHAIN SAW CASE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 126	10.00
285	ORANGE STIHL CHAIN SAW CASE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	10.00
286	ORANGE HUSQVARNA CHAIN SAW CASE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	7.50
		9/29/2016	Payment to Consignor - CK# 11433	( 168.30)
				Total Quantity: 26.00
				Total Invoice Sale Price: 187.00
				Total Commission: ( 18.70)
				Total Due to Consignor: 168.30
				Total Payments: ( 168.30)
				Balance: \$0.00

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6059
Date:	9/23/2016
Page:	1

**Consignor: 60**  
 Garden City Administration

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
119	CHOICE CHAIR - 2 BLUE ROLLING OFFICE CHAIRS	9/24/2016	Invoice Sale Price(Qty=2) Bid Card # 125	18.00
120	CHOICE CHAIR - HIGH BACK OFFICE CHAIR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 194	9.00
121	CHOICE CHAIR - OFFICE EXEC CHAIR	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 102	7.50
122	CHOICE CHAIR - RED (NO ARM) ROLLING OFFICE CHAIR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 196	6.00
123	CHOICE CHAIR RED CHAIRS (WOOD ARM SITTING ONES)	9/24/2016	Invoice Sale Price(Qty=4) Bid Card # 171	20.00
124	CHOICE CHAIR - GRAY & BLUE ROLLING OFFICE CHAIRS	9/24/2016	Invoice Sale Price(Qty=2) Bid Card # 120	6.00
125	CHOICE CHAIR - BROWN LEATHER EXEC CHAIR	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 102	2.50
126	CHOICE CHAIR - TOOK BALANCE OF CHAIRS	9/24/2016	Invoice Sale Price(Qty=24) Bid Card # 133	24.00
130	SECURITY CAMERAS (5)	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	2.00
131	ALL GRAY CUBICLE DESK PARTS +132	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	0.00
132	COMPUTER TOWERS, SHELVES & MONITOR BRACKETS +131	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	1.00
133	6 - GRAY CARPETED CUBICLE PANELS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
134	PRINTER STAND & CEMENT FORM	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
135	CUBICLE SET W/ PINK PANELS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
136	HUTCH FOR OFFICE DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6059
Date:	9/23/2016
Page:	2

Lot#	Lead	Date	Transaction Description	Amount
142	DARK WOOD SINGLE PED DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
147	4 DRAWER LATERAL FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	1.00
148	4 DRAWER LEGAL FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 122	15.00
149	CUSTOMER COUNTER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	13.00
150	BLACK 2 DRAWER FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 131	4.00
151	ELKAY WATER FOUNTAIN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	5.00
152	ELKAY WATER FOUNTAIN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	5.00
164	GRAY OFFICE TABLE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	22.50
166	4 DRAWER FILE W/KEYS, TAN	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	22.50
167	HASLER WJ180 MAILING SYSTEM - COMPLETE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
168	DELL PRINTER PAPER CARTRIDGE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
169	EPSON XP 600 PRINTER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	1.00
170	DELL C1760NW PRINTER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	1.00
171	SAMSUNG ML2525W PRINTER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	1.00
172	CARWASH FLAG	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 157	1.00
173	DARK WOOD SGLE PED DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
174	PHONE HDSET - DVR'S X 2	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	10.00
175	BOX - COMPLETE RADIOSHACK PHONE SYSTEM	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
176	DESK W/HUTCH	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	6.00
178	DARK WOOD SGLE PED DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 113	1.00
179	LIGHT WOOD L-DESK W/HUTCH	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 131	2.50

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6059
Date:	9/23/2016
Page:	3

Lot#	Lead	Date	Transaction Description	Amount
183	HALF ROUND WALL MOUNT TABLE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 149	1.00
184	OLD WOOD DBLE PED DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	1.00
204	TAN METAL DBLE PED DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	1.00
205	PROJECTOR SCREEN	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 105	5.00
206	L-DESK, WOOD W/HUTCH	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
207	1/2 ROUND WALL MOUNT TABLE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 149	1.00
208	BROWN METAL /OAK TOP L-DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	1.00
209	TRIPLE MONITOR MOUNT	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 143	1.00
210	BROWN METAL & OAK TOP SGLE PED DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	1.00
211	MISC PANELS & SCREENS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
212	DESTROYIT PAPER SHREDDER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	1.00
213	BACKHOE CAB WINDOW	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
214	METAL CUBE DESK PARTS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
215	COMPUTER TABLE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	1.00
216	3 WOOD WALL HANGING CABINETS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 131	12.00
217	WOOD WALL CABINET - THIN PROFILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	1.00
224	3 BLACK FILE TUBS & CONTENTS	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
227	CUSTOMER CHAIR SET W/CENTER TABLE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
228	CUSTOMER CHAIR SET W/CENTER TABLE	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
229	SQUARE GRAY TABLE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 196	7.50
230	SMALL HUTCH CABINET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	4.00
232	CUBICLE SHELF PARTS & FOOT REST	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	1.00

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6059
Date:	9/23/2016
Page:	4

Lot#	Lead	Date	Transaction Description	Amount
233	3 OFFICE CHAIRS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 133	2.50
234	2 BROWN OFFICE CHAIRS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	4.00
238	GRAY PLASTIC CHAIR+ 239	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
240	2 PURPLE COUCHES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 141	40.00
241	2 DRAWER TAN LATERAL FILE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	13.00
243	ORION TV & JVC VCR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	2.50
244	DAEWOO TV	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	1.00
245	SANSUI TV	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
257	TREE TRIM EXTENTION STICK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 201	11.00
266	SHARP MX M357N COPY MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 201	1.00
267	SAVIN 9922DP COPY MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 201	1.00
268	2 FILE CARTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 201	5.00
269	ELEC AIR COMPRESSOR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	60.00
298	BRINKMAN LP BBQ GRILL	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	2.50
		9/29/2016	Payment to Consignor - CK# 11433	( 351.45)

Total Quantity:	100.00
Total Invoice Sale Price:	390.50
Total Commission:	( 39.05)
Total Due to Consignor:	351.45
Total Payments:	( 351.45)
Balance:	<u>\$0.00</u>

Inventory Remaining For This Consignment Order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE

Consignor Settlement

**SCOTT AUCTION**  
9940 E US HWY 50 #2 / P.O. BOX 398  
Garden City, KS 67846  
Phone: 620-277-2000 Fax: 620-277-2044

CO #:	6059
Date:	9/23/2016
Page:	5

PLEASE DO NOT HESITATE TO CALL .



**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6062
Date:	9/23/2016
Page:	1

**Consignor: 57**  
 Garden City Solid Waste

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
186	OLD OAK OFFICE DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 191	1.00
190	GRAY EXEC DESK, LARGE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 186	1.00
198	BLACK METAL OFFICE DESK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 171	1.00
239	BROWN METAL DBLE PED DESK	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
299	WHITE CROSSBED TOOL BOX	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	27.50
		9/29/2016	Payment to Consignor - CK# 11433	( 27.45)

Total Quantity:	5.00
Total Invoice Sale Price:	30.50
Total Commission: (	3.05)
Total Due to Consignor:	27.45
Total Payments: (	27.45)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6063
Date:	9/23/2016
Page:	1

**Consignor: 56**  
 Garden City Cemetary

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
199	STIHL CHAIN SAW & RED HYD JACK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	65.00
200	E-SERIES LESTER 36V GOLFCART CHARGER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 132	6.00
201	SMITH OX/ACET TORCH SET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 158	85.00
202	2 CRAFTSMAN DRILLS, CHARGERS & CLAMP	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 157	6.00
203	LOT V-BELTS	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 117	1.00
265	HOMELITE 4400W GENERATOR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 164	70.00
276	COLEMAN PM1500 GENERATOR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 196	50.00
287	HUSQVARNA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
288	HUSQVARNA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
289	HOMELITE LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
290	STIHL LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
291	STIHL LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
292	HUSQVARNA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
293	HUSQVARNA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
294	TANAKA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
295	TANAKA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
296	STIHL LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00
297	HUSQVARNA LINE TRIMMER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 151	3.00

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6063
Date:	9/23/2016
Page:	2

Lot#	Lead	Date	Transaction Description	Amount
302	GARDEN TRACTOR TOOL TRAILER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	45.00
303	ALLISTER 3000 1/2 HP GARAGE DOOR OPENER +304	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
304	YELLOW JACK FRAME +303	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	10.00
305	WHITE PICKUP HEADACHE RACK	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 134	1.00
		9/29/2016	Payment to Consignor - CK# 11433	( 334.80)

Total Quantity:	22.00
Total Invoice Sale Price:	372.00
Total Commission: (	37.20)
Total Due to Consignor:	334.80
Total Payments: (	334.80)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount	10%
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**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount	\$0
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THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6064
Date:	9/23/2016
Page:	1

**Consignor: 55**

Garden City Zoo

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
225	POS COMPUTER CASH DRAWER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 149	1.00
275	BLUE HAMCO GENERATOR	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 201	70.00
277	15 SMALL SAFETY CONES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	5.00
278	15 LG SAFETY CONES	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 177	12.50
306	BOBCAT BUCKET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 120	10.00
307	SKIDSTEER TRACK CLEET SET	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 120	30.00
		9/29/2016	Payment to Consignor - CK# 11433	( 115.65)

Total Quantity:	6.00
Total Invoice Sale Price:	128.50
Total Commission: (	12.85)
Total Due to Consignor:	115.65
Total Payments: (	115.65)
Balance:	\$0.00

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .



**Consignor Settlement**

**SCOTT AUCTION**  
**9940 E US HWY 50 #2 / P.O. BOX 398**  
**Garden City, KS 67846**  
**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6066
Date:	9/23/2016
Page:	1

**Consignor: 58**  
 Garden City Fire Department

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
260	LIFESTEP 9100 STEPPER EXERCISER	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 195	1.00
262	UNIMAT 50 COMMERCIAL WASHING MACHINE	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 198	10.00
263	INIMAT50 COMMERCIAL DRYER	9/29/2016	Invoice Sale Price(Qty=1) Bid Card # 7	0.00
		9/29/2016	Payment to Consignor - CK# 11433 (	9.90)
				Total Quantity: 3.00
				Total Invoice Sale Price: 11.00
				Total Commission: ( 1.10)
				Total Due to Consignor: 9.90
				Total Payments: ( 9.90)
				Balance: \$0.00

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE  
 PLEASE DO NOT HESITATE TO CALL .

**Consignor Settlement**

**SCOTT AUCTION**

**9940 E US HWY 50 #2 / P.O. BOX 398**

**Garden City, KS 67846**

**Phone: 620-277-2000 Fax: 620-277-2044**

CO #:	6067
Date:	9/23/2016
Page:	1

**Consignor: 62**

Garden City Police Dept. (Forfeiture)  
 304 N 9th  
 Garden City, KS 67846  
 Phone:620-276-1300

Auction: GC IMPOUND & SURPLUS AUCTION 9-24-16

Lot#	Lead	Date	Transaction Description	Amount
323	PDF23 2006 VOLVO XC90 TMU, KEYS, BURGANDY, 4DR, V#YV4CY592261255613	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 155	1,200.00
331	PDF24 2002 FORD MUSTANG TMU, KEY, WHITE, 2DR, STARTS W/JUMP, V#1FAFP40452F121547	9/24/2016	Invoice Sale Price(Qty=1) Bid Card # 535	1,250.00

9/29/2016 Payment to Consignor - CK# 11433 ( 2,205.00)

Total Quantity:	2.00
Total Invoice Sale Price:	2,450.00
Total Commission: (	245.00)
Total Due to Consignor:	2,205.00
Total Payments: (	2,205.00)
Balance:	<u>\$0.00</u>

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
 Commission Structure Type: Fixed

Any Amount	10%
------------	-----

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
 Buy Back Structure Type: Sliding Scale

Any Amount	\$0
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THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .

Consignor Settlement

SCOTT AUCTION  
9940 E US HWY 50 #2 / P.O. BOX 398  
Garden City, KS 67846  
Phone: 620-277-2000 Fax: 620-277-2044

CO #:	6068
Date:	9/27/2016
Page:	1

Consignor: 63  
Garden City Regional Airport

Lot#	Lead	Date	Transaction Description	Amount
		9/29/2016	Payment to Consignor - CK# 11433	0.00
Total Quantity:				0.00
Total Due to Consignor:				0.00
Total Payments:				0.00
Balance:				\$0.00

No inventory remains for this consignment order

**COMMISSION SETTINGS**

Calculate Commission By: Consignment Order  
Commission Structure Type: Fixed

Any Amount 10%

**BUY BACK SETTINGS**

Calculate Buy Back By: Each  
Buy Back Structure Type: Sliding Scale

Any Amount \$0

THANK YOU FOR ALLOWING SCOTT AUCTION TO SERVE YOU..... IF WE CAN BE OF SERVICE IN THE FUTURE PLEASE DO NOT HESITATE TO CALL .



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Rachelle Powell, Director of Aviation  
**DATE:** October 18, 2016  
**RE:** September Airport Report

---

**ISSUE:**

Presentation of the September 2016 staff report from the Garden City Regional Airport.

**BACKGROUND:**

Attached is the Garden City Regional Airport staff report for September 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

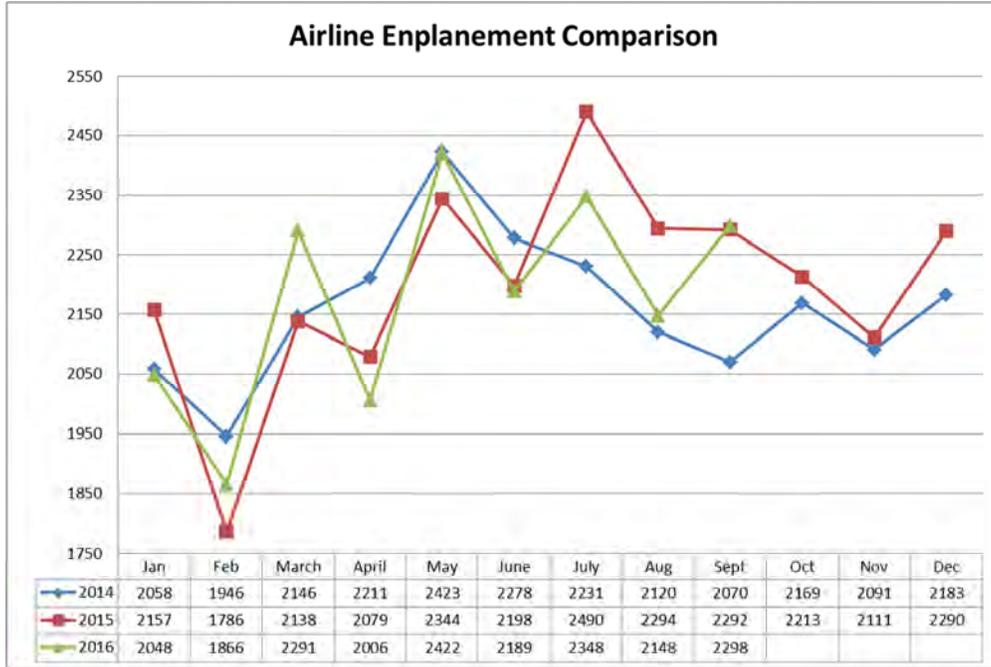
**FISCAL NOTE:**

None.

**ATTACHMENTS:**

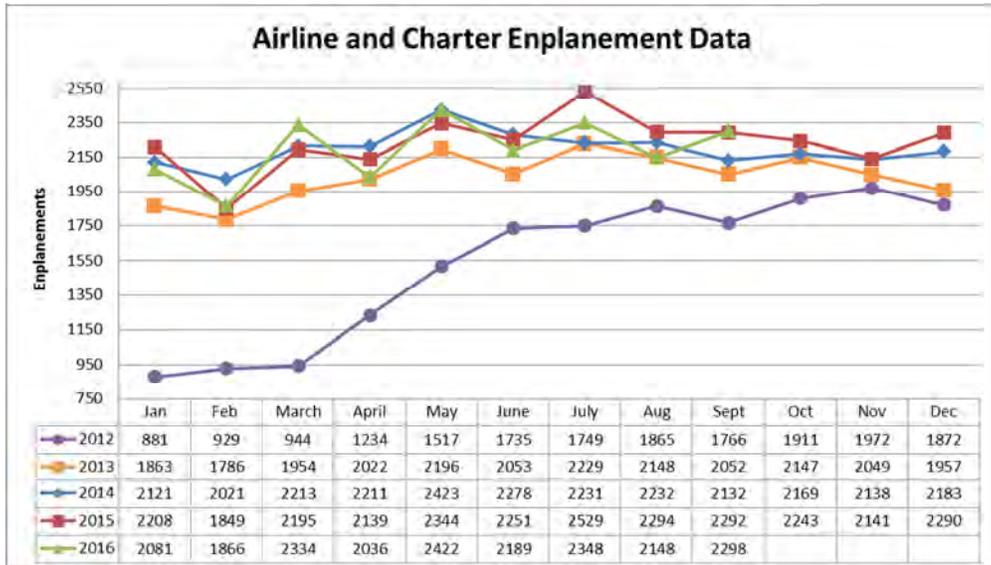
Description	Upload Date	Type
September Airport Report	10/11/2016	Backup Material

## GARDEN CITY REGIONAL AIRPORT MONTHLY REPORT



### January - September Comparison

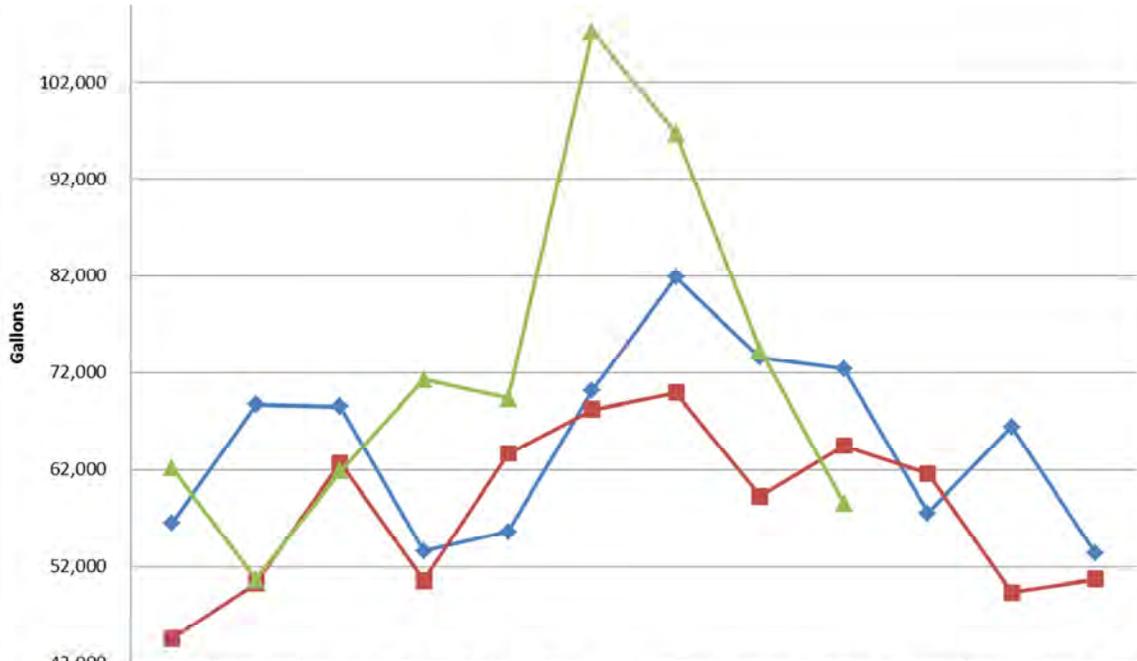
	2014	2015	2016
<b>TOTAL</b>	<b>19483</b>	<b>19778</b>	<b>19616</b>



### Total Enplanements

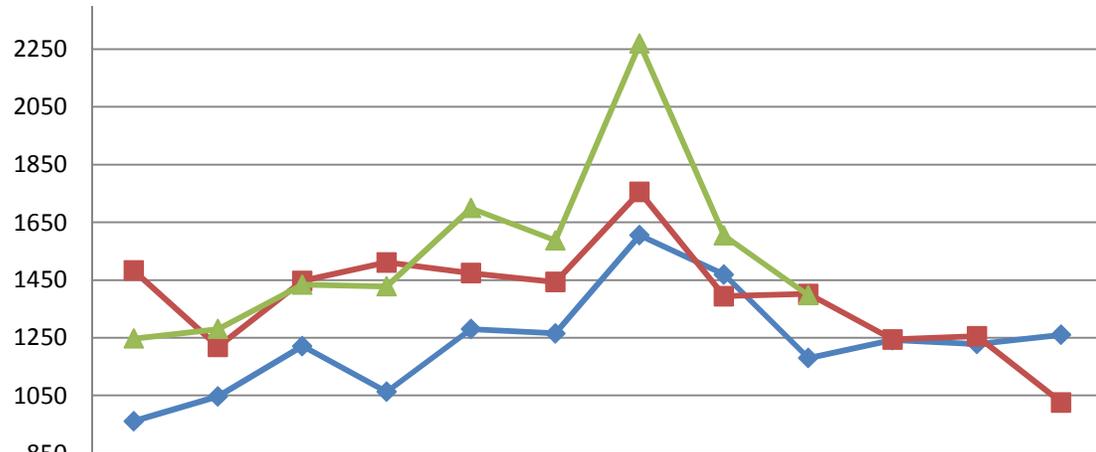
	2012	2013	2014	2015	2016
<b>TOTAL</b>	<b>18,375</b>	<b>24,456</b>	<b>26,428</b>	<b>27,152</b>	<b>19,812</b>

### Fuel Sale Comparison



	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2014	56,530	68,751	68,546	53,644	55,653	70,217	81,890	73,572	72,412	57,550	66,486	53,354
2015	44,612	50,324	62,730	50,590	63,698	68,212	69,973	59,283	64,515	61,617	49,361	50,728
2016	62,178	50,701	61,858	71,305	69,416	107,232	96,690	74,356	58,585			

### Monthly Operations Comparison



	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
2014	961	1047	1221	1063	1280	1265	1605	1469	1180	1242	1228	1260
2015	1483	1219	1447	1511	1474	1443	1755	1394	1402	1244	1255	1026
2016	1247	1280	1434	1428	1699	1587	2269	1604	1397			



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kelly Stevenson, Cemetery Director  
**DATE:** October 18, 2016  
**RE:** September 2016 Monthly Report

---

**ISSUE:**

Presentation of the Monthly Revenue Report and Burial Chart for September 2016 from the Cemetery Department.

**BACKGROUND:**

Attached is the Revenue Report and Burial Chart for September 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
September 2016 Reveune Report	10/12/2016	Backup Material
Burial Chart	10/12/2016	Backup Material

**City of Garden City**  
**Cemetery Dept.**

**Monthly Revenue Report**  
**September 2016**

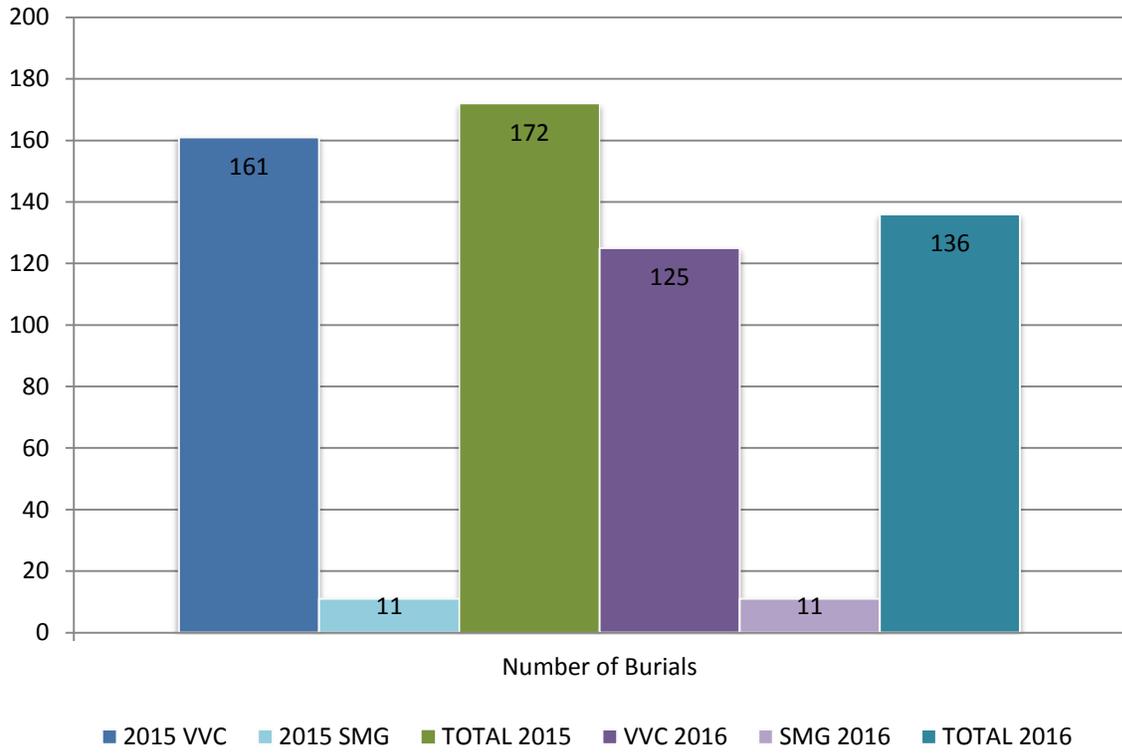
	Number	Amount
Traditional Burials	5	\$ 2,250.00
Baby Burials	0	\$ -
Body Parts	1	\$ -
Cremations	5	\$ 875.00
Purchased Spaces	4	\$ 1,800.00
Reserved Space Payments		\$ 275.00
Misc.		\$ 335.00
<b>Total Monthly Revenue</b>		<b>\$ 5,535.00</b>

**City of Garden City**  
**Cemetery Department**

**Valley View Cemetery & Sunset Memorial Gardens**  
**Number of Burials**

	2015		2016	
Month	VVC	SMG	VVC	SMG
JANUARY	16	3	10	2
FEBRUARY	11	0	10	3
MARCH	8	1	17	0
APRIL	11	1	19	0
MAY	22	1	19	0
JUNE	12	0	16	2
JULY	9	1	13	0
AUGUST	12	0	12	2
SEPTEMBER	19	3	9	2
OCTOBER	9	1	-	-
NOVEMBER	15	0	-	-
DECEMBER	17	0	-	-
<b>Total for Each Cemetery</b>	<b>161</b>	<b>11</b>	<b>125</b>	<b>11</b>
<b>Grand Total As of 9-30-2016</b>	<b>172</b>		<b>136</b>	
Disinternments	3	0	0	0

**City of Garden City**  
**Cemetery Department**  
**Burial Comparison of 2015 to 2016**





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Service and Finance  
**DATE:** October 18, 2016  
**RE:** Monthly Financial Report - September 2016

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**ISSUE:**

Presentation of the Monthly Financial Report from Service and Finance.

**BACKGROUND:**

Attached is the Service and Finance Monthly Financial Report for September, 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
Monthly Financial Report - September 2016	10/11/2016	Backup Material



**City of Garden City**  
**Monthly Financial Report FY 2016**  
**For the Nine Months Ended September 30, 2016**  
 Unaudited--Intended for Management Purposes Only

The following is a summary of the City's financial results for the General Funds and Utility Funds. The subsequent pages provide some narrative, comparison cash balances, line item analysis, and graphic display of revenue trends for the City's General and Utility Funds. This report is intended to assist the City Commission and the City's Administrative team in managing the operational budget. This information is summarized from unaudited financial statements for the monthly period that ended September 30, 2016.

**GENERAL FUND AT A GLANCE**

Category	Revised 2016 Budget	2016 YTD Actual	2015 YTD Actual
Revenues	23,067,926	18,262,770	17,290,339
Expenditures	24,028,254	17,118,453	15,982,161
<b>Revenues Over(Under)</b>	<b>(960,328)</b>	<b>1,144,317</b>	<b>1,308,178</b>

**UTILITY FUND REVENUES AT A GLANCE**

Category	Revised 2016 Budget	2016 YTD Actual	2015 YTD Actual
Electric	33,010,192	23,479,055	23,545,001
Solid Waste	3,631,460	2,835,238	2,690,672
Drainage Utility	208,139	159,125	155,978
Water and Sewage	7,906,020	5,888,556	5,467,307
<b>TOTAL</b>	<b>44,755,811</b>	<b>32,361,974</b>	<b>31,858,957</b>

**SELECTED GENERAL FUND REVENUES AT A GLANCE**

Category	Revised 2016 Budget	2016 YTD Actual	2015 YTD Actual
City Sales Tax	6,350,000	4,905,312	4,840,057
County Sales Tax	3,700,000	2,853,920	2,848,120
Franchise Tax			
Gas Utility	460,000	341,604	404,162
Telephone	58,500	44,566	46,022
CATV	232,000	174,527	176,479
Building Permits	342,700	355,456	310,114
Municipal Court Fines	900,000	638,188	635,210



**City of Garden City  
Monthly Financial Report FY 2016  
For the Nine Months Ended  
September 30, 2016**

**General Fund**

General Fund Revenues collected through September were \$18,262,770. The September revenues represent 79.17% of the total revenues expected in the General Fund. Property tax distribution was 99.09% for the fourth of five payments in 2016.

General Fund Expenses are at 71.24% of the total expenditures expected in the General Fund.

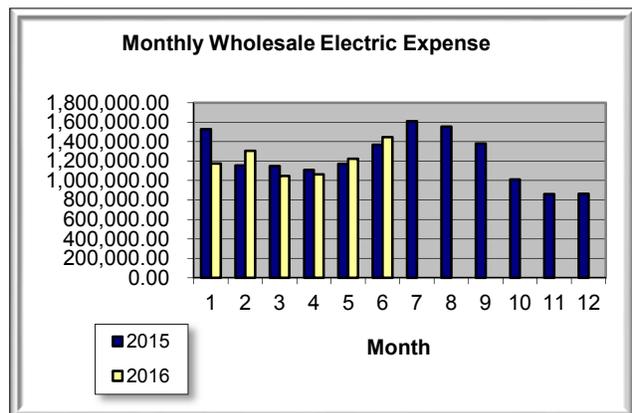
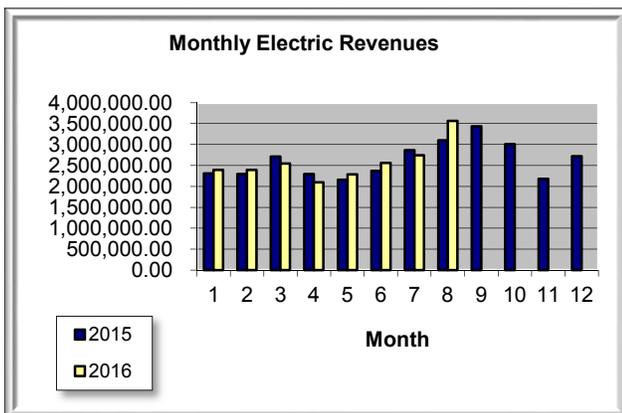
**Selected Revenues**

- City Sales Tax—Ahead by \$65,255 compared to September 2015 year to date collections, 1.35% ahead of 2015 for the nine months ended.
- County Sales Tax— Collections for the nine months ended are ahead of 2015 by \$5,800 or .20%.
- Franchise Tax—Budget estimates for 2016 remain approximately the same as 2015. All Franchise actual 2016 are behind 2015.
- Building Permits—Budget estimates for 2016 are based on 2015 revenues. Receipts are higher than this period in 2015.
- Municipal Court Fines—Budget estimates were based on 2015 actual and collections through September are ahead of 2015.

**Utility Funds**

A summary of Utility Fund revenue performance is outlined below:

- Electric revenues – revised budget at \$33,010,192 for 2016 were \$23,479,055 through nine months or 71.13% of budget.

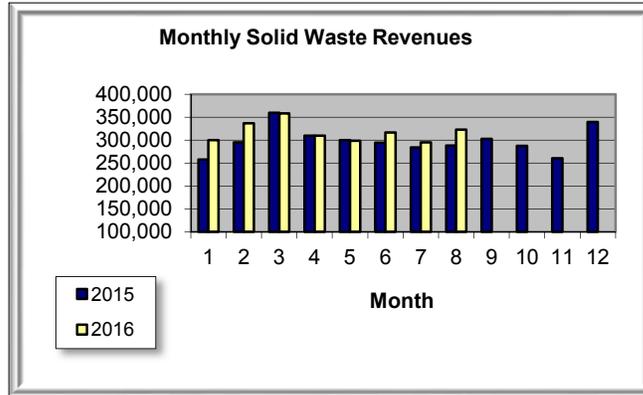


A main expense is Wholesale Electric in the Utility Fund. The 2016 revised budget for wholesale electric is \$17,697,000. The wholesale electric expense for September was not available at this printing.

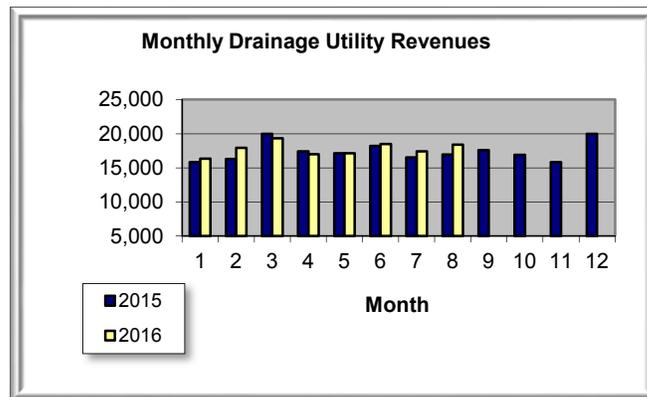


**City of Garden City  
 Monthly Financial Report FY 2016  
 For the Nine Months Ended  
 September 30, 2016**

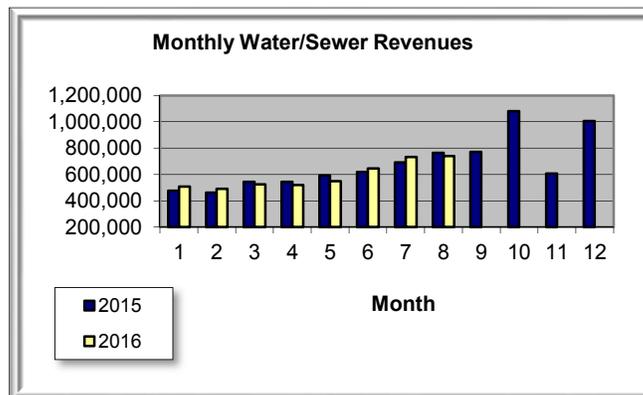
■ Solid Waste revenues – revised budget at \$3,631,460 for 2016 were \$2,835,238 through nine months or 78.07% of budget.



■ Drainage Utility revenues – revised budget at \$208,139 for 2016 were \$159,125 through nine months or 76.45%.



■ Water and Sewage revenues - revised budget at \$7,906,020 for 2016 were \$5,888,556 through nine months or 74.48% of budget.





CITY OF GARDEN CITY, KANSAS  
 Comparison of Cash Balances with Encumbrances and Composition of Cash  
 For the Month Ended September 30, 2016

Fund	Unencumbered Cash Balance 1/1/2016	Receipts and Transfers	Expenditures and Transfers	Unencumbered Cash Balance 9/30/2016	Add Payables and Encumbrances	Treasurer's Cash 9/30/2016
<u>Operating</u>						
1 General	5,544,638.09	18,262,769.79	17,118,452.54	6,688,955.34	0.00	6,688,955.34
<u>Debt Service Fund</u>						
40 Bond and Interest	568,195.17	1,899,903.80	2,169,464.67	298,634.30	0.00	298,634.30
<u>Special Revenue Funds</u>						
4 TIF	704,354.92	1,442,766.06	1,741,789.19	405,331.79	0.00	405,331.79
5 Capital Improvement	1,085,118.66	325,942.55	641,446.42	769,614.79	0.00	769,614.79
6 Community Development Loan	16,816.55	1,320.18	0.00	18,136.73	0.00	18,136.73
7 Cemetery Endowment	34,782.01	6,511.54	14,000.00	27,293.55	0.00	27,293.55
8 Community Trust	1,495,344.12	77,304.71	-35,250.28	1,607,899.11	0.00	1,607,899.11
10 DEA Forfeiture	36,448.64	17,811.18	18,067.28	36,192.54	0.00	36,192.54
11 Drug Enforcement	83,804.91	11,832.54	31,668.33	63,969.12	0.00	63,969.12
15 Enhanced Wireless 911	384,213.80	195,929.28	67,158.00	512,985.08	0.00	512,985.08
18 Finnup Trust	124,583.05	80,000.00	55,570.87	149,012.18	0.00	149,012.18
19 JAG Grant	11,942.00	0.00	0.00	11,942.00	0.00	11,942.00
25 Recreation	0.00	994,879.54	994,879.54	0.00	0.00	0.00
26 Special Improvements	84,458.93	-17,949.14	7,543.07	58,966.72	0.00	58,966.72
27 Special Liability	85,220.06	30,000.00	19,925.33	95,294.73	0.00	95,294.73
29 Special Alcohol Programs	77,017.98	87,100.92	45,575.00	118,543.90	0.00	118,543.90
30 Special Recreation and Parks	76,750.99	95,485.25	64,771.34	107,464.90	0.00	107,464.90
32 Special Trafficway	1,033,976.11	540,353.37	330,712.43	1,243,617.05	0.00	1,243,617.05
50 Community Development Grant	0.00	0.00	0.00	0.00	0.00	0.00
52 Economic Development	413,848.24	29,885.37	101,127.60	342,606.01	0.00	342,606.01
53 Project Development	641,116.42	326,496.34	396,445.89	571,166.87	0.00	571,166.87
Total Special Revenue	<u>6,389,797.39</u>	<u>4,245,669.69</u>	<u>4,495,430.01</u>	<u>6,140,037.07</u>	<u>0.00</u>	<u>6,140,037.07</u>
<u>Capital Projects Funds</u>						
41 2013-GO Bond Projects	179,119.48	0.00	179,119.48	0.00	0.00	0.00
42 2014-GO Bond Projects	1,086,094.10	0.00	645,088.89	441,005.21	0.00	441,005.21
43 2015-GO Bond Projects	494,734.00	0.00	0.00	494,734.00	0.00	494,734.00
44 2015-Temp Notes	18,267.16	3,500,000.00	3,345,242.40	173,024.76	0.00	173,024.76
45 2016-GO Bond Projects	0.00	2,037,664.58	1,235,519.47	802,145.11	0.00	802,145.11
48 Tiger Grant	3,300,000.00	11,803,842.82	14,927,904.57	175,938.25	0.00	175,938.25
49 2013-Temp Notes Schulman Cross	352,434.91	0.00	57,843.63	294,591.28	0.00	294,591.28
Total Capital Projects	<u>5,430,649.65</u>	<u>17,341,507.40</u>	<u>20,390,718.44</u>	<u>2,381,438.61</u>	<u>0.00</u>	<u>2,381,438.61</u>
<u>Enterprise Funds</u>						
Electric Utility:						
67 Capital Reserve	1,500,000.00	500,000.00	0.00	2,000,000.00	0.00	2,000,000.00
68 General	7,653,808.21	23,479,054.50	21,872,721.43	9,260,141.28	209,988.53	9,470,129.81
69 Security Deposits	503,559.73	249,460.00	57,634.05	695,385.68	0.00	695,385.68
Total Electric Utility	<u>9,657,367.94</u>	<u>24,228,514.50</u>	<u>21,930,355.48</u>	<u>11,955,526.96</u>	<u>209,988.53</u>	<u>12,165,515.49</u>
Water and Sewer Utility:						
80 General	2,807,779.52	5,888,556.49	6,774,226.97	1,922,109.04	0.00	1,922,109.04
81 Wastewater Repair and Replacem	250,032.77	97,835.63	200,000.00	147,868.40	0.00	147,868.40
82 Water and Sewage Maintenance F	448,871.10	167,925.11	250,000.00	366,796.21	0.00	366,796.21
Total Water and Sewer Utility	<u>3,506,683.39</u>	<u>6,154,317.23</u>	<u>7,224,226.97</u>	<u>2,436,773.65</u>	<u>0.00</u>	<u>2,436,773.65</u>
Airport:						
60 General	1,159,222.06	1,312,439.48	617,841.78	1,853,819.76	0.00	1,853,819.76
61 Airport Improvement	37,594.19	711,176.57	747,015.48	1,755.28	0.00	1,755.28
Total Airport	<u>1,196,816.25</u>	<u>2,023,616.05</u>	<u>1,364,857.26</u>	<u>1,855,575.04</u>	<u>0.00</u>	<u>1,855,575.04</u>
Solid Waste Utility:						
75 General	1,665,289.95	2,835,237.97	2,428,536.71	2,071,991.21	0.00	2,071,991.21
Recreation Area:						
70 General Golf Course	2,848.99	870,393.36	752,324.67	120,917.68	0.00	120,917.68
71 Golf Course Building	13,415.98	1,838.25	0.00	15,254.23	0.00	15,254.23
Total Recreation Area	<u>16,264.97</u>	<u>872,231.61</u>	<u>752,324.67</u>	<u>136,171.91</u>	<u>0.00</u>	<u>136,171.91</u>
Drainage Utility:						
79 General	445,610.85	159,124.73	162,700.13	442,035.45	0.00	442,035.45
<u>Internal Service Funds</u>						
55 Health Insurance	560,884.79	2,627,308.25	2,989,302.60	198,890.44	0.00	198,890.44
56 Health Insurance Reserve	1,355,488.91	0.00	330,000.00	1,025,488.91	0.00	1,025,488.91
35 Workers Compensation	431,503.24	399,220.00	263,311.80	567,411.44	0.00	567,411.44
36 Workers Compensation Reserve	455,633.99	283.60	9,314.42	446,603.17	0.00	446,603.17
Total Internal Service	<u>2,803,510.93</u>	<u>3,026,811.85</u>	<u>3,591,928.82</u>	<u>2,238,393.96</u>	<u>0.00</u>	<u>2,238,393.96</u>
Total All Funds	<u>37,224,824.58</u>	<u>81,049,704.62</u>	<u>81,628,995.70</u>	<u>36,645,533.50</u>	<u>209,988.53</u>	<u>36,855,522.03</u>



City of Garden City  
Statement of Revenues and Expenditures-General Fund Revenues  
From 9/1/2016 Through 9/30/2016

001 - GENERAL FUND

		Curr Month Collections	YTD Collections	Revised Budget	Uncollected Balance
Income					
3022	CONNECTING LINKS	0.00	55,992.39	75,000.00	(19,007.61)
3023	CONSUMER USE TAX	86,250.85	767,683.04	890,000.00	(122,316.96)
3028	LIQUOR CONSUMPTION TAX	30,115.57	152,471.90	100,000.00	52,471.90
3035	STATE REVENUE STAMP	0.00	(200.00)	0.00	(200.00)
3040	AD VALOREM TAX	73,436.91	3,412,000.59	3,390,000.00	22,000.59
3041	AD VALOREM BACK TAX	12,800.73	75,898.99	130,000.00	(54,101.01)
3044	CITY SALES TAX	534,224.90	4,905,311.64	6,350,000.00	(1,444,688.36)
3046	COUNTY SALES TAX	326,369.24	2,853,919.56	3,700,000.00	(846,080.44)
3055	MOTOR VEHICLE TAX	177,554.71	387,027.24	405,000.00	(17,972.76)
3056	RECREATIONAL VEHICLE TAX	2,107.13	4,956.12	3,100.00	1,856.12
3057	HEAVY DUTY VEHICLE TAX	45.01	2,182.87	1,700.00	482.87
3058	COMMERCIAL VEHICLE TAX	3,604.38	23,452.82	20,000.00	3,452.82
3065	CATV FRANCHISE	0.00	174,526.79	232,000.00	(57,473.21)
3066	GAS UTILITY FRANCHISE	0.00	341,605.11	460,000.00	(118,394.89)
3067	TELEPHONE FRANCHISE	4,595.21	43,050.79	56,000.00	(12,949.21)
3068	TELECOM FRANCHISE	0.00	1,515.15	2,500.00	(984.85)
3115	CEMETERY SPACES	3,025.00	46,985.52	40,000.00	6,985.52
3150	IDENTIFIED LONG/SHORT	(554.57)	(3,729.03)	0.00	(3,729.03)
3151	UNIDENTIFIED LONG/SHORT	0.00	60.00	0.00	60.00
3301.01	ANIMAL BOARDING	575.40	7,983.18	15,000.00	(7,016.82)
3301.02	CAR STORAGE & TOWING	630.00	12,221.50	18,500.00	(6,278.50)
3301.05	FEES-FALSE ALARM	0.00	1,250.00	3,000.00	(1,750.00)
3301.06	FEES-ENGINEERING SERVICES	0.00	5,800.00	20,000.00	(14,200.00)
3301.07	FEES-GATE RECEIPTS	1,175.00	19,085.00	23,000.00	(3,915.00)
3301.08	FEES-GRAVE OPENINGS	3,500.00	50,625.00	69,000.00	(18,375.00)
3301.09	FEES-MONUMENT SETTING	225.00	2,100.00	2,500.00	(400.00)
3301.10	FEES-PLAT FILING	108.00	1,198.00	2,000.00	(802.00)
3301.11	FEES-REZONING	900.00	3,125.00	3,000.00	125.00
3301.12	FEES-RURAL FIRE CONTRACTS	0.00	0.00	195,000.00	(195,000.00)
3301.13	FEES-WAIVER FILING	450.00	4,015.00	3,500.00	515.00
3301.16	FINES-MUNICIPAL COURT	66,369.94	637,927.56	900,000.00	(262,072.44)
3301.17	FEES-STATE JUDGE	190.55	1,644.06	1,250.00	394.06
3301.18	FEES-STATE LAW ENFORCEMENT	3,761.45	33,716.63	48,000.00	(14,283.37)
3301.19	FEES-REINSTATEMENT	707.00	3,398.00	5,000.00	(1,602.00)
3301.20	FEES-RESTITUTION	185.29	9,858.76	1,000.00	8,858.76
3301.21	LEGAL COPIES	311.75	2,851.25	3,000.00	(148.75)
3301.23	FEES-CRIME STOPPER INFRACTION	1,641.00	11,224.87	18,000.00	(6,775.13)
3301.24	FEES-CRIME STOPPER MAJOR	(139.71)	345.29	500.00	(154.71)
3301.25	FEES-FAMILY CRISIS	210.00	260.00	0.00	260.00
3350.01	LICENSE-AMUSEMENT	0.00	200.00	0.00	200.00
3350.02	LICENSE-ARBORIST	0.00	0.00	1,000.00	(1,000.00)
3350.03	LICENSE-CEREAL MALT BEVERAGE	125.00	250.00	3,750.00	(3,500.00)
3350.04	LICENSE-CONTRACTOR	500.00	8,200.00	35,000.00	(26,800.00)
3350.05	ZONING COMPLIANCE	50.00	1,275.00	0.00	1,275.00
3350.06	LICENSE-ELECTRICIAN	200.00	2,820.00	7,500.00	(4,680.00)
3350.08	LICENSE-ITINERANT MERCHANT	900.00	5,840.00	8,000.00	(2,160.00)
3350.09	LICENSE-LIQUOR	1,000.00	6,050.00	4,750.00	1,300.00
3350.10	LICENSE-MECHANICAL	200.00	2,840.00	6,500.00	(3,660.00)



