

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
August 20, 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, August 20, 2013 with all members present. Commissioner Doll opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Mayor Fankhauser moved to approve a request from Eric Cenatiempo with The Appliance and Furniture Mart for a waiver to the sign and temporary structure requirements from September 18 – September 30, 2013 at 1117 Fleming in order to hold a tent sale. 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 introduced and welcomed Steve Coen, President and the CEO of Kansas Health Foundation. Steve and the Kansas Health Foundation have played a vital role in working to improve the health of all Kansans.

Bids were to be received on August 14, 2013 for the renovation project at the Windsor Hotel. Unfortunately, no bids were received. The parties are discussing how to proceed with KDOT and will report to the Governing Body at a future meeting.

The City's auction was held on Friday, July 12, 2013. Net proceeds were \$23,344.00.

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

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement and operations report, from Community Development Director Kentner the monthly building and code enforcement reports, from Finance Director Hitz the monthly financial report, from Police Chief Hawkins the monthly activity report, from Public Works Director the CIP schedule and City Link monthly report, and from Zoo Director Sexson the monthly zoo report.

Meetings of note:

- ✓ August 21, 2013 – 2013 KMEA Regional Meeting, City Administrative Center, Meeting Room – 10:00 a.m. – 2:00 p.m.
- ✓ August 24 – 25, 2013 – Tumbleweed Festival, Lee Richardson Zoo
- ✓ August 26 – 27, 2013 – Battle of the Badges Blood Drive at Trinity Lutheran Church
- ✓ September 7, 2013 – A Wild Affair at Lee Richardson Zoo at 6:00 p.m.
- ✓ September 10, 2013 – Finney County Job Fair
- ✓ September 14, 2013 – 87th Garden City Community Mexican Fiesta
- ✓ September 18, 2013 – The Mayor's "State of the City" address 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 of Commerce "Fire and Ice" Wine Tasting – 7:00 p.m.
- ✓ September 22, 2013 – Lee Richardson Zoo's Cat Canyon Grand Opening from 1:00 -3:00 p.m.
- ✓ October 10, 2013 – Diversity Dinner at the Clarion Inn - 6:30 p.m. – 8:30 p.m.
- ✓ October 11, 2013 – Multi-Cultural Summit – Garden City Community College 8:00 a.m. – 5:30 p.m.

- ✓ October 12-14, 2013 – League of Kansas Municipalities Annual Conference – Overland Park, Kansas
- ✓ October 19, 2013 – Boo! At the Zoo

Appropriation Ordinance No. 2346-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,167,758.45,” was read and considered section by section. Mayor Fankhauser moved to approve and pass Appropriation Ordinance No. 2346-2013A. 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

Ordinance No. 2614-2013, “AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2013, WITH CERTAIN OMISSIONS, ADDITIONS, OR CHANGES; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AMENDING CODE SECTION 86-2; REPEALING EXISTING CODE SECTION 86-2; 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. 2614-2013. 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

Ordinance No. 2615-2013, “AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2013, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES; AMENDING CODE SECTION 62-2; REPEALING EXISTING CODE SECTION 62-2; 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. 2615-2013. 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

Resolution No. 2541-2013, “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 A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY (undeveloped properties adjacent the Wilson Addition and Heritage Place neighborhoods),” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2541-2013. 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

Ordinance No. 2616-2013, “AN ORDINANCE AUTHORIZING THE EXECUTION OF A POWER SALES CONTRACT, BETWEEN THE CITY OF GARDEN CITY, KANSAS, AND THE KANSAS MUNICIPAL ENERGY AGENCY RELATING TO THE PURCHASE OF ELECTRICITY FROM THE JAMESON ENERGY CENTER BY THE CITY FROM THE KANSAS MUNICIPAL ENERGY AGENCY FOR SALE OR USE BY THE CITY; AUTHORIZING THE EXECUTION OF A SITE LEASE BETWEEN THE CITY OF GARDEN CITY, KANSAS, AS LESSOR, AND THE

KANSAS MUNICIPAL ENERGY AGENCY, AS LESSEE, FOR THE REAL PROPERTY ON WHICH THE JAMESON ENERGY CENTER WILL BE LOCATED; AND MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2616-2013. 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

Ordinance No. 2617-2013, “AN ORDINANCE REGULATING CONDUCT AT LOCATIONS WHERE CEREAL MALT BEVERAGES OR ALCOHOLIC LIQUORS ARE SOLD OR CONSUMED; AMENDING CODE SECTION 62-14; REPEALING CURRENT CODE SECTION 62-14, 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. 2617-2013. 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

Resolution No. 2542-2013, “A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY, KANSAS TO ENTER INTO A MUNICIPAL LEASE AGREEMENT TO REFINANCE AN EXISTING FIRE TRUCK,” was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2542-2013. 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

The Governing Body considered two items pertaining to the Tax Increment Financing District (TIF) and Community Improvement District (CID) financing for the Stone Development, Inc. Retail Project following public hearings on both.

