

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

- I. **Note: No Pre-meeting**
- 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)**
 - A. Representative John Doll will be present to give an update on recent legislative issues.
- VI. **CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
 - A. Mayor Crase and City Manager Allen request Governing Body consideration and approval to proclaim the week of March 5th – 12th, 2013 as Garden City High School Wrestling Championship Week.
 - B. Mayor Crase and City Manager Allen request Governing Body consideration and approval to proclaim March 5, 2013 as Michael Prieto Day.
 - C. Mayor Crase and City Manager Allen request Governing Body consideration and approval to proclaim March 6, 2013 as Tevin Briscoe Day.
- VII. **REPORT OF THE CITY MANAGER.**
 - A. The City has received the 4th quarter franchise payment from Cox Communications in the amount of \$56,931.16 and from AT&T the January 2013 franchise payment in the amount of \$6,653.75.
 - B. The Kansas Chapter of American Public Works Association has announced that the KDOT/City/County partnership project at the K-156/Mary Street/Jennie Barker Road intersection has been selected as the Transportation Project of the Year, less than \$5 million and will be advanced for national consideration.
 - C. Staff has provided several items of information for Governing Body review including the following: from Finance Director the monthly City/County sales tax report, from Public Works Director Curran the City Link ridership report and from Assistant City Engineer Mestdagh the construction update.
 - D. Meetings of note:
 - ✓ March 7, 2013 – Citizens' Academy – at City Administrative Center at 6:00 p.m.
 - ✓ March 12, 2013 – Downtown Master Plan – 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 15, 2013 – Who’s Your Paddy Baked Potato Bar – Downtown Vision, 11 a.m. – 2 p.m. and 5 p.m. – 8 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. 2335-2013A.

IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

- A. Resolution No. _____, a resolution expressing support for the construction of affordable multi-family apartment units to be located on an approximately 7 acre site on the west side of Campus Drive, in the City of Garden City, Kansas.
- B. Ordinance No. _____-2013, an ordinance amending the zoning regulations for the City of Garden City, Kansas; adopting new zoning regulations to regulate ground level residential units in the “C-3” Central Business District; amending zoning regulation sections 16.030; amending Ordinance No. 2528-2011; repealing in their entirety current zoning regulation Sections 16.030; all to the Code of Ordinances of the City of Garden City, Kansas.

X. OLD BUSINESS.

- A. None at this writing.

XI. NEW BUSINESS.

- A. The Sunflower Foundation is accepting applications for another round of walking trail grants. The City's December 2012 application was not approved by the Foundation. City Engineer Cottrell has provided a memorandum outlining some possible projects for Governing Body consideration.

- B. Advisory Board Recommendations:

- 1. Recreation Commission – 1 appointment
- 2. Police / Citizen Advisory Board – 1 appointment

- C. **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 acceptance of bids received February 28, 2013 for the Automatic Irrigation System Renovation at Buffalo Dunes, and authorization for the Mayor and City Clerk to execute the contracts.

2. Governing Body consideration and acceptance of bids received February 28, 2013 for a Crafc0 Super Shot Crack Sealing Melter from Paving Maintenance Supply.
3. Governing Body consideration and acceptance of bids received February 28, 2013 for a Fairway Mower from Professional Turf Product.

4. Licenses:

(2013 New)

- a) Lin R. Rogers Electrical Contractors, Inc..... Class D-E Electrical
- b) Faith Technologies. Class D-E Electrical
- c) Excel Lighting and Sign Class D-SI Sign Installation
- d) Ron’s Sign Company Class D-SI Sign Installation
- e) Spencer Contracting Company Class E-SOC Specialized

(2013 Renewal)

- f) APAC Kansas, Inc.Class A General
- g) Roger Schmidt.....Class B General
- h) Roger Schmidt..... Class E-SOC Specialized Other

XII. CITY COMMISSION REPORTS.

A. Commissioner Dale

B. Mayor Crase

C. Commissioner Fankhauser

D. Commissioner Law

E. Commissioner Cessna

XIII. ADJOURN.

THE TOWN HALL MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

January 29, 2013

Mayor Crase welcomed the public announcing the meeting was broadcasting live via Channel 8 and on the City's website. The public was encouraged to use Facebook, Twitter, email, text or phone for their questions for the Commissioners.

Mr. Harold Starr thanked the Commissioners and staff for inviting the public to attend Town Hall meetings. Mr. Starr discussed his displeasure for the appointment process to fill the unexpired term of former Commissioner John Doll.

Sister Janice Thoeme addressed the Governing Body on the issue of housing and stated there is still a housing shortage issue in the city. Sister Janice also spoke on issue of city utilities and the disconnect process. Public Utilities Director Muirhead stated that the City did extend the time the disconnection notice is mailed out to an additional 5 days.

Communications Specialist Freburg read the following questions from citizens and answers from staff.

From Mr. Mike Scheiman:

Has there been any thought of adding traffic lights to the new intersection of Jennie Barker and K156? Not sure if it's detour traffic or the growth in that area, but it has become a pretty busy intersection.

Answer from staff:

The City would have preferred that traffic signals were part of the original construction. However, after a detailed traffic study that projected traffic volumes 10 to 20 years into the future, KDOT determined that a signal was not warranted yet. The City will revisit this matter with KDOT every couple of years until we can prove that traffic demands a signal.

From Mr. Manuel Rodriguez:

Is the reconstructed Bypass going to be four lanes?

Answer from staff:

The reconstruction work on the Bypass at the Schulman Avenue intersection will provide through lanes for north & south bound traffic, a center lane for left turns either way onto Schulman, and right turn lanes on to Schulman, so it will be 4-lanes wide, but not a 4 lane highway. A traffic signal is being added at Schulman as well, to accommodate the turning movements. Approximately 1/3 mile north and south of Schulman is being reconstructed with this project. We will also add a full width right turn lane at the northbound ramp and Kansas Avenue/K-156.

From Mike Scheiman:

Whatever happened with the plan to build a new park by VO? Haven't heard anything about it in a long time.

Answer from staff:

Due to the proposed new FEMA Flood Insurance Maps, adjacent property to the west was greatly impacted by the new floodplain. The City and that developer traded properties, as most of the park uses would not be impacted by the floodplain. The new park location is inaccessible at this time, however the second phase of the East Cambridge Square residential development will get under way this year, which provides a new street that accesses the park. Park development is in the Capital Improvements Program over the next several years.

From James McAllister:

Have you considered doing a Town Hall Meeting in Spanish?

Answer from staff:

Interesting Idea. It hasn't been asked before. The commission agreed that it's a good idea

if they can get staff to translate. Also wanted to note that we can have translators at regular meetings if someone notifies City Staff that they want to speak.

From George Ann Snodgrass Thomason:

Is there going to be a shopping mall built next to Menards.

Answer from staff:

That is between the developer and the retailer, but that is the idea. There is room for 400,000 sq. ft. of retail shopping.

Community Development Director Kentner stated there is a Downtown Master Plan meeting on February 5, 2013 at the City Administrative Center at 6:00 p.m.

City Commission Reports

Commissioner Cessna stated that the sales tax in 2012 has been recorded breaking and will continue to go up this year with the retail development. Commissioner Cessna was happy to report that the parking lot expansion at the airport has started. Commissioner Cessna stated the City was recognized in the GC Telegram for the Corporate Citizen award from Finney County United Way.

Commissioner Fankhauser stated that he heard the ammonia plant is one of the biggest contributor to the increased flights at the airport from St. Louis to Garden City. Commissioner Fankhauser stated he has been in contact with a citizen that has several vacant commercial buildings in town and asked if there is any sort of break for landlords on the charges to keep those buildings heated. Public Utilities Director stated as long as there is electricity in the building there will be a base charge and there would be no demand charge.

Commissioner Law asked when and if the city maps would be put back online. Community Development Director Kentner stated there has been a problem with the software and staff is addressing that issue.

Mayor Crase stated this has been the best year ever on sales tax revenue. Mayor Crase hopes that the Citizens will show support of the ½ cent sales tax issue.

There being no further comments from the public, Mayor Crase and Commissioners thanked everyone for participating.

Respectfully submitted,

Celyn N. Hurtado
City Clerk

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

February 19, 2013

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, February 19, 2013 with all members present. Commissioner Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation. The minutes of the last meeting were approved.

Mr. Landon Lukens discussed the use of utility vehicles or similar type vehicles on city streets. Governing Body requested staff to explore the possibilities of allowing the use of utility vehicles or similar type vehicles on city streets and bring the issue back to the Governing Body at a later time.

The City Commission and City Manager Allen recognized Megan Powers, a 7th grade student at Kenneth Henderson Middle School. Miss Powers wrote an essay for the League of Kansas Municipalities "If I Were Mayor" Essay contest and was selected as the Southwest regional winner. Congratulations!

Commissioner Cessna moved to authorize the Mayor to proclaim the week of March 3 – 9, 2013 as Problem Gambling Awareness Week. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to authorize the Mayor to proclaim February 23, 2013 as TRiO Day as requested by Ms. Shaija Admad with the GCCC/TriO program. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Friends of Lee Richardson Zoo presented their calendar of fundraising events for Lee Richardson Zoo for 2013 and has enclosed memos regarding special requests to accommodate these events, including Blues at the Zoo in June, a Global Bazaar in June, A Wild Affair in September, and BOO! At The Zoo in October. Proceeds from these events directly benefit zoo improvements and provide unique events for community and regional involvement and tourism.

Commissioner Law moved to approve the request from Friends of Lee Richardson Zoo to hold the Blues at the Zoo concert event on June 10, 2013, close the Zoo at 4:00 p.m., charge a \$10.00 admission fee and permission to sell beer and other cereal malt beverages under a temporary CMB license. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Mayor Crase moved to approve the request from Friends of Lee Richardson Zoo to hold a Global Bazaar event on June 22, 2013, and have electrical needs be coordinated with the City Electric Department. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve the request from Friends of Lee Richardson Zoo to hold A Wild Affair event on September 7, 2013, close the Zoo all day on September 7, 2013, \$45.00 admission charge and permission to serve alcohol in the form of wine and

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

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Mayor Cruse moved to approve the request from Friends of Lee Richardson Zoo to hold Boo! At The Zoo on October 19, 2013, close the Zoo all day on October 19, charge \$4.00 advance tickets and \$5.00 gate admission fee and street barricade to block off Finnup Drive from Sixth Street to Fourth Street. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Planning and Community Development Department has completed its annual report containing the information regarding Garden City, Finney County and Holcomb.

The City received correspondence from Cox Communication regarding a price adjustment changes.

The City is nearing the point of needing to make a decision on the replacement of our cart fleet at Buffalo Dunes or investing in new batteries and some repairs. In addition, the success of the gold membership requires increasing the size of the fleet. Staff has provided some preliminary analysis of the condition of the existing fleet.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Community Development Director Kentner the monthly code enforcement report and Zoo Director Sexson the monthly zoo report, from Director of Public Works Curran the end of the year report for City Link and the CIP schedule and from Police Chief Hawkins the monthly activity report.

Meetings of note:

- ✓ 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 20, 2013 – Groundbreaking ceremony at Pioneer Estates Road at 3:00 p.m. (intersections of Pioneer Road and Campus Drive)
- ✓ February 21, 2013 – Downtown Vision’s Third Thursday from 5:00 p.m. – 8:00 p.m.
- ✓ 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.

Appropriation Ordinance No. 2334-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,651,880.54,” was read and considered section by section. Commissioner Cessna moved to approve and pass Appropriation Ordinance No. 2334-2013A. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2585-2013, “AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF GARDEN CITY, KANSAS THE PROPOSITION OF LEVYING A ONE HALF OF ONE PERCENT (0.50%) RETAILERS’ SALES TAX IN THE CITY,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2585-2013. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2586 -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 (MAGGIE’S ADDITION PROJECT),” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2586-2013. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Dr. Beverly Schmitz Glass, Executive Director of Downtown Vision, Inc. was present to review the quarterly report.

Mr. Ray Purdy, Mr. Tom Walker and Lona DuVall, Finney County Economic Development Corporation representatives were present to review the quarterly report.

Commissioner Cessna moved to approve the following:

1. Governing Body Governing Body consideration and approval of an amendment to the agreement between the City of Garden City, Kansas and Transportation Security Administration to lease additional office space at the Garden City Regional Airport.
2. Governing Body consideration and approval of an agreement between the City of Garden City, Kansas and Sunflower Cleaners, LLC for Garden City Police Department Uniform cleaning and alterations.

3. Licenses:

(2013 New)

- a) Patriot Construction.....Class B General
- b) Knipp Equipment, Inc.....Class D-M Mechanical

(2013 Renewal)

- c) AP Mountain States, LLC.Class A General
- d) Pro Build.....Class B General
- e) Ready Roofer.....Class C General
- f) Gallegos A/C Class D-E Electrical
- g) Gallegos A/CClass D-M Mechanical
- h) Mark Young Constructions, IncClass D-M Mechanical
- i) Gallegos A/C Class D-P Plumbing w/ Gas
- j) Tri-City Sign Company. Class D-S1 Sign Installation
- k) JCI Class E-L Landlord
- l) Coleman Sprinkler Lawn & Landscape..... Class E-SOC Specialized Other

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

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Mayor Crase moved that the City Commission go into executive session pursuant to K.S.A. 75-4319 (b)(6) for 25 minutes for the purpose of preliminary discussion relating to the acquisition of real property and that the City Commission reconvene into open session in the City Commission Chambers at 3:05 p.m. City Manager Allen, Public Utilities Director Muirhead and City Attorney Grisell were asked to be present. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

At the expiration of the designated time, and in open session, Commissioner Law moved to extend the executive session for 15 minutes and to reconvene at 3:20 p.m. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Crase	Dale	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 Cessna congratulated Megan Powers for her work and receiving the award for her essay and stated it goes to show that we have an outstanding school system with innovative students. Commissioner Cessna stated he would like to see the utility vehicle on city streets issue go the Traffic Advisory Board and have them review the issue and bring back a recommendation to the Governing Body.

Commissioner Dale congratulated Megan Powers and her teacher and stated she is a shining example for a 14 year old student. Commissioner Dale stated he received a couple of complaints on vehicles being parking in the front yards of residences and said he spoke with staff regarding the issue and they are acting on the issue. Commissioner Dale received a call about rusty water in the area of Lyle Street and thanked Water Superintendent Cable & his staff for addressing the issue as soon as they were made aware of it.

Mayor Crase asked about the On-Call Firefighters and how many are on staff still. Commissioner Law stated there are currently 3 On-Call Firefighters. City Manager Allen stated the Fire Department has transitioned from a volunteer staff to a full service paid personnel and continue to have veteran volunteers supplement as they can and also to use them for their knowledge and training. Mayor Crase asked if the Recycle Center takes e-

waste and if it's a value to the City. City Manager Allen stated the City does take e-waste and it is an expense. Mayor Crase stated the recycle bins for commercial pick-up have in the past been on a routine basis and as of late it has not been and the bins have been overflowing. Mayor Crase asked if there have been any more traffic accidents at 156 and Mary Street. Mayor Crase gave kudos to the Airport on their master plan.

