

**AGENDA**  
**CITY COMMISSION MEETING**  
**Tuesday, February 5, 2013**  
**1:00 P.M.**

- I. **Note: Pre-meeting at 11:00 a.m. – 11:45 a.m., located in the large meeting room at the City Administrative Center to review and discuss the Grow Well Clinic’s first year. 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. None at this writing.
- VII. **REPORT OF THE CITY MANAGER.**
  - A. Communications Specialist Freburg has provided the Governing Body the 2013 Citizen’s Academy brochure and application.
  - B. City Engineer Cottrell will provide the Governing Body an update on US-50/400 detour.
  - C. The City has received the December franchise payment from AT&T in the amount of \$6,215.44 and the 4<sup>th</sup> quarter franchise payment from Black Hills in the amount of \$95,887.66.
  - D. Staff has provided several items of information for Governing Body review including the following: from Finance Director Hitz the monthly financial report and yearly tax report, from Zoo Director Sexson the monthly report and from Assistant City Engineer Mestdagh the monthly construction update.
  - E. Meetings of note:
    - ✓ February 3, 2013 – Retirement reception for Mary Regan at Finney County Historical Society from 2:00 p.m. – 4:00 p.m.
    - ✓ February 5, 2013 – Downtown Master Plan meeting at City Administrative Center at 6:00 p.m.
    - ✓ February 5–7, 2013 – Underground-Overhead Metering School at the Finney County Fairground Exhibition buildings.
    - ✓ February 10, 2013 – 2013 TET Celebration at Finney County 4-H Building at 1:00 p.m.
    - ✓ February 12, 2013 – City Commission Candidate Orientation – City Administrative Center, 5:30 – 7:00 p.m.

- ✓ February 16, 2013 – Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.
- ✓ February 20, 2013 – Chamber Breakfast at the Golf Club at Southwind at 7:30 a.m. – presentation by American Airlines.
- ✓ February 28, 2013 – Governing Body Retreat at Finnup Center at 8:30 a.m.
- ✓ March 7, 2013 – Citizens’ Academy – at City Administrative Center at 6:00 p.m.
- ✓ March 14, 2013 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ March 14, 2013 – Citizens’ Academy – at Municipal Courtroom at 6:00 p.m.
- ✓ March 16, 2013 - Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.
- ✓ March 28, 2013 – Citizens’ Academy – at Garden City Regional Airport at 6:00 p.m.
- ✓ April 4, 2013 – Citizens’ Academy – at City Administrative Center at 6:00 p.m.
- ✓ April 20, 2013 - Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.

**VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.**

- A. Appropriation Ordinance No. 2333-2013A.

**IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.**

A. The City Commission voted on January 2, 2013 to pursue a power supply agreement with the Kansas Municipal Energy Agency (KMEA) for wholesale power for the City of Garden City. Staff was directed to continue negotiations with KMEA in obtaining such a supply. KMEA and the City staff have drafted a Resolution and a Preliminary Power Purchase Agreement as the first step in developing a long term power supply agreement effective December 31, 2013.

- 1. Resolution No. \_\_\_\_\_ -2013, a resolution of the City of Garden City, Kansas, authorizing the execution of a Preliminary Power Purchase agreement, dated as of February 5, 2013, between the City of Garden City, Kansas and the Kansas Municipal Energy Agency relating to the purchase of electricity by the City from the Kansas Municipal Energy Agency for sale or use by the City; and making certain covenants and agreements to provide for the payment and security thereof and authorizing certain other documents and actions in connection therewith.

B. The wholesale power supply rate increase(s) received from the Wheatland Electric Cooperative, require electrical rate adjustments of approximately 10% for all rate classes within Garden City.

