

COMMISSION WORK SESSION

April 30, 2007

Commission Chambers

7:00 p.m.

1. Smoking Limitation Ordinance
2. Review of Revised Fees for Mariah Hills Golf Course
3. Report on CVB Board Restructuring

ORDINANCE NO. XXXX

AN ORDINANCE ESTABLISHING THE CITY OF DODGE CITY SMOKEFREE AIR ACT OF 2007; WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS.

Sec. 1000. Title

This Ordinance shall be known as the City of Dodge City Smokefree Air Act of 2007.

Sec. 1001. Findings and Intent

The Governing Body of the City of Dodge City Kansas does hereby find that:

The 2006 U.S. Surgeon General's Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory problems, ear infections, and asthma attacks, and that smoking by parents causes respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smokefree workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smokefree policies and laws do not have an adverse economic impact on the hospitality industry. (U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.)

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer. The National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually. (National Cancer Institute

(NCI), "Health effects of exposure to environmental tobacco smoke: the report of the California Environmental Protection Agency. Smoking and Tobacco Control Monograph 10," *Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI)*, August 1999.)

The Public Health Service's National Toxicology Program (NTP) has listed secondhand smoke as a known carcinogen. (Environmental Health Information Service (EHIS), "Environmental tobacco smoke: first listed in the Ninth Report on Carcinogens," *U.S. Department of Health and Human Services (DHHS), Public Health Service, NTP*, 2000; reaffirmed by the NTP in subsequent reports on carcinogens, 2003, 2005.

There is no safe level of exposure to secondhand smoke. (Environmental Protection Agency (EPA), "Respiratory health effects of passive smoking: lung cancer and other disorders, the report of the U.S. Environmental Protection Agency. Smoking and Tobacco Control Monograph 4," *Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI); Environmental Protection Agency (EPA)*, August 1993; California Environmental Protection Agency, "Health Effects of Exposure to Environmental Tobacco Smoke," 1997; California Air Resources Board, "Proposed identification of environmental tobacco smoke as a toxic air contaminant," *Sacramento: California Environmental Protection Agency (Cal-EPA), Air Resources Board, Stationary Source Division, Air Quality Measures Branch, Office of Environmental Health Hazard Assessment (OEHHA)*, September 29, 2005.).

Secondhand smoke is particularly hazardous to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. (California Environmental Protection Agency (Cal EPA), "Health effects of exposure to environmental tobacco smoke", *Tobacco Control 6(4): 346-353*, Winter, 1997.) The Americans With Disabilities Act, which requires that disabled persons have access to public places and workplaces, deems impaired respiratory function to be a disability. (Daynard, R.A., "Environmental tobacco smoke and the Americans with Disabilities Act," *Nonsmokers' Voice 15(1): 8-9*.)

The U.S. Surgeon General has determined that the simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to secondhand smoke. (Department of Health and Human Services. *The Health Consequences of Involuntary Smoking: A Report of the Surgeon General*. Public Health Service, Centers for Disease Control, 1986.)

A significant amount of secondhand smoke exposure occurs in the workplace. Employees who work in smoke-filled businesses suffer a 25-50% higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function. (Pitsavos, C.; Panagiotakos, D.B.; Chrysohoou, C.; Skoumas, J.; Tzioumis, K.; Stefanadis, C.; Toutouzas, P., "Association between exposure to environmental tobacco smoke and the development of acute coronary syndromes: the CARDIO2000 case-control study," *Tobacco Control* 11(3): 220-225, September 2002.)

Numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smokefree. Creation of smokefree workplaces is sound economic policy and provides the maximum level of employee health and safety. (Glantz, S.A. & Smith, L. The effect of ordinances requiring smokefree restaurants on restaurant sales in the United States. *American Journal of Public Health*, 87:1687-1693, 1997; Colman, R.; Urbonas, C.M., "The economic impact of smoke-free workplaces: an assessment for Nova Scotia, prepared for Tobacco Control Unit, Nova Scotia Department of Health," *GPI Atlantic*, September 2001.)