Commissioner Fankhauser commented on the Airport Master Plan presentation being a good report and he is looking forward to the future at the airport.

Commissioner Law congratulated Megan Powers and her parents on her winning essay. Commissioner Law stated he is concerned and has also received complaints from citizens about the overflowing of items from the bins at the Recycle Center and questioned if the problem is just more people are recycling or if the City needs more capacity. Commissioner Law stated that it's one of those situations that you have a successful program and it creates problems and suggested the possibility of having temporary trash cans put out as a short term fix. Commissioner Law congratulated Randy Pratt who recently retired after 23 years of being an On-Call Firefighter. Commissioner Law asked if staff has discussed the possible wear and tear on Campus Drive from the detour.

Petitions

PROCLAMATION

- WHEREAS,** The Garden City High School Buffalo Wrestling Team won the Kansas State Wrestling 6A Championship and this is the eighth wrestling Championship win in Garden City High School history; and
- WHEREAS,** Michael Prieto, in the 106 pound class, earned the title of 2013 State Champion; and
- WHEREAS,** Tevin Briscoe, in the 132 pound class, earned the title of 2013 State Champion; and
- WHEREAS,** The 2013 State Champions of Class 6A for 2013 consisted of: at 106 – Michael Prieto, Champion; 113 – Efrain Sanchez; 120 – Matt Urrutia; 126 – Alec Castillo, 4th place; 132 – Tevin Briscoe, Champion; 138 – AJ Hurtado, 2nd place; 145 – Trevor Kennedy, 2nd place; 152 – Chris Adler, 5th place; 160 – Zac Finch; 170 – Anthony Gardner, 2nd place; 182 – Juan Carlos Rodriguez; 195 – Sam Reyes, 3rd place; 220 - Samson Aldaco, and
- WHEREAS,** The Garden City High School Team also includes a dedicated staff of: Head Coach Carlos Prieto, Coaches Paul Lappin, Jacob Waller, Kevin Perez, Ryan Kromer, and Manager Jordan Arellano and Hillary Hurtado; and
- WHEREAS,** Head Coach Carlos Prieto received the 2013 6A Coach of the Year award.

NOW, THEREFORE, I, David D. Crase, Mayor of the City of Garden City, Kansas do take great pleasure in expressing the appreciation of the City Commission and all citizens of this community on this unique achievement and hereby proclaim the week of March 5th – 12th, 2013 as

GARDEN CITY HIGH SCHOOL WRESTLING CHAMPIONSHIP WEEK

And call upon all citizens of our community to encourage our youth in their endeavors towards excellence in life.

Signed and sealed this 5th day of March, 2013.

David D. Crase, Mayor

Attest:

Celyn N. Hurtado, City Clerk

PROCLAMATION

- WHEREAS,** To excel in any sport, you must demonstrate, in addition to natural ability, an outstanding spirit of dedication, enthusiasm and hard work; and
- WHEREAS,** The 106-pound 6A Regional Championship was captured with a victory of 4-0 at Hutchinson High School on February 16, 2013; and
- WHEREAS,** The 106-pound 6A State Championship was captured with a victory of 7-0 at Hartman Arena on February 23, 2013; and
- WHEREAS,** Freshman Michael Prieto is to be commended for an outstanding season.

NOW, THEREFORE, I, David D. Crase, Mayor of the City of Garden City, Kansas do hereby proclaim March 5, 2013 as

Michael Prieto Day

in Garden City, Kansas and urge all citizens to acknowledge and express their pride in your accomplishments and to encourage our youth in their endeavors towards excellence in life and show appreciation for your good sportsmanship.

Signed and sealed this 5th day of March, 2013.

David D. Crase, Mayor

Attest:

Celyn N. Hurtado, City Clerk

PROCLAMATION

WHEREAS, To excel in any sport, you must demonstrate, in addition to natural ability, an outstanding spirit of dedication, enthusiasm and hard work; and

WHEREAS, The 132-pound 6A Regional Championship was captured with a victory of 7-4 at Hutchinson High School on February 16, 2013; and

WHEREAS, The 132-pound 6A State Championship was captured with a victory of 13-3 at Hartman Arena on February 23, 2013; and

WHEREAS, Sophomore Tevin Briscoe is to be commended for an outstanding season.

NOW, THEREFORE, I, David D. Crase, Mayor of the City of Garden City, Kansas do hereby proclaim March 6, 2013 as

Tevin Briscoe Day

in Garden City, Kansas and urge all citizens to acknowledge and express their pride in your accomplishments and to encourage our youth in their endeavors towards excellence in life and show appreciation for your good sportsmanship.

Signed and sealed this 5th day of March, 2013.

David D. Crase, Mayor

Attest:

Celyn N. Hurtado, City Clerk

Report of the City Manager

COX COMMUNICATIONS, INC.
1400 LAKE HEARN DRIVE, NE
ATLANTA, GA 30319



Return Service Requested

000687 R3K5T1A
CITY OF GARDEN CITY - FRANCHISE
301 N 8TH
GARDEN CITY KS 67846-5340

Check Date: 02/08/2013
Vendor Number: 13037



Invoice Number	Invoice Date	Voucher Number	P.O. Number	Reference	Gross Amount	Adjustment		Net Amount
						Amount	R	
FF11JAN1326014	12/31/12	COX		4Q 2012 FRANCHISE FEES	\$56,931.16			\$56,931.16
					\$56,931.16	\$0.00		\$56,931.16

R3K5T139 000687 039150393151 ANNNNN NNNNNN NNNNNNNN 000001

KS

Kansas, Garden City Municipal Fee (AT&T)

Reporting Period: January 1, 2013 to January 31, 2013

FEIN: 430529710

Southwestern Bell Telephone Company
AT&T

3100 Cumberland Boulevard, Suite 700
Atlanta, GA 30339
877-829-4141 - Phone
770-956-0700 - Fax

Tax Identification Number

43-0529710

Return Due: 02/15/2013

Total Fee Due:	\$6,653.75
Adjustments:	\$0.00
Uncollectibles:	\$0.00
Admin Fees:	\$0.00

Net Fee Amount to be Remitted: **\$6,653.75**

Remit To:

City Treasurer
City of Garden City
P.O. Box 998
Garden City, KS 67846

Tax Payer:



2/13/2013

Steven Shashack, Assistant Vice President - Tax

Date

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

Tax Preparer:



2/13/2013

Jade Wade, Manager

Date

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.



February 22, 2013

City of Garden City
Attn: Steve Cottrell, PE
City Engineer
301 North 8th Street
Garden City, KS 67846

RE: Kansas Chapter of American Public Works Association
Project of the Year Awards - Transportation

Dear Mr. Cottrell:

On behalf of the Kansas Chapter of APWA, I have the honor of notifying you that your project, "**K-156 and Mary Street/Jennie Barker Road Intersection Improvements**" was selected for the **Transportation** award in the **Less than \$5 million** category. Congratulations on an excellent job and on being selected for this important award. I will be forwarding your project on to National to compete for the National Awards, Good Luck!

We will notify the city of Wichita and Dondlinger Construction representatives of this selection. The Kansas Chapter will present the plaque for this award to you at an awards ceremony in Lawrence, KS on Thursday evening, May 2, 2013. Representatives of the city of Wichita, the consultant and the primary contractor are encouraged to attend the ceremony.

The ceremony will be held from 5:00 – 6:00 p.m. at the Oread Hotel during the APWA Spring Conference and will be followed by the Social Hour, Banquet Meal and the Scholarship Auction. So, reserve a spot on your calendar for this important evening and congratulations on receiving this project of the year award! We hope you will stay and enjoy all of the activities of the evening.

Please send your dinner reservations to Cheri Fuller at TranSystems, 245 N. Waco, Ste 222, Wichita, Kansas 67202 or you may reply by phone at (316) 303-3010 or e-mail at clfuller@transystems.com. Six total representatives from each project are invited to attend as our special guests. In order for us to complete plans for the dinner we need you to **RSVP no later than April 26, 2013.**

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brett A. Letkowski', with a long, sweeping underline that extends across the width of the signature area.

Brett A. Letkowski, PE
Executive Committee Director (Awards), Kansas Chapter

Cc: Brian Clennan, PE, President, Kansas Chapter APWA

Staff Reports

CITY OF GARDEN CITY, KANSAS
ANALYSIS OF COUNTY-WIDE SALES TAX RECEIPTS

MONTH RECEIVED	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
JANUARY	110,613	98,895	82,749	119,104	99,080	87,049	90,999	89,620	90,890	96,504	112,365	136,559	194,148	172,402	201,675	215,987
FEBRUARY	116,101	102,071	135,771	115,633	119,867	107,746	112,817	106,162	108,918	117,464	120,392	112,708	168,090	206,332	201,136	213,048
MARCH	76,790	57,317	111,517	94,385	89,945	83,994	93,138	83,528	84,800	91,096	111,384	127,434	176,275	176,089	187,616	
APRIL	106,447	123,837	110,045	92,941	86,892	88,516	82,176	88,156	88,367	97,920	97,076	105,529	136,058	140,393	176,191	
MAY	68,320	97,870	111,720	98,017	94,809	97,270	92,019	96,607	100,809	103,484	113,955	102,518	173,875	182,165	217,621	
JUNE	101,351	82,439	99,148	93,362	101,379	98,922	86,040	82,884	99,561	98,793	107,235	110,225	174,577	192,468	197,406	
JULY	111,185	110,519	111,647	91,208	99,915	97,573	91,205	88,888	95,381	109,492	130,863	126,193	163,203	175,188	199,698	
AUGUST	99,497	103,623	113,844	98,717	96,327	91,715	97,295	101,836	104,308	99,317	123,221	103,580	180,595	178,778	209,006	
SEPTEMBER	80,911	99,996	84,773	99,232	88,585	102,820	94,038	87,159	93,570	106,941	133,521	111,381	174,612	178,054	180,008	
OCTOBER	91,376	107,914	129,697	106,658	102,705	97,918	90,696	105,259	101,146	112,166	117,796	108,343	174,202	189,062	203,819	
NOVEMBER	82,002	82,861	103,094	97,348	82,869	78,619	89,706	95,946	94,231	107,500	117,428	111,973	153,378	174,342	208,611	
DECEMBER	73,954	75,058	97,466	89,406	101,296	96,993	94,616	88,792	94,570	109,693	114,846	160,409	161,622	196,711	182,159	
TOTAL RECEIPTS	<u>1,118,546</u>	<u>1,142,399</u>	<u>1,291,473</u>	<u>1,196,011</u>	<u>1,163,668</u>	<u>1,129,136</u>	<u>1,114,745</u>	<u>1,114,837</u>	<u>1,156,551</u>	<u>1,250,370</u>	<u>1,400,082</u>	<u>1,416,852</u>	<u>2,030,635</u>	<u>2,161,984</u>	<u>2,364,946</u>	<u>429,035</u>
PERCENTAGE CHANGE	8.60%	2.13%	13.05%	-7.39%	-2.70%	-2.97%	-1.27%	"FLAT"	3.74%	8.11%	11.97%	1.20%	43.32%	6.47%	9.39%	

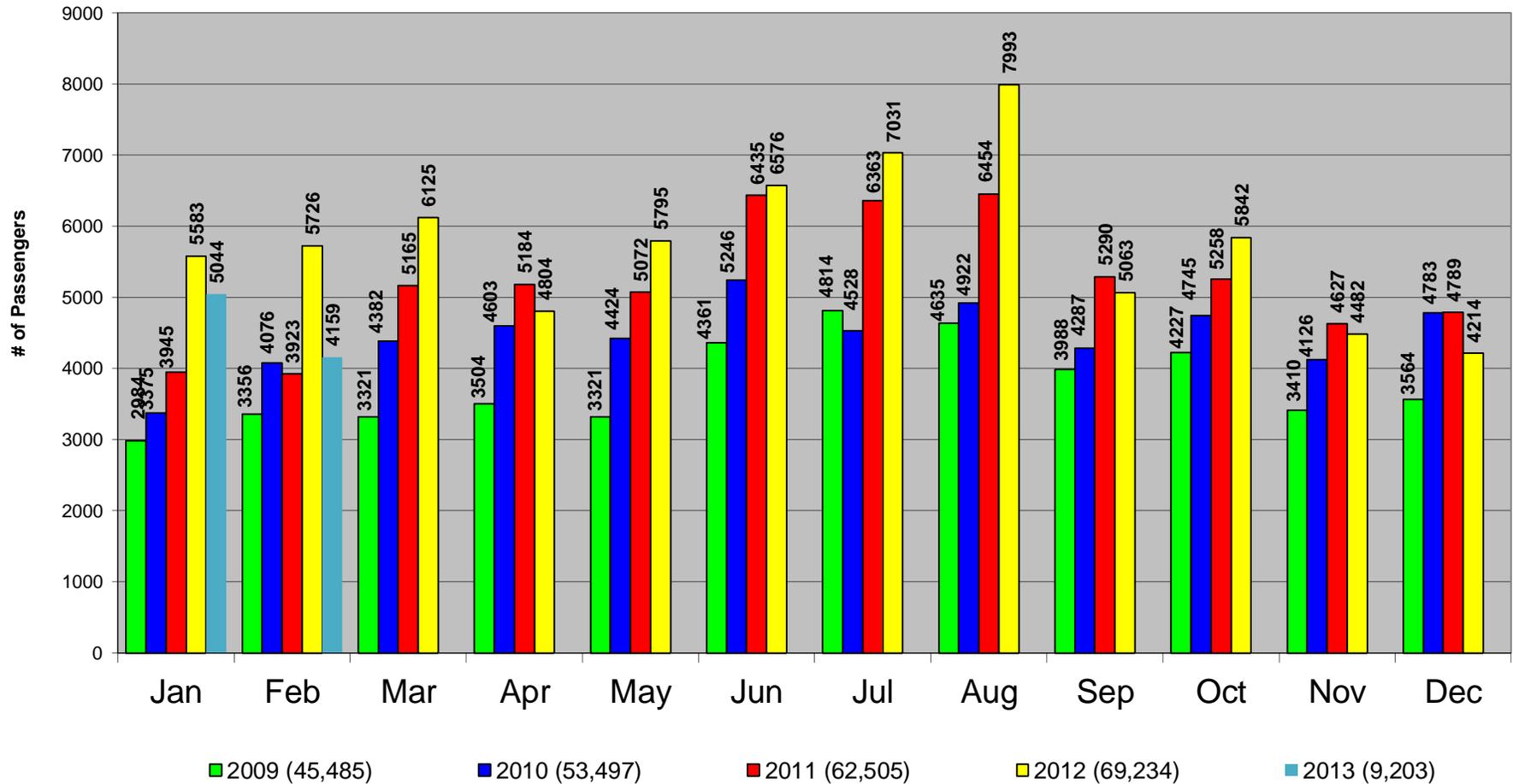
*REFLECTS HERE & THEREAFTER THE NET AMOUNT OF COUNTY-WIDE SALES TAX.
CITY REIMBURSES TO COUNTY THE DEDICATED 1/4 CENT FOR FAIRGROUNDS PROJECT.

