A) CALL TO ORDER

B) PLEDGE OF ALLEGIANCE AND INVOCATION

C) ROLL CALL & APPROVAL OF THE AGENDA

D) CITIZEN COMMENTS
All comments are limited to a maximum of three minutes for each speaker. In accordance with the Open Meetings Act, City Council members may not discuss or take action on any item that is not on the Agenda.

E) CONSENT AGENDA
These items are routine and enacted by one motion. There will be no separate discussion of these items unless a Council member so requests. Any consent agenda item can be removed and placed on the agenda as an item of business.

1. Approval of Minutes
   a. Regular Meeting – January 16, 2018

2. Appropriation Ordinance
   a. Ordinance #1117

F) ITEMS OF BUSINESS

1. SJN Banking Resolution – Authorize Signers
2. Budget Billing Administrative Policies
4. Recess: Land Bank
   a. Property Donations
5. Community Plan Discussion
6. City Code Review: Chapter III

G) CITY ATTORNEY’S REPORT

H) CITY ADMINISTRATOR’S REPORT

I) GOVERNING BODY COMMENTS

J) ADJOURNMENT

NOTICE: SUBJECT TO REVISIONS
It is possible that sometime between 5:30 and 6:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

To be placed on future agendas please contact City Administrator Kyler Ludwig at administrator@greensburgks.org or call City Offices at 620-723-2751.
Greensburg City Council
January 16, 2018
City Hall

A) CALL TO ORDER
Mayor Robert Dixson called the January 16, 2018 meeting to order at 6:00 p.m.

B) PLEDGE OF ALLEGIANCE & INVOCATION
The Pledge of Allegiance was said, and the invocation was given by Pastor Jeff Blackburn.

C) ROLL CALL & APPROVAL OF THE AGENDA
Council Present: Matt Christenson, Haley Kern, Mark Trummel, and Pam Reves. Sandy Jungemann was absent. Dixson welcomed Reves to the Council. Trummel made a motion to approve the agenda as presented. Christenson seconded. Motion passed 4-0.

D) CITIZEN COMMENTS
There were no citizens present at the meeting.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS, & NOMINATIONS
Reves nominated Christenson as Council President, until January 2020. Kern seconded, and the motion passed 4-0.

F) CONSENT AGENDA
Trummel made a motion, seconded by Kern, to approve the Consent Agenda as presented. The motion passed 4-0.

G) ITEMS OF BUSINESS
1. Approval of 2018 Council Schedule
City Administrator Kyler Ludwig presented a draft Council schedule for 2018. The calendar outlined topics for discussion throughout the year. The document is a working document, with topics subject to change based on the interests of the Governing Body and immediate needs of the community. No formal action was necessary.

2. 410 E. Ohio – Sell of Portion of the Property
In August 2017 Council went forward with the process to sell a portion of the property located at 410 E. Ohio to Alliance Ag and Grain. Council expressed interest in selling the property for the sum of $1 if the Co-op would pay for the property survey and legal expenses. The property was advertised “for sale”. The community was given until October 16th to present alternative uses for the property. Staff did not receive any interest from other buyers. The Co-op has completed a survey through Garber Surveying Service. The property description was done in such a way as to easily allow Staff to prepare a contract of sale for a portion of the City’s property. Staff utilized a previous contract, to be reviewed by City Attorney Clayton Kerbs.

Reves asked for confirmation that the property being discussed neighbors the current fertilizer plant and expressed concerns over previous environmental issues. Ludwig and Dixson clarified that Section 9 of the proposed contract allows the property to be sold “as is”. The Co-op would assume any existing defects and the City would waive all responsibility. The sale of the property would allow the Co-op to move forward with expansion plans. Christenson asked about the location of the remediation well in that area. The well is located on Union Pacific RR property. The Co-op already uses the property that they are wanting to purchase, and paid for the clean-up of the property. Dixson views the sell as an opportunity to place the property back on the tax rolls.

Christenson made a motion to authorize Staff to sell the newly surveyed portion of the property located at 410 E. Ohio for the sum of $1. Kern seconded, and the motion passed 4-0.
3. **Budget Billing Option – Flat Utility Rate**
Residents currently pay utility bills based on their usage during the previous month. Ludwig has had a few customers express interest in having a flat rate bill based on their average use. “Budget Billing” is included with the City’s current utility billing software package. A report showing the 2017 usage of 3 customers was presented, along with line graphs displaying the extreme highs and lows of each household. The graphs also noted the amount of a “budget bill” for each residence, based on the average of their 2017 bills. If approved, Ludwig would come back to Council with a policy for “Budget Billing”. Ludwig recommended that the flat rate amount of each household be reviewed in September of each year. Included in the meeting packet was a list of additional policies which other communities use in their budget billing programs. Staff hopes to see a reduction in the number of late payments by giving citizens the opportunity to utilize the program. Receiving favorable direction from Council, Ludwig asked if they would prefer a straight average or if they would prefer to add 10% to that average. Council preferred the straight billing. Ludwig will bring back policies for Council’s review.

H) **CITY ATTORNEY’S REPORT**
City Attorney Clayton Kerbs was not present at the meeting.

I) **CITY ADMINISTRATOR’S REPORT**

**KMU – Day at the Capitol:** Ludwig will be in Topeka tomorrow and Thursday for the Kansas Municipal Utilities Day at the Capitol, and for a KMU Board Meeting. This legislative session is set-up to have many local government and utility implications.

**Airport Progress:** Progress reports on the airport construction are available at- [https://lochner.app.box.com/s/xyadg20jlv1ayetpgbb7t32yd6gs165](https://lochner.app.box.com/s/xyadg20jlv1ayetpgbb7t32yd6gs165)

**City Hall Solar:** The solar panel replacement at City Hall is scheduled for January 31st. King Solar anticipates a two day installation.

**Winter Hours – Big Well:** Winter hours have begun at the Big Well, Mon-Sat 9am-5pm, and closed Sundays. They will resume normal hours in March.

**Incubator Management:** Homestead Insurance has rented a ground level space in the Incubator (formerly Main Street Massage). Scott James will be having Chay Howard take over his lease starting in February. Emblazon has given their notice and will be out of their space by the end of the month.

J) **GOVERNING BODY COMMENTS**
Reves asked if Kansas Corporation Commission (KCC) was attempting to come into cities with regulations on utilities. Ludwig explained that electric co-ops are asking for policies limiting annexations that would take customers, or potential customers, from their electric territories. There is also proposed legislation that would add fees to utilities to help pay for school finance. A recent KCC ruling created additional regulations on municipal energy agencies (MEAs) like KPP. A bill is proposed that would reduce KCC regulating powers over MEAs.

K) **ADJOURNMENT**
Dixson declared the meeting adjourned at 6:35 p.m.
# APPROPRIATION ORD. 1117

02.05.18

<table>
<thead>
<tr>
<th>CHECK #</th>
<th>VENDOR</th>
<th>REFERENCE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRE-PAID</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26232</td>
<td>KANSAS POWER POOL</td>
<td>DECEMBER USAGE</td>
<td>$90,291.81</td>
</tr>
<tr>
<td>26233</td>
<td>KS DEPT OF HEALTH 7 ENVIRONMENT</td>
<td>4QT ANALYTICAL SERVICES J7500</td>
<td>$257.00</td>
</tr>
<tr>
<td>26234</td>
<td>LUMINOUS NEON INC</td>
<td>SIGN LEASE</td>
<td>$235.00</td>
</tr>
<tr>
<td>26237</td>
<td>EMPLOYEE BENEFITS CORP.</td>
<td>BESTFLEX PREMIUM</td>
<td>$350.00</td>
</tr>
<tr>
<td>26238</td>
<td>KANSAS GAS SERVICE</td>
<td>ACCT 510351829 2017822 73</td>
<td>$1,149.93</td>
</tr>
<tr>
<td>26239</td>
<td>THAYNE MUNTZ</td>
<td>MEALS AUGUST TRAINING</td>
<td>$10.85</td>
</tr>
<tr>
<td>26240</td>
<td>UNIFIRST CORPORATION</td>
<td>INVOICES 11/28/17-12/19/17</td>
<td>$458.75</td>
</tr>
<tr>
<td>26252</td>
<td>AT&amp;T</td>
<td>ACCT 620 723-3184 316 3</td>
<td>$506.47</td>
</tr>
</tbody>
</table>

