

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City

August 21, 2012

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 p.m. at the City Administrative Center on Tuesday, August 21, 2012 with all members present. Commissioner Law opened the meeting with the Pledge of Allegiance to the Flag and Invocation. The minutes of the last meeting were approved.

Mr. Roy Dixon, 1<sup>st</sup> Vice Commander with the American Legion was present to update the Governing Body on the American Legion and their new location at 405 S. Main Street.

Commissioner Doll moved to approve the request from Mr. Steven K. Stucky for an extension to the 9 month duration period for building a residential dwelling under the Garden City Residential Incentive Program. (1610 Bluff Street) Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve the request from Mrs. Alin Rodriguez, owner of El Zarape Restaurant for a waiver from the Sign and Outdoor Advertising, Off-site Advertisement regulations at 2501 E. Business Hwy 50, Garden City, Kansas. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the request from Mr. Elliot Ebert for a waiver from Article 22.100 – Temporary and Accessory Uses to install a prefabricated 10’ x 15’ storage shed on the side yard with less than the required setback at 613 Long Blvd. Mayor Cruse seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Public Works Director Curran provided the 2012-2013 CIP work plan calendar for Governing Body review.

The City’s Safe Routes to School sidewalk project is awaiting approval of the construction storm water permit from the State. When the project is cleared, KDOT will grant the project final approval and the City can advertise the project for construction bids. Staff intends to solicit additional feedback from Center Street residents prior to the bid date, and will provide the Governing Body with another opportunity to affect the project locations.

The City received correspondence from Cox Communication regarding a channel line-up change.

Staff provided several items of information for Governing Body review including the following: from Finance Director Hitz the monthly financial report, from Public Works Director Curran the monthly City Link ridership and CIP short schedule, from Police Chief Hawkins the monthly activity report, from Fire Chief Shelton the monthly activity report, from Zoo Director Sexson the monthly report, from Community Development Director Kentner the building report and Code Enforcement report and from Assistant City Engineer Mestdagh the street projects update.

Meetings of note:

- ✓ August 22, 2012 – Finney County Economic Development Corporation meeting at 7:30 a.m. at the City Administrative Center with a special presentation at 9:00 a.m. on the updated Housing Study.
- ✓ August 25 - 26, 2012 - Tumbleweed Festival
- ✓ August 26, 2012 – MDA Boot Block
- ✓ August 27 & 28, 2012 – Battle of the Badges Blood Drive at Church of the Nazarene from 2:00 p.m. – 7:00 p.m.
- ✓ September 8, 2012 – The Garden City Community Mexican Fiesta
- ✓ September 8, 2012 – A Wild Affair, Jungle Boogie at Lee Richardson Zoo at 6:00 p.m.
- ✓ September 10, 2012 arriving at noon – September 17, 2012 departing at noon - The Commemorative Air Force B-25 Maid in the Shade at Garden City Regional Airport.
- ✓ September 19, 2012 – Chamber Breakfast – State of the City address at Wheat Lands Convention Center.
- ✓ October 11, 2012 – Cultural Relations 2012 Diversity Breakfast at Fiesta Courtyard – theme is Africa.
- ✓ October 16, 2012 – Black Hills Energy Public Officials luncheon at the City Administrative Center at 11:00 a.m.

Appropriation Ordinance No. 2322-2012A. “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,423,970.20,” was read and considered section by section. Commissioner Law moved to approve and pass Appropriation Ordinance No. 2322-2012A. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2557-2012, “AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2012, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES; AMENDING CODE SECTION 62-2; REPEALING EXISTING CODE SECTION 62-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2557-2012. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2558-2012, “AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2012, WITH CERTAIN OMISSIONS, ADDITIONS, OR CHANGES; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AMENDING CODE SECTION 86-2; REPEALING EXISTING CODE SECTION 86-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2588-2012. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2491-2012, “A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-63 OF THE CODE OF

ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS. (1415 W. Campbell Street – Maroon Ford Explorer),” was read and considered section by section. Mayor Crase moved to approve Resolution No. 2491-2012. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2492-2012, “A RESOLUTION AUTHORIZING THE REMOVAL OF NUISANCE CONDITIONS FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-139 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS. (914 Inge Avenue and 1305 E. Chestnut Street),” was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2492-2012. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2493-2012, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH GC RESIDENTIAL BUILDERS, L.L.C., AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM,” was read and considered section by section. Commission Cessna moved to approve Resolution No. 2493-2012. Mayor Crase seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Governing Body consideration and acceptance of an annexation request from Cecil O’Brate, for a 1.043 acre tract of land located at 2815 N. Jennie Barker Road - north of Tractor Supply. As the property is not contiguous to the City Limits, the County Commission approved a concurring Resolution at their August 20, 2012 meeting.