(1) REFLECTS HERE & THERE AFTER INCREASE IN COUNTY TAX FROM .75¢ TO 1¢

CITY OF GARDEN CITY, KANSAS
ANALYSIS OF CITY SALES TAX RECEIPTS

MONTH RECEIVED	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
JANUARY	407,469	383,636	310,710	390,595	379,780	309,257	357,335	335,673	351,457	351,627	409,255	529,129	415,161	432,278	483,869	508,705
FEBRUARY	440,061	360,909	447,336	389,764	444,123	419,884	434,310	423,853	416,061	444,506	465,707	415,062	416,555	509,745	497,844	514,511
MARCH	273,056	191,835	371,146	344,152	321,705	304,720	346,371	316,320	317,599	338,956	418,336	461,822	432,675	426,585	438,777	
APRIL	380,780	467,188	364,979	334,588	303,909	313,029	317,571	318,835	321,431	358,967	361,119	388,668	328,743	328,309	409,253	
MAY	241,167	343,692	377,482	356,202	340,131	354,013	345,880	351,143	372,027	382,562	426,812	362,989	430,701	442,882	502,577	
JUNE	358,841	284,831	344,293	341,573	336,435	356,920	340,240	319,314	364,552	363,536	398,458	413,934	423,173	471,595	457,884	
JULY	408,343	382,217	361,811	331,627	359,143	329,005	338,923	330,628	350,754	394,947	456,516	469,538	402,144	431,189	453,965	
AUGUST	311,866	365,112	369,837	350,737	342,529	322,875	376,955	371,521	377,510	372,473	456,809	373,995	433,641	420,914	490,394	
SEPTEMBER	303,113	364,871	304,050	363,139	324,385	366,794	362,024	323,475	341,558	388,244	463,398	421,706	415,115	433,117	424,160	
OCTOBER	374,010	362,872	449,981	382,926	368,395	357,624	341,725	369,193	365,725	408,881	446,179	411,421	425,392	450,833	468,586	
NOVEMBER	320,162	319,267	332,271	355,951	296,743	287,373	339,384	337,133	351,892	352,723	435,767	402,883	390,433	412,877	474,976	
DECEMBER	271,436	270,677	327,755	323,048	381,904	364,126	338,971	338,058	356,317	396,872	432,701	461,792	412,973	481,207	424,131	
TOTAL RECEIPTS	<u>4,090,304</u>	<u>4,097,107</u>	<u>4,361,650</u>	<u>4,264,300</u>	<u>4,199,181</u>	<u>4,085,619</u>	<u>4,239,689</u>	<u>4,135,146</u>	<u>4,286,883</u>	<u>4,554,294</u>	<u>5,171,057</u>	<u>5,112,939</u>	<u>4,926,706</u>	<u>5,241,531</u>	<u>5,526,416</u>	<u>1,023,216</u>
PERCENTAGE CHANGE	10.72%	0.17%	6.46%	-2.23%	-1.53%	-2.70%	3.77%	-2.47%	3.67%	6.24%	13.54%	-1.12%	-3.64%	6.39%	5.44%	

City Link Ridership Yearly Comparison





Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

Alex L. Mestdagh, P.E.
Assistant City Engineer

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MEMORANDUM

DATE: March 1, 2013
TO: Governing Body
FROM: Alex Mestdagh
RE: Construction Update

The following is a progress report on ongoing projects throughout the City:

Schulman Crossing

The reconstruction work on Lareu Road and Schulman Avenue is nearing completion. The intersection of Lareu and Schulman has been paved and opened to traffic, and the paving on the south side of Schulman has been completed

As the weather improves, crews are resuming pavement removal and installation of new roadway base for the improvements to US-50/83/400. Paving of these areas are scheduled to begin within the next two weeks. The current construction schedule opens the Bypass in late March, with all work completed by mid-May.

South Main Street Reconstruction (Fulton to Maple)

Reconstruction of all lanes of Main Street between the railroad and Maple Street along with sidestreet tie-ins have been completed. Construction on areas north of the railroad will be delayed until spring.

Safe Routes to School Sidewalk Construction

Work is current ongoing on the segment of this project located on Spruce Street between Ballinger and Fleming. The project will continue through the winter at various locations as weather allows.

Garden City Regional Airport Parking Lot Expansion

Underground work has been completed and paving is underway on the 200-space parking lot expansion. Paving will resume as the weather improves – construction is scheduled to be completed in approximately six weeks.

Pioneer Road Estates

Utility work is underway for this residential development. Grading and paving work will begin in early Spring.

Inge Watermain Replacement

Work is underway to replace an aging 6" watermain with a new 12" line along Inge Avenue from Fulton Street to Kansas Avenue. Construction is currently ongoing on the south end of the project between Fulton and Saint John. These intersections will be repaved and opened to traffic over the next two weeks.

**CONSIDERATION OF
APPROPRIATION ORDINANCE**

Ordinances & Resolutions



Memo

To: City Commission
From: Kaleb Kentner
CC: File
Date: 2/20/2013
Re: Resolution of Support for Overland Property Group, LLC's Tax Credit Application

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ISSUE: A resolution declaring support for Overland Property Group's application for tax credits.

BACKGROUND: The Overland Property Group is pursuing tax credits for low to moderate income housing. They have decided to develop the second phase of their apartment complex on North Campus Drive. This phase will add two sixteen (16) unit buildings to the two that already exist on the property.

In February of 2011, the City adopted a similar resolution for the first phase of their Reserves at Prairie Ridge Project which eventually resulted in the two existing sixteen (16) unit apartment buildings. The resolution states that, subject to the comprehensive plan, zoning regulations, platting and site plan approval, the building permit review process, and approval of a development agreement, the Governing Body of the City supports the development of affordable housing within the City.

The resolution will be effective for approximately one year expiring on February 28, 2014.

Alternatives:

1. The Commission may elect to adopt the attached resolution.
2. The Commission may elect to not adopt the attached resolution.

Recommendation: Staff recommends Alternative 1. Adoption of the resolution.

Fiscal Note: There is no fiscal note related to this resolution.

RESOLUTION NO. _____

A RESOLUTION EXPRESSING SUPPORT FOR THE CONSTRUCTION OF AFFORDABLE MULTI-FAMILY APARTMENT UNITS TO BE LOCATED ON AN APPROXIMATELY 7 ACRE SITE ON THE WEST SIDE OF CAMPUS DRIVE, IN THE CITY OF GARDEN CITY, KANSAS.

WHEREAS, the City of Garden City, Kansas has been informed that Overland Property Group, L.L.C., Overland Park, Kansas (Developer), has filed a housing tax credit application with the Kansas Housing Resources Corporation for the development of 32 affordable rental housing units on an approximately 7 acre tract located on the west side of Campus Drive, in the City of Garden City, Kansas; and

WHEREAS, the thirty-two (32) two and three bedroom units will have affordable rents targeted to families with low to moderate income; and

WHEREAS, the development will be new construction; and

WHEREAS, the development will have access certain amenities included in the first phase of the project including common use of the existing clubhouse, playground, basketball court, and fitness facility; washers and dryers will also be included in each apartment unit.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas as follows:

SECTION 1. The Governing Body supports the development of affordable housing in the City of Garden City, Kansas, subject to the comprehensive plan, zoning regulations, final platting and site plan approval, the building permit review process, and approval of a development agreement.

SECTION 2. In the event any of the specifications set forth herein, or as presented by the Developer to the Governing Body at its meeting on March 5, 2013, should change prior to the issuance of a building permit, this Resolution shall become null and void.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption and publication in the Garden City Telegram, the official City newspaper, until February 28, 2014.

IT IS SO RESOLVED THIS 5TH DAY OF MARCH, 2013, BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS.

David D. Crase, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

APPROVED:

Randall D. Grisell, City Counselor



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Memo

To: City Commission
From: Kaleb Kentner
CC: File
Date: February 21, 2013
Re: GC2012-082: City of Garden City Zoning Regulations Amendment to allow Residential Units on the First Floor in the "C-3" Central Business District

Issue: Staff has been asked to amend the City of Garden City Zoning Regulations, regarding Residential Units on the First Floor within "C-3" Central Business District.

Background: At the February 5, 2013, City Commission meeting, the Planning Commission was directed to make a recommendation regarding the proposed amendment of the "C-3" District to allow ground level residential units. Taking this direction, at the February 21, 2013, meeting, the Planning Commission heard further public comment on the issue and after discussion recommended against amending the current "C-3" District regulations. There were five (5) members present and the vote was 5-0 in favor of the motion to recommend against adoption of the ordinance.

The discussion revolved around maintaining the integrity of the Downtown Core Area, of which the American Legion building is considered to be a part. The Planning Commission recognized that there is a need for housing in Garden City, but that the project would contribute little to that need and because of that, the need to maintain the character of the Downtown Core Area was of greater importance. An unofficial copy of the section of the minutes from the February Planning Commission meeting concerning this case has been attached to this memo.

As per the K.S.A. 12-757(d) The Governing Body may override a Planning Commission recommendation only by a two-thirds (2/3) majority vote.

ALTERNATIVES:

1. The Commission may uphold the Planning Commission's recommendation and vote to not amend the "C-3" District Regulations.
2. The Commission may override the Planning Commission's recommendation by a two-thirds vote and amend the "C-3" District Regulations.

RECOMMENDATION: The Planning Commission recommended against amending the "C-3" District Regulations to allow ground level residential units. Staff recommends that, should the Governing Body elect to override the Planning Commission's recommendation, that ground level residential units be adopted as a Conditional Use and not be located along Main Street. Should the Governing Body override the Planning Commission's recommendation, an ordinance amending the "C-3" District regulations has been attached to this memo.



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GC2012-82 Amendment regarding residential units on 1st floor in “C3”

Staff Henderson reads staff report.

Chairman King- I think the last time we tabled this was because we didn't have quorum. The comments were all in the minutes but I think if there are any others from the comment, that we should hear them.

OPEN PUBLIC HEARING

Candace Gamino- I'm with CCS Properties, LLC. We are trying to develop the old American Legion building. This is a very unique building with unique challenges. One of them being that there is no ground level. When you walk in, you can go downstairs or upstairs. We developed 704 N. Main into apartments. They have granite countertops, nice showers with glass tiles, and other very high quality finishes. We aren't looking at doing low income housing on Main Street. We want to keep the beauty of the building. We are trying to find windows that match the current windows. We are trying to get this on the Historical Registry. We want this to be a beautiful building and we aren't slum lords. I know it's in the Central Business District but it isn't on Main Street and I hope you take that into consideration. We have a huge shortage of housing and I think this would be a great location.

Member Rishel- What are you going to do for parking?

Candace Gamino- We and the Windsor requested parking spaces. We only need six and we are within 200 feet of a public parking area so we are allotted the parking according to that ordinance.

Staff Becerril- You are putting in three units?

Candace Gamino- Three on each level; two-two bedrooms and one-one bedroom. They mentioned in the meeting that we only need six. As we all know, they are going to park on the street. We made an agreement for parking at 704 N. Main and they still park on the street. There's nothing I can do about that.

Member Doll- Have you developed a business plan to see if this will financially fund itself?

Candace Gamino- Yes, we've drawn it out. This is our first step; to get approval.

Member Doll- How much of that is coming from historic tax rebates from the State?

Candace Gamino- I don't have those figures.

Member Doll- This decision that we make on this, and consequently the City Commission, will affect our downtown district for decades to come. I think it's important to know before we even consider this is if it's financially viable. If you are going to apply for historic tax credits, are you able to do residential apartments and follow their guidelines?

Candace Gamino- My son has contacted the historical agency about six or seven times and told them what we are doing. He's also sent them drafts of what we are planning to do. So far, they have not told us no on anything. We aren't changing the exterior of the building. The interior is open.

Member Doll- So the interior has to remain open?

Candace Gamino- No.

Member Doll- And you have that in writing from them?

Candace Gamino- We can't put it on the registry until it's in our name.

Member Doll- But you can get their rules in writing.

Candace Gamino- I will get something in writing for you after we get the building.

Member Doll- That's kind of after the fact.

Candace Gamino- Well, if we have to go to plan B, we will.

Member Doll- What is your plan B?

Candace Gamino- Plan B would be to put residential on the top floor and commercial on the bottom. We really don't want to do that. There are a lot of commercial properties sitting around. We've been in contact with realtors.

Member Rishel- What kind of rent are you going to be looking at for these units?

Candace Gamino- \$850 to \$1,050. We tried to go \$1 to \$1.50 per square foot. You need to do that.

Member Doll- I need some help from the planning department regarding parking. If this is a commercial building, parking is not an issue but if it's residential, they are required to have two parking spaces per unit so that would be twelve. This happened with the apartments on Main (704 N. Main). They were granted parking from Weber Refrigeration across the street but the renters are not using them. That could become an issue. In this building, would you have in your lease that if they don't comply with where they are supposed to park that they will be evicted?

Candace Gamino- I think that's a harsh reason to evict someone, just for not parking in their parking space.

Member Doll- I understand that but there are people who have individual homes next to the apartments on Main Street and they are having problems finding parking for their own house.

Candace Gamino- No, people are having trouble parking there because of the Tattoo Parlor.

Member Doll- Well, it's causing issues.

Candace Gamino- Almost everyone parks in the back. There are only two vehicles that park in the front.

Member Doll- So how are you planning on having your residents comply with parking where they are supposed to park?

Candace Gamino- I will put it in the lease that we would like them to park across the street. You have no law against them parking in the street.

Member Doll- As a landowner, you can dictate that.

Dr. Beverly Glass- I'm the director of the Downtown Vision Group. I have a couple comments that kind of impact the issue here. First of all, Candace needs to be applauded for trying to do something with a building that's been sitting there for a while. Our issue is not with her personally or with her idea. The issue that we have is that we are going to have another variance to an ordinance. One of the things about the character of the downtown Main Street is that there are no storefront churches, tattoo parlors or first floor residential. It cheapens the character of your downtown



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Main Street and the Central Business District. The interesting thing about this building is when you ask for historical tax credits, especially at the state and federal level is that the secretary of interior has ten criteria; they are very stringent. If you are going to get tax credits, they are going to make sure that you follow those. In a building like this, it goes back to the original intent of the building. The original intent was for it to be a meeting space. So, in the event that there were tax credits going forward, the walls wouldn't be able to go all the way to the ceiling. By doing so, you take away the original intent of the building. Therefore, you would have to declare which floor is the "first" floor. Bi-levels do not exist in historical tax credits. Either the basement becomes the first floor and then it becomes a matter of having egress windows. If the other floor becomes the first floor, there is only one fire escape. The interesting thing about this case is the building literally sits on a property line. The air conditioning unit that sticks out is actually on someone else's property. So there is no room here to make any expansion without going to the adjacent property. He has been very adamant that he is not interested in selling but that he does have interest in buying the building because he owns everything around it. I think the intent that city has was to get this building back on the tax credit but in the process I think that if this doesn't move forward, it's because there is someone willing to get it back on the tax role. I think the concern the commissioners had can be laid to rest. And Candace's point was that it's not on Main Street but it is part of the core district and my concern is if we make one allowance here, where do you draw the line? You will end up with a hodge-podge which we already have a problem with. If the devil is in the details and the details show there is an alternative, it could very well be office space. Then you don't have to have permanent walls that go all the way to the ceiling and you maintain the integrity of the building. With commercial, there are different codes to go by and the parking is already addressed. Residential is a whole new ball game. My concern is if we keep making exceptions, that we will have a cut-up, dicey downtown with no traffic flow. It isn't broken; let's try not to fix it.

