

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

October 16, 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, October 16, 2012 with all members present. Commissioner Fankhauser opened the meeting with the Pledge of Allegiance to the Flag and Invocation. The minutes of the last meeting were approved.

Ms. Lois Henkle was present and voiced her concern on volume of the live music that came from Jax's Bar & Grill on October 6 until midnight.

Mr. Thomas Kaufmann, Andrew Mills Photos, presented the Mayor with a photograph of the members of the Garden Police Department's bike patrol.

Ms. Kay Gillespie was present and asked the Governing Body if a decision had been made on the material on Trap-Neuter-Return (TNR) program for feral cats that was presented at the October 2, 2012 meeting. Commissioner Cessna stated that the Police Department has not had enough time to investigate the issue and that it will be brought to the Governing Body at a later date.

Commissioner Fankhauser moved to approve and authorize the Mayor to proclaim October 16, 2012 as Linda Doll Day on the occasion of her thirtieth anniversary of service to the Lee Richardson Zoo. 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

The FAA annual inspection of Garden City Regional Airport was conducted on September 20, 2012. The inspection report was provided.

The City received notification from the Kansas Housing Resource Corporation of a \$300,000 award for a Moderate Income Housing project proposed by GC Residential Builders, LLC.

Detective Clint Brock was present and discussed the next Neighborhood Improvement Project set for October 27, 2012.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell, the monthly enplanement reports; from Zoo Director Sexson the monthly zoo report; from Community Development Director Kentner the building and code enforcement reports; from Public Works Director Curran the City Link Ridership report and CIP schedule; from Police Chief Hawkins the monthly police activity report; from Assistant Engineer Mestdagh the monthly construction update and from Finance Director Hitz the monthly financial reports.

Meetings of note:

- ✓ October 18, 2012 – Garfield Early Childhood Center Dedication – 4:00 p.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 21, 2012 – Grand Opening/Ribbon Cutting for the African Spurred Tortoise exhibit from 2:00 p.m. – 4:00 p.m. at the Tortoise exhibit between the aviary and elephant exhibits.
- ✓ October 23, 2012 – FCEDC Annual Board Retreat at approximately 9:00 a.m. at the City Administrative Center, 2nd Floor Meeting Room.
- ✓ 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 2:00 p.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.

Appropriation Ordinance No. 2326-2012A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$4,477,704.79,” was read and considered section by section. Commissioner Fankhauser moved to approve and pass Appropriation Ordinance No. 2326-2012A. 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

1:15 p.m. Mr. Chuck Bouilly of George K. Baum & Company, the City’s Financial Advisor, was present and reviewed with Governing Body the recommendation for accepting bids for the sale of \$925,000 in General Obligation Bonds of the City.

Ordinance No. 2568-2012, “AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS, AUTHORIZING ISSUANCE OF THE CITY’S GENERAL OBLIGATION BONDS, SERIES B, 2012, IN THE PRINCIPAL AMOUNT OF \$925,000; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AUTHORIZING OTHER DOCUMENTS AND ACTS AND MAKING COVENANTS WITH RESPECT TO THE BONDS”, was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2568-2012. 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. 2503-2012, “A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF GENERAL OBLIGATION BONDS, SERIES B, 2012, IN THE PRINCIPAL AMOUNT OF \$925,000, OF THE CITY OF GARDEN CITY, KANSAS, AS AUTHORIZED BY ORDINANCE NO. 2503-2012 OF THE CITY; MAKING COVENANTS AND AGREEMENTS AND AUTHORIZING CERTAIN OTHER DOCUMENTS REGARDING THE BONDS”, was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2503-2012. 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

Commissioner Cessna moved to approve the Bond Purchase Agreement between George K. Baum & Co and the City of Garden City. 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

Commisison Cessna moved to approve the Post Issuance Compliance Policy. Commission 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. 2504-2012, “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”, (2315 Tonio Avenue –

white GMC Suburban) was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2504-2012. 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

Resolution No. 2505-2012, “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.” (2203 N. 8th Street), was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2505-2012. 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. 2569-2012, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “R-R” RURAL RESIDENTIAL DISTRICT TO “R-1” SINGLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, (the Hamptons – 2815 N. Jennie Barker Road) was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2569-2012. 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

Ordinance No. 2570-2012, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “R-2” SINGLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, (1008 N. Main Street) was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2570-2012. 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. 2571-2012, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” CENTRAL BUSINESS DISTRICT TO “R-3” SINGLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2571-2012. 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

