

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
January 15, 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, January 15, 2013 with all members present. Commissioner Fankhauser opened the meeting with the Pledge of Allegiance to the Flag and Invocation. The minutes of the last meeting were approved.

City Clerk Celyn Hurtado administered the oath of office to newly appointed Commissioner Melvin Dale. Commissioner Dale took his seat at the bench.

Mayor Crase allowed for a short break period to allow family members and the public to congratulate Commissioner Dale.

Commissioner Cessna moved to approve the request from Ms. Polly Witt, Health Coordinator for USD 457, to authorize the Mayor to proclaim the week of January 27, 2013 through February 2, 2013 as Health Awareness Week. Mayor Crase 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 request also included an invitation for the Mayor to read the proclamation at an all school assembly at Abe Hubert Elementary on Monday, January 28, 2013 at 8:20 a.m.

Commissioner Law moved to approve to allow City Clerk Celyn Hurtado approval to destroy specific records from 2007 pertaining to the following; accounts receivable, accounts payable, utility billing registers, utility accounting records, receipts, insurance policies, and cancelled checks as provided for by the Kansas State Historical Society Department of Archives, and Section 2-742 of the Code of Ordinances of the City of Garden City. The request also includes authorization to destroy the following Municipal Court records: 2007 & older traffic infraction closed traffic infraction cases non misdemeanor, Municipal Court Bail Bonds canceled checks and audited bank statements, Daily Revenue Reports, correspondence file, invoices, duplicate purchase orders, cash bond and warrant pick up sheets, and returned arrest warrants (traffic infractions only) from the Garden City Police Department that have expired in the year 2012. 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

Mayor Crase and City Manager Allen recognized the Airport as the recipient of the annual 2012 Department Safety Award, the Fire Department as the recipient of the annual Most Improved Safety Record award and Kristi Newland as the recipient of the Individual Safety award. The Safety Committee reviewed the number of accidents/workers' compensation claims per department (both preventable and non-preventable) from 2012 compared to 2011.

Governing Body set the Goal Setting Retreat to begin at approximately 8:30 a.m. on February 28, 2013 at the Finnup Center.

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

City Manager Allen gave an update on the Southwest Chief meeting from Thursday, January 10th.

Staff has provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly airport report, from City Clerk Hurtado the 2013 Commission dates, from Assistant City Engineer Mestdagh the

construction update, from Community Development Director Kentner the building report and monthly Code Enforcement report, from Police Chief Hawkins the monthly activity report, and from Public Works Director Curran the Finney County transit report, CIP schedule, and City Link ridership.

Meetings of note:

- ✓ January 12, 2013 – Town Hall meeting hosted by Finney County Economic Development Corporation & Garden City Community College with Representatives John Doll and Russ Jennings and Senator Powell at 9:00 a.m. in Endowment Room.
- ✓ January 16, 2013 – Garden City Area Chamber of Commerce – monthly breakfast at the Golf Club at Southwind at 7:30 a.m. City of Garden City is the sponsor.
- ✓ January 16, 2013 - Finney County Economic Development Corporation Annual Meeting & Economic Outlook at 10:00 a.m. at the GCCC Endowment Room.
- ✓ January 28, 2013 – Southwest Kansas Chambers Night Out in Topeka at the Capitol Plaza Hotel from 5:30 - 7:30 p.m.
- ✓ January 29, 2013 – Town Hall meeting at 7:00 p.m. at the City Administrative Center.
- ✓ February 16, 2013 – Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.
- ✓ March 16, 2013 - Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.
- ✓ April 20, 2013 - Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.