Hundreds of communities in the U.S., plus numerous states, including California, Delaware, Florida, Massachusetts, Montana, New Jersey, New York, and Washington, have enacted laws requiring workplaces, restaurants, bars, and other public places to be smokefree, as have numerous countries, including Ireland, New Zealand, Norway, Scotland, Sweden, Uganda, and Uruguay.

Accordingly, the Governing Body of the City of Dodge City finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment; and (2) to guarantee the right of nonsmokers to breathe smokefree air, and to recognize that the need to breathe smokefree air shall have priority over the desire to smoke.

Sec. 1002. Definitions

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

A. "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is

only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

- B. "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.
- C. "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.
- D. "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- E. "Enclosed Area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.
- F. "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.
- G. "Place of Employment" means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a childcare, adult day care, or health care facility.
- H. "Private Club" means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for

club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.

- I. "Public Place" means an enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gaming facilities, health care facilities, hotels and motels, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private club is a "public place" when being used for a function to which the general public is invited. A private residence is not a "public place" unless it is used as a childcare, adult day care, or health care facility.
- J. "Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.
- K. "Service Line" means an indoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.
- L. "Shopping Mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.
- M. "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form.
- N. "Sports Arena" means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in

physical exercise, participate in athletic competition, or witness sports or other events.

Sec. 1003. Application of Ordinance to City-Owned Facilities

All enclosed facilities, including buildings and vehicles owned, leased, or operated by the City of Dodge City shall be subject to the provisions of this Ordinance.

Sec. 1004. Prohibition of Smoking in Enclosed Public Places

Smoking shall be prohibited in all enclosed public places within the City of Dodge City, including but not limited to, the following places:

- A. Aquariums, galleries, libraries, and museums.
- B. Areas available to and customarily used by the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
- C. Bars.
- D. Bingo facilities.
- E. Childcare and adult day care facilities.
- F. Convention facilities.
- G. Educational facilities, both public and private.
- H. Elevators.
- I. Gaming facilities.
- J. Health care facilities.
- K. Hotels and motels, including at least eighty percent (80%) of rooms that are rented to guests.

- L. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
- M. Polling places.
- N. Private clubs when being used for a function to which the general public is invited.
- O. Public transportation facilities, including those under the authority of the City of Dodge City, and ticket, boarding, and waiting areas of public transit depots.
- P. Restaurants.
- Q. Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- R. Retail stores.
- S. Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board or commission of the City of Dodge City, or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the City of Dodge City.
- T. Service lines.
- U. Shopping malls.
- V. Sports arenas, including enclosed places in outdoor arenas.
- W. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

Sec. 1005. Prohibition of Smoking in Places of Employment

- A. Smoking shall be prohibited in all enclosed facilities within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

- B. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Ordinance and to all prospective employees upon their application for employment.

Sec. 1006. Prohibition of Smoking in Outdoor Areas

Smoking shall be prohibited in the following outdoor places:

- A. Within a reasonable distance of 20 feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
- B. In outdoor seating or serving areas of restaurants and within 20 feet thereof.
- C. C. In all outdoor arenas, stadiums, and amphitheaters, except in designated smoking areas, which may be established only in perimeter areas at least 20 feet from any seating areas or concession stands. Smoking shall also be prohibited in, and within 20 feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- D. In all public transit stations, platforms, and shelters under the authority of the City of Dodge City.

Sec. 1007. Where Smoking Not Regulated

Notwithstanding any other provision of this Article to the contrary, the following areas shall be exempt from the provisions of Sections 1004 and 1005:

- A. Private residences, except when used as a childcare, adult day care, or health care facility.
- B. Not more than twenty percent (20%) of hotel and motel rooms rented to guests and designated as smoking rooms. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.

- C. Private clubs that have no employees, except when being used for a function to which the general public is invited; provided that smoke from such clubs does not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance. This exemption shall not apply to any organization that is established for the purpose of avoiding compliance with this Ordinance.
- D. Outdoor areas of places of employment except those covered by the provisions of Section 1006.