Member Garcia- Has the downtown been impacted differently from having the current business on the central business district. The tattoo parlor and the bank, has that impacted anyone significantly one way or the other?

Dr. Beverly Glass- The interesting thing is that there is the core district and there's the central district. I had used those terms interchangeably and they are not. The core district by and large is from Spruce down to Fulton.

Member Garcia- Do you think they have impacted negatively then?

Dr. Beverly Glass- I do. You have a church and residential with commercial stuck in the middle of it. When you get down to the retail aspect, I think this is what the community standards ask. Can I point to it and say they've lost sales? I cannot. I just think it's the overall environment that it portrays.

Staff Henderson points out zoning districts on the map, discussion ensues.

Candace Gamino- Does the core district encompass that angled street in front of Key Office?

Chairman King- We don't ask questions between people at the podium but what was the question and I will try to get you an answer.

Staff Henderson- Stevens Avenue.

Member Doll- It looks like one side is and one side isn't.

Staff Henderson- Prior to last June, Garden City Avenue was commercially zoned.

Member Doll- And we changed it to residential?

Staff Henderson- Yes. It was rezoned because the primary use was residential.

Chairman King- Did that answer your question?

Candace Gamino- Yes.

Member Rishel- Parking is an issue downtown correct? That's why we are going to 45 degree angles and making it one lane instead of two.

Dr. Beverly Glass- Before the downtown started becoming revitalized, everyone could park in front of the store they were going into. It's one of those good/bad things because we have increased traffic and sales downtown. The parking angle has always been a problem. By straightening them out, I think we are going to gain about 53 parking spaces downtown.

Member Rishel- 30 of which may be reserved for the Windsor.

Dr. Beverly Glass- In the back lot yes.

Staff Henderson- The City Commission is looking specifically for a recommendation for the American Legion building so it might be best to focus on that as well as thinking about the business district at large.

Staff Becerril- It is going to impact all "C3" Districts.

Candace Gamino- Two things I'd like to point out that Bev said: Air conditioners can go on the roof and a sprinkler system would be installed so egress windows would not have to be put in.

Chairman King- This building is on the Historic Register?

Member Doll- Not yet.

Candace Gamino- We've asked the City to put it on the Historic Register but they haven't done it yet. I've been looking into it.

Chairman King- I hadn't heard that before and I guess there'd be some questions if it were on the Register.

Candace Gamino- We've been doing a lot of research and sent some pictures so they wouldn't be blindsided with any questions that we have. Again, with the parking, we've requested some spots across the street but there are some in the back as well.

Staff Becerril- Is your son going to be doing the architecture?

Candace Gamino- He is an architect but we will probably go with someone locally. We tried to use local people when we did the other building.

Staff Becerril- Do you have an architect?

Candace Gamino- We do have an architect but there are other people that we might be looking at as well.



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Vicky German- Bev Glass mentioned that the walls can't go from floor to ceiling; that's going to be an issue if it's going to be apartments won't it?

Candace Gamino- Yes it will. We have spoken to them numerous times and specifically sent them drawings and pictures. They know what we want to do. They haven't said we can't do it.

Member Rishel- But have they said you can do it?

Candace Gamino- They have said that each case is handled on a case-by-case basis. We have specifically asked them these questions.

Dr. Beverly Glass- It's contingent upon whether there are going to be any applications for historical tax credits. Part of being part of National Main Street is that we become very well versed in what it takes for state and federal historical tax credits. They are all about keeping the original use and preservation aspect of it. We were a day late but our proposal was office space because you could keep the original intent. If there were some way we thought that we could put housing in there, we would have done that but having gone through the rules, we realized that we would not be meeting the original intent so we went with office spaces. With office spaces, people get hung up that there needs to be an elevator but there does not. You have to have access which could be done by a lift.

Member Rishel- How much of your development depends on being accepted into the Historical Registry? Would you still develop it if it weren't added to the Registry?

Candace Gamino- To meet the federal guidelines, you check a box and you can get federal tax credits. We already have that information and we've already filled out everything. If this doesn't go through on the tax credit from the state, we are still planning to go through.

Member Garcia- Dr. Glass, you don't think that the possible positive aspects of the change that they are proposing would be beneficial to the city by bringing into compliance 8th street as well as possible new development for housing? You don't think that that would outweigh the negative?

Dr. Beverly Glass- I think that probably because of the courthouse across the street and the parking that a potential downtown developer would be discouraged because the original intent of the building is different. If you get more into the residential district on Garden City Avenue, that's different. But with this building that's surrounded by service industry and retail, it doesn't have a place there. It would hinder the development of that area which is an eyesore.

Member Garcia- The person who owns that property right now has said that they aren't going to develop that if they current property is developed as residential?

Dr. Beverly Glass- That's correct.

Member Rishel- This says that it's specifically for the American Legion building. How is that going to affect the rest of the properties?

Staff Becerril- It is going to be amending the regulations for the entire "C3" district.

Member Rishel- So it's not just for this building?

Member Garcia- And not just for this "C3" district either.

Staff Henderson- Right.

Candace Gamino- I would like to point out that the gentleman who owns that property has let it sit for twenty some years. Buildings have burnt down and he's never done anything with it. But now that we want to do something he wants to do something and it was advertised in the paper so he had ample time to respond also. I don't understand why he didn't want to do something twenty years ago.

Chairman King- I know him and I don't think he's the kind of person who would be a developer. He has his business over there and is good at it but I don't think he would be the type to develop it.

Member Garcia- How long had the building been vacant before people were interested in it?

Dr. Beverly Glass- Since the American Legion vacated it and moved to the armory.

Member Garcia- So not a long period of time. Not necessarily as indicated that it sat empty for a long time.

Dr. Beverly Glass- That's right.

Chairman King- Less than two years.

Dave Jones- Part of that sitting vacant involved a trade the city made with the American Legion at that was within a 5 year period, if the armory didn't work out, they could move back to this building.

Member Garcia- So there was a reason for it.

Dave Jones- Yes.

Chairman King- I've been in the rental business my whole life and my parents before me. I supported your project on Main Street. When we did it and granted that deal with Weber's, I knew those people weren't going to park over there but you have to weigh the positive with the negative. That one, I could see more positive. However, this one, I'm just not convinced that there is more positive than negative. I've seen the old junior high school and attended it myself. When they converted that into apartments, they spent \$80,000 a piece to renovate them. They should have torn the building down and started over and made better apartments than they've got. This one, I'm sorry, I just can't support a rental at this location.

Candace Gamino- The only reason we have proceeded with this is because we were approached by the city about this building.

Chairman King- Well the city acquired the American Legion and the State Theater and it's hard because it takes a lot of work. We still have to do the right thing and I don't think this is the right thing.

Candace Gamino- I think with the State Theater you have to have a vision and I have a vision for the theater myself and a vision for the American Legion building to keep it beautiful. If something doesn't get done with it, it will be torn down.



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Member Doll- I think it's important that we maintain the integrity of our downtown core district. There are developers that see our downtown and see how vibrant it is and so they find us a desirable location to bring their business. I think it's important to consider the retailers that have put decades into their businesses on Main Street and hung in there when we had about 23 empty store fronts and now we are down to two. They put their livelihood and money into maintaining their business and I think if we change the zoning for "C3" it will open the door so that we could possibly have a residence on Main Street next to Stage or Regan's Jewelry Store and that I don't think is what our community would like to see. I commend Candace for wanting to develop residential downtown. I would love to have it, just not on the first floor because it just opens up a precedence that could affect our community for decades. I find parking an issue and even though we do have a lack of housing in our community, I do think we have several developments coming in the future and I don't find it an adequate excuse to change the zoning requirements.

Member Rishel- I fully support what Janet says. All along, every time we make a decision to amend or do a ZUP, we set precedence. It's not the original intent of the "C3" for the Comprehensive Plan to have residential on the first floor in a commercial district. With the parking issue we already have, I fully support Janet.

Vicky Germann- I'm on the board of directors for the Downtown Vision and I'm also secretary for the Garden City Builders Association. I'd like to commend Candace. I appreciate people with a vision and want to do things for our community. I also see the need for housing in our community. I am opposed to amending the "C3" District as a matter of principle. I want to keep it the way it is and I think Janet's right; if we start changing things, we start setting precedence. A couple of my thoughts; my husband is a landlord and we have issues with people parking where they aren't supposed to. It's a hassle but you have to stay on them. Eventually they do cooperate. I don't know legally what you can do but that something that would definitely have to be enforced. Some of the talk that I've heard through the Vision group regarding the Windsor and downtown, parking is a huge issue with most people. Immediately when you talk about doing something different, parking is the main concern. The historic tax credit, I don't know how that works. Whether you have to own the building prior to applying, I don't know but in my opinion that is kind of the issue here. If you aren't able to get the tax credit, it isn't even a viable plan and I think if we were to consider amending the "C3", the Commission would need to see a business plan before they would even consider it. I know that creates a SNAFU for you because you don't really know but I don't see how they could really make an informed decision unless they had those facts. The last thing I have is that what I've observed is that changing the intent of the building hasn't really worked for the Windsor. They've tried to revive it and changing the original intent doesn't seem to work.

Member Rishel- What do you expect for six apartments at \$1,000 a month is going to be the payback after all the modifications have been done? How are you going to make this a viable rental? I would imagine it's going to take several hundred thousand dollars to complete six apartments and with \$6,000 a month, that's an awful long payback time.

Candace Gamino- Even ones on Main Street with over \$250,000 and a 10 year loan, we expect to be paid off in 10 years.

CLOSE PUBLIC HEARING

Chairman King- If we vote to amend the "C3" regulations then Candace's project could then move forward?

Staff Henderson- Right, we'd have to get the amendment written up and approved by the City Commission before they moved forward with their plan.

Member Rishel- Whatever we decide here, it still has to go to the City Commission as to whether they want to approve it?

Staff Henderson- Correct.

Member Garcia- Having lived in Garden City all my life, I appreciate the comments of Janet and Ken. I think that what we've done with the downtown has been something that was needed to be done for a long time. It's taken a long time for us to get there. I think that we need to be sure that we keep our minds open to the business people that are already there and that everyone is willing to go with that. Even though I appreciate your effort to make this an opportunity for yourself, I'm going to have to make the recommendation to vote against the residential on the first floor.

MEMBER GARCIA MAKES MOTION TO DENY RESIDENTIAL ON 1ST FLOOR IN "C3" DISTRICTS.

MEMBER RISHEL SECONDS MOTION

Votes were taken by yeas and nays and recorded as follows:

Doll	Garcia	Gigot	Howard	King	Lopez	Chappel	Rishel	Sheets
Yea	Yea	Yea	Not Present	Yea	Not Present	Not Present	Yea	Not Present

Motion passed.

ORDINANCE NO. _____-2013

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; ADOPTING NEW ZONING REGULATIONS TO REGULATE GROUND LEVEL RESIDENTIAL UNITS IN THE "C-3" CENTRAL BUSINESS DISTRICT; AMENDING ZONING REGULATION SECTIONS 16.030; AMENDING ORDINANCE NO. 2528-2011; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION SECTIONS 16.030; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:

SECTION 1. Section 16.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

16.030 CONDITIONAL USES. The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 29.

- (A) Towers.
- (B) Garages and auto repair shops, but not including auto body and fender work and auto painting.
- (C) Licensed Day Care Home, Group Day Care Home or Child Care Center.
- (D) Ground Level Residential Units not located along Main Street.

SECTION 2. The Zoning Regulations for the City of Garden City, Kansas, Sections 16.030, as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

SECTION 3. Ordinance No. 2528-2011, subject to the amendments set forth herein, shall remain in full force and effect.

SECTION 4. This ordinance shall be in full force and effect from and after its publication in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 5th day of March, 2012.

DAVID D. CRASE, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL
City Counselor

Old Business

New Business

MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 26 February 2013

RE: SUNFLOWER FOUNDATION TRAIL GRANT APPLICATION

ISSUE

The City's December 2012 Sunflower Trail application was not approved. The Sunflower Foundation has announced their next application cycle for trail grants. Should the City submit an application?

BACKGROUND

The City has received two trail grants from the Sunflower Foundation, the first in 2009 was for Phase 1 of the Finnup Drive Walking Trail, in Finnup Park, and the second was in 2011 for Phase 2 of the Wiley Park Walking Trail.

The Sunflower Foundation is accepting applications until May 1st. The grant would provide \$30,000.00 for construction, with a \$30,000.00 local match. An additional \$25,000 in grant funding, requiring equal matching funds, is available for enhancements such as design and safety, lighting, signage and trees.

The Sunflower Foundation focus is on Community-based (building trails in a community setting) recreational walking trails, although multi-use trails will also be considered. Trails are generally expected to be at least ½ mile in length and a minimum width of 5'– 6' is expected. The foundation is also accepting applications for school based trail projects in this same cycle.

ALTERNATIVES

Possible projects fitting the grant parameters include (maps attached):

- Wiley Park Walking Path Phase 3 – could include additional pathway at Garden City High School (they received a 2012 Sunflower grant).
- Finnup Drive Walking Trail Phase 2

RECOMMENDATION

Governing Body direction on a grant application is requested. Staff will prepare the application for the selected project.

FISCAL

If we are awarded a grant, we would find the required local match within the 2013 budget.