*****PRE-PAID TOTAL***** $93,259.81

| PAID | | | |
| 26253 | ADAMS ELECTRIC & PLUMBING | CITY HALL HEATER | $1,880.44 |
| 26254 | AT&T | PHONE & INTERNET | $1,723.38 |
| 26255 | BOLEN OFFICE SUPPLY INC. | COPIER CONTRACT | $15.08 |
| 26256 | BREHM SIGNS | SIGN LEASE | $240.00 |
| 26257 | BTI - PRATT | PARTS & SUPPLIES | $95.65 |
| 26258 | CHRISTY PYATT | TRAVEL EXPENSES | $236.68 |
| 26259 | CITY ATTORNEY’S ASSOC. OF KS | 2018 CITY ATTORNEYS ASSOC DUES | $35.00 |
| 26260 | CITY OF GREENSBURG | BIG WELL RENT | $14,226.89 |
| 26261 | D.C.& B. SUPPLY INC. | PIT INSULATOR, CLAMPS, GASKETS | $709.00 |
| 26262 | DALE FAMILY FARMS LLC | MERCHANDISE FOR RESALE | $195.28 |
| 26263 | DEBBIE GOERING | MERCHANDISE FOR RESALE | $149.40 |
| 26264 | FARCOUNTRY PRESS | KS IMPRESSIONS, PRESS CATALOG | $50.19 |
| 26265 | FOLEY INDUSTRIES | HOSE/ SEAL O RINGS | $172.32 |
| 26266 | GALLS | ALS TACTICAL HOLSTER | $289.57 |
| 26267 | HICKMAN ENVIRONMENTAL SERVICES | SMITH&LOVELESS PUMP STATION | $475.00 |
| 26268 | HOME LUMBER | SUPPLIES | $1,247.87 |
| 26269 | KANSAS ONE-CALL SYSTEM,INC. | ONE CALLS | $9.60 |
| 26270 | KANSAS STATE FAIR | SPACE AND FEE AT FAIR | $1,050.00 |
| 26271 | KERBS LAW OFFICE | REAL ESTATE CONTRACT | $175.75 |
| 26272 | KIOWA SUPPLY | BOOTS FOR BANZET | $125.00 |
| 26273 | LANTERMAN MOTORS | POLICE- MOULDING DOOR OUTS | $268.22 |
| 26274 | LOCHNER | AV-2018-10 AIRPORT CONST | $30,160.14 |
| 26275 | LUMINOUS NEON INC | SIGN LEASE | $780.00 |
| 26276 | MATT DEIGHTON | DUCK SALT RETAIL | $750.00 |
| 26277 | MOBILE RADIO SERVICE, INC | USED RADIO/ BATTERY | $385.87 |
| 26278 | NISLY BROTHERS TRASH SERV | TRASH SERVICES | $9,321.50 |
| 26279 | OFFICE SOLUTIONS | SUPPLIES | $134.69 |
| 26280 | ORKIN | PEST CONTROL | $119.98 |
| 26281 | PEOPLES BANK GREENSBURG | POSTALCITY | $975.79 |
| 26282 | RAY LINDSEY CO | 4L202M BREAKER/ FREIGHT | $259.26 |
| 26283 | RJA DOZER SERVICE, LLC | AV-2018-10 AIRPORT CONST | $259,264.17 |
| 26284 | STANION WHOLESALE ELECT. | PARTS / SUPPLIES | $188.62 |
| 26285 | TAYLOR PRINTING, INC | INK PADS FOR STAMPS | $48.00 |
| 26286 | TWILIGHT THEATRE, INC | GOONIES / ELF | $600.00 |
| 26287 | VERIZON | MOBILE SERVICE | $104.64 |
| 26288 | VOLZ | FUEL | $1,101.45 |

**** PAID TOTAL ***** $327,564.43

***** REPORT TOTAL ***** $420,824.24
To: Mayor and City Council

Subject: Banking Resolution

Prepared By: City Administrator, Kyler Ludwig

Background:
On February 1, 2018 Chris Ballard from SJN Bank of Kansas requested that the City pass a resolution authorizing authorities of signers connected with our account at the bank.

Analysis:
The City currently has 3 signers: Mayor Robert Dixson, City Treasurer Christy Pyatt, and City Administrator Kyler Ludwig.

This is a routine type of resolution, which will allow for the City to continue its current banking processes through SJN Bank.

Recommendations/Actions: It is recommended the City Council:
Approve the proposed resolution.

Attachments: Exhibit A: Banking Resolution
RESOLUTION 2017-02
GOVERNMENTAL ENTITY

SJN Bank of Kansas
Main Office–St. John
116 E 3rd Ave
St. John, Kansas 67576
Branches in Macksville–Hudson–Greensburg
(888)549-2265
www.sjnbank.com

GOVERNMENTAL ENTITY NAME AND ADDRESS
CITY OF GREENSBURG
300 S MAIN ST
GREENSBURG, KS 67054-1728

This Resolution supersedes all previous Resolutions, effective February 1, 2018.

<table>
<thead>
<tr>
<th>DATE OF RESOLUTION</th>
<th>ACCOUNT NUMBERS</th>
<th>BANK REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 1, 2018</td>
<td>Deposit Account #15643; Deposit Account #102547; Deposit Account #106133; Deposit Account #520152; Deposit Account #417179</td>
<td>dic057</td>
</tr>
</tbody>
</table>

By signing below, I certify to SJN Bank of Kansas ("Financial Institution") that: I am the TREASURER of the above named Governmental Entity ("Entity"), validly chartered and operating under the laws of the State of Kansas; the following is a true and complete copy of the Resolution, properly adopted at a duly called open legal meeting of the officers of the Entity held on February 1, 2018 in accordance with the charter of the Entity, if any; this Resolution is contained in the minutes of that meeting and that such Resolution is still in force and effect and has not been amended or rescinded, and was and still is in accordance with the charter of the Entity, if any; the Financial Institution has been provided a true and complete copy of the charter of the Entity, if any, as in effect as of the date of this Resolution; provided below are the correct names, titles, and genuine signatures of the persons authorized to exercise the powers provided in the Resolution ("Authorized Signers"); and the Financial Institution may rely upon my certification as to my authority to execute this Resolution and to make the representations in this Resolution.

IT IS RESOLVED:
The Authorized Signers shall possess the powers indicated as contained in this Resolution.

DEPOSITORY ACCOUNT. Perform the following activities in regards to the depository account(s) indicated above in the name of the Entity, subject to any terms and conditions governing the account(s), including:

- **Account Opening and Maintenance.** Open and maintain the Entity account(s).
  
  Number of signers required: 1

- **Make Deposits.** Make deposits to the Entity account(s).
  
  Number of signers required: 1

- **Endorsements.** Endorse for negotiation, negotiate, and receive the proceeds of any negotiable instrument, check, draft, or order for the payment of money payable to or belonging to the Entity, by writing, stamp, or other means permitted by this Resolution without the designation of the person endorsing.
  
  Number of signers required: 1

- **Make withdrawals.** Make withdrawals from the Entity account(s) in any manner permitted by the account(s) regardless whether such action will create or increase an overdraft of the involved account.
  
  Number of signers required: 1

- **Transfer Funds.** Transfer funds from the Entity account(s) in Financial Institution to any account whether or not held at this Financial Institution and whether or not held by this Entity and execute any agreements related to such transfers.
  
  Number of signers required: 1

- **Approve, Endorse, Guarantee and Identify Payees.** Approve, endorse, guarantee, and identify the endorsement of any payee or any endorser of any negotiable instrument, check, draft, or order for the payment of money whether drawn by the Entity or anyone else and guarantee the payment of any negotiable instrument, check, draft, or order for the payment of money.
  
  Number of signers required: 1

- **Delegate Authority.** Delegate to others the authority to approve, endorse, guarantee, and identify the endorsement of any payee or endorser on any negotiable instrument, check, draft, or order for the payment of money and to guarantee the payment of any such negotiable instrument, check, draft, or order for the payment of money.
  
  Number of signers required: 1

SAFE DEPOSIT BOX. Lease a Safe Deposit Box(es) with Financial Institution, make inspections of, deposits to and removals from the Box(es), and exercise all rights and be subject to all responsibilities under the Lease.

Number of signers required: 1
NIGHT DEPOSITORY. Enter into a Night Depository Agreement with Financial Institution and exercise all rights and be subject to all responsibilities under the Agreement.

Number of signers required: 1

IT IS FURTHER RESOLVED THAT:

DESIGNATED DEPOSITORY. Financial Institution is designated as a depository for the funds of the Entity and to provide other financial accommodations indicated in this Resolution.

AUTHORIZED SIGNER'S POWERS. Authorized Signers are authorized to make any and all other contracts, agreements, stipulations, and orders which the Authorized Signers may deem advisable for the effective exercise of their powers.

SIGNATURES. The Financial Institution shall be indemnified and held harmless by the Entity for any claims, expenses, damages, or attorney fees resulting from the honoring of any signature, authorized by this Resolution, or refusing to honor any signature not so authorized, regardless of whether or not such signature was genuine, if such signature reasonably resembles the specimen provided to the Financial Institution. The Financial Institution shall also be permitted to rely upon non-signature security and verification codes which it provides or receives from an Authorized Signer and shall be indemnified and held harmless by the Entity for any claims, expenses, damages, or attorney fees resulting from their use.

IMPROPER ENDORSEMENT. Any negotiable instrument, check, draft or order for the payment of moneys not clearly endorsed by an Authorized Signer may be returned to the Entity by the Financial Institution. The Financial Institution, in its sole discretion, alternatively may endorse on behalf of the Entity any negotiable instrument, check, draft, or order for the payment of money not clearly endorsed in order to facilitate collection. Financial Institution shall have no liability for any delay in the presentment or return of any negotiable instrument, check, draft, or order for the payment of money which is not properly endorsed.

