

## THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City  
September 17, 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, September 17, 2013 with all members present. Commissioner Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Brienna McElrath, The Art Shop, previously located at 112 E. Laurel Street addressed the Governing Body regarding tattoo shops being located in C-3 districts.

Lee Stowe, Concrete Industries, asked the Governing Body to address the city ordinance regarding truck routes in city limits.

Mayor Fankhauser moved to approve a request from the Finney County Fair Board to allow possession and consumption of cereal malt beverages and wine at their facility at Finney County Fairgrounds Grandstand Meeting Room, which is owned by the County, for a reception on September 24, 2013 from 5:00 p.m. – 7:00 p.m. 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 gave an update on the September 14, 2013 ColoRail meeting Pueblo, Colorado that addressed the future of Amtrak service on the BNSF railroads from Newton, Kansas to Albuquerque, New Mexico.

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 Curran the monthly City Link ridership report and monthly City projects update; and from Zoo Director Sexson the monthly zoo report.

Meetings of note:

- ✓ September 14, 2013 – 87<sup>th</sup> Garden City Community Mexican Fiesta
- ✓ September 18, 2013 – The Mayor’s “State of the City” address at the Chamber of Commerce Breakfast at 7:30 a.m.
- ✓ September 19, 2013 – Meet & Greet with Bob Stewart, National Association of Railroad Passengers at the Garden City Depot from 2:00 p.m. – 4:00 p.m.
- ✓ September 19, 2013 - Annual Parks Tour – starting at the Train Depot at 6:00 p.m. (changed to September 24, 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 of Commerce “Fire and Ice” Wine Tasting – 7:00 p.m.
- ✓ September 21, 2013 – Finney County Preservation Alliance benefit for the Windsor Hotel – Stevens Park at 6:00 p.m.
- ✓ September 22, 2013 – Lee Richardson Zoo’s Cat Canyon Grand Opening from 1:00 -3:00 p.m.
- ✓ October 8, 2013 – Special Meeting of the Governing Body at 1:00 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 hosted by the City of Garden City Cultural Relations Board at GCCC 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. 2348-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,938,418.83,” was read and considered section by section. Commissioner Cessna moved to approve and pass Appropriation Ordinance No. 2348-2013A. 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. 2622-2013, “AN ORDINANCE REGULATING MAXIMUM SPEED LIMITS IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CODE SECTION 86-14; REPEALING CURRENT CODE SECTION 86-14; 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. 2622-2013. 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 Governing Body tabled ordinances that would establish penalties for licensees whose employees or agents are convicted of selling or furnishing alcoholic liquor or cereal malt beverages to minors in order to allow staff to distribute the proposed changes to the affected businesses.

Ordinance No. 2623-2013, “AN ORDINANCE ESTABLISHING COURT COSTS FOR THE MUNICIPAL COURT OF THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTION 42-1; REPEALING CURRENT CODE SECTION 42-1; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2623-2013. 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. 2546-2013, “A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-63 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS. (1305 New York Avenue – blue Ford Ranger pick-up and blue Buick Sedan car, 201 W. Fair Street – gold Pontiac Grand Am),” was read and considered section by section. Commissioner Dale moved to approve Resolution No. 2546-2013. 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. 2547-2013, “A RESOLUTION AUTHORIZING THE REMOVAL OF NUISANCE CONDITIONS FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-139 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS. (1305 York Avenue),” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2547-2013. 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

Resolution No. 2548-2013, “A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY TO ENTER INTO A MUNICIPAL HARDWARE AND LICENSING AGREEMENT,” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2548-2013. 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. 2549-2013, “A RESOLUTION AUTHORIZING THE EXECUTION OF A TAX COMPLIANCE AGREEMENT RELATING TO THE ISSUANCE OF REVENUE BONDS BY THE KANSAS MUNICIPAL ENERGY AGENCY FOR THE JAMESON ENERGY CENTER; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH,” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2549-2013. 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

Governing Body directed City staff work with the staff of Great Plains Development, Inc. to examine alternatives and determine whether the City of Garden City, Kansas will continue a membership agreement with Great Plains Development Inc. Governing Body requested the item be continued at a later meeting.

Mayor Fankhauser moved to approve an agreement to purchase the property located at 2321 N. Eighth Street. 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 Cessna moved to appoint Leon Wilkerson to fill an unexpired term that will end December 31, 2013 on the Cultural Relations Board. 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 the following:

1. At the September 3, 2013 regular meeting, the Governing Body authorized a one year extension to the Memorandum of Understanding with Mark Pamplin for use of the State Theater. The amendment is presented for consideration and approval.
2. Quit Claim Deed from Norma L. Kramer transferring Space 7; Lot 298; Weeks Addition of Valley View Cemetery to Mark Kramer.
3. Quit Claim Deed from Norma L. Kramer transferring Spaces 6, 7, and 8; Lot 297; Weeks Addition of Valley View Cemetery to Carol Tieben.
4. Quit Claim Deed from the Heirs of Martin Huschka transferring Space 3, Lot 5, Zone: F of Valley View Cemetery to Rosemary Corbett.
5. Quit Claim Deed from the Heirs of Martin Huschka transferring Space 4, Lot 5, Zone: F of Valley View Cemetery to Brent &/or Celeste Petersen.
6. Quit Claim Deed from Ralph M. Rojas or Debbie K. Rojas transferring Space 3, Lot 108, Zone: K of Valley View Cemetery to the City of Garden City.

7. Governing Body consideration and approval of a Release of Option to Lease Real Property, between the City of Garden City, Kansas and TekVet Technologies Company.
8. Governing Body consideration and acceptance of a Release of Mortgage, between the City of Garden City, Kansas and Mauritta C. Adams.
9. Licenses:

**(2013 New)**

- a) Cartmill Enterprises ..... Class D-CO Concrete
- b) Champion Fire & Security.....Class E-F Fire Sprinkler & Protection
- c) Ray Omo, Inc. .... Class D-M Mechanical

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**

Commissioner Cessna thanked Community Development Director Kentner for filling in for City Manager Allen to run the meeting. Commissioner Cessna also thanked Commissioner Doll for attending the ColoRail meeting and providing an update to the Governing Body. Commissioner Cessna asked about the concrete work on Rock Road and Pioneer Road Estates. City Engineer Cottrell stated that the projects had been delayed due to recent rain, however work on both should resume soon.

Commissioner Dale stated he was happy to participate in the Mexican Community Fiesta parade this year.

Commissioner Doll encouraged State and Federal officials to maintain Amtrak passenger rail service through the communities on the route of the Southwest Chief and stated it is essential and important to connect those communities.

Mayor Fankhauser reminded everyone of the Chamber breakfast and stated he will announce another store in the Schulman Crossing retail development project. Mayor Fankhauser thanked Commissioner Doll for the update on Amtrak. Mayor Fankhauser passed out his words of wisdom to everyone that read, “Passion; There are many things in life that will capture your eye, but very few will capture your heart. These are the ones to pursue. These are the ones worth keeping.”

Commissioner Law had no comments.