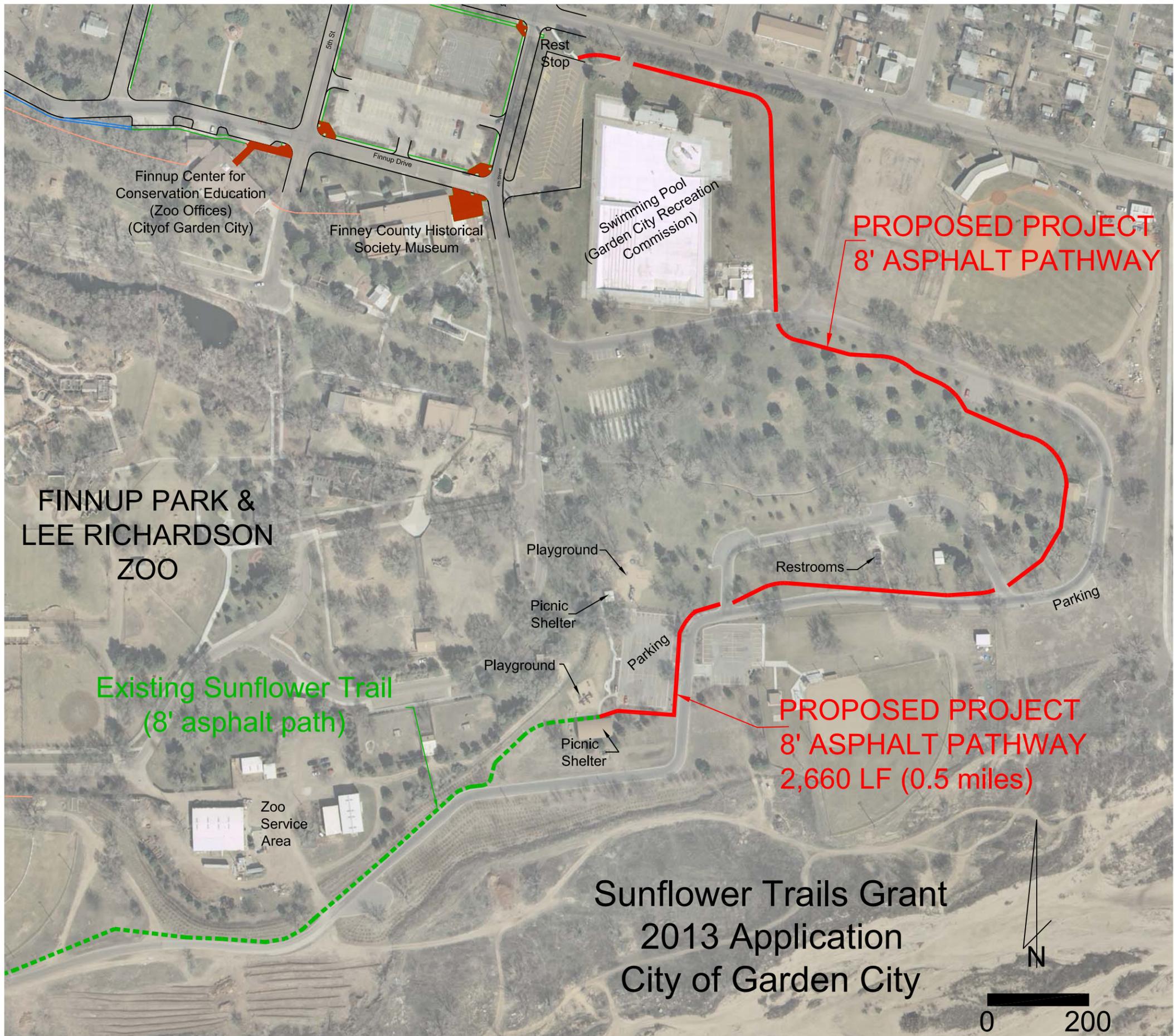
Engineering Department

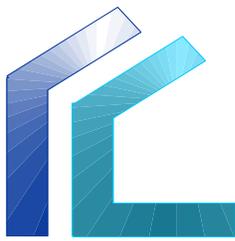
Steven F. Cottrell, P.E.,
City Engineer

Alex L. Mestdagh, P.E.
Assistant City Engineer

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Garden City Recreation

310 N. 6th, Garden City, Kansas 67846 – Phone: 620-276-1200 Fax: 620-276-1203 – email: gcrec@gardencityks.us

Dear, City Commissioners

The Garden City Recreation Commission Board Members have unanimously voted, and are requesting for approval to accept Marcus Ramos as a new board member replacing Greg Hands effective February 1, 2013 through February 1, 2017. Additional consideration is as follows:

Matt Kirchoff
Jedidiah Mayes
Ray Navarro
Chris Gronquist

If you have any questions or concerns please give me a call at the Garden City Recreation Commission at 620-276-1200.

Respectfully,

John H. Washington

John H. Washington
Superintendent

MEMORANDUM

TO: Matthew C. Allen, City Manager
FROM: James R. Hawkins, Chief of Police
DATE: February 25, 2013
SUBJECT: Police / Citizen Advisory Board Recommendation



I am recommending Storm Mosher be accepted to serve as a new member of the Police/Citizen Advisory Board to represent the Garden City Community College student.

The board would welcome Mr. Mosher as a new member. Storm is currently employed at Winters Technology and has been a resident of Garden City for 1 year.

If approved the Police/Citizen Advisory Board would be left with seven vacancies; High School Student, Senior Citizen, Homemaker, Religious Community, Business, School and Hispanic Representatives.

I am respectfully requesting that you forward this recommendation to the Governing Body for approval.

A handwritten signature in black ink, appearing to read "James R. Hawkins".

James R. Hawkins
Chief of Police

Consent Agenda



MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 28 February 2013

RE: AUTOMATIC IRRIGATION SYSTEM RENOVATION
BUFFALO DUNES GOLF COURSE

Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

Alex L. Mestdagh, P.E.
Project Engineer

ISSUE

Bids were received today for the irrigation system renovation at Buffalo Dunes.

BACKGROUND

This renovation project is essentially a complete rebuild of the irrigation system at Buffalo Dunes. The work will begin after Labor Day and should be completed by the end of the year. Five bids were received as shown on the attached tabulation, all of which were under the engineer's estimate.

In addition to the base bid, there were, three Add alternates and three deduct alternates. The alternates were 1) add for removal of existing irrigation equipment; 2) deduct for a different sprinkler head; 3) deduct for a partial 5' deep frost free system; 4) deduct for 36" bury depth vs 5' bury for main truck lines; 5) add for different frost free hydrants; and 6) add for restrained pipe joints in lieu of thrust blocks.

Erik Christiansen, our design consultant, recommends awarding the base bid plus alternates #1, #4, #5 and #6.

ALTERNATIVES

- 1) The Governing Body may accept the low bid and award a contract,
- 2) The Governing Body may reject the bids and defer action until a later date.

RECOMMENDATION

Staff recommends that Governing Body accept the low base bid plus alternates #1, #4, #5 and #6 and award the contract to Landscapes Unlimited LLC, Lincoln NE, in the amount of \$1,433,000.00, and authorize the Mayor and City Clerk to execute the contract when the documents have been returned by the contractor.

FISCAL

Funding for this project is from the 2013 General Obligation Bond issue.

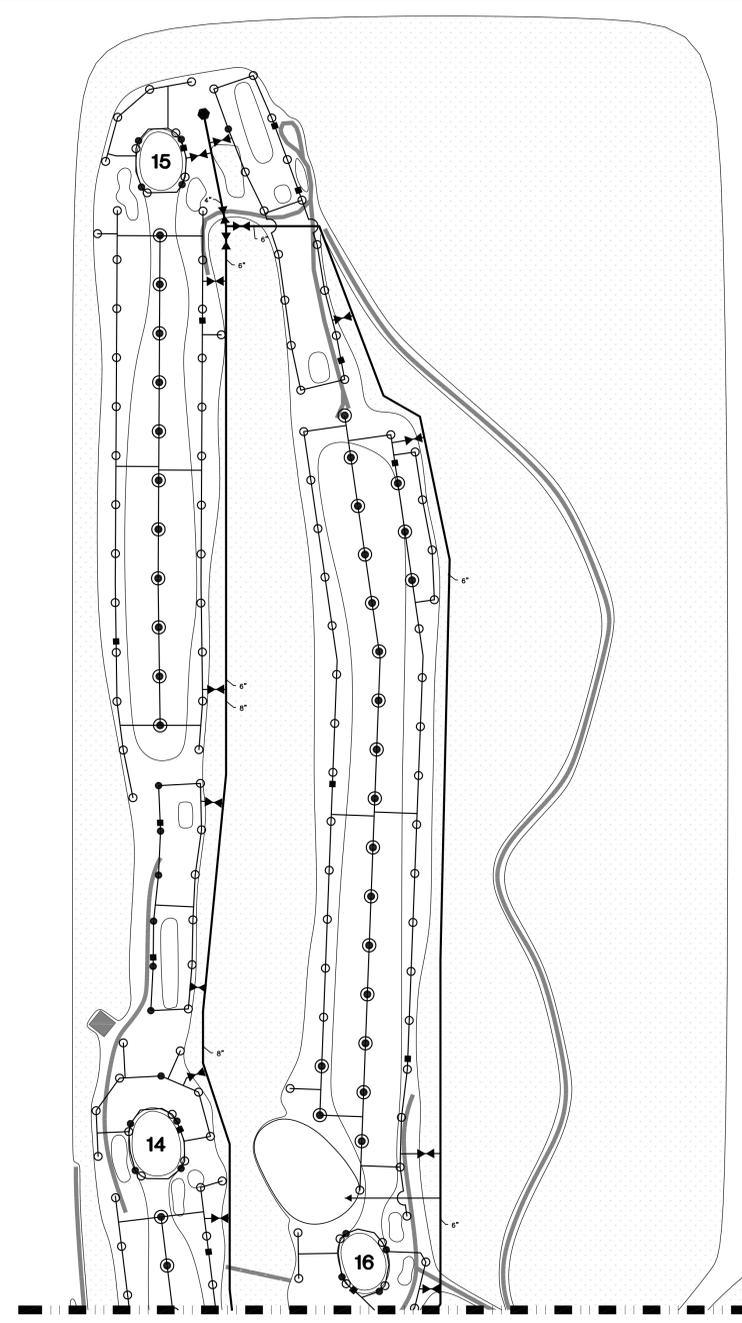
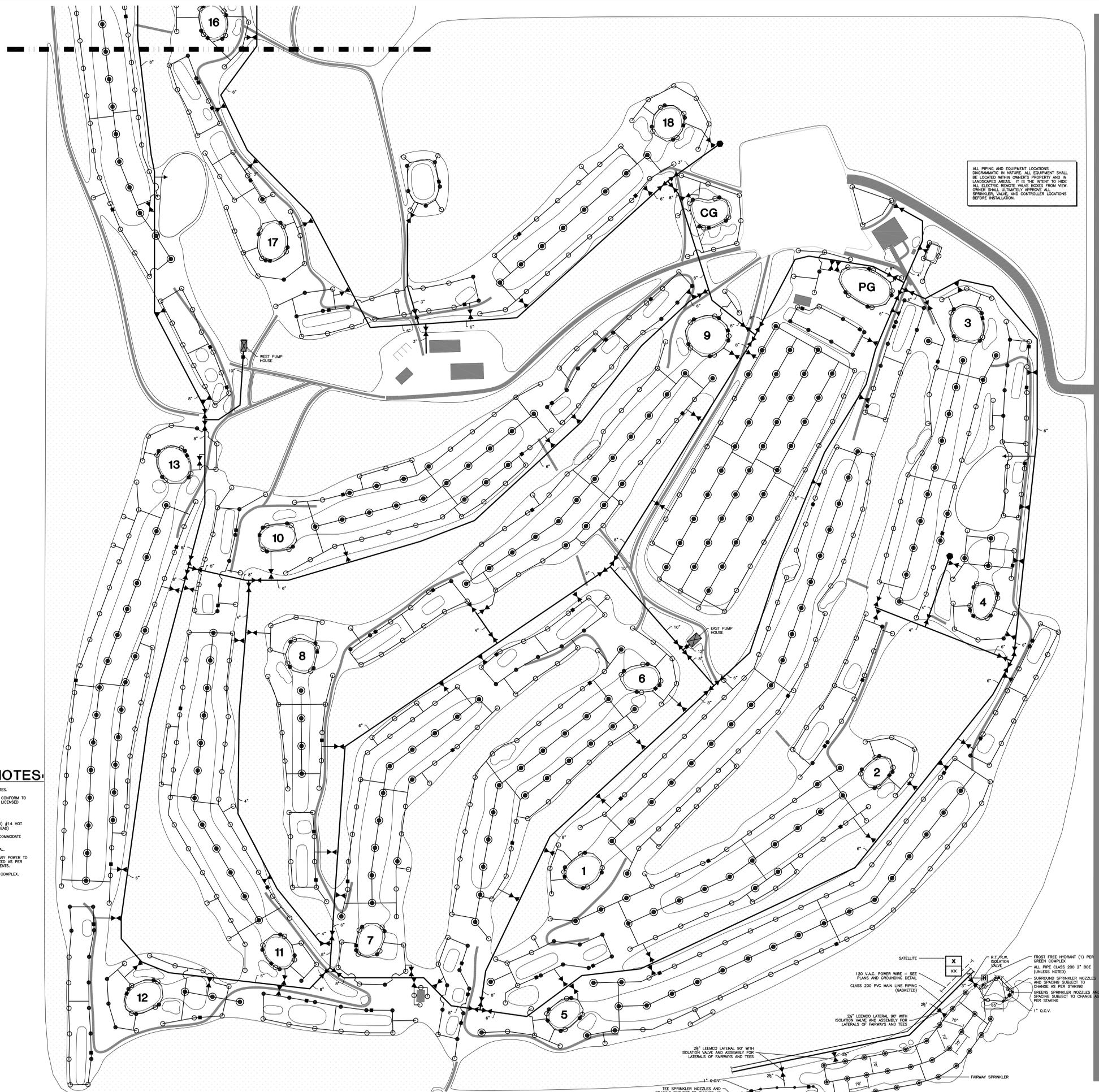
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A handwritten signature in blue ink that reads "Steve Cottrell".

SUBSTATION # 10 SITEWORK

BIDDER	BASE BID	Alternate # 1	Alternate # 2	Alternate # 3	Alternate # 4	Alternate # 5	Alternate # 6	GRAND TOTAL	RECOMMENDED	COMMENT
Engineer's Estimate	\$ 1,861,100.00									
Landscaapes Unlimited, LLC Linclon NE	\$ 1,419,000.00	\$ 9,000.00	\$ (33,000.00)	\$ (60,000.00)	\$ (10,000.00)	\$ 2,500.00	\$ 12,500.00	\$ 1,340,000.00	\$ 1,433,000.00	LOW
T & A Turf & Irrigation, LLC Elmwood NE	\$ 1,635,000.00	\$ 5,200.00	\$ (30,840.00)	\$ (80,000.00)	\$ (15,000.00)	\$ 1,500.00	\$ -	\$ 1,515,860.00	\$ 1,626,700.00	
Leibold Irrigation, Inc. East Dubugue IA	\$ 1,650,000.00	\$ 12,000.00	\$ (31,000.00)	\$ (80,000.00)	\$ (16,000.00)	\$ 15,750.00	\$ 45,000.00	\$ 1,595,750.00	\$ 1,706,750.00	
Tanto Irrigation, LLC Elmsford NY	\$ 1,797,000.00	\$ 20,000.00	\$ (29,790.00)	\$ (93,860.00)	\$ (30,000.00)	\$ 3,675.00	\$ 25,430.00	\$ 1,692,455.00	\$ 1,816,105.00	
Formost Construction Co. Temcula CA	\$ 1,845,081.00	\$ 14,000.00	\$ (32,970.00)	\$ (230,000.00)	\$ (77,050.00)	\$ 11,000.00	\$ 60,000.00	\$ 1,590,061.00	\$ 1,853,031.00	

ALL PIPING AND EQUIPMENT LOCATIONS SHOWN IN THIS PLAN ARE DIAGRAMMATIC IN NATURE. ALL EQUIPMENT SHALL BE LOCATED WITHIN OWNER'S PROPERTY AND IN UNDEVELOPED AREAS. IT IS THE INTENT TO HIDE ALL ELECTRIC REMOTE VALVE BOXES FROM VIEW. OWNER SHALL ULTIMATELY APPROVE ALL SPRINKLER, VALVE, AND CONTROLLER LOCATIONS BEFORE INSTALLATION.