DISPOSITION OF FUNDS. When withdrawal or transfer powers are granted to an Authorized Signer, the Financial Institution is directed and authorized to act upon and honor withdrawal or transfer instructions issued and to honor, pay, transfer from, and charge to any depository account(s) of the Entity, all negotiable instruments, checks, drafts, or orders for the payment of money so drawn when signed consistent with the Resolution without inquiring as to the disposition of the proceeds or the circumstances surrounding the issuance of the negotiable instrument, check, or order for the payment of money involved, whether such negotiable instruments, checks, drafts, or orders for the payment of money are payable to the order of, or endorsed or negotiated by any Authorized Signer signing them or any Authorized Signer in their individual capacities or not, and whether they are deposited to the individual credit of or tendered in payment of the individual obligation or account of any Authorized Signer signing them or of any other Authorized Signer.

PRIOR ENDORSEMENTS. All negotiable instruments, checks, drafts, or orders for the payment of money deposited with prior endorsements are guaranteed by the Entity.

PRE-RESOLUTION TRANSACTIONS. All actions by Authorized Signers in accordance with this Resolution but before the adoption of this Resolution are approved, ratified, adopted, and confirmed by the Entity.

WARRANTY. That the Financial Institution may rely upon the certification as to the Entity authority to execute this Resolution and make the representations in this Resolution.

NOTIFICATION OF CHANGES. The Entity shall notify Financial Institution in writing at its address shown above in advance of any changes which would affect the validity of any matter certified in this Resolution.

REVOCATION AND MODIFICATION. An act ("Act") to modify, terminate, amend or replace this Resolution will not immediately affect the ability of the Financial Institution to rely upon this Resolution. The Act shall not affect any action by the Financial Institution in reliance on this Resolution before the date the Act becomes effective as set forth in the next sentence. An Act will not become effective until all of the following occur: (a) Financial Institution receives written notification of the Act in a form and substance satisfactory to the Financial Institution and (b) the Financial Institution has had a reasonable period of time to act upon such notification. Until the Act is effective, this Resolution shall remain in full force and bind the Entity, its legal representatives, heirs, successors and assigns.

DESIGNATION OF AUTHORIZED SIGNERS

<table>
<thead>
<tr>
<th>NAME/TITLE/SIGNATURE</th>
<th>AUTHORITY CODE/LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRISTY DANETTE PYATT</td>
<td>Account Opening and Maintenance; Lease Safe;</td>
</tr>
<tr>
<td></td>
<td>Night Depository; Make Deposits; Endorsements;</td>
</tr>
<tr>
<td></td>
<td>Make Withdrawals; Transfer Funds; Approve, Endorse,</td>
</tr>
<tr>
<td></td>
<td>Guarantee and Identify Payees; Delegate Authority</td>
</tr>
<tr>
<td>TREASURER</td>
<td></td>
</tr>
<tr>
<td>KYLER S LUDWIG</td>
<td>Account Opening and Maintenance; Lease Safe;</td>
</tr>
<tr>
<td></td>
<td>Night Depository; Make Deposits; Endorsements;</td>
</tr>
<tr>
<td></td>
<td>Make Withdrawals; Transfer Funds; Approve, Endorse,</td>
</tr>
<tr>
<td></td>
<td>Guarantee and Identify Payees; Delegate Authority</td>
</tr>
<tr>
<td>ADMINISTRATOR</td>
<td></td>
</tr>
<tr>
<td>ROBERT A DIXSON</td>
<td>Account Opening and Maintenance; Lease Safe;</td>
</tr>
<tr>
<td></td>
<td>Night Depository; Make Deposits; Endorsements;</td>
</tr>
<tr>
<td></td>
<td>Make Withdrawals; Transfer Funds; Approve, Endorse,</td>
</tr>
<tr>
<td></td>
<td>Guarantee and Identify Payees; Delegate Authority</td>
</tr>
<tr>
<td>MAYOR</td>
<td></td>
</tr>
</tbody>
</table>
CERTIFICATION. I certify that the foregoing are the names, titles, and genuine signatures of the authorized signers of the Entity authorized by the Resolution.

IN WITNESS WHEREOF, I have subscribed my name on the date shown below.

CHRISTY DANETTE PYATT  Date  
TREASURER

ATTESTED BY: 

[Signature]

Date  21/1/2018

By: Desdie Clarke  Date

Its: Personal Banker
TO: Mayor and City Council
SUBJECT: Budget Billing: Utility Bills
INITIATED BY: City Administrator, Kyler Ludwig

Background:
Residents currently pay utility bills based on their usage during the previous month. A few customers with significant fluctuations in their bills have expressed interest in having a bill based on their average use. This “budget billing” program is already included with our utility billing software. At the January 16th City Council Meeting Staff was directed to prepare a list of administrative policies to implement the Budget Billing Program.

Analysis:
Staff has created a list of policies and practices for the Budget Billing Program. Prior to starting the Budget Billing Program staff will have customers sign an agreement stating they understand the rules.

Recommendations/Actions: It is recommended the City Council:
Approve the proposed budget billing administrative policies, and authorize staff to offer customers a Budget Billing form of payment.

Greensburg Budget Billing Program: Administrative Policies

Budget Billing is a payment method where customers pay a flat utility rate each month. The rate is annually calculated based on the customer’s average usage during the previous year.

- Customers must have 12 months of utility history at the address where Budget Billing is being requested.
- The initial Budget Billing rate is calculated from the average account charge for the previous year of usage.
- Customers may elect to pay more into their accounts throughout the year if they notice increases in usage over the previous year.
- The City Administrator has the authority to adjust the Budget Billing rate if the account usage is creating a significant account deficit.
- The Budget Billing rate is recalculated each September.
- The September bill will be used as a true-up month for all budget billing accounts. Customers with a deficit over $100 will be required to pay the outstanding balance; customers with a account credit can apply the credit to their September bill.
- Services will be shut off if the set Budget Billing rate is not paid.
- Customers are required to pay for all of their usage, and the final bill will include any unpaid balance left on the account. Credits remaining on an account after the final bill will be returned to the customer.
- Customers electing to end their participation in the Budget Billing program will be required to pay the remaining balance on their account. Any credit on the account will be applied to the next month’s payment.
- Customers electing to end their participation in the Budget Billing program will have a 6 month waiting period before they can return to Budget Billing.
# BUDGET BILLING EXAMPLES
(INCLUDES ALL SERVICES)

<table>
<thead>
<tr>
<th></th>
<th>JAN.</th>
<th>FEB.</th>
<th>MARCH</th>
<th>APRIL</th>
<th>MAY</th>
<th>JUNE</th>
<th>JULY</th>
<th>AUG.</th>
<th>SEPT.</th>
<th>OCT.</th>
<th>NOV.</th>
<th>DEC.</th>
<th>HIGH</th>
<th>LOW</th>
<th>AVG.</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>$452.84</td>
<td>$334.20</td>
<td>$244.99</td>
<td>$242.88</td>
<td>$205.81</td>
<td>$187.48</td>
<td>$209.65</td>
<td>$233.69</td>
<td>$193.81</td>
<td>$189.06</td>
<td>$251.24</td>
<td>$285.13</td>
<td>$452.84</td>
<td>$187.48</td>
<td>$252.57</td>
</tr>
<tr>
<td>#2</td>
<td>$548.37</td>
<td>$395.18</td>
<td>$285.36</td>
<td>$288.06</td>
<td>$238.33</td>
<td>$237.74</td>
<td>$284.85</td>
<td>$287.92</td>
<td>$256.85</td>
<td>$229.57</td>
<td>$247.44</td>
<td>$345.07</td>
<td>$548.37</td>
<td>$229.57</td>
<td>$303.73</td>
</tr>
<tr>
<td>#3</td>
<td>$544.13</td>
<td>$465.91</td>
<td>$396.30</td>
<td>$517.79</td>
<td>$547.11</td>
<td>$604.99</td>
<td>$790.60</td>
<td>$674.05</td>
<td>$648.27</td>
<td>$576.12</td>
<td>$411.06</td>
<td>$434.87</td>
<td>$790.60</td>
<td>$396.30</td>
<td>$550.93</td>
</tr>
</tbody>
</table>

** DATA COLLECTED FOR THE YEAR 2017**
TO: Mayor and City Council  
SUBJECT: 2018: Financials  
INITIATED BY: Kyler Ludwig, City Administrator

Background:
In an effort to ensure fiscal transparency staff has prepared a brief financial report reviewing the expenditures in 2017.

Analysis:
General Fund:
The General Fund saw expenditures decrease again in 2017, which helped increase the balance back above the recommended 3 month reserve. Expenditures saw an additional $107,000 in budget cuts this past year over what was spent in 2016 ($70,000 was left to help boost the reserve, while $37,000 was transferred into reserve funds). The General Fund came in 20% under budget in 2017.

Other Funds:
- Big Well spending is was up in 2017, but some adjustments with the Tourism budget have helped cut our expected costs for 2018. Increased revenues have helped make up for some of the additional costs (about $19,000 increase in revenues).
- Electric expenditures and revenues are down in 2017. We have seen an increase in energy costs this year (up about 1 cent/kwh) and reduced customer usage.
  A $40,000 payment was made for RICE upgrades, which increased the expenditures over previous years. The Electric fund also started contributions to a reserve fund this year which increases the expenditures.
- Incubator expenditures were down by about $3,000 while revenues were slightly lower this year from delinquency and lower occupancy.
- Trash expenditures are down as a result of the reserve fund reaching its $100,000 requirement.