At 2:00 p.m. Mayor Fankhauser opened the Public Hearing for the purpose of the Governing Body hearing questions, concerns and comments from the public on the matter of creating a Tax Increment Financing District (TIF) and approving the Development Project Plan for Stone Development, Inc.

Korb Maxwell, Polsinelli PC; Amro Samy, Stone Development Inc.; and Kent Carmichael, Gibson, Mancini, Carmichael & Nelson, PA were present and announced the restaurant is expected to be completed by the end of 2013.

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

Ordinance No. 2618-2013, “AN ORDINANCE APPROVING AND ADOPTING A REDEVELOPMENT PROJECT PLAN FOR A PROJECT AREA IN THE 2013 REDEVELOPMENT DISTRICT IN THE CITY OF GARDEN CITY, KANSAS (STONE DEVELOPMENT PROJECT) AND APPROVING RELATED DOCUMENTS,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2618-2013. 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 2:15 p.m. Mayor Fankhauser opened the Public Hearing for the purpose of the Governing Body hearing questions, concerns and comments from the public on the

matter of creating a Community Improvement District (CID) in the City of Garden City, Kansas.

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

Ordinance No. 2619-2013, "AN ORDINANCE CREATING THE STONE DEVELOPMENT COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF GARDEN CITY, KANSAS AND AUTHORIZING THE LEVY OF A COMMUNITY IMPROVEMENT DISTRICT RETAILERS' SALES TAX TO BE COLLECTED WITHIN THE DISTRICT," was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2619-2013. 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

Mayor Fankhauser requested Governing Body consideration to authorize the Mayor to sign a letter along with several Kansas Mayors asking Congress for immigration policy reform. The Governing Body asked for additional time to review the request.

Governing Body consideration and approval of an agreement for 2013 membership for the City of Garden City, Kansas with Great Plains Development Inc.

The Sunflower Foundation is accepting application for another round of walking trail grants. City Engineer Cottrell discussed possible projects for Governing Body consideration. As Sunflower Foundation staff is evaluating one of the potential projects, the topic will be brought back to the Governing Body at a future meeting.

Governing Body recommended staff to prepare an ordinance for the September 3, 2013 meeting to raise the minimum monthly charge for all water accounts by \$5.15.

Commissioner Law moved to approve the proposal from Mayer Specialty Services, LLC, of Goddard, Kansas to clean approximately 8,500 feet of heavily corroded cast iron water mains in the amount of \$15.00 per linear foot. Mayer is the only company that could be found to provide the service requested. 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 to approve to terminate the underutilized Residential Incentive Program in 2014. 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

The Governing Body considered several Traffic Advisory Board recommendations:

Commissioner Cessna moved to approve the request to install "Truck Parking" signs on Lareu Road next to the AmericInn. 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 Dale moved to deny the request to allow left turn movement from Grant Avenue onto Main Street for safety reasons. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
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Yea Yea Nay Yea Yea

Commissioner Cessna moved to deny the request to install 30 MPH speed limit signs on Maple Street between Sixth Street and Seventh Street. 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 changing the speed limit to 30 MPH on Fulton Street between Seventh Street and Eighth Street. 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

The Governing Body discussed the proposed pavement marking configuration from 4-lanes to 3-lanes with a center turning lane in the Downtown Area. No action was required by the Governing Body.

Commissioner Cessna moved to deny the request to install “Resident Parking Only” signs on Teitelbaum Avenue. 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 installing the stop sign on Leslie Road for northbound traffic with the additional signage. 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

Advisory Board Recommendations:

Commissioner Doll moved to approve and appoint Vicki Germann to serve a three-year term from August 20, 2013 - July 31, 2016 on the Traffic Advisory Board. 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 to approve and appoint Alicia Weber to serve a three-year term from August 20, 2013 - December 31, 2015 on the Police/Citizen Advisory Board. 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 following:

1. Governing Body acceptance and approval of an annexation agreement with First Christian Church Discipulos de Cristo for their property at N. Eighth Street and Bellevue Avenue.
2. Governing Body consideration and approval of a lot split of the Reserves at Prairie Ridge Addition.

3. Governing Body consideration and approval of a short-term lease agreement with United Wireless Communications.
4. Licenses:

(2013 New)

- a) Finney County Preservation Alliance Temporary Cereal Malt Beverage
- b) Mathews Mechanical..... Class D-Mechanical
- c) BAR-TE & Associates, Inc. Class D-E Mechanical

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)(6) for 10 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 3:13 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

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

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

Dan Fankhauser, Mayor

ATTEST:

Marisela Aragon, Administrative Assistant

City Commission Reports

Mayor Fankhauser passed out his words of wisdom to everyone that read, “Be cautious when others are bold, be bold when others are cautious”.

Commissioner Law had no comments.

Commissioner Cessna had no comments.

Commissioner Dale had no comments.

Commissioner Doll thanked Chief Shelton for the tour and the ride in the new fire truck. Commissioner Doll stated it was a great experience.