

AGENDA
CITY COMMISSION MEETING
Tuesday, October 2, 2012
1:00 P.M.

- I. **Note: Pre-meeting at 11:00 a.m. – 11:45 a.m., Tour of Cat Canyon and Tortoise Exhibit at Lee Richardson Zoo. Administrative staff will be present and the pre-meeting is open to the public.**
- II. **REGULAR MEETING CALLED TO ORDER AND CITY CLERK ANNOUNCING QUORUM PRESENT.**
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION.**
- IV. **APPROVAL OF THE MINUTES OF THE LAST REGULAR MEETING, WHICH IF NO CORRECTIONS ARE OFFERED, SHALL STAND APPROVED.**
- V. **PUBLIC COMMENT Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**
- VI. **CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
 - A. Kay Gillespie, will be present to speak with the Governing Body on (TNR) Trap-Neuter-Return program for neutered cats.
- VII. **REPORT OF THE CITY MANAGER.**
 - A. Staff has provided items of information for Governing Body review including the following: from Finance Director Hitz the monthly City and County sales tax report and from Assistant City Engineer Mestdagh the monthly street projects update.
 - B. The City has received correspondence from Cox Communication regarding a line-up change.
 - C. Commissioner Doll and City Engineer Cottrell attended the KDOT T-WORKS Local Consult meeting in Dodge City on September 26th. KDOT is gathering regional input for identification of projects they could start preliminary (design) engineering work for and have ready should additional funds become available in the future. Additional 4-lane improvements on US-50/400 and US-54, passing lanes on US-83 and some safety improvements in District 6 were recommended for KDOT consideration.
 - D. Meetings of note:
 - ✓ September 29, 2012 – Garden City Fire Department Open House 10:00 a.m. – 2:00 p.m.
 - ✓ October 11, 2012 – Cultural Relations 2012 Diversity Breakfast at Fiesta Courtyard
 - ✓ October 12 – 13, 2012 – GC Community Theater’s Fall Mystery at the State Theater
 - ✓ October 16, 2012 – Black Hills Energy Public Officials luncheon at the City Administrative Center at 11:00 a.m.
 - ✓ October 18, 2012 – Third Thursday Downtown, 5:00 p.m. – 8:00 p.m.

- ✓ October 18, 2012 – Rocky Horror Picture Show at State Theatre at 8:00 p.m.
- ✓ October 20, 2012 – Boo at the Zoo
- ✓ October 23, 2012 – League of Kansas Municipalities 2012 Regional Supper
- ✓ October 30, 2012 – Town Hall Meeting
- ✓ November 3, 2012 – Hanging of the lights at Stevens Park at 9:00 a.m.
- ✓ November 3, 2012 – Banner Art Auction at Clarion Inn Ballroom at 7:00 p.m.
- ✓ November 10, 2012 – Veteran’s Day Parade at 10:00 a.m.
- ✓ November 15, 2012 – Third Thursday Downtown, 5:00 p.m. – 8:00 p.m.
- ✓ November 15, 2012 – Stevens Park Lighting Ceremony, 6:00 p.m.

VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.

A. Appropriation Ordinance No. 2325-2012A.

IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

A. The Governing Body is asked to consider and approve two items related to the City’s Snow Removal Plan. The first is an Ordinance which establishes the City’s Emergency Snow Route and provides for the authority to remove vehicles on that route which interfere with the removal of snow in an emergency situation. The second item establishes the overall plan and policy for removal of snow throughout the community.

1. Ordinance No. _____-2012, an ordinance pertaining to parking and operation of vehicles upon streets designated as emergency snow routes when snow removal operations are necessary; authorizing the City Manager or designee to declare a snow emergency; prescribing a penalty; amending Section 86-38; repealing existing Section 86-38; all to the Code of Ordinances of the City of Garden City, Kansas.

2. Governing Body consideration and approval of the City’s Snow Removal Plan.

B. Bond Counsel Mary Carson has provided several documents related to the 2012 General Obligation Bond sale, set for October 16th, for Governing Body consideration and approval. Financial Advisor Chuck Bouilly and staff recommend that this be a negotiated sale. Mr. Bouilly has also provided the Preliminary Official Statement for Governing Body consideration and approval.

1. Ordinance No. _____-2012, an ordinance authorizing the City of Garden City, Kansas to construct certain main trafficway and public building and structures improvements in the City and authorizing issuance of General Obligation Bonds of the City to pay costs thereof.

2. Resolution No. _____,-2012, a resolution of the City of Garden City, Kansas authorizing and providing for the underwriting and offering for sale of the City’s General Obligation Improvement Bonds, Series 2012-A in the approximate aggregate principal amount of \$925,000.