Recommendations/Actions: It is recommended the City Council:
Receive and file the 2017 Annual Financial Reports.

Attachments: Exhibit A: 4th Quarter Financials
<table>
<thead>
<tr>
<th></th>
<th>Expenditures</th>
<th>Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>Q1</td>
</tr>
<tr>
<td>Admin</td>
<td>$304,953</td>
<td>$45,110</td>
</tr>
<tr>
<td>Police</td>
<td>$71,515</td>
<td>$13,017</td>
</tr>
<tr>
<td>Fire</td>
<td>$20,000</td>
<td>$2,010</td>
</tr>
<tr>
<td>Streets</td>
<td>$230,720</td>
<td>$33,516</td>
</tr>
<tr>
<td>Parks</td>
<td>$15,975</td>
<td>$482</td>
</tr>
<tr>
<td>Court</td>
<td>$15,000</td>
<td>$113</td>
</tr>
<tr>
<td>Pool</td>
<td>$80,000</td>
<td>$0</td>
</tr>
<tr>
<td>Airport</td>
<td>$500</td>
<td>$0</td>
</tr>
<tr>
<td>Ind. Park</td>
<td>$2,000</td>
<td>$0</td>
</tr>
<tr>
<td>GF- Total</td>
<td>$740,663</td>
<td>$94,248</td>
</tr>
<tr>
<td>Sp. Highway</td>
<td>$172,901</td>
<td>$0</td>
</tr>
<tr>
<td>Big Well</td>
<td>$258,664</td>
<td>$45,129</td>
</tr>
<tr>
<td>Fire Equip</td>
<td>$70,658</td>
<td>$0</td>
</tr>
<tr>
<td>Guest Tax</td>
<td>$94,099</td>
<td>$11,170</td>
</tr>
<tr>
<td>CIP</td>
<td>$227,504</td>
<td>$0</td>
</tr>
<tr>
<td>Incubator</td>
<td>$46,364</td>
<td>$5,709</td>
</tr>
<tr>
<td>Sp. Alcohol</td>
<td>$2,402</td>
<td>$0</td>
</tr>
<tr>
<td>Electric</td>
<td>$1,650,238</td>
<td>$422,916</td>
</tr>
<tr>
<td>Water</td>
<td>$250,871</td>
<td>$49,856</td>
</tr>
<tr>
<td>Sewer</td>
<td>$67,436</td>
<td>$10,751</td>
</tr>
<tr>
<td>Trash</td>
<td>$123,500</td>
<td>$19,873</td>
</tr>
</tbody>
</table>
### 2016 / 2017 : Year End Financials

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admin</td>
<td>$256,522</td>
<td>$241,328</td>
<td>($15,194)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police</td>
<td>$80,806</td>
<td>$63,715</td>
<td>($17,091)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>$10,050</td>
<td>$11,528</td>
<td>$1,478</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Streets</td>
<td>$217,037</td>
<td>$187,094</td>
<td>($29,942)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks</td>
<td>$14,387</td>
<td>$24,355</td>
<td>$9,968</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court</td>
<td>$10,033</td>
<td>$4,440</td>
<td>($5,594)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pool</td>
<td>$65,555</td>
<td>$60,749</td>
<td>($4,806)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td>$64</td>
<td>$205</td>
<td>$142</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ind. Park</td>
<td>$10,008</td>
<td>$1,746</td>
<td>($8,262)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>GF- Total</strong></td>
<td>$664,463</td>
<td>$595,161</td>
<td>($69,302)</td>
<td>$753,473</td>
<td>$763,638</td>
<td>$10,164</td>
<td>$163,250</td>
<td>$296,352</td>
<td>$133,102</td>
</tr>
<tr>
<td>Sp. Highway</td>
<td>$6,156</td>
<td>$3,090</td>
<td>($3,066)</td>
<td>$20,930</td>
<td>$20,908</td>
<td>($22)</td>
<td>$147,016</td>
<td>$164,834</td>
<td>$17,818</td>
</tr>
<tr>
<td>Big Well</td>
<td>$257,893</td>
<td>$254,722</td>
<td>($3,171)</td>
<td>$199,067</td>
<td>$218,018</td>
<td>$18,952</td>
<td>$347,413</td>
<td>$312,526</td>
<td>($34,887)</td>
</tr>
<tr>
<td>Fire Equip</td>
<td>$0</td>
<td>$0</td>
<td>$7,500</td>
<td>$7,500</td>
<td>$7,500</td>
<td></td>
<td>$69,511</td>
<td>$77,011</td>
<td>$7,500</td>
</tr>
<tr>
<td>Guest Tax</td>
<td>$65,596</td>
<td>$71,640</td>
<td>$6,044</td>
<td>$67,989</td>
<td>$67,697</td>
<td>($293)</td>
<td>$131,671</td>
<td>$122,743</td>
<td>($8,928)</td>
</tr>
<tr>
<td>CIP</td>
<td>$0</td>
<td>$227,504</td>
<td>$227,504</td>
<td>$81,475</td>
<td>$85,148</td>
<td>$3,673</td>
<td>$138,979</td>
<td>$224,128</td>
<td>$85,148</td>
</tr>
<tr>
<td>Incubator</td>
<td>$41,882</td>
<td>$38,931</td>
<td>($2,951)</td>
<td>$38,042</td>
<td>$31,826</td>
<td>($6,216)</td>
<td>$173,836</td>
<td>$167,352</td>
<td>($6,484)</td>
</tr>
<tr>
<td>Sp. Alcohol</td>
<td>$0</td>
<td>$0</td>
<td>$2,080</td>
<td>$3,870</td>
<td>$1,790</td>
<td></td>
<td>$3,356</td>
<td>$7,226</td>
<td>$3,870</td>
</tr>
<tr>
<td>Electric</td>
<td>$1,481,828</td>
<td>$1,383,194</td>
<td>($98,634)</td>
<td>$1,558,120</td>
<td>$1,481,895</td>
<td>($76,225)</td>
<td>$928,212</td>
<td>$919,825</td>
<td>($8,387)</td>
</tr>
<tr>
<td>Water</td>
<td>$228,416</td>
<td>$233,574</td>
<td>$5,158</td>
<td>$223,817</td>
<td>$227,823</td>
<td>$4,006</td>
<td>$295,948</td>
<td>$293,729</td>
<td>($2,219)</td>
</tr>
<tr>
<td>Sewer</td>
<td>$53,032</td>
<td>$52,132</td>
<td>($900)</td>
<td>$67,200</td>
<td>$67,880</td>
<td>$680</td>
<td>$62,895</td>
<td>$78,628</td>
<td>$15,734</td>
</tr>
<tr>
<td>Trash</td>
<td>$124,261</td>
<td>$114,815</td>
<td>($9,446)</td>
<td>$117,898</td>
<td>$117,205</td>
<td>($693)</td>
<td>$157,071</td>
<td>$159,648</td>
<td>$2,577</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>General Fund</td>
<td>863868</td>
<td>518891</td>
<td>424401</td>
<td>266908</td>
<td>189693</td>
<td>55368</td>
<td>163250</td>
<td>296352</td>
<td></td>
</tr>
<tr>
<td>Sp. Highway</td>
<td>180394</td>
<td>162092</td>
<td>178359</td>
<td>151858</td>
<td>151858</td>
<td>132242</td>
<td>147016</td>
<td>164834</td>
<td></td>
</tr>
<tr>
<td>Big Well</td>
<td>356956</td>
<td>409122</td>
<td>422234</td>
<td>493853</td>
<td>460153</td>
<td>402207</td>
<td>347413</td>
<td>312526</td>
<td></td>
</tr>
<tr>
<td>Fire Equip</td>
<td>70658</td>
<td>70658</td>
<td>70658</td>
<td>70658</td>
<td>70658</td>
<td>70658</td>
<td>69511</td>
<td>77011</td>
<td></td>
</tr>
<tr>
<td>Guest Tax</td>
<td>56322</td>
<td>68269</td>
<td>84348</td>
<td>100337</td>
<td>111272</td>
<td>122048</td>
<td>131671</td>
<td>122743</td>
<td></td>
</tr>
<tr>
<td>CIP</td>
<td>119857</td>
<td>276642</td>
<td>269714</td>
<td>405272</td>
<td>261215</td>
<td>57504</td>
<td>138979</td>
<td>224128</td>
<td></td>
</tr>
<tr>
<td>Incubator</td>
<td>288403</td>
<td>243049</td>
<td>233215</td>
<td>222435</td>
<td>202511</td>
<td>177066</td>
<td>173836</td>
<td>167352</td>
<td></td>
</tr>
<tr>
<td>Sp. Alcohol</td>
<td>486</td>
<td>832</td>
<td>1276</td>
<td>3356</td>
<td>3356</td>
<td>7226</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric</td>
<td>688593</td>
<td>798810</td>
<td>772511</td>
<td>676194</td>
<td>771880</td>
<td>746963</td>
<td>928212</td>
<td>919825</td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>39140</td>
<td>57145</td>
<td>225147</td>
<td>287103</td>
<td>307897</td>
<td>299247</td>
<td>295948</td>
<td>293729</td>
<td></td>
</tr>
<tr>
<td>Sewer</td>
<td>41977</td>
<td>39918</td>
<td>36310</td>
<td>36280</td>
<td>40550</td>
<td>47747</td>
<td>62895</td>
<td>78628</td>
<td></td>
</tr>
<tr>
<td>Trash</td>
<td>155123</td>
<td>124662</td>
<td>126354</td>
<td>136085</td>
<td>141369</td>
<td>154322</td>
<td>157071</td>
<td>159648</td>
<td></td>
</tr>
</tbody>
</table>
TO: Mayor and City Council  
SUBJECT: Land Bank Donation  
PREPARED BY: City Administrator, Kyler Ludwig

**Background:**
On June 16, 2014 the City of Greensburg established a Land Bank to help aid in the development of properties within the City. Two parties have expressed interested in donating land to the land bank Steve Hewitt (212 E. Garfield), and Desiree Adell (503 S. Sycamore). These properties are both valuable in providing a location for future residential development in the City of Greensburg.