Ordinance No. 2559 - 2012, “AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(C),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2559-2012. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

City Engineer Cottrell provided a memorandum and discussed issues regarding some projects funded by the 2011 GO bond. The Governing Body gave direction on holding unencumbered funds in reserve and rebidding a unisex restroom in A. Harold Long Park.

1:30 p.m. - Mr. Bob Charlesworth, Charlesworth Benefits, LC, was present and discussed Third Party Administrator proposals received for the 2013 City of Garden City Group Health, Dental and Life Insurance program.

Commissioner Cessna moved to approve the following recommendations:

- Effective January 1, 2013, renew the group health and dental program with Blue Cross Blue Shield of Kansas at the \$100,000 Specific Stop Loss level on the Non-Grandfathered Benefit plan (Option “A”).
- Continue the prescription program offered by Kroger.
- Move Claims Administrative expense to a fixed Per Employee/Family Per Month fee.
- Renew the current Life Insurance program offered through Advance Life (via BCBSKS).
- Maintain the current dental program with BCBSKS.

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

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

2:30 p.m. – Ms. Tracy Fry, President, Wellness Innovations & Nursing Services, LLC presented a six month status update on the Grow Well Clinic.

Commissioner Fankhauser moved to appoint Mel Travers, Matt Lee, & Sam McMillan to the Building Safety Board of Appeals for three-year terms starting in August 2012 and ending in December 2015. Mayor Cruse seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to appoint Darin Germann to the Airport Advisory Board to fill a vacated position with a term from December 2010 - December 2013. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Law moved to approve the following:

1. Governing Body approved an agreement between the City of Garden City, Kansas and Jorge Romero, d/b/a Jet Air Cleaners for custodial services at the Garden City Regional Airport.
2. Governing Body approved an agreement between the City of Garden City, Kansas and the Garden City Housing Authority for management services.
3. Governing Body approved adding additional mowers to the list as back-up for 2012 Vegetation Mowing applications for Code Violations.

4. Licenses:

**(2012 New)**

- a) Travis Brungardt.....Class C Residential
- b) P&C Construction, Inc.....Class A General
- c) Harbin Construction .....Class A General
- d) The Law Company, Inc. ....Class A General
- e) Ray Omo, Inc. .... Class D-M Mechanical
- f) Diamond Limousine Service.....Taxicab/Limo Service

**(2012 Renewal)**

- g) Dillons Stores, Div of Dillon Companies, Inc. .... Cereal Malt Beverage

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

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

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

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David D. Crase, Vice Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

### **City Commission Reports**

Commissioner Law appreciates the Advisory Board volunteers and stated it helps the Commissioners when the Board members have already worked through issues before they are brought to the Governing Body. Commissioner Law stated Governor Brownback will be at the new high school to speak about water issues in Southwest Kansas and will be a discussion based event. Commissioner Law expressed his appreciation for the Chamber Banquet and stated the new high school was a very intimate space for the 800+ attendees.

Commissioner Cessna reminded everyone that schools starts on August 22, 2012 with half a day and the first full day of school will be August 23, 2012 and asked for citizens to slow down and watch for children.

Mayor Crase thanked Vice Mayor Fankhauser for covering the last City Commission meeting and the October 11<sup>th</sup> Diversity Breakfast. Mayor Crase congratulated Commissioner Doll on his recent Republican Primary win for the 123<sup>rd</sup> State House of Representatives District. Mayor Crase asked other Commissioners to start to think about who can fill Commissioner Doll's place on the Governing Body. Mayor Crase asked if an RFP could be put out on the State Theater.

Commissioner Doll asked if the street next to the Animal Shelter has been renamed as it was discussed before to change the name from Terminal Avenue. Commissioner Doll asked if an RFP could be done for the State Theater. Commissioner Doll reminded everyone of the Housing Study update that would be at 9:00 a.m. on Wednesday, August 22, 2012 at the FCEDC meeting. Commissioner Doll congratulated USD 457 and the City staff on the new high school and other changes at the schools. Commissioner Doll stated there will be a dedication of the new high school on August 31, 2012 at 5:30 p.m. Commissioner Doll asked the question, "Why are troops still in Afghanistan?"

Commissioner Fankhauser stated the 47 acres of land on Taylor has changed hands and hopes to have development in that area soon.