City of Garden City  
Statement of Revenues and Expenditures-General Fund Revenues  
From 9/1/2016 Through 9/30/2016

3350.12	LICENSE-PAWN SHOP	0.00	75.00	75.00	0.00
3350.13	LICENSE-PLUMBER	0.00	2,160.00	4,000.00	(1,840.00)
3350.15	LICENSE-TAXI	0.00	75.00	100.00	(25.00)
3350.16	TAGS-DOG & CAT	149.56	1,501.66	2,500.00	(998.34)
3400.01	PERMITS-BUILDING	18,645.90	320,856.05	290,000.00	30,856.05
3400.02	PERMITS-CURB CUT	0.00	30.00	1,000.00	(970.00)
3400.03	PERMITS-ELECTRIC	890.00	4,078.50	6,000.00	(1,921.50)
3400.04	PERMITS-EXCAVATION	0.00	892.00	2,500.00	(1,608.00)
3400.05	PERMITS-GAS	551.00	2,385.00	4,000.00	(1,615.00)
3400.06	PERMITS-HOUSE MOVING	0.00	20.00	200.00	(180.00)
3400.08	PERMITS-MECHANICAL	1,009.00	12,074.25	16,000.00	(3,925.75)
3400.09	PERMITS-PLUMBING	1,690.00	10,844.00	15,000.00	(4,156.00)
3400.11	PERMITS-TV & SIGN	348.00	4,276.00	8,000.00	(3,724.00)
3435	INTEREST INCOME	3,817.64	26,736.80	37,500.00	(10,763.20)
3437	FINANCE CHARGE INCOME	166.44	475.70	12,500.00	(12,024.30)
3440.02	RENTAL-CITY FACILITIES	12,763.42	31,476.62	40,000.00	(8,523.38)
3440.03	RENTAL-DEPOT	100.00	900.00	1,200.00	(300.00)
3447	ROYALTIES-GAS WELLS	896.58	6,449.08	18,000.00	(11,550.92)
3450	SALE OF PROPERTY-AUCTION	0.00	0.00	9,000.00	(9,000.00)
3454	SALE OF PROPERTY-LAND	0.00	300.00	0.00	300.00
3456	SALE OF PROPERTY-POLICE CARS	0.00	0.00	8,000.00	(8,000.00)
3464	REPAYMENT-TEKVET TECHNOLOGIES	1,131.86	2,263.72	0.00	2,263.72
3470.01	REIMBURSE-ADMINISTRATIVE COSTS	0.00	0.00	1,201.00	(1,201.00)
3470.04	REIMBURSE-POLICE SERVICES	0.00	130,139.95	250,000.00	(119,860.05)
3470.07	UTILITY FUNDS REIMBURSEMENT	340,525.00	3,064,725.00	4,470,850.00	(1,406,125.00)
3470.08	REIMBURSE-COUNTY	0.00	185,000.00	185,000.00	0.00
3470.09	REIMBURSE-HOLCOMB	0.00	42,000.00	42,000.00	0.00
3470.11	REIMBURSE-ANIMAL SHELTER	0.00	0.00	55,750.00	(55,750.00)
3515	FUEL TAX REFUND	0.00	1,250.77	3,000.00	(1,749.23)
3600.01	MISCELLANEOUS-ADMINISTRATION	1.00	50.31	500.00	(449.69)
3600.02	MISCELLANEOUS-CEMETERY	60.00	655.00	1,000.00	(345.00)
3600.07	MISCELLANEOUS-POLICE	25.00	263.79	0.00	263.79
4010.01	TRANSFER-HEALTH INSURANCE RESV	<u>330,000.00</u>	<u>330,000.00</u>	<u>330,000.00</u>	<u>0.00</u>
	Total Income	<u>2,050,121.14</u>	<u>18,262,769.79</u>	<u>23,067,926.00</u>	<u>(4,805,156.21)</u>



City of Garden City  
Statement of Revenues and Expenditures-General Fund Expenses  
From 9/1/2016 Through 9/30/2016

**001 - GENERAL FUND**

		Curr Month			
		Expenses	YTD Expenses	Revised Budget	Budget Remaining
Expenses					
111	CITY COMMISSION	3,651.74	56,548.25	118,850.00	62,301.75
112	CITY MANAGER	43,349.46	490,662.94	672,890.00	182,227.06
113	SERVICE AND FINANCE	48,255.32	579,447.17	834,800.00	255,352.83
114	LEGAL SERVICES	16,110.39	131,263.26	182,050.00	50,786.74
115	MUNICIPAL COURT	36,916.92	350,593.56	555,200.00	204,606.44
116	HUMAN RESOURCES	9,578.54	125,971.63	169,150.00	43,178.37
117	INFORMATION TECH	62,609.96	544,672.23	636,245.00	91,572.77
118	CITY PROSECUTION	<u>14,524.04</u>	<u>167,037.08</u>	<u>211,800.00</u>	<u>44,762.92</u>
	Total Administration	234,996.37	2,446,196.12	3,380,985.00	934,788.88
121	POLICE-ADMINISTRATIVE	60,991.87	1,403,779.66	1,947,510.00	543,730.34
122	POLICE-INVESTIGATIONS	74,003.10	745,067.08	1,066,030.00	320,962.92
123	POLICE-PATROL	276,383.06	2,859,629.68	3,928,360.00	1,068,730.32
124	POLICE-SUPPORT SERVICES	84,591.00	839,423.17	1,308,219.00	468,795.83
125	POLICE-ANIMAL CONTROL	<u>22,555.79</u>	<u>202,344.45</u>	<u>256,600.00</u>	<u>54,255.55</u>
	Total Police	518,524.82	6,050,244.04	8,506,719.00	2,456,474.96
131	PUBLIC WORKS-PLANNING,COMM	134,821.96	940,770.44	1,402,500.00	461,729.56
133	PUBLIC WORKS-STREET MAINT	68,380.25	1,173,208.38	1,503,450.00	330,241.62
135	PUBLIC WORKS-PARKS	<u>71,066.61</u>	<u>728,471.67</u>	<u>988,750.00</u>	<u>260,278.33</u>
	Total Public Works	274,268.82	2,842,450.49	3,894,700.00	1,052,249.51
141	ZOO-ADMINISTRATIVE	27,537.37	319,699.35	440,000.00	120,300.65
142	ZOO-MAINTENANCE DIVISION	31,533.33	241,002.90	367,750.00	126,747.10
144	ZOO-ANIMAL DIVISION	<u>92,115.11</u>	<u>792,962.46</u>	<u>1,170,900.00</u>	<u>377,937.54</u>
	Total Zoo	151,185.81	1,353,664.71	1,978,650.00	624,985.29
151	FIRE-ADMINISTRATIVE	16,616.84	191,894.16	279,900.00	88,005.84
152	FIRE-OPERATIONS	168,297.70	2,079,564.36	2,846,300.00	766,735.64
153	FIRE-VOLUNTEERS	0.00	3,535.17	21,900.00	18,364.83
154	FIRE-ARFF STATION	<u>5,984.30</u>	<u>10,961.93</u>	<u>95,900.00</u>	<u>84,938.07</u>
	Total Fire	190,898.84	2,285,955.62	3,244,000.00	958,044.38
161	CEMETERY-OPERATIONS	59,126.89	339,079.05	607,600.00	268,520.95
171	CAPITAL IMPROVEMENT	495,064.30	1,475,862.51	2,088,000.00	612,137.49
181	EMPLOYEE BENEFITS	0.00	<u>325,000.00</u>	<u>330,000.00</u>	<u>5,000.00</u>
	Total Expenses	<u>1,924,065.85</u>	<u>17,118,452.54</u>	<u>24,030,654.00</u>	<u>6,912,201.46</u>



City of Garden City  
Statement of Revenues and Expenditures-Utility Fund Revenues  
From 9/1/2016 Through 9/30/2016

		Curr Month Collections	YTD Collections	Revised Budget	Uncollected Balance
Income					
068	ELECTRIC				
3101	COLLECTIONS-ELECTRIC	2,796,347.09	22,375,503.36	31,623,717.00	(9,248,213.64)
3110.01	COLLECTIONS-COIN BOX	0.00	413.40	250.00	163.40
3118	CONNECT FEES	5,579.36	56,343.36	98,000.00	(41,656.64)
3150	IDENTIFIED LONG/SHORT	0.00	(6,616.50)	0.00	(6,616.50)
3151	UNIDENTIFIED LONG/SHORT	35.80	(274.79)	0.00	(274.79)
3154	INSUFFICIENT FUNDS CHECKS	(4,141.22)	(12,122.45)	0.00	(12,122.45)
3155	RETURNED CHECK CHARGE	275.00	3,400.00	5,000.00	(1,600.00)
3185	PENALTIES	0.00	93,409.79	85,000.00	8,409.79
3201	REIMBURSE-DEVELOPER	0.00	11,632.00	55,000.00	(43,368.00)
3435	INTEREST INCOME	21.18	166.70	2,000.00	(1,833.30)
3492	SALES TAX	98,168.42	836,112.59	1,136,225.00	(300,112.41)
3600	MISCELLANEOUS	22.25	58,587.04	5,000.00	53,587.04
4010.05	TRANSFER-ELECTRIC UTILITY	0.00	62,500.00	0.00	62,500.00
	Total Electric	2,896,307.88	23,479,054.50	33,010,192.00	(9,531,137.50)
075	SOLID WASTE-GENERAL				
3111	COLLECTIONS-SOLID WASTE	293,069.22	2,703,641.72	3,500,000.00	(796,358.28)
3185	PENALTIES	0.00	88,410.52	80,000.00	8,410.52
3195	RECYCLING SALES	4,496.51	39,165.64	50,000.00	(10,834.36)
3435	INTEREST INCOME	101.92	700.28	1,460.00	(759.72)
3515	FUEL TAX REFUND	0.00	1,719.81	0.00	1,719.81
3600	MISCELLANEOUS	0.00	1,600.00	0.00	1,600.00
	Total Solid Waste	297,667.65	2,835,237.97	3,631,460.00	(796,222.03)
079	DRAINAGE UTILITY				
3104.01	DRAINAGE FEE	17,025.18	158,874.05	208,000.00	(49,125.95)
3435	INTEREST INCOME	0.00	250.68	139.00	111.68
	Total Drainage Utility	17,025.18	159,124.73	208,139.00	(49,014.27)
080	WATER AND SEWER				
3102.01	COLLECTIONS-SEWER	203,100.46	1,868,407.05	2,525,770.00	(657,362.95)
3103	COLLECTIONS-WATER	467,445.41	3,196,836.18	4,300,000.00	(1,103,163.82)
3118	CONNECT FEES	1,240.00	12,155.00	18,000.00	(5,845.00)
3120	COUNTY SEWER FEES	8,574.40	77,877.92	112,000.00	(34,122.08)
3130	FIRE LEG FEES	0.00	19,745.00	15,500.00	4,245.00
3185	PENALTIES	26,031.82	34,619.56	110,000.00	(75,380.44)
3201	REIMBURSE-DEVELOPER	0.00	2,094.98	30,000.00	(27,905.02)
3225	SALE OF MATERIAL	302.90	1,833.50	15,000.00	(13,166.50)
3228	SEWER MAINTENANCE FEES	326.00	3,074.00	4,500.00	(1,426.00)
3229	SEWER TANK FEES	12,020.32	122,332.04	135,000.00	(12,667.96)
3257	WATER TANK SALES	2,398.63	18,628.24	55,000.00	(36,371.76)
3260	WATER TAP FEES	1,380.00	32,252.48	65,000.00	(32,747.52)
3494	TAX-WATER CONSUMPTION	6,281.37	39,636.27	55,000.00	(15,363.73)
3515	FUEL TAX REFUND	0.00	0.00	250.00	(250.00)
3600	MISCELLANEOUS	0.00	9,064.27	15,000.00	(5,935.73)
4010.20	TRANSFER-WTR SYS MAINT RESV	250,000.00	250,000.00	250,000.00	0.00
4010.21	TRANSFER-WASTEWTR R&R RESV	200,000.00	200,000.00	200,000.00	0.00
	Total Water and Sewer	1,179,101.31	5,888,556.49	7,906,020.00	(2,017,463.51)
	Total Income	4,390,102.02	32,361,973.69	44,755,811.00	(12,393,837.31)



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Allen Shelton, Fire Chief  
**DATE:** October 18, 2016  
**RE:** Fire Department Activity Report September 2016

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**ISSUE:**

Presentation of September 2016 Fire Department activity reports.

**BACKGROUND:**

Attached are the Fire Department Incident and Inspections reports for the month of September 2016.

**ALTERNATIVES:**

None

**RECOMMENDATION:**

None

**FISCAL NOTE:**

None

**ATTACHMENTS:**

Description	Upload Date	Type
Incident Reports September 2016	10/12/2016	Backup Material
Inspection Report September 2016	10/12/2016	Backup Material

# Garden City Fire Department

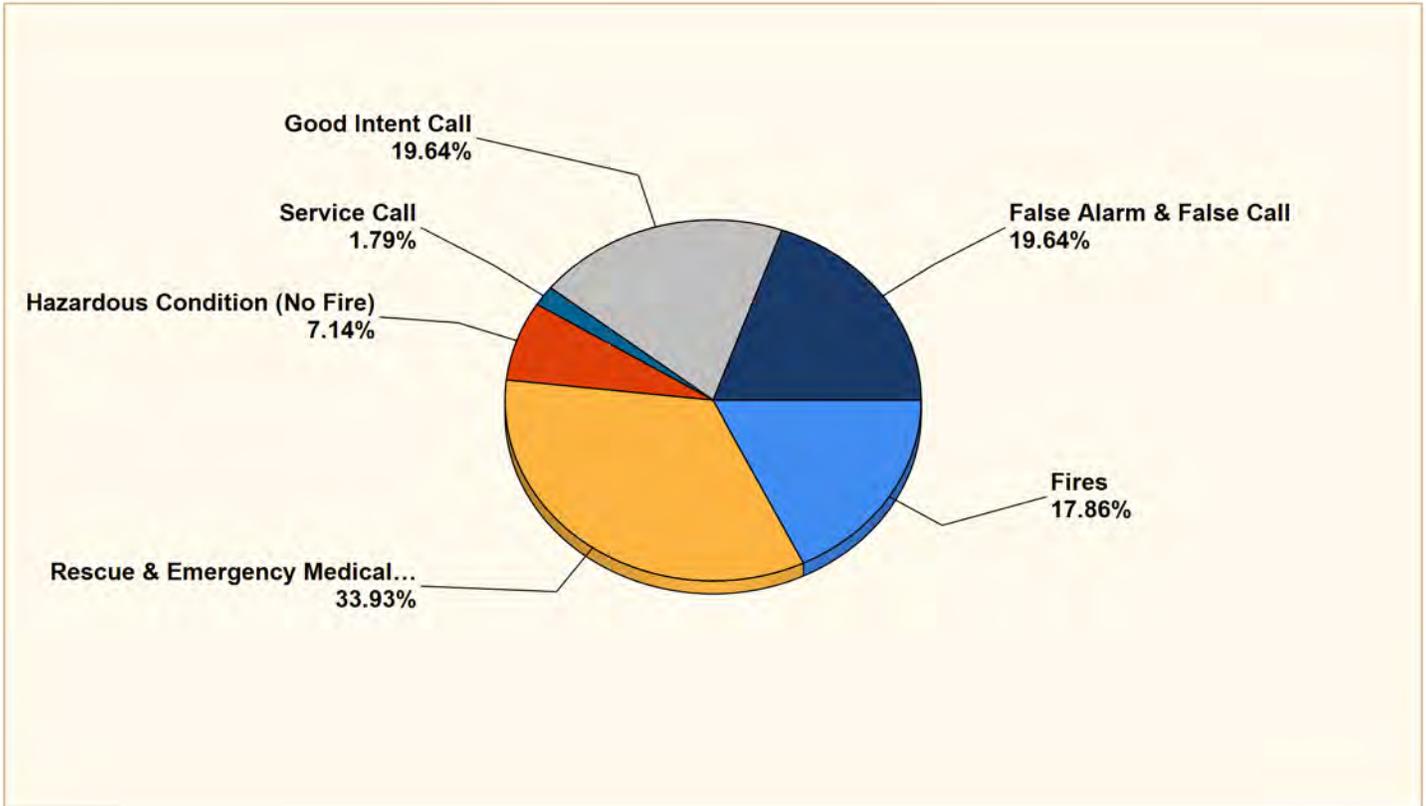
Garden City, KS

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 09/01/2016 | End Date: 09/30/2016



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	10	17.86%
Rescue & Emergency Medical Service	19	33.93%
Hazardous Condition (No Fire)	4	7.14%
Service Call	1	1.79%
Good Intent Call	11	19.64%
False Alarm & False Call	11	19.64%
<b>TOTAL</b>	<b>56</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	2	3.57%
113 - Cooking fire, confined to container	1	1.79%
130 - Mobile property (vehicle) fire, other	1	1.79%
131 - Passenger vehicle fire	1	1.79%
140 - Natural vegetation fire, other	2	3.57%
142 - Brush or brush-and-grass mixture fire	1	1.79%
143 - Grass fire	1	1.79%
160 - Special outside fire, other	1	1.79%
322 - Motor vehicle accident with injuries	6	10.71%
323 - Motor vehicle/pedestrian accident (MV Ped)	4	7.14%
324 - Motor vehicle accident with no injuries.	9	16.07%
412 - Gas leak (natural gas or LPG)	2	3.57%
422 - Chemical spill or leak	1	1.79%
440 - Electrical wiring/equipment problem, other	1	1.79%
540 - Animal problem, other	1	1.79%
600 - Good intent call, other	3	5.36%
611 - Dispatched & cancelled en route	5	8.93%
622 - No incident found on arrival at dispatch address	1	1.79%
651 - Smoke scare, odor of smoke	1	1.79%
671 - HazMat release investigation w/no HazMat	1	1.79%
700 - False alarm or false call, other	7	12.50%
741 - Sprinkler activation, no fire - unintentional	1	1.79%
743 - Smoke detector activation, no fire - unintentional	2	3.57%
745 - Alarm system activation, no fire - unintentional	1	1.79%
<b>TOTAL INCIDENTS:</b>	<b>56</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

# Garden City Fire Department

Garden City, KS

This report was generated on 10/12/2016 4:17:03 PM



StartDate: 09/01/2016 | EndDate: 09/30/2016

OCCUPANCY	COUNT
<b>INSPECTION TYPE: Alarm System Test</b>	
Moderate Hazard Storage	1
<b>INSPECTION TYPE: CMB &amp; Liquor License</b>	
Motel/Hotel	2
Restaurant	1
<b>INSPECTION TYPE: Company</b>	
Assembly	2
Auto Sales and Maintenance	1
Business Office	2
Laundry/Cleaners	1
Liquor Store	1
Mercantile	3
Motel/Hotel	6
<b>INSPECTION TYPE: Construction</b>	
Auto Repair	1
Moderate Hazard Storage	2
<b>INSPECTION TYPE: Daycare Centers</b>	
Preschool	1
<b>INSPECTION TYPE: Educational</b>	
Preschool	3
<b>INSPECTION TYPE: Zoning Compliance</b>	
Assembly	1
Restaurant	1

Locked inspections only.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Michael D. Utz, Chief of Police  
**DATE:** October 18, 2016  
**RE:** September 2016 Police Department Monthly Report

---

**ISSUE:**

Presentation of the September 2016 activity reports from the Garden City Police Department.

**BACKGROUND:**

Attached are the Garden City Police Department reports for September 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

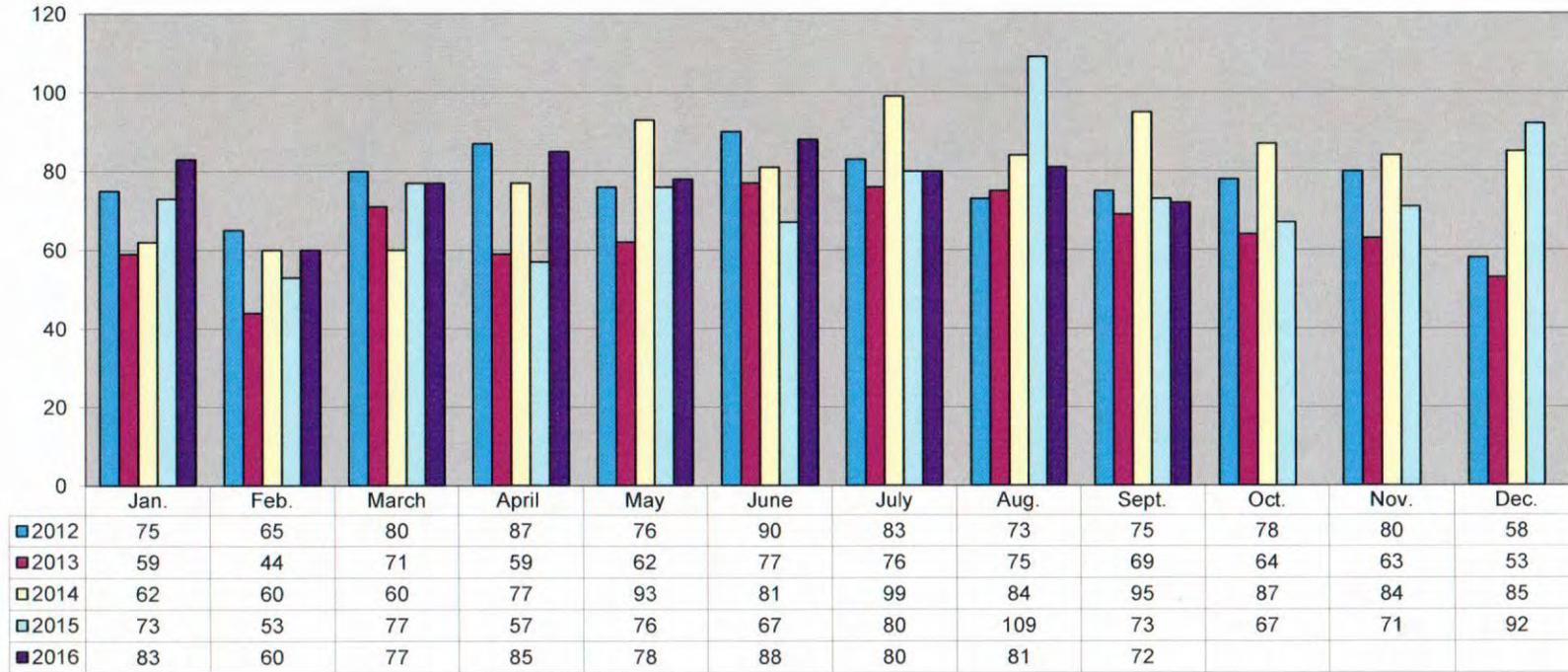
**FISCAL NOTE:**

None.

**ATTACHMENTS:**

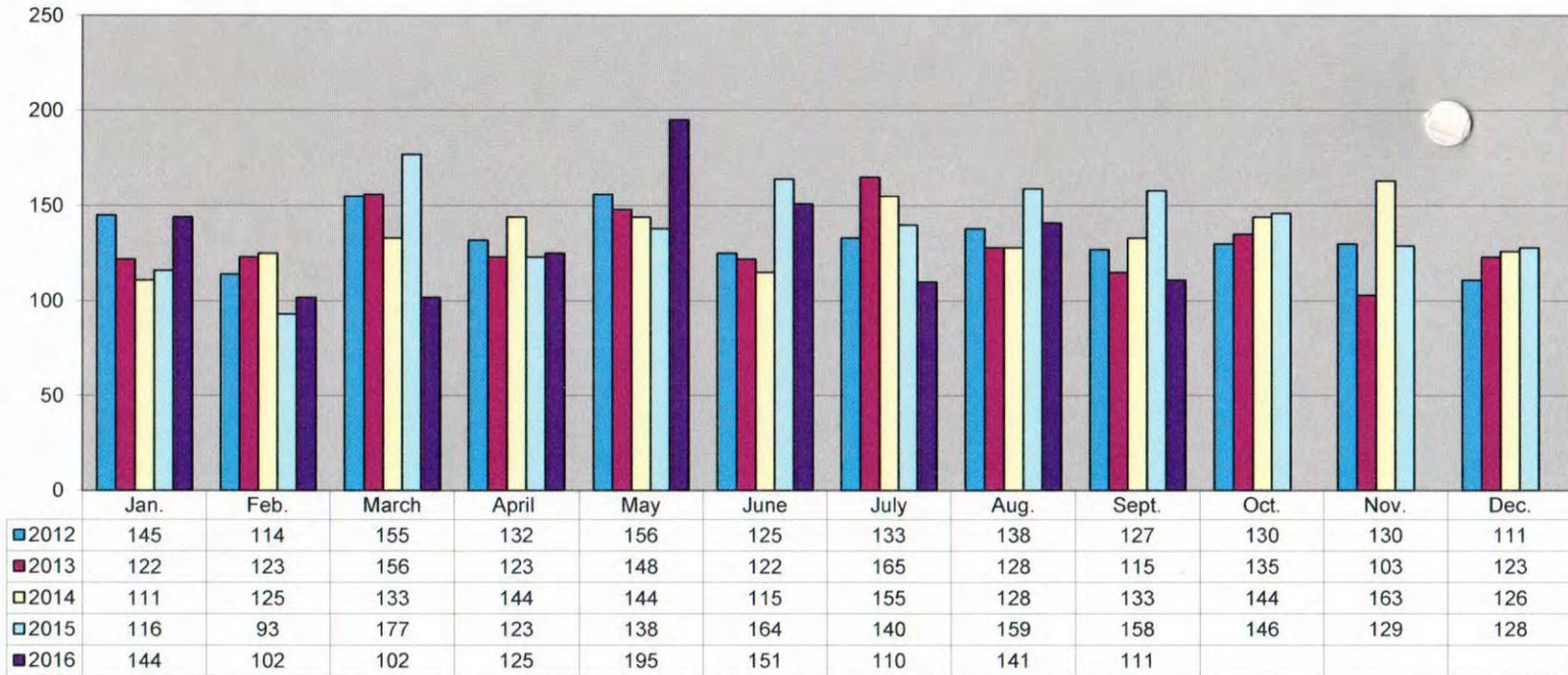
Description	Upload Date	Type
September Master Report and Chart Comparison of Crimes	10/12/2016	Backup Material

### Part I Crimes



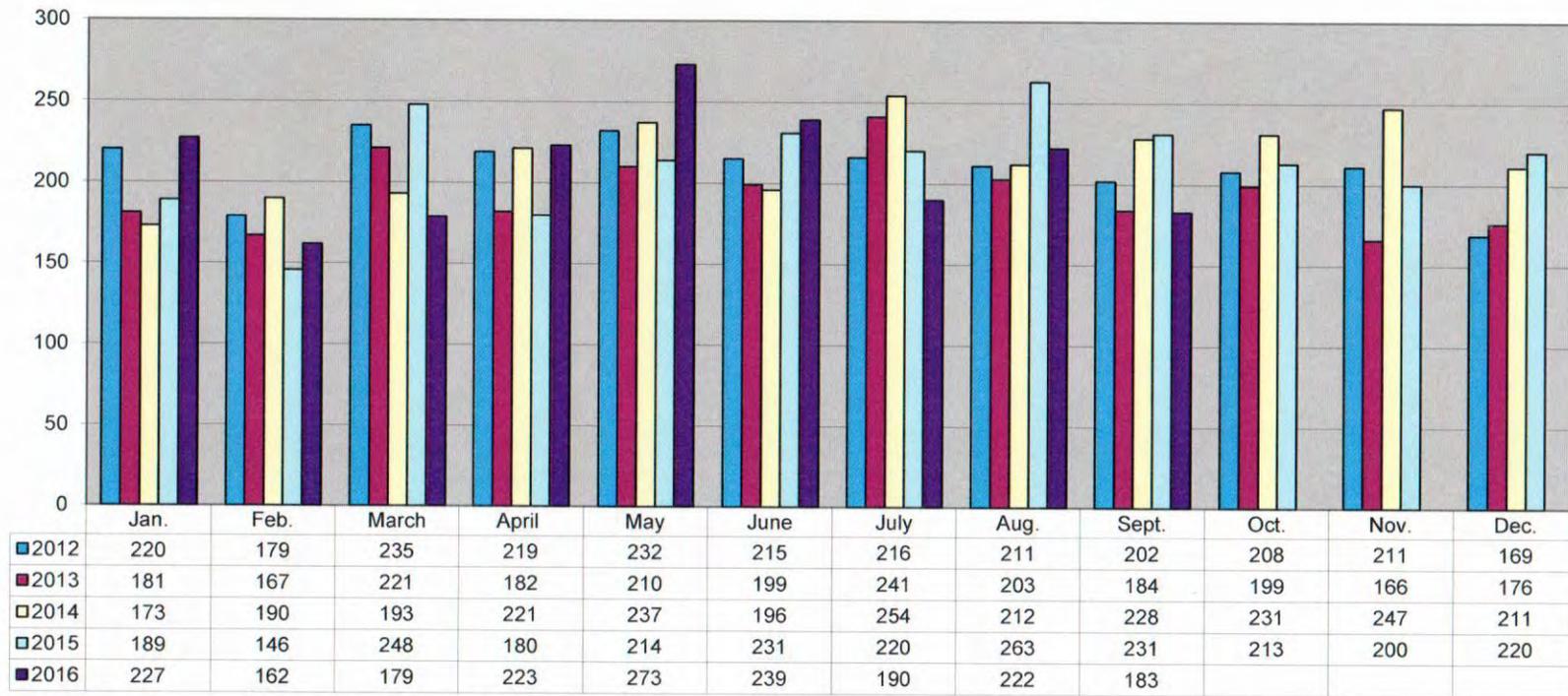
Part I Crimes - Murder, Manslaughter, Rape, Robbery, Agg. Assault, Burglary, Theft, Auto Theft, Arson

### All Other Crimes

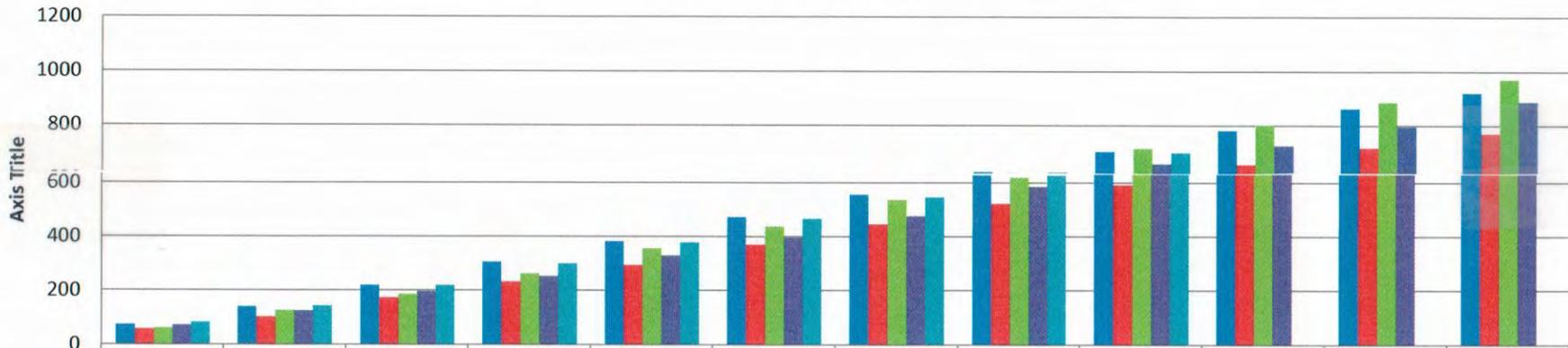


All Other Crimes may include: Interference with Police Officer, Criminal Threats, Disorderly Conduct, Criminal Trespass, Narcotic Violations, Liquor Violations, Indecent Liberties with Child, Kidnapping, DUI, Graffiti, Forgery, Weapons Violation, Criminal Damage to Property

### Grand Total All Crimes

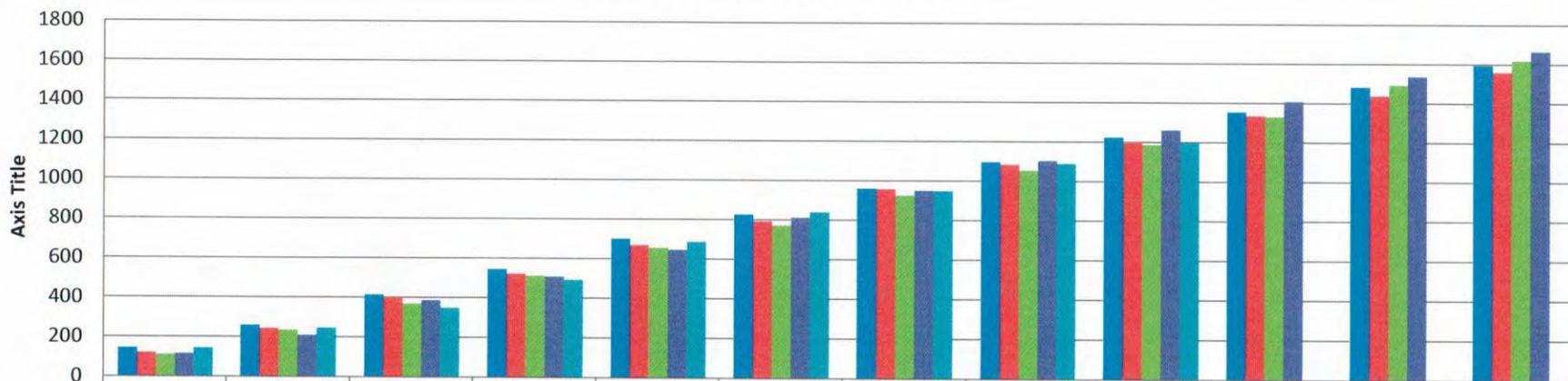


## YTD Part 1 Crimes



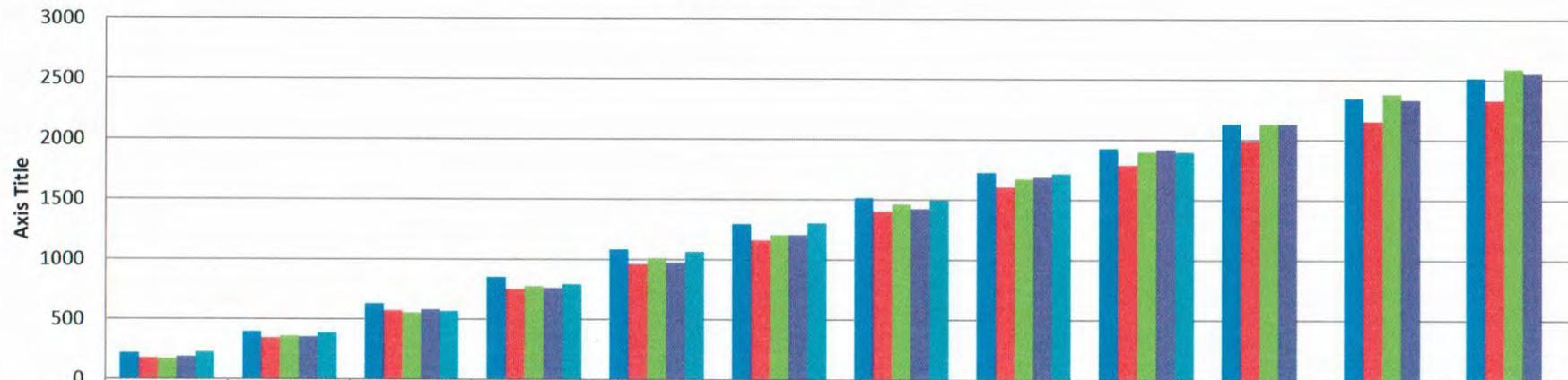
	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2012	75	140	220	307	383	473	556	629	704	782	863	921
■ 2013	59	103	174	233	295	372	448	523	592	656	719	772
■ 2014	62	127	187	264	357	438	537	621	716	803	887	972
■ 2015	73	126	197	254	330	397	477	586	659	726	797	889
■ 2016	83	143	220	301	379	467	547	628	700			

### YTD - All Other Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2012	145	259	414	546	702	827	960	1098	1225	1355	1485	1596
■ 2013	122	245	401	524	672	794	959	1087	1202	1337	1440	1563
■ 2014	111	236	369	513	657	772	927	1055	1188	1332	1495	1621
■ 2015	116	209	386	509	647	811	951	1105	1263	1409	1538	1666
■ 2016	144	246	348	493	688	839	949	1090	1201			

### YTD - All Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2012	220	399	634	853	1085	1300	1516	1727	1929	2137	2348	2517
■ 2013	181	348	575	757	967	1166	1407	1610	1794	1993	2159	2335
■ 2014	173	363	556	777	1014	1210	1464	1676	1904	2135	2382	2593
■ 2015	189	355	583	763	977	1208	1428	1691	1922	2135	2335	2555
■ 2016	227	389	568	794	1067	1306	1496	1718	1901			

**GARDEN CITY POLICE DEPARTMENT**  
**MASTER ACTIVITY REPORT**  
 September of 2016  
INCIDENTS REPORTED

<i>OFFENSES</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Murder/Manslaughter	0	0	0
Rape	2	2	14
Robbery	0	0	6
Aggravated Assault	9	5	61
Burglary	5	3	57
Theft	53	69	542
Auto Theft	3	2	16
Arson	0	0	4
<b>TOTAL</b>	72	81	700
All Other Crimes	111	141	1201
<b>GRAND TOTAL</b>	183	222	1901

CRIMINAL ENFORCEMENT ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Adult Arrests	172	192	1500
Juveniles Detained	15	17	204
<b>TOTAL CUSTODY</b>	187	209	1704
Alcohol Related	18	6	120
Drug Related	29	38	303
Curfew Violations	1	2	29

INVESTIGATIONS DIVISION ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Total Cases Assigned	18	47	351
Total Active Cases	223	219	1714
Adult Affidavits Filed	9	6	80
Juvenile Affidavits Filed	4	2	15
Follow-Up Contacts	513	622	5360
Special Assignments	31	50	441
Search Warrants	3	25	89
Supplemental Reports	48	70	1007
Other Reports	153	261	1670
Cases Referred For Prosecution	61	52	340

**GARDEN CITY POLICE DEPARTMENT  
MASTER ACTIVITY REPORT  
September of 2016**

**TRAFFIC ACCIDENT INVESTIGATIONS**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Fatal Accidents	0	0	0
Injury Accidents	7	5	53
Non-Injury Accidents	50	56	507
<b>TOTAL ACCIDENTS</b>	<b>57</b>	<b>61</b>	<b>560</b>
Private Property Accidents	12	21	76

**OFFICERS ASSAULTED**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Firearm	0	0	2
Cutting Instrument	0	0	0
Other Dangerous Weapon	0	0	0
Hands, Fist, Feet, Etc.	7	4	25
Police Service Dog	0	0	0
<b>TOTAL ASSAULTS</b>	<b>7</b>	<b>4</b>	<b>27</b>

**PATROL/CRD DIVISIONS SUMMARY**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Offense Reports	191	249	2201
Supplemental Reports	140	186	1507
Other Reports	0	0	305
Community Oriented Policing	127	166	1566
Speeding Citations	30	46	367
Other Traffic Citations	216	202	2000
Parking Citations	35	9	104
Warning Notices	60	83	1716
Penal Summons	37	43	354
Felony Cases Cleared	42	75	345
Misdemeanor Cases Cleared	163	126	1163
DUI Cases Cleared	13	2	67
Insecure Premises	4	7	55
Field Interviews	9	6	87
Citizen & Business Assists	170	221	1613
Alarms	69	75	666
Adult Affidavits Filed	37	23	297
Juvenile Affidavits Filed	8	15	109

**COMMUNICATIONS CENTER ACTIVITIES**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Non-Traffic Activities	2146	2308	19463
Traffic Activities	716	661	5637
<b>TOTAL ACTIVITIES</b>	<b>2862</b>	<b>2969</b>	<b>25100</b>
911 Calls	1470	1556	13283
Finney County Sheriff's Office Activities	445	506	4168

**GARDEN CITY POLICE DEPARTMENT  
MASTER ACTIVITY REPORT  
September of 2016**

**RESPONSE TIME SUMMARY**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST YEAR</i>	<i>5 YEARS AGO</i>
Average Emergency	6.26	6.82	
Average Non-Emergency	9.48	11.33	
Average Traffic Accident	7.20	9.60	

**ANIMAL INCIDENT ACTIVITIES**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Animals Impounded	147	157	1109
Animals Disposed	49	58	362
Citations Issued	0	0	1
Animal Bites	2	6	36
Adoptions	18	22	141

**TRAINING HOURS RECEIVED**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Administrative	62.00	57.00	322.75
Patrol/CRD Division	336.00	296.00	3228.25
Support Services Division	85.00	6.00	297.15
Investigation Division	186.50	80.00	737.50
Instructor Hours	16.00	32.00	253.50
<b>SUB-TOTAL TRAINING HRS</b>	<b>685.50</b>	<b>471.00</b>	<b>4839.15</b>
Academy Training Hours	176.00	184.00	2984.00
<b>TOTAL TRAINING HOURS</b>	<b>861.50</b>	<b>655.00</b>	<b>7823.15</b>

**ADMINISTRATIVE INVESTIGATIONS**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Allegations Received	1	0	9
Unfounded	0	0	0
Unsubstantiated	1	0	1
Sustained	0	0	5
Exonerated	0	0	4
Violation Not Based On Complaint	0	0	2
Investigation In Progress	0	0	9
Administrative Closure	0	0	1
Commendations	4	2	36



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Mike Muirhead, Public Utilities Director  
**DATE:** October 18, 2016  
**RE:** Public Utilities 3rd Quarterly Report - 2016

---

**ISSUE:**

Presentation of the 3rd Quarterly Report - 2016 from the Public Utilities Department.

**BACKGROUND:**

Attached is the 3rd Quarterly Report - 2016 from the Public Utilities Department.