LEGEND

- TORO 834-46-346 FARMWAY SPRINKLER - F.C. NOZZLES AND SPACING SUBJECT TO CHANGE AS PER STAKING
- TORO 834-46-346 TEE AND GREEN SPRINKLER - F.C. NOZZLES AND SPACING SUBJECT TO CHANGE AS PER STAKING
- TORO 835-46-346 TEE SPRINKLER - F.C. NOZZLES AND SPACING SUBJECT TO CHANGE AS PER STAKING
- 1" G.C.V. TORO 474-00
- ▶ B.T. - B.W. ISOLATION VALVE ON MAINS AND GREENS; LEMCO LATERAL ISOLATION NOT ON FARMWAYS, TEES AND FLOOD DRAINS - SEE DETAIL
- CEN TORO LINK PREMIUM UPGRADE WITH 5 YEAR NON
- X FIELD SATELLITE TORO E-SDMAC E-KKPMNMM - SEE SPEC (SEE PLAN FOR STATION COUNT)
- XX LOCATED OUT OF ANY OBSTRUCTIONS AND FLOOD PLANS
- ⊗ EXISTING WELL
- HPR DR13.5 4710 3" - 6" GASKETED (SEASONAL HYDRANT SYSTEM)
- CLASS 200 PVC 3" - 12" GASKETED
- CLASS 200 PVC 2" - 1 1/2" B.O.E. OR GSK (UNLESS NOTED)
- 120 V.A.C. POWER WIRE
- 1" BERMOID AIR AND VACUUM RELIEF (OR EQUAL) W/1" ISOLATION BALL VALVE & WYE STRAINER W/ 40 MESH STAINLESS SCREEN (LOCATED IN JUMBO VALVE BOX) - SEE DETAIL (10 TO BE FIELD LOCATED ON MAINS BY IRRIGATION CONSULTANT)
- ▲ DRAIN/FILL VALVE TO DAYLIGHT 1'-0" ABOVE 100 YEAR FLOOD PLAN, OR AS PER LOCAL CODES - SEE DETAIL
- H WOODFORD MODEL 124 HYDRANT - SEE DETAIL (FROST FREE SYSTEM) COORDINATE LOCATION WITH OWNER
- △ LINE CONDITIONER (SEE SPECS AND PLAN)
- WS TORO SOLAR/WIRELESS WEATHER STATION
- ROAD CROSSING SLEEVE - SEE DETAIL
- ⊕ WIRE DROP WITH NOTED EXTRA 24 VAC (HOT AND COHM DROPS) FOR FUTURE IRRIGATION, LABEL AND LOCATE IN VALVE BOX.
- X SATELLITE NUMBER
- XX APPROXIMATE STATION COUNT

DESIGN NOTES

1. ALL PRODUCT APPLICATIONS AND INSTALLATIONS MUST MEET MANUFACTURER'S REQUIREMENTS.
2. FLOW RATES THROUGH PVC PIPING NOT TO EXCEED MANUFACTURER'S RECOMMENDATIONS.
3. PIPING AS SHOWN IS DIAGRAMMATIC IN NATURE. ALL PIPING TO BE LOCATED WITHIN OWNER'S PROPERTY LINES.
4. CONTRACTOR IS RESPONSIBLE FOR PROPER OPERATION OF IRRIGATION SYSTEM. SYSTEM SHALL NOT EXCEED MANUFACTURER'S RECOMMENDATIONS AND SHALL WATER ALL SEEDED AND SOODED AREAS. NOTES, IRRIGATION PLANS, INTRUDS TO INCLUDE EVERYTHING NECESSARY TO THE PROPER OPERATION OF SAID IRRIGATION SYSTEM. IF ADJUSTMENTS ARE REQUIRED, CONTRACTOR SHALL MAKE ADJUSTMENTS FOR SAME.
5. IRRIGATION PLANS SHALL HAVE PRECEDENCE OVER IRRIGATION SPECIFICATIONS. ANY DISCREPANCIES BETWEEN THESE TWO DOCUMENTS MUST BE BROUGHT TO THE ATTENTION OF THE IRRIGATION CONSULTANT BEFORE INSTALLATION.
6. IT IS THE INTENT TO KEEP IRRIGATION WATER OFF OF ALL BUILDINGS, SIDEWALKS AND PARKING AREAS. IT WILL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FIELD TUNE EACH ZONE AS TO THE IRRIGATION ADJUSTED TO GRASSED AND SEEDED AREAS ONLY. IT WILL ALSO BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO SUPPLY THE OWNER WITH AN OPERATING SCHEDULE THAT WORKS WITH EXISTING PLANS AND ANY FIELD ADJUSTMENTS.
7. IT IS THE INTENT OF THE IRRIGATION DESIGN TO ACHIEVE HEAD TO HEAD COVERAGE IN ALL GRASSED AND SEEDED AREAS. IT WILL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ADJUST FOR SAME.
8. IRRIGATION PLANS ARE DIAGRAMMATIC IN NATURE. CONTRACTOR WILL BE RESPONSIBLE FOR THE LOCATION OF ALL EQUIPMENT AS NOTED BY IRRIGATION CONSULTANT AND EQUIPMENT WHEN FIELD LOCATED. MAY VARY FROM PROPOSED PLAN DUE TO SITE CONDITIONS AND CONTRACTOR WILL MAKE ADJUSTMENTS ACCORDINGLY AT HIS ADDITIONAL COST TO OWNER.

ELECTRICAL NOTES:

1. ALL 120 V.A.C. POWER SPLICES AT FIELD SATELLITES.
2. ALL POWER WIRE TAPS AND CONNECTIONS SHALL CONFORM TO WITH LOCAL AND STATE CODES AND PERFORMED BY LICENSED ELECTRICIAN.
3. 24" LOOP OF WIRE LOCATED BELOW EACH HEAD.
4. ALL 24 V.A.C. SECONDARY WIRING SHALL BE (RED) #14 HOT AND (WHITE) #12 COMMON. (ONE HOT WIRE PER HEAD)
5. ALL WIRE SHALL HAVE ENOUGH SLACK AS TO ACCOMMODATE FOR EXPANSION AND/OR CONTRACTION.
6. ALL WIRE TO BE UL APPROVED FOR DIRECT BURIAL.
7. ALL 120 V.A.C. PRIMARY AND 24 V.A.C. SECONDARY POWER TO BE INSTALLED AS PER STATE AND LOCAL CODES, SIZED AS PER PLAN WITH GROUND WIRE MEETING N.E.C. REQUIREMENTS.
8. ONE SPARE HOT WIRE TO EACH GREEN AND TEE COMPLEX.

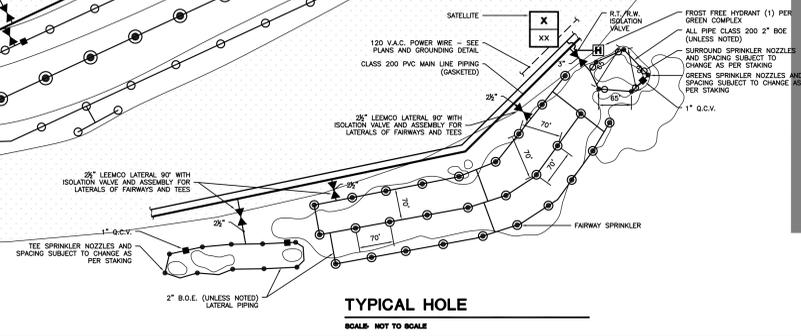
PLUMBING NOTES:

1. ALL PIPING FITTINGS 2 1/2" OR LARGER SHALL BE OF LEMCO DUCTILE IRON TYPE. ALL SPRINKLERS IN LINE SHALL BE MOUNTED ON 1 1/2" LARGO SWING JOINTS ON LARGO CLASS 200 PVC SERVICE TEES.
2. ALL PIPE SHALL BE CARRIED IN SEPARATE TRENCH.

PROGRAMMING NOTES:

1. FIELD SATELLITES SHALL CARRY APPROPRIATE STATION CARDS FOR INDIVIDUAL HEAD CONTROL OF ALL SPRINKLERS.
2. ALL SPRINKLERS SHALL HAVE ONE WIRE (HOT 24 V.A.C.) TO RESPECTIVE FIELD SATELLITE.
3. ALL SATELLITE LOCATIONS SHALL BE IN ACCORDANCE WITH MAIN FALL SURVEYS AND OUT OF 100 YEAR FLOOD PLAN.

HYDRAULIC PIPING PLAN
 SCALE: 1" = 100'-0"



MEMORANDUM

TO: Governing Body
FROM: Sam Curran
DATE: February 28, 2013
SUBJECT: Purchase Request on Crack Sealing Melter

ISSUE

Bids were opened for the following item:

- Crack Sealing Melter

BACKGROUND

Bids were opened on the February 28, 2013 in the Administration Building at 10:00 a.m. The following table represents the bids submitted:

BIDDERS	COST	LESS GOV'T DISCOUNT	TRADE-IN 1995 CIMLINE	TOTAL AMOUNT	DELIVERY DATE	EXCEPTIONS & COMMENTS
Paving Maintenance Supply Pat Stivers	\$45,000.00	(\$8,165.00)	(\$1,000.00)	\$35,835.00	3 - 4 weeks	Crafco Super Shot
Sellers Equipment Larry Allen	\$55,390.00	(\$11,267.00)	(\$3,870.00)	\$40,253.00	6 weeks	Cimline 150
Carter Waters	NO BID					
Concrete Accessories	NO BID					

RECOMMENDATION

Staff recommends Governing Body consideration and approval for the purchase of the Crafco Super Shot Crack Sealing Melter from Paving Maintenance Supply.

FISCAL NOTE

Crack Sealing Melter - \$35,835.00, fund cite #032-211-6100.13, Budgeted Amount \$40,000.00.

MEMORANDUM

TO: Governing Body
FROM: Toby Witthuhn
DATE: February 28, 2013
SUBJECT: Purchase Request on Fairway Mower

ISSUE

Bids were opened for the following item:

- Fairway Mower

BACKGROUND

Bids were opened on the February 28, 2013 in the Administration Building at 10:00 a.m. The following table represents the bids submitted:

BIDDERS	COST	LESS GOV'T DISCOUNT	TRADE-IN	TOTAL AMOUNT	5 ANNUAL PAYMENTS TOTAL	DELIVERY DATE	EXCEPTIONS & COMMENTS
Professional Turf Product Egrett Snyder	\$56,327.19	(\$16,867.47)	(\$1,500.00)	\$37,959.72	\$41,918.90	4 - 6 Weeks	Toro 5410-D
Van Wall Equipment Steve White	\$45,416.00	(\$4,541.00)	(\$2,000.00)	\$38,875.00	\$42,280.90	4 Weeks	JD 7500
MTI Distributing Matt Arnzen	\$56,558.01	(\$11,808.42)	(\$1,000.00)	\$43,749.59	\$48,312.65	3 Weeks	Toro 5410-D
Reinders	\$56,327.19	(\$12,000.00)	(\$250.00)	\$44,077.19	\$48,674.40	6 Weeks	JD 7500

RECOMMENDATION

Staff recommends Governing Body consideration and approval for the purchase of the Fairway Mower from Professional Turf Product.

FISCAL NOTE

Fairway Mower - \$41,918.90, fund city #070-712-6100.04. Budget amount was for Five-Annual Payments at \$11,000.00 per year = \$55,000.00.

Other Entities Minutes

**Garden City Recreation Commission
Minutes
Monday, January 21, 2013**

I. Call Meeting to Order

Chairperson Maria Hardwick calls the meeting to order at 5:24pm. Board Members present was David DuVall and Holly Chandler. GCRC Staff present was Superintendent John Washington, Assistant Superintendent Donna Gerstner, Maintenance Director Brian Knight and Finance Director Terri Hahn.

II. Approval of Agenda

John would like to add to the agenda under V. New Business e) Purchase of Risco Graph machine from Office Solutions for \$16,000.00. Motion by David DuVall to approve the amended agenda, seconded by Holly Chandler. Motion carried with all in favor.

III. Consent Agenda

The following shall stand approved/accepted as presented unless action is taken to remove an item from the consent agenda.

- **Minutes of Regular Meeting December 19' 2012**
- **Financial Reports for December 2012**
- **Staff Reports for January 2013**
- **Participation Reports**

Motion by David DuVall to approve the consent agenda, seconded by Holly Chandler. Motion carried with all in favor.

IV. Superintendents Report

- **Citizens Academy (April 18, 2013, 6pm-8pm)** – Citizen Academy thru the City of Garden City will be held on April 11, 2013 here at the GCRC. Please let John know if you are interested in attending.
- **City Retreat TBA** – City Retreat has not been announced yet, John will get with Board Members on this.
- **Spray ground Project Update**-Will be opening end of April.
- **Tangeman Sports Complex Fencing and PA Booths**-PA's and fencing about done. Just need finishing work yet.
- **2013 Projects & Equipment List**-John will present this when our new Board Members is established.
- **Clifford Hope Auditorium Usage and Management** – John and Brian Seagraves Art Director have visited with the Superintendent of USD 457 about Clifford Hope Auditorium usage and management.

V. New Business

- a) **Recreation Commission Board recommendation for replacement of Greg Hands.** – Several names have been turned into the City Clerk with the City of Garden City. The names are Marcus Ramos, Matt Kirckoff, Jedidiah Mayes, Ray Navarro, Chris Gronquist. Please contact Greg Hands will suggestions to turn into the City of Garden City.
- b) **Terri Hahn, Finance Director will present Santa's Christmas Carnival Financial Report.** – Terri went over the 2012 Santa's Christmas Carnival financial report. There are a few

bills and one sponsor that have not been turned in yet. As of right now 2012 Santa's Christmas Carnival profit with \$5,576.61.

- c) **Brian Knight, Maintenance Director is seeking Board approval for the purchase and installation of a new fire warning panel.** – Bids were received from Tyco SimplexGrinnell and Fire Alarm Specialist, Inc. for new fire alarms. Bids read:

Fire Alarm Specialist, Inc. \$5,490.00
WaKeeney, KS 67672

Replace existing Fire Alarm System panel, fire alarms equipment thru out building. This quote includes equipment, installation, test and certify.

Tyco SimplexGrinnell \$1,779.00
Wichita, KS 67208

Replace conventional fire alarm panel, battery, 6.2ah and Ethernet-network compatible. This proposal includes the furnishing of equipment, programming, documentation and testing of the fire alarm system equipment required to provide an operative and coordinated system.

Tyco SimplexGrinnell \$3,098.00
Wichita, KS 67208

Fire Alarm Retrofit. This proposal includes the furnishing of equipment, programming, documentation and testing of the fire alarm system equipment required to provide an operative and coordinated system.

John and Brian recommendation are with Fire Alarm Specialist, Inc. for \$5,490.00. Tyco is not including an intercom system for fire and tornado drills or replacement of any of the sensor units located in the heating ducts. They know the system and this amount replaces all equipment thru out the building. Motion by Holly Chandler to approve Fire Alarm Specialist, Inc. for \$5,490.00 to replace the fire alarm system in the Activity Center. The motion was seconded by David DuVall. Motion carried with all in favor.

