

## THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

June 4, 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, June 4, 2013 with all members present. Mayor Fankhauser opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Representative John Doll gave an update on recent legislative issues.

Barrett Patel, on behalf of his hotel and other hoteliers, addressed the Governing Body regarding local clean air laws as they relate to the operation of their businesses.

Mayor Fankhauser moved to approve the request from Jimmy Deal, Leave A Legacy Foundation, to waive the sign ordinance to allow for the group to sell yard signs for a donation. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve the request from Don Harness, Finney County Preservation Alliance, pursuant to Code Section 6-35, to sell beer and other cereal malt beverages under a temporary CMB license, on public property, at Stevens Park on September 21, 2013. The request also includes use of Stevens Park and a noise waiver from 7:00 p.m. – 11:00 p.m. on September 21, 2013. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The City received correspondence from Cox Communication regarding price changes.

The City received the April franchise payment from AT&T in the amount of \$6,039.29 and the first quarter franchise payment from Cox Communications in the amount of \$57,520.21.

KDOT has approved and certified the City to proceed with self-administration of State or Federally funded projects with the city. Projects like the widening project on Kansas Avenue from Main Street to Third Street will be administered by the City. Garden City joins five cities in Johnson County and the City of Wichita with this distinction.

The Planning Commission has formally approved the 2013/2014 Capital Improvement Plan.

Staff provided the the monthly City and County sales tax report for Governing Body review.

Meetings of note:

- ✓ June 3-10, 2013 – The Commemorative Air Force B-17 Tour Stop at Garden City Regional Airport. The B-17 will arrive at noon on June 3<sup>rd</sup> and will be on display from 9:00 a.m. – 6:00 p.m. through June 9<sup>th</sup>. The B-17 will depart on June 10<sup>th</sup> at noon. Free Admission to view the aircraft, \$5 for interior tours, \$425 for a ride in the aft and \$850 for a ride in the nose.
- ✓ June 8, 2013 – BED Chuck Wagons Breakfast, 6:30 a.m. – 9:30 a.m. at Stevens Park
- ✓ June 8, 2013 – BED Parade, 10:30 a.m.
- ✓ June 8, 2013 – BED Chuck Wagons in the Park, 11:30 a.m. at Stevens Park
- ✓ June 10, 2013 – Blues at the Zoo, 7:00 p.m. at LRZ
- ✓ June 14, 2013 – Chamber Golf Tournament at Buffalo Dunes 1:00 p.m.

- ✓ June 22, 2013 – Global Bazaar, 8:00 a.m. – 4:00 p.m. at LRZ (west side)
- ✓ July 24 – 28, 2013 – Finney County Fair
- ✓ July 30, 2013 – Town Hall meeting, 7:00 p.m. at 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 – 5<sup>th</sup> Annual HR Workshop, 8:00 a.m. – 4:00 p.m.
- ✓ August 24 – 25, 2013 – Tumbleweed Festival
- ✓ September 14, 2013 – 87<sup>th</sup> Garden City Community Mexican Fiesta for 2013
- ✓ 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, 2013 – Cultural Relations 2013 Diversity Dinner

Mayor Fankhauser moved to approve the Job Creation/Expansion Incentive Process Guidelines as presented and to allow Finney County Economic Development Corporation to work with its attorney to create the Job Creation/Expansion Incentive Policy. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Appropriation Ordinance No. 2341-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,887,024.26,” was read and considered section by section. Mayor Fankhauser moved to approve and pass Appropriation Ordinance No. 2341-2013A. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Nora A. Brown owns the property at 301 N. Eleventh Street and requested partial vacation of the northerly 10.0 feet of Chestnut adjacent to her property.

Ordinance No. 2599-2013, “AN ORDINANCE VACATING A PORTION OF CHESTNUT STREET, LYING SOUTH OF LOT 10, BLOCK 5, JONES ADDITION, ALL IN THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS,” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2599-2013. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Bible Christian Church requested annexation of a 31.55 acre tract on the west side of Campus Drive, south of Tthe Trails apartment complex.

Ordinance No. 2600-2013, “AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(a)(7),” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2600-2013. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve a development agreement between the City of Garden City, Kansas and Stuart Johnson for a water line extension and with the charge for residential water used “outside the cooperate limits.” Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Nay	Yea	Nay

Mayor Fankhauser moved to approve the amended plat of the Pioneer Road Estates Subdivision. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the purchase of Sungard OneSolution Municipal Court software system to improve the Municipal Court department’s ability to track cases and provide detailed reporting. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

City Manager Allen was present to discuss the following items related to the 2014 Proposed Budget:

1. Review of General Fund Revenue and General Fund Administrative divisions.

Mayor Fankhauser moved to approve the following:

1. Governing Body consideration and approval of acceptance of bids received May 22, 2013 for the Snow Removal Equipment Building, Runway Guard Lights and Hold Sign Improvements at Garden City Regional Airport and authorization for the City Manager to execute the FAA Grant Application and the Mayor and City Clerk to execute the contracts.