Appropriation Ordinance No. 2332-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,407,907.21,” was read and considered section by section. Commissioner Fankhauser moved to approve and pass Appropriation Ordinance No. 2332-2013A. Commissioner Law 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. 2578-2013, “AN ORDINANCE ESTABLISHING A COMPREHENSIVE SET OF CODES AND STANDARDS TO THE CODE OF ORDINANCES FOR THE CITY OF GARDEN CITY, KANSAS, FOR BUILDING REGULATIONS; INCORPORATING BY REFERENCE TO THE CODE OF ORDINANCES THE INTERNATIONAL BUILDING CODE 2009 EDITION, INTERNATIONAL RESIDENTIAL CODE 2009 EDITION, INTERNATIONAL EXISTING BUILDING CODE 2009 EDITION, ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES 2009 EDITION, ICC ELECTRICAL CODE-ADMINISTRATIVE PROVISIONS 2009 EDITION, INTERNATIONAL PLUMBING CODE 2009 EDITION, INTERNATIONAL MECHANICAL CODE 2009 EDITION, INTERNATIONAL FUEL GAS CODE 2009 EDITION, AND THE UNIFORM HOUSING CODE 1997 EDITION WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES; ESTABLISHING NEW ARTICLES AND SECTIONS TO THE CODE OF ORDINANCES AS FOLLOWS: ARTICLE 1, BUILDINGS AND BUILDING REGULATIONS-GENERAL SECTIONS 18-1 THROUGH 18-12, ARTICLE II, BUILDING CODE SECTIONS 18-20 THROUGH 18-32; REPEALING EXISTING CODE OF ORDINANCES CHAPTER 18 IN ITS ENTIRETY; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2578-2013. 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

Resolution No. 2516 -2013, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF GARDEN CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS RURAL HOUSING INCENTIVE DISTRICTS WITHIN THE CITY,” (Chappel Heights Addition & Heritage Place 2nd Addition), was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2516-2013. Commissioner Law 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 excused himself from the bench.

Resolution No. 2517-2013, “A RESOLUTION IN SUPPORT OF THE WINDSOR HOTEL HISTORIC REHABILITATION PROJECT,” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2517-2013. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Abstained	Yea	Yea	Yea

Mayor Cruse returned to his place at the bench.

Ordinance No. 2579 -2013, “AN ORDINANCE REZONING LAND FROM “A” AGRICULTURAL DISTRICT TO “R-3” MULTIPLE FAMILY RESIDENTIAL DISTRICT IN THE CITY OF GARDEN CITY, KANSAS; AMENDING THE DISTRICT ZONING MAP OF THE CITY OF GARDEN CITY, KANSAS; REPEALING THE CURRENT DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” (approximately 2900 Campus Drive), was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2579-2013. 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

Resolution No. 2518- 2013, “A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING,” (Maggie’s Addition Project), was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2518-2013. 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

Resolution No. 2519-2013, “A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38- 63 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” (401 N. 5th Street – black Dodge pickup and dark blue Ford Mustang), was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2519-2013. Commissioner Law 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

Resolution No. 2520-2013, “A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY TO ENTER INTO A MUNICIPAL LEASE/PURCHASE AGREEMENT FOR FIRE TRUCK EQUIPMENT,” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2520-2013. 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

The City Commission discussed placing before the voters a measure to reauthorize the existing ½ cent sales tax for property tax stabilization and transportation improvements and the date for placing the issue on a ballot. Governing Body directed staff to continue with the same existing rate of ½ cent sales tax for property tax stabilization and transportation improvements with a sunset at 10 years at the upcoming April election.

Commissioner Law moved to approve the City of Garden City, Kansas to enter into an interlocal agreement with Southwest Kansas Local Environmental Planning Group (LEPG). 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

Commissioner Fankhauser moved to appoint Mr. Simon Muturi to fill an unexpired term left vacant on the Cultural Relations Board beginning February 2013 and ending December 2014. Commissioner Law 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

Commissioner Fankhauser moved to approve the following:

1. Governing Body consideration and acceptance of bids received on December 21, 2012 for 2012 Tree and Stump Removal project and authorization for the Mayor and City Clerk to execute the contracts.
2. Governing Body consideration and acceptance of bids received on January 8, 2013 for a solid waste frontload collection truck and authorization for the Mayor and City Clerk to execute the contracts.
3. Governing Body consideration and acceptance of bids received for 3 – command vehicles and a fire truck and authorization for the Mayor and City Clerk to execute the lease agreements.

4. Licenses:

(2013 New)

- a) Sunny Construction, LLC.....Class A General

(2013 Renewal)

- b) Confederated Builders, Inc.Class A General
- c) McConnell Excavating, LTDClass A General
- d) Mid-America Millwright Services, Inc.Class A General
- e) Aqua Shield Roofing & ConstructionClass B General
- f) Berry RoofingClass B General
- g) Cook Construction.....Class B General
- h) Creative InteriorsClass B General