**Analysis:**

212 E. Garfield: 75’x140’
This property is close to the school and teen center, and is zoned for residential development.

503 S. Sycamore: 60’x142.1’
This property has $9,153.06 in back taxes and special assessments (mostly mowing bills from the City). The property owner does not want the property to go through a Sherriff’s Sale, and has expressed some interest in paying some of the delinquent fees if they can avoid legal action. I have talked with the County Attorney, and he does not have concerns about the Land Bank taking on the property as an alternative to the Sherriff’s Sale.

**Financial:**
Any legal costs for the review of the property, and continued maintenance.

**Recommendations/Actions:** It is recommended the Land Bank:
Accept the donation of 212 E. Garfield.
Set conditions for the acceptance of the property at 503 S. Sycamore to be accepted into the Land Bank.

**Attachments:** Exhibit A: Lank Bank Donation Maps
503 S. Sycamore
> 60’ x 142.1’
> Zoned R– 1A Residential
> 1 block west of Senior Ctr.
> 1 block east of Pool Park

212 E. Garfield
> 75’ x 140’
> Zoned R-1A Residential
> Across the street, north, of the teen center
TO: Mayor and City Council  
SUBJECT: Community Plan Discussion  
PREPARED BY: City Administrator, Kyler Ludwig

Background:
At the Council’s request a discussion has been added to the agenda about having the community come together and update the vision/goals for the City of Greensburg. This council discussion is to brainstorm ideas on how to best accomplish this purpose.

Analysis:
Staff has reached out to the Public Policy and Management Center at Wichita State, and they expressed interest in providing a proposal. The recommendation from WSU is that the most cost effective way to do this would be to plan one day of events ie. Morning visit to the senior center then interview students, lunch meeting with community stakeholders/businesses, afternoon interviews with city staff, and an evening community meeting.

Staff is waiting for pricing and the final proposal from WSU, but they expressed a desire to remain flexible to meet the needs of the governing body.

Staff did reached out to a private firm that provides assistance in community plans, but they expressed that with such a small scope the Public Policy and Management Center would be better fitted for the job.

Financial:
Bid is yet to be provided.

Recommendations/Actions: It is recommended the City Council:
Discuss the process of reassessing the community goals and vision

Attachments: Exhibit A: Vision and Goals from Comprehensive Plan
VISION + GOALS
A COMMON VISION; A SUSTAINABLE FUTURE

The root of sustainability is based in common Kansas values. A Kansan thinks in terms of generations and harbors a sincere belief that decisions should build strong communities for our children. We still believe in the power of community, and in our rural areas neighbors still gather at the coffee shop to talk about the issues of the day. A Kansan’s character is rooted in the agricultural industry prominent in the region. We understand the natural systems that power a sustainable economy and know what it means to live off, and with, the land.

Although the May 2007 tornado left less than 10 percent of Greensburg’s building stock standing, the storm ultimately united the community around a tenacious rebuilding effort. Within the first six months following the disaster, despite personal anguish and psychological distress, the community began envisioning its future. It was understood that without a common vision the goals for rebuilding could not be attained. Knowing that the endeavor to build a sustainable model rural community would require extensive coordination and alignment of hundreds of stakeholder organizations the community established a vision and goals to guide development. Every meeting and discussion about rebuilding dealt directly with the effort to become an economically, environmentally, and culturally sustainable town.
COMMUNITY VISION
As part of Greensburg’s long-term recovery planning process, community members were asked to create a vision for the town’s redevelopment. In a one-day Visioning Retreat, a group of citizens reflected on their experiences living in Greensburg and created a Community Vision that evolved into the following statement:

Blessed with a unique opportunity to create a strong community devoted to family, fostering business, working together for future generations.

At its heart, this vision is about constantly improving and strengthening community. It is a powerful statement that memorializes generational thinking as a guiding philosophy.
COMMUNITY GOALS
The Vision statement was supported by a set of goals published in the Long-Term Community Recovery Plan. In order to memorialize all the good community input to date, and to continue integrating the Public Square Steering Committee, these goals were used as a foundation to guide the Sustainable Comprehensive Plan. Some goals were added, combined or cut to accurately reflect the rapidly developing consensus. These goals serve as a living document providing guiding principles for development. Accomplishing the community vision will require careful consideration of the connectedness and intent behind each goal.

COMMUNITY
A progressive community that offers urban services within the unassuming feel of a rural, Midwestern community.

FAMILY
A community that provides opportunities for its young people in the way of jobs, education and recreation as reasons to stay in Greensburg.

PROSPERITY
A community where entrepreneurial spirit, customer service, and a sustainable economy permeate the business sector and where residents, travelers, and tourists enjoy a full line of locally-owned businesses that provide jobs and services.

ENVIRONMENT
A community that recognizes the importance of the natural environment and balances the need for growth and economic development with the maintenance and improvement of the environment.

AFFORDABILITY
An up-to-date, affordable rural community where housing plans and strategies incorporate energy-efficient design and materials and serve as a regional and national model for integrating residents of all ages and needs with services of all kinds.

GROWTH
A community that opens its doors to new residents and visitors without diminishing the values and lifestyles of its current residents.

RENEWAL
A community that makes proactive decisions that use this opportunity to reverse decline and build a progressive city with a strong future.

WATER
Treat each drop of water as a precious resource.

HEALTH
Improve quality of life by promoting a healthy and active lifestyle.

ENERGY
Promote a high level of efficiency in new construction and look to renewable options for generation.

WIND
Greensburg’s vast wind resources are part of an emerging economy and should be harvested.

BUILT ENVIRONMENT
Build a town that encourages interaction between residents, welcomes guests and serves as a model community. New development should be durable, healthy, and efficient. City projects will lead the way by becoming examples of green practices that are built to last.
GREensburg’S BOTTOM LINE
A truly sustainable community is one that balances the economic, ecological and social impacts of development. In Greensburg protecting social equity and maintaining cultural heritage means establishing a framework for affordable, diverse housing, ensuring a mixed income range, and taking an inventory of the cultural qualities that made the town special. Incorporating ecological balance means continuing to remember the natural heritage of western Kansas, stewarding the Ogallala aquifer and realizing the inherent energy of the wind and the sun. When ecology and culture are balanced, there is an immense opportunity to capitalize on the economies they create. By restoring the native environmental systems and utilizing natural capital, Greensburg can create a vibrant, sustainable rural economy.

CREATING A REPLICABLE MODEL
Greensburg’s progressive goals for rebuilding also represent an opportunity for other rural towns to better understand how a successful, sustainable economy is created. The planning team has heard from the community that it is important to make replicable decisions in Greensburg so successes can be shared with similar communities. This requires some extra diligence on the part of those rebuilding Greensburg. Not only must they record their path, but they must also be careful to make replicable decisions. The challenge is that Greensburg’s efforts were prefaced by a devastating event, and the funding mechanisms and state and federal support are specific to a disaster response situation. Many towns that would like to follow Greensburg’s model will likely not be in a designated disaster area, but should still be able to replicate many of the good decisions that make Greensburg a model. The process for implementing those decisions may differ, but the overall vision and action steps will be similar. As Greensburg becomes established, other rural communities will be able to use Greensburg as a model, learn from the failures, and capitalize on the successes.

MEASUREMENT AND RESEARCH
Sustainable community planning is a relatively young concept and there is little data to support or refute its claims. As one of few communities with the opportunity to do a complete overhaul of its infrastructure, buildings, and government, Greensburg is uniquely positioned to be a laboratory for research on sustainable design and community development. In addition, Greensburg is the first rural municipality to take on these aggressive goals, making it a one of a kind sustainable community. It is recommended that every entity involved in rebuilding take extra care to record successes and understand failures. In the coming years as Greensburg’s rebuild becomes more and more substantial, there will be an opportunity to attract research entities in the way of resident programs, university partnerships, and even scientific studies. Careful record keeping will help attract these researchers to town.
City Code
Chapter III
Beverages
3-102: Location

- Alcohol can not be served within 200 feet of any:
  - Church
  - School
  - Library
  - Nursing Home
  - Hospital
3-104: Consumption on Public Property

• Consumption is prohibited on Public Property unless a permit has been issued by the City.