**ALTERNATIVES:**

None

**RECOMMENDATION:**

None

**FISCAL NOTE:**

None

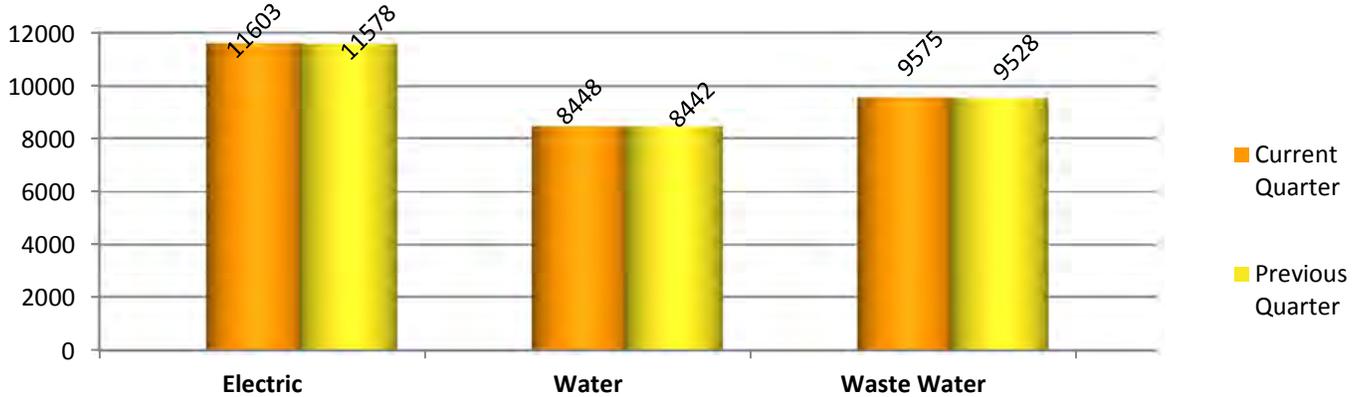
**ATTACHMENTS:**

Description	Upload Date	Type
Public Utilities 3rd Quarterly Report - 2016	10/11/2016	Backup Material

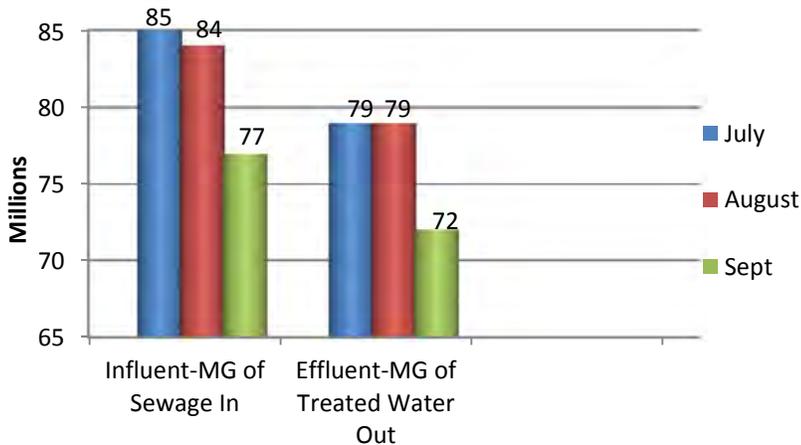
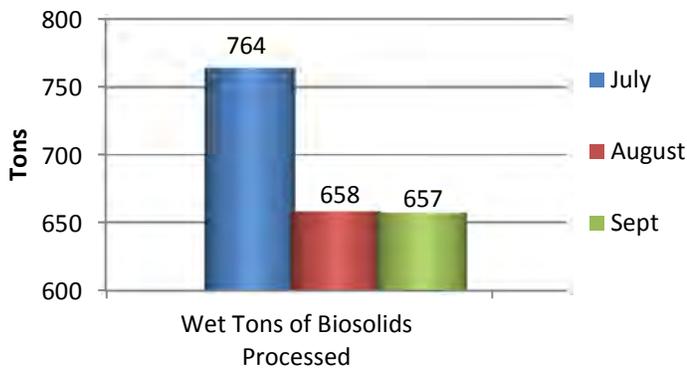
## JULY-SEPTEMBER 2016

Service • Community • Performance

### ACTIVE ACCOUNTS (Average)



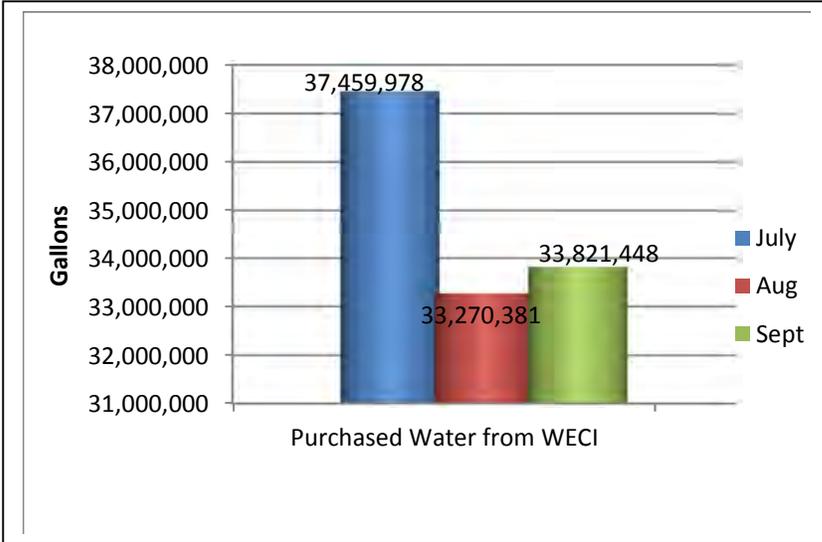
### WASTE WATER



### Wastewater News

- 🔧 Mayer Specialty Services completed 210,360 feet of line cleaning and 20,718 feet of camera work.
- 👤 New employees as of Sept. 2016
  - Alfredo Ramirez – Collection Crew
  - Austin Coleman – Plant Operator

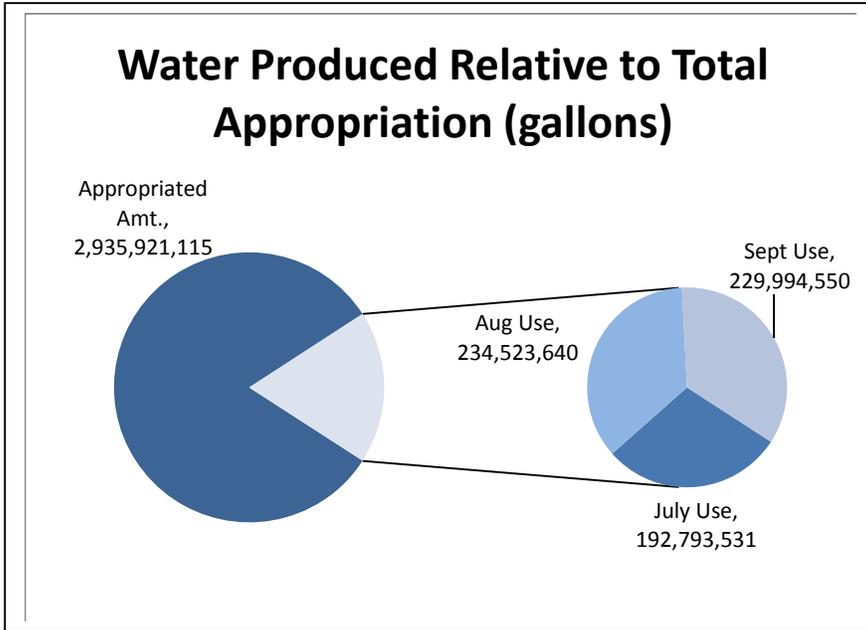
## WATER



Month	AVG Gallons / Day
July	6,219,146
Aug	7,565,278
Sept	7,666,485

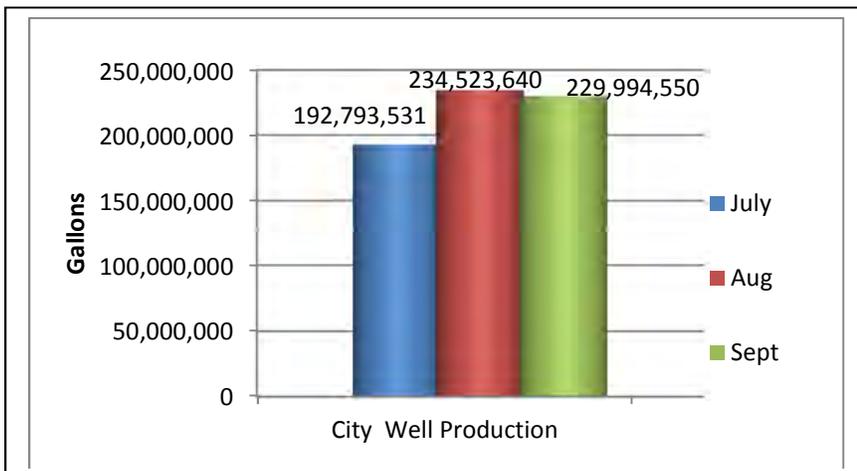
Month	Leak Detection	Main Repairs
July	35	3
Aug	29	2
Sept	56	2

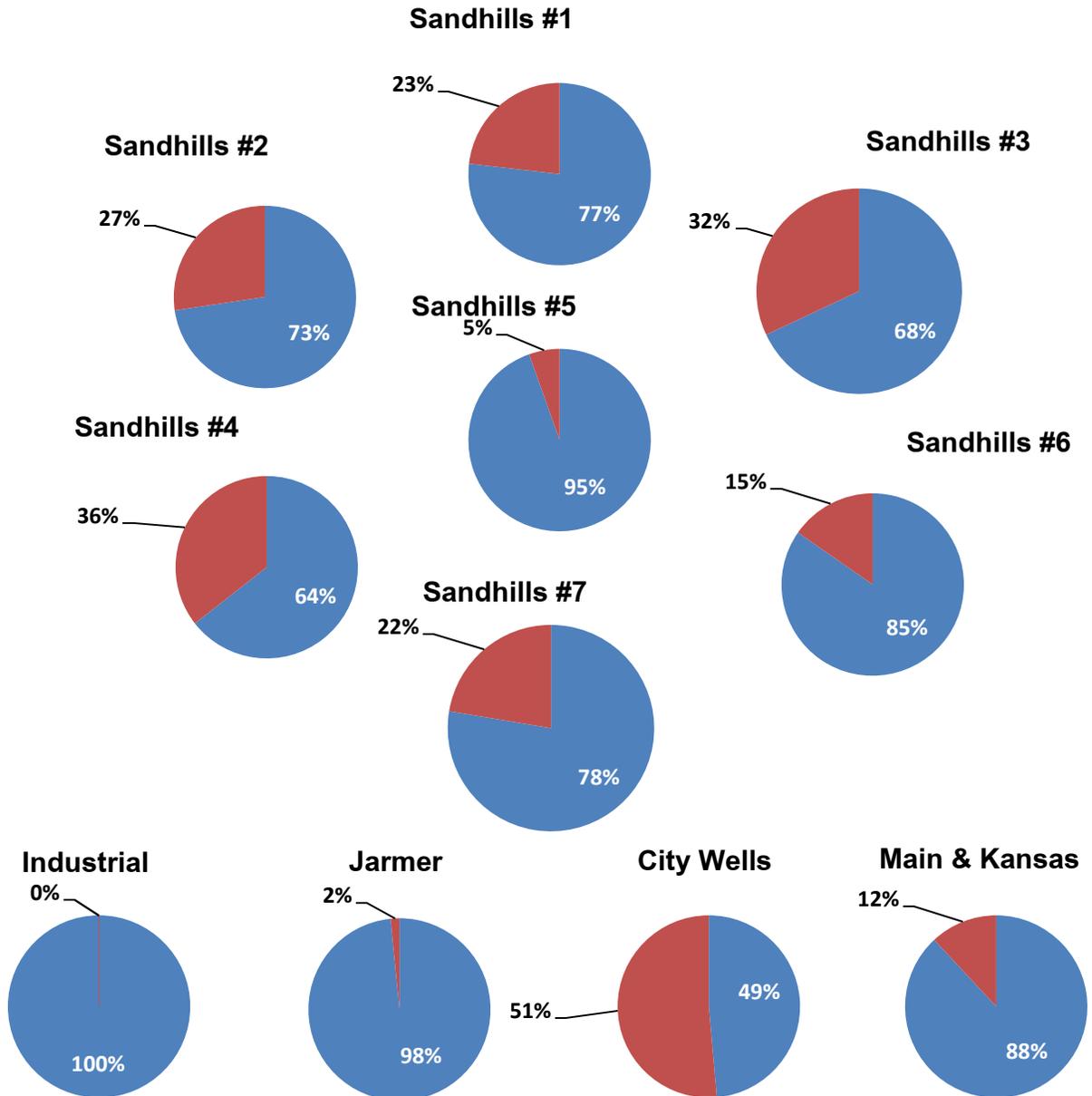
2016 Line Cleaning



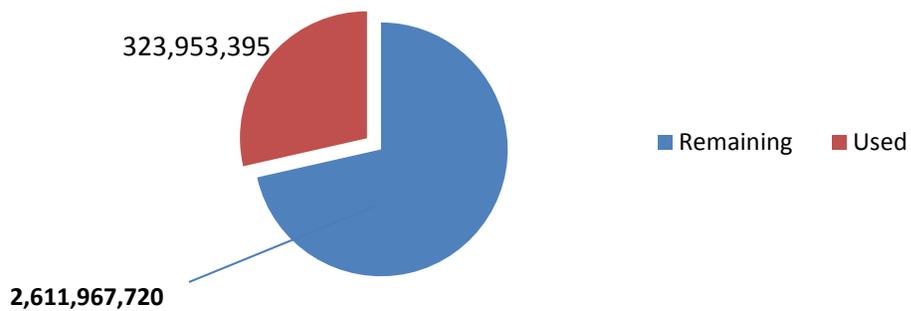
### Major Project Updates

-  The water main cleaning project is complete for the year. 9,746 feet of cast iron mains were cleaned out for 2016. From 2013-2016 22,855 feet of pipe have been cleaned out.
-  Crews continue to exchange water meters 10 years or older
-  The valve exercise program continues as crews finish up District 1 valves.





## TOTAL APPROPRIATION REMAINING

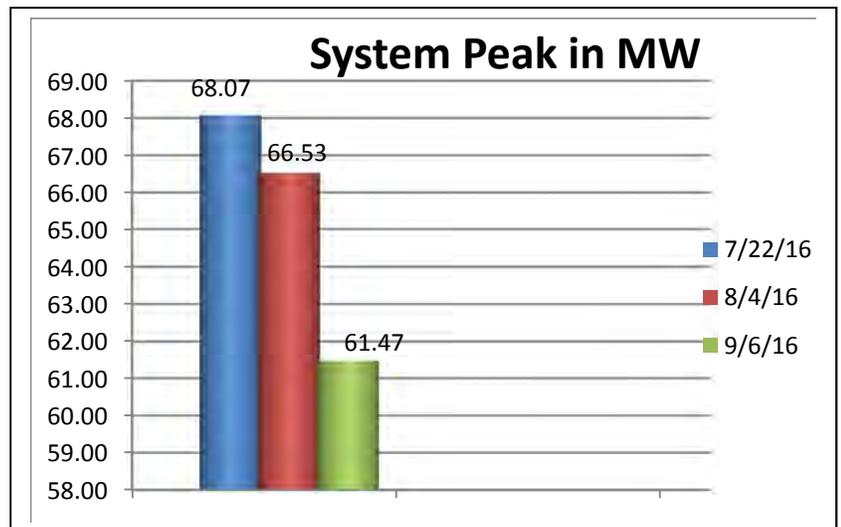


## ELECTRIC

### Major Project Updates

- New street lights have been installed along Mary & Jennie Barker, 8<sup>th</sup> St & Chestnut, and the Chappel Heights Subdivision.
- The electrical facilities have been installed and energized at The Reserves at Prairie Ridge on Campus Drive.
- Temporary service has been installed for the new Lewis Motors auto sales facility at Schulman Crossing.
- The electrical work required for the expansion at Garnand Funeral Home is complete.
- 14 street lights were adjusted for the new bike path addition from Campus Drive to Walmart on Kansas Avenue.
- Crews have completed the installation of the temporary underground facilities for the new TP&L transload site. The installation of permanent facilities will begin in October / November.
- Crews have been working on the conversion of existing overhead power lines to underground at the Kansas Ave / Center St intersection. This will accommodate the installation of new traffic signals planned by Public Works.

Month	Assisted Contractors	Assisted Customers	Street Light repairs
July	20	50	7
Aug	11	31	13
Sept	9	26	4



The Electric Division recently acquired new limited access equipment which will allow our line crew to access power equipment in very restricted areas.



### Jameson Energy Center

Days Operated	MWH Generated	Southwest Power Pool (SPP) Dispatched
55	3,741	12

Month	Utilities Located
July	231
August	317
September	297

Outage Data
On 9/5/16 birds on power lines caused Substation #3 to lose power for 5 minutes. This affected 2,800 meters in the Johnson and 3 <sup>rd</sup> St area.
On 9/9/16 1,634 meters were without power for 5 minutes in the southwest part of town at Substation #2, again due to birds on power lines..
On 9/21/16 a padmount transformer was run over in the Chappel Heights Subdivision that caused the Morris Substation and 35 customers on the northeast side of town to be out of power for approx. one hour.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** GC2016-42: an amendment to allow physical fitness centers as a conditional use in the I-1, I-2 Industrial districts, and to amend the parking regulations to regulate physical fitness centers.

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### **ISSUE:**

The Governing Body is asked to consider and approve the amendment to the Zoning Regulations of Garden City, Kansas to amend Section 2.030, Definitions, to include Physical Fitness Facility, to amend Sections 17.030 and 18.030 to allow physical fitness centers as a conditional use, and to amend Section 24.060 to specify parking spaces for physical fitness centers.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance Amending The Zoning Regulations For The City Of Garden City, Kansas To Regulate The "I-1" Light Industrial District And The "I-2" Medium Industrial District; Amending Zoning Regulation Sections 17.030, 18.030 And 24.060; Repealing In Their Entirety Current Zoning Regulation Sections 17.030, 18.030 And 24.060; All To The Code Of Ordinances Of The City Of Garden City, Kansas.

### **BACKGROUND:**

Current zoning regulations do not define exercise facilities. To remedy this problem, staff has performed research, and contacted the following communities to ascertain how they regulate their exercise facilities:

- Austin, TX
- Hutchinson, KS
- Denver, CO

Based on their findings, staff requests an amendment to define "Physical Fitness Facility" as "A facility where patrons use equipment or space for the purpose of physical exercise and related uses". Staff also proposes to amend Sections 17.030 and 18.030 of the I-1/I-2 Light/Medium Industrial districts to include "Physical Fitness Facility or Center" as a conditional use to safely allow physical fitness activity in these districts. Therefore, a person who wishes to open a physical fitness facilities in a light or medium industrial district will have their case heard at the Board of Zoning Appeals. Being a quasi-judicial board, the BZA would then be able to judge each request on a case by case basis, allowing to, if approved, place conditional stipulations on the permit as they deem necessary.

The proposed ordinance also includes amending Section 24.060 to include parking standards for physical fitness centers, where one (1) parking space is required for every 200 square feet of gross floor area (GFA) plus one (1) space for each employee on the maximum shift.

**The updated language for Section 2.030 would read as follows:**

**(Changes are highlighted in yellow)**

Section 2.030 DEFINITIONS.

**89. Physical Fitness Facility or Center – A facility where patrons use equipment or space for the purpose of physical exercise and related uses.**

**The amended I-1 regulations would read as follows:**

17.030 CONDITIONAL USES. The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 29:

(E) **Physical Fitness Facility or Center.**

**The amended I-2 regulations would read as follows:**

18.030 CONDITIONAL USES. The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 29:

(E) **Physical Fitness Facility or Center.**

**The amended Parking regulations would read as follows:**

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

<b>24. Physical Fitness Facility or Center</b>	<b>One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space for each employee.</b>
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**ALTERNATIVES:**

The Governing Body may:

1. Approve the amendment as it has been presented.
2. Not approve the amendment.

**RECOMMENDATION:**

Recommendation: Staff recommends approval of the amendment as it has been presented.

Planning Commission Recommendation: On September 22, 2016, the Planning Commission recommended approval of the amendment as presented.

Present- 9

Yea- 5

Nay- 4

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

**Description**

Ordinance

Minutes

**Upload Date**

10/12/2016

10/12/2016

**Type**

Ordinance

Backup Material

**ORDINANCE NO. \_\_\_\_\_-2016**

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS TO REGULATE THE "I-1" LIGHT INDUSTRIAL DISTRICT AND THE "I-2" MEDIUM INDUSTRIAL DISTRICT; AMENDING ZONING REGULATIONS SECTIONS 2.030, 17.030, 18.030 AND 24.060; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION SECTIONS 2.030, 17.030, 18.030 AND 24.060; 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 2.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

2.030 DEFINITIONS. For the purpose of this Zoning Regulation, certain terms or words used herein shall be interpreted or defined as follows, unless the contents clearly indicate otherwise:

1. Accessory Building or Use - A subordinate building located on the same lot or group of lots with the main building or a subordinate use of land. (See Article 21.)
2. Accessory Living Quarters- Living quarters within a building that is used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.
3. Agricultural Uses - Farming operation including, dairying, agriculture, horticulture, viniculture, animal and poultry husbandry, including the structures necessary for carrying out farming operations. So long as such land and structures are used for such purposes, the regulations do not apply. The term agriculture as used in this Zoning Regulation shall not include commercial feed lots as defined by K.S.A. 47-1501.
4. Alley - A public or private thoroughfare which affords only a secondary means of access to property abutting thereon.
5. Alteration - Alteration, as applied to a building or structure, is a change or rearrangement of the structural parts of any building or structure, or the enlargement of an existing building or structure by extending said building or structure to cover more of the lot area, by increasing the height or by moving said structure from one location or position to another.
6. Amateur - Means any individual holding a valid Federal Communications Commission Amateur Radio License.
7. Animal Hospital or Clinic - Any building or structure designed for examination, observation, treatment, board, or care of domestic animals by a doctor of veterinary medicine.
8. Antenna - Means any structure or device used for the purpose of collecting or transmitting, electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.
9. Apartment - (See Dwelling, Multiple Family).
10. Automobile and Trailer Sales Area - An open area, other than a street, alley, or other public

way or open space, used for the display and/or sales of new or used automobiles or trailers, and where no repair work is done except for minor repair of automobiles or trailers to be displayed and/or sold on the premises.

11. Automobile Wrecking and Salvage Yards - A lot, plot, or parcel of land where three (3) or more motor vehicles, not in operating condition, are collected and/or stored for the purpose of processing parts for sale.
12. Board - Board of Zoning Appeals (BZA).
13. Boarding House - A building other than a hotel, where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.
14. Buildings - Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by un-pierced walls, from the ground up, each part is deemed a separate building.
15. Building Height - The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the top story of a flat roof to the deck line of a mansard roof, and to the average height between the plat and ridge of a gable, hip, or gambrel roof.
16. Building Line - A line established, in general by plat or elsewhere in this ordinance parallel to the front street line between which no building or portion thereof shall project except as otherwise provided in this Zoning Regulation.
17. Building Main - A building or structure in which is conducted the principal use of the lot or group of lots on which it is located.
18. Canopy or Marquee - A roof-like structure, which may project or be separate from a building for the purpose of protection to pedestrians from the weather and in which no retail sales or business operation is performed, without special permit from the Governing Body.
19. Channel - Shall mean the geographical area within the natural or artificial banks of a watercourse required to convey continuously or intermittently flowing water.
20. Churches- A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.
  - (A) Community Church- A church or religious institution with a seating capacity of greater than 600 persons in the sanctuary or main activity area.
  - (B) Neighborhood Church- A church or religious institution with a seating capacity of 600 persons or fewer in the sanctuary or main activity area.
21. Clinic, Dental or Medical - A building in which a group of physicians, dentists, or allied professional assistants are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It shall not include in-patient care or operating rooms for major surgery.

22. Community Resource Center – A nonprofit resource facility that is organized and operated to provide assistance, instruction, guidance and outreach services to the members of a neighborhood who live within a quarter (1/4) mile of the facility's location.
23. Condominium - Means a building containing two (2) or more dwelling units, which dwelling units are separated by a party wall and which dwelling units are designed and intended to be separately owned in fee under the State Apartment Ownership Act. See K.S.A. 58-3102 for complete definition.
24. Convenience Store - Any building or premises used for the sale of food and other items as a "quick-service food/sundry store" which may include the dispensing of gasoline and oil but which does not provide automotive maintenance or repair services.
25. Court - An area enclosed or partially enclosed on not more than three (3) sides by exterior walls, building, or group of buildings and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley, or yard.
26. Curb Level - The officially established grade of the curb in front of the mid-point of the lot.
27. Licensed Day Care Home - Means the premises in which care is provided for a maximum of ten (10) children under sixteen (16) years of age with limited number of children under kindergarten age in accordance with K.A.R. 28-4-114(e)(1). This total includes children less than eleven (11) years of age related to the provider; and which is licensed and regulated through the Finney County Health Department by the Kansas Department of Health and Environment.
28. Child Care Center - Means a non-residential facility in which care and educational activities are provided for thirteen (13) or more children two (2) weeks to sixteen (16) years of age for more than three (3) hours and less than twenty-four (24) hours per day including day time, evening, and nighttime care, or which provides before and after school care for school-age children. A facility may have fewer than thirteen (13) children and be licensed as a center if the program and building meet child care center regulations.
29. Group Day Care Home - Means the premises located in a single family dwelling unit where care is provided by two (2) providers, one of whom shall be a bona-fide resident of the dwelling unit, in which care is provided for a maximum of twelve (12) children under sixteen (16) years of age with a limited number of children under kindergarten age in accordance with K.A.R. 28-4-114(f)(1). This total includes children under eleven (11) years of age related to the provider; and which is licensed and regulated through the Finney County Health Department by the Kansas Department of Health and Environment.
30. District - A section or sections of Garden City, Kansas for which the regulations governing the use of, the height of, and area of buildings and premises are uniform.
31. Dock (Loading) - A structure of which its height and primary purpose is to facilitate the loading and unloading of cargo and transportation vehicles.
32. Drainage Course (Water Course) - Any natural depression, draw, or ravine which directs and facilitates the flow of water.
33. Drive - A Private right-of-way which affords principle means of vehicular access to or through a mobile home park, and which is owned and maintained by the owner or operator of the park.
34. Dwelling - Any building designed or used for residential purposes.
35. Dwelling, Single-Family - A building designed for or occupied exclusively by one family.

36. Dwelling Two-Family - A building designed for or occupied exclusively by two (2) families.
37. Dwelling, Multiple Family - A building, or portion thereof designed for or occupied by three (3) or more families, but which may have joint services or facilities for more than one family.
38. Easement - A portion or strip of land which is part of a lot, parcel tract which has been reserved or dedicated for specific use for access of persons, utilities, or services.
39. Exception - An exception shall always mean the allowance of otherwise prohibited use within a given district, such use and conditions by which it may be permitted being clearly and specifically stated within these Zoning Regulations, and the allowance being granted by conditional use permit from the Board of Zoning Appeals.
40. Educational Institution - A college, university, or incorporated academy providing general academic instruction equivalent to the standards prescribed by the State Board of Education.
41. Fabrication - That part of manufacturing which relates to stamping, cutting, or otherwise shaping processed materials into objects and may include the assembly of standard component parts, but does not include extracting, refining, or other initial processing of basic raw materials.
42. Facade - That portion of a building facing public street right-of-way.
43. Family - The word "family" shall be two (2) or more persons related by blood, marriage, or adoption living together in a dwelling unit. For the purpose of this Title, paying tenants in excess of two (2) shall be considered as boarders or roomers, and the building in which they abide shall be considered as a boarding, or rooming house.
44. Feed Lot - The use of land for commercial dry lot livestock feeding operations where any number of livestock or poultry is confined in a concentrated area for the distinct purpose of meat, milk, or egg production, where the livestock or poultry are fed at the place of confinement and crop or foliage is not sustained in the area of confinement. Also included are any feeding endeavors which are operated on a contract basis. Not included in this definition are farm feeding operations which are an agricultural endeavor used for personal need, income supplement, and are a seasonal operation. Also not included are pasturing and grazing operations.
45. Fence - A free-standing structure of metal, masonry, glass, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level and used for confinement, screening, or partition purposes.
46. Flood - Shall mean an overflow of water onto lands not normally covered by water. Floods have two (2) essential characteristics: The inundation of land is temporary, and the land is adjacent to and inundated by overflow from a watercourse, or lake, or other body of standing water.
47. Floodplain - Shall mean the land adjacent to a watercourse subject to inundation from a flood having a chance occurrence in any one year of one percent (1%).
48. Floodway - Shall mean the channel of a watercourse and that portion of the adjoining floodplain required to provide passage of a 100-year flood with an insignificant increase in flood stage, above that of natural conditions. The limits of the floodway, as designated by order of the Planning Commission are delineated on the official zoning map and the attachments to it.

49. Floodway Fringe Area - Shall mean the area between the limits of the floodway and the floodplain of the 100-year flood.
50. Floor Area - For computing off-street parking requirements, the floor area shall mean the gross floor area used or intended to be used by the owner or tenant for service to the public as customers, patrons, or clients including areas occupied by fixtures and equipment used for display. It shall not include areas used principally for maintenance of the building, rest room, or utility rooms.
51. Frontage - All the property on one side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street. Where a street is dead ended, the frontage shall be considered as all that property abutting on one side between an intersecting street and the dead end of the street.
52. Frozen Food Locker - A facility or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A frozen food locker is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.
53. Funeral Home - An establishment providing services such as preparing the human dead for burial or cremation and arranging and managing funerals, and may include limited caretaker facilities. Such buildings may contain space and facilities for (a) embalming and the performance of other services used in preparation of the dead; (b) the performance of autopsies; (c) the storage and sale of caskets, funeral urns, and other related funeral supplies; (d) the storage and cleaning of funeral vehicles; (e) facilities for cremation; (f) funeral chapels to perform funeral services.
54. Garage Private - An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupant of the building to which it is an accessory.
55. Garage, Public - A building or portion thereof other than a private or storage garage, designed or used for equipping, repairing, hiring, servicing, selling, or storing motor driven vehicles.
56. Garage, Storage - A building or portion thereof designed or used exclusively for housing four (4) or more motor-driven vehicles, other than truck and commercial vehicles, pursuant to previous arrangements and not to transients, and at which no auto fuels are sold and no motor vehicles are equipped, repaired, hired, or sold.
57. Grade
- (A) For buildings having walls adjoining one street only, the elevation of the curb at the center of the wall adjoining the street.
  - (B) For buildings having walls, adjoining more than one street, the average of the elevation of the curb at the center of all walls, adjoining the streets.
  - (C) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.
  - (D) Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. Where no sidewalk exists the grade shall be established by the City Engineer.
58. Height, Tower - shall be determined by measuring the vertical distance from the tower's point

of contact with the ground or structure to the highest point of the tower. All antennas or other attachments shall not exceed ten (10) feet above the tower and shall not be included into the tower height measurement.

59. Home Occupation - The term "Home Occupation" shall mean any occupation conducted entirely within the dwelling unit and carried on only by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof and in connection with which there is no display nor stock in trade or commodities sold - except those which are produced on the premises. (See Article 26).
60. Hotel - A building used as an abiding place on a daily or weekly basis for transient persons who, for compensation, are lodged with or without meals, whether such establishments are designated as a hotel inn, automobile court, motel, motor inn, motor, lodge, tourist cabin, tourist unit, or otherwise.
61. Institutional Home - A place where the specialized care of babies, children, pensioners, or older people - and those under care for drug or alcohol abuse, is provided, except those for correctional or mental cases. An Institutional Home shall in no way be interpreted to mean a Day Care Center.
62. Institutional Use - Shall include civic, service and fraternal organization buildings; cultural facilities; child care centers; dormitories; schools; group homes; nursing homes, rest homes and homes for the aged; government buildings; health institutions; religious institutions; stadiums, arenas and civic centers.
63. Junk Yard - A parcel of land used for the storage, keeping for sale, or abandonment of junk, including used metal, wood, building materials, household appliances, vehicles, machinery, or parts thereof.
64. Landscaping - The improvement of a lot, parcel or tract of land with grass, shrubs, and/or trees. Landscaping may include pedestrian walks, flowerbeds, ornamental objects such as fountain, statuary or other similar, natural, and artificial objects, designed and arranged to produce an aesthetically pleasing effect.
65. Lodging House - A building or place where lodging is provided or which is equipped regularly to provide lodging, by prearrangement for definite periods, for compensation, for three (3) or more persons in contradistinction to hotels open to transients.
66. Lot - A parcel of platted land occupied or intended for occupancy by one main building, together with its accessory buildings, including the open spaces required by this Zoning Regulation.
67. Lot, Corner - A lot abutting upon two (2) or more streets at their intersection.
68. Lot Depth of - The mean horizontal distance between the front and rear lot lines.
69. Lot, Double Frontage - A lot having a frontage on two (2) nonintersecting streets as distinguished from a corner lot.
70. Lot Line - Any line bounding a lot or separating one lot from another.
71. Lot of Record - A lot which is a part of a subdivision, the map of which has been recorded in the Office of the Register of Deeds of Finney County, Kansas.

72. Manufacture - Any method of processing, developing, fabricating, or assembling; either raw materials, semi-finished materials, or parts into a semi-finished or finished product.
73. Manufactured Home - "Manufactured Home" means a structure which:
- (A) Is transportable in one or more sections which, in the traveling mode is 8 body feet or more in width or 40 body feet in length, or, when erected on site, is 320 or more square feet and which is built on a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
  - (B) Is subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. 5403.
74. Minimum Building Elevation - Shall mean the elevation to which uses regulated by this regulation are required to be elevated or flood proofed. This elevation would be equal to the elevation that could be reached by the 100-year flood if it occurred under the conditions existing at the time this regulation was passed, plus one foot to allow for encroachments permitted, by the establishment of a floodway.
75. Non-Conforming Mobile Home - Shall mean a structure which:
- a. Is transportable in one or more sections which, in traveling mode, is 8 body feet or more in width and 36 body feet or more in length and is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
  - b. Is not subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. 5403
76. Manufactured Home Park - A tract of land containing suitable drives, utilities, and other supporting elements, and devoted to the sole purpose of accommodating, on lease or rental basis, mobile homes, or manufactured homes, located therein permanently or semi-permanently.
77. Manufactured Home Space - That area of land within a manufactured home park set aside for use as a site for one manufactured home, including the open spaces around said home. As are required in this Zoning Regulation.
78. Manufactured Home, Double Wide - A manufactured or modular home which when assembled on the site has a width of not less than twenty-four (24) feet.
79. Manufactured Home Single Wide - Any residential structure assembled in total or in sections other than at the site of intended location and transported to such site.
80. Manufactured Home Subdivision - A subdivision developed for the purpose of selling individual lots on which manufactured homes or modular homes may be located.
81. Modular Home - Shall mean a structure which is:
- a. Transportable in one or more sections; and
  - b. Not constructed on a permanent chassis; and

- c. Designed to be used as a dwelling on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and
  - d. Certified by its manufacturer as being constructed in accordance with a nationally recognized building code.
82. Natural Obstruction - Shall mean any rock, tree, gravel, or related natural matter that is an obstruction and has been located within the floodway by a non-human cause.
83. (Reserved)
84. Non-Conforming Use - Same; existing uses; alterations; exception.
- a. Reasons adopted herein shall not apply to the existing use of any building or land, but shall apply to any alteration of a building to provide for a change in use or a change in the use of any building or land after the effective date of any regulations adopted. If a building is damaged by more than 50% of its fair market value such building shall not be restored if the use of such building is not in conformance with the regulations adopted.
  - b. Exception for flood plain regulations in areas designated as a flood plain, regulations adopted by the City pursuant to K.S.A.12-715b, and amendments thereto, shall not apply to the use of land for agriculture purposes so long as such land, and buildings are used for agricultural purposes and not otherwise.
85. Obstruction - Shall mean artificial obstructions, such as any dam, wall, wharf, embankment, levee, dike, pile, abutment, excavation, channel rectification, bridge, conduit, culvert, building, structure, wire, fence, rock, gravel, refuse, fill, or other related structures or matter in, along, across, or projecting into any floodway which may impede, retard, or change the direction of the flow of water, or increase the flood height, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.
86. Parking Space - An area surfaced with concrete, bituminous, or similar permanent surface, for the purpose of storing one parked automobile. For the purpose of this Zoning Regulation, one parking space shall have a minimum width of (9) feet and a minimum length of twenty (20) feet. In computing off-street parking, additional space shall be required, off-street, for access drives to each parking space.
87. Pasturage or Pasture - Shall be defined as land or a plot of land used for the grazing, feeding, and confinement of livestock.
88. Person - A person shall be understood in its broadest legal sense, including person, partnership, a company, corporation, or any other organized or unorganized group of persons acting together.
89. Physical Fitness Facility or Center – A facility where patrons use equipment or space for the purpose of physical exercise and related uses.
90. Planning Commission - The Holcomb-Garden City-Finney County Area Planning Commission.
91. Portable Storage Unit- An accessory structure that has been a wheeled vehicle, or a portion of a wheeled vehicle, or a metal container of any kind. This transportable unit is designed and used for the storage of retail merchandise, household goods, personal items, construction materials, supplies and non-hazardous materials.

92. Preschool - A non-residential facility which provides experiences for children who have not attained the age of eligibility to enter kindergarten and who are thirty (30) months of age or older; conducts sessions not exceeding three (3) hours per session; which does not enroll any child more than one session per day, and which does not serve a meal. (Ord. #1736, 7/8/91)
93. Professional Office - Any building used by one or more persons engaged in the practice of law, architecture, engineering, medicine, or in the business of real estate broker or agent.
94. Public Utility - Any business the purpose of which is to furnish to the general public:
- a. Telephone Service
  - b. Telegraph Service
  - c. Electricity
  - d. Natural Gas
  - e. Water
  - f. Transportation of Persons
  - g. Solid Waste Disposal
  - h. Wastewater Treatment Plant
  - i. Any other business so affecting the public interests to be subject to the supervision or regulation by any agency or the State.
  - j. Community closed circuit telecast
95. Restaurant – Any eating establishment in which the primary function is the preparation and serving of food and beverages on the premises and whose sale of cereal malt beverages or alcoholic liquor accounts for less than 50% of its gross receipts in sales.
96. Right-of-Way - A strip of land between property lines, dedicated to the public or private interest, which is intended for use as an alley, crosswalk, court, place, road, street, thoroughfare, or utility easement.
97. Residential Designed Manufactured Home - A manufactured home on a permanent foundation which has a minimum dimension of twenty-two (22) feet in body width, a pitched roof and siding and roofing material which are customarily used on site-built homes.
98. Rooming House - Any dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire, with or without meals.
99. Service Station - Any building or premises used for the purpose of dispensing, sale, or offering for sale at retail of any automobile fuels or oils, when the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.
100. Setback - The minimum horizontal distance between the property line and the building line.
- a. Front Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

- b. Rear Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.
  - c. Side Yard - shall be determined from the eave overhang.
101. Sidewalk - A hard surfaced walk for pedestrians at the side of a street. (All sidewalks will be constructed as specified in the Garden City Sidewalk Hand Book of 1978).
102. Sign - See Article 23, Section 23.020 of this Zoning Regulation for definitions.
103. Story - That portion of a building, other than a basement or cellar, included between the surface of any floor and surface of the floor next above it, if there be no floor above it, then the space between the floor and the ceiling next above it.
104. Story, Half - A space under a sloping roof which has the fine intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing independent living quarters shall be counted as a full story.
105. Street - A right-of-way, dedicated to the public use, which provides principle vehicular and pedestrian access to adjacent properties.
106. Street Classification
- d. Arterial - A street which provides for through traffic movement between and around areas and across the City, with direct access to abutting property; subject to necessary control of entrances, exits, and curb uses.
  - e. Collector - A street which provides for traffic movement between arterials and local streets, with direct access to abutting property.
  - f. Local - A street which provides for direct access to abutting land and for local traffic movement whether in business, industrial or residential areas.
107. Street Line - A dividing line between a lot, tract, or parcel of land and the contiguous street.
108. Structure - Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, but not including fences.
109. Structural Alterations - Any change in the supporting members of a building such as, bearing walls or partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose of this Zoning Regulation the following shall not be considered structural alterations:
- a. Attachment of a new front where structural supports are not changed and that does not encroach beyond building line.
  - b. Addition of fire escapes where lintels supports are not changed.
  - c. New, windows where lintels and support walls are not materially changed.
  - d. Minor repair or replacement of non-structural members.
110. Tavern/Class A Club/Class B Club/Private Club/Night Club/Fraternal Lodge/ Drinking

Establishment/Lodge - Any establishment that meets at least one of the following:

- a. Any establishment whose primary function is the sale and on-site consumption of cereal malt beverages or alcoholic liquor.
  - b. Any establishment whose sale of cereal malt beverages or alcoholic liquor accounts for more than 50% of its gross receipts in sales.
  - c. A premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, for the exclusive use of the corporate stockholders, partners, trust beneficiaries, associates, members, and their families and guests accompanying them.
  - d. A premises which may be open to the general public, where alcoholic liquor by the individual drink is sold.
  - e. A premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for consumption of food or any beverage and for entertainment.
111. Townhouse - Means one single-family townhouse residential unit which may be joined together with at least one additional single-family townhouse residence by a common wall or walls, and/or roof and/or foundation: Provided, however, that in any event, the term "townhouse" shall not mean a condominium as defined in K.S.A. 58-3102.
112. Tower - Means any ground or structure-mounted pole, spire, structure, or combination thereof taller than 15 feet including supporting lines, cable, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.
113. Tower, Multi-User - means a tower to which is attached the antennas of the more than one commercial wireless telecommunications service provider or governmental entity.
114. Tower, Single-User - means a tower to which is attached only the antennas of a single-use, although the tower may be designed to accommodate the antennas of multiple users as required by this Code.
115. Tract - An area or parcel of land other than a lot of record described and recorded in the Office of the Register of Deeds of Finney County as a single parcel of land under individual ownership.
116. Trailer - Any structure used for living, sleeping, business, or storage purposes, having no foundation other than wheels blocks, skids, jacks, horses, or skirting and which has been, or reasonably may be, equipped with wheels or other devices for transporting the structure from place to place, whether by motor power or other means. The term "Trailer" shall include recreational vehicles.
117. Trailer Park - Means a tract of land containing sites for the overnight or short term parking of two (2) or more camping trailers. Camping trailers may be parked in a camp-ground or camper park provided such camp area is in conformance with the codes and ordinances of the City.
118. Trailer, Advertising - A trailer, as defined above, but carrying, or having attached thereto, a sign, billboard, or other media for advertising purposes, such advertising being the purpose and use of the trailer.

119. Trailer, Camping - A trailer, as defined above, and equipped with an enclosure for sleeping while on vacation, or other trips of short duration. Such camping trailers may also contain cooking, bath, and sanitary equipment. Size and furnishing of such camping trailers may vary widely, but in no case shall they be considered structures for residential use of a temporary or permanent nature, for purposes of this Zoning Regulation.
120. Trailer, Hauling - A trailer, as defined above, and designed and normally used for over-the-road transporting of belongings, equipment, merchandise, livestock, and other objects, but not equipped for human habitation.
121. Transitional Supportive Housing- Housing with no limit on length of stay, that provides shelter for domestic violence survivors and their dependent children, that provides safe housing coupled with supportive services to assist residents and walk-in clients by providing skill-specific services and support as needed.
122. 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. The vision clearance area shall contain no temporary or permanent obstructions in the excess of one (1) foot in height. Street trees may be permitted provided such trees are pruned at least eight (8) feet above the surrounding grade. At the intersection of major or arterial streets the vision clearance area is created by points forty (40) feet from the intersection of the property lines.
123. Watercourse - Shall mean any stream, arroyo, or drainway having a channel that serves to give direction to a flow of water.
124. Yard - A space on the same lot with a main building, open, unoccupied, and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this Zoning Regulation.
125. Yard, Front (Primary Front) - A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way line and the building setback line.
126. Yard, Secondary Front- A yard on a corner lot which fronts a public or private right-of-way but on which the building on the lot does not have a primary entrance; extending from the front line of the building to the rear line of the building.
127. Yard, Rear – A yard extending across the full width of the lot between the rear of the building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear line of such main building.
128. Yard, Side – A yard between the main building and the side lot line extending from the front yard lot line to the rear lot line. The width of the required side yard shall be measured horizontally, at ninety (90) degrees with the side lot line from the nearest part of the main building. (See Article 22, Supplemental Development Standards.)

**SECTION 2.** Section 17.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**17.030 CONDITIONAL USES.** The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 29.

- (A) Any structure built or any building remodeled or moved in for use as quarters for night watchman for security purposes. (Ord. #1843 3/9/94)

- (B) Child Care Centers.
- (C) Community Churches.
- (D) Mobile Home Sales. (Ord. #1850, 6/20/94)
- (E) Physical Fitness Facility or Center.**
- (F) Radio Towers.
- (G) Telephone Transmission Buildings.
- (H) Television Towers.
- (I) Child Care Centers.
- (J) Towers. (Ord. #2074, 10/27/98)

**SECTION 3.** Section 18.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

18.030 CONDITIONAL USES. The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 29.

- (A) Any structure built or any building remodeled or moved in for use as quarters for night watchman for security purposes (Ord. #1843 3/8/94).
- (B) Child Care Centers.
- (C) Community Churches.
- (D) Electric Power Plants.
- (E) Physical Fitness Facility or Center.**
- (F) Radio towers.
- (G) Telephone Transmission Buildings.
- (H) Television towers.
- (I) Towers. (Ord. #2074, 10/27/98)

**SECTION 4.** Section 24.060 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

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

<u>USE</u>	<u>REQUIRED PARKING SPACES</u>
------------	--------------------------------

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

15. Clinics with Beds, Nursing Homes, Rest Homes, and Institutional Homes.	One (1) space for each three (3) beds shall be located behind the front building line in the side or rear yard.
16. Hotel or Motel.	One (1) space for each living or sleeping unit. For a facility with a restaurant, see restaurant requirements.
17. Industrial Uses.	One (1) space per two (2) employees on maximum shift and one (1) space for each company vehicle.
18. Manufacturing Uses, Research Testing Laboratories, Creameries, Bottling Establishments, Bakeries, Canneries, Printing and Engraving Shops, Etc.	One (1) space per two (2) employees on maximum shift and one (1) space for each company vehicle.
19. Medical Clinics or Offices.	Three (3) spaces for each examination room plus one (1) for each doctor and employee.
20. Dental Clinics or Offices.	Two (2) spaces for each examination room plus one (1) for each dentist and employee.
21. Motor Vehicle and Machinery Repair, Sales or Wholesaling.	One (1) parking space for each eight hundred (800) sq. ft. of floor area.
22. Offices not providing customer services or sales on the premises.	One (1) parking space for each four hundred (400) sq. ft. of gross floor area.
23. Personal Services Establishments in Commercial Zones, including: a. Barber Shops. b. Beauty Shops. c. Shoeshine and Shoe Repair Shops d. Custom Dressmaking, Furrier, Millinery and Tailor Shops.	One (1) space for each two hundred (200) sq. ft. of floor area.
24. Physical Fitness Facility or Center	One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space for each employee.
25. Professional Offices for Attorneys, CPA's, Architects, Engineers, Etc.	Four (4) spaces per one thousand (1000) sq. ft. of gross floor area. For offices less than one thousand (1000) sq. ft. the minimum requirement shall be four (4) spaces.
26. Public Buildings.	One (1) space for each three (3) employees, plus one (1) space for each one hundred (100) sq. ft. used for public assembly.
27. Restaurants, Taverns, and Night Clubs.	One (1) space for each three (3) seats.
28. Retail Stores, except as otherwise specified herein.	One (1) parking space four hundred (400) sq. ft. of retail floor area, including designated outdoor sales areas.

29. Rooming and Boarding Houses, Lodging Houses, Clubs, and Fraternity Housing having sleeping rooms.	One-half (1/2) parking space for each tenant or one (1) space for each vehicle kept by a roomer, boarder, or tenant which is being parked on the premises, whichever is greater.
30. Schools; Private, Vocational, Etc.	One (1) parking space for each employee and one (1) space for each three (3) students of driving age.
31. Theaters.	One (1) parking space for each four (4) seats up to eight hundred (800) seats, plus one (1) parking space for each eight (8) seats over eight hundred (800) seats.
32. Transitional Supportive Housing	One (1) parking space for each employee on the maximum shift, plus one (1) space for each two hundred (200) sq.ft. of office space, plus one (1) space per four (4) beds.
33. Warehouses and Wholesale Storage Buildings (dead storage or high volume Distribution)	Two (2) parking spaces for each employee on the maximum shift.

**SECTION 5.** The Zoning Regulations for the City of Garden City, Kansas, Sections 2.030, 17.030 and 18.030 and 24.060 as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 6.** 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 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
CHRIS LAW, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
RANDALL D. GRISELL

City Counselor



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*\*Attached are the minutes from the Planning Commission pertaining to this case*

**GC2016-42 Amendment to I-1, I-2, I-3 Industrial districts, Staff**

*Secretary Kentner reads staff report and explains case.*

*ENTER PREVIOUS MONTHS' COMMENTS FOR RECORD.*

*OPEN PUBLIC COMMENT*

*Matt Johannes* – I am here in support of project fitness and their new location. I think in a case like this, you know the dangers of someone going in to a place that is not zoned properly. When I looked up other cases like this that had to do with CrossFit gyms going into a warehouse type facility or in an industrial zone, one of the top concerns was if there were going to be any chemicals or anything hazardous in this non-compliant situation. Of course, the gym doesn't provide chemicals other than sweat. As far as the noise, we aren't banging any metal so I think it would be a great idea to add this in as a conditional use in the industrial districts. One of the things Kaleb said was that if we do open this up, it would be taken into consideration on a case by case basis. Looking at this particular case, we have a gym that is wanting to come into an industrial zone and it is a unique opportunity and is great because it has a good track record in this same neighborhood; Joey is just moving his business a few hundred feet. Before the last City Commission meeting, I had contacted all of Joey's previous neighbors and asked if they had any complaints and every one of them said they had no problem with Joey as a neighbor or the gym as a neighbor. His business has people running outside sometimes and I asked specifically if they had problems with that and everyone said that the runners were very polite, courteous and careful in his eight years of business in this nearby location. You have a close proximity sample that you can look at to see how Joey's business has previously performed. Most of Joey's hours of operation are early morning or after work so I don't think we're interrupting traffic flow patterns in this type of gym. Joey has also received permission from the VFW for additional parking, which I found is also a topic that was brought up in my research. I believe a CUP is a good law that is in place for when zoning doesn't exactly meet the needs of the people and it gives flexibility to zoning. I think we are more than willing to work with issues that may come up. I spoke with Skylar Swords from the Finney County Health Coalition and he expressed that he hadn't had any problems with this facility in the last seven months that it has been there.