- i) Garden City Roofing & Insulation, Inc.Class B General
- j) Ink Construction, LLC.....Class B General
- k) J&J Drywall & ConstructionClass B General
- l) Joe Amos Construction, Inc.....Class B General
- m) Johnson Septic Tank Service, LLCClass B General
- n) McGaughey Construction.....Class B General
- o) McMillan Plumbing, Electrical & Mechanical.....Class B General
- p) Mitch’s Trim & CabinetryClass B General
- q) Outlaw EnterprisesClass B General
- r) Rod Ferking ConstructionClass B General
- s) Square Deal, LLC.....Class B General
- t) TJ’s Construction.....Class B General
- u) TNT Construction.....Class B General
- v) Waltz ConstructionClass B General
- w) White’s Roofing, LLC.....Class B General
- x) 3 G Electric, Inc..... Class D-E Electrical
- y) Dan’s Electric Service Class D-E Electrical
- z) Electrical Solutions..... Class D-E Electrical
- aa) Davis Electric, Inc. Class D-E Electrical
- bb) Encore Electric, Inc. Class D-E Electrical
- cc) JOCO Wireworks Electrical Service Class D-E Electrical
- dd) McMillan Plumbing, Electrical & Mechanical..... Class D-E Electrical
- ee) Partin Electric Class D-E Electrical
- ff) Roger W. Unruh Class D-E Electrical
- gg) Scheeter Electric Class D-E Electrical
- hh) Stegman Brother’s Electric, Inc..... Class D-E Electrical
- ii) Wallace Electric, LLC Class D-E Electrical
- jj) Wildcat Electric, LLC..... Class D-E Electrical
- kk) Kruse CorporationClass D-M Mechanical
- ll) McMillan Plumbing, Electrical & Mechanical.....Class D-M Mechanical
- mm) Tatro Plumbing Co., Inc.Class D-M Mechanical
- nn) Williams’s Heating & Air ConditioningClass D-M Mechanical
- oo) Heinz Plumbing Class D-P Mechanical
- pp) James Bunney Plumbing Service Class D-P Mechanical
- qq) Joe Mesa Plumbing Service..... Class D-P Mechanical
- rr) Johnson Septic Tank Service, LLC Class D-P Mechanical
- ss) McMillian Plumbing, Electrical & Mechanical..... Class D-P Mechanical
- tt) Tatro Plumbing Co., Inc. Class D-P Mechanical
- uu) Tatro Plumbing Co., Inc.Class E-BF Backflow Device Tester
- vv) National Fire Suppression Class E-F Fire Sprinkler & Protection
- ww) Javier Olguin Class E-L Landlord
- xx) J&R Construction Class E-SOC Specialized Other
- yy) Scheopner’s Water Conditioning, LLC Class E-WC Water Conditioning

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

Cessna	Crase	Dale	Fankhauser	Law
Yea	Yea	Yea	Absent	Yea

Mayor Crase moved that the City Commission go into executive session pursuant to K.S.A. 75-4319 (b)(6) for 15 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.. 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	Absent	Yea

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

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

David D. Crase, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Fankhauser stated that he had recently asked Director of Aviation Powell how the American Airlines change impacted Dodge City and Liberal. Commissioner Fankhauser stated Dodge City had increased enplanements of 43%, Liberal had an increase of 10% and Garden City had an increase of 53% for the year 2012 compared to 2011. Commissioner Fankhauser stated there were only 12 single family dwellings permits issued in 2012, which is very low. Commissioner Fankhauser congratulated the Airport and Fire Departments and Kristi Newland on their safety awards.

Commissioner Law congratulated the Safety Board recipients and the Safety Committee for their efforts in keeping employees safe. Commissioner Law stated he would like to see a process adopted for future appointment to the Governing Body to fill a vacant seat on the City Commission. Commissioner Law announced he will run for re-election to the City Commission.

Commissioner Cessna congratulated the Airport, Fire Department and all staff for their safety awards and more importantly, their safe work habits while working in possibly dangerous situations. Commissioner Cessna congratulated and welcomed Commissioner Melvin Dale on his appointment to the Governing Body. Commissioner Cessna congratulated the Airport on the number of enplanements for Garden City.

Commissioner Dale applauded the Fire Department and Airport for their safety awards and stated it is a very important program to have within the City. Commissioner Dale thanked the Commissioners for their vote of confidence in him, City Manager Allen for bringing him up to speed on recent topics and City Clerk Hurtado for emails and up-to-date information this last week.

Mayor Crase thanked all staff for their hard work. Mayor Crase stated he will be leaving the Commission this April and 2013 that looks to be another prosperous year. Mayor Crase said he knows and hopes that the newly elected Commissioners will carry on.