Sec. 1008. Declaration of Establishment as Nonsmoking

Notwithstanding any other provision of this Ordinance, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 1009(A) is posted.

Sec. 1009. Posting of Signs

- A. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Ordinance, by the owner, operator, manager, or other person in control of that place.
- B. Every public place and place of employment where smoking is prohibited by this Ordinance shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited. Every vehicle that constitutes a place of employment under this Ordinance shall have at least one conspicuous sign, visible from the exterior of the vehicle, clearly stating that smoking is prohibited.
- C. All ashtrays shall be removed from any area where smoking is prohibited by this Ordinance by the owner, operator, or other person having control of the area.

Sec. 1010. Nonretaliation; Nonwaiver of Rights

A. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Ordinance or reports or attempts to prosecute a violation of this Ordinance. Notwithstanding Section 1012, violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$1000 for each violation.

B. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

Sec. 1011. Enforcement

A. This Ordinance shall be enforced by the authorized designee of the City Manager.

B. Notice of the provisions of this Ordinance shall be given to all applicants for a business license in the City of Dodge City.

C. Any citizen who desires to register a complaint under this Ordinance may initiate enforcement with the City Manager.

D. The Fire Department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Ordinance.

E. An owner, operator, or employee of an establishment regulated by this Ordinance shall inform persons violating this Ordinance of the appropriate provisions thereof.

F. Notwithstanding any other provision of this Ordinance, an employee or private citizen may bring legal action to enforce this Ordinance.

G. In addition to the remedies provided by the provisions of this Section, the City Manager or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Ordinance may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

Sec. 1012. Violations and Penalties

- A. A person who smokes in an area where smoking is prohibited by the provisions of this Ordinance shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).
- B. Except as otherwise provided in Section 1010(A), a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Ordinance shall be guilty of an infraction, punishable by:
1. A fine not exceeding one hundred dollars (\$100) for a first violation.
 2. A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
 3. A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.
- C. In addition to the fines established by this Section, violation of this Ordinance by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- D. Violation of this Ordinance is hereby declared to be a public nuisance, which may be abated by the _____ [City Manager] by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City of Dodge City may take action to recover the costs of the nuisance abatement.
- E. Each day on which a violation of this Ordinance occurs shall be considered a separate and distinct violation.

Sec. 1013. Public Education

The City Manager, or his designee, shall engage in a continuing program to explain and clarify the purposes and requirements of this Ordinance to citizens affected by it, and to guide owners, operators, and managers in their compliance with it.

Sec. 1014. Governmental Agency Cooperation

The City Manager shall urge other governmental and educational agencies having facilities within the City of Dodge City to establish local operating procedures in cooperation and compliance with this Ordinance. This includes urging all Federal, State, County, and School District agencies to update their existing smoking control regulations to be consistent with the provisions of this ordinance.

Sec. 1015. Other Applicable Laws

This Ordinance shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Sec. 1016. Liberal Construction

This Ordinance shall be liberally construed so as to further its purposes.

Sec. 1017. Severability

If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Sec. 1018. Effective Date

This Ordinance shall be effective sixty (60) days from and after the date of its adoption.

