

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City

April 2, 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, April 2, 2013 with all members present. Mayor Crase opened the meeting with the Pledge of Allegiance to the Flag and Invocation. The minutes of the last meeting were approved.

Mayor Crase moved to approve the correction of CSS Properties, LLC to CCS Properties, LLC in the minutes from the October 2, 2012, October 16, 2012, November 6, 2012, February 5, 2013 and March 5, 2013 City commission meetings. 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

Ms. Dena Purdy, Lyle Avenue resident, addressed the Governing Body regarding her concerns over poor water quality conditions in her neighborhood.

Commissioner Cessna moved to approve the request from Ms. Lori Jacobs, Spirit of the Plains, CASA and Sarah Trapp, Kansas Children’s Service League to allow the Mayor to proclaim the month of April 2013 as Child Abuse Prevention Month. 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 Cessna moved to approve the request to allow the Mayor to proclaim April 2, 2013 as Mr. Russ Tidwell Day. 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

The City received the February 2013 franchise payment in the amount of \$6,529.16 from AT&T.

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

Staff provided the following item of information for Governing Body review: from Finance Director Hitz the monthly sales tax report.

Meetings of note:

- ✓ April 4, 2013 – Citizens’ Academy – at City Administrative Center at 6:00 p.m.
- ✓ April 9, 2013 – Downtown Master Plan – City Administrative Center, 2<sup>nd</sup> Floor Meeting Room at 6:00 p.m.
- ✓ April 17, 2013 – Garden City Area Chamber of Commerce – monthly Chamber breakfast at The Golf Club at Southwind at 7:30 a.m.
- ✓ April 20, 2013 - Legislative Coffee at 9:00 a.m. at St. Catherine Hospital.
- ✓ April 27, 2013 – NIP Clean-Up beginning at 8:00 a.m. – meet at the Goodwill parking lot.

Appropriation Ordinance No. 2337-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,166,357.73,” was read and considered section by section. Mayor Crase moved to approve and pass Appropriation Ordinance No. 2337-2013A. 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

Resolution No. 2524-2013, “A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER’S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE STRUCTURE MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-80 ET SEQ. OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, was read and and considered section by section. Commissioner Cessna moved to approve Resolution No. 2524-2013. 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. 2525-2013, “A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY TO ENTER INTO A MUNICIPAL LEASE/PURCHASE AGREEMENT FOR POLICE VEHICLES AND CEMETERY EQUIPMENT AND AUTHORIZING THE MAYOR TO SIGN THE CORRESPONDING LEASE AGREEMENTS”, was read and and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2525-2013. 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

Ordinance No. 2588-2013, AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; AUTHORIZING THE OPERATION OF MICRO UTILITY TRUCKS; AMENDING SECTION 86-2 OF THE CODE OF ORDINANCES OF THE CITY AND SECTION 114.2 OF THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2012 (STANDARD TRAFFIC ORDINANCE); AMENDING ORDINANCE NO. 2557-2012; REPEALING EXISTING CODE 86-2, AND ORDINANCE NO. 2557-2012 AS THEY SPECIFICALLY APPLY TO SECTION 114.2 OF THE STANDARD TRAFFIC ORDINANCE; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, was read and and considered section by section. Mayor Cruse moved to approve Ordinance No. 2588-2013. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Nay	Yea	Yea	Yea	Yea

Ordinance No. 2589-2013, “AN ORDINANCE REGULATING SALE, DISPENSING, OR DELIVERY OF ALCOHOLIC LIQUORS IN THE CITY OF GARDEN CITY, KANSAS; REPEALING CURRENT CODE SECTION 6-138; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.” was read and and considered section by section. Mayor Cruse moved to approve Ordinance No. 2589-2013. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Nay	Yea	Yea	Yea	Yea

Ordinance No. 2590-2013, “AN ORDINANCE SETTING THE DAY AND TIME OF REGULAR MEETINGS OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTION 2-32; REPEALING EXISTING CODE SECTION 2-32, ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.” was read and and considered section by section.

