

AGENDA
CITY COMMISSION MEETING
Tuesday, July 16, 2013
1:00 P.M.

- I. **Note: Pre-meeting at 11:15 a.m. – 12:00 p.m., located in the large meeting room at the City Administrative Center Chuck Bouilly and Mary Carson will discuss Public Financing with the Governing Body. Administrative staff will be present and the pre-meeting is open to the public.**
- II. **REGULAR MEETING CALLED TO ORDER AND CITY CLERK ANNOUNCING QUORUM PRESENT.**
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION.**
- IV. **APPROVAL OF THE MINUTES OF THE LAST REGULAR MEETING, WHICH IF NO CORRECTIONS ARE OFFERED, SHALL STAND APPROVED.**
- V. **PUBLIC COMMENT Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**
- VI. **CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
 - A. Governing Body consideration and approval to allow the Mayor to proclaim July 16, 2013 as Lindy Bilberry Day.
 - B. Governing Body consideration and approval to allow the Mayor to proclaim July 17, 2013 as Captain Rodney Bachman Day.
 - C. High Plains Public Radio requests governing body approval to allow possession and consumption of cereal malt beverages and wine at their facility at 210 N. 7th, which is owned by the City, for a reception on July 26, 2013. The governing body may grant this activity by authorizing possession and consumption of cereal malt beverages and wine on publically owned property, pursuant to code sections 6-35 and 6-133.
 - D. Russ Niblock and Kansas Promoters, requests Governing Body consideration and approval to sell beer and other cereal malt beverages under a temporary CMB license, pursuant to Code Section 6-35, on public property, at Stevens Park, on Saturday, August 31, 2013 from 12:00 p.m. – 11:00 p.m. for a public concert. The request would include the use of Stevens Park, a waiver of the noise ordinance, temporary closure of Spruce Street, Pine Street and 7th Street adjacent to Stevens Park and allowing instillation of blackout fencing around Stevens Park.
 - E. Bruce and Beverly Glass have purchased the McAllister building at the southwest corner of Seventh and Laurel Streets. On May 7th, the Governing Body authorized special assessment financing for streetscape improvements. A petition has been circulated, City Engineer Cottrell has certified that the petition has the necessary signatures, and the Governing Body is asked to accept the petition.

- F. Battalion Chief Jim Morris requests Governing Body consideration and approval for the use of public rights-of-way on Sunday, August 25, 2013 from 9:30 a.m. - 3:00 p.m. in order to hold the annual fundraising event for the Muscular Dystrophy Association.

VII. REPORT OF THE CITY MANAGER.

- A. The Safety Committee has chosen Kenny Becker, Equipment Operator II in the Street Department as the second quarter 2013 Safety Recognition winner.
- B. Garden City Police Department and Garden City Fire Department have provided activity reports related to fireworks for 2013.
- C. Staff has engaged a commercial appraiser for the American Legion building. Setting an asking price for the property will be an item for your August 20, 2013 meeting.
- D. Staff has included the new State and Local Sales/Use Tax rate changes for the State of Kansas effective July 1, 2013.
- E. Garden City Regional Airport has provided the 2013 Fiscal Year Summary Report for the Kansas Affordable Air Fares Program (KAAP) administered by the Regional Economic Area Partnership (REAP).
- F. The City has received correspondence from Cox Communications regarding channel line-up and price adjustments.
- G. Staff has provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Finance Director Hitz the monthly financial report, from Community Development Director Kentner the monthly code enforcement report, from Police Chief Hawkins the monthly activity report, from Public Works Director Curran the CIP schedule and transit report and from Zoo Director Sexson the monthly zoo report.
- H. Meetings of note:
- ✓ July 24 – 28, 2013 – Finney County Fair
 - ✓ July 30, 2013 – Town Hall meeting at 7:00 p.m. at the City Administrative Center
 - ✓ August 1, 2013 – Chamber Annual Banquet at Garden City High School at 6:00 p.m.
 - ✓ August 7 – 11, 2013 – Southwest Kansas Pro Am
 - ✓ August 8, 2013 – SHRM of SWKS – 5th Annual HR Workshop, 8:00 a.m. – 4:00 p.m.
 - ✓ August 24 – 25, 2013 – Tumbleweed Festival
 - ✓ September 7, 2013 – A Wild Affair at Lee Richardson Zoo
 - ✓ September 14, 2013 – 87th Garden City Community Mexican Fiesta
 - ✓ September 18, 2013 – “State of the City” at Chamber Breakfast
 - ✓ September 21, 2013 – FallFest 2013 featuring Art in the Park, Knights of Columbus’ OktoberFest, Doxie Derby & Nasduck 500 Duck Races – 8:30 a.m. to 3:00 p.m.
 - ✓ September 21, 2013 – Chamber’s “Fire and Ice” Wine Tasting – 7:00 p.m.
 - ✓ October 10-11, 2013 – Cultural Relations 2013 Diversity Summit

VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.

A. Appropriation Ordinance No. 2344-2013A.

IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

A. 1:15 p.m. - Mr. Chuck Bouilly of George K. Baum & Company, the City's Financial Advisor, and Mary Carson, Triplett, Woolf & Garretson, LLC, the City's Bond Counsel, will be present to review with the Governing Body the recommendation for accepting bids for the sale of \$8,404,000 in General Obligation Bonds of the City. Following acceptance of the bid, the Governing Body is asked to approve the following:

1. Ordinance No. _____-2013, an ordinance of the City of Garden City, Kansas, authorizing issuance of the City's General Obligation Bonds, Series 2013-A, in the aggregate principal amount of \$7,792,000 and taxable General Obligation Bonds, Series 2013-B in the aggregate principal amount of \$612,000; providing for the levy and collection of an annual tax to pay the principal of and interest on such bonds; authorizing other documents and acts and making covenants with respect to the bonds.
2. Resolution No. _____-2013, a resolution prescribing the form and details of General Obligation Bonds, Series 2013-A, in the principal amount of \$7,792,000, and taxable General Obligation Bonds, Series 2013-B, in the principal amount of \$612,000 of the City of Garden City, Kansas, previously authorized by Ordinance No. _____-2013 of the City; making covenants and agreements and authorizing certain other documents regarding the bonds.

B. Stone Development, Inc. requests consideration and approval of three items pertaining to the tax increment financing and community improvement district financing related to their retail development project. Items for consideration are a resolution setting a public hearing on the TIF District, acceptance of a petition for consideration for the creation of a Community Improvement District, and a resolution setting a public hearing on the Community Improvement District.

1. Resolution No. _____ - 2013, a resolution stating the intent of the City of Garden City, Kansas to consider adoption of a redevelopment project plan within the 2013 Redevelopment District created by the City and providing for notice of a public hearing on such matters.
2. Acceptance of Petition to create a Community Improvement District.
3. Resolution No. _____ - 2013, a resolution of the Governing Body of the City of Garden City, Kansas giving notice of a public hearing on the advisability of creating a Community Improvement District in the City to be known as the Stone Development Community Improvement District.

C. Resolution No. _____ - 2013, a resolution determining the advisability of the making of certain internal improvements in the City of Garden City, Kansas, and setting forth the general nature of the improvement, the estimated or probable cost thereof, the extent of the improvement district to be assessed for the cost thereof, the method of assessment, and the apportionment of the cost between the improvement district and the City at large; and authorizing and providing for the making of the improvement in accordance with the findings of the Governing Body (Seventh and Laurel Streetscape).