Golf Fees Comparison

2007 Fees

	Daily Fees			Season Passes				Surcharge	
	Weekday	Weekends	Student	Single	Husband & Wife	Family	Youth		Senior
Salina	\$13.50	\$15.50		567	856	N/A	142	567	
Garden City	\$20.00	\$25.00	\$7.00	400	N/A	565	100	300	\$2- Sat/Sun/Holidays
Wellington	\$13.50	\$16.50	10.50/12.50	475	550	625	150	325	
Winfield	\$15.00	\$16.00	\$7.00	445	545	645	165	340	\$5 - Sat/Sun/Holidays
Hutchinson	\$16.00	\$18.00		440	630	760	150	365	\$2 per round
Wichita	\$18.00	\$20.00	\$9.00	725	885	N/A	125	75	\$4 weekday/\$5 weekend/ \$9.50 senior
Wichita (Auburn Hills)	\$21.00	\$26.00	\$13.00	725	885	N/A	125	75	\$4 weekday/\$5 weekend/ \$9.50 senior
Dodge City (current)	\$14.00	\$17.00	\$7.00	375	N/A	565	150	235	\$3 adult / \$1 youth
Dodge City (proposed)	\$17.00	\$20.00	\$9.00	400	N/A	590	150	300	\$3 adult / \$1 youth
High	\$21.00	\$26.00	\$13.00	\$725.00	\$885.00	\$760.00	\$165.00	\$567.00	
Low	\$13.50	\$15.50	\$7.00	\$375.00	\$545.00	\$565.00	\$100.00	\$75.00	
Average	\$16.38	\$19.25	\$8.60	\$519.00	\$725.13	\$632.00	\$138.34	\$285.25	

Memorandum

To: Jeff Pederson, City Manager
CC: City Commission
From: Jan Stevens, CVB Director
Date: Thursday, April 26, 2007
Subject: Proposed changes to the CVB Advisory Board

Attached is a draft copy of proposed By Laws and a draft proposed Resolution which would make changes to the composition and responsibilities of the Convention and Visitors Advisory Board. Currently the board has grown to a size that makes for a less effective Board. In addition some venues are represented by more than one member which leaves other areas unrepresented. We feel making these changes would make our Board much more effective and representative.

The changes we are proposing include:

1-Boothill [Director preferred]
1-Chamber
1-Attraction
2-At Large [local businesses]
2-Hotel/Motel/Restaurant

Board Meeting Bi-monthly
Committee Meetings bi-monthly (alternating regular meeting months)

Eliminate the Ex-Officio titles

Staff member will be appointed as secretary

Yearly appointment [not elected] as chair and Vice Chair. These appointments would rotate through board members. No two appointments would run consecutively.

Board meetings would include a budget report. The Board would not be involved in setting neither budgets nor a plan for the budgeted dollars to be spent.

Prefer board term limits to 2 consecutive terms not to exceed 6 years.

Please feel free to contact me if you have any questions or need additional information.

Current

CVB ADVISORY BOARD MEMBERS

Jan Stevens, Director CVB

PO Box 1474; 400 W. Wyatt Earp
jans@dodgecity.org
620-225-8218 FAX 620-225-8268

Sonya L. Hughes, Legends Printing & Graphics

901 N. Second Ave., DC
s.hughes@legendsofdodgecity.com
620-225-0020 FAX 620-225-1213
Cell 620-228-2862
At large term ends 1/31/2010

Dave Wetmore, Sunflower Bank

2408 N. 1st Ave., DC
DaveW.@sunflowerbank.com
620-225-0585 FAX 620-225-3908
Cell 620-225-1570
Chamber term ends 1/21/08

Donna Haskins, Parker-Haskins Ins., Inc.

1712 Central, DC
donna@parkerhaskins.com
620-225-2888 FAX 620-227-3970
Econ.Dev. terms ends 1/31/09

Mike Casey, Casey's Cowtown Steak House

503 E. Trail PO Box 196 DC
Cowtown1@cox.net
620-225-5225 FAX 620-227-0798
Hospitality term ends 1/31/08

Larry Durr, Kansas Soldiers Home

704 Sheridan, #128, Ft. Dodge, 67843
Larry.durr@ksh.state.ks.us
620-227-2121 (est. 149) FAX 620-225-6331
Attraction term ends 1/31/08

Rod Crick, Century United Companies, Inc.