Resolution No. 2506-2012, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF GARDEN CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF

REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICTS WITHIN THE CITY”, was read and considered section by section. Commissioner Law moved to approve Resolution No. 2506-2012. Commissioner Cessna 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 Cessna moved to accept and approve an offer from Marshall Woodbury for the amount of \$70,000 for the lot at Mary & Fleming Streets, adjacent to the Labrador Fire Station. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Yea	Nay	Yea	Yea

Commissioner Cessna moved to reject all proposals on new entrance signage and directed staff to create a new Request for Proposals. 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

Continuation of hearing and discussion regarding right-of-way maintenance and a nuisance violation at 2509 N. Taylor Avenue was held. This was continued from which began at the October 2, 2012 City Commission Meeting. City Counselor Grisell stated that the nuisance had been taken care of in particular, and that his review of statutes and City Code placed the responsibility of right-of-way maintenance upon the adjacent property owner, not upon the City.

The scheduled 4:00 p.m. presentation by CSS Properties LLC on their proposal received by the Governing Body on October 2nd for use of the American Legion building was rescheduled for the November 6, 2012 Governing Body meeting.

Mayor Cruse stepped down from the bench and recused himself due to his position on the Finney County Preservation Alliance Board.

Commissioner Doll moved to approve a Letter of Intent regarding RHID and CID financing with GC Windsor Developers, LLC. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Mayor Cruse returned to the bench.

Mayor Cruse moved to approve a Memorandum of Understanding from Siemens Industry to develop and obtain a preliminary analysis of potential energy and operation savings of City facilities. 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 a \$10,000 payment to Southwest Kansas Coalition and approved the proposal from Pinegar, Smith & Associates for lobbyist services for one year. 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 Law moved to approve the Traffic Advisory Boards recommendation to install pavement markings to visually narrow Spruce Street at its intersection with Fleming 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 Doll moved to approve and appoint Mr. Jedidiah Mayes, Mr. Keith Collins and Ms. Julie Christner to the Traffic Advisory Board for three-year terms beginning November 2013 and ending December 2016. Commissioner Cessna 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 Cessna moved to approve the following 2013 pay and benefits recommendations from the Compensation Committee. Commissioner Law seconded the motion.

- 1. Increase employee health contributions 10% (Wellness and Wellness Pass Rates):** The Compensation Committee advises continued commitment to employer and employee contribution increases until the funds are healthy. With no increase in 2013 there is a greater chance that Fund 56 will be depleted by the end of the year. Revenue will increase by \$45,616.00 in 2013. The recommended employee contribution levels(Wellness Rates) for 2013 are as follows:

2012 Employee Contributions (Wellness Rates) per month/bi-weekly	Recommended 2013 Employee Contributions (Wellness Rates) per month/bi-weekly
Single: \$71.50/\$33.00	Single: \$78.65/\$36.30
Employee plus one: \$131.09/\$60.50	Employee plus one: \$144.20/\$66.55
Employee plus two/three: \$166.84/\$77.00	Employee plus two/three: \$183.52/\$84.70
Employee plus four/five: \$202.59/\$93.50	Employee plus four/five: \$222.85/\$102.85
Employee plus six plus: \$238.34/\$110.00	Employee plus six plus: \$262.17/\$121.00

2012 Wellness Pass¹ rates per month/bi-weekly	Recommended 2013 Wellness Pass rates per month/bi-weekly
Single: \$30.00/\$13.85	Single: \$33.00/\$15.23
Employee plus one: \$50.00/\$23.08	Employee plus one: \$55.00/\$25.38
Employee plus two/three: \$75.00/\$34.62	Employee plus two/three: \$82.50/\$38.08
Employee plus four/five: \$100.00/\$46.15	Employee plus four/five: \$110.00/\$50.77
Employee plus six plus: \$125.00/\$57.69	Employee plus six plus: \$137.50/\$63.46

- 2. Increase employee Non-Wellness Rates by 20%:** Increase the non-wellness rates by 20% to encourage participation in the Grow Well Clinic and wellness program. Employees that select the non-wellness rate can still use the Grow Well clinic. Revenue will increase by \$3,131.88 in 2013. The recommended employee contribution (non-wellness rates) for 2013 are as follows:

2012 Non-wellness rates per month/bi-weekly	Recommended 2013 Non-wellness rates per month/bi-weekly
Single: \$107.25/\$49.50	Single: \$128.70/\$59.40
Employee plus one: \$196.63/\$90.75	Employee plus one: \$235.96/\$108.90
Employee plus two/three: \$250.26/\$115.50	Employee plus two/three: \$300.31/\$138.60

¹ The Wellness Pass is an option available to employees or family members who are not on the City's health insurance policy, but want to make use of the Grow Well Clinic.