Snow Removal Equipment Building	Total
Engineer’s Estimate	\$505,909.90
<b>Lee Construction</b>	<b>\$422,029.00</b>
Nationwide Construction	\$596,256.20

Runway Guard Lights & Hold Sign Improvements	Total
Engineer’s Estimate	\$69,403.00
<b>Atlas Electric</b>	<b>\$88,500.00</b>

2. Governing Body consideration and approval of a Landlord’s Waiver from the City of Garden City, Kansas to PNC Bank, National Association.
3. Governing Body consideration and approval of an Estoppel Certificate from the City of Garden City, Kansas to PNC Bank, National Association.
4. Governing Body consideration and approval of a lease agreement between the City of Garden City, Kansas and American Airlines, Inc.
5. Governing Body acceptance of bids received on May 20, 2013 for the 2013 Underground Electric Projects and authorization for the Mayor and City Clerk to execute the contract with Dick Construction.

Bidder	Part A	Comment
<b>Dick Construction</b>	<b>\$32,902.50</b>	
Engineer’s Estimate	\$32,420.00	

6. Governing Body acceptance of utility easements related to the Lareu Road project south of Schulman Avenue from Mosaic Housing Corporation, XX – Garden City and Mosaic.
7. Governing Body consideration and acceptance of bids received May 30, 2013 for the 2013 Street Improvements Project and authorization for the Mayor and City Clerk to execute the contracts.

Bidder	Grand Total	Comment
Engineer's Estimate	\$363,577.00	
J-A-G Construction Co.	\$343,970.00	
<b>Lee Construction, Inc.</b>	<b>\$336,588.00</b>	<b>Low</b>

8. Governing Body consideration and approval of bids received on May 21, 2013 for the purchase of 35kV and 15kV primary cable required for the feeder get-away from Substation #10.

Bidder	Total
Kriz-Davis Co. – Okonite	\$460,670.10
Kriz-Davis Co. - Kerite	\$537,480.00
HD Supply – Okonite	\$464,600.00
Techline – Prysmian Cable	\$473,850.00
Wesco – Kerite	\$555,150.00
Stanion – Kerite	\$529,140.00
<b>Doughtery Sales – CME Wire &amp; Cable</b>	<b>\$411,750.00</b>

9. Governing Body consideration and approval of bids received on May 9, 2013 for the purchase of necessary 35KV switchgear for the Substation #10.

Bidder	Total
<b>Kriz-Davis Co</b>	<b>\$136,084.78</b>

10. Licenses:

(2013 New)

- a) Quality Max Heating & Cooling ..... Class D-M Mechanical
- b) I.M.A.C. & Heating..... Class D-M Mechanical
- c) K-Designers..... Class E-SOC Specialized Other
- d) Green 365..... Class E-SOC Specialized Other
- e) PPP Roofing, Inc ..... Class D-R Roofing

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

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 20 minutes for the purpose of consultation with City legal counsel on matters which are privileged in the attorney/client relationship which if discussed in open session would waive that privilege and that the City Commission reconvene into open session in the City Commission Chambers at 2:40 p.m. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

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

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Dan Fankhauser, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

### **City Commission Reports**

Mayor Fankhauser commented that the final Downtown Master Plan meeting was that evening from 6:00 p.m. – 8:00 p.m. and there will be light snacks. Mayor Fankhauser passed out a card with a “words of wisdom” quote on it.

Commissioner Law stated that he appreciates the Planning Commission for all their hard work and all other advisory boards.

Commissioner Cessna expressed his appreciation for the Planning Commission and the hard work they do as board members. Commissioner Cessna commented that the Sales tax report looks really good. Commissioner Cessna stated the B-17 airplane will be at the Garden City Regional Airport.

Commissioner Dale asked if it was possible to get the word out to more people to attend the Town Hall Meeting that is scheduled for July 30, 2013 at 7:00 p.m. Commissioner Dale requested a wood stick or a laser pointer for use by presenters at future meetings.

Commissioner Doll commended City Engineer Cottrell and Assistant City Engineer Mestdagh for their work on street projects and with KDOT that allowed for the recent change to allow the City to proceed with the Administration of State or Federally funded projects within the City. Commissioner Doll stated she attended the Cowboy Poetry and was amazed at the talent and she said she appreciates people like Leonard Hitz.