Commissioner Fankhauser moved to approve Ordinance No. 2590-2013. 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

Mr. Kim Robinson, owner of Robinson Alignment addressed the Governing Body with concerns for the property at 125 Pine Street.

Mr. John Lindner, representing his client, Paul Kornechuk, discussed concerns with the process of the Request for Proposals for the property located at 125 Pine Street and the possible issues on the current proposal from CCS Properties, LLC.

Ms. Bev Schmitz Glass and Ms. Janet Doll, representing Downtown Vision, discussed concerns on request from CCS Properties, LLC to waive the regulation against ground floor residential uses in the “C-3” Central Business District.

Ms. Candice Gamino addressed the Governing Body on the issues of concern from those present at the meeting on the request of waiver that CCS Properties, LLC is requesting.

Commissioner Dale moved to deny the request by CCS Properties, LLC for the City to waive the regulation against ground floor residential uses in the “C-3” Central Business District. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Cruse	Dale	Fankhauser	Law
Yea	Nay	Yea	Nay	Yea

Commissioner Cessna moved to approve and proceed with the application from KDOT for the FY 2015 KLINK on Kansas Avenue from Center Street to Anderson Street and FY 2016 Geometric Improvement programs on Kansas Avenue from Third Street to Belmont Place. 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 Cessna moved to approve an application for KDOT funding under the fund exchange program for Rebel Road. 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 Cessna moved to approve and appoint Cliff Sonnenberg as the voting delegate and Mike Murihead as the alternate voting delegate to the Annual Meeting of Kansas Municipal Utilities to be conducted in Wichita, Kansas on May 10, 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

Commissioner Cessna moved to approve an adjustment to the Bellevue Mausoleum agreement to accommodate unforeseen expenses incurred by the owner of the mausoleum and to consider the addition of another project. 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

Commissioner Cessna moved to approve and authorize Garden City Regional Airport to impose and use Passenger Facility Charges set at \$4.50. 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

Commissioner Cessna moved to authorize and appoint Mr. Scott Ackerman to the Golf Advisory Board for a three year term beginning April 2013 and ending December 2015. 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 Cruse moved to approve the following:

1. KDOT approved the construction inspection proposal for the Windsor Hotel Transportation Enhancement Project. The Governing Body authorized the Mayor and City Clerk to execute the agreement between the City and Treanor Architects, PA. We will open bids in early May.

2. Licenses:

**(2013 New)**

- a) Friends of Lee Richardson Zoo ..... Temporary Cereal Malt Beverage
- b) Kisner Electric..... Class D-E Electrical
- c) The Victory Electric Coop..... Class D-E Electrical
- d) Green Shoes Lawn Care ..... Class E-SOC Arborist

**(2013 Renewal)**

- e) Mike’s Fire Extinguisher Sales and Service..... Class E-BF Backflow
- f) Mike’s Fire Extinguisher Sales and Service.....Class E-F Fire Sprinkler & Protection

Commissioner Cessna 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 adjourned the meeting since there was no further business before the Governing Body.

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David D. Cruse, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

**City Commission Reports**

Mayor Cruse wished the Garden City commission candidates good luck.

Commissioner Law had no comments.

Commissioner Cessna stated the City's Spring Clean-up seemed to be going well and also that it doesn't look like many are utilizing this service. Commissioner commented that the sales tax report was great news and the airport enplanements. Commissioner Cessna encouraged citizens to go vote.

Commissioner Dale thanked Mr. Russ Tidwell for his recent award. Commissioner Dale thanked Lori Jacobs and Sarah Trapp for their efforts with child abuse prevention in the area. Commissioner Dale thanked the citizens that were present at the meeting and stated their comments and input help. Commissioner Dale thanked Mayor Crase for his guidance and help while he's been on the Commission and thanked him for his 8 years of service to this community.

Commissioner Fankhauser encouraged citizens to vote.