*Chairman Lopez* – The only point of clarification that I would like to add is that we are not granting conditional use permits at this meeting. We also ask you to speak more general and not specific to this business. I would ask anyone else that wants to speak to only speak about this particular issue in general, not about a specific business. When we make a decision, it's going to affect the entire city.

*Vice-chairman Germann* – Matt, why would a physical fitness center specifically target this facility as opposed to a facility in the commercial district where they were before?

*Matt Johannes* – It's unique because CrossFit does rope climbing up to fifteen feet high so we need tall ceilings for that. We throw medicine balls to a ten-foot target so we need open space for the weights. We don't have static equipment. We set it up and put it away so it's more like a gymnastics facility. In general terms, I don't believe there's going to be a lot of physical fitness centers that will desire to be in an old steel building; I think it will only be cross fitters.

*Ken Green* – I am a property owner there and one of my concerns is that I don't remember discussing the parking amendment.

*Staff Davidson* – Currently we don't have parking regulations specifically for physical fitness facilities. What we have done (in the past) is taken a combination of different groups to come up with a number for parking spaces.

*Secretary Kentner* – We researched it to see what other communities used to have enough parking for these facilities.

Secretary Kentner explains how parking requirements are enforced and how they are assigned according to the regulations.

*Staff Davidson* – The number that we came up with for this amendment we felt would match physical fitness centers more appropriately than what we're using now.

Secretary Kentner explains the process of a conditional use and shares that it can go above and beyond as a conditional use and have all types of stipulations placed upon it in consideration of all facts and variables. Chairman Lopez explains that the Zoning Board of



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Appeals may also put stipulations reacting to public comment and the applicant is required to comply with all stipulations.

*Jennifer Stanley* – If you get a chance to watch the town hall meeting, there were some statistics and topics that were discussed regarding CrossFit gyms explaining why they are in that industrial area.

Jennifer Stanley asks for clarification on the process of a conditional use permit in regards to the presented amendment change. Chairman Lopez points out that the Planning Commission only makes a recommendation to the Governing Body regarding issues presented to them.

*David Brakey* – Mr. Lopez, your concern at the last meeting was valid when you mentioned the issue about the running and used the example of your neighborhood by the YMCA. Correct me if I'm wrong, but your concern was people running through the parking lot. We have groups of runners running through commercial, residential and industrial areas not related to this at all. These runners that we are seeing aren't just coming from the physical fitness center.

*Chairman Lopez* – Just as a point of clarification, where I live is a residential area and I have no problem with the runners. My comments were just directed at the fact of whether or not this would be appropriate in an industrial area.

*Ashley Oylar* – I wanted to say that we are an industrial area that deals with a lot of truck traffic. We deal with semis, forklifts and trailers. An excess of pedestrian traffic in an industrial area is a lot more of a hazard than it is in a commercial or residential district. We feel that safety wise, it is more difficult for us to operate our daily business. We already do have an abundance of foot traffic from other business who are not in the correct zone. We are on a frontage road, which means any traffic that is on that road is intended for our businesses only. When you bring businesses in that have an abundance of traffic, we deal with increased liability. I don't want to pay more money. We moved to this location partially due to the fact that we would be able to move semis in and out easier. To touch on something that was brought up earlier, it was said that the neighbors in the commercial don't mind a fitness center and that's because they're used to the foot traffic and that's something that they want. In industrial, we aren't looking for that excess foot traffic.

*Nicky Herman (Trainer)* – I am a trainer at CrossFit and I am there most days. We don't go by their business and I have never seen a semi going by us. I think something you need to consider when talking about a conditional use is what's being said about the traffic. As Johannes was saying, we can run on sidewalks and change our running routes. Those are the things you need to look at, like letting new types of businesses come in and these conditional uses; that's what they're for. It would allow the community to grow and allow things like this to grow and fit into maybe not so specific areas. Maybe you can look at it and say this is a situation we have to look at and have to decide where they fit in. Also, she was talking about paying more money. For us, it's going to cost us quite a bit more to go back into a commercial area. The industrial area is a lot cheaper and because we are a smaller gym then that's what we need. We don't have as many clients and know our clients. We are very specific with what we do so you're not dealing with a bunch of equipment so it's not like the YMCA or the Rec.

Chairman Lopez reminds the public to keep their comments more general.

*Sam Oylar* – I am the owner of Hard at Play. From what I've heard, if we get this conditional use then that means we're running on sidewalks. I don't have sidewalks on my property so will that force me to put those in so they don't run on streets? There's ten to fifteen trucks coming down Zerr road every day. CrossFit does come around our store and we see them sliding around the corner to make the access road with their tires squealing. The Somalian vendors are backing in and out. It has been a safety issue from the start to finish. It's going to cost me money in the long run to make a running path for them in an industrial area.

*Karen Dechant* – I am the bookkeeper for CrossFit and I am getting up here only because I cannot handle the lies. I would like for you to go back and watch the town hall meeting, Mrs. Oylar stood up and spoke about the zoning not wanting to take place but she was all for the conditional use of that property. At 52:27 she said that. At 52:39 she said that. At 54:35 she said again that she was for a conditional use for that property.

*Ashely Oylar* – I would like to clarify that I was for them getting a conditional use. I researched it a little bit more and after speaking to the other property owners and looking up what this really would mean for all of us, I did change my mind but never clarified that I did have a separate stance on that.

*Ken Green* – We have zoning regulations and put in new regulations and neither have been enforced. We are battling with businesses and it comes down to the City not enforcing what regulations are. In the last meeting, it was brought up that the zoning regulations were there to protect existing property owners. I have been in the industrial area for thirty years and after thirty



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years we start seeing the change, I am not opposed to change but I went to that area for a reason. It's a shame that it has to come down to a complaint system about your neighbors who you really don't have anything against but it's affecting my property and business. We just keep creating more regulations but never enforce them.

Ken Green reads an excerpt from an article in the Garden City Telegram regarding zoning and statements made by the commissioners.

*Jennifer Stanley* – I want to make sure that it's understood that this amendment is general and not specific to their businesses. There is a use for the conditional use permits and unfortunately the physical fitness center hasn't had its place in that.

*CLOSE PUBLIC COMMENT*

*Secretary Kentner* – clarifies the amendment at hand and explains that it is not specific to any business but affects all industrial districts. He defines what the amendment consists of and all the specifications involved.

*Member Schneider* – So we are doing this because in the past physical fitness centers were not identified at all by definition?

*Secretary Kentner* – Correct. We don't have any definition for physical fitness facilities in the regulations.

*Member Hitz* – We have dealt with the subject of CrossFit twice and it was declined twice. The reason why we did it was because they moved in to an area it wasn't zoned for and now they're asking for forgiveness. Why not deal with CrossFit first then try to change the regulations?

*Secretary Kentner* – You actually already did. The rezoning request was denied and we are now looking at the possibility of a conditional use permit for physical fitness facilities which we don't have a location or definition for, as requested by the governing body.

*Member Schneider* – We can't identify something if we don't have a definition for it.

Staff clarifies that each case previously presented at the August 18<sup>th</sup> Planning Commission meeting is invalid and must be reconsidered after proper publication by the Telegram. Staff explains that with reconsidering each case, new conclusions may be reached and the process for the approval or denial of the case remains the same as stated in the staff report.

*Secretary Kentner* – If you decide to recommend this and the governing body approves this, then they will have the ability to apply for a CUP to then go to the board of zoning appeals for consideration.

*Vice-chairman Germann* – I wanted to show on our record reasons why the physical fitness facilities needed to be in an industrial district. The reasons I received were understandable. Is it common for physical fitness centers to be in industrial areas as a conditional use?

*Secretary Kentner* – We did find that some cities do allow them with a conditional use permit. There were very few, if any, that allowed them to go in with a by-right use. The issues that were brought up in the public hearing, that should be considered, could be different at every location and district.

*Staff Davidson* – We have also found that a lot of physical fitness facilities were in an Industrial looking area but were not zoned industrial. There's just a lot of variables that go into this.

*Vice-chairman Germann* – If we were to approve this amendment as a conditional use, that doesn't say that CrossFit automatically is good to go. They still have to go through that process to determine that if in their situation they will be granted the conditional use. All we are saying today, if it is approved, is that it can possibly be considered as a conditional use in an industrial area.

*Member Schneider* – This gives an identity to a specific sector of business that wasn't identified before.

*Secretary Kentner* – Correct. The reason for the physical fitness facility and the broadness of that scope is gymnastics, for example. The generality in the definition of it is so that it is enough that it covers all possible physical fitness facilities.

*Member Howard* – The thing that I keep looking back to is that anytime you give a conditional use, you're opening a big can of worms that you can't get back. Another thing is that we have to take care of the people that are currently there that went in there legally. It's a sore spot for me when someone goes in there knowing that they won't be kicked out if they go in there illegally. A conditional use is something that you really need to put thought into before you just start to pick and choose to who you're handing them out to and make sure you respect the people already doing business there.

*Secretary Kentner* – You are right, but I think that the board of zoning appeals does a great job with listening to the public when they hold a hearing.



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*Chairman Lopez* – Depending on the exposure, the issue, and the feelings of the neighbors, the board of zoning appeals takes all of that into consideration. They can put any stipulations they want on it and it’s not something that is appealable. We also put staff in a position that if there’s any complaints, we can force those businesses out.

*Member Stewart* – I think that what Jim said was true. Our board of zoning appeals does a good job but we are allowing them to pick and choose.

*Chairman Lopez* – That’s the way the system is set up.

*Member Stewart* – In this case I think there’s an error in the system.

*Chairman Lopez* – Anytime you’re talking about zoning we, as well as the City Commissioners, have to paint in broad strokes. There are special instances that have to be considered for various reasons.

*Member Schneider* – In order for a community to grow, we have to have contingent things in place because that will help promote new businesses to come in; However, to protect the current businesses in the areas that they are in is why we have the board of zoning appeals so that everything can be addressed in a case by case basis. It might be an imperfect system but it is the best we have right now.

*Member Howard* – Current people should have more of a say especially over someone that is there illegally.

*Member Schneider* – Right, but that’s where the board of zoning appeals comes. They would hear what the public had to say and take it in as a more concentrated situation.

*Member Schwindt* – I think that with the conditional use we aren’t saying yes but we aren’t saying no. We are just saying that we are open and friendly to the idea of a possibility and I don’t think there’s a problem with that. I agree with protecting the businesses that we have but we would leave the final decision up to the board of zoning appeals.

*MEMBER HOWARD MAKES MOTION TO DENY ALL OF THE AMENDMENTS PRESENTED BY STAFF. MEMBER HITZ SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Nay	Yea	Nay	Yea	Nay	Yea	Nay	Nay	Yea

*MOTION FAILED TO CARRY DUE TO LACK OF MAJORITY VOTE. CHAIRMAN MOVES TO ENTERTAIN ANOTHER MOTION.*

*VICE-CHAIRMAN GERMANN MAKES MOTION TO APPROVE THE DEFINITION OF THE PHYSICAL FITNESS FACILITY OR CENTER AS RECOMMENDED BY STAFF AND TO APPROVE THE AMENDMENTS TO THE REGULATIONS PRESENTED BY STAFF IN I-1 AND I-2 INDUSTRIAL DISTRICTS TO ALLOW PHYSICAL FITNESS FACILITIES OR CENTERS AS A CONDITIONAL USE. MEMBER LAW SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Nay	Yea	Nay	Yea	Nay	Yea	Yea	Nay

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



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** GC2016-50: An amendment to update zoning regulations Section 2.030, Definitions.

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### **ISSUE:**

The Governing Body is asked to consider and approve an amendment to the Garden City Zoning Regulations Section 2.030 Definitions to define retail and other uses and clarify setbacks.

1. Ordinance No. \_\_\_\_\_ - 2016, an ordinance amending the Zoning Regulations for The City of Garden City, Kansas to define retail and other uses; amending Zoning Regulation Section 2.030; repealing in its entirety current Zoning Regulation Section 2.030; all to the Code of Ordinances for The City of Garden City, Kansas.

### **BACKGROUND:**

The definition section of the Zoning Regulations for the City of Garden City does not have definitions that distinguish between various retail uses. To assist in the regulating process, Staff recommends adding definitions for clarification purposes. The retail definitions proposed are for "variety store and shops", "apparel and accessory store", "grocery store", "department store", "hardware store", and "home improvement center".

In addition, the yard setbacks were recently amended in the residential districts. However, the definition section was not included in that update. Therefore staff proposes to amend the Side Yard Setbacks to make it consistent with the residential districts. Side Yard Setbacks should be to the face of the building, instead of "from the eave overhang" as it currently reads.

### **The updated language for Section 2.030 would read as follows:**

**(Changes are highlighted in yellow)**

**Section 2.030 DEFINITIONS.** For the purpose of this Zoning Regulation, certain terms or words used herein shall be interpreted or defined as follows, unless the contents clearly indicate otherwise:

10. **Apparel and accessory store** – A retail store where new or repurposed clothing and related accessories are sold, including jewelry and timepieces.

31. **Department Store** – A retail store where a variety of unrelated general merchandise and services is organized into departments. May include groceries and convenience items for on or off site consumption. May include key and lock services, rental equipment, automotive and tire repair, outdoor sales of farm, ranch and garden supplies equipment. May dispense automobile fuel.

60. Grocery - A retail store, including supermarkets, of any size, where most of the retail sales area is devoted to the sale of food products for off-site preparation or consumption, and which may also offer other household, convenience, sundries, and personal care products, and limited general merchandise. May include on-site food preparation and consumption for the general public as an accessory to the primary use. May also provide banking or other professional services. May also sell or dispense automobile fuel but may not conduct any automotive service, repair, or body work.

62. Hardware Store – A retail store for home improvement products and indoor and outdoor furnishings, but without an outdoor lumber yard. May include key and lock services, paint and wallpaper, flooring, garden supplies, rental equipment, and small engine repair.

64. Home Improvement Center – A retail store normally larger than 50,000 square feet gross floor area for hardware, home improvement products, indoor and outdoor furnishings, garden and landscaping products, farm supplies and rental equipment. May include key and lock services, paint, wallpaper, and flooring supplies. May include outdoor storage for lumber or other construction material.

105. Setback - The minimum horizontal distance between the property line and the building line.

a) Front Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

b) Rear Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

c) Side Yard - shall be determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

124. Variety Store – A retail store for gifts, food products for preparation off-site, general merchandise items including household, convenience, sundries, personal products, minor home furnishings, and clothing, and where no food products are prepared or consumed on-site.

#### **ALTERNATIVES:**

The Governing Body may:

1. Approve the amendment as it has been presented.
2. Not approve the amendment.

#### **RECOMMENDATION:**

Staff Recommendation: Staff recommends approval of the amendment as it has been presented.

Planning Commission Recommendation: On September 22, 2016, the Planning Commission recommended approval of the amendment as presented.

Present- 8

Yea- 8

Nay- 0

#### **FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
Minutes	10/12/2016	Backup Material
Ordinance	10/13/2016	Ordinance



*\*Attached are the minutes from the Planning Commission pertaining to this case*

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**GC2016-50 Amendment to Commercial Districts C-O to C-3, definitions & Variances section, Staff**

*Secretary Kentner reads staff report.  
ENTER PREVIOUS MONTHS' COMMENTS FOR RECORD.*

*OPEN PUBLIC COMMENT  
CLOSE PUBLIC COMMENT*

*Member Howard – This only has to do with setbacks and no rezoning, right?  
Secretary Kentner – Yes, the setbacks and these definitions that are highlighted. All it's doing is clarifying. There's a couple of these uses that aren't listed and that's the case that was added to your agenda. It was what we mentioned at the last meeting when we said we created these definitions and now we have to put them in the appropriate zoning district.*

*Secretary Kentner explains that the purpose of the clarification is to be able to identify anything that doesn't currently have a definition and have the ability to classify it in the future.*

*Member Schwandt – We have some stores in mind that I think might fit multiple so how do you make that decision?*

*Secretary Kentner – The regulations are written in a way that if there were ever a question or needed clarification of ambiguity then we would bring it back to you for better interpretation.*

*Secretary Kentner explains that staff tried to focus on finding the more modern definition and would look to make decisions based off of what best suits the business and their trade. Discussion ensued regarding what current businesses could possibly be classified under.*

*Kaleb – We tried to make these definitions broad enough and if we as staff ever feel like we can't fit something into one of these categories then it comes to you. Unfortunately for the people that are waiting for us to get that answer will have to wait because we wouldn't feel comfortable making the final decision until we see it clear that it fits into a specific category. This is why it's important to have good definitions so that we can prevent something going in somewhere that doesn't fit.*

*MEMBER STEWART MAKES MOTION TO APPROVE THE AMENDMENT TO THE REGULATIONS AS PRESENTED BY STAFF TO DEFINE RETAIL USES AND CLARIFY SETBACKS. VICE-CHAIRMAN GERMANN SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwandt	Stewart
Yea	Yea	Not Present	Yea	Yea	Yea	Yea	Yea	Yea

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**ORDINANCE NO. \_\_\_\_\_-2016**

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS TO DEFINE RETAIL AND OTHER USES; AMENDING ZONING REGULATION SECTION 2.030; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION SECTION 2.030; 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 2.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

2.030 DEFINITIONS. For the purpose of this Zoning Regulation, certain terms or words used herein shall be interpreted or defined as follows, unless the contents clearly indicate otherwise:

1. Accessory Building or Use - A subordinate building located on the same lot or group of lots with the main building or a subordinate use of land. (See Article 21.)
2. Accessory Living Quarters- Living quarters within a building that is used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.
3. Agricultural Uses - Farming operation including, dairying, agriculture, horticulture, viniculture, animal and poultry husbandry, including the structures necessary for carrying out farming operations. So long as such land and structures are used for such purposes, the regulations do not apply. The term agriculture as used in this Zoning Regulation shall not include commercial feed lots as defined by K.S.A. 47-1501.
4. Alley - A public or private thoroughfare which affords only a secondary means of access to property abutting thereon.
5. Alteration - Alteration, as applied to a building or structure, is a change or rearrangement of the structural parts of any building or structure, or the enlargement of an existing building or structure by extending said building or structure to cover more of the lot area, by increasing the height or by moving said structure from one location or position to another.
6. Amateur - Means any individual holding a valid Federal Communications Commission Amateur Radio License.
7. Animal Hospital or Clinic - Any building or structure designed for examination, observation, treatment, board, or care of domestic animals by a doctor of veterinary medicine.
8. Antenna - Means any structure or device used for the purpose of collecting or transmitting, electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.
9. Apartment - (See Dwelling, Multiple Family).
10. Apparel and accessory store – A retail store where new or repurposed clothing and related accessories are sold, including jewelry and timepieces.

11. Automobile and Trailer Sales Area - An open area, other than a street, alley, or other public way or open space, used for the display and/or sales of new or used automobiles or trailers, and where no repair work is done except for minor repair of automobiles or trailers to be displayed and/or sold on the premises.
12. Automobile Wrecking and Salvage Yards - A lot, plot, or parcel of land where three (3) or more motor vehicles, not in operating condition, are collected and/or stored for the purpose of processing parts for sale.
13. Board - Board of Zoning Appeals (BZA).
14. Boarding House - A building other than a hotel, where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.
15. Buildings - Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls, from the ground up, each part is deemed a separate building.
16. Building Height - The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the top story of a flat roof to the deck line of a mansard roof, and to the average height between the plat and ridge of a gable, hip, or gambrel roof.
17. Building Line - A line established, in general by plat or elsewhere in this ordinance parallel to the front street line between which no building or portion thereof shall project except as otherwise provided in this Zoning Regulation.
18. Building Main - A building or structure in which is conducted the principal use of the lot or group of lots on which it is located.
19. Canopy or Marquee - A roof-like structure, which may project or be separate from a building for the purpose of protection to pedestrians from the weather and in which no retail sales or business operation is performed, without special permit from the Governing Body.
20. Channel - Shall mean the geographical area within the natural or artificial banks of a watercourse required to convey continuously or intermittently flowing water.
21. Church - A place wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.
  - a) Community Church - A church or religious institution with a seating capacity of greater than 600 persons in the sanctuary or main activity area.
  - b) Neighborhood Church - A church or religious institution with a seating capacity of 600 persons or fewer in the sanctuary or main activity area.
22. Clinic, Dental or Medical - A building in which a group of physicians, dentists, or allied professional assistants are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It shall not include in-patient care or operating rooms for major surgery.

23. Community Resource Center – A nonprofit resource facility that is organized and operated to provide assistance, instruction, guidance and outreach services to the members of a neighborhood who live within a quarter (1/4) mile of the facility's location.
24. Condominium - Means a building containing two (2) or more dwelling units, which dwelling units are separated by a party wall and which dwelling units are designed and intended to be separately owned in fee under the State Apartment Ownership Act. See K.S.A. 58-3102 for complete definition.
25. Convenience Store - Any building or premises used for the sale of food and other items as a "quick-service food/sundry store" which may include the dispensing of gasoline and oil but which does not provide automotive maintenance or repair services.
26. Court - An area enclosed or partially enclosed on not more than three (3) sides by exterior walls, building, or group of buildings and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley, or yard.
27. Curb Level - The officially established grade of the curb in front of the mid-point of the lot.
28. Licensed Day Care Home - Means the premises in which care is provided for a maximum of ten (10) children under sixteen (16) years of age with limited number of children under kindergarten age in accordance with K.A.R. 28-4-114(e)(1). This total includes children less than eleven (11) years of age related to the provider; and which is licensed and regulated through the Finney County Health Department by the Kansas Department of Health and Environment.
29. Child Care Center - Means a non-residential facility in which care and educational activities are provided for thirteen (13) or more children two (2) weeks to sixteen (16) years of age for more than three (3) hours and less than twenty-four (24) hours per day including day time, evening, and nighttime care, or which provides before and after school care for school-age children. A facility may have fewer than thirteen (13) children and be licensed as a center if the program and building meet child care center regulations.
30. Group Day Care Home - Means the premises located in a single family dwelling unit where care is provided by two (2) providers, one of whom shall be a bona-fide resident of the, dwelling unit, in which care is provided for a maximum of twelve (12) children under sixteen (16) years of age with a limited number of children under kindergarten age in accordance with K.A.R. 28-4-114(f)(1). This total includes children under eleven (11) years of age related to the provider; and which is licensed and regulated through the Finney County Health Department by the Kansas Department of Health and Environment.
31. Department Store – A retail store where a variety of unrelated general merchandise and services is organized into departments. May include groceries and convenience items for on or off site consumption, key and lock services, rental equipment, automotive and tire repair, outdoor sales of farm, ranch and garden supplies equipment. May also dispense automobile fuel.
32. District - A section or sections of Garden City, Kansas for which the regulations governing the use of, the height of, and area of buildings and premises are uniform.
33. Dock (Loading) - A structure of which its height and primary purpose is to facilitate the loading and unloading of cargo and transportation vehicles.
34. Drainage Course (Water Course) - Any natural depression, draw, or ravine which directs and facilitates the flow of water.

35. Drive - A Private right-of-way which affords principle means of vehicular access to or through a mobile home park, and which is owned and maintained by the owner or operator of the park.
36. Dwelling - Any building designed or used for residential purposes.
37. Dwelling, Single-Family - A building designed for or occupied exclusively by one family.
38. Dwelling, Two-Family - A building designed for or occupied exclusively by two (2) families.
39. Dwelling, Multiple Family - A building, or portion thereof designed for or occupied by three (3) or more families, but which may have joint services or facilities for more than one family.
40. Easement - A portion or strip of land which is part of a lot, parcel tract which has been reserved or dedicated for specific use for access of persons, utilities, or services.
41. Exception - An exception shall always mean the allowance of otherwise prohibited use within a given district, such use and conditions by which it may be permitted being clearly and specifically stated within these Zoning Regulations, and the allowance being granted by conditional use permit from the Board of Zoning Appeals.
42. Educational Institution - A college, university, or incorporated academy providing general academic instruction equivalent to the standards prescribed by the State Board of Education.
43. Fabrication - That part of manufacturing which relates to stamping, cutting, or otherwise shaping processed materials into objects and may include the assembly of standard component parts, but does not include extracting, refining, or other initial processing of basic raw materials.
44. Facade - That portion of a building facing public street right-of-way.
45. Family - The word "family" shall be two (2) or more persons related by blood, marriage, or adoption living together in a dwelling unit. For the purpose of this Title, paying tenants in excess of two (2) shall be considered as boarders or roomers, and the building in which they abide shall be considered as a boarding, or rooming house.
46. Feed Lot - The use of land for commercial dry lot livestock feeding operations where any number of livestock or poultry is confined in a concentrated area for the distinct purpose of meat, milk, or egg production, where the livestock or poultry are fed at the place of confinement and crop or foliage is not sustained in the area of confinement. Also included are any feeding endeavors which are operated on a contract basis. Not included in this definition are farm feeding operations which are an agricultural endeavor used for personal need, income supplement, and are a seasonal operation. Also not included are pasturing and grazing operations.
47. Fence - A free-standing structure of metal, masonry, glass, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level and used for confinement, screening, or partition purposes.
48. Flood - Shall mean an overflow of water onto lands not normally covered by water. Floods have two (2) essential characteristics: The inundation of land is temporary, and the land is adjacent to and inundated by overflow from a watercourse, or lake, or other body of standing water.
49. Floodplain - Shall mean the land adjacent to a watercourse subject to inundation from a flood having a chance occurrence in any one year of one percent (1%).

50. Floodway - Shall mean the channel of a watercourse and that portion of the adjoining floodplain required to provide passage of a 100-year flood with an insignificant increase in flood stage, above that of natural conditions. The limits of the floodway, as designated by order of the Planning Commission are delineated on the official zoning map and the attachments to it.

51. Floodway Fringe Area - Shall mean the area between the limits of the floodway and the floodplain of the 100-year flood.

52. Floor Area - For computing off-street parking requirements, the floor area shall mean the gross floor area used or intended to be used by the owner or tenant for service to the public as customers, patrons, or clients including areas occupied by fixtures and equipment used for display. It shall not include areas used principally for maintenance of the building, rest room, or utility rooms.

53. Frontage - All the property on one side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street. Where a street is dead ended, the frontage shall be considered as all that property abutting on one side between an intersecting street and the dead end of the street.

54. Frozen Food Locker - A facility or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A frozen food locker is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.

55. Funeral Home - An establishment providing services such as preparing the human dead for burial or cremation and arranging and managing funerals, and may include limited caretaker facilities. Such buildings may contain space and facilities for (a) embalming and the performance of other services used in preparation of the dead; (b) the performance of autopsies; (c) the storage and sale of caskets, funeral urns, and other related funeral supplies; (d) the storage and cleaning of funeral vehicles; (e) facilities for cremation; (f) funeral chapels to perform funeral services.

56. Garage Private - An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupant of the building to which it is an accessory.

57. Garage, Public - A building or portion thereof other than a private or storage garage, designed or used for equipping, repairing, hiring, servicing, selling, or storing motor driven vehicles.

58. Garage, Storage - A building or portion thereof designed or used exclusively for housing four (4) or more motor-driven vehicles, other than truck and commercial vehicles, pursuant to previous arrangements and not to transients, and at which no auto fuels are sold and no motor vehicles are equipped, repaired, hired, or sold.

59. Grade

a) For buildings having walls adjoining one street only, the elevation of the curb at the center of the wall adjoining the street.

b) For buildings having walls, adjoining more than one street, the average of the elevation of the curb at the center of all walls, adjoining the streets.

c) For buildings having no wall adjoining the street, the average level of the finished surface

of the ground adjacent to the exterior walls of the building.

d) Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. Where no sidewalk exists the grade shall be established by the City Engineer.

60. Grocery - A retail store, including supermarkets, of any size, where most of the retail sales area is devoted to the sale of food products for off-site preparation or consumption, and which may also offer other household, convenience, sundries, and personal care products, and limited general merchandise. May include on-site food preparation and consumption for the general public as an accessory to the primary use. May also provide banking or other professional services. May also sell or dispense automobile fuel but may not conduct any automotive service, repair, or body work.

61. Height, Tower - shall be determined by measuring the vertical distance from the tower's point of contact with the ground or structure to the highest point of the tower. All antennas or other attachments shall not exceed ten (10) feet above the tower and shall not be included into the tower height measurement.

62. Hardware Store - A retail store for home improvement products and indoor and outdoor furnishings, but without an outdoor lumber yard. May include key and lock services, paint and wallpaper, flooring, garden supplies, rental equipment, and small engine repair.

63. Home Occupation - The term "Home Occupation" shall mean any occupation conducted entirely within the dwelling unit and carried on only by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof and in connection with which there is no display nor stock in trade or commodities sold - except those which are produced on the premises. (See Article 26).

64. Home Improvement Center - A retail store normally larger than 50,000 square feet gross floor area for hardware, home improvement products, indoor and outdoor furnishings, garden and landscaping products, farm supplies and rental equipment. May include key and lock services, paint, wallpaper, flooring supplies, outdoor storage for lumber or other construction material.

65. Hotel - A building used as an abiding place on a daily or weekly basis for transient persons who, for compensation, are lodged with or without meals, whether such establishments are designated as a hotel inn, automobile court, motel, motor inn, motor, lodge, tourist cabin, tourist unit, or otherwise.

66. Institutional Home - A place where the specialized care of babies, children, pensioners, or older people - and those under care for drug or alcohol abuse, is provided, except those for correctional or mental cases. An Institutional Home shall in no way be interpreted to mean a Day Care Center.

67. Institutional Use - Shall include civic, service and fraternal organization buildings; cultural facilities; child care centers; dormitories; schools; group homes; nursing homes, rest homes and homes for the aged; government buildings; health institutions; religious institutions; stadiums, arenas and civic centers.

68. Junk Yard - A parcel of land used for the storage, keeping for sale, or abandonment of junk, including used metal, wood, building materials, household appliances, vehicles, machinery, or parts thereof.

69. Landscaping - The improvement of a lot, parcel or tract of land with grass, shrubs, and/or trees. Landscaping may include pedestrian walks, flowerbeds, ornamental objects such as fountain, statuary or other similar, natural, and artificial objects, designed and arranged to produce an aesthetically pleasing effect.
70. Lodging House - A building or place where lodging is provided or which is equipped regularly to provide lodging, by prearrangement for definite periods, for compensation, for three (3) or more persons in contradistinction to hotels open to transients.
71. Lot - A parcel of platted land occupied or intended for occupancy by one main building, together with its accessory buildings, including the open spaces required by this Zoning Regulation.
72. Lot, Corner - A lot abutting upon two (2) or more streets at their intersection.
73. Lot Depth of - The mean horizontal distance between the front and rear lot lines.
74. Lot, Double Frontage - A lot having a frontage on two (2) nonintersecting streets as distinguished from a corner lot.
75. Lot Line - Any line bounding a lot or separating one lot from another.
76. Lot of Record - A lot which is a part of a subdivision, the map of which has been recorded in the Office of the Register of Deeds of Finney County, Kansas.
77. Manufacture - Any method of processing, developing, fabricating, or assembling; either raw materials, semi-finished materials, or parts into a semi-finished or finished product.
78. Manufactured Home - "Manufactured Home" means a structure which:
- a) Is transportable in one or more sections which, in the traveling mode is 8 body feet or more in width or 40 body feet in length, or, when erected on site, is 320 or more square feet and which is built on a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
  - b) Is subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. 5403.
79. Minimum Building Elevation - Shall mean the elevation to which uses regulated by this regulation are required to be elevated or flood proofed. This elevation would be equal to the elevation that could be reached by the 100-year flood if it occurred under the conditions existing at the time this regulation was passed, plus one foot to allow for encroachments permitted, by the establishment of a floodway.
80. Non-Conforming Mobile Home - Shall mean a structure which:
- a) Is transportable in one or more sections which, in traveling mode, is 8 body feet or more in width and 36 body feet or more in length and is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
  - b) Is not subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. 5403.

81. Manufactured Home Park - A tract of land containing suitable drives, utilities, and other supporting elements, and devoted to the sole purpose of accommodating, on lease or rental basis, mobile homes, or manufactured homes, located therein permanently or semi-permanently.
82. Manufactured Home Space - That area of land within a manufactured home park set aside for use as a site for one manufactured home, including the open spaces around said home. As are required in this Zoning Regulation.
83. Manufactured Home, Double Wide - A manufactured or modular home which when assembled on the site has a width of not less than twenty-four (24) feet.
84. Manufactured Home Single Wide - Any residential structure assembled in total or in sections other than at the site of intended location and transported to such site.
85. Manufactured Home Subdivision - A subdivision developed for the purpose of selling individual lots on which manufactured homes or modular homes may be located.
86. Modular Home - Shall mean a structure which is:
- a) Transportable in one or more sections; and
  - b) Not constructed on a permanent chassis; and
  - c) Designed to be used as a dwelling on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and
  - d) Certified by its manufacturer as being constructed in accordance with a nationally recognized building code.
87. Natural Obstruction - Shall mean any rock, tree, gravel, or related natural matter that is an obstruction and has been located within the floodway by a non-human cause.
88. (Reserved)
89. Non-Conforming Use - Same; existing uses; alterations; exception.
- a) Reasons adopted herein shall not apply to the existing use of any building or land, but shall apply to any alteration of a building to provide for a change in use or a change in the use of any building or land after the effective date of any regulations adopted. If a building is damaged by more than 50% of its fair market value such building shall not be restored if the use of such building is not in conformance with the regulations adopted.
  - b) Exception for flood plain regulations in areas designated as a flood plain, regulations adopted by the City pursuant to K.S.A.12-715b, and amendments thereto, shall not apply to the use of land for agriculture purposes so long as such land, and buildings are used for agricultural purposes and not otherwise.
90. Obstruction - Shall mean artificial obstructions, such as any dam, wall, wharf, embankment, levee, dike, pile, abutment, excavation, channel rectification, bridge, conduit, culvert, building, structure, wire, fence, rock, gravel, refuse, fill, or other related structures or matter in, along, across, or projecting into any floodway which may impede, retard, or change the direction of the flow of water, or increase the flood height, either in itself or by catching or

collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.

91. Parking Space - An area surfaced with concrete, bituminous, or similar permanent surface, for the purpose of storing one parked automobile. For the purpose of this Zoning Regulation, one parking space shall have a minimum width of (9) feet and a minimum length of twenty (20) feet. In computing off-street parking, additional space shall be required, off-street, for access drives to each parking space.

92. Pasturage or Pasture - Shall be defined as land or a plot of land used for the grazing, feeding, and confinement of livestock.

93. Person - A person shall be understood in its broadest legal sense, including person, partnership, a company, corporation, or any other organized or unorganized group of persons acting together.

94. Physical Fitness Facility or Center – A facility where patrons use equipment or space for the purpose of physical exercise and related uses.

95. Planning Commission - The Holcomb-Garden City-Finney County Area Planning Commission.

96. Portable Storage Unit - An accessory structure that has been a wheeled vehicle, or a portion of a wheeled vehicle, or a metal container of any kind. This transportable unit is designed and used for the storage of retail merchandise, household goods, personal items, construction materials, supplies and non-hazardous materials.

97. Preschool - A non-residential facility which provides experiences for children who have not attained the age of eligibility to enter kindergarten and who are thirty (30) months of age or older; conducts sessions not exceeding three (3) hours per session; which does not enroll any child more than one session per day, and which does not serve a meal. (Ord. #1736, 7/8/91)

98. Professional Office - Any building used by one or more persons engaged in the practice of law, architecture, engineering, medicine, or in the business of real estate broker or agent.

99. Public Utility - Any business the purpose of which is to furnish to the general public:

- a) Telephone Service
- b) Telegraph Service
- c) Electricity
- d) Natural Gas
- e) Water
- f) Transportation of Persons
- g) Solid Waste Disposal
- h) Wastewater Treatment Plant
- i) Any other business so affecting the public interests to be subject to the supervision or

regulation by any agency or the State.

j) Community closed circuit telecast

100. Restaurant – Any eating establishment in which the primary function is the preparation and serving of food and beverages on the premises and whose sale of cereal malt beverages or alcoholic liquor accounts for less than 50% of its gross receipts in sales.

101. Right-of-Way - A strip of land between property lines, dedicated to the public or private interest, which is intended for use as an alley, crosswalk, court, place, road, street, thoroughfare, or utility easement.

102. Residential Designed Manufactured Home - A manufactured home on a permanent foundation which has a minimum dimension of twenty-two (22) feet in body width, a pitched roof and siding and roofing material which are customarily used on site-built homes.

103. Rooming House - Any dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire, with or without meals.

104. Service Station - Any building or premises used for the purpose of dispensing, sale, or offering for sale at retail of any automobile fuels or oils, when the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

105. Setback - The minimum horizontal distance between the property line and the building line.

a) Front Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

b) Rear Yard - is determined from the face of the building, excluding steps, unenclosed porches, and eave overhang.

c) Side Yard - shall be determined from face of the building, excluding steps, unenclosed porches, and eave overhang.

106. Sidewalk - A hard surfaced walk for pedestrians at the side of a street. (All sidewalks will be constructed as specified in the Garden City Sidewalk Hand Book of 1978).

107. Sign - See Article 23, Section 23.020 of this Zoning Regulation for definitions.

108. Story - That portion of a building, other than a basement or cellar, included between the surface of any floor and surface of the floor next above it, if there be no floor above it, then the space between the floor and the ceiling next above it.

109. Story, Half - A space under a sloping roof which has the fine intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing independent living quarters shall be counted as a full story.

110. Street - A right-of-way, dedicated to the public use, which provides principle vehicular and pedestrian access to adjacent properties.

111. Street Classification

a) Arterial - A street which provides for through traffic movement between and around areas

and across the City, with direct access to abutting property; subject to necessary control of entrances, exits, and curb uses.

b) **Collector** - A street which provides for traffic movement between arterials and local streets, with direct access to abutting property.

c) **Local** - A street which provides for direct access to abutting land and for local traffic movement whether in business, industrial or residential areas.

112. **Street Line** - A dividing line between a lot, tract, or parcel of land and the contiguous street.

113. **Structure** - Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, but not including fences.

114. **Structural Alterations** - Any change in the supporting members of a building such as, bearing walls or partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose of this Zoning Regulation the following shall not be considered structural alterations:

a) Attachment of a new front where structural supports are not changed and that does not encroach beyond building line.

b) Addition of fire escapes where lintels supports are not changed.

c) New, windows where lintels and support walls are not materially changed.

d) Minor repair or replacement of non-structural members.

115. **Tavern/ Class A Club/ Class B Club/ Private Club/ Night Club/ Fraternal Lodge/ Drinking Establishment/ Lodge** - Any establishment that meets at least one of the following:

a) Any establishment whose primary function is the sale and on-site consumption of cereal malt beverages or alcoholic liquor.

b) Any establishment whose sale of cereal malt beverages or alcoholic liquor accounts for more than 50% of its gross receipts in sales.

c) A premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, for the exclusive use of the corporate stockholders, partners, trust beneficiaries, associates, members, and their families and guests accompanying them.

d) A premises which may be open to the general public, where alcoholic liquor by the individual drink is sold.

e) A premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for consumption of food or any beverage and for entertainment.

116. **Townhouse** - Means one single-family townhouse residential unit which may be joined together with at least one additional single-family townhouse residence by a common wall or walls, and/or roof and/or foundation: Provided, however, that in any event, the term "townhouse" shall not mean a condominium as defined in K.S.A. 58-3102.

117. Tower - Means any ground or structure-mounted pole, spire, structure, or combination thereof taller than 15 feet including supporting lines, cable, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

118. Tower, Multi-User - means a tower to which is attached the antennas of the more than one commercial wireless telecommunications service provider or governmental entity.

119. Tower, Single-User - means a tower to which is attached only the antennas of a single-user, although the tower may be designed to accommodate the antennas of multiple users as required by this Code.

120. Tract - An area or parcel of land other than a lot of record described and recorded in the Office of the Register of Deeds of Finney County as a single parcel of land under individual ownership.

121. Trailer - Any structure used for living, sleeping, business, or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting and which has been, or reasonably may be, equipped with wheels or other devices for transporting the structure from place to place, whether by motor power or other means. The term "Trailer" shall include recreational vehicles.

122. Trailer Park - Means a tract of land containing sites for the overnight or short term parking of two (2) or more camping trailers. Camping trailers may be parked in a camp-ground or camper park provided such camp area is in conformance with the codes and ordinances of the City.

123. Trailer, Advertising - A trailer, as defined above, but carrying, or having attached thereto, a sign, billboard, or other media for advertising purposes, such advertising being the purpose and use of the trailer.

124. Trailer, Camping - A trailer, as defined above, and equipped with an enclosure for sleeping while on vacation, or other trips of short duration. Such camping trailers may also contain cooking, bath, and sanitary equipment. Size and furnishing of such camping trailers may vary widely, but in no case shall they be considered structures for residential use of a temporary or permanent nature, for purposes of this Zoning Regulation.

125. Trailer, Hauling - A trailer, as defined above, and designed and normally used for over-the-road transporting of belongings, equipment, merchandise, livestock, and other objects, but not equipped for human habitation.

126. Transitional Supportive Housing - Housing with no limit on length of stay, that provides shelter for domestic violence survivors and their dependent children, that provides safe housing coupled with supportive services to assist residents and walk-in clients by providing skill-specific services and support as needed.

127. Variety Store - A retail store for gifts, food products for preparation off-site, general merchandise items including household, convenience, sundries, personal products, minor home furnishings, and clothing, and where no food products are prepared or consumed on-site.

128. 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. The vision clearance area shall contain no temporary or permanent obstructions in the excess of one (1) foot in height. Street trees may be permitted provided such trees are

pruned at least eight (8) feet above the surrounding grade. At the intersection of major or arterial streets the vision clearance area is created by points forty (40) feet from the intersection of the property lines.

129. Watercourse - Shall mean any stream, arroyo, or drainway having a channel that serves to give direction to a flow of water.

130. Yard - A space on the same lot with a main building, open, unoccupied, and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this Zoning Regulation.

131. Yard, Front (Primary Front) - A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way line and the building setback line.

132. Yard, Secondary Front- A yard on a corner lot which fronts a public or private right-of-way but on which the building on the lot does not have a primary entrance; extending from the front line of the building to the rear line of the building.

133. Yard, Rear – A yard extending across the full width of the lot between the rear of the building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear line of such main building.

134. Yard, Side – A yard between the main building and the side lot line extending from the front yard lot line to the rear lot line. The width of the required side yard shall be measured horizontally, at ninety (90) degrees with the side lot line from the nearest part of the main building. (See Article 22, Supplemental Development Standards.)

**SECTION 2.** The Zoning Regulations for the City of Garden City, Kansas, Section 2.030, as previously existing, is hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation sections not specifically amended or deleted herein shall remain in full force and effect.

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

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
CHRIS LAW, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** GC2016-59: An amendment to update zoning regulations for Permitted Use Sections 13.020 "C-O" Office and Service Business District, 14.020 "C-1" Neighborhood Shopping District, 15.020 "C-2" General Commercial District, and 16.020 "C-3" Central Business District.

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### **ISSUE:**

The Governing Body is asked to consider and approve an amendment to the Garden City Zoning Regulations for Permitted Use Sections 13.020 "C-O" Office and Service Business District, 14.020 "C-1" Neighborhood Shopping District, 15.020 "C-2" General Commercial District, and 16.020 "C-3" Central Business District to allow variety stores, home improvement centers, and physical fitness facilities and centers as defined in GC2016-50.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance amending the Zoning Regulations for the City of Garden City, Kansas to regulate the "C-O" Office and Service Business District, "C-1" Neighborhood Shopping District, "C-2" General Commercial District, and "C-3" Central Business District; amending Zoning Regulation Sections 13.020, 14.020, 15.020, and 16.020; repealing in their entirety current Zoning Regulation Sections 13.020, 14.020, 15.020, and 16.020; all to the Code of Ordinances of the City of Garden City, Kansas.

### **BACKGROUND:**

The Planning Commission recently reviewed and proposed new definitions to be added to the Definitions Section 2.030 of the Garden City Zoning Regulations to clarify certain retail uses including "apparel and accessory store", "department store", "grocery store", "hardware store", "home improvement center", "physical fitness facility and center", and "variety store" (GC2016-50). Currently none of the zoning districts within the Garden City Zoning Regulations allow for a "home improvement center" or "physical fitness facility and center" as a permitted use or conditional use. And, only the "C-2" General Commercial District allows "Variety Store". Staff proposes amending all commercial districts to allow for "variety stores", "home improvement centers", and "physical fitness facilities and centers" as permitted uses. The amendments to the commercial districts would be as follows:

- 1) Add "Variety Store" as a permitted use in the "C-O" Central and Service Business District, "C-1" Neighborhood Shopping District, and "C-3" Central Business District.
- 2) Add "Home Improvement Center" as a permitted use in the "C-2" General Commercial District.
- 3) Add "Physical Fitness Facility and Center" as a permitted use in the "C-1"

Neighborhood Shopping District, “C-2” General Commercial District, and the “C-3” Central Business District.

**The updated language for Section 13.020 would read as follows:**

**(Changes are highlighted in yellow)**

13.020 PERMITTED USES. Those uses of categories of uses as listed herein, and no others, are permitted in the “C-O” District.

1. Accessory building and uses customarily incident to the uses permitted in “C-O” Office and Service Business Districts.

2. Artist and photography.

3. Banking and financial institutions.

4. Barber shops, beauty shops, chiropody.

5. Boarding and lodging houses.

6. Duplicating stenographic, and office services.

7. Employment services.

8. Fraternities, sororities, and dormitories.

9. Miscellaneous business services.

10. Multiple-Family Dwellings.

11. Neighborhood Churches.

12. Offices for professional, commercial, industrial, religious, instructional, public, or semi-public purposes, providing no goods, wares, or merchandise shall be prepared for sale, stored or sold on the premises.

13. Parks, playgrounds, and community buildings owned and operated by the City of Garden City.

14. Public libraries.

15. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology (Ord.#2430-2009, 02/05/09)

16. Two-Family Dwellings.

17. Variety Store

**The updated language for Section 14.020 would read as follows:**

**(Changes are highlighted in yellow)**

14.020 PERMITTED USES. The following uses and structures, and no others, are permitted in the “C-1” District:

1. Accessory uses to those listed above.

2. Bakery shops (retail only).

3. Banks.

4. Barber shops.

5. Beauty shops.

6. Candy and ice cream stores (except drive-ins).

7. Cleaning and laundry pickup stations.

8. Convenience stores (Ord. #1687, 2/10/88).

9. Custom dressmaking, furrier, millinery, and tailor shops employing less than five persons on the premises at one time.