2002 First St., DC
rcrick@centuryunited.kscoxmail.com
620-225-2434 FAX 620-227-2362
At large Term ends 1/31/09

Sherrie Foley, DC Legend Basketball

311 W. Spruce St., DC
folley_sherrie@yahoo.com
620-227-2222 FAX 620-227-2571
At large term ends 1/31/09

**Kurt Scadden, Boot Hill Bed & Breakfast
Chair**

603 W. Spruce, DC
kurtenid@boothill.kscoxmail.com
620-225-0111
Hospitality term ends 1/31/09

**Kim Cunningham, Best Western Country Inn
Rt 2, DC**

kimbroys@yahoo.com
620-225-7378 Best Western
620-227-8337 Wyatt Earp Liquor
Hotel term ends 1/31/2010

Nageeb Alhaj, Spee-D Stop

2615 Gary Ave., DC
nalhaj@cox.net
620-225-6905
Hotel term ends 1/31/2010

Robert Lancaster, Depot Theater Co.

201 E. Wyatt Earp Blvd.
rlancaster@depottheaterco.com
620-225-1001
Attraction term ends 1/31/2010

Beth Rhoten, Longs Inc.

2207 Central Ave., DC
brothen@cox.net
620-227-2805
At large term ends 1/31/2010

Colleen Hastings, Dodge City Roundup Inc.

608 S. 14th
colleenhastings@hotmail.com
620-225-2244
Attraction term ends 1/31/2008

CVB ADVISORY BOARD MEMBERS

Ex-Officios:

Bob Wetmore, Chamber of Commerce President

PO Box 939, 311 Spruce, DC

bwetmore@dodgechamber.com

620-227-3119 FAX 620-227-2957

Lara Brehm, Boot Hill Museum

Front Street, DC

frontst@pld.com

620-227-8188 Cell 620-255-9856

Don Steele

1201 5th, DC

don@depottheaterco.com

620-225-7343 cell 620-255-3770

Chris Curtis, DC Parks & Recreation

Vice Chair

PO Box 880, DC

chrisc@dodgecity.org

620-225-8160

RESOLUTION NO. 2007-??

WHEREAS, in order to provide revenues to promote tourism and conventions and related activities in Dodge City, Kansas, the Governing Body of Dodge City, Kansas has levied a transient guest tax pursuant to Charter Ordinance No. 28.

WHEREAS, the Governing Body for the City of Dodge City, Kansas, desires to establish a convention and visitors advisory committee to make recommendations concerning the programs and expenditures for promotion of conventions and visitors;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas;

1. Resolution No. 2003-06 shall be repealed and any other Resolutions or Ordinances of the City of Dodge City in conflict with this resolution shall also be repealed.

2. The "Transient Guest Tax" shall be levied, collected and expended in the manner provided by the Charter Ordinance No. 28 of the City of Dodge City.

3. As used in this Resolution, words and phrases shall have the meanings respectively ascribed to them as provided in K.S.A. 12-1696.

4. The "Transient Guest Tax" shall be paid by transient guests for lodging or sleeping accommodations in any motel, hotel, or tourist court having more than two (2) bedrooms furnished for the accommodation of such persons who occupy rooms therein for not more than twenty-eight (28) consecutive days.

5. A convention and visitors advisory committee is hereby established to advise the Governing Body of the City of Dodge City, Kansas, and make recommendations concerning the programs and expenditures for the promotion of conventions and tourism as seen appropriate to report to the Commission by the Convention & Visitors Bureau Director from using the parameters of the budget of the "Transient Guest Tax Fund."

Comment [s1]: The current board interprets the original wording as a direct report venue to the City Commission.

6. Said convention and visitors advisory committee shall consist of ~~fifteen (15)~~ **Seven (7)** members appointed by the Governing Body of the City of Dodge City, ~~five (5) members of the committee shall be representatives of the motel/restaurant/hospitality industry, one (1) member of the committee shall be a member of the Governing Body of the City of Dodge City, one (1) member shall be appointed from persons designated by the Dodge City Area Chamber of Commerce, one (1) member shall be appointed from persons designated by the Dodge City/Ford County Economic Development Corporation, three (3) members shall be representatives of local attractions, four (4) members shall be appointed from the City at large. There will four (4) ex-officio members on the committee which will consist of the Chamber of Commerce President, Boot Hill Museum General Manager, Santa Fe Depot Director and Dodge City Parks/Recreation representative.~~