• Example: It is prohibited to have a wine and cheese picnic at the park.
3-201: License Required of Retailers

- The City Requires businesses selling cereal malt beverages to get an annual permit.
  - Pueblo Nuevo
  - Quick Pick
  - Kwik Shop
  - Golf Course
  - Reggie’s
  - Rodeo Club

- Businesses with a liquor license have been regulated by the state
• Cereal malt beverages may not be sold or dispensed between midnight and 6:00am.
• Cereal malt beverages may not be sold on Sundays.
• These conditions do not apply if less than 30% of revenues comes from the sale of cereal malt beverages.
Alcoholic Liquor

• Hours of Sale – Liquor Store
  – Must be closed on
    • Sundays
    • Before 9am and after 11pm

  – Business interest has been expressed on being open during some holidays.
Alcoholic Liquor

• Hours of Sale – Bars
  – Can not serve between the hours of 2am and 9am.

• Caterers
  – Can not serve between 2am and 6am
  – Must give written notice to chief of police at least 72 hours before an event.

• Temporary Permits
  – Can not serve between 2am and 6am.
# CHAPTER III. BEVERAGES

## ARTICLE 1. GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-101</td>
<td>Definitions</td>
</tr>
<tr>
<td>3-102</td>
<td>Restriction on location</td>
</tr>
<tr>
<td>3-103</td>
<td>Minors on premises</td>
</tr>
<tr>
<td>3-104</td>
<td>Consumption on public property</td>
</tr>
<tr>
<td>3-105</td>
<td>Public sale; consumption</td>
</tr>
<tr>
<td>3-106</td>
<td>Open container</td>
</tr>
<tr>
<td>3-107</td>
<td>Consumption while driving</td>
</tr>
<tr>
<td>3-108</td>
<td>Identification card</td>
</tr>
<tr>
<td>3-109</td>
<td>Underage purchaser</td>
</tr>
</tbody>
</table>

## ARTICLE 2. CEREAL MALT BEVERAGES

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-201</td>
<td>License required of retailers</td>
</tr>
<tr>
<td>3-202</td>
<td>Application</td>
</tr>
<tr>
<td>3-202a</td>
<td>License application procedures</td>
</tr>
<tr>
<td>3-203</td>
<td>License granted; denied</td>
</tr>
<tr>
<td>3-204</td>
<td>License to be posted</td>
</tr>
<tr>
<td>3-205</td>
<td>License, disqualification</td>
</tr>
<tr>
<td>3-206</td>
<td>Restriction upon location</td>
</tr>
<tr>
<td>3-207</td>
<td>License fee</td>
</tr>
<tr>
<td>3-208</td>
<td>Suspension of license</td>
</tr>
<tr>
<td>3-209</td>
<td>License suspension, or revocation, by governing body</td>
</tr>
<tr>
<td>3-210</td>
<td>Same; appeal</td>
</tr>
<tr>
<td>3-211</td>
<td>Change of location</td>
</tr>
<tr>
<td>3-212</td>
<td>Wholesalers and/or distributors</td>
</tr>
<tr>
<td>3-213</td>
<td>Business regulations</td>
</tr>
<tr>
<td>3-214</td>
<td>Prohibited conduct on premises</td>
</tr>
<tr>
<td>3-215</td>
<td>Sanitary conditions required</td>
</tr>
<tr>
<td>3-216</td>
<td>Minors on premises</td>
</tr>
<tr>
<td>3-217</td>
<td>Temporary license</td>
</tr>
</tbody>
</table>

## ARTICLE 3. ALCOHOLIC LIQUOR

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-301</td>
<td>State license required</td>
</tr>
<tr>
<td>3-302</td>
<td>Liquor Stores</td>
</tr>
<tr>
<td>3-303</td>
<td>Private Clubs</td>
</tr>
<tr>
<td>3-304</td>
<td>Drinking Establishments</td>
</tr>
<tr>
<td>3-305</td>
<td>Caterers</td>
</tr>
<tr>
<td>3-306</td>
<td>Temporary Permits</td>
</tr>
</tbody>
</table>
ARTICLE 1. GENERAL PROVISIONS


(a) Alcohol - means the product of distillation of any fermented liquid, whether rectified or diluted, whatever the origin thereof, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) Cereal Malt Beverage - means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any such liquor which is more than 3.2 percent alcohol by weight.

(c) Class A Club - means 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, as determined by the State of Kansas, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members), and their families and guests accompanying them.

(d) Class B Club - means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(e) Club - means a Class A or Class B club.

(f) General Retailer - means a person who has a license to sell cereal malt beverages at retail.

(g) Limited Retailer - means a person who has a license to sell cereal malt beverages at retail only in original and unopened containers and not for consumption on the premises.

(h) Place of Business. - Any place at which cereal malt beverages or alcoholic beverages or both are sold.

(i) Wholesaler or distributor. - Any individuals, firms, copartnerships, corporations and associations which sell or offer for sale any beverage referred to in this chapter, to persons, copartnerships, corporations and associations authorized by this chapter to sell cereal malt beverages at retail.

(Code 2007)

3-102. Restriction on location.

(a) No alcoholic liquor shall be sold or served by a person holding a license or permit from the city whose place of business or other premises are located within 200 feet of any church, school, library, nursing home, or hospital said distance to be measured from the nearest property line of such church, school, library, nursing home, or hospital to the nearest portion of the building occupied by the premises.

(b) The distance location of subsection (a) above shall not apply to a club, drinking establishment, caterer or temporary permit holder when the license or permit applicant petitions for and receives a waiver of the distance limitation from the governing body. The governing body shall grant such a waiver only following public notice and hearing and a finding by the governing body that the proximity of the establishment is not adverse to the public welfare or safety.
(c) No license or permit shall be issued for the sale of alcoholic liquor if the building or use does not meet the zoning ordinance requirements of the city or conflicts with other city laws, including building and health codes.

(Code 2007)

3-103. **Minors on premises.**

(a) It shall be unlawful for any person under the age of 21 years to remain on any premises where the sale of alcoholic liquor is licensed for on-premises consumption, or where a caterer or temporary permit holder is serving alcoholic liquor.

(b) It shall be unlawful for the operator, person in charge or licensee of any premises licensed for on-premises consumption of alcoholic liquor or a caterer or temporary permit holder who is serving alcoholic liquor to permit any person under the age of 21 years to remain on the premises.

(c) This section shall not apply if the person under the age of 21 years is accompanied by his or her parent or guardian, or if the licensed or permitted premises derives not more than 30 percent of its gross receipts in each calendar year from the sale of alcoholic liquor for on-premises consumption.

(Code 2007)

3-104. **Consumption on public property.**

No person shall drink or consume any alcoholic liquor on city owned public property. However, this prohibition shall not apply to special events on public property, for which a permit has been obtained from the city. The City Clerk shall notify the Chief of Police of all scheduled events on public property.

(K.S.A. Supp. 41-719; Code 2007; Ord. 1064)

3-105. **Public sale; consumption.**

(a) It shall be unlawful for any person to sell, serve or dispense any cereal malt beverage or alcoholic beverage in any public place not licensed to sell, serve or dispense such beverage at such public place within or under the jurisdiction of the city.

(b) It shall be unlawful for any person to drink or consume any cereal malt beverage or alcoholic beverage in any public place not licensed to sell and serve such beverage for public consumption at such public place within or under the jurisdiction of the city.

(c) For purposes of this section, the term “public place” shall include upon any street, public thoroughfare, public parking lot or any privately owned parking area made available to the public generally, within any parked or driven motor vehicle situated in any of the aforesaid places or upon any property owned by the state or any governmental subdivision thereof unless such property is leased to others under K.S.A. 12-1740 et seq. if the property is being used for hotel or motel purposes or purposes incidental thereto or is owned or operated by an airport authority created pursuant to Chapter 27 of the Kansas Statutes Annotated.

(K.S.A. 41-719; Code 2007)

3-106. **Open container.**
(a) It shall be unlawful for any person to transport in any vehicle upon a highway or street any cereal malt beverage or alcoholic beverage unless such beverage is:

1. In the original, unopened package or container, the seal of which has not been broken and from which the original cap or cork or other means of closure has not been removed;

2. In the locked, rear trunk or rear compartment or any locked outside compartment which is not accessible to any person in the vehicle while it is in motion or;

3. In the exclusive possession of a passenger in a vehicle which is a recreational vehicle as defined by K.S.A. 75-1212 or a bus as defined by K.S.A. 8-1406, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) As used in this section highway and street have meanings provided by K.S.A. 8-1424 and K.S.A. 8-1473 and amendments thereto.

(K.S.A. 8-1599; Code 2007)

3-107. **Consumption while driving.**

It shall be unlawful for any person to consume any cereal malt beverage or alcoholic beverage while operating any vehicle upon any street or highway.

(K.S.A. 41-719, 41-2720; Code 2007)

3-108. **Identification card.**

(a) It shall be unlawful for any person to:

1. Display, cause or permit to be displayed, or have in possession, any fictitious, fraudulently altered, or fraudulently obtained identification card for purposes relating to the sale, purchase or consumption of either cereal malt beverage or alcoholic liquor.

2. Display or represent any identification card not issued to such person as being his or her card for purposes relating to the sale, purchase or consumption of either cereal malt beverage or alcoholic liquor.