10. Drug stores.

11. Electric and telephone substations.

12. Fix-it shops, (radio, TV, and small appliances).

13. Flower and gift shops.

14. Food stores (grocery, meat, and delicatessen).

15. Hardware stores.
16. Hobby and craft shops.
17. Jewelry stores.
18. Key shops and locksmiths.
19. Laundries (self-service).
20. Libraries.
21. Medical and dental offices and clinics (for people only).
22. Messenger and telegraph stations.
23. Mobile vendors licensed with a City of Garden City Local or Non-Local Itinerant Business License. See Article 22 for other requirements.
24. Neighborhood Churches.
25. Newsstands.
26. Offices- businesses, professional, and public.
27. Parking lots (public or private).
28. Physical Fitness Facility or Center.
29. Photographers.
30. Quick print shops.
31. Restaurants and tea rooms.
32. Retail stores.
33. Shoe repair and shoe shine shops.
34. Sporting goods stores.
35. Tailors.
36. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology. (Ord. #2431-2009, 02/05/09)
37. Theaters (indoor only).
38. Travel agents.
39. Variety Store.

**The updated language for Section 15.020 would read as follows:**

**(Changes are highlighted in yellow)**

15.020 PERMITTED USES. The following uses and structures, and no others, are permitted in the "C-2", General Commercial District:

1. Accessory uses customarily incidental to the above uses.
2. Antique shops and stores providing all merchandise is enclosed in a building.
3. Apparel and accessory stores.
4. Armories.
5. Art and art supply stores.
6. Auditoriums and similar places of public assembly.
7. Auto supply stores.
8. Banks and other savings and lending institutions.
9. Barber and beauty shops.
10. Bicycle shops.
11. Boarding and Lodging Houses.
12. Books and stationary stores.
13. Bowling alleys and recreation buildings.
14. Business and technical schools and schools for photography, music, and dancing.
15. Business machine repair, sales, and services.
16. Candy and ice cream stores.
17. Car Rental Establishments.
18. Carpenter and cabinet shops employing five or less persons.

19. Cigar and tobacco stores.
20. Clothing and costume rental.
21. Commercial recreation uses (including golf driving ranges and driving tees).
22. Convenience store (Ord. #1687, 2/10/88)
23. Custom dressmaking, furrier, millinery, and tailor shops employing five or less persons.
24. Delicatessens and catering establishments.
25. Department stores.
26. Drug stores.
27. Dry cleaning and laundry establishments (non-industrial/commercial).
28. Dry goods and notion stores.
29. Electric and telephone substations.
30. Electric repair shops (household appliances).
31. Field crops, nurseries, tree, crops, and truck gardens.
32. Fire stations, police stations, and jails.
33. Fix-it shops (radio and TV repair).
34. Florist and gift shops.
35. Furniture and home furnishing stores.
36. Garage storages (public and private).
37. Golf courses (including miniature golf and driving tees).
38. Government administration buildings.
39. Grocery stores (including retail meat markets and produce, stores).
40. Hardware stores.
41. Hobby, stamp and coin shops.
42. **Home Improvement Center.**
43. Hotels and motels.
44. Household appliance stores.
45. Interior decorator's shops.
46. Jewelry and metal craft stores.
47. Key shops and locksmiths.
48. Leather goods and luggage stores.
49. Libraries and museums.
50. Mail order catalog stores.
51. Medical and dental offices and clinics.
52. Medical and orthopedic equipment stores.
53. Meeting halls and auditoriums.
54. Messenger or telegraph service stations.
55. Mobile vendors licensed with a City of Garden City Local or Non-Local itinerant Business License. See Article 22 for other requirements.
56. Music instruments sales and repair shops.
57. Music studios, radio, and TV stores.
58. Neighborhood Churches.
59. Newspaper offices.
60. Newsstands.
61. Office supply and office equipment stores.
62. Offices and office buildings.
63. Optician and optometrist shops.
64. Package liquor -stores.
65. Paint stores.

66. Parks and recreation areas.
67. Pawn shops.
68. Pet shops.
69. Photographic equipment and supply stores.
70. Photographic studios.
71. Physical Fitness Facility or Center.
72. Picture frame shops, Plumbing and heating, shops employing five or less persons.
73. Post office and court buildings.
74. Printing and publishing houses (including newspaper).
75. Public and parochial schools (elementary through high school).
76. Restaurants and tea rooms (including drive-ins).
77. Self-service laundries.
78. Service stations
79. Sewing machine stores.
80. Sheet metal shops employing five or less persons.
81. Shoe repair and shoeshine shops.
82. Shoe stores.
83. Sporting and athletic goods stores.
84. Tailor shops employing five or less persons.
85. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology. (Ord. #2431-2009, 02/05/09)
86. Theaters (in-door only).
87. Tire repair shops.
88. Toy stores.
89. Travel bureaus.
90. Undertaking establishments.
91. Used furniture, when entire stock is stored within the building.
92. Utility company offices.
93. Variety stores and shops.
94. Wallpaper stores and shops.
95. Watch repair shops.
96. Wholesale establishments.

**The updated language for Section 16.020 would read as follows:**

**(Changes are highlighted in yellow)**

16.020 PERMITTED USES. The following uses and structures, and no others, are permitted in the "C-3" District.

1. Amusement places.
2. Antique shops, providing all merchandise be enclosed in or building.
3. Apartments and Condominiums above ground floor level.
4. Apparel and accessory stores.
5. Artist studios and art shops.
6. Auditoriums.
7. Automobile supply accessory stores.
8. Bakery and pastry shops (retail only).
9. Banks and other savings and lending institutions.
10. Barber shops, beauty shops, chiropody, massage, or similar personal service shops.
11. Bicycle shops (sales and repair).
12. Boarding and Lodging Houses.

13. Books and stationery stores or shops.
14. Business machine repair, sales, and services.
15. Business or commercial schools, including dancing and music academies.
16. Cigar and tobacco stores.
17. Clothing and costume rental.
18. Commercial recreation uses.
19. Convenience store. (Ord. #1687, 2/10/88)
20. Custom dressmaking, millinery, tailoring and similar trades.
21. Delicatessens and catering establishments.
22. Department stores.
23. Drug stores.
24. Dry cleaning establishments.
25. Dry goods and notion shops.
26. Electric repair shops.
27. Fire stations, police stations, and other public buildings.
28. Fix-it, radio or television repair shops.
29. Florist or gift shops.
30. Furniture and home furnishing shops and stores.
31. Funeral homes.
32. Garages for storage of motor vehicles.
33. Government administration buildings.
34. Grocery, fruit, and vegetable stores.
35. Hardware stores and shops.
36. Hobby shops.
37. Hotels and motels.
38. Household appliance stores.
39. Interior decorator shops.
40. Jewelry and metal craft stores and shops.
41. Laundries and laundrettes.
42. Leather goods and luggage stores.
43. Libraries and museums.
44. Lock and key shops.
45. Mail order catalogue stores.
46. Medical and dental clinics.
47. Medical and orthopedic equipment stores.
48. Meeting halls and auditoriums.
49. Messenger and telegraph service stations.
50. Milk and milk products distribution stations.
51. Music and music instrument stores and studios.
52. Neighborhood Churches.
53. Newspaper offices.
54. Newsstands.
55. Newsprint, job printing, and printing supplies stores.
56. Office supply and equipment stores.
57. Offices and office buildings.
58. Package liquor stores.
59. Paint stores.
60. Parking lots and garages (commercial, public and private).
61. Pawn shops.

62. Pet shops.
63. Photographic equipment and supply stores.
64. Photographic studios.
65. Physical Fitness Facility or Center.
66. Picture frame shops.
67. Plumbing, heating, and air conditioning shops when the entire operation is conducted entirely within the building.
68. Post office and court buildings.
69. Prescription shops.
70. Private clubs fraternities, sororities, and lodges.
71. Public and private parking lots for temporary storage of automobiles.
72. Radio and Television studios.
73. Radio and TV stores.
74. Railway, taxi, and bus passenger stations.
75. Restaurants and tea rooms.
76. Sporting goods stores.
77. Service stations (gas and oil).
78. Shoe stores and repair shops.
79. Sporting goods stores.
80. Stores and shops, for the conduct of retail business, similar to the uses enumerated above.
81. Tailor shops.
82. Taverns.
83. Theaters.
84. Toy shops.
85. Travel bureaus.
86. Utility company offices.
87. Variety Store.

**ALTERNATIVES:**

The Governing Body may:

1. Approve the amendment as presented.
2. Not approve the amendment.

**RECOMMENDATION:**

Staff Recommendation: Staff recommends approval of amendments as presented.

Planning Commission Recommendation: On September 22, 2016, the Planning Commission recommended to approve the amendment as presented.

Present- 7

Yea- 7

Nay- 0

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
Minutes	10/12/2016	Backup Material
Ordinance	10/13/2016	Ordinance



NEIGHBORHOOD &  
 DEVELOPMENT  
 SERVICES  
 DEPARTMENT  
 SERVING  
 GARDEN CITY  
 HOLCOMB  
 AND  
 FINNEY COUNTY  
 620-276-1170

INSPECTIONS  
 620-276-1120

CODE COMPLIANCE  
 620-276-1120

PLANNING AND  
 ZONING  
 620-276-1170

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

*\*Attached are the minutes from the Planning Commission pertaining to this case*

**GC2016-59 Amend uses allowed in commercial districts, Staff**

*Staff Davidson reads staff report.*

Staff Davidson explains that this case goes along with GC2016-50 in that there were six different definitions that were added to deal with retail use that require classification within the zoning regulations. She notifies the board that all changes being presented would be in compliance, avoiding any nonconforming structures.

*Staff Kentner* – If you feel that these need to go in a district other than in a commercial district then now is the time to correct us.

*Staff Davidson* – We did what we felt was appropriate for what was already existing.

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

Discussion ensued regarding the clarification of a word within the definition section.

*Chairman Lopez* – We aren’t allowing any additional exposures here that don’t already exist, I would like to point that out again.

*MEMBER LAW MAKES MOTION TO APPROVE THE AMENDMENT AS PRESENTED BY STAFF. VICE-CHAIRMAN GERMANN SECONDS MOTION.*

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

Germand	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Not Present	Yea	Yea	Yea	Yea	Not Present	Yea

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

**ORDINANCE NO. \_\_\_\_\_-2016**

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS TO REGULATE THE “C-O” OFFICE AND SERVICE BUSINESS DISTRICT, “C-1” NEIGHBORHOOD SHOPPING DISTRICT, “C-2” GENERAL COMMERCIAL DISTRICT, AND “C-3” CENTRAL BUSINESS DISTRICT; AMENDING ZONING REGULATION SECTIONS 13.020, 14.020, 15.020, AND 16.020; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION SECTIONS 13.020, 14.020, 15.020, AND 16.020; 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 13.020 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

13.020 PERMITTED USES. Those uses of categories of uses as listed herein, and no others, are permitted in the “C-O” District.

1. Accessory building and uses customarily incident to the uses permitted in “C-O” Office and Service Business Districts.
2. Artist and photography.
3. Banking and financial institutions.
4. Barber shops, beauty shops, chiropody.
5. Boarding and lodging houses.
6. Duplicating stenographic, and office services.
7. Employment services.
8. Fraternities, sororities, and dormitories.
9. Miscellaneous business services.
10. Multiple-Family Dwellings.
11. Neighborhood Churches.
12. Offices for professional, commercial, industrial, religious, instructional, public, or semi-public purposes, providing no goods, wares, or merchandise shall be prepared for sale, stored or sold on the premises.
13. Parks, playgrounds, and community buildings owned and operated by the City of Garden City.
14. Public libraries.
15. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology (Ord.#2430-2009, 02/05/09)

16. Two-Family Dwellings.

17. **Variety Store.**

**SECTION 2.** Section 14.020 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**14.020 PERMITTED USES.** The following uses and structures, and no others, are permitted in the “C-1” District:

1. Accessory uses to those listed above.
2. Bakery shops (retail only).
3. Banks.
4. Barber shops.
5. Beauty shops.
6. Candy and ice cream stores (except drive-ins).
7. Cleaning and laundry pickup stations.
8. Convenience stores (Ord. #1687, 2/10/88).
9. Custom dressmaking, furrier, millinery, and tailor shops employing less than five persons on the premises at one time.
10. Drug stores.
11. Electric and telephone substations.
12. Fix-it shops, (radio, TV, and small appliances).
13. Flower and gift shops.
14. Food stores (grocery, meat, and delicatessen).
15. Hardware stores.
16. Hobby and craft shops.
17. Jewelry stores.
18. Key shops and locksmiths.
19. Laundries (self-service).
20. Libraries.
21. Medical and dental offices and clinics (for people only).
22. Messenger and telegraph stations.
23. Mobile vendors licensed with a City of Garden City Local or Non-Local Itinerant Business License. See Article 22 for other requirements.
24. Neighborhood Churches.
25. Newsstands.
26. Offices- businesses, professional, and public.
27. Parking lots (public or private).
- 28. Physical Fitness Facility or Center**

29. Photographers.
30. Quick print shops.
31. Restaurants and tea rooms.
32. Retail stores.
33. Shoe repair and shoe shine shops.
34. Sporting goods stores.
35. Tailors.
36. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology. (Ord. #2431-2009, 02/05/09)
37. Theaters (indoor only).
38. Travel agents.
39. Variety Store.

**SECTION 3.** Section 15.020 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**15.020 PERMITTED USES.** The following uses and structures, and no others, are permitted in the "C-2", General Commercial District:

1. Accessory uses customarily incidental to the above uses.
2. Antique shops and stores providing all merchandise is enclosed in a building.
3. Apparel and accessory stores.
4. Armories.
5. Art and art supply stores.
6. Auditoriums and similar places of public assembly.
7. Auto supply stores.
8. Banks and other savings and lending institutions.
9. Barber and beauty shops.
10. Bicycle shops.
11. Boarding and Lodging Houses.
12. Books and stationary stores.
13. Bowling alleys and recreation buildings.
14. Business and technical schools and schools for photography, music, and dancing.
15. Business machine repair, sales, and services.
16. Candy and ice cream stores.
17. Car Rental Establishments.
18. Carpenter and cabinet shops employing five or less persons.
19. Cigar and tobacco stores.

20. Clothing and costume rental.
21. Commercial recreation uses (including golf driving ranges and driving tees).
22. Convenience store (Ord. #1687, 2/10/88)
23. Custom dressmaking, furrier, millinery, and tailor shops employing five or less persons.
24. Delicatessens and catering establishments.
25. Department stores.
26. Drug stores.
27. Dry cleaning and laundry establishments (non-industrial/commercial).
28. Dry goods and notion stores.
29. Electric and telephone substations.
30. Electric repair shops (household appliances).
31. Field crops, nurseries, tree, crops, and truck gardens.
32. Fire stations, police stations, and jails.
33. Fix-it shops (radio and TV repair).
34. Florist and gift shops.
35. Furniture and home furnishing stores.
36. Garage storages (public and private).
37. Golf courses (including miniature golf and driving tees).
38. Government administration buildings.
39. Grocery stores (including retail meat markets and produce, stores).
40. Hardware stores.
41. Hobby, stamp and coin shops.
- 42. Home Improvement Center.**
43. Hotels and motels.
44. Household appliance stores.
45. Interior decorator's shops.
46. Jewelry and metal craft stores.
47. Key shops and locksmiths.
48. Leather goods and luggage stores.
49. Libraries and museums.
50. Mail order catalog stores.
51. Medical and dental offices and clinics.
52. Medical and orthopedic equipment stores.
53. Meeting halls and auditoriums.
54. Messenger or telegraph service stations.
55. Mobile vendors licensed with a City of Garden City Local or Non-Local itinerant Business License. See Chapter 22 of the Code of Ordinances for other requirements.

56. Music instruments sales and repair shops.
57. Music studios, radio, and TV stores.
58. Neighborhood Churches.
59. Newspaper offices.
60. Newsstands.
61. Office supply and office equipment stores.
62. Offices and office buildings.
63. Optician and optometrist shops.
64. Package liquor -stores.
65. Paint stores.
66. Parks and recreation areas.
67. Pawn shops.
68. Pet shops.
69. Photographic equipment and supply stores.
70. Photographic studios.
- 71. Physical Fitness Facility or Center.**
72. Picture frame shops, Plumbing and heating, shops employing five or less persons.
73. Post office and court buildings.
74. Printing and publishing houses (including newspaper).
75. Public and parochial schools (elementary through high school).
76. Restaurants and tea rooms (including drive-ins).
77. Self-service laundries.
78. Service stations
79. Sewing machine stores.
80. Sheet metal shops employing five or less persons.
81. Shoe repair and shoeshine shops.
82. Shoe stores.
83. Sporting and athletic goods stores.
84. Tailor shops employing five or less persons.
85. Tattoo and Massage Facilities licensed with the Kansas Department of Cosmetology. (Ord. #2431-2009, 02/05/09)
86. Theaters (in-door only).
87. Tire repair shops.
88. Toy stores.
89. Travel bureaus.
90. Undertaking establishments.
91. Used furniture, when entire stock is stored within the building.

92. Utility company offices.
93. Variety stores and shops.
94. Wallpaper stores and shops.
95. Watch repair shops.
96. Wholesale establishments.

**SECTION 4.** Section 16.020 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**16.020 PERMITTED USES.** The following uses and structures, and no others, are permitted in the “C-3” District.

1. Amusement places.
2. Antique shops, providing all merchandise be enclosed in or building.
3. Apartments and Condominiums above ground floor level.
4. Apparel and accessory stores.
5. Artist studios and art shops.
6. Auditoriums.
7. Automobile supply accessory stores.
8. Bakery and pastry shops (retail only).
9. Banks and other savings and lending institutions.
10. Barber shops, beauty shops, chiropody, massage, or similar personal service shops.
11. Bicycle shops (sales and repair).
12. Boarding and Lodging Houses.
13. Books and stationery stores or shops.
14. Business machine repair, sales, and services.
15. Business or commercial schools, including dancing and music academies.
16. Cigar and tobacco stores.
17. Clothing and costume rental.
18. Commercial recreation uses.
19. Convenience store. (Ord. #1687, 2/10/88)
20. Custom dressmaking, millinery, tailoring and similar trades.
21. Delicatessens and catering establishments.
22. Department stores.
23. Drug stores.
24. Dry cleaning establishments.
25. Dry goods and notion shops.
26. Electric repair shops.
27. Fire stations, police stations, and other public buildings.

28. Fix-it, radio or television repair shops.
29. Florist or gift shops.
30. Furniture and home furnishing shops and stores.
31. Funeral homes.
32. Garages for storage of motor vehicles.
33. Government administration buildings.
34. Grocery, fruit, and vegetable stores.
35. Hardware stores and shops.
36. Hobby shops.
37. Hotels and motels.
38. Household appliance stores.
39. Interior decorator shops.
40. Jewelry and metal craft stores and shops.
41. Laundries and laundrettes.
42. Leather goods and luggage stores.
43. Libraries and museums.
44. Lock and key shops.
45. Mail order catalogue stores.
46. Medical and dental clinics.
47. Medical and orthopedic equipment stores.
48. Meeting halls and auditoriums.
49. Messenger and telegraph service stations.
50. Milk and milk products distribution stations.
51. Music and music instrument stores and studios.
52. Neighborhood Churches.
53. Newspaper offices.
54. Newsstands.
55. Newsprint, job printing, and printing supplies stores.
56. Office supply and equipment stores.
57. Offices and office buildings.
58. Package liquor stores.
59. Paint stores.
60. Parking lots and garages (commercial, public and private).
61. Pawn shops.
62. Pet shops.
63. Photographic equipment and supply stores.
64. Photographic studios.

**65. Physical Fitness Facility or Center.**

- 66. Picture frame shops.
- 67. Plumbing, heating, and air conditioning shops when the entire operation is conducted entirely within the building.
- 68. Post office and court buildings.
- 69. Prescription shops.
- 70. Private clubs fraternities, sororities, and lodges.
- 71. Public and private parking lots for temporary storage of automobiles.
- 72. Radio and Television studios.
- 73. Radio and TV stores.
- 74. Railway, taxi, and bus passenger stations.
- 75. Restaurants and tea rooms.
- 76. Sporting goods stores.
- 77. Service stations (gas and oil).
- 78. Shoe stores and repair shops.
- 79. Sporting goods stores.
- 80. Stores and shops, for the conduct of retail business, similar to the uses enumerated above.
- 81. Tailor shops.
- 82. Taverns.
- 83. Theaters.
- 84. Toy shops.
- 85. Travel bureaus.
- 86. Utility company offices.

**87. Variety Store.**

**SECTION 5.** The Zoning Regulations for the City of Garden City, Kansas, Sections 13.020, 14.020, 15.020 and 16.020 as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 6.** 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 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
CHRIS LAW, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** GC2016-41: Amendments to Articles 32 through 35 of the Zoning Regulations of Garden City, Kansas.

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### **ISSUE:**

The Governing Body is asked to consider and approve the amendments to Articles 32 through 35 of the Zoning Regulations of Garden City, Kansas to comply with Federal Aviation Authority (FAA) regulations as found in the Code of Federal Regulations (CFR) Title 14 Part 77.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance amending the Zoning Regulations for the City of Garden City, Kansas to regulate airspace and land use compatibility in compliance with federal aviation authority guidelines as found in the Code of Federal Regulations title 14 part 77; amending Zoning Regulation Articles 32 and 33; repealing in their entirety current Zoning Regulation articles 32, 33, 34, and 35; all to the Code of Ordinances for the City of Garden City, Kansas.

### **BACKGROUND:**

Rachelle Powell, Director of Aviation for Garden City Regional Airport, requests amendments to the Garden City Zoning Regulations, Articles 32 through 35, to comply with recent Federal Aviation Authority (FAA) updates and to comply with the Airport Master Plan. FAA has recently updated expanded height and design requirements for civil airports referenced in CFR 14-77 (see **Exhibit 1**).

The following Amendments are proposed for Articles 32 through 35:

Article 32. Staff proposes to amend Article 32, "AO" Airport Operations District, to revise height limitations in this zone so that no building may be erected above two stories and present an obstruction in visibility for the airport control tower. The amendment also includes improved language for maintenance, safety, and emergency management operations, as well as approved limited retail, restaurant, and similar uses in the terminal within the AO district.

Article 33. Staff proposes to amend Article 33, "AI", Airport Industrial District. To simplify the regulations, this district would be combined with the current "AA, Airport Influence Area Agriculture District (Article 34) and the current "FS" Flight Safety District (Article 35). (**Exhibit 2 and Exhibit 3**). This new district will be renamed the "AS", Airport Service and Support District. This district will include updated height restrictions and permitted uses including agriculture, retail, maintenance, emergency management, safety, office use, and light industrial uses. (New jurisdictional

boundaries are addressed in case# GC2016-54. This will be brought before the Governing Body on November 15, 2016.)

The majority of the present AA and FS Districts are extra-territorial zones within the Finney County limits and which Garden City does not have jurisdiction over. Removing these two districts resolves conflicts in land use decisions and permitting in affected areas. Staff proposes to implement FAA guidance for protection of the airspace around the airport through height limitations in new overlay districts in the Zoning Regulations of Finney County, Kansas (see case# FC2016-51 and FC2016-55).

Article 34 and 35. The content of these Articles will be combined with the new Article 33 as mentioned above; and therefore, the article numbers will be reserved for future use or removed during a formal codification.

**The updated language for Article 32 would read as follows:**

(Changes are highlighted in yellow)

**ARTICLE 32**

**“AO” AIRPORT OPERATIONS DISTRICT**

SECTIONS:

32.010 Purpose ~~A~~and Intent

32.010 PURPOSE AND INTENT. ~~This is a restricted district for land located on airport for land~~ The Airport Operations District is a restricted district for on-airport property owned by the City of Garden City and is established to protect airport operations from any encroachments or land use conflicts.

32.020 PERMITTED USES. The following uses and no others may be permitted in the “AO” District:

(A) Runways, aprons, and taxiways

(B) Navigational aids

(C) Federal Aviation Administration (FAA) approved operational aids.

( D ) Fixed base operations, including charter, agricultural spraying, and flying school operations;

32.030 \_\_\_\_\_ CONDITIONAL USES. The following uses and structures may be permitted in the “A-O” District only after they have been reviewed and approved as required by Article 29:

( A ) Aircraft refueling and maintenance operations including temporary use and distribution of aviation-grade fuels and hazard class 1-9 materials used for maintenance, deicing and refueling, in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I,

and R.

(B) Hangars, maintenance structures, and storage, including storage and use of hazard class 1-9 materials used for maintenance, deicing lubrication, and refueling, stored in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I, and R;

(C) Public Use facilities for emergency management and response.

(D) Airport security operations as required by the Transportation Safety Administration (TSA).

(E) Terminal operations, to include related ticketing and office uses, baggage handling, travel agents, agencies, & bureaus, and restaurant and retail uses up to five thousand (5,000) square feet in gross floor area;

(F) Accessory Living Quarters

(G) Garden City owned buildings may exceed twenty-five (25) foot height limit.

32.040 HEIGHT REGULATIONS. No structures or buildings may be constructed in this zone other than those specifically required or permitted by FAA for operational purposes. Structure height must be in accordance with CFR Title 14 Part 77, and may not obstruct surfaces as described in CFR Title 14 Part 77.19 Civil Airport Imaginary Surfaces. Maximum height for non-airport structures shall be twenty (20) feet. No height variance may be granted by the Board of Zoning Appeals in this district.

**The updated language for Article 33 would read as follows:**

(Changes are highlighted in yellow)

## ARTICLE 33

### **“AI” AIRPORT INDUSTRIAL DISTRICT**

### **“AS” AIRPORT SERVICE AND SUPPORT DISTRICT**

#### SECTIONS:

33.010	Purpose <b>A</b> and Intent
33.020	Permitted Uses
33.030	Conditional Uses
33.040	Lot Coverage
33.050	Yard Requirements
33.060	Height Regulations
33.070	Parking Requirements
33.080	Sign Regulations
33.090	Supplemental Development Regulations

33.010 PURPOSE AND INTENT. This district is created to ~~chronicle~~ for on-airport land uses, which are not involved in direct flight operations but are related to of airport support activities that are not involved in direct flight operations.

33.020 PERMITTED USES. The "AS" District is limited to the following permitted uses:

(A) Runways, aprons, and taxiways

(B) Navigational aids

(C) Federal Aviation Administration (FAA) approved operational aids.

( D ) Fixed base operations, including charter, agricultural spraying, and flying school operations;

(E) Hangars, maintenance structures, and storage, including storage and use of hazard class 1-9 materials used for maintenance, deicing and refueling, stored in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I, and R;

(F) Aircraft refueling and maintenance operations, including storage and distribution of aviation-grade fuels;

(G) Public Use facilities for emergency management and response;

(H) Airport security operations as required by the Transportation Safety Administration (TSA).

(I) General Agriculture, excluding commercial feedlots;

(J) Terminal operations, to include related ticketing and office uses, baggage handling, travel agents, agencies, & bureaus, and restaurant and retail uses up to five thousand (5,000) square feet in gross floor area;

( K ) ~~Retail businesses and offices where all activity is inside a building and which emit no electrical or radio interference.~~ Retail business, restaurants, and commercial and professional offices where the primary activities are conducted within the same building and which emit no electrical or radio interference with flight operations. This includes parking facilities, transportation services, service stations, and mobile vendors licensed with a City of Garden City Local or Non-Local Itinerant Business License in accordance with Article 22.

(L) Logistics, warehousing, and transportation, including self-storage facilities,

(M) Light to medium manufacturing operations where the entire operation is conducted within the same building and which emit no electrical or radio interference with any flight operations. The following additional restrictions apply:

( 1 ) No raw materials or manufactured products are stored outside unless contained within a six (6) feet wall or fence in accordance with Article 22 of these regulations; and

(2) Such use is not noxious or offensive by reason of vibration or noise beyond the confines of the building or emission of dust, fumes, gas, radio interference,

odor, or smoke as defined herein.

(N) Light to medium manufacturing operations where the entire operation is conducted within a building and providing no raw materials or manufactured products are stored outside unless contained within a six (6) feet wall or fence and further providing that such use is not noxious or offensive by reason of vibration or noise beyond the confines of the building or emission of dust, fumes, gas, radio interference, odor, or smoke as defined herein. (ord.#2380, 08/30/07)

33.030 CONDITIONAL USES. The following uses and structures may be permitted in the "A-1" "AS" District only after they have been reviewed and approved as required by Article 29.

(A) Accessory Living Quarters Structures.

(B) Neighborhood Churches

33.040 LOT COVERAGE. There shall be no requirements except as may be dictated by off-street parking and setback requirements.

33.050 YARD REQUIREMENTS. Yards must comply with FAA Advisory Circular Hazardous Wildlife Attractants near Airports 150/5200-33, current edition, in addition to the following restrictions:

(A) Front Yard:

(1) Each lot in the "A-1" "AS" District shall have a front yard of not less than thirty (30) feet.

(B) Side Yard:

(1) No side yard shall be required.

(C) Rear Yard:

(1) No rear yard shall be required.

33.060 HEIGHT REGULATIONS. Maximum height for structures shall be fifty (50) feet and must comply with FAA part 77 with no effect or impact to airport operations including instrument flight rules. Structure height must be in accordance with CFR Title 14 Part 77, and may not obstruct surfaces as described in CFR Title 14 Part 77.19 Civil Airport Imaginary Surfaces. Maximum height for structures shall be fifty (50) feet and with no effect or impact to airport operations including instrument flight rules. No height variance may be granted by the Board of Zoning Appeals in this district.

33.070 PARKING REQUIREMENTS. See Article 24 of the Garden City Zoning Regulations.

33.080 SIGN REGULATIONS. See Section 23.100 of the Garden City Zoning Regulations.

33.090 SUPPLEMENTAL DEVELOPMENT REGULATIONS. See Article 22 of the Garden City Zoning Regulations.

**ALTERNATIVES:**

The Governing Body May:

1. Approve the amendment as it has been presented
2. Not approve the amendment

**RECOMMENDATION:**

Staff Recommendation: Staff recommends approval as it has been presented.

Planning Commission Recommendation: On September 22, 2016, the Planning Commission met and recommended approval of the amendment as presented.

Present- 7

Yea- 7

Nay- 0

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
Minutes and Exhibits	10/12/2016	Backup Material
Ordinance	10/13/2016	Backup Material



\*Attached are the minutes from the Planning Commission pertaining to this case

**GC2016-41 Amendment to update Art. 32-35 to make zoning regulations current with FAA Requirements, Staff**

*Staff Betts reads staff report.*

*ENTER PREVIOUS MONTHS' COMMENTS FOR RECORD.*

*Rachelle Powell – Just to clarify, the amendment to the zoning regulations in front of you today is to bring the airport up to compliance and protect the air space of the airport.*

*Chairman Lopez – Just to reiterate from last time, do you feel that these changes will make it easier for you to comply with FAA?*

*Rachelle Powell – That is correct. The zoning changes protect the airfield and the approaches from any obstruction that would exceed those height limitations from the FAA regulations.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*MEMBER SCHWINDT MAKES MOTION TO APPROVE THE AMENDMENTS AS PRESENTED BY STAFF. MEMBER SCHNEIDER SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Not Present	Yea	Yea	Yea	Yea	Yea	Yea

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

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DEVELOPMENT

SERVICES

DEPARTMENT

SERVING

GARDEN CITY

HOLCOMB

AND

FINNEY COUNTY

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INSPECTIONS

620-276-1120

CODE COMPLIANCE

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PLANNING AND  
ZONING

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CITY ADMINISTRATIVE  
CENTER

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

P.O. Box 998

GARDEN CITY, KS

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**Exhibit 1: CFR Title 14 Part 77.17 & 19**

**CFR Title 14 Part 77.17 & 19:**

**§77.17 Obstruction standards.**

(a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet AGL at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

(b) Except for traverse ways on or near an airport with an operative ground traffic control service furnished by an airport traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:

(1) 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.

(2) 15 feet for any other public roadway.

(3) 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(4) 23 feet for a railroad.

(5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

**§77.19 Civil airport imaginary surfaces.**

The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions

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of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

(a) *Horizontal surface.* A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by sweeping arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

(b) *Conical surface.* A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

(c) *Primary surface.* A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:

(1) 250 feet for utility runways having only visual approaches.

(2) 500 feet for utility runways having non-precision instrument approaches.

(3) For other than utility runways, the width is:

(i) 500 feet for visual runways having only visual approaches.

(ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile.

(iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways.

(iv) The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

(d) *Approach surface.* A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

(i) 1,250 feet for that end of a utility runway with only visual approaches;

(ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;

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(iii) 2,000 feet for that end of a utility runway with a non-precision instrument approach;

(iv) 3,500 feet for that end of a non-precision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile;

(v) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and

(vi) 16,000 feet for precision instrument runways.

(2) The approach surface extends for a horizontal distance of:

(i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways;

(ii) 10,000 feet at a slope of 34 to 1 for all non-precision instrument runways other than utility; and

(iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.

(3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(e) *Transitional surface.* These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

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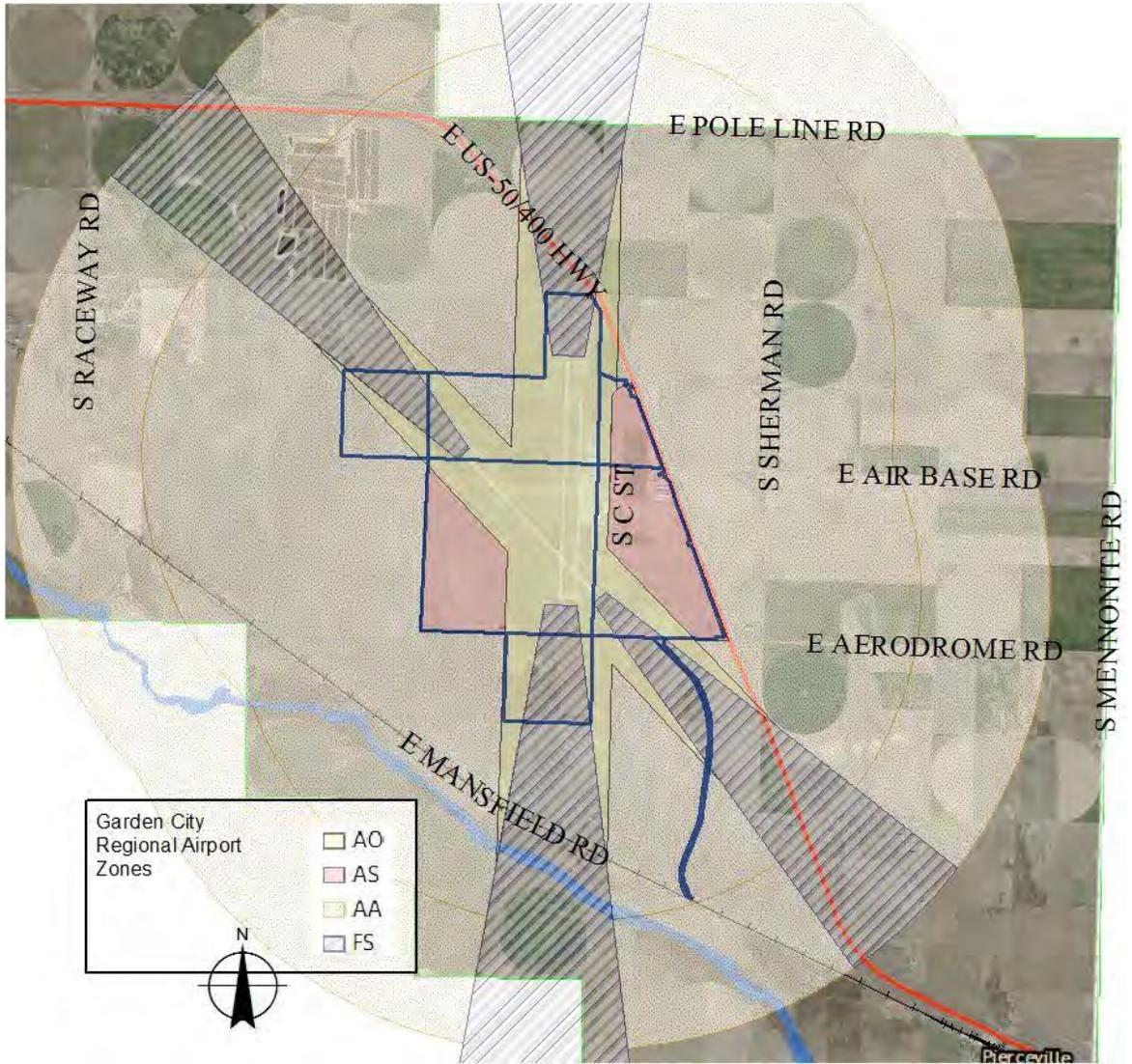
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**Exhibit 2:** Garden City Regional Airport (blue outline) Current Zoning Districts with Aerial.



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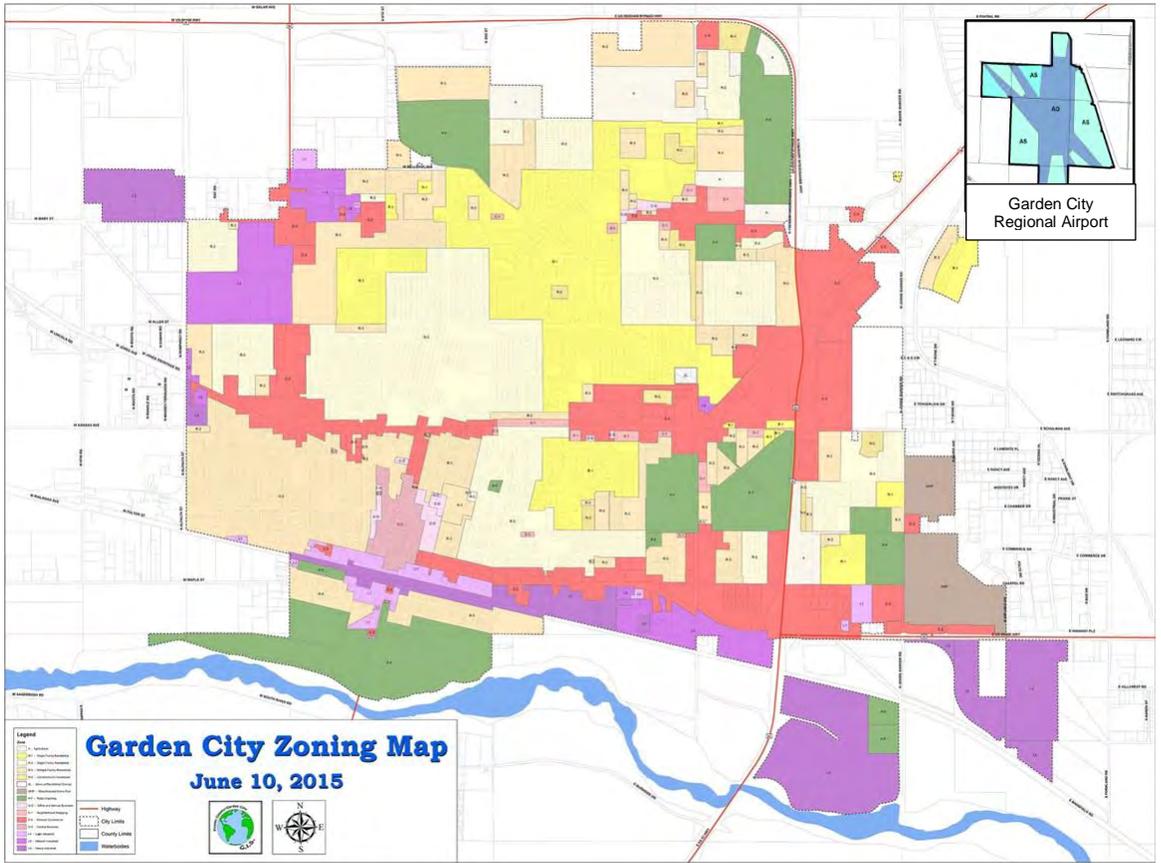
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**Exhibit 3: Existing Garden City Zoning Map with the Proposed Addition of the Airport Zones**



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**ORDINANCE NO. \_\_\_\_\_-2016**

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS TO REGULATE AIRSPACE AND LAND USE COMPATIBILITY IN COMPLIANCE WITH FEDERAL AVIATION AUTHORITY GUIDELINES AS FOUND IN THE CODE OF FEDERAL REGULATIONS TITLE 14 PART 77; AMENDING ZONING REGULATION ARTICLES 32 AND 33; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION ARTICLES 32, 33, 34, AND 35; ALL TO THE CODE OF ORDINANCES FOR THE CITY OF GARDEN CITY, KANSAS.

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

**SECTION 1.** Article 32 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**ARTICLE 32**

**“AO” AIRPORT OPERATIONS DISTRICT**

SECTIONS:

32.010 PURPOSE AND INTENT. The Airport Operations District is a restricted district for on-airport property owned by the City of Garden City and is established to protect airport operations from any encroachments or land use conflicts.

32.020 PERMITTED USES. The following uses and no others may be permitted in the “AO” District:

- (A) Runways, aprons, and taxiways
- (B) Navigational aids
- (C) Federal Aviation Administration (FAA) approved operational aids.
- (D) Fixed base operations, including charter, agricultural spraying, and flying school operations;

32.030 CONDITIONAL USES. The following uses and structures may be permitted in the “A-O” District only after they have been reviewed and approved as required by Article 29:

- (A) Aircraft refueling and maintenance operations including temporary use and distribution of aviation-grade fuels and hazard class 1-9 materials used for maintenance, deicing and refueling, in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I, and R.
- (B) Hangars, maintenance structures, and storage, including storage and use of hazard class 1-9 materials used for maintenance, deicing lubrication, and refueling, stored in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I, and R;
- (C) Public Use facilities for emergency management and response.

- (D) Airport security operations as required by the Transportation Safety Administration (TSA).
- (E) Terminal operations, to include related ticketing and office uses, baggage handling, travel agents, agencies, & bureaus, and restaurant and retail uses up to five thousand (5,000) square feet in gross floor area;
- (F) Accessory Living Quarters
- (G) City of Garden City owned buildings may exceed twenty-five (25) foot height limit.

32.040 HEIGHT REGULATIONS. Structure height must be in accordance with CFR Title 14 Part 77, and may not obstruct surfaces as described in CFR Title 14 Part 77.19 Civil Airport Imaginary Surfaces. Maximum height for non-airport structures shall be twenty (20) feet. No height variance may be granted by the Board of Zoning Appeals in this district.

**SECTION 2.** Section 17.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

## **ARTICLE 33**

### **“AS” AIRPORT SERVICE AND SUPPORT DISTRICT**

#### SECTIONS:

- 33.010 Purpose and Intent
- 33.020 Permitted Uses
- 33.030 Conditional Uses
- 33.040 Lot Coverage
- 33.050 Yard Requirements
- 33.060 Height Regulations
- 33.070 Parking Requirements
- 33.080 Sign Regulations
- 33.090 Supplemental Development Regulations

33.010 PURPOSE AND INTENT. This district is created for on-airport land uses of airport support activities that are not involved in direct flight operations.

33.020 PERMITTED USES. The “AS” District is limited to the following permitted uses:

- (A) Runways, aprons, and taxiways
- (B) Navigational aids
- (C) Federal Aviation Administration (FAA) approved operational aids.
- (D) Fixed base operations, including charter, agricultural spraying, and flying school operations;

- (E) Hangars, maintenance structures, and storage, including storage and use of hazard class 1-9 materials used for maintenance, deicing and refueling, stored in accordance with CFR Title 49 and CFR Title 40, Subparts D, E, I, and R;
- (F) Aircraft refueling and maintenance operations, including storage and distribution of aviation-grade fuels;
- (G) Public Use facilities for emergency management and response;
- (H) Airport security operations as required by the Transportation Safety Administration (TSA).
- (I) General Agriculture, excluding commercial feedlots;
- (J) Terminal operations, to include related ticketing and office uses, baggage handling, travel agents, agencies, & bureaus, and restaurant and retail uses up to five thousand (5,000) square feet in gross floor area;
- (K) Retail business, restaurants, and commercial and professional offices where the primary activities are conducted within the same building and which emit no electrical or radio interference with flight operations. This includes parking facilities, transportation services, service stations, and mobile vendors licensed with a City of Garden City Local or Non-Local Itinerant Business License in accordance with Chapter 22 of the Code of Ordinances.
- (L) Logistics, warehousing, and transportation, including self-storage facilities,
- (M) Light to medium manufacturing operations where the entire operation is conducted within the same building and which emit no electrical or radio interference with any flight operations. The following additional restrictions apply:
  - (1) No raw materials or manufactured products are stored outside unless contained within a six (6) feet wall or fence in accordance with Article 22 of these regulations; and
  - (2) Such use is not noxious or offensive by reason of vibration or noise beyond the confines of the building or emission of dust, fumes, gas, radio interference, odor, or smoke as defined herein.

33.030 CONDITIONAL USES. The following uses and structures may be permitted in the “AS” District only after they have been reviewed and approved as required by Article 29.

- (A) Accessory Living Quarters.
- (B) Neighborhood Churches

33.040 LOT COVERAGE. There shall be no requirements except as may be dictated by off-street parking and setback requirements.

33.050 YARD REQUIREMENTS. Yards must comply with FAA Advisory Circular Hazardous Wildlife Attractants near Airports 150/5200-33, current edition, in addition to the following restrictions:

- (A) Front Yard:

(1) Each lot in the “AS” District shall have a front yard of not less than thirty (30) feet.

(B) Side Yard:

(1) No side yard shall be required.

(C) Rear Yard:

(1) No rear yard shall be required.

33.060 HEIGHT REGULATIONS. Structure height must be in accordance with CFR Title 14 Part 77, and may not obstruct surfaces as described in CFR Title 14 Part 77.19 Civil Airport Imaginary Surfaces. Maximum height for structures shall be fifty (50) feet and with no effect or impact to airport operations including instrument flight rules. No height variance may be granted by the Board of Zoning Appeals in this district.

33.070 PARKING REQUIREMENTS. See Article 24 of the Zoning Regulations for the City of Garden City, KS.

33.080 SIGN REGULATIONS. See Section 23.100 of the Zoning Regulations for the City of Garden City, KS.

33.090 SUPPLEMENTAL DEVELOPMENT REGULATIONS. See Article 22 of the Garden City Zoning Regulations.

**SECTION 3.** Article 34 of the Zoning Regulations for the City of Garden City, Kansas, is hereby repealed.

**SECTION 4.** Article 35 of the Zoning Regulations for the City of Garden City, Kansas, is hereby repealed:

**SECTION 5.** The Zoning Regulations for the City of Garden City, Kansas, Articles 32, 33, 34, and 35, as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 6.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 7.** This ordinance shall be in full force and effect from and after its publication in the Garden City Telegram, the official publication of record.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 18<sup>th</sup> day of October, 2016.