- D. Ordinance No. _____ - 2013, an ordinance establishing building permit and inspection fees; amending Code Sections 42-121, 42-122, 42-123, 42-471, and Section 22.110 of the zoning regulations of the City of Garden City, Kansas; repealing existing Code Sections 42-121, 42-122, 42-123, 42-471, all to the Code of Ordinances of the City of Garden City, Kansas, and Section 22.110 of the Zoning Regulations of the City of Garden City, Kansas.
- E. Ordinance No. _____ - 2013, an ordinance approving the rezoning of land from "A" Agricultural District to "R-3" Multiple Family Residential District; amending the Zoning Ordinance and the district zoning map of the City; and repealing the current Zoning Ordinance, and district zoning map; all to the Code of Ordinances of the City of Garden City, Kansas. (3401 N. Campus Drive)
- F. Ordinance No. _____ - 2013, an ordinance approving the rezoning of land from "I-2" Medium Industrial District to "R-3" Multiple Family Residential District; amending the zoning ordinance and the district zoning map of the city; and repealing the current zoning ordinance, and district zoning map; all to the Code of Ordinances of the City of Garden City, Kansas. (2619 N. 10th Street)
- G. Ordinance No. _____ - 2013, an ordinance approving the rezoning of land from "I-2" Medium Industrial District to "R-3" Multiple Family Residential District; amending the zoning ordinance and the district zoning map of the city; and repealing the current zoning ordinance, and district zoning map; all to the Code of Ordinances of the City of Garden City, Kansas. (2607 -2615 N. 10th Street)

X. OLD BUSINESS.

- A. 1:30 p.m. – Public Hearing on the matter of the Governing Body hearing questions, concerns and comments from the public with regard to the proposed 2014 Budget for the City of Garden City.
 - 1. Governing Body approval and authorization of the certificate of the budget, which summarizes the maximum levy of property tax for specific funds and the maximum expenditure for all funds of the City's budget.
 - 2. Ordinance No. _____ - 2013, an ordinance attesting to an increase in Tax Revenues for Budget year 2014 for the City of Garden City, Kansas.
- B. The Finney County Economic Development Corporation has approved a Tax Abatement Policy and Job Incentive Policy for City and County Commission consideration. This policy would help provide parameters for City, County and FCEDC staff working with existing businesses on expansions and prospective businesses on relocations.

XI. NEW BUSINESS.

- A. CCS Properties, LLC, the owner of 704 N. Main Street, is seeking a waiver to the eligibility requirements to participate in the Neighborhood Revitalization Program.
- B. Governing Body consideration and approval of the purchase of 218 acres of land and approximately 439 acre feet of water right, and authorizing the Mayor and City Clerk to sign

the purchase agreement subject to the parties and legal counsel working out the final items.

C. Advisory Board Recommendations:

1. Governing Body consideration and approval of the Zoo Advisory Board's recommendation to modify the 5th Street gate and increase hours for the gatekeepers at the 4th Street gate.
2. Housing Authority – 1 appointment

D. **Consent Agenda for approval consideration:** (The items listed under this “consent agenda” are normally considered in a single motion and represent items of routine or prior authorization. Any member of the Governing Body may remove an item prior to the vote on the consent agenda for individual consideration.)

1. Governing Body consideration and approval of bids received on July 10, 2013 for the construction of Substation #10.
2. Governing Body consideration and approval of bids received on July 9, 2013 for the purchase of one (1) Pre-Cast Concrete 35 kV circuit vault, one (1) Pre-Cast Concrete 15 kV circuit vault and one (1) circuit pull box for Substation #10.
3. Governing Body consideration and approval of bids received on July 9, 2013 for the purchase of various power cable terminators for Substation #10.
4. Governing Body consideration and approval of an additional contractor to the list of back-up mowers for the 2013 Vegetation Mowing applicants for code violations.
5. Governing Body consideration and approval of a crossing guard agreement between the City of Garden City, Kansas and the Board of Education, Unified School District No. 457.
6. Governing Body consideration and approval of a law enforcement officer assignment agreement between the City of Garden City, Garden City Police Department and Unified School District No. 457
7. Permission for William &/or Linda Brewer to reserve Space 2, Lot 42, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.

8. Licenses:

2013 New)

- a) Love's Construction..... Class A General
- b) American Warrior Construction Class C General
- c) Heineken Electric Company, Inc. Class D-E Electrical
- d) Comfort Systems..... Class D-M Mechanical

XII. CITY COMMISSION REPORTS.

A. Commissioner Dale

B. Commissioner Doll

C. Mayor Fankhauser

D. Commissioner Law

E. Commissioner Cessna

XIII. ADJOURN.