- 1. Ordinance No. \_\_\_\_\_ - 2013, an ordinance establishing and amending rates for electric service in the City of Garden City, Kansas; amending current Code Sections 90-302, 90-303, 90-304, 90-305 and 90-306; repealing current Code Sections 90-302, 90-303, 90-304, 90-305 and 90-306; all to the Code of Ordinances of the City of Garden City, Kansas.
- 2. Ordinance No. \_\_\_\_\_-2013, an ordinance establishing fees for utility services; amending current Code Sections 90-84 and 90-88; repealing current Code Sections 90-84 and 90-88; all to the Code of Ordinances of the City of Garden City, Kansas.

C. Director of Public Utilities Muirhead requests Governing Body consideration and approval of annexation of the Wastewater Treatment Plant and an adjacent City owned parcel. This is a non-contiguous annexation of property owned by the City.

1. Ordinance No. \_\_\_\_\_ - 2013, an ordinance annexing land to the City of Garden City, Finney County, Kansas, pursuant to K.S.A 12-520(2).

D. The Kansas Department of Transportation is soliciting Transportation Enhancement project requests for FY 2013, subject to congressional reauthorization of the program. The Governing Body previously authorized two applications, East US-50/400 landscaping and a Kansas Avenue ped/bike path. Drafts of the Kansas Avenue applications are attached. A Resolution authorizing the applications is required.

1. Resolution No. \_\_\_\_\_-2013, a resolution declaring the eligibility of the City of Garden City, Kansas to submit applications to the Kansas Department of Transportation for use of Transportation Enhancement Funds set forth by the Federal Transportation Equity Act for the 21st Century for projects in Garden City and authorizing the City Engineer to sign the applications.

E. Bernard Chappel, Glen Woods Trust and RBC-LLC request annexation of a 25.36 acre tract in the Southwest corner of Mary Street and Jenny Barker Road for Chappel Heights First Addition. As this is a non-contiguous annexation, authorization from the County Commission to proceed has been obtained.

1. Ordinance No. \_\_\_\_\_ -2013, an ordinance annexing land to the City of Garden City, Finney County, Kansas, pursuant to K.S.A. 12-520(c).

F. Ordinance No. \_\_\_\_\_-2013, an ordinance of the Governing Body of the City of Garden City, Kansas, establishing a Rural Housing Incentive District within the city and adopting a plan for the Development of Housing and Public Facilities in such district, and making certain findings in conjunction therewith (GC Residential Builders, LLC Project).

## **X. OLD BUSINESS.**

- A. Staff has prepared a Memorandum of Understanding, for Governing Body consideration and approval with Mark Pamplin for the State Theater.
- B. An update from the Planning and Community Development Department on revising and amending the City of Garden City Zoning Regulations, regarding allowing Residential Units on the First Floor within "C-3" Central Business District.
- C. CSS Properties, LLC, is requesting dedication of 12 parking stalls in the Public Parking lot at 8<sup>th</sup> & Pine for their proposal for conversion of the American Legion building into apartments.

## **XI. NEW BUSINESS.**

- A. Governing Body consideration and approval of the annual report prepared by Great Plains Development, Inc. on behalf of the City's economic development revolving loan program. The status of each loan is included for Governing Body review and consideration.
- B. Governing Body consideration and approval of the distribution of 2013 AFAC funds recommended by the members of the Alcohol Fund Advisory Committee.