---

CHRIS LAW, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



**MEMORANDUM**

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** GC2016-56&57 Rezone and Comprehensive Plan Amendment for 900 Lareu for a parking lot.

**ISSUE:**

The Governing Body is asked to consider the comprehensive plan amendment and the rezoning of 900 Lareu Rd. from “R-3” Multiple Family Residential District to “C-2” General Commercial District.

1. Ordinance No. \_\_\_\_\_-2016, an ordinance approving the rezoning of land from “R-3” multiple family residential district to “C-2” General Commercial 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; all to the Code of Ordinances of the City of Garden City, Kansas.

**BACKGROUND:**

<b>General Information</b>	
<b>Date:</b>	October 18, 2016
<b>Jurisdiction:</b>	Garden City
<b>Owner:</b>	Amro Samy
<b>Applicant:</b>	Stone Development Inc.
<b>Requested Action:</b>	Rezoning from “R-3” Multiple Family Residential District to “C-2” General Commercial District
<b>Purpose:</b>	Rezone property to allow for the use of the property as a parking lot.
<b>Location Address:</b>	900 Lareu Road, Garden City, KS
<b>Comprehensive Plan:</b>	The proposed land use is not consistent with the Comprehensive Plan
<b>Sites Existing Zoning:</b>	“R-3” Multiple Family Residential
<b>Surrounding Zoning:</b>	North “R-3” Multiple Family Residential District South “R-2” Single Family Residential District East “R-2” Single Family Residential District

	West "C-2" General Commercial District
<b>Land Area:</b>	Contains 7.998 acres +/-
<b>Notice Date:</b>	This project was published and noticed by mail as required by code.

Comments & Required Improvements

1. The applicant is requesting to rezone this parcel from the "R-3" Multiple Family Residential District to "C-2" General Commercial District.
2. The applicant would like to use the southwestern most portion of the lot to provide overflow parking for the new water park at 990 Stone Creek Drive. The new parking lot will contain approximately 100 spaces to accommodate any overflow that may be produced.
3. The Comprehensive Plan for the City currently categorizes the future land use of the parcel as 2 or more families. To allow for the rezoning request, the applicant is requesting that the Comprehensive Plan be amended to categorize the future land use of the parcel as commercial potential.

The Governing Body may make their recommendation and state their findings according to the criteria in Section 27.040 of the Garden City Zoning Regulations. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA.

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

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

**ALTERNATIVES:**

The Governing Body may:

Comprehensive Plan Amendment:

1. Recommend approval of the Comprehensive Plan amendment.
2. Not recommend approval of the Comprehensive Plan amendment.

Rezoning Request:

1. Recommend approval of the rezoning request.
2. Not recommend approval of the rezoning request.

**RECOMMENDATION:**

Staff Recommendation: Staff recommends approval of the comprehensive plan amendment and the rezoning request.

Planning Commission Recommendation for the Comprehensive Plan Amendment: On September 22, 2016, the Planning Commission met and recommended approval of the amendment as presented.

Members Present – 9

Yea- 9

Nay-0

Planning Commission Recommendation for the rezoning: On September 22<sup>nd</sup>, 2016, the Planning Commission met and recommended approval of the rezoning as presented.

Members Present – 9

Yea – 9

Nay – 0

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
Minutes, maps, and exhibits	10/12/2016	Backup Material
Ordinance	10/13/2016	Backup Material



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*\*Attached are the Planning Commission minutes pertaining to this case*

**FC2016-56/57 Rezone 900 Lareu from “R-3” to “C-2” & Amend Comprehensive Plan, Stone Development, Inc.**

*Staff Croteau reads staff report.*

*Kurth Lancaster* – I am with SMH Consultants; we are the engineers for Stone Development. The client is planning to put more commercial development there. They’re not sure what type of businesses but they’re in the initial phases of figuring that out. This parking lot is kind of the first phase and would like to have it now for the uses across the street in case of overflow but it will also serve as parking lot for the future commercial on the east side of Lareu.

*Staff Davidson* – The parking lot is proposed to go on the southern portion of the parcel that is outlined. The buildings will go on the northern portion.

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*Chairman Lopez* – I was curious as to who owned the property to the east as well as to the north.

*Staff Davidson* – The east is Stone Development and the north is Mosaic.

*Chairman Lopez* – I was mostly concerned about the property to the east of it which is zoned R-2.

*Member Howard* – Were there any complaints from the residents around the area?

*Secretary Kentner* – I had one individual that is with the church that came in thinking that the hearing was last week. He had some concerns but we showed him where the site was and gave him a copy of the site plan to show where the parking lot was going. We informed him that today would be the hearing but we haven’t heard anything back.

*ENTER PREVIOUS MONTHS’ COMMENTS FOR RECORD.*

*MEMBER HITZ MAKES MOTION TO APPROVE AMENDING THE COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 900 LAREU ROAD. MEMBER SCHWINDT SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea

*VICE-CHAIRMAN GERMANN MAKES MOTION TO APPROVE THE REZONE FOR 900 LAREU ROAD FROM “R-3” MULTIPLE FAMILY RESIDENTIAL TO “C-2” GENERAL COMMERCIAL. MEMBER SCHNEIDER SECONDS MOTION.*

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea

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



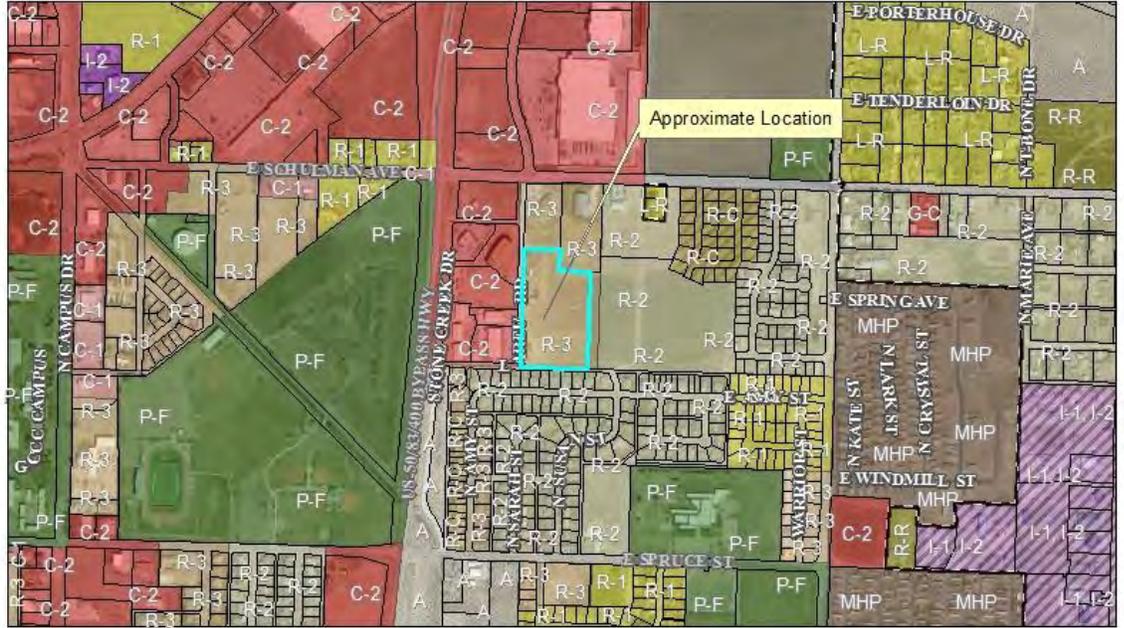
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Case Number: GC2016-56  
Applicant: Stone Development, Inc.  
Address: 900 Lareu Rd.  
Request: Rezone "R-3" to "C-2" and Amendment to the comprehensive plan







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Figure 2: View of property looking east from adjacent property.



Figure 3: View of property looking north.



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Figure 4: View of property looking south.



Figure 5: View of property looking southeast.

(Published in the Garden City Telegram on the \_\_\_\_ day of October, 2016)

ORDINANCE NO. \_\_\_\_\_ -2016

AN ORDINANCE APPROVING THE REZONING OF LAND FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "C-2" GENERAL COMMERCIAL 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; 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 to rezone the below described real property from "R-3" Multiple Family Residential District to "C-2" General Commercial District:

Lot Thirty-eight (38), Block Two (2), Heritage Place Second Addition, located in the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6<sup>th</sup> P.M., in Garden City, Finney County, Kansas.

**SECTION 2.** The "Future Land Use Map" of the City of Garden City, Kansas adopted by Ordinance No. 2469-2010 with all amendments thereto, is hereby amended as follows:

The boundary of Commercial Potential overlay is hereby amended to include the following described real property:

Lot Thirty-eight (38), Block Two (2), Heritage Place Second Addition, located in the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6<sup>th</sup> P.M., in Garden City, Finney County, Kansas.

**SECTION 3.** The "Future Land Use Map" adopted by Ordinance No. 2469-2010, as previously existing and amended, be and the same is hereby amended, to be replaced and continue hereafter as amended in this ordinance.

**SECTION 4.** The District Zoning Map referred to in the Zoning Regulations, Section 3.020, of the City of Garden, 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 5.** The current Zoning Ordinance, Zoning Regulations, and District Zoning Map of the City of Garden City, Kansas, as previously existing and amended, be and the same hereby are repealed, to be replaced as specified in this ordinance. All sections of the Zoning Ordinance, Zoning Regulations, and District Zoning Map not specifically amended herein, shall remain in full force and effect.

**SECTION 6.** 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 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
CHRIS LAW, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** Unsafe structure order for 205 S Fourth Street, Garden City, Kansas.

---

### **ISSUE:**

The Governing Body is asked to consider and approve an unsafe structure order for 205 S Fourth Street, Garden City, Kansas.

1. Resolution No. \_\_\_\_\_ -2016, a resolution fixing a time and place at which the owner, owner's agent, any lien holder of record and any occupant of the main structure and the accessory structures may appear and show cause why the structures should not be condemned and ordered repaired, or demolished and removed, pursuant to section 18-83 et seq of the code of ordinances of the City of Garden City, Kansas.

### **BACKGROUND:**

The house located at 205 S Fourth is severely damaged as a result of abandonment. A violation notice dated 8/29/16 was sent to the property owner of record. A follow-up inspection was done on 9/28/16, per the violation notice. The follow-up inspection revealed nothing had been done to the property and no efforts had been made by the owner to repair or demolish the structure.

### **ALTERNATIVES:**

The Governing Body may:

1. Allow property to remain in existing condition.
2. Approve Unsafe Structure Order to begin the process of cleanup and repair or, demolition and removal of the unsafe structure(s).

### **RECOMMENDATION:**

Staff recommends approval of the Unsafe Structure Order and allow the property owner the time stated in the order to repair or demolish the structure. A follow-up inspection will be scheduled after the sixty (60) days allowed in the Unsafe Structure Order to verify status of property. If property remains in the same condition, the City will then proceed with the demolition and removal process.

### **FISCAL NOTE:**

There is no cost to the City for this action. However, the next action on this matter could include costs for repair or demolition between \$9,000 to \$34,000, based upon recent similar projects. This would be paid from fund 027, Risk Management, and it is anticipated that a lien would be filed on the property to recoup City costs.

**ATTACHMENTS:**

Description	Upload Date	Type
Resolution	10/14/2016	Backup Material
Report of Findings	10/13/2016	Backup Material
Location Map	10/13/2016	Backup Material
Site Pictures	10/14/2016	Backup Material

(Published in the Garden City Telegram on \_\_\_\_\_ and \_\_\_\_\_, 2016)

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

**A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER’S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE MAIN STRUCTURE AND THE ACCESSARY STRUCTURES MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-83 ET SEQ OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.**

**WHEREAS**, the Governing Body of the City of Garden City has found that there exists within the city structures which are unsafe, unfit or dangerous for human use or habitation because of conditions caused by dilapidation, deterioration, disrepair, or casualty and that such conditions are adverse to the general welfare of the city in that they have a blighting influence on adjoining properties, neighborhoods, and the city as a whole, or are injurious to the health, safety, and welfare of the residents of the city and,

**WHEREAS**, the enforcing officer(s) has found an unsafe, unfit or dangerous structures existing as a result of dilapidation, deterioration, disrepair, or casualty does exist at:

205 SOUTH FOURTH

(See attached Report of Findings with supporting exhibits.)

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Garden City, Kansas that a hearing is hereby set for \_\_\_\_\_pm in the afternoon in the Commission Room at the City Administrative Center, 301 N. Eighth Street, Garden City, Kansas and any owner, owner’s agent, any lienholder of record and any occupant is hereby notified to appear and show cause why the structure should not be condemned and ordered repaired, or demolished and removed.

**PASSED AND APPROVED** by the Governing Body of the City of Garden City, Kansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**CHRIS LAW, MAYOR**

**ATTEST:**

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

**REPORT OF FINDINGS  
CITY OF GARDEN CITY**

DATE: 10/13/16

ADDRESS OF VIOLATION: 205 SOUTH FOURTH

NATURE OF VIOLATION: Unsafe, Unfit structures

CODE SECTION VIOLATED: 18-482

REPORT OF FINDINGS: The main structure and all surrounding accessory structures (5) are extremely dilapidated. Hazardous electrical conditions exist (interior and exterior), the main structure and all surrounding accessory structures (5) are not secure, the front and back yards are not being maintained and hazardous plumbing conditions exist.

We respectfully request approval of the enclosed resolution setting a time and place for a hearing pursuant to Section 18-486 of the Code of Ordinances of the City of Garden City, Kansas.

Public Officer: \_\_\_\_\_

Title: \_\_\_\_\_

Public Officer: \_\_\_\_\_

Title: \_\_\_\_\_

Supporting evidence attached: Y / N



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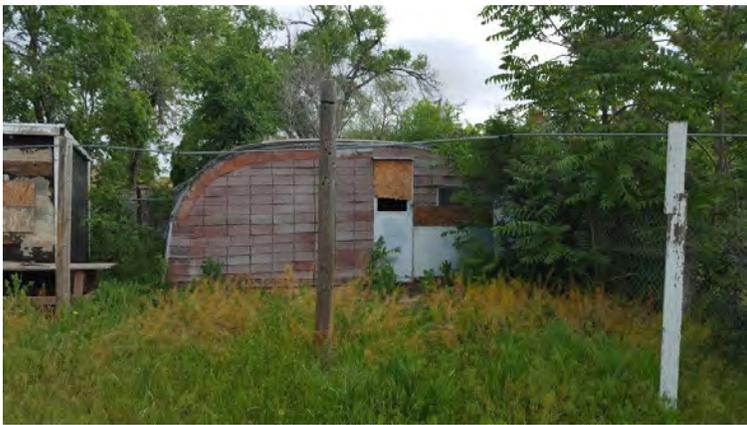
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205 S Fourth



205 S Fourth





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** Unsafe structure order for 207 S Fourth Street, Garden City, Kansas.

---

### **ISSUE:**

The Governing Body is asked to consider and approve an unsafe structure order for 207 S Fourth Street, Garden City, Kansas.

1. Resolution No. \_\_\_\_\_-2016, a resolution fixing a time and place at which the owner, owner's agent, any lienholder of record and any occupant of the main structure and the accessory structures may appear and show cause why the structures should not be condemned and ordered repaired, or demolished and removed, pursuant to section 18-83 et seq of the code of ordinances of the City of Garden City, Kansas.

### **BACKGROUND:**

The house at 207 S Fourth is severely damaged as a result of abandonment. A violation notice dated 8/17/16 was sent to the property owner of record. A follow-up inspection was done on 9/16/16, per the violation notice. The follow-up inspection revealed nothing had been done to the property and no efforts had been made by the owner to repair or demolish the structure.

### **ALTERNATIVES:**

The Governing Body may:

1. Allow property to remain in existing condition.
2. Approve Unsafe Structure Order to begin the process of cleanup and repair or, demolition and removal of the unsafe structure(s).

### **RECOMMENDATION:**

Staff recommends approval of the Unsafe Structure Order and allow the property owner the time stated in the order to repair or demolish the structure. A follow-up inspection will be scheduled after the sixty (60) days allowed in the Unsafe Structure Order to verify status of property. If property remains in the same condition, the City will then proceed with the demolition and removal process.

### **FISCAL NOTE:**

There is no cost to the City for this action. However, the next action on this matter could include costs for repair or demolition between \$9,000 to \$34,000, based upon recent similar projects. This would be paid from fund 027, Risk Management, and it is anticipated that a lien would be filed on the property to recoup City costs.

### **ATTACHMENTS:**

Description	Upload Date	Type
Resolution	10/14/2016	Backup Material
Report of Findings	10/13/2016	Backup Material
Location Map	10/13/2016	Backup Material
Site Pictures	10/14/2016	Backup Material

(Published in the Garden City Telegram on \_\_\_\_\_ and \_\_\_\_\_, 2016)

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

**A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER’S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE MAIN STRUCTURE AND THE ACCESSARY STRUCTURES MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-83 ET SEQ OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.**

**WHEREAS**, the Governing Body of the City of Garden City has found that there exists within the city structures which are unsafe, unfit or dangerous for human use or habitation because of conditions caused by dilapidation, deterioration, disrepair, or casualty and that such conditions are adverse to the general welfare of the city in that they have a blighting influence on adjoining properties, neighborhoods, and the city as a whole, or are injurious to the health, safety, and welfare of the residents of the city and,

**WHEREAS**, the enforcing officer(s) has found an unsafe, unfit or dangerous structures existing as a result of dilapidation, deterioration, disrepair, or casualty does exist at:

207 SOUTH FOURTH

(See attached Report of Findings with supporting exhibits.)

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Garden City, Kansas that a hearing is hereby set for \_\_\_\_\_ pm in the afternoon in the Commission Room at the City Administrative Center, 301 N. Eighth Street, Garden City, Kansas and any owner, owner’s agent, any lienholder of record and any occupant is hereby notified to appear and show cause why the structure should not be condemned and ordered repaired, or demolished and removed.

**PASSED AND APPROVED** by the Governing Body of the City of Garden City, Kansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**CHRIS LAW, MAYOR**

**ATTEST:**

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

**REPORT OF FINDINGS  
CITY OF GARDEN CITY**

DATE: 10/13/16

ADDRESS OF VIOLATION: 207 SOUTH FOURTH

NATURE OF VIOLATION: Unsafe, Unfit structures

CODE SECTION VIOLATED: 18-482

REPORT OF FINDINGS: The main structure is extremely dilapidated. Hazardous electrical conditions exist, the main structure is not secure, the front and back yards are not being maintained, hazardous plumbing conditions exist, the main structure is not secure and the interior walls and ceiling are dilapidated

We respectfully request approval of the enclosed resolution setting a time and place for a hearing pursuant to Section 18-486 of the Code of Ordinances of the City of Garden City, Kansas.

Public Officer: \_\_\_\_\_

Title: \_\_\_\_\_

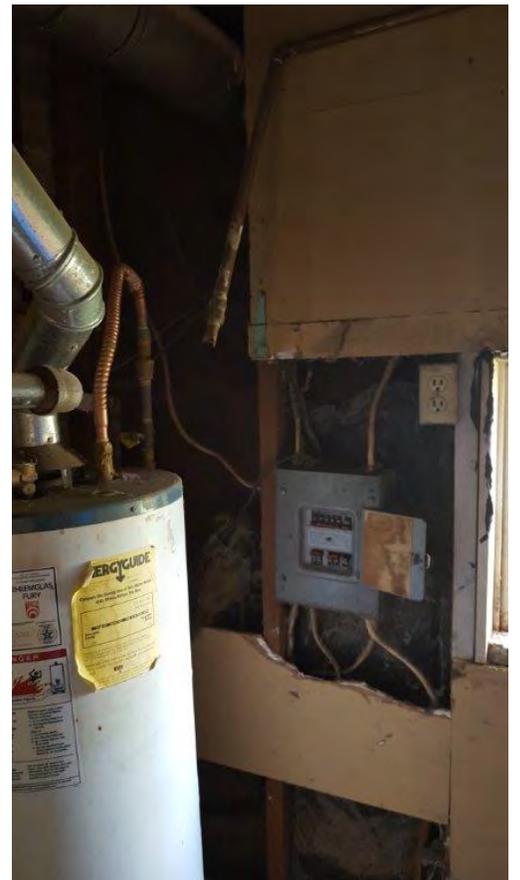
Public Officer: \_\_\_\_\_

Title: \_\_\_\_\_

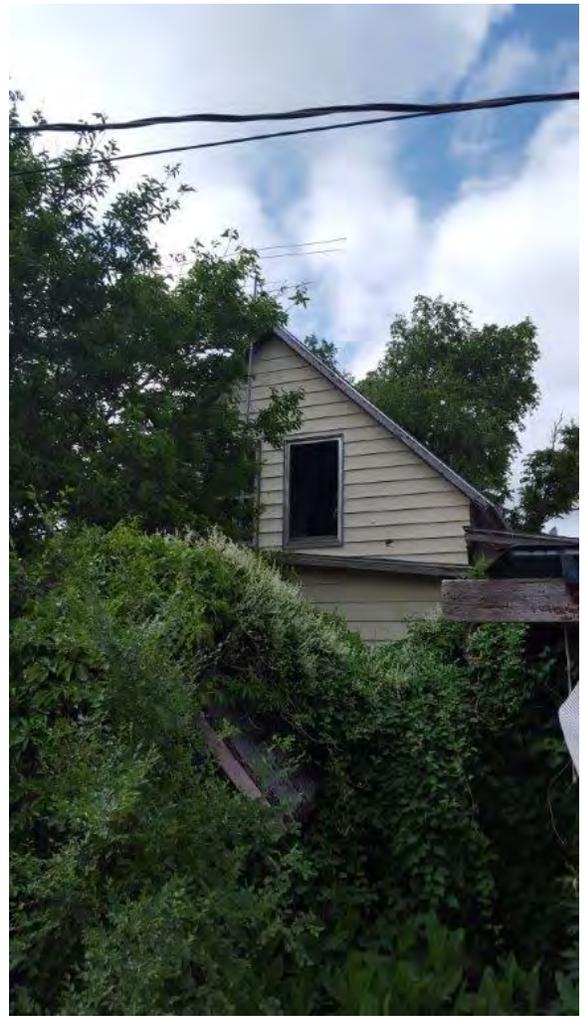
Supporting evidence attached: Y / N



207 S Fourth



207 S Fourth





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Steve Cottrell, Assistant to the City Manager  
**DATE:** October 18, 2016  
**RE:** TP&L Truck Traffic Oversize Permit Curfew

---

### **ISSUE:**

The Governing Body is asked to consider and approve a waiver request from Vestas-American Wind Technology, Inc., a Transportation Partners & Logistics customer, for a reduction in the KDOT curfew conditions imposed on over width and over length loads.

### **BACKGROUND:**

Trucks transporting materials to/from Transportation Partners & Logistics (TP&L) must get KDOT oversize or over weight permits; a sample permit is attached. These permits include special instructions, one of which are time restraints, or curfews, inside cities with populations above 10,000. They are not allowed to travel between the hours of 7:00 am and 9:00 am and between 4:00 pm and 6:30 pm.

Many of the loads leaving TP&L are heading east on US-50/400. In late 2015, the City annexed part of the TP&L leased property, including US-50/400 from Airlinks Road west to the Love's Travel Center at Harvest Street. Therefore, eastbound trucks leaving TP&L at Jennie Barker Road are inside the City Limits for one-half mile; this brings the curfew into affect. As TP&L is loading 45 to 50 trucks per day, waiting for the curfew to end results is several trucks getting stacked up. Jim Orr brought this issue to the attention of KDOT staff and City staff in early August.

From a traffic flow and safety perspective, staff feels it would be better to space these east bound trucks out over a longer period of time, rather than having them leave the TP&L site all at once. TP&L agrees that this would be the result (as opposed to simply moving the same problem to a different time). KDOT would consider modifying the permit conditions with the consent of the City Commission.

Police Chief Utz has reviewed the situation with his staff, Finney County Sheriff Bascue and USD 457 Transportation Director Stillian. Their recommendation is to reduce the morning curfew by 30 minutes and the afternoon curfew by one hour. new curfews would be from 7:00 am to 8:30 am and from 4:00 pm to 5:30 pm.

### **ALTERNATIVES:**

1. Approve the curfew waivers as recommended.
2. Modify and approve other curfew waivers as determined by the Governing Body.
3. Deny the waiver request.

**RECOMMENDATION:**

Staff recommends approval of the curfew waivers as recommended.

**FISCAL NOTE:**

There is no cost to the City for this action.

**ATTACHMENTS:**

Description	Upload Date	Type
Vestas request	9/23/2016	Backup Material
KDOT OW/OLPermit sample	9/23/2016	Backup Material

Public

To:  
Mr. Steve Cottrell via email  
Steve.Cottrell@gardencityks.us  
City of Garden City, KS

cc: Mr. Larry Thompson  
LarryT@ksdot.org  
Kansas DOT

1 August, 2016

Subject: Garden City curfew

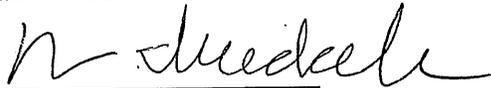
Dear Mr. Cottrell;

Vestas American Wind Technology is shipping wind turbine components to project sites via the TP&L facility in Garden City as you may know. Lonestar Transportation is contracted by Vestas to deliver components to/from TP&L in support of these projects. Based on emails earlier today, begun by Mr. Jim Orr of TP&L to Mr. Thompson with Vestas and Lonestar in copy, later with you in copy, it appears there is an opportunity to note on Lonestar permit that curfew restriction does not apply to shipments of Vestas components. We appreciate the consideration and concur it is reasonable given the condition stated in the email chain, to wit: Our traffic appears not to have significant impact given it does not go past Highway 83, or goes East on Highway 50 toward Dodge City. Allowing this traffic to enter/leave TP&L facility in an orderly fashion also would be safer than the 'surge' created by adhering to the curfew.

We request that exception notation be made as soon as possible on Lonestar's KSDOT permit and request direction from you and Mr. Thompson to most expeditiously accomplish that. We sincerely appreciate anything that can be done.

Yours sincerely,

Maria Iredale



Director Transport  
Vestas-American Wind Technology, Inc.  
+1 503 327 2319  
mholt@vestas.com



# K-TRIPS



**FAILURE TO READ AND FOLLOW ALL INFORMATION PROVIDED ON THIS PERMIT WILL RESULT IN REVOCATION OF THIS PERMIT**



## Kansas Large Structure Permit

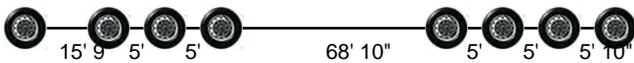
Issued by the Central Permit Office  
 Kansas Dept. of Transportation  
 700 SW Harrison St., 13th Floor  
 Topeka, KS 66603

Permit Number: 16055329

USDOT Number: 320691

Issue Date: 08/10/2016 03:32 PM

Payment Date: 8/10/2016 3:32 PM



Axle:	1	2	3	4	5	6	7	8
Distances:		15' 9"	5'	5'	68' 10"	5'	5'	5' 10"
Weights:	15000	20000	20000	20000	18750	18750	18750	18750
# of Tires	2	4	4	4	4	4	4	4
Axle Width:	8' 6"	8' 6"	8' 6"	8' 6"	8' 6"	8' 6"	8' 6"	8' 6"

Permit Type:	Effective Date:	Expiration Date:	Fee:
Overdimension Large Structure	08/11/2016	09/09/2016	\$30.00
		Total Permit Fee:	\$30.00

Permit Issued To:  
 LONE STAR TRANSPORTATION LLC  
 1100 NORTH WAY DRIVE  
 FORT WORTH, TX 76131

Permit Requested By:  
 Company Contact: carla sidwell  
 Requestor Phone: 800-239-0166

Permitted Vehicle:  
 VIN: 1XPTD4EX1CD142481  
 Vehicle Make: PETE

Unit Number: 900308  
 KSRGVW: 85500  
 Model Year: 2012

Vehicle Type: TT  
 State / Plate: OK 2QH221



# K-TRIPS



**Permitted Load:**

Industry Code: Wind Energy - Tower Section

Load: WINDTOWER TOP

Origin: KS0096;CO;Towner

Destination: US-50, 0.6mi E of US50 & US83 N

**Load Size:**

**Width: 12' 3"**

**Height: 15'**

**Front Overhang: LEGAL**

**Permitted Weight: 150000**

**Length: 136'**

**Rear Overhang: 6'**

Origin: KS0096;CO;Towner

Miles	Route	To	Distance	Est. Time
		[Trip Origin]		
61.40	KS-96 East	Turn South onto US-83 [MAIN ST]	61.40	01:32
33.80	US-83 South	Turn left onto US-83 [US-50]	95.20	02:09
0.20	US-83	Bear to the South onto US-83 [US-50] [US-400]	95.40	02:09
3.90	US-83 South	Bypass via ramp toward MARY ST onto US-50; Take Next Entrance after KANSAS AVE/KS-156	99.30	02:12
1.00	US-83 South	Continue Straight on US-83	100.30	02:15
0.30	US-83	Turn East onto US-50 [US-400] [US-50 BUS]	100.60	02:15
0.60	US-50 East	Arrive at US-50, 0.6mi E of US50 & US83 N, KS	101.20	02:16
		[Trip Destination]		

Final Destination: US-50, 0.6mi E of US50 & US83 N



# K-TRIPS



## Permit Special Requirements

Large structure means any load that exceeds 16.5 feet in width, 18 feet in height, or 126 feet in length but does not exceed either 150,000 pounds of gross weight or the axle limits specified in K.A.R. 36-1-37.

Each large structure permit shall be valid for thirty days, as specified on this permit, and shall allow a single, one-way trip for any large structure. Each large structure permit shall be issued for travel only from the point of origin to the final destination.

The time of day, date and routes to be used to move the large structure shall be approved by a KDOT employee or appointed representative in the District in which the mover will move the large structure.

Before moving the large structure, the mover shall perform a route survey by physically driving the route provided on the permit.

Movers shall only move large structures during daylight hours, unless the Secretary of Transportation finds that an emergency exists, in which case the Secretary may authorize a special permit for a nighttime move. Emergency moves are only allowed during a Government declared emergency in accordance with C.F.R. Title 49 Part 390.23 as adopted by K.A.R. 82-4-3f.

Escort vehicle drivers shall stop all traffic at both sides of bridges or before and after a critical location before the large structure may cross the bridge or critical location.

An escort vehicle shall be stationed at side road intersections during the movement of large structures to hold all traffic until the large structure has been moved through the section of road being blocked.

A third escort vehicle may be required for large structures with a width of 18 feet or greater. The third escort vehicle shall be provided by the mover at the mover's expense.

Traffic control shall be at the expense of the mover.

When alternate routes are available, the mover shall reduce the use of state highways to a minimum.

The mover shall contact all appropriate KDOT personnel before moving the large structure, cutting or trimming trees, and removing or relocating any signs, hazard markers, or other KDOT property. All highway signs and markers removed, displaced or damaged by a large structure move or turning movement must be replaced upon completion of each movement in accordance with current KDOT and MUTCD standards and at the mover's expense. KDOT and MUTCD inquiries can be addressed through the appropriate KDOT office. All sign and marker damage and replacement must be reported to the appropriate KDOT office as soon as possible. If KDOT personnel cannot be reached, the mover shall to contact law enforcement officials.

The mover shall not park the large structure on any part of the traveled portion of the highway. Any large structure parked on the right of way shall have at least 30 feet of clearance from the traveled portion of the highway.

Traffic may be stopped for no more than 15 minutes at a time.

Any large structure that restricts traffic must have designated locations every one-half to two miles to allow traffic to pass.

Whenever possible, the mover should use steerable axles to move the large structure.

Before moving the large structure on any county road or city street, the mover shall contact local authorities and obtain approval and a valid permit, if required, from the local authority. For further information, or if the local authority does not approve a route that connects with the route on this permit, contact the appropriate KDOT office.

Before moving the large structure, the mover shall coordinate any special utility and railroad requirements with any utilities and railroads encountered on the route. If overhead utilities, railroad crossings, or signaled cantilevers need to be moved, the mover shall contact all utilities and railroads prior to moving.

Call 888-877-7267 for railroad accidents.



Large structures shall not be moved when visibility is less than one-half mile, conditions of moderate to heavy rain, sleet, snow, fog, or smoke exist, or highway surfaces are slippery due to ice, snow or rain. Check online at [Kanroad.org](http://Kanroad.org) or dial 511 for Kansas road conditions.

When a move is canceled, use the K-TRIPS application to notify the Central Permit Office.

Contact the K-TRIPS Office at [www.TruckingKS.org](http://www.TruckingKS.org) for questions.

## ROUTING AND SPECIAL INSTRUCTIONS

Prior to moving the load, the carrier shall coordinate any special utility and railroad requirements with any utilities and railroads encountered on the route. If overhead utilities, or railroad crossing, or signaled cantilevers, or locally owned overhead traffic signals need to be moved, the carrier shall contact all utilities or railroads or local authorities prior to moving.

OSOWL - Contact appropriate districts 24 hours before moving. Replace all guideline signs and markers immediately after passing. Front and rear escorts are required at all times. Call 888-877-7267 for railroad accidents. Must not travel during inclement weather. Refer to [www.TruckingKS.org](http://www.TruckingKS.org) for questions.

Travel - Oversize and/or Overweight loads shall not be transported when visibility is less than one-half mile, or when conditions of moderate to heavy rain, sleet, snow, fog, or smoke exist, or when highway surfaces are slippery due to ice, packed snow, or rain. Refer to [www.TruckingKS.org](http://www.TruckingKS.org) for questions.

CROSSING - The route does not include ANY travel on any state maintained highways not included in the route on this permit. This includes crossing state maintained highways.

ESCRT LG - Loads greater than fourteen feet (14) wide shall require escorts on highways of fewer than 4 lanes. Rear escort may be eliminated if a warning light is attached to the top of the towing vehicle and to the rear of each load, mounted no less than two feet (2), or more than eight feet (8) above the road surface. Unless specified on the permit, all superload and large structure movements require front and rear escorts. Refer to [www.TruckingKS.org](http://www.TruckingKS.org) for questions.

TIME RESTRICTIONS - The following time restrictions shall apply to all types of permits. Night movements shall be allowed for loads that are only overweight. Permits for over-dimensional loads shall be restricted to daylight movement unless the secretary finds that an emergency exists, in which case a permit for nighttime movement may be issued for the special condition, as the secretary deems advisable. Carriers transporting oversize or overweight loads may move every day of the year, including holidays.

This permit does not allow movement within the city limits of any city with a population in excess of 10,000 people, between the hours of 7:00 A.M. and 9:00 A.M. or 4:00 P.M. and 6:30 P.M.

RAILROAD CROSSINGS For incidents at railroad crossings contact number posted at crossing.

Escrt Length - Loads greater than 126' in length shall require two escorts. Front and rear at all times.

**KDOT Contacts: The mover shall contact each KDOT District Office they are traveling through prior to entering the District. Office hours are 8:00 A.M.- 5:00 P.M. (Central Time) Monday through Friday.**

Ron Munyan, Area Superintendent	District 6, Area 1, Syracuse	(620)384-7821
Richard Coghill, District Office Coordinator	District 6, Area 0, Garden City	(620)276-3241

**By accepting this permit, the mover acknowledges and agrees to the following:**

**The mover acknowledges and agrees that the mover has reviewed, understands, and will comply with the Route, Permit Special Requirements, and Routing and Special Instructions.**

**The mover acknowledges and agrees that all dimensions and weights shown on this permit are correct.**

**The mover acknowledges responsibility for and agrees to be responsible for any damage, caused by or arising out of movement of the load, including all responsibility for any damage caused directly or indirectly to highways and local roadways, bridges and other structures, traffic signals and signs, overhead signs, wire and cables, private property, and persons.**



# K-TRIPS



The mover acknowledges and agrees the mover is responsible for complying with all applicable local, state, and federal rules, regulations, and statutes.

The mover acknowledges and agrees to indemnify and hold harmless the State of Kansas, the Kansas Department of Revenue, and the Kansas Department of Transportation, and all employees and agents thereof from all suits, actions and claims of any character brought because of injury or damage to any person, persons, or property arising from the use of this permit.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Steve Cottrell, Assistant to the City Manager  
**DATE:** October 18, 2016  
**RE:** Transload Facility Gas Main Relocation Agreement

---

### **ISSUE:**

The Governing Body is asked to consider and approve (subject to minor changes or additions made by counsel) an agreement with WGP-KHC, LLC, Transportation Partners and Logistics, LLC and the City of Garden City to relocate gas mains at the transload facility.

### **BACKGROUND:**

WGP-KHC, LLC is the owner of 3" and 4" gas mains located on the former Swift Beef property, as shown on the attached map. Easements for these lines have been in existence for many years. The gas mains are operated by Linn Energy.

With the construction of the transload rail siding, and the normal operations of the facility, TP&L has determined it beneficial to relocate the gas mains to areas that will not be affected by the siding or normal operations. While unlikely, if a problem were to occur with one of the gas mains, and wind energy components were stored on the ground above or nearby, the components would have to be moved out of the way. TP&L has this situation in their existing yard east of Jennie Barker Road.

The new gas line locations are also shown on the map. TP&L will incur all costs associated with the relocation. Depending upon the timing of the gas line relocation and the transfer of the property, the City may need to grant new easements to WGP-KHC. The new easements will be prepared after the relocation is completed to ensure accurate legal descriptions.

City Counselor Grisell has reviewed the draft agreement, and has requested minor revisions. City Staff has requested additional language relating to the abandoned gas lines and easements. The suggested revisions have been submitted to WHP-KHC and Linn.

### **ALTERNATIVES:**

1. Approve the relocation agreement.
2. Defer action to a later date.
3. Do not approve the agreement.

### **RECOMMENDATION:**

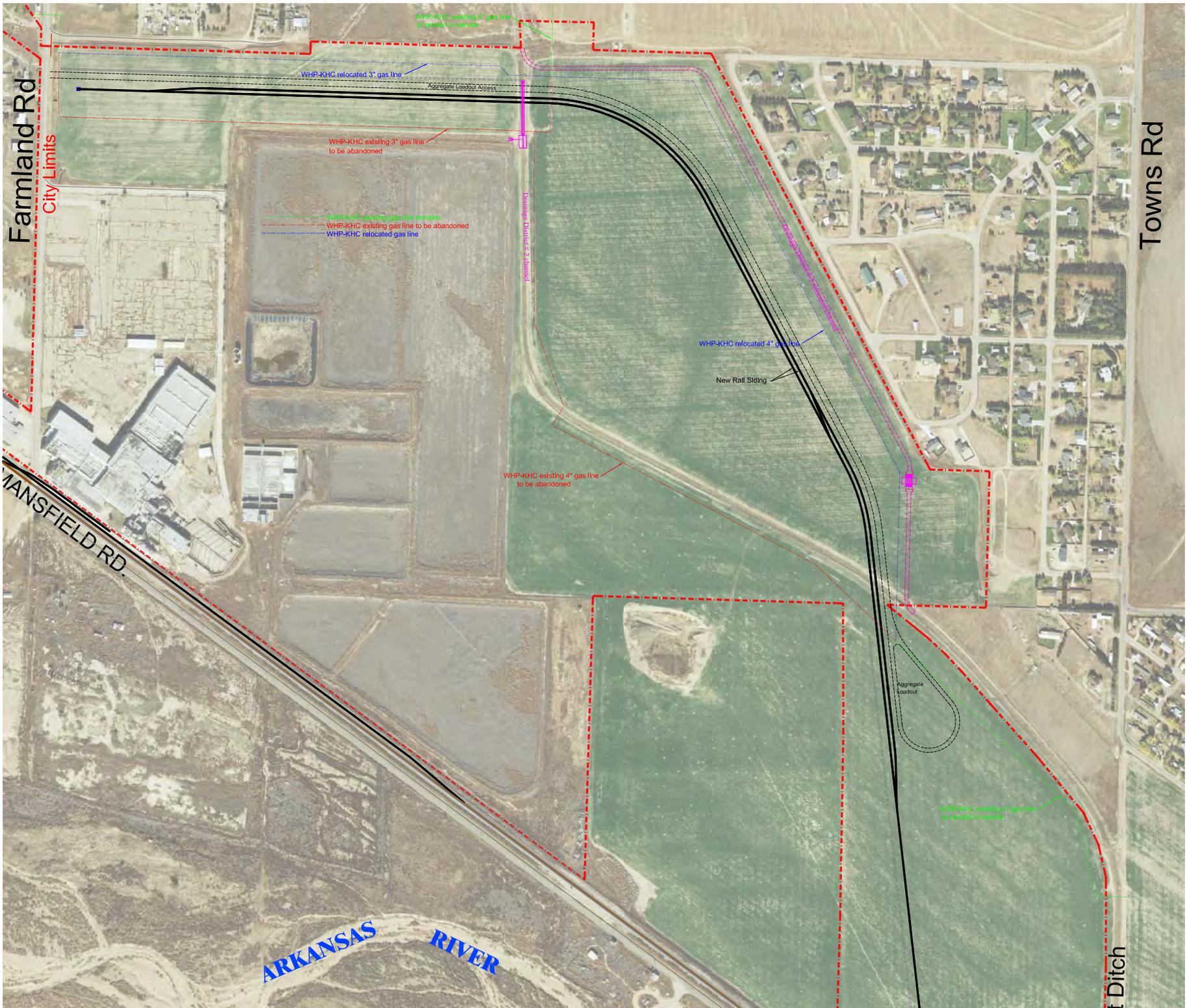
Staff recommends approval of the Relocation Agreement with WHP-KHC, LLC and Transportation Partners & Logistics, LLC.

### **FISCAL NOTE:**

There is no cost to the City for this agreement. All costs are being paid by TP&L.

**ATTACHMENTS:**

Description	Upload Date	Type
Gas Line Map	10/11/2016	Backup Material
Draft Reloaction Agreement	10/12/2016	Backup Material



Farmland Rd  
City Limits

Towns Rd

MANSFIELD RD.

ARKANSAS RIVER

t Ditch

WHP-KHC existing 4" gas line to remain in service

WHP-KHC relocated 3" gas line

WHP-KHC existing 3" gas line to be abandoned

- WHP-KHC existing gas line remains
- WHP-KHC existing gas line to be abandoned
- WHP-KHC relocated gas line

Aggregate Loadout Access

Aggregate Loadout Access

WHP-KHC existing 4" gas line to be abandoned

WHP-KHC relocated 4" gas line

New Rail Siding

Aggregate Loadout

WHP-KHC existing 4" gas line to remain in service

## RELOCATION AGREEMENT

Red Text = revisions requested by City

THIS AGREEMENT, ENTERED INTO THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between **WGP-KHC, LLC**, a Delaware limited liability company, whose address is 8111 Westchester Drive, Suite 600, Dallas, Texas 75225, hereinafter referred to as “WGP-KHC”, and **The City of Garden City, Kansas**, a Kansas municipal corporation, whose address is 405 North Eighth, Garden City, Kansas 67846, hereinafter referred to as “GCK, in conjunction with **Transportation Partners & Logistics, LLC**, a Wyoming limited liability company, whose address is P.O. Box 51647, Casper, Wyoming 82605, hereinafter referred to as “TP&L,

WITNESSETH:

WHEREAS, WGP-KHC is the owner of a 3 inch natural gas pipeline and easement therefore, in the Northwest Quarter (NW¼) and Southwest Quarter (SW/4) of Section 23, Township 24 South, Range 32 West, Finney County, Kansas, as described in that certain Right of Way Contract dated September 21, 2011, recorded in Book 302, Page 747, and

WHEREAS, WGP-KHC is the owner of a 4 inch natural gas pipeline and easement therefore, in the Southeast Quarter (SE/4) and Southwest Quarter (SW/4) of Section 23, Township 24 South, Range 32 West, and also located in the Northeast Quarter (NE/4) of Section 26, Township 24 South, Range 32 West, all in Finney County, Kansas, as described in that certain Right of Way Contract dated March 26, 2012, recorded in Book 304 Page 844, and

WHEREAS GCK has been warranted and conveyed a Warranty Deed to a parcel of real estate located in the Section 23 and Section 26, all in Township 24 South, Range 32 West of the 6<sup>th</sup> P.M., Finney County, further described in a Warranty Deed recorded in the records of the Finney County Register of Deeds in Book 326 on Page 456; and

WHEREAS GCK and TP&L have entered into an agreement and contract allowing TP&L to use and eventually convey the lands to TP&L described in that certain Warranty Deed recorded in the records of the Finney County Register of Deeds in Book 326 on Page 456 for a trans load facility, and

WHEREAS, TP&L proposes to construct a railroad spur and change the grade on the land above WGP-KHC’s 3 inch and 4 inch pipelines in said Section 23 and Section 26, all Township 24 South, Range 32 West in order to transport railcars for the matters of their trans load facility located in said Sections, and

WHEREAS, the construction of the spur, as proposed, will interfere and conflict with the present location of WGP-KHC’s existing 3 inch and 4 inch pipelines; and

WHEREAS, in order to alleviate such interference and conflict, WGP-KHC is willing to relocate and re-route its pipelines by installing a new 3 inch and new 4 inch pipeline

according to drawings attached as to permit the proposed railroad spur to be constructed and grade work completed without interference or conflict, provided all costs of the new pipeline, re-route and abandonment are paid by TP&L.

NOW THEREFORE, in consideration of the premises and the mutual promises contained herein, WGP-KHC, TP&L, and GCK agree as follows;

1. WGP-KHC hereby permits TP&L to re-grade and construct a railroad spur on the land above its existing and present pipelines which will be abandoned, following the successful installation and re-route of new pipelines, under the terms, conditions, and limitations specifically set out in this agreement.
2. WGP-KHC will relocate and re-route a portion of its pipelines, and abandon a portion of its pipelines in the said sections described above prior to the construction of TP&L's railroad spur and grade work. Such relocation and re-route shall be in accordance with WGP-KHC's plans and specifications as shown on Exhibit A, attached hereto and made a part hereof.
3. (a). TP&L shall pay to WGP-KHC all costs and charges attributed by WGP-KHC to the relocation work to be performed, including, without limitation, all costs and charges for such work as described in Exhibit B, attached hereto and made a part hereof.  
  
(b). TP&L shall advance to WGP-KHC the sum of \$ which represents WGP-KHC's estimate of the total costs and charges attributable to the relocation work and which shall be credited to the payment by TP&L of their obligation hereunder. In the event WGP-KHC revises its estimate or encounters additional costs or charges not contemplated by such estimate, then WGP-KHC shall have the right to receive additional advances from TP&L.  
  