1-Boothill [Director preferred]; 1-Chamber; 1-Attraction ; 2-At Large [local business]; 2-Hotel/Motel/Restaurant

7. ~~The 10 term of the 19 current members will expire as initially set out. The five additional members terms will expire May 31, 2007. New appointments will be made effective June 1, 2007. Appointments shall be considered to have been effective as of January 31 of each year in which appointments are to be made. After the additional terms have expired, Future appointments will be made January 31, 2008. Terms will be three (3) years. All members shall serve until their successors are appointed and qualified. Any vacancies in membership of the committee shall be filled by the appointment of a member for the unexpired term of he member who shall have vacated his/her office.~~

8. In appointing members to said committee, the Governing Body of the City of Dodge City, shall attempt to create a representative balance of large and small business and a business from the various geographic areas of the City.

9. Any member of said committee who shall leave the business or organization from which he was appointed shall vacate his position and his successor shall be appointed by the Governing Body to fill the unexpired term.

10. The convention and visitors advisory committee shall adopt rules and bylaws in accordance with the statutes that govern this resolution, which shall become effective when appointed by the Governing Body.

11. The Governing Body of the City of Dodge City shall have the authority to contract for convention and tourism programs to be implemented as provided for in K.S.A. 12-1697 et seq.

12. This Resolution shall take effect and be in force from and after its adoption and publication once in the official City newspaper.

Adopted by the Governing Body of the City of Dodge City and approved by the Mayor, this _____ day of _____, 2007.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CODE of the CITY OF DODGE CITY KANSAS

Published under the authority and by the direction of The Governing Body of the City of Dodge City, Kansas, this ____ day of _____, 2007.

CHAPTER I. ADMINISTRATION

ARTICLE 2. GOVERNING BODY

1-211 COMMISSION TO APPOINT BOARDS, COMMITTEES, ETC., WHEN;
TERMS.

- a) The appointments of members to all boards, commissions, authorities, and committees shall be made by the governing body of the city at the first meeting held in February of each year.
- b) The terms of appointment for all members of all boards, commission, authorities, and committees shall be for the term provided for in the ordinance establishing the group to which such members are appointed.

(Code 1983, 2-33; Code 1986, Code 2003)

CONVENTION & VISITORS BUREAU

Purpose and Responsibilities: Board members recommend methods to implement the Convention & Visitor's Bureau mission of **marketing and** promoting Dodge City and the area's resources and assets to meeting planners, group tour operators, travel writers, and prospective tourists to bring convention and travel business to Dodge City.

Established Authority: Charter Ordinance #28 & Resolutions 91-10, 97-02, 99-12, 2003-06.

CONVENTION AND VISITORS BUREAU ADVISORY BOARD

An Advisory Board offers only **ADVICE**. The decision-making and liability are the sole responsibility of the ~~company~~ **department** and its management **and staff**.

All Advisors are **VOLUNTEERS**. Every participant of the Advisory Board is interested in building relationships and improving the economic community.

- ~~Create innovative projects and activities promoting~~ **Suggest avenues for marketing and promotion of** conventions and tourism ~~and recommend them to the staff.~~
- Plays an important public relations role by bringing in contacts to support the ~~initiative~~ **mission.**
- Makes recommendations to the staff for ~~funding of~~ projects and promotions **with funding parameters as a consideration**
- Provides the staff with a fresh perspective on programmatic issues
- Lends credibility to the project
- To educate the public on the economic impact and value of tourism to the community
- Offer names to the staff of people who could be considered for appointment to the Advisory Board

HOW TO SUCCEED

- Communication with everyone involved with the board
- Clearly defined roles by orienting new members to know what is expected
- Clearly defined goals – from a clear mission and long-range goals that are assessed on a regular basis
- Recognition of Advisory Board members of their dedication and service
- A sense of purpose – through recommendation of projects or promotions.