3. Permit any unlawful use of an identification card issued to a person for purposes relating to the sale, purchase or consumption of either cereal malt beverage or alcoholic liquor.

4. Photograph, photostat, duplicate or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile for purposes relating to the sale, purchase or consumption of either cereal malt beverage or alcoholic liquor.

(b) It shall be unlawful for any person to:

1. Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the sale, purchase or consumption of any alcoholic liquor.
(2) Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the sale, purchase or consumption of any cereal malt beverage.  

(Code 2007)

3-109. **Underage purchaser.**

(a) It shall be unlawful for any person under 21 years of age to purchase or attempt to purchase any cereal malt beverage.

(b) It shall be unlawful for any person under 21 years of age to purchase or attempt to purchase any alcoholic liquor.  

(K.S.A. Supp. 41-727; Code 2007)
ARTICLE 2. CEREAL MALT BEVERAGES

3-201. License required of retailers.

(a) It shall be unlawful for any person to sell any cereal malt beverage at retail without a license for each place of business where cereal malt beverages are to be sold at retail.

(b) It shall be unlawful for any person, having a license to sell cereal malt beverages at retail only in the original and unopened containers and not for consumption on the premises, to sell any cereal malt beverage in any other manner.

(K.S.A. 41-2702; Code 2007)


Any person desiring a license shall make an application to the governing body of the city and accompany the application by required license fee for each place of business for which the person desires the license. The application shall be verified, and upon a form prepared by the attorney general of the State of Kansas, and shall contain:

(a) The name and residence of the applicant and how long he or she has resided within the State of Kansas;

(b) The particular place for which a license is desired;

(c) The name of the owner of the premises upon which the place of business is located;

(d) The names and addresses of all persons who hold any financial interest in the particular place of business for which a license is desired;

(e) A statement that the applicant is a citizen of the United States and not less than 21 years of age and that he or she has not within two years immediately preceding the date of making application been convicted of a felony or any crime involving moral turpitude, or been adjudged guilty of drunkenness, or driving a motor vehicle while under the influence of intoxicating liquor or the violation of any other intoxicating liquor law of any state or of the United States;

(f) The application shall be accompanied by a statement, signed by the applicant, authorizing any governmental agency to provide the city with any information pertinent to the application. The application shall be scheduled for consideration by the governing body at the earliest meeting consistent with current notification requirements.

(Code 2007; Ord. 1034)

3-202a. License application procedures.

(a) All applications for a new and renewed cereal malt beverage license shall be submitted to the city clerk 10 days in advance of the governing body meeting at which they will be considered.

(b) The city clerk’s office shall notify the applicant of an existing license 30 days in advance of its expiration.
(c) The clerk’s office shall provide copies of all applications to the police department, to the fire
department, and to the city-county health department, when they are received. The police department will
run a records check on all applicants and the fire department and health department will inspect the
premises in accord with chapters 7 and 8 of this code. The departments will then recommend approval, or
disapproval, of applications within five working days of the department’s receipt of the application.

(d) The governing body will not consider any application for a new or renewed license that has not
been submitted 10 days in advance and been reviewed by the above city departments.

(e) An applicant who has not had a cereal malt beverage license in the city shall attend the
governing body meeting when the application for a new license will be considered.

3-203. License granted; denied.

(a) The journal of the governing body shall show the action taken on the application.

(b) If the license is granted, the city clerk shall issue the license which shall show the name of the
licensee and the year for which issued.

(c) No license shall be transferred to another licensee.

(d) If the license shall be denied, the license fee shall be immediately returned to the person who
has made application.

3-204. License to be posted.

Each license shall be posted in a conspicuous place in the place of business for which the license is
issued.

3-205. License, disqualification.

No license shall be issued to:

(a) A person who has not been a resident in good faith of the State of Kansas for at least one year
immediately preceding application and a resident of Kiowa County for at least six months prior to filing
of such application.

(b) A person who is not a citizen of the United States.

(c) A person who is not of good character and reputation in the community in which he or she
resides.

(d) A person who, within two years immediately preceding the date of making application, has been
convicted of a felony or any crime involving moral turpitude, or has been adjudged guilty of drunkenness
or driving a motor vehicle while under the influence of intoxicating liquor or the violation of any other
intoxicating liquor law of any State or of the United States.
(e) A partnership, unless all the members of the partnership shall otherwise be qualified to obtain a license.

(f) A corporation if any manager, officer or director thereof or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation would be ineligible to receive a license hereunder for any reason other than nonresidence within the city or county.

(g) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation, has been an officer, manager or director or a stockholder owning in the aggregate more than 25 percent of the stock, of a corporation which: (a) Has had a retailer’s license revoked under K.S.A. 41-2708 and amendments thereto; or (b) has been convicted of a violation of the drinking establishment act or the cereal malt beverage laws of this state.

(h) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.

(i) A person whose spouse would be ineligible to receive a retailer’s license for any reason other than citizenship, retailer residency requirements or age, except that this subsection(i) shall not apply in determining eligibility for renewal license.

(j) Any violation of a provision of 3-205 may result in automatic disqualification of license eligibility.

(Code 2007; Ord. 1034)

3-206. Restriction upon location.

(a) No license shall be issued for the sale at retail of any cereal malt beverage on premises which are located in areas not zoned for such purpose.

(b) It shall be unlawful to sell or dispense at retail any cereal malt beverage at any place within the city limits that is within a 200-foot radius of any church, school or library.

(c) Provisions of this section shall not apply to any establishment holding a private club license issued by the State of Kansas.

(d) The distance limitation of subsection (b) above shall not apply to any establishment holding a cereal malt beverage license issued by the city when the licensee has petitioned for and received a waiver of the distance limitation. The governing body shall grant such a waiver only following public notice and hearing.

(K.S.A. 41-2704; Code 2007)

3-207. License fee.

The rules and regulations regarding license fees shall be as follows:

(a) General Retailer - for each place of business selling cereal malt beverages at retail, $225.00 per calendar year (inclusive of a $25.00 application fee).
Limited Retailer - for each place of business selling only at retail cereal malt beverages in original and unopened containers and not for consumption on the premises, $75.00 per calendar year (inclusive of a $25.00 application fee).

Full amount of the license fee shall be required regardless of the time of the year in which the application is made, and the licensee shall only be authorized to operate under the license for the remainder of the calendar year in which the license is issued.

(K.S.A. 41-2702; Code 2007; Ord. 1000; Ord. 1034)

3-208. Suspension of license.

The chief of police, upon five days’ written notice, shall have the authority to suspend such license for a period not to exceed 30 days, for any violation of the provisions of this chapter or other laws pertaining to cereal malt beverages, which violation does not in his or her judgment justify a recommendation of revocation. The licensee may appeal such order of suspension to the governing body within seven days from the date of such order.

(Code 2007)

3-209. License suspension, or revocation, by governing body.

The governing body of the city, upon five days’ written notice, to a person holding a license to sell cereal malt beverages shall permanently revoke or cause to be suspended for a period of not more than 30 days such license for any of the following reasons:

(a) If a licensee has fraudulently obtained the license by giving false information in the application therefor;

(b) If the licensee has violated any of the provisions of this article or has become ineligible to obtain a license under this article;

(c) Drunkenness of a person holding such license, drunkenness of a licensee’s manager or employee while on duty and while on the premises for which the license is issued, or for a licensee, his or her manager or employee permitting any intoxicated person to remain in such place selling cereal malt beverages;

(d) The sale of cereal malt beverages to any person under 21 years of age;

(e) For permitting any gambling in or upon any premises licensed under this article;

(f) For permitting any person to mix drinks with materials purchased in any premises licensed under this article or brought into the premises for this purpose;

(g) For the employment of any person under the age established by the State of Kansas for employment involving dispensing cereal malt beverages;

(h) For the employment of persons adjudged guilty of a felony or of a violation of any law relating to intoxicating liquor;

(i) For the sale or possession of, or for permitting the use or consumption of alcoholic liquor within or upon any premise licensed under this article;
(j) The nonpayment of any license fees;

(k) If the licensee has become ineligible to obtain a license under this chapter;

(l) The provisions of subsections (f) and (i) shall not apply if such place of business is also currently licensed as a private club.

(K.S.A. 41-2708; Code 2007)

3-210. Same; appeal.

The licensee, within 20 days after the order of the governing body revoking any license, may appeal to the district court of Kiowa County and the district court shall proceed to hear such appeal as though such court had original jurisdiction in the matter. Any appeal taken under this section shall not suspend the order of revocation or suspension during the pendency of such appeal. In case of the revocation of the license of any licensee, no new license shall be issued to such person or any person acting for or on his or her behalf, for a period of six months thereafter.

(K.S.A. 41-2708; Code 2007)

3-211. Change of location.

If a licensee desires to change the location of his or her place of business, he or she shall make an application to the governing body showing the same information relating to the proposed location as in the case of an original application. Such application shall be accompanied by a fee of $50.00. If the application is in proper form and the location is not in a prohibited zone and all other requirements relating to such place of business are met, a new license shall be issued for the new location for the balance of the year for which a current license is held by the licensee.

(Code 2007)

3-212. Wholesalers and/or distributors.