(c.) In the event the total costs and charges for which TP&L are obligated exceeds the sum advanced, in sub-paragraph 3(b) above, TP&L shall pay to WGP-KHC the balance due within 30 days from the date of WGP-KHC's invoice. ~~and WGP-KHC shall have a lien from and as of the date of this contract in the property of GCK and TP&L as a security for such payment.~~  
  
(d.) In the event the total costs and charges for which TP&L are obligated are less than the sum advanced, WGP-KHC shall return to TP&L as directed in writing by the other, the remaining balance of the amount advanced within 30 days from the date WGP-KHC closes its books of account for such relocation project.

(e). WGP-KHC shall have the right to discontinue the work contemplated herein, without obligation or liability, in the event TP&L fail to make any additional advances requested by WGP-KHC.

4. WGP-KHC will commence performance of the work contemplated by this agreement as soon as reasonably possible provided that WGP-KHC shall not be obligated to commence or continue performance of the work in the event, in WGP-KHC's opinion, an event of force majeure prevents such work from being performed by WGP-KHC or its contractor. The term "force majeure" as here employed shall mean an act of God, strike, lockout, or other industrial disturbance, act of the public enemy, war, blockades, public riot, lightning, fire, storm, flood, explosion, governmental restraint, unavailability of equipment, and any other cause, whether of the kind specifically enumerated above or otherwise, which is not reasonably within the control of WGP-KHC. In no event shall WGP-KHC be liable for any consequential or incidental damages of Noble or any other person or entity, including, without limitation, any third party beneficiary, arising out of the performance of the work under this agreement.
5. TP&L and GCK acknowledges that WGP-KHC's proposed work, as represented by its plan and estimate, has been reviewed by TP&L and GCK and, in the event TP&L and GCK for whatever reason, requires additional work to be done or material to be used by WGP-KHC not contemplated by or included in said plan and estimate attached hereto, TP&L agrees to pay WGP-KHC all additional direct and indirect costs incurred by WGP-KHC to satisfy such additional requirements made by TP&L.
6. TP&L and GCK agree to retain a minimum of 4 feet of cover over the top of the new pipeline. TP&L agrees to be fully responsible for the surface grade and for the construction, maintenance, and repair of the dirt roads and unlined ditches, and specifically agree to maintain clean fill dirt over WGP-KHC's pipeline and to retain a minimum of 4 feet of cover over the top of said pipeline.
7. TP&L ~~and GCK~~ shall assume, protect, indemnify and hold WGP-KHC, Linn Operating, Inc., their contractors, any parent and affiliates and the employees, officers, directors, and agents thereof, harmless from and against all liability claims or suits of any kind whatsoever for damages and injury (including without limitation death), and any and all attendant expense, including court costs and attorney fees, arising out of the construction or existence of the things herein, including any incidents arising from the abandoned-in-place

pipeline, permitted or hereinafter permitted by WGP-KHC on its easement or lease.

**Add language on relinquishing easements on abandoned lines.**

- 8. GCK (grantor) will grant and warrant to WGP-KHC, LLC (grantee) a new and separate Right-Of-Way Agreement, without additional consideration, (standard WGP-KHC, LLC Right-of-Way agreement format) for that portion of new pipeline that will be laid in the said sections described above in order to alleviate interference and conflict with the present location of WGP-KHC’s existing pipelines and proposed construction of the railroad spur by GCK.
- 9. TP&L will be responsible for settling and paying crop damages to any tenants on said land caused by the installation and relocation of the new pipeline and abandonment of existing pipeline. TP&L will also be responsible for payment for the repair and damage of any facilities, lines, and appurtenances that occur from the result of the work being performed under this agreement.
- 10. The terms of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns. The obligation of TP&L and GCK herein shall survive the termination of this agreement.

ACCEPTED AND AGREED to on this the \_\_\_\_ day of \_\_\_\_\_, 2016, by the undersigned

**The City Of Garden City, Kansas:**

**Transportation Partners & Logistics, LLC:**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

By (Print): Chris Law

By (Print): \_\_\_\_\_

Title: Mayor

Title: \_\_\_\_\_

**WGP-KHC, LLC**

By: Regency Gas Services LP, its sole member

By: Regency OLP GP LLC, its general partner

By: \_\_\_\_\_

Robert Rose

Vice President - Land and Right of Way

COUNTY OF FINNEY §

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did say that he is the \_\_\_\_\_ for **The City of Garden City, Kansas**, a Kansas municipal corporation and that said instrument was signed in behalf of said municipal corporation and by authority of its Members and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said municipal corporation.

\_\_\_\_\_  
Notary Public in and for the State of  
Printed Name:  
Commission Expires:

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did say that he is the \_\_\_\_\_ for **Transportation Partners & Logistics, LLC**, a Wyoming limited liability company and that said instrument was signed in behalf of said company by authority of its Members and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said company.

\_\_\_\_\_  
Notary Public in and for the State of  
Printed Name:  
Commission Expires:

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 by Robert Rose, VP - Land and Right of Way of Regency OLP GP LLC, the general partner of Regency Gas Services LP, the sole member of WGP-KHC, LLC, on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public in and for the State of  
Printed Name:  
Commission Expires:



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Ashley Freburg, Communication & Project Manager  
**DATE:** October 18, 2016  
**RE:** 2017 SKC Legislative Agenda

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### **ISSUE:**

The Governing Body is asked to consider and approve the 2017 Southwest Kansas Coalition Legislative Agenda.

### **BACKGROUND:**

Presented for your approval is the Southwest Kansas Coalition's 2017 Legislative Agenda. The Legislative Agenda outlines the policies and initiatives that SKC will ask elected representatives at the State and Federal levels to champion on its behalf.

The 2017 Legislative Agenda was reviewed and amended at the Southwest Kansas Coalition meeting in Liberal on September 7, 2016. The governing bodies of each member city must review and approve the policy for it to be formally adopted.

### **ALTERNATIVES:**

1. Approve the 2017 SKC Legislative Agenda document as presented.
2. Do not approve the 2017 Legislative Agenda documents and provide staff alternate direction.

### **RECOMMENDATION:**

Staff recommends approval of the 2017 SKC Legislative Agenda document as presented.

### **FISCAL NOTE:**

None

### **ATTACHMENTS:**

Description	Upload Date	Type
2017 SKC Legislative Agenda	9/28/2016	Backup Material

SOUTHWEST  
KANSAS  
COALITION  
LEGISLATIVE  
AGENDA  
2017



# SOUTHWEST KANSAS COALITION DEFINED

The Southwest Kansas Coalition (SKC, or "the Coalition") originally consisted of representatives from three southwest Kansas cities; the City of Dodge City, the City of Garden City and the City of Liberal. The City of Hays has now joined the Coalition as an Associate Member. These cities are united as a means to collectively and actively participate in issues impacting the region.

SKC was formed to collectively advocate for the idea that Southwest Kansas should be consistently and thoughtfully considered in state- and federal-level decisions, particularly when such decisions regard issues of importance to region residents.

SKC is profoundly dedicated to the principle of self-determination and is unfeigned in its infinite pursuit of this ideal. In this pursuit, the Coalition believes in rigorous discussion and collective agreement, insofar as such discussion and agreement continually result in a workable and attainable core agenda.

SKC is dedicated to a public policy agenda reflecting these concepts, and has employed the service of representation in Topeka for assistance in meeting the Coalition's policy goals.



# SKC CORE PRINCIPLES

## ANNEXATION

The ability of cities to grow is inherent to the ultimate success of annexation powers as they are currently established in state statute. The current statutory framework was amended in 2011 to balance the interests of cities and those in areas to be annexed. Further amendment would shift this balance in a way that would impede orderly growth. Therefore, SKC opposes any change which limits the authority of cities to grow through annexation.

## ECONOMIC DEVELOPMENT

Southwest Kansas communities rely on state and federal programs to remain competitive in efforts to attract and retain businesses and qualified labor. Unfortunately, many government programs are designed for either urban or rural communities, of which SKC member-cities are neither, due to the region's micropolitan statistical area ( $\mu$ SA) geographical designation. In other words, SKC member-cities are too big for rural-oriented programs, and too small for urban-oriented programs. Therefore, SKC is dedicated to the design and implementation of economic development programs for the growing segment of Kansas communities which, like SKC member-cities, are ineligible for many programs. Restrictions on use of these programs should not hinder practical application.

## EDUCATION

An adequate and stable workforce is essential to maintaining and growing the economy of southwest Kansas. Therefore, SKC believes in establishing educational opportunities for region residents. Such opportunities include, but are not limited to, specialized training programs and educational degree programs. To meet these educational goals, the Coalition wishes to maintain adequate funding to allow for growth and advancement of educational programs in K-12, community colleges, and vocational training programs. Additionally, SKC supports adequate funding for all Kansas Board of Regents institutions.



## EMINENT DOMAIN

Eminent domain is a fundamental municipal power. The authority to acquire property through condemnation proceedings is critical for public improvement projects. Further, the use of eminent domain for economic development has long been recognized as a public use of this authority. SKC supports increased flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

## HISTORIC PRESERVATION

The Historic Tax Credit program and Historic Preservation Grants should be maintained and enhanced. Such programs assist communities in maintaining and/or restoring their historic buildings and serve as a critical resource for economic development and job creation. These credits and grants provide valuable private investments that preserve history and heritage not only for today but also for future generations.

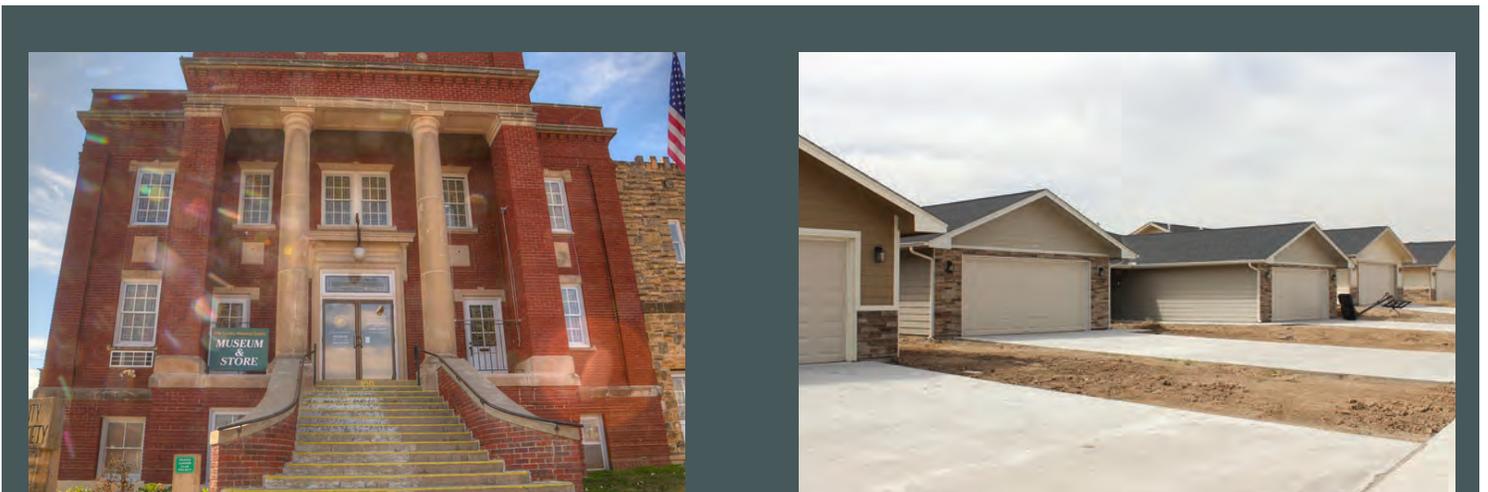
## HOME RULE

SKC supports the longstanding constitutional home rule authority of Kansas cities approved by voters in 1960. Self-governance by locally elected officials must be preserved in order to ensure that local issues and problems are handled at the level of government closest to the citizens that they represent.

## HOUSING

While housing needs in Southwest Kansas continue to grow, new construction lags behind expectations and demand. SKC believes new housing construction and continued rehabilitation of existing housing stock is the best way to meet its housing demand. SKC does not support disproportionate cuts to USDA rural development programs. Such cuts impact citizen funding for housing, which is vital to the continued prosperity of the economy in rural communities.

SKC strongly supports the Moderate-Income Housing (MIH) Program, an initiative funded by the State of Kansas and administered by Kansas Housing Resources Corporation (KHRC), which works to help cities and counties develop multi-family rental units, single-family for-purchase homes, and water, sewer and street extensions in communities with populations of fewer than 60,000 people. MIH funding can also be used to finance construction costs, rehabilitate unsafe or dilapidated housing, and offer down-payment and closing-cost assistance to homebuyers. SKC encourages the State to continue providing MIH funding and also expand its financial commitment to this very important housing program.



# IMMIGRATION

Immigrant and refugee labor is vital to the southwest Kansas economy. Concurrently, SKC believes in legal immigration. Therefore, SKC believes the Kansas Legislature and the United States Congress should approach the immigration issue in a sensible way. For SKC, a sensible approach is an approach built on three essential foundations: 1) all immigration legislation is tempered with an understanding of such legislation's economic impact for companies employing immigrants; 2) a recognition that immigrants living in SKC member-cities require a reduction in time and distance barriers between the individual and his or her pursuance of legal status; and 3) a recognition that SKC member-cities require additional resources to integrate immigrants into the community.

# INTERNET SALES TAX

We urge Congress to take action to implement the mandatory collection of sales and use taxes on remote sales. The legislation should not preempt state and local sales and use tax authority. Should federal legislation allow for the state imposition of such taxes, we support the distribution of those funds to cities and counties using an equitable formula. Kansas should continue to participate in the Streamlined Sales Tax Project.

# KANSAS TAX SYSTEM

Cities are important partners in creating jobs, reviving the economy, delivering vital services, and providing quality of life. The Governor and Kansas Legislature should include city leaders in discussions about restructuring the Kansas tax system and any changes must avoid shifting additional financial burdens to local governments. SKC opposes the removal of sales exemptions for Kansas Municipalities.

# PROPERTY TAX EXEMPTIONS

SKC believes that the existing property tax base should be protected and, therefore, encourages the Legislature to resist any proposal to further exempt any specific property classification from taxation. The machinery and equipment exemption should not be expanded. The Legislature should actively review existing exemptions in order to determine whether the exemptions are still appropriate or should be repealed.



## RENEWABLE ENERGY

SKC strongly supports the renewable energy industry and the impact it has on the development of wind and biogas projects. SKC believes that developing viable wind and biogas industries in the United States can boost the economy and provide a reliable, distributed source of renewable energy while reducing greenhouse gas emissions. We encourage the retention and expansion of renewable tax credits and financial incentives to financially stabilize this industry.

## STAR BONDS

SKC supports the ability of cities to utilize STAR bonds in order to promote economic development in their communities

## TAX SPENDING LID

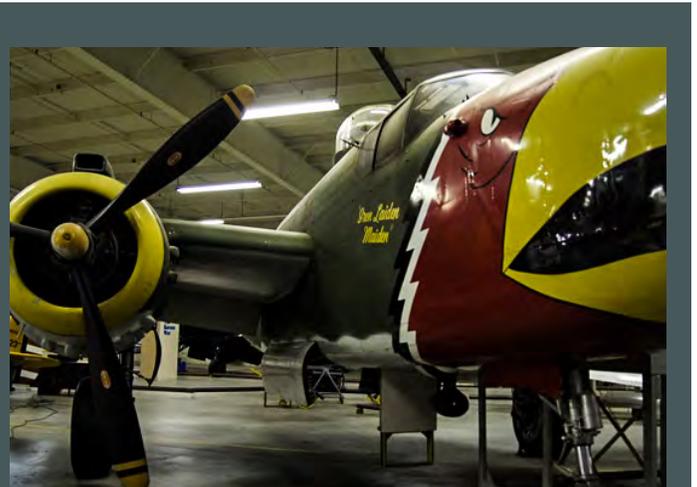
SKC opposes any state-imposed limits on the taxing and spending authority of cities. SKC believes that local spending and taxing decisions are best left to locally elected officials and the citizens they serve.

## TRANSPORTATION

Transportation infrastructure is critical to the safety of region residents and travelers. Transportation infrastructure is also vital to the regional economy's maintenance and growth. Therefore, SKC believes in the continued advocacy and funding for transportation infrastructure and maintenance in southwest Kansas.

### AIR TRANSPORTATION

Federal funding for passenger air service is vital to Southwest Kansas. The Essential Air Service Program is critical to providing the region with access to multiple major international airports. SKC encourages continued support from the Congressional Delegation. SKC supports increased FAA safety regulations; however, the qualifier of seat time has drastically reduced the number of qualified pilots under FAA regulations for Essential Air Service (EAS) thus resulting in cancelled flights. SKC supports incorporating qualified classroom training for commercial pilot certification in order to meet the increasing demand for passenger air transportation service in Southwest Kansas communities. SKC also supports continued and uninterrupted funding of Federal Aviation Administration and expansion of the Airport Improvement Projects (AIP) for airports. Federal funding through the Airport Improvement Program (AIP) is critical to maintaining the infrastructure of airports.



# TRANSPORTATION

## RAIL TRANSPORTATION

SKC supports enhanced passenger and freight rail service in Kansas. In particular, the Coalition strongly supports the continuation of Amtrak passenger rail service along the Southwest Chief line, which operates between Chicago and Los Angeles. SKC encourages State and Federal funding to preserve this needed transportation link to access the south western region of the State. Passenger ridership along this section of the Southwest Chief steadily increases as more Kansans take advantage of the convenience of passenger rail transportation.

## HIGHWAY TRANSPORTATION

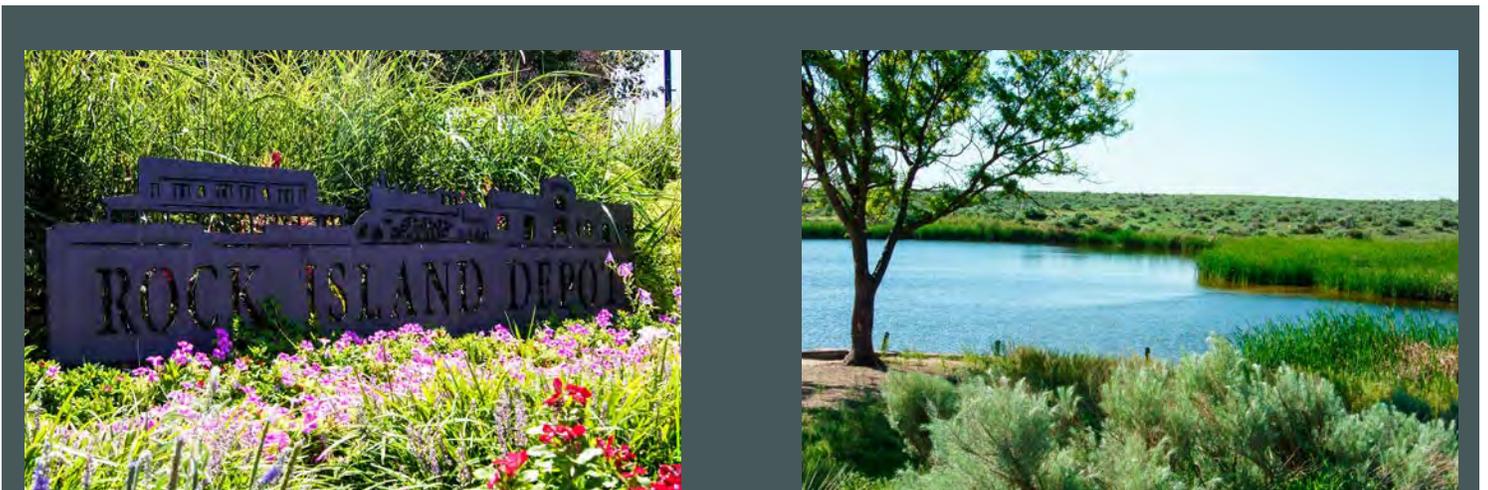
Federal transportation dollars should be spent on transportation infrastructure. Transportation infrastructure is vital to our state's and country's economy, individuals' safety and our nation's defense. The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. SKC supports correction of the distribution of funds to the Special City County Highway Fund from the collection of fees on interstate commercial vehicles. Such funding should include the transfer of fees from the registration of out-of state commercial vehicles directed by K.S.A. 9-3425i. SKC supports the continued maintenance and expansion of the transportation infrastructure in Kansas. SKC supports full funding of the Kansas T-Works comprehensive transportation program. We oppose any use of these funds to balance the State's general fund budget. Any reduction in T-Works funding jeopardizes state and regional economic development.

## WATER

SKC is dedicated to thoughtful water policy that enables member-cities to safely and effectively meet water needs while also protecting resources. SKC believes increased local involvement is critical to the successful implementation of a water plan. SKC also strongly encourages the development of new and sustainable water supplies.

## ZONING

Zoning is a fundamental municipal responsibility and is best controlled by local governments. This regulatory process is an activity best suited to the locally elected municipal bodies when considerations of acceptability and compatibility must be weighed against the health, safety and welfare of the community. SKC opposes any change which would limit authority of cities.





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Ashley Freburg, Communication & Project Manager  
**DATE:** October 18, 2016  
**RE:** 2017 Garden City Legislative Agenda

---

### **ISSUE:**

The Governing Body is asked to consider and approve the federal and state editions of the 2017 Garden City Legislative Agenda.

### **BACKGROUND:**

Presented for your approval are the federal and state editions of the 2017 Legislative Agenda. The Legislative Agenda outlines the policies and initiatives that the City will ask elected representatives at the State and Federal levels to champion on its behalf.

### **ALTERNATIVES:**

1. Approve the federal and state editions of the 2017 Legislative Agenda as presented.
2. Modify and approve the federal and state editions of the 2017 Legislative Agenda.
3. Do not approve the federal and state editions of the 2017 Legislative agenda and provide staff with alternate direction.

### **RECOMMENDATION:**

Staff recommends approval of the federal and state editions of the 2017 Legislative Agenda as presented.

### **FISCAL NOTE:**

None

### **ATTACHMENTS:**

Description	Upload Date	Type
2017 State Legislative Agenda	10/12/2016	Backup Material
2017 Federal Legislative Policy	10/14/2016	Backup Material



GARDEN CITY  
ADMINISTRATIVE  
CENTER



THE WORLD GROWS HERE



2017 LEGISLATIVE  
POLICY  
STATE EDITION



# SUMMARY POSITION

In 2017 the City of Garden City seeks to preserve the values and funding essential to effective local governance. The 2017 Legislative Policy outlines a set of legislative issues that the City will ask State and Federal representatives to champion. These issues ensure that core government services to Garden City residents remain intact; particularly roads, public safety, passenger rail, commercial air service, and airport infrastructure along with protection from unfunded mandates. Furthermore, the goals promote undiminished Home Rule, including the ability to adequately provide for managed growth through annexation and the proper use of eminent domain. The following agenda identifies these and other core areas of legislative importance to Garden City as well as specific items we are asking our delegation to address during the 2017 session.

## CORE PRINCIPLES

### **Home Rule:**

We support self-governance by locally elected officials as provided for in the State's Constitution. Specifically, we feel local governments should control their rights-of-way, have condemnation authority, be immune from tort liability, and be free to voluntarily cooperate with other public and private entities, as well as State government, to ensure the best level of service for our citizens. We do not support actions at the state level that erode representative democracy or local self-determination.

### **Tax Spending Lid:**

We oppose any state-imposed limits on the taxing and spending authority of cities. We believe that local spending and taxing decisions are best left to locally elected officials and the citizens they serve.

### **Annexation:**

The ability of Garden City to plan for growth is inherent to the ultimate success of our community and Finney County. We support the ability of cities to use their annexation powers as they are currently established in state statute. We oppose any change that limits the authority of cities to grow through annexation.



# CORE PRINCIPLES (CONT.)

## **Service Territory**

The City of Garden City supports the current state electric utility service territory law. Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. The City of Garden City supports the current statutory framework allowing cities' jurisdictional limits to change over time due to the annexation of land, including land located within the service territory of another utility provided.

## **Eminent Domain:**

Eminent Domain is a fundamental municipal right. The authority to acquire property through condemnation proceeds is critical for public improvement projects. Furthermore, the use of eminent domain for economic development has long been recognized as a legitimate and beneficial use of this authority. We support the existing statutory safeguards that were enacted to protect private property interests.

## **Transportation:**

Passenger rail, freight rail, commercial aviation, general aviation and adequate highways are critical to the safety of our citizens as well as a vital means of maintaining and growing our local economy. We feel that infrastructure development in the western half of the state should be a top priority as the State of Kansas seeks to complete projects through the Transportation Works For Kansas Program. The City of Garden City opposes any further depletion of KDOT funding to balance the State budget.

## **Unfunded Mandates:**

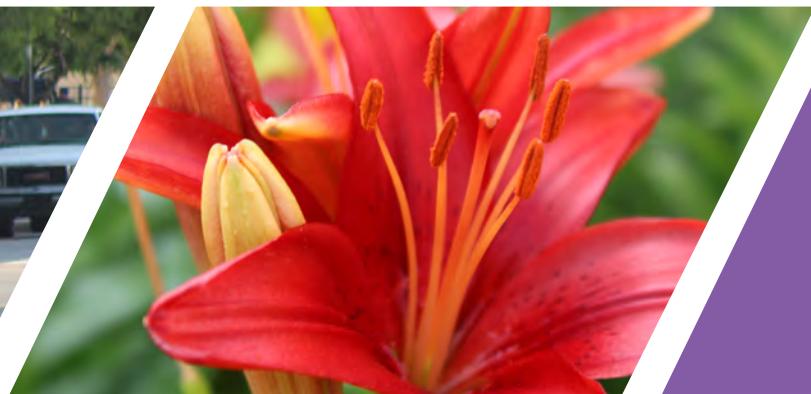
We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, an appropriate level of funding should accompany such mandates.

## **Restoration of Demand Transfers:**

The State unfortunately continues to fail to meet its statutory obligation to local units of government with respect to demand transfers. Demand Transfers fund core services for cities. Therefore, as the State continues to withhold those payments to local governments, they are only shifting the State's tax burden onto local taxing units and their constituents.

## **Kansas Open Meetings Act (KOMA) and Kansas Open Records Act (KORA):**

We support all levels of government being subject to the same open meetings requirements which promote citizen involvement without being unduly burdensome. Open Records laws should balance the public right to access with the necessity of protecting the privacy of individual citizens and the ability of public agencies to conduct essential business functions.



# TRANSPORTATION

The State of Kansas should adhere to multi-year transportation commitments. It should also augment KDOT and T-Works funding with increased or alternative funding sources, such as an automatic CPI escalation on gas tax or a Vehicle Miles Traveled tax mechanism. The state of Kansas should not adversely affect the T-WORKS program or reduce its funding source. The City of Garden City opposes any further use of these funds to balance the States' general fund budget. Further reductions in T-WORKS funding would jeopardize existing programs.

Furthermore, the City of Garden City opposes diversion of funds from the City-County Highway Fund for other purposes. The City-County Highway Fund is critical to maintaining local roads and should not be diverted for other purposes. Additionally, the City of Garden City supports correction of the distribution of funds to the Special City-County Highway Fund from the collection of fees on interstate commercial vehicles.

## RAIL TRANSPORTATION

The State of Kansas should invest in rail modernization to preserve rail service in western Kansas and to foster economic development. Preserving cross-country rail service through Garden City and southwest Kansas is important as rural regions must offer many alternative modes of transportation. Freight and passenger rail service is one way to maintain and grow the economy of southwest Kansas. Such service includes, but is not limited to, southwest Kansas Amtrak service. We ask that our delegation continue support of passenger rail service to southwest Kansas.

## WATER USE

The City of Garden City is dedicated to thoughtful water policy that enables cities to safely and effectively meet current and future water needs while also protecting resources. Many areas in Kansas are experiencing a decline in the quantity and quality of traditional water supplies and face severe drought conditions. The City of Garden City supports efforts to preserve water availability, promote technology to improve water quality and increase supply flexibility, and provide access to new sources of water. Funding for the State Water Plan Fund should first come from the SWPF currently reflected in the Statutes. No new sources of funding should be sought until the State of Kansas is willing to actually spend the funds it has allocated to the SWPF on the SWPF. When new funding strategies are sought, they should be equitable among all consumers of water and not place an undue hardship on municipal water users (currently representing 50.5% of SWPF funds). Garden City also strongly encourages the development of new and sustainable water supplies.



# HOUSING

While housing needs in Southwest Kansas continue to grow, new construction lags behind expectations and demand. Garden City believes new housing construction and continued rehabilitation of existing housing stock is the best way to meet its housing demand. Garden City does not support disproportionate cuts to USDA rural development programs. Such cuts impact citizen funding for housing, which is vital to the continued prosperity of the economy in rural communities.

Garden City strongly supports the Moderate-Income Housing (MIH) Program, an initiative funded by the State of Kansas and administered by Kansas Housing Resources Corporation (KHRC), which works to help cities and counties develop multi-family rental units, single-family for-purchase homes, and water, sewer and street extensions in communities with populations of fewer than 60,000 people. MIH funding can also be used to finance construction costs, rehabilitate unsafe or dilapidated housing, and offer down-payment and closing-cost assistance to homebuyers. Garden City encourages the State to continue providing MIH funding and also expand its financial commitment to this very important housing program.

# IMPROVED PATH TO CITIZENSHIP

The Kansas Legislature and the United States Congress should engage the immigration issue in a sensible way: a way that is built upon the recognition that southwest Kansas not only requires a reduction in time and distance barriers between an immigrant and his or her pursuit of legal residency, but also require additional resources in the process of integrating immigrants into the community. The City of Garden City believes that United States Citizenship and Immigration Services (USCIS) should continue to increase frequency of available mobile units in southwest Kansas as one way to reduce the time and distance barriers between immigrants and legal residency. The City of Garden City wishes to continue to foster dialogue with USCIS to determine if a mutually beneficial agreement can be made.

Many rural and micropolitan-sized areas depend on immigrant and refugee labor. In fact, many such areas are experiencing significantly lower unemployment rates than the rest of the country in a time of economic downturn. As a result of the complexity and availability of immigration services, many immigrants who were previously in compliance with USCIS have lost legal status, and many refugees have had difficulty renewing and soliciting USCIS services. Therefore, immigration policy must be sensible, considering the many aspects of a complicated issue. Congress should consider providing assistance to under-served rural areas with large immigrant populations with the services provided by Federal Immigration Offices. The establishment of such services would signify a sustained effort by the Federal Government to remove time and distance barriers between an immigrant and his or her pursuit of citizenship.



# BALANCED BUDGET

The City of Garden City supports the State of Kansas balancing its budget through a reasonable approach to expenditures and revenues. Cities are important partners in creating jobs, reviving the economy, delivering vital services, and providing quality of life. The Governor and Kansas Legislature should include city leaders in discussions about restructuring the Kansas tax system and any changes must avoid shifting additional financial burdens to local governments.

# INTERGOVERNMENTAL DIALOGUE

The City of Garden City supports current law regarding the use of state and local public money to provide information and advocate on behalf of Garden City and its citizens. Communication between all levels of government is critical to the successful delivery of public services to the citizens of Kansas. Representatives from cities provide facts and information that are crucial to intergovernmental relations, and as such, should have the same rights and responsibilities as private interstate lobbyists.

# EMPLOYEE BENEFITS

The City of Garden City supports the State's efforts to maintain the solvency of the Kansas Public Employees Retirement System in difficult economic times. The State of Kansas must not defer payments to KPERS and must discontinue the practice of using bonds to help fund KPERS. Cities and schools cannot shirk responsibilities to KPERS, the State should not either.

The Kansas Public Employees Retirement System (KPERS) serves an integral function in allowing municipal organizations to provide employees with beneficial reliable retirement options. As such, the City of Garden City supports legislative efforts to enhance the solvency of KPERS in times of economic upheaval by providing employees with a diverse professional investment portfolio that will offer long-term security.

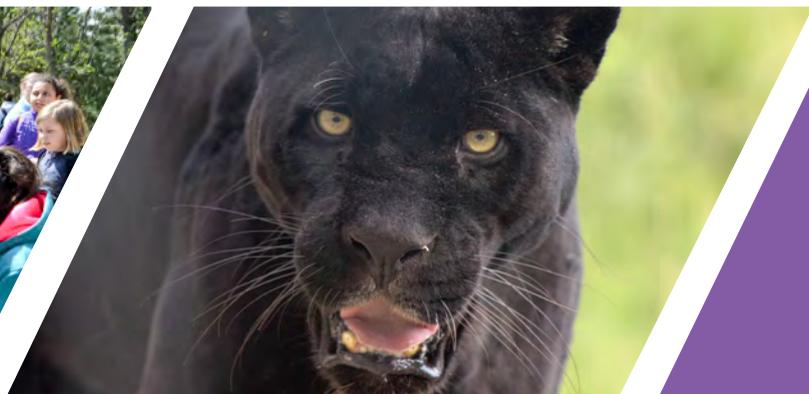


# EDUCATION FUNDING

The City of Garden City supports stable and equitable school funding. The City of Garden City supports legislative action that serves to continue a stabilized tax distribution funding formula for education in Kansas. Any action that would impact the existing funding formula could create a scenario in which school districts are forced to increase local mill levy tax rates in order to offset education funding which places undue burden on the local tax base.

# DANGEROUS ANIMAL CONTACT

Uphold legislation that protects the general public from contact with potentially dangerous animals. Garden City is home to Lee Richardson Zoo, an Accredited Institutional Member of the Association of Zoos and Aquariums (AZA). The AZA provides the highest in standards for the captive care and wellbeing of animals in a zoological setting. It is a basic tenant of the AZA Accreditation Standards that only trained professionals have limited contact with potentially dangerous animals, regardless of weight, and that potentially dangerous animals used in public demonstrations are separated from the general public by appropriate barriers and other protective mechanisms so as to prevent contact between the public and the animal. Restrictions ensure that the health and safety of the general public is always protected while ensuring for the protection and welfare of the animals being displayed.





GARDEN CITY  
— KANSAS —





GARDEN CITY  
ADMINISTRATIVE  
CENTER



THE WORLD GROWS HERE



2017 LEGISLATIVE  
POLICY  
FEDERAL EDITION



GARDEN CITY  
— KANSAS —

# SUMMARY POSITION

In 2017 the City of Garden City seeks to preserve the values and funding essential to effective local governance. The 2017 Legislative Policy outlines a set of legislative issues that the City will ask State and Federal representatives to champion. These issues ensure that core government services to Garden City residents remain intact; particularly roads, public safety, passenger rail, commercial air service, and airport infrastructure along with protection from unfunded mandates. Furthermore, the goals promote undiminished Home Rule, including the ability to adequately provide for managed growth through annexation and the proper use of eminent domain. The following agenda identifies these and other core areas of legislative importance to Garden City as well as specific items we are asking our delegation to address during the 2017 session.

## CORE PRINCIPLES

### **Home Rule:**

We support self-governance by locally elected officials as provided for in the State's Constitution. Specifically, we feel local governments should control their rights-of-way, have condemnation authority, be immune from tort liability, and be free to voluntarily cooperate with other public and private entities, as well as State government, to ensure the best level of service for our citizens. We do not support actions at the state level that erode representative democracy or local self-determination.

### **Tax Spending Lid:**

We oppose any state-imposed limits on the taxing and spending authority of cities. We believe that local spending and taxing decisions are best left to locally elected officials and the citizens they serve.

### **Annexation:**

The ability of Garden City to plan for growth is inherent to the ultimate success of our community and Finney County. We support the ability of cities to use their annexation powers as they are currently established in state statute. We oppose any change that limits the authority of cities to grow through annexation.



# CORE PRINCIPLES (CONT.)

## **Service Territory**

The City of Garden City supports the current state electric utility service territory law. Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. The City of Garden City supports the current statutory framework allowing cities' jurisdictional limits to change over time due to the annexation of land, including land located within the service territory of another utility provided.

## **Eminent Domain:**

Eminent Domain is a fundamental municipal right. The authority to acquire property through condemnation proceeds is critical for public improvement projects. Furthermore, the use of eminent domain for economic development has long been recognized as a legitimate and beneficial use of this authority. We support the existing statutory safeguards that were enacted to protect private property interests.

## **Transportation:**

Passenger rail, freight rail, commercial aviation, general aviation and adequate highways are critical to the safety of our citizens as well as a vital means of maintaining and growing our local economy. We feel that infrastructure development in the western half of the state should be a top priority as the State of Kansas seeks to complete projects through the Transportation Works For Kansas Program. The City of Garden City opposes any further depletion of KDOT funding to balance the State budget.

## **Unfunded Mandates:**

We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, an appropriate level of funding should accompany such mandates.

## **Restoration of Demand Transfers:**

The State unfortunately continues to fail to meet its statutory obligation to local units of government with respect to demand transfers. Demand Transfers fund core services for cities. Therefore, as the State continues to withhold those payments to local governments, they are only shifting the State's tax burden onto local taxing units and their constituents.

## **Kansas Open Meetings Act (KOMA) and Kansas Open Records Act (KORA):**

We support all levels of government being subject to the same open meetings requirements which promote citizen involvement without being unduly burdensome. Open Records laws should balance the public right to access with the necessity of protecting the privacy of individual citizens and the ability of public agencies to conduct essential business functions.



# HOUSING

While housing needs in Southwest Kansas continue to grow, new construction lags behind expectations and demand. Garden City believes new housing construction and continued rehabilitation of existing housing stock is the best way to meet its housing demand. Garden City does not support disproportionate cuts to USDA rural development programs. Such cuts impact citizen funding for housing, which is vital to the continued prosperity of the economy in rural communities.

# IMPROVED PATH TO CITIZENSHIP

The United States Congress should engage the immigration issue in a sensible way: a way that is built upon the recognition that southwest Kansas not only requires a reduction in time and distance barriers between an immigrant and his or her pursuance of legal residency, but also require additional resources in the process of integrating immigrants into the community. The City of Garden City believes that United States Citizenship and Immigration Services (USCIS) should continue to increase frequency of available mobile units in southwest Kansas as one way to reduce the time and distance barriers between immigrants and legal residency. The City of Garden City wishes to continue to foster dialogue with USCIS to determine if a mutually beneficial agreement can be made.

Many rural and micropolitan-sized areas depend on immigrant and refugee labor. In fact, many such areas are experiencing significantly lower unemployment rates than the rest of the country in a time of economic downturn. As a result of the complexity and availability of immigration services, many immigrants who were previously in compliance with USCIS have lost legal status, and many refugees have had difficulty renewing and soliciting USCIS services. Therefore, immigration policy must be sensible, considering the many aspects of a complicated issue. Congress should consider providing assistance to under-served rural areas with large immigrant populations with the services provided by Federal Immigration Offices. The establishment of such services would signify a sustained effort by the Federal Government to remove time and distance barriers between an immigrant and his or her pursuit of citizenship.



# FEMA

The City of Garden City supports new legislation prohibiting FEMA from adding previously unmapped or any new Special Flood Hazard Areas to Flood Insurance Rate Maps without local government agency approval. In addition, we support new legislation prohibiting FEMA from using an approximate method for establishing new Special Flood Hazard Areas, particularly in developed areas of the country. The approximate method was designed by FEMA to streamline map modernizations and employs no reasonable opportunity for due process by affected property owners and local officials. New Special Flood Hazard Areas should only be added to the Flood Insurance Rate Maps after a detailed study and concurrence of local government.

# INTERNET SALES TAX

The City of Garden City supports the adoption of permanent Streamlined Sales Tax for Internet sales, including a local compensating use component. We urge Congress to take action as soon as practicable to pave the way for mandatory collection of sales and use taxes on remote sales. Any federal legislation should not preempt state and local sales tax authority. We categorically oppose including any other issue, including changes in the ability of cities to impose and collect taxes and franchise fees on telecommunications providers, as part of streamlined sales tax legislation.

# RIGHTS-OF-WAY

The City of Garden City opposes legislation eliminating or limiting the authority of cities and counties to control their rights-of-way. The City of Garden City asks our delegation to continue to protect local control of rights-of-way by opposing legislation which eliminates, circumvents or limits the rights of City's to control public rights-of-way within their jurisdiction. The City of Garden City also opposes the intervention of the FCC chairman to take action in opposition to Congressional position on this matter.



# TRANSPORTATION

The City of Garden City Opposes legislation that would erode federal funding for transportation and support a long term transportation bill. The Highway Trust Fund suffers from dwindling revenue. It cannot keep up with current funding needs, and cannot fund actual needed improvements. Congress should pass a long term transportation bill. It should not follow past approaches—simply authorizing short term extensions for months or years as Congress argues with itself. Nor should Congress adopt radical new legislation without a politically unbiased study.

Surface transportation is not simply a matter for each state to decide. Interstate commerce relies on the highway system, making it a national issue. Federal highway funding provides approximately 50 percent of the transportation funds for all states. Some states are donors, paying more federal gas tax than they receive back, while others benefit from more funding than the federal tax collects. Kansas is a donor state. A 2011 Heritage Foundation report shows Kansas's return of the federal gas tax from 1956 to 2009 was 98.7%. In order for Kansas to make up the lost revenue from federal funding, a significant increase in state gas tax would be necessary. It is likely that the state gas tax increase would need to be greater than the federal gas tax decrease.

## AIR TRANSPORTATION

Federal funding for passenger air service is vital to Southwest Kansas. The Essential Air Service Program is critical to providing the region with access to multiple major international airports. The City of Garden City encourages continued support from the Congressional Delegation. The City of Garden City supports increased FAA safety regulations; however, the qualifier of seat time has drastically reduced the number of qualified pilots under FAA regulations for Essential Air Service (EAS) thus resulting in canceled flights. The City of Garden City supports incorporating qualified classroom training for commercial pilot certification in order to meet the increasing demand for passenger air transportation service in Southwest Kansas communities. The City of Garden City also supports continued and uninterrupted funding of Federal Aviation Administration and expansion of the Airport Improvement Projects (AIP) for airports. Federal funding through the Airport Improvement Program (AIP) is critical to maintaining the infrastructure of airports.



## HIGHWAYS

The City of Garden City supports continued funding of the Federal Highway Program at authorized levels. Continued funding of the Federal Highway Program at authorized levels helps ensure jobs are created and our country provides an infrastructure that can support business and economic development. It is not possible for Kansas to maintain our transportation system and the related jobs without the help of the Federal Highway Program and the reimbursement funds provided to the State. The Federal Highway Program helps ensure that the thousands of jobs secured or created with the Kansas T-WORKS program can continue to provide an infrastructure that supports business and economic development.

## RAIL TRANSPORTATION

The City of Garden City supports continued rail service to and through southwest Kansas. Preserving cross-country rail service through Garden City and southwest Kansas is important as rural regions must offer alternative modes of transportation. Freight and passenger rail service is one way to maintain and grow the economy of southwest Kansas. Such service includes, but is not limited to, southwest Kansas Amtrak service. Amtrak should continue to be adequately funded at the federal level. Necessary upgrades to rail infrastructure should be provided through a joint effort involving the federal government, states, Amtrak and BNSF. The City of Garden City supports continued funding of the TIGER Discretionary Grants program, which has been a major benefit to southwest Kansas in Keeping Amtrak's Southwest Chief in service.





GARDEN CITY  
— KANSAS —





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Sam J. Curran, Director of Public Works; Andy Liebelt, Superintendent of Public Grounds  
**DATE:** October 18, 2016  
**RE:** VO Interlocal Agreement 2016

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### **ISSUE:**

The Governing Body is asked to consider and approve an Interlocal Agreement between the City of Garden City and USD 457 concerning the development and maintenance of a walking track and open park space on real property owned by USD 457 east of Victor Ornelas Elementary School.

### **BACKGROUND:**

The City has identified several community needs, including the development of a public park, to include walking trails and exercise equipment stations, as well as other aesthetic enhancements to improve the quality of life in the community. USD 457 has expressed a desire to improve the recreational and aesthetic condition of certain real property owned by USD 457 adjacent to VOES. USD 457 has recognized that the real property may be better used for a public purpose than in its current state of development. USD457 has also successfully applied for a Sunflower Foundation trail grant to assist in the development of a trail at this location. It is the desire of the City and USD 457 to cooperate to provide and maintain a such a facility.

The City and USD 457 staff have met to design, develop cost estimates and negotiate the terms in the proposed interlocal agreement.

If approved, construction would begin in 2016.

### **ALTERNATIVES:**

Alternative 1: Approve the Interlocal Agreement as written

Alternative 2: Deny the Interlocal Agreement as written

Alternative 3: Direction from Governing Body

### **RECOMMENDATION:**

Staff recommends Alternative 1: Approve the Interlocal Agreement as written.

### **FISCAL NOTE:**

The proposal represents an approximate City contribution of \$14,000. \$8,217.50 of this is estimated actual cost of materials which will need to be reflected in an amended 2017 Budget (032-21-211-5530.07 and 001-14-135-5580). The balance is soft cost (labor) for which adequate funds are already budgeted.

**ATTACHMENTS:**

Description	Upload Date	Type
Interlocal Agreement	10/12/2016	Backup Material

## INTERLOCAL AGREEMENT

### BETWEEN

### **THE CITY OF GARDEN CITY, KANSAS AND THE BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 457**

THIS INTERLOCAL AGREEMENT (Agreement) made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF GARDEN CITY, KANSAS, a municipal corporation (City), and the BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 457 (USD 457).

WHEREAS, it is the desire of the City and USD 457 to make the most efficient use of their powers by cooperating to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of the community; and

WHEREAS, USD 457 has expressed a desire to improve the recreational and aesthetic condition of certain real property owned by USD 457 adjacent to Victor Ornelas Elementary School (VOES), and USD 457 has recognized that the real property may be better used for a public purpose than in its current state of development; and

WHEREAS, the City has identified several community needs, including the development of a public park, to include a walking trail and exercise stations, and other aesthetic enhancements to improve the quality of life in the community.

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

1. **DESCRIPTION OF REAL PROPERTY.** The real property owned by USD 457, to be developed pursuant to this Agreement, is more specifically described as follows:

- a) A tract located east of VOES, and north of Spruce Street, Garden City, Finney County, Kansas, generally described as the East 290' of Lot 1, Block 1, Mayo East Addition, containing 4.17 acres +/- (Real Property). (See Exhibit A)

2. **AUTHORITY TO CONTRACT.** The City and USD 457 possess the power, privilege, and/or authority to enter into this Agreement pursuant to K.S.A. 12-101, K.S.A. 12-2901 *et seq.*, K.S.A. 72-1625, and K.S.A. 72-8201, and the Kansas Constitution, Article 6, Sec. 5; and Article 12, Sec. 5.

3. **ADOPTION.** The City and USD 457 shall take all appropriate action to adopt and approve this Agreement by ordinance, resolution, or motion. Any subsequent amendment to, or extension of, this Agreement shall also require adoption by appropriate action.

4. **DURATION.** This Agreement shall be for a term of five (5) years from the date set forth above. At the expiration of the initial five (5) year term, this Agreement shall continue for an additional five (5) year term, unless either party gives notice of termination of this Agreement at least one (1) year prior to the end of the initial term. The parties further acknowledge and agree that any extension of the original term shall require approval by appropriate action of the governing bodies of the City and USD 457.