- d) **Donna Gerstner, Assistance Superintendent is submitting for approval the 2013 Beverage Bid.** – Bids were sent to Sam's Club, Wal-Mart, Pepsi Bottling and Coca-Cola Bottling and Scheopner's Water Conditioning for the 2013 Beverage Bid. Bids were received from Coca-Cola Bottling and Scheopner's Water Conditioning.

Coca-Cola Bottling-1 Year Contract

Water price	20oz	\$11.45
Post-Mix Price	5 Gal.	\$68.69
	2.5 Gal.	\$37.15
C02		\$23.00
	Bottle Deposit	\$50.00
Isotonic Beverages-PowerAde	20oz	\$18.36
20oz Carbonated	20oz	\$20.74
Cups-count per case & price		
1000 per case	16oz	\$56.65
1000 per case	22oz	\$56.65

480 per case	32oz	\$56.65
2 liter bottles	2 Liters	\$10.80
Other Incentives	Donations of 20 Cases of 2 Liters. Pending approval	

Scheopner’s Water Conditioning-5 Year Contract

We would provide 16oz sports bottles (open and close, pull sports cap), of reverse osmosis drinking water at a cost of **\$.40 per bottle.**

We would guarantee this price for 5 years.

Incentives

We do contribute to the GCRC by advertising at Peebles Complex, sponsorship of teams, Santa’s Christmas Carnival and providing donated products for various events such as 10K races.

We sell a locally produced product with a label promoting Garden City and the Land of Kansas, which is specially produced for the GCRC.

We print all labels in house with no set up fee. Labels are of high quality, water proof ink and paper. We deliver at the above prices on either a call in basis or a scheduled route, plus provide an on call service for unexpected shortages.

Our bottling plant is annually inspected by the national Sanitation Foundation in compliance with International Bottled Water Association and Federal Department of Agriculture standards.

Donna’s recommendation is to accept the bids from Scheopner’s Water Conditioning for water for 5 years contract and Coca-Cola Bottling for post mix prices, cO2, isotonic beverages and cups for 1 year. Motion from David DuVall to accept the bids from Scheopner’s Water conditioning for water for 5 year contract and Coca-Cola Bottling for 1 year, seconded by Holly Chandler. Motion carried with all in favor.

- e) **Purchase of Risco Graph machine from Office Solutions for \$16,000.00.** – The risco graph machine we had is causing us grief, Office Solutions has a machine which has only been run for hour for\$16,000.00. New one runs \$21,000.00. Office Solutions is the only dealer for Risco Graph brand. Motion by Holly Chandler to accept the bid from Office Solutions for a new risco graph machine for \$16,000.00. The motion was seconded by David DuVall. Motion carried with all in favor.

VI. Old Business

- **Election of Garden City Recreation Commission Board Chair & Vice Chair for 2013-2014.** – Motion by David DuVall to nominate Maria Hardwick for Chairperson for the GCRC. The motion was seconded by Holly Chandler. Motion carried with all in favor.

Motion by David DuVall to nominate Holly Chandler as Vice-Chair for the GCRC. Motion was seconded by Maria Hardwick. Motion carried with all in favor.

- **Approval of the 2013 Recreation Commission Meeting Calendar.-** The only change on the 2013 Recreation Commission Meeting Calendar was on April 29th move the meeting to 5:30 pm. Motion by David DuVall to approved the amended 2013 Recreation Commission Meeting Calendar, seconded by Holly Chandler. Motion carried with all in favor.

- VII. Executive Sessions – (Applies only if requested by Staff or a Board Member) Recreation Board will go into executive session at ____p.m., for the purpose of discussing personnel and/or real property. The Recreation Board will reconvene into open session at ____p.m.**

Garden City Recreation Commission Questions and Comments

VIII. Adjournment

Motion by David DuVall to adjourn, seconded by Holly Chandler. Meeting adjourned at 6:10pm.

Terri Hahn
Secretary

Approved February 25, 2013



GARDEN CITY RECREATION

AGENDA - Garden City Recreation

Regular Meeting

Monday – February 25, 2013

5:15 P.M.

Garden City Recreation Center, 310 N. 6th Street

- I. Call Meeting To Order**
 - II. Approval of Agenda**
 - III. Consent Agenda**

The following shall stand approved / accepted as presented unless action is taken to remove an item from the consent agenda.

 - Minutes of Regular Meeting January 28, 2013
 - Financial Reports for January 2013
 - Staff Reports for February 2013
 - Participation Reports
 - IV. Superintendents Report**
 - Projects – Big Pool Sprayground
 - Tangeman Sports Complex
 - CIP's
 - V. New Business**
 - a) Finance Director Terri Hahn is requesting for approval to destroy old records and Fixed Assets for 2012.
 - b) Staff requesting discussion on usage of the Finney County Expo Building as a Sports Facility.
 - c) Storage for Arts and Sports located at 106 N. 3rd Street
 - d) Brian Seagraves will discuss Clifford Hope Auditorium agreement between USD 457, City of Garden City and the Garden City Recreation Commission.
 - e) Donna Gerstner will present for discussion the new pool rental rates for 2013
 - f) Approval of the 2013-2017 Recreation Board Member
 - VI. Old Business**
 - VII. Executive Session – (Applies only if requested by Staff and/or a Board Member)** Recreation Board will go into executive session at _____ for the purpose of discussing (personnel and/or real property). The Recreation Board will reconvene into open session at _____ p.m.
- GARDEN CITY RECREATION COMMISSION QUESTIONS & COMMENTS**
- VIII. ADJOURNMENT**

Next Meeting

March 25, 2013

Activity Center @ 5:15pm

310 N. 6th Street, Room 112

MINUTES

**HOLCOMB - GARDEN CITY - FINNEY COUNTY AREA
PLANNING COMMISSION**

February 21, 2013

The Holcomb-Garden City-Finney County Area Wide Planning Commission scheduled a Public Hearing at 9:00 a.m. Thursday, February 21, 2013 in the City Commission Chambers at the City of Garden City Administrative Center located at 301 North 8th Street, Garden City, Kansas.

I. CALL TO ORDER

Chairman King called to order the Area Wide Planning Commission meeting at 9:00 a.m. The following Commission members were present: Chairman King, Member Doll, Member Garcia, Member Gigot and Member Rishel. Others in attendance were Planning Staff Members Becerril and Henderson.

II. APPROVAL OF MINUTES

Member Doll made a motion to approve the January 17, 2013 minutes. Member Rishel seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Doll	Garcia	Gigot	Howard	King	Lopez	Chappel	Rishel	Sheets
Yea	Yea	Yea	Not Present	Yea	Not Present	Not Present	Yea	Not Present

Motion passed.

III. PUBLIC COMMENT

IV. SUBMITTAL OF EXHIBITS FOR THE RECORD

- A. Finney county Zoning Regulations of 1995 as amended**
- B. Subdivision Regulations of 1996 as amended**
- C. Finney County Comprehensive Plan as amended**
- D. All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats**
- E. All application files in their entirety including Staff Reports**

NEW BUSINESS

FC2013-01 Clarification regarding Mobile Vendors

Staff Henderson reads staff report.

OPEN PUBLIC HEARING

Dr. Beverly Glass- Are Special event vendors exempt from this?

Staff Henderson- This is for the county so it doesn't apply in city limits. There are separate mobile vendor regulations for the city. Anything currently regulated by county code are not subject to this ZUP.

CLOSE PUBLIC HEARING

Chairman King- Mr. Jones, do you have a comment on the ordinance?

Dave Jones- Not really, the only concern is where do they go to get the permit? The County Clerk was hesitant to get involved.

Staff Henderson- One of the things the County Commission was worried about was if this would apply to, for example, children and lemonade stands. Those types of things would not be covered by a ZUP.

Member Rishel- Most of the time those are on private property anyway.

Staff Henderson- Right, they aren't commercial. That would almost be a customary accessory use.

Chairman King- Garage sales? Farmers Market? Those things would all be exempt.

Staff Henderson- Right.

Chairman King- I think, Dave, you had a question about the Snap-On tool guy.

Dave Jones- Well, they don't have an established business in the community. If you read this, if they have an established business they are exempt. But there are salesmen that call on farmers. We don't want to prevent them from doing a good business.

Member Rishel- They don't usually put an awning up and advertise with signs.

Dave Jones- The truth is, no one is going to enforce this even though it may be passed.

Staff Henderson- The unfortunate would fall on the Planning Department.

Dave Jones- You aren't going to run around to all the farms every day.

Staff Henderson- No, it would be on a complaint basis or if we happen to drive by and see something. That's also how we don signage.

Staff Becerril- Most likely they would be on main roads.

Dr. Beverly Glass- Are we talking about things that are there on a permanent basis or temporary?

Staff Becerril- We are talking about both.

Staff Henderson- It applies to all. Mobile vendors could be anyone who sells rugs, embroidered jackets, shaved ice stands, food trucks, etc.

Dr. Beverly Glass- So it doesn't include things like the taco wagons?

Staff Henderson- It would include those. Currently there are no provisions to allow taco stands so they are there not quite legally. This would allow them to be there without violation of County Code. They are allowed in the city if they follow the ordinances for the city.

Dr. Beverly Glass- So what about people selling onions or the Farmers Market?

Staff Becerril- Anything that is produced in Finney County can be sold in Finney County; agricultural wise.

Dr. Beverly Glass- So the best thing for them to do would be to contact the County to make sure.

Dave Jones- Or go to the Planning office.

Staff Henderson- They can contact the County and the County can contact us or they can call Planning directly.

MEMBER GIGOT MOTIONS TO APPROVE

MEMBER RISHEL SECONDS MOTION

Votes were taken by yeas and nays and recorded as follows:

Doll	Garcia	Gigot	Howard	King	Lopez	Chappel	Rishel	Sheets
Yea	Yea	Yea	Not Present	Yea	Not Present	Not Present	Yea	Not Present

Motion Passed

GC2012-82 Amendment regarding residential units on 1st floor in "C3"

Staff Henderson reads staff report.

Chairman King- I think the last time we tabled this was because we didn't have quorum. The comments were all in the minutes but I think if there are any others from the comment, that we should hear them.

OPEN PUBLIC HEARING

Candace Gamino- I'm with CCS Properties, LLC. We are trying to develop the old American Legion building. This is a very unique building with unique challenges. One of them being that there is no ground level. When you walk in, you can go downstairs or upstairs. We developed 704 N. Main into apartments. They have granite countertops, nice showers with glass tiles, and other very high quality finishes. We aren't looking at doing low income housing on Main Street. We want to keep the beauty of the building. We are trying to find windows that match the current windows. We are trying to get this on the Historical Registry. We want this to be a beautiful building and we aren't slum lords. I know it's in the Central Business District but it isn't on Main Street and I hope you take that into consideration. We have a huge shortage of housing and I think this would be a great location.

Member Rishel- What are you going to do for parking?

Candace Gamino- We and the Windsor requested parking spaces. We only need six and we are within 200 feet of a public parking area so we are allotted the parking according to that ordinance.

Staff Becerril- You are putting in three units?

Candace Gamino- Three on each level; two-two bedrooms and one-one bedroom. They mentioned in the meeting that we only need six. As we all know, they are going to park on the street. We made an agreement for parking at 704 N. Main and they still park on the street. There's nothing I can do about that.

Member Doll- Have you developed a business plan to see if this will financially fund itself?

Candace Gamino- Yes, we've drawn it out. This is our first step; to get approval.

Member Doll- How much of that is coming from historic tax rebates from the State?

Candace Gamino- I don't have those figures.

Member Doll- This decision that we make on this, and consequently the City Commission, will affect our downtown district for decades to come. I think it's important to know before we even consider this is if it's financially viable. If you are going to apply for historic tax credits, are you able to do residential apartments and follow their guidelines?

Candace Gamino- My son has contacted the historical agency about six or seven times and told them what we are doing. He's also sent them drafts of what we are planning to do. So far, they have not told us no on anything. We aren't changing the exterior of the building. The interior is open.

Member Doll- So the interior has to remain open?

Candace Gamino- No.

Member Doll- And you have that in writing from them?

Candace Gamino- We can't put it on the registry until it's in our name.

Member Doll- But you can get their rules in writing.

Candace Gamino- I will get something in writing for you after we get the building.

Member Doll- That's kind of after the fact.

Candace Gamino- Well, if we have to go to plan B, we will.

Member Doll- What is your plan B?

Candace Gamino- Plan B would be to put residential on the top floor and commercial on the bottom. We really don't want to do that. There are a lot of commercial properties sitting around. We've been in contact with realtors.

Member Rishel- What kind of rent are you going to be looking at for these units?

Candace Gamino- \$850 to \$1,050. We tried to go \$1 to \$1.50 per square foot. You need to do that.

Member Doll- I need some help from the planning department regarding parking. If this is a commercial building, parking is not an issue but if it's residential, they are required to have two parking spaces per unit so that would be twelve. This happened with the apartments on Main (704 N. Main). They were granted parking from Weber Refrigeration across the street but the renters are not using them. That could become an issue. In this building, would you have in your lease that if they don't comply with where they are supposed to park that they will be evicted?

Candace Gamino- I think that's a harsh reason to evict someone, just for not parking in their parking space.

Member Doll- I understand that but there are people who have individual homes next to the apartments on Main Street and they are having problems finding parking for their own house.

Candace Gamino- No, people are having trouble parking there because of the Tattoo Parlor.

Member Doll- Well, it's causing issues.

Candace Gamino- Almost everyone parks in the back. There are only two vehicles that park in the front.

Member Doll- So how are you planning on having your residents comply with parking where they are supposed to park?

Candace Gamino- I will put it in the lease that we would like them to park across the street. You have no law against them parking in the street.

Member Doll- As a landowner, you can dictate that.

Dr. Beverly Glass- I'm the director of the Downtown Vision Group. I have a couple comments that kind of impact the issue here. First of all, Candace needs to be applauded for trying to do something with a building that's been sitting there for a while. Our issue is not with her personally or with her idea. The issue that we have is that we are going to have another variance to an ordinance. One of the things about the character of the downtown Main Street is that there are no storefront churches, tattoo parlors or first floor residential. It cheapens the character of your downtown Main Street and the Central Business District. The interesting thing about this building is when you ask for historical tax credits, especially at the state and federal level is that the secretary of interior has ten criteria; they are very stringent. If you are going to get tax credits, they are going to make sure that you follow those. In a building like this, it goes back to the original intent of the building. The original intent was for it to be a meeting space. So, in the event that there were tax credits going forward, the walls wouldn't be able to go all the way to the ceiling. By doing so, you take away the original intent of the building. Therefore, you would have to declare which floor is the "first" floor. Bi-levels do not exist in historical tax credits. Either the basement becomes the first floor and then it becomes a matter of having egress windows. If the other floor becomes the first floor, there is only one fire escape. The interesting thing about this case is the building literally sits on a property line. The air conditioning unit that sticks out is actually on someone else's property. So there is no room here to make any expansion without going to the adjacent property. He has been very adamant that he is not interested in selling but that he does have interest in buying the building because he owns everything around it. I think the intent that city has was to get this building back on the tax credit but in the process I think that if this doesn't move forward, it's because there is someone willing to get it back on the tax role. I think the concern the commissioners had can be laid to rest. And Candace's point was that it's not on Main Street but it is part of the core district and my concern is if we make one allowance here, where do you draw the line? You will end up with a hodge-podge which we already have a problem with. If the devil is in the details and the details show there is an alternative, it could very well be office space. Then you don't have to have permanent walls that go all the way to the ceiling and you maintain the integrity of the building. With commercial, there are different codes to go by and the parking is already addressed. Residential is a whole new ball game. My concern is if we keep making exceptions, that we will have a cut-up, dicey downtown with no traffic flow. It isn't broken; let's try not to fix it.