It shall be unlawful for any wholesaler and/or distributor, his, her or its agents or employees, to sell and/or deliver cereal malt beverages within the city, to persons authorized under this article to sell the same within this city unless such wholesaler and/or distributor has first secured a license from the director of revenue, state commission of revenue and taxation of the State of Kansas authorizing such sales.

(K.S.A. 41-307:307a; Code 2007)

3-213. Business regulations.

It shall be the duty of every licensee to observe the following regulations.

(a) The place of business licensed and operating under this article shall at all times have a front and rear exit unlocked when open for business.

(b) The premises and all equipment used in connection with such business shall be kept clean and in a sanitary condition and shall at all times be open to the inspection of the police and health officers of the city, county and state.

(c) Except as provided by subsection (d), no cereal malt beverages may be sold or dispensed between the hours of 12:00 midnight and 6:00 a.m., or consumed between the hours of 12:30 a.m., and
6:00 a.m., or on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises; closing hours for clubs shall conform to K.S.A. 41-2614 and any amendments thereto.

(d) Cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to be served on premises which are licensed pursuant to K.S.A. 41-2701 et seq., and licensed as a club by the State Director of Alcoholic Beverage Control.

(e) The place of business shall be open to the public and to the police at all times during business hours, except that premises licensed as a club under a license issued by the State Director of Alcoholic Beverage Control shall be open to law enforcement and not to the public.

(f) It shall be unlawful for any licensee or agent or employee of the licensee to become intoxicated in the place of business for which such license has been issued.

(g) No licensee or agent or employee of the licensee shall permit any intoxicated person to remain in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall sell or permit the sale of cereal malt beverage to any person under 21 years of age.

(i) No licensee or agent or employee of the licensee shall permit any gambling in the place of business for which such license has been issued.

(j) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(k) No licensee or agent or employee of the licensee shall employ any person under 21 years of age in dispensing cereal malt beverages. No licensee shall employ any person who has been judged guilty of a felony.

(Code 2007)

3-214. Prohibited conduct on premises.

The following conduct by a cereal malt beverage licensee, manager or employee of any licensed cereal malt beverage establishment is deemed contrary to public welfare and is prohibited:

(a) Remaining or permitting any person to remain in or upon the premises who exposes to view any portion of the female breasts below the top of the areola or any portion of males/females pubic hair, anus, buttocks or genitals;

(b) Permitting any employee on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva or genitals of any other employee or any patron;

(c) Encouraging or permitting any patron on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva, or genitals of any employee;

(d) Performing or permitting any person to perform on the licensed premises acts of or acts which simulate:
(1) Sexual intercourse, masturbation, sodomy, or any other sexual act which is prohibited by law; or

(2) Touching, caressing or fondling such persons’ breasts, buttocks, anus or genitals.

(e) Using or permitting any person to use on the licensed premises, any artificial devices or inanimate objects to depict any of the acts prohibited by paragraph (d) of this section.

(f) Showing or permitting any person to show on the licensed premises any motion picture, film, photograph, electronic reproduction, or other visual reproduction depicting:

(1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, or any sexual act which is prohibited by law;

(2) The touching, caressing or fondling of the buttocks, anus, genitals or the female breasts;

(3) Scenes in which a person displays the buttocks, anus, genitals or the female breasts.

(g) As used in this section, the term premises means the premises licensed by the city as a cereal malt beverage establishment and such other areas, under the control of the licensee or his or her employee or employees, that are in such close proximity to the licensed premises that activities and conduct of persons within such other areas may be viewed by persons on or within the licensed premises.

(Code 2007)

3-215. Sanitary conditions required.

All parts of the licensed premises including furnishings and equipment shall be kept clean and in a sanitary condition, free from flies, rodents and vermin at all times. The licensed premises shall have at least one restroom for each sex easily accessible at all times to its patrons and employees. The restroom shall be equipped with at least one lavatory with hot and cold running water, be well lighted, and be furnished at all times with paper towels or other mechanical means of drying hands and face. Each restroom shall be provided with adequate toilet facilities which shall be of sanitary design and readily cleanable. The doors of all toilet rooms shall be self-closing and toilet paper at all times shall be provided. Easily cleanable receptacles shall be provided for waste material and such receptacles in toilet rooms for women shall be covered. The restrooms shall at all times be kept in a sanitary condition and free of offensive odors and shall be at all times subject to inspection by the city health officer or designee.

(Code 2007)

3-216. Minors on premises.

(a) It shall be unlawful for any person under 21 years of age to remain on any premises where the sale of cereal malt beverages is licensed for on-premises consumption.

(b) This section shall not apply if the person under 21 years of age is an employee of the licensed establishment, or is accompanied by his or her parent or guardian, or if the licensed establishment derives not more than 30 percent of its gross receipts in each calendar year from the sale of cereal malt beverages for on-premises consumption.

(Code 2007)

3-217. Temporary license.
The Governing Body may, upon proper application, issue a temporary permit for the sale of cereal malt beverages. Any such application for a temporary permit shall be made to the City Clerk and shall provide the following information:

(a) The name of Applicant.

(b) The group for which the event is planned.

(c) The location of the event.

(d) The date and time of the event.

(e) Any anticipated need for police, fire, or other municipal service.

Upon receipt of such Application accompanied by a permit fee of $50.00, the Governing Body may authorize the issuance of such temporary permit notwithstanding location restrictions as provided for within Section 3-109 herein. All other provisions and regulations found with Chapter III applicable to the sale of cereal malt beverages will be applicable to such permit. (Ord. 1034)
ARTICLE 3. ALCOHOLIC LIQUOR

3-301. State license required.

(a) It shall be unlawful for any person to keep for sale, offer for sale, or expose for sale or sell any alcoholic liquor on or off premise as defined by the "Kansas liquor control act" without first having obtained a state license to do so.

(Code 2014; Ord. 1064)

3-302. Liquor Stores.

(a) Hours of sale.

No person shall sell at retail any alcoholic liquor:

(1) On any Sunday;


(3) Before 9:00 a.m. or after 11:00 p.m. on any day when the sale thereof is permitted.

(b) Business regulations.

It shall be unlawful for a retailer of alcoholic liquor to:

(1) Permit any person to mix drinks in or on the licensed premises;

(2) Employ any person under the age of 21 years in connection with the operation of the retail establishment;

(3) Employ any person in connection with the operation of the retail establishment who has been adjudged guilty of a felony;

(4) Furnish any entertainment in his or her premises or permit any pinball machine or game of skill or chance to be located in or on the premises;

(5) Have in his or her possession for sale at retail any bottles, cask, or other containers containing alcoholic liquor, except in the original package;

(6) Sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquor to or for any person under 21 years of age.

(c) Restrictions on location.

No person shall knowingly or unknowingly sell, give away, famish, dispose of, procure, exchange or deliver, or permit the selling, giving away, furnishing, disposing of, procuring, exchanging or delivering of any alcoholic beverage in any building, structure or premises, if the nearest portion of the building, structure or premises is within 200 feet from the nearest property line of any existing hospital, school, church, nursing home, or library

(K.S.A. 41-710; K.S.A. 41-712; K.S.A. 41-2911; Code 2014; Ord. 1064)
3-303. **Private Clubs.**

(a) Business regulations.

(1) No club licensed hereunder shall allow the serving, mixing or consumption of alcoholic liquor on its premises between the hours of 2:00 a.m. and 9:00 a.m. on any day.

(2) Cereal malt beverages may be sold on premises licensed for the retail sale of cereal malt beverages for on-premises consumption at any time when alcoholic liquor is allowed by law to be served on the premises.

(3) No club membership shall be sold to any person under 21 years of age, nor shall alcoholic beverages or cereal malt beverages be given, sold or traded to any person under 21 years of age.

(K.S.A. Supp. 41-2614; Code 2007; Ord. 1064)

3-304. **Drinking Establishments.**

(a) Business regulations.

(1) No drinking establishment licensed hereunder shall allow the serving, mixing or consumption of alcoholic liquor on its premises between the hours of 2:00 a.m. and 9:00 a.m. on any day.

(2) Cereal malt beverages may be sold on premises licensed for the retail sale of cereal malt beverage for on-premises consumption at any time when alcoholic liquor is allowed by law to be served on the premises.

(3) No alcoholic beverages or cereal malt beverages shall be given, sold or traded to any person under 21 years of age.

(K.S.A. Supp. 41-2614; Code 2014; Ord. 1064)

3-305. **Caterers.**

(a) Business regulations.

(1) No caterer licensed hereunder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. on any day.

(2) No alcoholic beverages or cereal malt beverages shall be given, sold or traded to any person under 21 years of age.

(b) Notice to chief of police.

Prior to any event at which a caterer will sell or serve alcoholic liquor by the individual drink, the caterer shall provide written notice to the chief of police at least 72 hours prior to the event if the event will take place within the city. The notice shall contain the location, name of the group sponsoring the event, and the exact date and times the caterer will be serving.

(K.S.A. Supp. 41-2614; Code 2014; Ord. 1064)
3-306. Temporary Permits.

(a) Permit regulations.

(1) No temporary permit holder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. at any event for which a temporary permit has been issued.

(2) No alcoholic beverages shall be given, sold or traded to any person under 21 years of age.  

(Code 2014; Ord. 1064)