5. **SEPARATE ENTITY/ADMINISTRATION.** It is not the intent of the City and USD 457 to create a separate legal or administrative entity to perform the functions of the Agreement. The City Manager of the City and the Superintendent of USD 457 shall be responsible for administration of the Agreement, subject to approval by the governing bodies of the City and USD 457.

6. **MANNER OF FINANCING.** The manner of financing to support the purpose of this Agreement shall be through funds generated through the expenditure of general funds, with respect to the City, general funds and/or capital outlay funds, with respect to USD 457, and grants or private contributions of funds.

7. **TERMINATION.** This Agreement may be terminated by either party, for any reason, by giving not less than one (1) years' notice to the other party. Upon termination of this Agreement, whether prior to the end of the initial term, or at the end of a term, the Real Property owned by USD 457 shall remain the Real Property of USD 457, free and clear of any claim or interest of the City.

8. **DEFAULT.** Should a party fail to abide by the terms and conditions of the Agreement, the other party may declare a default and thereafter, give written notice of intent to terminate by reason of default, said notice to be not less than one (1) year. This Agreement shall not limit in any manner, the legal rights or remedies a party might have in the event of a default.

9. **PURPOSE.** The purpose of this Agreement is to provide for the joint development and use of the Real Property owned by USD 457 as a public park so as to provide recreational and aesthetic enhancements for the community. The specific responsibilities of each of the parties shall be as follows:

A. **USD 457:**

- i. Retain ownership of the Real Property and file the Real Property as tax exempt/public purpose.
- ii. Authorize the City to develop the Real Property in a manner consistent with the stated intentions of the City identified herein.
- iii. Allow use of the Real Property for a public park open to the general public. The park shall include an asphalt walking trail and exercise equipment/stations.
- iv. Allow public access to paved, off-street parking areas located on the grounds of VOES during the evenings and on weekends, unless school related activities are scheduled and conflict.
- v. Maintain the Real Property and improvements, except as noted below.
- vi. Install an underground irrigation system.

**B. CITY:**

- i. Develop the Real Property as a public park with an asphalt walking trail, exercise stations, and green open space.
- ii. Provide the necessary coordination and planning for site grading, seeding, tree planting, installation of an asphalt walking trail, ADA connecting sidewalks, and any other work necessary to properly develop the Real Property as a public park.
- iii. Provide water to the Real Property, at no cost to USD 457. The water provided shall be separately metered from the water provided to VOES. The City may eventually provide non-potable water for irrigation of the Real Property.
- iv. Maintain and repair asphalt walking trail, and control grass on or near asphalt walking trail.

**C. JOINT:**

- i. Costs and responsibilities for improvement of the Real Property are detailed in Exhibit B.
- ii. The parties agree that USD 457 school related activities scheduled to be held at the Real Property shall be granted priority over general public use of the Real Property.

10. **LEGAL RESPONSIBILITY.** It is not the intent of the City or USD 457 to relieve either party of any obligation or responsibility imposed upon a party by law.

11. **CONTROL OF LEGISLATURE/FUNDING.** The parties acknowledge and agree that this Agreement is subject to change, termination, or limitations, as may be determined by the Legislature of the State of Kansas. In the event sufficient funds shall not be appropriated by the City or USD 457 for any obligations required under the terms and conditions of the Agreement, the City and/or USD 457 may terminate this Agreement pursuant to the notice requirements set forth herein.

12. **GENERAL COVENANTS.**

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

- 1) If to the City: City Manager  
P. O. Box 998  
Garden City, Kansas 67846
- 2) If to USD 457: Superintendent of Schools  
1205 Fleming Street  
Garden City, Kansas 67846

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

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year first above written.

CITY OF GARDEN CITY, KANSAS

By \_\_\_\_\_  
Chris Law, Mayor

ATTEST:

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

BOARD OF EDUCATION OF  
UNIFIED SCHOOL DISTRICT NO. 457

By \_\_\_\_\_  
Jean M. Clifford, President

ATTEST:

\_\_\_\_\_  
Joanne Nelson, Clerk of the Board

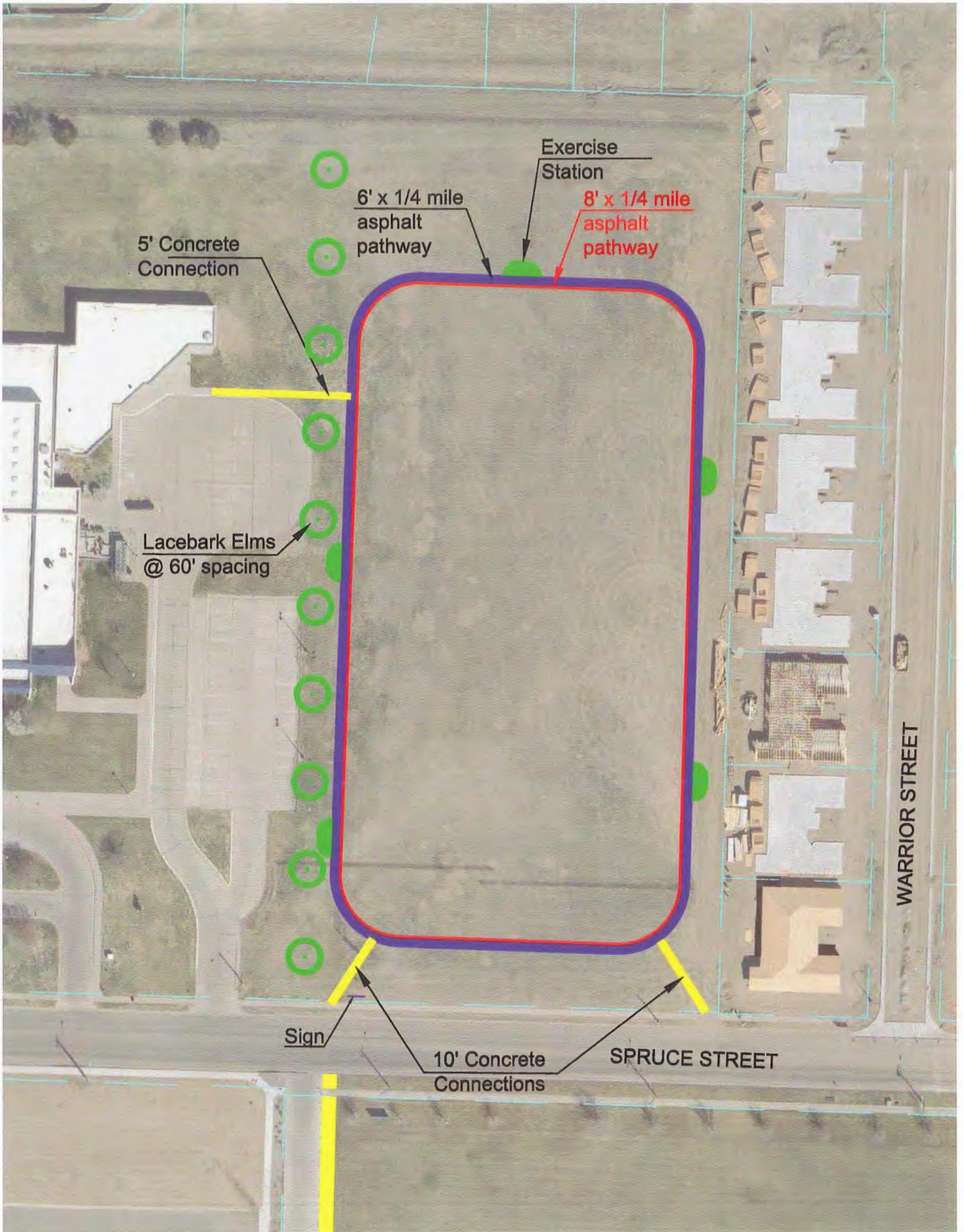


Exhibit A

## Victor Ornelas Walking Park Expenses

### Expenses

Property Area	4.5 Acres	196,000 feet <sup>2</sup>
Grass Area	4.25 Acres	185,460 feet <sup>2</sup>
Trail Area	1,180 yards <sup>2</sup>	10,620 feet <sup>2</sup>

	Quantity	Unit	Per Unit	USD 457	City	Outside	Notes
<b>Vegetation</b>							
Bermudagrass Seed/Miorganite/Fuel	185	1,000 ft <sup>2</sup>	\$ 21.00	\$ 1,942.50	\$ 1,942.50		Seed June 1, 2017
Labor	16	hrs	\$ 30.00		\$ 480.00		
2 Apps of Roundup/ 1 App Sterilant	3	apps	\$ 55.00		\$ 165.00		Sterilize under track. Roundup Spring
Labor	8	hrs	\$ 30.00		\$ 240.00		
10 Lacebark Elm Trees (City Nursery)	16	hrs	\$ 150.00	\$ 1,200.00	\$ 1,200.00		Hire Tree Spade in Spring
Labor	16	hrs	\$ 30.00		\$ 480.00		
<b>Totals</b>				\$ 3,142.50	\$ 4,507.50		

<b>Trail Prep 3" depth</b>							
Dirt Removal	1/4 Acre					Mike Russell	
<b>Totals</b>							

<b>Irrigation</b>							
Irrigation bid				\$ 25,000.00			
<b>Totals</b>				\$ 25,000.00			

<b>Trail Install 1/4 mile by 8'</b>							
Klotz Bid				\$ 36,000.00			
<b>Totals</b>				\$ 36,000.00			

	Quantity	Unit	Per Unit	USD 457	City	Outside	Notes
<b>ADA Connections</b>							
3 connecting Sidewalks	39	yd <sup>3</sup>	\$ 190.00		\$ 7,410.00		
8 Wide x 6" Thick							
<b>Totals</b>					\$ 7,410.00		

<b>Amenities</b>							
Outdoor-Fitness Pricing				\$ 4,395.86			
Sign Source bid				\$ 980.00			
<b>Totals</b>				\$ 5,375.86			

<b>Future Maintenance</b>							
Grounds (Fuel and Materials)	216	gal	\$ 2.50	\$540.00			
Labor	216	hr	\$ 30.00	\$6,480.00			
Trail Resurfacing	300	gal	\$ 3.10		\$ 930.00		
Labor	32	hr	\$ 30.00		\$ 960.00		
Chemical/Fertilizer Grass	185	1,000 ft <sup>2</sup>	\$ 3.25	\$601.25			
Labor	16	hr	\$ 30.00	\$480.00			
Roundup Trail Edges (3 apps)	8	1,000 ft <sup>2</sup>	\$ 10.00		\$ 80.00		
Labor	3	hr	\$ 30.00		\$ 90.00		
<b>Totals</b>			\$ 138.85	\$8,101.25	\$2,060.00		

<b>Project/Maintenance Totals</b>				\$77,619.61	\$ 13,977.50		
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USD 457 Funds Raised	\$ 8,910.00	
Cecil and Samy Contribution	\$ 10,000.00	
Sunflower Grant Match	\$ 18,020.00	
United Way	\$ 8,000.00	Earmarked for fitness equipment
<b>Total</b>	<b>\$ 44,930.00</b>	



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kristi Newland, Zoo Director  
**DATE:** October 18, 2016  
**RE:** Veterans Day at zoo Oct 2016

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### **ISSUE:**

The Governing Body is asked to consider and approve free vehicle admission to Lee Richardson Zoo for active and inactive military and veterans of any branch of service presenting military identification or proof of service for November 11-13, 2016 in honor of their service in the Armed Forces.

### **BACKGROUND:**

The zoo is free to pedestrians, with free vehicle admission for zoo members, and a \$10 per day per vehicle fee for non-members. This offer of free admission, while honoring their service may also encourage visitation by members of our Armed Forces community who might not normally visit the zoo.

### **ALTERNATIVES:**

1. Approve the request for complimentary admission as proposed.
2. Amend the proposal.
3. Deny the proposal.

### **RECOMMENDATION:**

Zoo Staff recommends approval of this proposal as presented.

### **FISCAL NOTE:**

The City offered the same recognition of service in 2012 for two days (Nov 10 and 11). Five veterans, active or inactive military took advantage of this which would have resulted in \$50 income if they had paid for admission.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Michael D. Utz, Chief of Police  
**DATE:** October 18, 2016  
**RE:** Facility Use Agreement Renewal between Fullscope Training LLC and Garden City Police Department.

---

### **ISSUE:**

The Governing Body is asked to consider and approve the Facility Use Agreement Renewal between Fullscope Training LLC and the Garden City Police Department.

### **BACKGROUND:**

Fullscope Training LLC has a need for a classroom and firearm range to conduct courses approved by the National Rifle Association. The City of Garden City would like to extend the use of the Garden City Police Department's LEC training room and firearm range to facilitate such courses. If approved, the proposed Facility Use Agreement would be in effect for twelve calendar months, but may not be used more than eight times during the term of this agreement. Fullscope Training LLC agrees to carry General Liability Insurance within the limits stated in the Facility Use Agreement Renewal.

### **ALTERNATIVES:**

1. Approve the attached agreement.
2. Reject the attached agreement.

### **RECOMMENDATION:**

Staff recommends the Governing Body approve the attached agreement between Fullscope Training, LLC and the City of Garden City.

### **FISCAL NOTE:**

Fullscope Training, LLC agrees to pay the sum of One Hundred Dollars (\$100) for each day the premises are used. Rental proceeds will be deposited into fund #005-17-000-5252 as a revenue for Police specific items.

### **ATTACHMENTS:**

Description	Upload Date	Type
Facility Use Agreement	10/10/2016	Backup Material

## FACILITY USE AGREEMENT

**THIS FACILITY USE AGREEMENT** (Agreement), made and entered into the \_\_\_\_ day of October, 2016, by and between the CITY OF GARDEN CITY, KANSAS (City), and FULLSCOPE TRAINING, LLC (Fullscope).

### RECITALS

**WHEREAS**, City, through the Garden City Police Department (GCPD) occupies space in the Finney County Law Enforcement Center (LEC), 304 North Ninth Street, Garden City, Kansas; and

**WHEREAS**, City owns an indoor firearm range (firearm range) at 114 Isabel Avenue, Garden City, Kansas; and

**WHEREAS**, Fullscope provides concealed carry training, including but not limited to the Kansas Concealed Carry Course and additional courses approved by the National Rifle Association (concealed carry education) and it has a need to use a classroom in the LEC and the firearm range for its concealed carry education and firearm training; and

**WHEREAS**, City and Fullscope wish to enter into this Agreement to allow Fullscope to use a GCPD training room in the LEC and the firearm range.

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

1. **PREMISES.** City grants to Fullscope the use of the GCPD training room (training room) on the main floor of the LEC, and the firearm range, collectively referred to as Premises. The training room shall be used for concealed carry education, and the firearm range shall be used for firearm training. Dates and times of use shall be coordinated and scheduled by Fullscope with the GCPD Chief of Police, or his designee. GCPD shall at all times have priority over use of the Premises. Fullscope may not use the Premises more than eight (8) times during the term of this Agreement.
2. **TERM.** The term of this Agreement shall be for a period of one (1) year, beginning October 1, 2016, and ending September 30, 2017. The term of this Agreement shall not renew unless the parties mutually agree in writing, to extend the term.
3. **USE FEE.** Fullscope shall pay to City, the sum of One Hundred Dollars (\$100) for each day the Premises are used (8 to 10 hours). The payment shall be made to the Garden City Police Department, 304 North 9th Street, Garden City, Kansas 67846, prior to each use.
4. **DAMAGE TO PREMISES.** Fullscope shall be responsible for any and all damage to the Premises that might occur during its use of the Premises.
5. **UTILITIES/CUSTODIAL SERVICES.** City shall be responsible for all utility costs. City shall provide all required custodial services.
6. **MAINTENANCE.** Fullscope shall be responsible for any repair and maintenance to the Premises caused by the acts or omissions of Fullscope employees, students, agents, or invitees. City shall be responsible for all structural maintenance or repairs not otherwise caused by the acts or omissions of Fullscope employees, students, agents, or invitees.

7. **INSURANCE.** City agrees to keep the Premises insured against loss or damage by fire or other casualties, although Fullscope shall not be named as a loss payee or insured. Fullscope shall be responsible for and maintain general liability insurance, in an amount of not less than \$1,000,000 per occurrence, \$2,000,000 aggregate limit, proof of which may be requested by City.

8. **INDEMNIFICATION.** Fullscope agrees to indemnify City against, and to hold City harmless from, any and all claims or demands for acts, omissions, or negligence of Fullscope employees, students, agents or invitees while in, upon, or about the Premises, during the term of this Agreement, or any extension or renewal thereof.

9. **STANDARD OF CARE.** Fullscope agrees to follow any and all rules, regulations and policies for use of the Premises, and to conduct the concealed carry training in a safe manner, consistent with the generally recognized standards applicable to firearm handling and firing.

10. **ALTERATIONS.** Fullscope shall not make any alterations to the Premises.

11. **DEFAULT.** This Agreement is made upon the express condition that if Fullscope fails or neglects to perform or observe any of Fullscope's obligations hereunder and such failure and neglect shall continue for thirty (30) days after written notice to Fullscope from City, City at any time thereafter, by written notice to Fullscope, may lawfully declare the termination hereof, and further, City shall be entitled to pursue all available legal remedies.

12. **TERMINATION.** This Agreement may be terminated by City, at any time, for any reason, with thirty (30) days written notice to Fullscope.

13. **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:

If to City: Chief of Police  
Garden City Police Department  
304 North 9th Street  
Garden City, Kansas 67846

If to Fullscope: Ben Weeks  
Fullscope Training LLC  
1204 Parkwood Lane  
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 instrument 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 property or any 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 successors, and personal representatives and permitted assigns.
- (e) This Agreement shall be construed in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, the parties have executed this Facility Use Agreement as of the day and year first above written.

**CITY OF GARDEN CITY, KANSAS**

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Chris Law, Mayor

ATTEST:

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

**FULLSCOPE TRAINING LLC**

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Ben Weeks  
Title: \_\_\_\_\_

APPROVED:

**GARDEN CITY POLICE DEPARTMENT**

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Rachelle Powell, Director of Aviation  
**DATE:** October 18, 2016  
**RE:** Aircraft Services Lease Assignment

---

### **ISSUE:**

The Governing Body is asked to consider and approve the Assignment and Assumption of Lease Agreement by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee) for lease of space located at Garden City Regional Airport.

### **BACKGROUND:**

Both parties requested the Assignment and Assumption of the Lease Agreement. As presented, FBO Air-Garden City, Inc., will assume the Aircraft Services, Inc. lease, which expires on December 31, 2017. Prior to the lease expiring, the City would entertain negotiations to incorporate the aircraft repair and service business as an amendment to the FBO Air-Garden City, Inc., lease. The Assignment and Assumption of the Lease Agreement is attached.

The Airport Advisory Board reviewed and recommended approval of the Assignment and Assumption of Lease Agreement during the October 13, 2016 meeting.

### **ALTERNATIVES:**

1. Governing Body approval of the Assignment and Assumption of Lease Agreement by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee) for lease of space located at Garden City Regional Airport.
2. Governing Body denial of the Assignment and Assumption of Lease Agreement by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee) for lease of space located at Garden City Regional Airport.
3. Governing Body recommendation for staff.

### **RECOMMENDATION:**

Staff and the Airport Advisory Board recommend approval of the Assignment and Assumption of Lease Agreement by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee) for lease of space located at Garden City Regional Airport.

### **FISCAL NOTE:**

The Assignment and Assumption of Lease Agreement does not impact revenue or expenditures.

### **ATTACHMENTS:**

Description	Upload Date	Type
Aircraft Services Lease Assignment	10/12/2016	Backup Material

**ASSIGNMENT AND  
ASSUMPTION OF LEASE AGREEMENT**

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT, entered into effective the 18<sup>th</sup> day of October, 2016, by and between Aircraft Services, Inc. (Assignor) and FBO Air-Garden City, Inc., (Assignee).

WITNESSETH:

WHEREAS, Assignor is the current tenant under a lease between the City of Garden City, Kansas (City), and Assignor, dated January 1, 2008, attached hereto as Exhibit A (Lease), providing for the leasing of real property located at the Garden City Regional Airport, Garden City, Finney County, Kansas; and

WHEREAS, Assignor has agreed to transfer and assign to Assignee all of Assignor's right, title and interest as tenant under the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Assignor does hereby absolutely and unconditionally sell, transfer, grant, convey and assign to Assignee all of Assignor's right, title and interest in and to the leasehold estate created by the Lease, including the rights to any existing subleases entered into by Assignor for the leased premises.

2. Assignee hereby accepts the foregoing assignment and assumes and agrees fully and faithfully to pay, perform and discharge, as and when payment, performance and discharge are due, all of the duties, obligations, undertakings and liabilities of the tenant under the Lease arising from and after the date hereof.

3. The parties understand and agree that the consent of the City will be required before this assignment and assumption will be binding and effective.

4. This assignment and assumption shall be binding on and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors in interest and assigns.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment and Assumption of Lease Agreement as of the day and year first above written.

**AIRCRAFT SERVICES, INC.,  
ASSIGNOR**

**FBO AIR-GARDEN CITY, INC.,  
ASSIGNEE**

By: \_\_\_\_\_  
Gary Keller

By: \_\_\_\_\_  
Ronald J. Ricciardi

**CONSENT TO ASSIGNMENT AND ASSUMPTION**

The City of Garden City, Kansas, pursuant to paragraph 21 of the Lease, hereby consents to this Assignment and Assumption of Lease Agreement.

CITY OF GARDEN CITY, KANSAS

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Chris Law, Mayor

ATTEST:

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



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Celyn N. Hurtado, City Clerk  
**DATE:** October 18, 2016  
**RE:** Postage Machine - Lease Agreement

---

### **ISSUE:**

The Governing Body is asked to consider and approve a Product Lease Agreement with Mail Finance for a postage machine.

### **BACKGROUND:**

The City of Garden City currently leases a postage machine from Mail Finance. This lease term expires October 31, 2016.

### **ALTERNATIVES:**

1. Approve the Product Lease Agreement with Mail Finance.
2. Deny the Product Lease Agreement with Mail Finance.

### **RECOMMENDATION:**

Staff recommends Alternative 1, approval of the Product Lease Agreement Mail Finance.

### **FISCAL NOTE:**

The Product Lease Agreement is a 63 month contract with a quarterly payment of \$2490.00. The GL code for payment is 068-415-5367.

### **ATTACHMENTS:**

Description	Upload Date	Type
Product Lease Agreement - Postage machine	10/13/2016	Backup Material

### Section (A) Office Information

Office Number: 9470	Office Name: MIDWEST CONNECT	Office Phone #: 308 238 5070	Date Submitted:
------------------------	---------------------------------	---------------------------------	-----------------

### Section (B) Billing Information

Company Name (Full legal name): CITY OF GARDEN CITY		
DBA:		
Billing Address: PO BOX 499		
Billing City: GARDEN CITY	State: KS	ZIP Code + 4: 67846
Billing Contact Name: CELYN HURTADO	Contact Phone Number: 620 276 1161	
Billing Contact Title:	Contact Fax Number: 620 279 1169	
Billing Contact email Address: churtado@garden-city.org	Purchase Order Number:	

### Section (C) Installation Information (if different than Billing Information)

Company Name (Full legal name): CITY OF GARDEN CITY		
Installation Address (No PO Boxes or General Delivery): 301 NORTH 8 <sup>TH</sup> STREET		
Installation City: GARDEN CITY	State: KS	ZIP Code + 4: 67846
Installation Contact Name: CELYN HURTADO	Phone Number: 620 276 1161	
Installation Contact Title:	Fax Number: 620 276 1169	
Installation Contact email Address: churtado@garden-city.org		
Main Post Office Name / Mail Drop off: GARDEN CITY	Post office 5-Digit ZIP Code: 67846	

### Section (D) Products

Quantity	Model / Part Number	Description (Include Serial Number, if applicable) <input type="checkbox"/> See additional listed products on attached continuation schedule.
1	IN750DS30	IN750 MAILING SYSTEM WITH DYNAMIC WEIGHING AND 30LB. SCALE
2		
3		
4		

### Section (E) Lease Payment Information & Lease Payment Schedule

<b>Tax Status:</b> <input type="checkbox"/> Taxable <input checked="" type="checkbox"/> Tax-Exempt (Certificate attached)	Period	# of Months	Monthly Payment (plus applicable taxes)
	First	63	\$830.00
	Next		
	Next		
<b>Billing Frequency:</b> <input type="checkbox"/> Monthly <input checked="" type="checkbox"/> Quarterly <input type="checkbox"/> Annually	Next		
<b>Billing Method:</b> <input checked="" type="checkbox"/> Standard	Current Lease Number:		
	<input type="checkbox"/> ACH (Customer to submit authorization form)		

### Section (F) Postage Meter & Postage Funding Information

Meter Model: IN750AI	Machine Model: IN750DS30
<b>Postage Funding Method:</b> <input checked="" type="checkbox"/> Bill Me <input type="checkbox"/> Prepay By Check <input type="checkbox"/> ACH Debit (Customer to submit authorization form)	<b>Postage Funding Account:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Existing Account TMS Account # _____ POC Account # _____
<b>Service Products (Check all that apply)</b>	
<input checked="" type="checkbox"/> Online Postal Rates iMeter™ App (SP10) <input type="checkbox"/> Online Postal Expense Manager iMeter™ App (SP20/NeoStats) <input type="checkbox"/> Online E-Services iMeter™ App (SP30) <input type="checkbox"/> Online E-Services with Electronic Return Receipt iMeter™ App (SP35) <input type="checkbox"/> NeoShip BASIC – Requires NeoFunds/TotalFunds (EP70) <input type="checkbox"/> NeoShip PLUS – Requires NeoFunds/TotalFunds (EP70PLUS) <input type="checkbox"/> NeoShip ADVANCED - Requires NeoFunds/TotalFunds (NEOSHIPADV) <input type="checkbox"/> NeoShip Install & User Guide (EP70GUIDES) <input type="checkbox"/> RunMyMail <input checked="" type="checkbox"/> Maintenance (provided by your authorized office) <input checked="" type="checkbox"/> Installation & Training (provided by your authorized office) <input type="checkbox"/> Annual Software Support (Maintenance)	
Covered Product:	

### Section (G) Approval

Existing customers who currently fund the Postage account by ACH Debit will not be converted to NeoFunds/TotalFunds unless initialed here \_\_\_\_\_.

This document consists of a Product Lease ("Lease") with MailFinance Inc.; and a Postage Meter Rental Agreement ("Rental Agreement"), and an Online Services and Software Agreement with Neopost USA Inc.; and a NeoFunds/TotalFunds Account Agreement with Mailroom Finance, Inc. Your signature constitutes an offer to enter into the Lease and, if applicable, the other agreements, and acknowledges that you have received, read, and agree to all applicable terms and conditions (version DealerLease-V04-16), which are also available at <http://neopostusa.com/terms/DealerLease-V04-16.pdf>, and that you are authorized to sign the agreements on behalf of the customer identified above. The applicable agreements will become binding on the companies identified above only after an authorized individual accepts your offer by signing below, or when the equipment is shipped to you.

Authorized Signature _____	Print Name and Title _____	Date Accepted _____
Accepted by Neopost USA and its Affiliates _____		Date Accepted _____



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Celyn N. Hurtado, City Clerk  
**DATE:** October 18, 2016  
**RE:** Cereal Malt Beverage Licenses

---

### **ISSUE:**

The Governing Body is asked to consider and approve one new On Premise Cereal Malt Beverage license and three Off Premise Cereal Malt Beverage renewal licenses.

### **BACKGROUND:**

La Playa Dorado 1, 212 W. Fulton Street is applying for a new Cereal Malt Beverage license for 2016.

Walmart Stores, Inc. is renewing the Cereal Malt Beverage licenses for the three locations in Garden City which includes #652, #4625 and #4625 Fuel Station for the year 2017.

All of the businesses on this list have completed the requirements necessary to obtain their license.

### **ALTERNATIVES:**

1. Approve the Cereal Malt Beverage licenses as presented.
2. Deny the Cereal Malt Beverage licenses.

### **RECOMMENDATION:**

Staff recommends approval of the Cereal Malt Beverage licenses.

### **FISCAL NOTE:**

Fee for On Premise Cereal Malt Beverage license is \$125. Fee for Off Premise Cereal Malt Beverage license is \$75. GL Code 001-19-000-3350.03



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kaleb Kentner, Neighborhood & Development Services Director  
**DATE:** October 18, 2016  
**RE:** Renewed Licenses for October 18, 2016.

---

### **ISSUE:**

The Governing Body is asked to consider and approve the licenses for October 18, 2016.

### **BACKGROUND:**

Attached is the list of contractors who have applied for a license renewal from Neighborhood & Development Services. All of the contractors on this list have completed the requirements necessary to obtain their license for 2016.

### **ALTERNATIVES:**

None.

### **RECOMMENDATION:**

None.

### **FISCAL NOTE:**

None.

### **ATTACHMENTS:**

Description	Upload Date	Type
October 18, 2016 Licenses	10/12/2016	Backup Material

**CONTRACTOR LICENSE AGENDA**

**October 18, 2016**

**2016 RENEWAL**

**CLASS B General**

Hi-Plains Construction Inc.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Rachelle Powell, Director of Aviation  
**DATE:** October 18, 2016  
**RE:** September Airport Advisory Board Minutes

---

**ISSUE:**

Presentation of the September 8, 2016 minutes from the Airport Advisory Board.

**BACKGROUND:**

Attached is the Airport Advisory Board meeting minutes for September 8, 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
September Airport Advisory Board Minutes	10/11/2016	Backup Material



**GARDEN CITY REGIONAL AIRPORT  
ADVISORY BOARD MINUTES  
SEPTEMBER 8, 2016**

**5:00 P.M. MEETING CALLED TO ORDER**

**MEMBERS PRESENT**

Jette DeSalvo, Max Meschberger, Charlie Robinson, Ken Frey and Darin Germann.

**MEMBERS ABSENT**

Marlo Miller.

**STAFF PRESENT**

Rachelle Powell.

**ITEM 1 PUBLIC COMMENT**

No public comment.

**ITEM 2 APPROVAL OF AUGUST 11, 2016 MINUTES**

Charlie Robinson made a motion to approve the August 11, 2016 Airport Advisory Board minutes. Darin Germann seconded the motion. The motion passed unanimously.

**ITEM 3 LEASE REVIEW**

The following leases were reviewed.

Lease	Term/Renewal	Rent	Notes
AG Solutions	11/1/2016-10/31/2035	\$0 - first 7 years	Tenant paid expense incurred to renovate facility
Charney Aircraft Services	12/1/2011 - 11/30/2028	12-01-08 thru 11-30-18 = \$86.87 / mo 12-01-18 thru 11-30-28 = \$173.34/mo	
FDO Air	12/15/2009 - 1/31/2030	\$2,107 per month \$0.00 fuel to take	
Kloz Aviation LLC	12/1/2015 - 11/30/2040	No rent shall be due for the first 25 years of the term of this agreement.	
Napolis	1/2/18 to 12/31/18	\$1000.00 per month	
ISA	10/29/2018	Block A: 10-29-14 to 10-26-18 = \$536.71/ mo Block B: 10-29-14 to 10-26-18 = \$191.87/ mo	Amended lease for additional office space (Block B) 2/15/13

Ken Frey moved to approve the automatic renewal of the above leases. Jette DeSalvo seconded the motion. The motion passed unanimously.

**ITEM 4 REGENCY AUTOGROUP d/b/a DOLLAR CAR RENTAL LEASE**

Regency Autogroup, Inc (d/b/a Dollar Car Rental) desires to share the office/counter space at Garden City Regional Airport with Regency Autogroup, Inc (d/b/a Thrifty Car Rental), to conduct a motor vehicle rental business. The lease agreement is similar to the other (three) motor vehicle rental businesses operating at the airport. The rent only includes a fee per vehicle rented as the office/ticket counter fees are paid by Regency Autogroup, Inc (d/b/a Thrifty Car Rental).

Darin Germann moved to recommend City Commission approval of the Lease Agreement between Regency Autogroup, Inc (d/b/a Dollar Car Rental) and the City of Garden City for lease of space located at Garden City Regional Airport. Max Meschberger seconded the motion. The motion passed unanimously.

**ITEM 5 CAPITAL IMPROVEMENT PROJECT (CIP) COMMITTEE MEMBER**

Staff shared the Capital Improvement Program (CIP) Committee flyer with the board. The CIP committee reviews the City of Garden City projects and makes recommendations to the City Commission. The committee typically consists of 30 participants from advisory boards and the public. Darin Germann volunteered to server on the CIP Committee as the Airport Advisory Board representative.

**ITEM 6 DIRECTOR'S REPORT**

Staff discussed the Director's Report with the Airport Advisory Board.

**ITEM 7 MONTHLY REPORTS**

Staff reviewed the monthly reports with the Airport Advisory Board. The Airport Advisory Board requested information on the 2016-2018 EAS bids and the annual fuel flow revenue. Staff provided the information via email on September 13, 2016.

**ITEM 8 BOARD MEMBER COMMENTS**

- A. Charlie Robinson – Disappointed in the current schedule and the reliability issues with the airline.
- B. Ken Frey – Thanked staff for installing rocks by the EagleMed office.
- C. Marlo Miller –Absent.
- D. Darin Germann –No comment.
- E. Max Meschberger –No comment.

F. Jette DeSalvo –No comment.

G. Vacant

**ITEM 9      ADJOURNMENT**

Darin Germann made a motion to adjourn. Ken Frey seconded the motion. The motion passed unanimously.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Michael D. Utz, Chief of Police  
**DATE:** October 18, 2016  
**RE:** September 2016 Police Citizens Advisory Board Meeting Minutes.

---

**ISSUE:**

Presentation of the September 20, 2016 meeting minutes for the Police/Citizens Advisory Board.

**BACKGROUND:**

Attached are the meeting minutes for the Police Citizens Advisory Board meeting held on September 20, 2016.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
September 2016 PCAB Minutes	10/10/2016	Backup Material



**MICHAEL D. UTZ**  
CHIEF OF POLICE

**RAQUEL ARELLANO**  
ADMINISTRATIVE ASSISTANT

**COURTNEY PREWITT**  
PATROL CAPTAIN

**MICHAEL REAGLE**  
COMMUNITY RESPONSE DIVISION  
CAPTAIN

**MICHAEL RADKE**  
INVESTIGATIONS DIVISION  
CAPTAIN

**RANDY RALSTON**  
OFFICE OF PROFESSIONAL  
STANDARDS CAPTAIN

**KATHY FAIRCHILD**  
SUPPORT SERVICES DIRECTOR

**EMILY BURNS**  
BUDGET ANALYST

GARDEN CITY POLICE  
DEPARTMENT  
304 N. 9<sup>TH</sup> ST.  
P.O. BOX 998  
GARDEN CITY, KS  
67846-0998  
620.276.1300  
FAX 620.276.1350  
www.gcpolice.org

**Garden City Police Department  
Police Citizens Advisory Board**

**September 20, 2016**

**5:30 pm – 6:30 pm**

**Present:** Mellaina Johnson, Stan Kennedy, Vinh Nguyen, Alyssa Ralston,

**Absent:** Darla Samy, Charles Allen, Brandon Neeb, Connie Bonwell, Andrew Roush, Jeff Starkey, Alicia Weber,

**Staff:** Chief Michael Utz, Raquel Arellano

**Guest:** Steven Jones

**I. Call Meeting to Order**

Mellaina Johnson called the meeting to order.

**II. Approval of Minutes**

Mellaina Johnson made a motion to approve the minutes. Alyssa Ralston seconds the motion. Motion carried.

**III. Review of Master Activity Report**

Chief Utz presented the information of the Master Activity and Crime Analysis Reports.

**V. Monthly Recap**

**A: New Employees**

Chief Utz announced that three Patrol Officers and three Communicators were hired and are currently undergoing departmental training.

**B: Maureen Miller Retirement Reception**

Chief Utz invited Board to Maureen Miller's Retirement Reception scheduled for September 29, 2016 at the Law Enforcement Center. Board members were advised they would be receiving an invitation email with the entire details post meeting.



**MICHAEL D. UTZ**  
CHIEF OF POLICE

**RAQUEL ARELLANO**  
ADMINISTRATIVE ASSISTANT

**COURTNEY PREWITT**  
PATROL CAPTAIN

**MICHAEL REAGLE**  
COMMUNITY RESPONSE DIVISION  
CAPTAIN

**MICHAEL RADKE**  
INVESTIGATIONS DIVISION  
CAPTAIN

**RANDY RALSTON**  
OFFICE OF PROFESSIONAL  
STANDARDS CAPTAIN

**KATHY FAIRCHILD**  
SUPPORT SERVICES DIRECTOR

**EMILY BURNS**  
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## **VI: Report From the Chief**

### **A: Community Events**

Chief Utz listed the Community Events that the Police Department has participated in over the last month.

- GCHS Student Council Breakfast with Badges
- St. Catherine's Hospital Breakfast for First Responder's
- BBQ for First Responders' at First Assembly of God Garden City
- Patriot Day Celebration at Trinity Lutheran Church
- GCCC Prayer at the Flag Pole
- Plymell Schools Appreciation Breakfast

### **B: Schedule of Future Events**

Chief Utz reminded Board members that the Citizen's Academy will begin October 1, 2016, and invited them to attend.

### **C: Departmental News**

Chief Utz provided a status update of where the GCPD is in regards to the Body Worn Cameras (BWC), ie; training, purchasing and regulations. The members were advised that they would continue to receive updates of the progression of the BWC's.

Chief Utz mentioned that Officers rotate USD 457 schools to eat with students during lunch and that this is a service provided by USD 457 and Garden City Police Department.

Chief Utz reported that he has accepted an invitation to attend the Kearney Police Department Retreat in Kearney, Nebraska on October 5, 2016.

Chief Utz advised Board Members that the BearCat (SWAT Vehicle) has arrived, and will be presented to the City Commission to view on October 18, 2016.

Chief Utz announced that two people are currently undergoing the background phase for employment as Communicators.

## **VII: Adjournment**

Meeting Adjourned at 6:40 p.m.



## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Celyn N. Hurtado, City Clerk  
**DATE:** October 18, 2016  
**RE:** GCRC Minutes

---

**ISSUE:**

Presentation of the August 22, 2016 and September 9, 2016 Garden City Recreation Commission Board minutes.

**BACKGROUND:**

None.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

None.

**FISCAL NOTE:**

None.

**ATTACHMENTS:**

Description	Upload Date	Type
08-22-16 GCRC Minutes	10/13/2016	Backup Material
09-08-16 GCRC minutes	10/13/2016	Backup Material

**Garden City Recreation Commission**  
**Minutes**  
**Monday, August 22, 2016**  
**310 N 6<sup>th</sup> St**

**I. Called Meeting to Order**

Chairperson Myca Bunch called the meeting to order at 5:15 pm. Other board members present were Deb Oyler, Marilyn Porter and Jamie Warren. GCRC Staff present were Superintendent Aaron Stewart, Sports Director Jared Rutti, Maintenance Director Chuck Reinert, Maintenance Worker Brian Craig and Finance Director Debbie Bridgeman.

**II. Welcome New Superintendent**

Myca welcomed our new Superintendent, Aaron Stewart.

**III. Approval of Agenda**

Deb Oyler moved to approve the agenda as submitted. Jamie Warren seconded the motion. The motion carried with all in favor.

**IV. Executive Session**

Jamie moved to go into executive session for the purpose of consultation with Board legal counsel on matters which are privileged in the attorney-client relationship for 20 minutes, seconded by Marilyn. The Board, Aaron and Lara Bors went into executive session at 5:17pm. The board came out of executive session at 5:36 pm. Deb made a motion to return into executive session for another 15 minutes. Marilyn seconded the motion and the board went back into executive session at 5:36 pm. At 6:48 pm the board came out of executive session. No action was taken.

**V. Consent Agenda**

- Minutes of Regular Meeting July 26, 2016
- Staff Reports for August 2016
- Participation Reports

The board reviewed the staff reports. Jamie inquired about the Basketball tournament coming up and Myca inquired about what happened with the youth volleyball program due to the other organization not holding up to the scheduling arrangement we made with them. Jared replied that it was going well and Aaron added it was due in part to pushing our program back 3 weeks. Deb Oyler moved to approve the consent agenda, seconded by Jamie. The motion carried with all in favor.

**VI. Financial Reports for July 2016**

Aaron reviewed the financials. Aaron stated that the cash balance is up from last year at this time and we are in a decent position. The expenses are up this month due to the lease payment for the Core Fitness equipment. Revenue is down compared to last year but so are expenses. We do have an unforeseen expense to repair the gym floor due to a water leak. Jamie Warren moved to approve the July financial report, seconded by Marilyn Porter. The motion carried with all in favor.

**VII. Superintendents Report**

- Etrack

➤ Big Pool

Aaron presented some information on Etrak software as a replacement option for the current software (ActiveNet) that we are using. He stated he has used this program before and it is more customer & user friendly and in the long term would be cheaper than ActiveNet. Aaron asked if this would be something the board would like to him to pursue. Deb asked how easy it would be to transition into. Aaron didn't think it would be too difficult of a transition. Jamie stated he would be in favor if we did a comparison to make sure we were comparing apples to apples. Aaron also stated he was looking at changing our logo.

Aaron received a letter from the City of Garden City stating that they we recommending to their commission that the City take over the operation of The Big Pool effective next year. We would still be able to run our programs at the Pool. The City Commission will meet September 6, 2016 and will vote to adopt this proposal at that time.

**VIII. Old Business**

a. CIP

Aaron reviewed the CIP list that was presented to the board at last month's meeting. He stated we could remove the Big Pool items if the City took over its operation. Aaron stated we needed to look at roof repairs & exterior painting on the Gym as we can't wait until 2017 due to the water leak issue. He would also like to get with Staff to prioritize and get pricing on equipment, repairs and maintenance in order to budget for them. Aaron suggested that we include the items we have listed for the Recreation Commission to take care of for Ball fields on our list to present to City for CIP minus the routine maintenance items. Marilyn moved to add the ball field items to the CIP list we present to the City, seconded by Deb. The motion carried with all in favor. Myca stated that we needed to assign someone from the board to represent us at the City CIP meetings. Marilyn volunteered to be that person.

**IX. New Business**

a. Core Fitness Internet & Cable Services

Aaron has looked into our Internet & cable services at Core Fitness due to its high monthly cost. We have a 36 month contract with Cox Communication that we are about 18 months into. Marilyn stated that there could be a way to renegotiate our contract by suspending our services. Aaron stated he would like to open a fitness center at the Activity Center, utilizing some of the equipment from Core Equipment and renegotiating the contract at that time.

**X. Garden City Recreation Commission Questions and Comments**

There were no questions or comments

**XI. Adjournment**

Deb Oyler moved and Jamie Warren seconded to adjourn the meeting. The motion carried with all in favor. The meeting adjourned at 6:33 pm.



Secretary  
Debbie Bridgeman

Approved: 9/26/16  


**Garden City Recreation Commission  
Special Meeting Minutes  
Thursday, September 8, 2016  
310 N 6<sup>th</sup> St**

**I. Call Meeting to Order**

Vice Chairperson Jamie Warren called the meeting to order at 5:15 pm. Other board members present were Deb Oyler and Marilyn Porter. GCRC Staff present were Superintendent Aaron Stewart and Finance Director Debbie Bridgeman.

Deb Oyler moved to approve the agenda as submitted, seconded by Marilyn Porter. The motion carried with all in favor.

**II. Executive Session**

Marilyn moved to go into executive session for 20 minutes for the purpose of consultation with Board legal counsel on matters which are privileged in the attorney/client relationship which if discussed in open session would waive that privilege. Deb seconded the motion. The board, Aaron and Lara Bors went into executive session at 5:16 pm. The board came out of executive session at 5:36 pm. No action was taken.

**III. Adjournment**

Deb moved and Marilyn seconded to adjourn the meeting. The motion carried with all in favor. The meeting adjourned at 5:36 pm.



Secretary  
Debbie Bridgeman

Approved: 9/26/16





## MEMORANDUM

**TO:** Governing Body  
**THRU:** Matthew C. Allen, City Manager  
**FROM:** Kristi Newland, Zoo Director  
**DATE:** October 18, 2016  
**RE:** Zoo Advisory Board minutes for October 2016 meeting

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**ISSUE:**

Presentation of the October 4, 2016 Zoo Advisory Board minutes.

**BACKGROUND:**

Attached are the October 4, 2016 Zoo Advisory Board minutes.

**ALTERNATIVES:**

None

**RECOMMENDATION:**

None

**FISCAL NOTE:**

None

**ATTACHMENTS:**

Description	Upload Date	Type
October 2016 ZAB minutes	10/11/2016	Backup Material

Zoo Advisory Board  
Minutes of Meeting Held  
Tuesday, October 4, 2016

Members Present: Jimmy Deal, Stacy Regan-Green, Donna Lightner

Members Absent: Kathy Diehl, Phil Sloderbeck, Ryan Derstein, Taylor Freburg,

Others Present: Kristi Newland, Donna Wohler, Whitney Buchman, Jessica Norton

- I. There was not a quorum, so an official meeting did not take place.
- II. New Business
  - a. Field Trip to Primate Exhibit – Board members toured the primate exhibit and were able to meet the primates and see the interior of the barn. Kristi pointed out the area where the new primate exhibit will be and described features that will be in the new exhibit. The board discussed other projects and the CIP process.
  - b. Zoo Monthly Report – Three Bar-headed geese were sent to the Sedgwick Co Zoo and we received eight smaller ducks. They will be located in the aviary flight cage and will be a better fit for that location than the larger geese. A Crested coua was also received for the MOA indoor rainforest. Preparations for rhino introductions continued by blunting their horns. The horn pieces were sent to USFWS to help train dogs to detect smuggled rhino horn. Kristi participated in a Legislative Policy meeting for the City regarding a possible repeat attempt by another facility in the state to weaken Kansas Laws, permitting increased public handling of, and interaction with, large exotic cat species. In 2016 the City Commission supported upholding current legislation. Approval of 2017 policy is pending. International Red Panda Day and International Rhino Day were celebrated at the zoo with activities and information for visitors. Kids enjoyed learning about rhino vision by participating in a game wearing safety glasses smeared with Vaseline.
  - c. FOLRZ Report – October 22 is Boo! At the Zoo and there are plenty of volunteer opportunities. Jessica passed around information about the event, and about tickets and skeleton key passes.
  - d. Vehicle Access for Veterans on Veterans Day – Kristi will put a request before the City Commission that Veterans be given free drive thru admittance at the zoo for Veterans Day.

III. Old Business

IV. Board Member Reports –

**Next scheduled Meeting is November 1, 2016 at 5:00 p.m.**