

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

July 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, July 2, 2013 with all members present. Commissioner Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Representative Russ Jennings gave an update on recent legislative issues.

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

The City received the May 2013 franchise payment in the amount of \$5,989.46 from AT&T.

The Sunflower Foundation advised the City that the application for a Sunflower Trail Grant for Phase 3 of the Wiley Park Walking Trail was not funded.

Staff provided items of information for Governing Body review including the following: from Director of Finance Hitz the monthly sales tax reports, and from Zoo Director Sexson the monthly zoo reports for April and May.

Meetings of note:

- ✓ 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 – 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 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

Appropriation Ordinance No. 2343-2013A, "AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,063,143.52," was read and considered section by section. Commissioner Cessna moved to approve and pass Appropriation Ordinance No. 2343-2013A. 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 |

At 1:30 p.m. Mayor Fankhauser opened the Public Hearing required by Resolution No. 2528-2013, for the purpose of the Governing Body hearing and answering concerns, questions, and/or objections of taxpayers relating to the TIF district plan for the redevelopment of the Stone Development, Inc. property and creation of a redevelopment district for the development (Lareu Road and Stone Creek Drive). Korb Maxwell, on behalf of Stone Development, Inc. gave an update on the project.

There being no further comments from the public, Mayor Fankhauser closed the public hearing.

Ordinance No. 2604-2013, “AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS MAKING FINDINGS REGARDING A REDEVELOPMENT DISTRICT AND ESTABLISHING A REDEVELOPMENT DISTRICT WITHIN THE CITY,” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2604-2013. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

At 2:00 p.m. Mayor Fankhauser opened the Public Hearing for the purpose of the Governing Body hearing and answering concerns, questions and/or objections of taxpayers relating to the establishment of the Rural Housing Incentive District and adoption of the Plan for Chappel Heights Phase I development. Bernard Chappel gave an update on the project. Mr. Chappel stated they are ready to start the project and the average price of lots will be \$24,000 with no specials.

There being no further comments from the public, Mayor Fankhauser closed the public hearing.

Ordinance No. 2605- 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 (Chappel Heights Phase I Project),” was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2605-2013. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Resolution No. 2532- 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. (Prairie Trails Partners II, LLC Project),” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2532-2013. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

The Governing Body was asked to consider and approve the first of several items related to the Schulman Crossing Phase 2 development located just north of Menards on Lareu Road.

Resolution No. 2533- 2013, “A RESOLUTION STATING THE INTENT OF THE CITY OF GARDEN CITY, KANSAS TO CONSIDER ADOPTION OF A REDEVELOPMENT PROJECT PLAN WITHIN THE 2012 REDEVELOPMENT DISTRICT CREATED BY THE CITY AND PROVIDING FOR NOTICE OF A PUBLIC HEARING ON SUCH MATTERS,” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2533-2013. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

At 2:30 p.m. Mayor Fankhauser opened the Public Hearing relating to 705 Taylor Avenue to determine compliance with the order of the Governing Body of May 21, 2013 and whether additional orders need to be issued consistent with the Code of Ordinances. Community Development Director Kentner and Chief Building Inspector McCarter advised the Governing Body that the clean-up of the property has been completed however there are a few structural items that still need to be addressed. Steve Burgess and Emma Curnette addressed the Governing Body and stated all remaining items could be completed in 90 days.

There being no further comments from the public, Mayor Fankhauser closed the public hearing.

Mayor Fankhauser moved to extend the order an additional 90 days to complete the structural items. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Finance Director Hitz and staff reviewed with the Governing Body the proposed Notice of Hearing for the City of Garden City 2014 Budget. The budget calendar identifies this as the final opportunity for the Governing Body to make amendments prior to publication of the proposed mill levy for public hearing on July 16, 2012 at 1:30 p.m. At that meeting, the Commission may make changes to the 2014 Budget, but not in a manner that would increase the property tax mill levy beyond what was published. Staff will also be available to discuss any remaining issues or concerns.

Commissioner Dale moved to set a Public Hearing for July 16, 2013 at 1:30 p.m. to take into consideration the City Manager's proposal for the 2014 Budget, the 1.206 mill increase per the proposed notice of hearing. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Commissioner Doll moved to approve the Development Agreement for Gian Addition. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Commissioner Law moved to approve staff to start the process of listing on the real estate market, the old American Legion Building located at 125 W. Pine Street. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Commissioner Cessna moved to reject the bid received on June 25, 2013 for the construction/assembly of Substation #10 due to the amount being in excess of Engineer's estimate and rebid the project. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Commissioner Cessna moved to approve the Vehicle Rental Lease Agreements with Wheatlands, Inc. (d/b/a Hertz) and EAN Holdings, LLC. (d/b/a Enterprise Rent-A-Car). Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

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|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea | Yea | Yea | Yea | Yea |

Commissioner Cessna moved to approve the following:

1. Request for Project Construction to KDOT for the Transportation Enhancement Project for a pedestrian/bicycle pathway on K-156 from Campus Dive to Leslie Road.
2. Governing Body consideration and authorization of the lease amendment between American Airlines and the City of Garden City.
3. Governing Body consideration and approval of bids received on June 25, 2013 for 35 KV GOAB switches.
4. Permission for Eunice Leeper to reserve Space 4, Lot 60, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
5. Licenses:

(2013 New)

- | | | |
|----|--|-------------------------------|
| a) | Acapulco Mexican Grill | Cereal Malt Beverage |
| b) | G&R Concrete Specialists – Precision Builders, Inc | Class A General |
| c) | Hellas Construction, Inc | Class A General |
| d) | Prairie Winds Construction, Inc | Class B General |
| e) | Padgett Enterprises, Inc | Class D-P Plumbing w/ Gas |
| f) | CBS Constructors | Class E-SOC Specialized Other |

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 |

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

Dan Fankhauser, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Cessna commented on the continued increase in the sales tax reports from both the City and County. Commissioner Cessna requested that the Governing Body look into following the State ordinance in allowing fireworks which is a longer period of time than the County ordinance and might cause less confusion on the actual dates allowed for next year.

Commissioner Dale stated Garden City is going to have some exciting things happening in the next few years and is happy for the City and the people, but this will also bring challenges to the Governing Body and the City. Commissioner Dale knows that with the Governing Body that is in place and with City Manager Allen and staff on board, he has no question in his mind that all goals will be reached with the projects. Commissioner Dale's heart goes out to the family members & community of the 19 elite Firefighters that lost their lives in the Arizona fire. Commissioner Dale commented that the budget process has been a new experience for him and a good one.

Commissioner Doll asked that everyone keep the families of the 19 firefighters in their thoughts and prayers. Commissioner Doll attended Police Captain Rodney Bachman's retirement party and stated it was a nice event with a great turnout. Commissioner Doll thanked Captain Bachman for his years of service.

Mayor Fankhauser reminded everyone that there will be Fourth of July fireworks display starting at approximately 9:45 p.m. Mayor Fankhauser passed out his words of wisdom card to the Governing Body.

Commissioner Law stated he was unable to attend Police Captain Rodney Bachman's retirement party, but has known Captain Bachman for many years. Commissioner Law stated Captain Bachman has been an asset to the City and we always hate to see employees retire, but wished him Good Luck. Commissioner Law stated he knows there are some great guys that have stepped in to take his place and there are a lot of other good officers coming up in the ranks as well.