Employee plus four/five: \$303.88/\$140.25	Employee plus four/five: \$364.66/\$168.30
Employee plus six plus: \$357.51/\$165.00	Employee plus six plus: \$429.00/\$198.00

3. **Increase retiree health insurance contributions by 10%.** This keeps the relationship between retiree and employee contributions the same. Revenue will increase by \$1896.00.
4. **Grow Well Clinic Sick Visits:** Employees will not need to use sick leave when visiting the clinic during working hours. The HRA Follow-Up/Wellness Tracking forms will be completed for all Grow Well Clinic sick visits. The form will be revised.
5. **2013 Pay Grades:** Increase the maximum of each grade by 2.5% in 2013. This will have a corresponding impact on the midpoint for each grade.
6. **Surency AdvantagePlus Flexible Spending Option:** The City will maintain the current flexible spending program and offer employees the option of enrolling in Surency. Employees will be responsible for paying the monthly fee. The City will pay the one time annual fee of \$200 for the organization's enrollment in the plan and the annual renewal fee of \$100.

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 authorize and appoint Ms. Stephanie Hahn to the Housing Authority for a three-year term beginning November 2013 and ending December 2016. Commissioner Cessna 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 following:

1. Governing Body accepted a utility easement from Stone Creek Development LLC on a portion of Lot 2, Block 1, Stone Creek Addition, as related to the Schulman Crossing project.
2. Governing Body accepted bids received October 9, 2012 for the 2013 Crack Sealing Project and on October 11, 2012 for the 2012 Watermain Construction project.

- h) Pro-Cut Tree Services, Inc.....Class E-SOC Specialized
- i) Towns & Sons Enterprises.....Class E-SOC Specialized
- j) A-1 Sign Source..... Class D-S1 Sign Installation
- k) Jonathan T. Tran Class E-L Landlord
- l) Bounnhang Phitsanoukanh..... Class E-L Landlord
- m) Weber Refrigeration and Heating Class D-M Mechanical
- n) Simpson Bros. Electric, Heat, A/C Class D-M Mechanical
- o) Weber Refrigeration and HeatingClass D-E Electrical
- p) Simpson Bros. Electric, Heat, A/CClass D-E Electrical
- q) Quality ElectricClass D-E Electrical
- r) Baier ElectricClass D-E Electrical
- s) Weber Refrigeration and HeatingClass D-P Plumbing w/ Gas

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

Commissioner Cessna moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 20 minutes for the purpose of consultation with City legal counsel on matters which are privileged in the attorney/client relationship which if discussed in open session would waive that privilege and that the City Commission reconvene into open session in the City Commission Chambers at 3:40 p.m. 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

At the expiration of the designated time, and in open session, Mayor Crase stated no action was taken.

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

David D. Crase, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Fankhauser thanked Black Hills Energy for the luncheon and presentation. Commissioner Fankhauser stated that compressed gas is something that we will see in the future and should be considered for the City’s fleet.

Commissioner Law thanked Black Hills Energy for the luncheon and presentation.

Commissioner Cessna thanked Black Hills Energy for the luncheon and presentation. Commissioner Cessna asked the status of the airport construction and lighting.

Mayor Crase thanked Black Hills Energy for the luncheon and presentation. Mayor Crase reported that he had recently flown out of Garden City and the flight was delayed due to the de-icing truck not working properly. Mayor Crase asked if purchasing a new truck is something the City needs to look into. Director of Aviation Powell stated that the FBO has a truck and a cart for de-icing. Both pieces of equipment failed, which caused the delay. Director of Aviation Powell reported that it is very abnormal for both pieces of equipment to fail and the FBO has taken precautionary measures to prevent another incident. Director Powell stated that 87% of all flights at GCRA are on schedule. Mayor Crase suggested that possibly the Fire Department handle the de-icing of the planes. Director of Aviation Powell strongly advised against the City purchasing de-icing equipment and performing de-icing duties as it would be very expensive and become a major liability for the City.

Commissioner Doll also thanked Black Hills Energy. Commissioner Doll reminded everyone of Downtown Vision's Third Thursday and the Calf Fry at the American Legion.