3. Notice of intent to seek private placement, \$925,000 General Obligation Improvement Bonds Series 2012.

C. Resolution No. _____-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. (2601 C Street, 1314 Bancroft Street, and 1001 North 8th Street.)

D. The Cemetery Staff has researched regional cemetery fees and, in addition to the fees, we have evaluated the current cemetery services provided. The Governing Body is asked to review and consider the following ordinance's relating to changing rates for cemetery services.

1. Ordinance No. _____-2012, an ordinance regulating use of cemeteries and cemetery fees in the City of Garden City, Kansas; amending Code Sections 30-40 and 30-87; repealing current Code Sections 30-40 and 30-87; all to the Code of Ordinances of the City of Garden City, Kansas.

2. Ordinance No. _____-2012, an ordinance establishing fees for use of cemeteries in the City of Garden City, Kansas; amending Code Sections 42-206, 42 208 and 42-209; establishing new Code Section 42-210; repealing current Code Sections 42-206, 42-208 and 42-209; all to the Code of Ordinances of the City of Garden City, Kansas.

X. OLD BUSINESS.

A. At the September 4, 2012 meeting, the Governing Body instructed Staff to finalize an RFP process for the State Theater. City Engineer Cottrell has prepared a Request for Proposals for use of the State Theater building for Governing Body consideration.

XI. NEW BUSINESS.

A. 1:30 p.m. Hearing – Mr. Kurt Osterbuhr, Kansas Truck Parts & Service Inc. has requested a hearing regarding Case No. 12-002154 for weed nuisance violation at his property 2509 N. Taylor Avenue.

B. Public Works Director Curran will be present to discuss Solid Waste rates.

C. Proposals for use of the American Legion building were received on September 27th for Governing Body consideration. Only one proposal was submitted. The Governing Body is asked to review the proposal, which will lead to a formal presentation to the Governing Body at a date to be determined.

D. At July 17th pre-meeting, the Governing Body discussed several tracts of underutilized or unused City property. Pursuant to that discussion, a For Sale sign was placed on the lot at Mary Street & Fleming Street, adjacent to the Labrador Fire Station. We have received two written offers for the property for Governing Body consideration and acceptance.

E. KMEA has provided the enclosed agreement for a Power Supply Generation Study. Governing Body is asked to authorize the Mayor and City Clerk to execute the agreement.

F. **Consent Agenda for approval consideration:** (The items listed under this “consent agenda” are normally considered in a single motion and represent items of routine or prior authorization. Any member of the Governing Body may remove an item prior to the vote on the consent agenda for individual consideration.)

1. Governing Body consideration and approval of Preliminary Plat for the property located at approximately the 700 Block of Anderson St. (Mac St. & Anderson St.), Garden City, Kansas – Maggie’s Addition.
2. Governing Body consideration and acceptance of additional right-of way for Schulman Avenue and utility easements all related to the Schulman Crossing project.
 - a) From Fansher, Inc. a utility easement and Schulman Avenue right-of-way in the South East Quarter of Section 9, T24S, R32W.
 - b) From Mosaic Housing Corp. XX -- Garden City a utility easement on Lot 1, Block 2, Heritage Place Second Addition.
 - c) From Mosaic, a utility easement on Lot 38, Block 2, Heritage Place Second Addition.
 - d) From Apostolic Faith Tabernacle of GC, a utility easement on Lot 2, Block 2 Heritage Place Second Addition.
 - e) From Aspen Development, Inc. additional Schulman Avenue right-of- way on Lot 5, Block 2, Lots 6 & 7, Block 3 and Lot 6, block 4, all in Heritage Place Second Addition.
3. Quit Claim Deed from the Heir of Mrs. Joe Holmes transferring burial rights of Spaces 1,2,3 and 4; Lot 260; Zone: A, of Valley View Cemetery to Jacalyn and/or Wilfred Nichols.
4. Permission for Joe &/or Ann B. Delgado to reserve Space 6, Lot 23, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
5. Permission for Doyleen Barnes to reserve Space 7, Lot 22, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
6. Licenses:

(2012 New)

- a) Caro Construction Company, Inc..... Class B General
- b) Cook’s Heating & Air Conditioning. Class D-M Mechanical
- c) A&J Sheet Metal..... Class D-M Mechanical
- d) Partin Electric Class D-E Electrical
- e) Stiltner Electric, Inc..... Class D-E Electrical

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

XII. CITY COMMISSION REPORTS.

A. Commissioner Doll

B. Commissioner Fankhauser

C. Commissioner Law

D. Commissioner Cessna

E. Mayor Crase

XIII. ADJOURN.