**DODGE CITY CONVENTION & VISITORS ADVISORY BOARD
BY-LAWS**

ARTICLE I MEMBERSHIP

1. The membership shall contain ~~ten (10)~~ **seven (7) members** appointed by the City Commission for staggered three year terms.
2. A member shall be replaced if three bi-monthly meetings are consecutively missed, unless an excuse for cause has been granted by the Chairman in advance of the meeting.
3. In the event a vacancy shall occur, the size of the Board shall be considered reduced. Quorums, a majority of votes, shall likewise be reduced in number until such time as a vacancy is filled.

ARTICLE II OFFICERS

1. The Convention & Visitors Advisory Board shall organize at the first ~~monthly~~ **bi-monthly** meeting.
2. The ~~Board~~ **CVB Director** shall annually ~~elect~~ **appoint** a Chairman and Vice Chairman from its membership.
3. The ~~Board~~ **CVB Director** shall ~~annual select a Secretary, who may or may not be a voting member of the board~~ **will appoint a staff member as secretary for meetings.**
4. The Chairman shall preside at all meetings of the board, and shall decide all points of order and procedure.
5. The Vice Chairman shall assume the duties of the Chairman in their absence.
6. The Secretary shall maintain an accurate, complete and permanent record of all board meetings. The Secretary shall ~~transmit~~ **provide** reports ~~and recommendations to~~ **for** the City Commission **and City Manager.**

ARTICLE III MEETINGS

1. The Dodge City Convention & Visitors Advisory Board shall meet ~~monthly~~ **bi-monthly, with monthly bi monthly committee meetings on alternating months.** ~~Special meetings of the board may be called by the Board may be called by the Chairman or in his/her absence by the Vice Chairman.~~ Notice of ~~special~~ **the Board** meetings shall be given by the Secretary to members of the board at least three days prior to such meeting and shall state the purpose, time and place of meeting.

2. All regular ~~and special meetings~~ and records shall be open to the public. ~~Provisions for recessed executive sessions may be made but no formal action may be taken.~~
3. ~~Six (6)~~ Four (4) members, a majority of the Board, shall constitute a quorum for the transaction of business. If a quorum is not present at a regular or special meeting, those present may either adjourn the meeting or hold the meeting to consider such matters as are on the agenda. The quorum number may be reduced if vacancy on the board exists. No action at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting at which a quorum is present.
4. A motion shall be restated by the Chairman before a vote is taken. The name of the maker and seconder of the motion shall be recorded.
5. An affirmative vote of ~~at least four (4) members,~~ a majority of a required quorum, or whatever may be a majority of a required quorum in the event of a vacancy on the Board, shall be necessary to authorize any official action of the Board. All members including the Chairman shall have a vote and shall automatically disqualify themselves from voting on any decision in which there might be a conflict of interest and should state the nature of the conflict for the minutes.
6. When the procedural and parliamentary ruled adopted by the Dodge City Convention & Visitors Advisory Board do not conflict parliamentary procedure shall be according to the "Robert's Rules of Order".

ARTICLE IV RECORDS AND REPORTS

1. The Board shall keep a record of its transactions, findings and determinations.
2. All records of the Board shall be available for public review.
3. The Board shall hold a meeting each year to review its goals and establish a program of work ~~and a budget for the current calendar year.~~

~~ARTICLE V AMENDMENTS~~

1. ~~These rules of procedure may be amended by an affirmative vote by a majority of the Dodge City Convention & Visitors Advisory Board members at any regular Dodge City Convention & Visitors Advisory Board meeting.~~

ARTICLE ~~VI~~ V CONFLICT OF INTEREST

1. Should any member have a conflict of interest regarding any proposal or policy to be adopted by this Board, said member shall state the nature of the conflict of interest, and shall refrain from discussion on the issue and voting.

2007 Program of Work Committees

- Hospitality Class Plans
Chair-Kurt Scadden

- Drovers
Chair-Donna Haskins

- New Ventures for Marketing and Promotions
Chair-Sherry Foley

- CVB Growth and Visioning for Future
Chair- Soni Hughes

Board Mission-

‘To make visiting Dodge City a great experience while we meet, then, exceed the expectations of our guests!’