Member Garcia- Has the downtown been impacted differently from having the current business on the central business district. The tattoo parlor and the bank, has that impacted anyone significantly one way or the other?

Dr. Beverly Glass- The interesting thing is that there is the core district and there's the central district. I had used those terms interchangeably and they are not. The core district by and large is from Spruce down to Fulton.

Member Garcia- Do you think they have impacted negatively then?

Dr. Beverly Glass- I do. You have a church and residential with commercial stuck in the middle of it. When you get down to the retail aspect, I think this is what the community standards ask. Can I point to it and say they've lost sales? I cannot. I just think it's the overall environment that it portrays.

Staff Henderson points out zoning districts on the map, discussion ensues.

Candace Gamino- Does the core district encompass that angled street in front of Key Office?

Chairman King- We don't ask questions between people at the podium but what was the question and I will try to get you an answer.

Staff Henderson- Stevens Avenue.

Member Doll- It looks like one side is and one side isn't.

Staff Henderson- Prior to last June, Garden City Avenue was commercially zoned.

Member Doll- And we changed it to residential?

Staff Henderson- Yes. It was rezoned because the primary use was residential.

Chairman King- Did that answer your question?

Candace Gamino- Yes.

Member Rishel- Parking is an issue downtown correct? That's why we are going to 45 degree angles and making it one lane instead of two.

Dr. Beverly Glass- Before the downtown started becoming revitalized, everyone could park in front of the store they were going into. It's one of those good/bad things because we have increased traffic and sales downtown. The parking angle has always been a problem. By straightening them out, I think we are going to gain about 53 parking spaces downtown.

Member Rishel- 30 of which may be reserved for the Windsor.

Dr. Beverly Glass- In the back lot yes.

Staff Henderson- The City Commission is looking specifically for a recommendation for the American Legion building so it might be best to focus on that as well as thinking about the business district at large.

Staff Becerril- It is going to impact all "C3" Districts.

Candace Gamino- Two things I'd like to point out that Bev said: Air conditioners can go on the roof and a sprinkler system would be installed so egress windows would not have to be put in.

Chairman King- This building is on the Historic Register?

Member Doll- Not yet.

Candace Gamino- We've asked the City to put it on the Historic Register but they haven't done it yet. I've been looking into it.

Chairman King- I hadn't heard that before and I guess there'd be some questions if it were on the Register.

Candace Gamino- We've been doing a lot of research and sent some pictures so they wouldn't be blindsided with any questions that we have. Again, with the parking, we've requested some spots across the street but there are some in the back as well.

Staff Becerril- Is your son going to be doing the architecture?

Candace Gamino- He is an architect but we will probably go with someone locally. We tried to use local people when we did the other building.

Staff Becerril- Do you have an architect?

Candace Gamino- We do have an architect but there are other people that we might be looking at as well.

Vicky Germann- Bev Glass mentioned that the walls can't go from floor to ceiling; that's going to be an issue if it's going to be apartments won't it?

Candace Gamino- Yes it will. We have spoken to them numerous times and specifically sent them drawings and pictures. They know what we want to do. They haven't said we can't do it.

Member Rishel- But have they said you can do it?

Candace Gamino- They have said that each case is handled on a case-by-case basis. We have specifically asked them these questions.

Dr. Beverly Glass- It's contingent upon whether there are going to be any applications for historical tax credits. Part of being part of National Main Street is that we become very well versed in what it takes for state and federal historical tax credits. They are all about keeping the original use and preservation aspect of it. We were a day late but our proposal was office space because you could keep the original intent. If there were some way we thought that we could put housing in there, we would have done that but having gone through the rules, we realized that we would not be meeting the original intent so we went with office spaces. With office spaces, people get hung up that there needs to be an elevator but there does not. You have to have access which could be done by a lift.

Member Rishel- How much of your development depends on being accepted into the Historical Registry? Would you still develop it if it weren't added to the Registry?

Candace Gamino- To meet the federal guidelines, you check a box and you can get federal tax credits. We already have that information and we've already filled out everything. If this doesn't go through on the tax credit from the state, we are still planning to go through.

Member Garcia- Dr. Glass, you don't think that the possible positive aspects of the change that they are proposing would be beneficial to the city by bringing into compliance 8th street as well as possible new development for housing? You don't think that that would outweigh the negative?

Dr. Beverly Glass- I think that probably because of the courthouse across the street and the parking that a potential downtown developer would be discouraged because the original intent of the building is different. If you get more into the residential district on Garden City Avenue, that's different. But with this building that's surrounded by service industry and retail, it doesn't have a place there. It would hinder the development of that area which is an eyesore.

Member Garcia- The person who owns that property right now has said that they aren't going to develop that if they current property is developed as residential?

Dr. Beverly Glass- That's correct.

Member Rishel- This says that it's specifically for the American Legion building. How is that going to affect the rest of the properties?

Staff Becerril- It is going to be amending the regulations for the entire "C3" district.

Member Rishel- So it's not just for this building?

Member Garcia- And not just for this "C3" district either.

Staff Henderson- Right.

Candace Gamino- I would like to point out that the gentleman who owns that property has let it sit for twenty some years. Buildings have burnt down and he's never done anything with it. But now that we want to do something he wants to do something and it was advertised in the paper so he had ample time to respond also. I don't understand why he didn't want to do something twenty years ago.

Chairman King- I know him and I don't think he's the kind of person who would be a developer. He has his business over there and is good at it but I don't think he would be the type to develop it.

Member Garcia- How long had the building been vacant before people were interested in it?

Dr. Beverly Glass- Since the American Legion vacated it and moved to the armory.

Member Garcia- So not a long period of time. Not necessarily as indicated that it sat empty for a long time.

Dr. Beverly Glass- That's right.

Chairman King- Less than two years.

Dave Jones- Part of that sitting vacant involved a trade the city made with the American Legion at that was within a 5 year period, if the armory didn't work out, they could move back to this building.

Member Garcia- So there was a reason for it.

Dave Jones- Yes.

Chairman King- I've been in the rental business my whole life and my parents before me. I supported your project on Main Street. When we did it and granted that deal with Weber's, I knew those people weren't going to park over there but you have to weigh the positive with the negative. That one, I could see more positive. However, this one, I'm just not convinced that there is more positive than negative. I've seen the old junior high school and attended it myself. When they converted that into apartments, they spent \$80,000 a piece to renovate them. They should have torn the building down and started over and made better apartments than they've got. This one, I'm sorry, I just can't support a rental at this location.

Candace Gamino- The only reason we have proceeded with this is because we were approached by the city about this building.

Chairman King- Well the city acquired the American Legion and the State Theater and it's hard because it takes a lot of work. We still have to do the right thing and I don't think this is the right thing.

Candace Gamino- I think with the State Theater you have to have a vision and I have a vision for the theater myself and a vision for the American Legion building to keep it beautiful. If something doesn't get done with it, it will be torn down.

Member Doll- I think it's important that we maintain the integrity of our downtown core district. There are developers that see our downtown and see how vibrant it is and so they find us a desirable location to bring their business. I think it's important to consider the retailers that have put decades into their businesses on Main Street and hung in there when we had about 23 empty store fronts and now we are down to two. They put their livelihood and money into maintaining their business and I think if we change the zoning for "C3" it will open the door so that we could possibly have a residence on Main Street next to Stage or Regan's Jewelry Store and that I don't think is what our community would like to see. I commend Candace for wanting to develop residential downtown. I would love to have it, just not on the first floor because it just opens up a precedence that could affect our community for decades. I find parking an issue and even though we do have a lack of housing in our community, I do think we have several developments coming in the future and I don't find it an adequate excuse to change the zoning requirements.

Member Rishel- I fully support what Janet says. All along, every time we make a decision to amend or do a ZUP, we set precedence. It's not the original intent of the "C3" for the Comprehensive Plan to have residential on the first floor in a commercial district. With the parking issue we already have, I fully support Janet.

Vicky Germann- I'm on the board of directors for the Downtown Vision and I'm also secretary for the Garden City Builders Association. I'd like to commend Candace. I appreciate people with a vision and want to do things for our community. I also see the need for housing in our community. I am opposed to amending the "C3" District as a matter of principle. I want to keep it the way it is and I think Janet's right; if we start changing things, we start setting precedence. A couple of my thoughts; my husband is a landlord and we have issues with people parking where they aren't supposed to. It's a hassle but you have to stay on them. Eventually they do cooperate. I don't know legally what you can do but that something that would definitely have to be enforced. Some of the talk that I've heard through the Vision group regarding the Windsor and downtown, parking is a huge issue with most people. Immediately when you talk about doing something different, parking is the main concern. The historic tax credit, I don't know how that works. Whether you have to own the building prior to applying, I don't know but in my opinion that is kind of the issue here. If you aren't able to get the tax credit, it isn't even a viable plan and I think if we were to consider amending the "C3", the Commission would need to see a business plan before they would even consider it. I know that creates a SNAFU for you because you don't really know but I don't see how they could really make an informed decision unless they had those facts. The last thing I have is that what I've observed is that changing the intent of the building hasn't really worked for the Windsor. They've tried to revive it and changing the original intent doesn't seem to work.

Member Rishel- What do you expect for six apartments at \$1,000 a month is going to be the payback after all the modifications have been done? How are you going to make this a viable rental? I would imagine it's going to take several hundred thousand dollars to complete six apartments and with \$6,000 a month, that's an awful long payback time.

Candace Gamino- Even ones on Main Street with over \$250,000 and a 10 year loan, we expect to be paid off in 10 years.

CLOSE PUBLIC HEARING

Chairman King- If we vote to amend the "C3" regulations then Candace's project could then move forward?

Staff Henderson- Right, we'd have to get the amendment written up and approved by the City Commission before they moved forward with their plan.

Member Rishel- Whatever we decide here, it still has to go to the City Commission as to whether they want to approve it?

Staff Henderson- Correct.

Member Garcia- Having lived in Garden City all my life, I appreciate the comments of Janet and Ken. I think that what we've done with the downtown has been something that was needed to be done for a long time. It's taken a long time for us to get there. I think that we need to be sure that we keep our minds open to the business people that are already there and that everyone is willing to go with that. Even though I appreciate your effort to make this an opportunity for yourself, I'm going to have to make the recommendation to vote against the residential on the first floor.

MEMBER GARCIA MAKES MOTION TO DENY RESIDENTIAL ON 1ST FLOOR IN "C3" DISTRICTS.

MEMBER RISHEL SECONDS MOTION

Votes were taken by yeas and nays and recorded as follows:

Doll	Garcia	Gigot	Howard	King	Lopez	Chappel	Rishel	Sheets
Yea	Yea	Yea	Not Present	Yea	Not Present	Not Present	Yea	Not Present

Motion passed.

FC2013-15 Consideration of noise nuisance regulations amendment.

Staff Henderson reads staff report.

OPEN PUBLIC HEARING

CLOSE PUBLIC HEARING

Member Rishel- In researching this, the noise ordinances in various cities are based on EPA recommendations and nuisance levels. The way the current regulation reads, if you can hear it at the property line, it's too loud. If you are working out in your yard and you have a radio on, it's going to be heard on the property line. If you have a neighbor who calls the police, you get fined. It is totally subjective. Someone could take this as far as a barking dog or a school bus.

Chairman King- So you are saying there should be a decibel level?

Member Rishel- Yes. I feel that we should go along with EPA standards.

Member Doll- So when they work on trucks, that's pretty loud. Do you know what level that is?

Staff Henderson- The maximum decibel level was about 80 for those areas during daytime hours. I'm not sure what the decibel level is on one of the pneumatic wrenches is but I would guess it'd be around 80.

Member Garcia- With this property being so close to the city, would we be leaving the door open by not addressing the decibel level?

Staff Henderson- Currently it's fairly subjective at this point. Previous attempts to add decibel levels into the ordinance have been unsuccessful. I don't believe it has much support from the police department since they are the ones who would enforce that.

Member Rishel- I believe that all previous attempts have been through the City Commission not through a zoning issue. I've talked to Matt and a couple of the people up there and it's been left up to the City Commission and it's never actually been formally addressed.

Chairman King- I presume this is being targeted toward Mr. Walker. How many other complaints regarding noise have you received from the County?

Staff Henderson- Very few. The other noise that we've had complaints about has been roosters.

Member Doll- And dogs barking.

Staff Henderson- Right, so it's been primarily animal complaints. This is the first go-cart complaint we've had.

Member Doll- If we did establish the decibel levels, it would be objective decisions not subjective decisions.

Staff Henderson- Yes, and there have been some complaints regarding rodeos as well.

Member Rishel- But the noise complaints don't normally come through the Planning Department, they go to the police or Sheriff's Department to be enforced.

Staff Becerril- The decibel level on a chainsaw is 110, a snow blower is 120 and city traffic is 80.

Member Doll- We'd have to divide it out according to zones and take into consideration businesses, construction...

Member Rishel- If you take an example out of some of the zoning regulations saying noise levels, those are all addressed in there.

Member Doll- Well I think it's definitely something to consider and look at.

Chairman King- What about the city? Have you had any trouble in the city?

Staff Henderson- Not that I'm aware of.

Staff Becerril- You would probably have to get with the police to find out about complaints in the city.

Dr. Beverly Glass- As of this past summer, the Clarion has outdoor bands sometimes and they go way past midnight. I can hear them from where I live. I think the decibel rule would give some continuity.

Staff Henderson- They do get waivers from the current regulations.

Member Rishel- You are going to run into some resistance because they are going to say you will need to purchase a machine to measure the decibels. You can pull those up on your cell phone.

Chairman King- If we pass this, we'll have to enforce it. If we don't have a problem with it, I don't want to create one. We don't need an officer running around with a meter.

Member Rishel- That's not the point. We are still on a complaint basis. The only time it would ever come into play, is if someone called and complained.

Member Doll- If just gives them guidelines.

Dave Jones- I might point out that there are some existing state laws that the sheriff can enforce. Before you take action, you might have someone research the existing state statutes.

Member Doll- That's a good idea.

MEMBER RISHEL MAKES MOTION TO TABLE FOR RESEARCH

MEMBER DOLL SECONDS MOTION.

Votes were taken by yeas and nays and recorded as follows:

Doll	Garcia	Gigot	Howard	King	Lopez	Chappel	Rishel	Sheets
Yea	Yea	Yea	Not Present	Yea	Not Present	Not Present	Yea	Not Present

Motion passed.

Meeting adjourned at approximately 10:30A.M.

Bill King Chairman

Kaleb Kentner Secretary
Roberto Becerril
Samuel Henderson