- C. Governing Body consideration and approval of the distribution of 2013 Community Grant funds recommended by the members of the Alcohol Fund Advisory Committee.
- D. Governing Body consideration and approval of the distribution of 2013 Arts Grant funds recommended by the members of the Arts Grant Selection Committee.
- E. Advisory Board Recommendations:
  - 1. Police/Citizen's Advisory Board—1 appointment
  - 2. Landmarks Commission – 3 appointments
- 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 the proposed Pole Attachment agreement between the City of Garden City, Kansas and Cox Communications and authorization for the Mayor and City Clerk to execute the contract attached hereto.
  - 2. Governing Body consideration and approval of bids received on January 18, 2013 for the purchase of metal clad switchgear for substation #10 and authorization for the Mayor and City Clerk to execute the agreement.
  - 3. Governing Body consideration and acceptance of bids received February 1, 2013 for Sitework at Substation No. 10 and authorization for the Mayor and City Clerk to execute the contracts.
  - 4. Governing Body consideration and approval for the purchase of (4) 2013 Ford Police Interceptors from Burtis Motors.
  - 5. Governing Body consideration and approval of the service through Stroh Cleaners for cleaning and alterations for Police uniforms.
  - 6. Quit Claim Deed from Joel Cole transferring Space 5, Lot 38, Zone H of Valley View Cemetery to the City of Garden City.
  - 7. Quit Claim Deed from Heir of Lester O. &/or Rita C. Heinemann transferring Spaces 3 and 4, Lot 232, Zone A of Sunset Memorial Gardens to St. James Lutheran Church.
  - 8. Quit Claim Deed from Marilyn Kaye Lightner transferring Spaces 5, 6, 7, and 8, Lot 53, Zone H of Valley View Cemetery to Donna Mastin.
  - 9. Quit Claim Deed from Johnny L. &/or Anita M. Dunlap transferring Space 1, Lot 33, Zone: J of Valley View Cemetery to the City of Garden City.
  - 10. Permission for Randy &/or Lori Becker to reserve Space 5, Lot 77, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.

11. Permission for Wanda Smith to reserve Space 7, Lot 128, Zone K of Valley View Cemetery for the consideration of \$50.00 for the period of one year.

12. Permission for Robert D. Marez to reserve Space 2, Lot 69, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of 1 year.

13. Licenses:

**(2013 New)**

- a) J&K Project Management ..... Class A General
- b) N8's Construction ..... Class C General
- c) McPherson Concrete Storage Systems, Inc. .... Class E-SOC Specialized Other

**(2013 Renewal)**

- d) Janet Doll Goldsmith ..... Precious Metal Dealer's
- e) Mariscos Puerto Nuevo ..... Cereal Malt Beverage
- f) Hillcrest Development, Inc. .... Class A General
- g) Bockelman Construction, LLC ..... Class B General
- h) DV Construction ..... Class B General
- i) Grimsley's Painting & Remodeling ..... Class B General
- j) Nemechek Construction ..... Class B General
- k) Pyramid Plumbing ..... Class B General
- l) Western Kansas Baptist Association ..... Class B General
- m) The House Doctor ..... Class C General
- n) Caro's Electric, LLC ..... Class D-E Electrical
- o) Black Hills/ Kansas Gas Utility Company ..... Class D-E Electrical
- p) A&J Sheet Metal ..... Class D-M Mechanical
- q) Comfort Specialists Heating & Cooling, Inc. .... Class D-M Mechanical
- r) Black Hills/Kansas Gas Utility Company ..... Class D-M Mechanical
- s) Arntt Plumbing ..... Class D-P Plumbing w/ Gas
- t) Black Hills/Kansas Gas Utility Company ..... Class D-P Plumbing w/ Gas
- u) BT Plumbing ..... Class D-P Plumbing w/ Gas
- v) Platinum Plumbing, LLC ..... Class D-P Plumbing w/ Gas
- w) Pyramid Plumbing ..... Class D-P Plumbing w/ Gas
- x) Wray Roofing, Inc. .... Class D-R Roofing
- y) BT Plumbing ..... Class E-BF Backflow Device Tester
- z) Pyramid Plumbing ..... Class E-BF Backflow Device Tester
- aa) Anderson Concrete ..... Class E-SOC Specialized Other
- bb) Cliff's Lawn Sprinkler Service ..... Class E-SOC Specialized Other
- cc) Dirks Earthmoving Company ..... Class E-SOC Specialized Other
- dd) E&L Lawn Care ..... Class E-SOC Specialized Other

**XII. CITY COMMISSION REPORTS.**

A. Commissioner Law

B. Commissioner Cessna

C. Commissioner Dale

D. Mayor Crase

E. Commissioner Fankhauser

**XIII. ADJOURN.**