

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City  
October 15, 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, October 15, 2013 with all members present. Commissioner Law opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Commissioner Law moved to approve the request from the Extra Mile America Foundation to allow the Mayor to proclaim November 1, 2013 as Extra Mile Day. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Congratulations to Amy Perkins & the Service & Finance Department for the outstanding accomplishment of collecting 250 online payments during the month of September 2013.

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 reports; from Finance Director Hitz the monthly financial reports; from Community Development Director Kentner the building and code enforcement reports; from Police Chief Hawkins the monthly police activity report; from Public Utilities Director Muirhead the monthly utilities report; from Public Works Director Curran the City Link ridership and CIP schedule; and from Zoo Director Sexson the monthly zoo report.

Meetings of note:

- ✓ October 12, 2013 – Garden City Fire Department Open House at Labrador Station from 10:00 a.m. – 2:00 p.m.
- ✓ October 12-14, 2013 – League of Kansas Municipalities Annual Conference – Overland Park, Kansas
- ✓ October 17, 2013 – Downtown’s Third Thursday at 6:00 p.m. on Main Street
- ✓ October 19, 2013 – Boo! At the Zoo
- ✓ November 1, 2013 – United Way End of Drive Celebration at the Fire Station from 11:30 a.m. – 1:00 p.m.
- ✓ November 2, 2013 –Banner Art Auction 2013 at the Clarion Inn at 6:00 p.m.
- ✓ November 9, 2013 – Veteran’s Day parade at 10:00 a.m. on Main Street
- ✓ November 9, 2013 – Hanging Lights in Stevens Park at 9:00 a.m.
- ✓ November 21, 2013 – Third Thursday from 5:00 – 8:00 p.m.
- ✓ November 21, 2013 – Lighting Ceremony & Caroling at Stevens Park at 7:30 p.m.
- ✓ December 7, 2013 – Tuba Christmas concert at 3:00 p.m., Evening Christmas Parade at 6:00 p.m.
- ✓ December 19, 2013 – Third Thursday from 5:00 – 8:00 p.m.

Appropriation Ordinance No. 2350-2013A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,088,227.24,” was read and considered section by section. Commissioner Law moved to approve and pass Appropriation Ordinance No. 2349-2013A. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Steve Dyer, Garden City Area Chamber of Commerce President, spoke on behalf of local retail liquor store owners and Bill Matheson and Debbie Fief all spoke against the strict penalties in the proposed Cereal Malt Beverage and Liquor ordinances. The proposed ordinances would establish penalties for licensees whose employees or agents are convicted of selling or furnishing alcoholic liquor or cereal malt beverages to minors. Governing Body directed staff to make a few minor changes, distribute the proposed changes to license holders, and then place the CMB ordinance on a future agenda.

Ordinance No. 2624-2013, “AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; ADOPTING NEW ZONING REGULATIONS TO REGULATE SIGNS AND OUTDOOR ADVERTISING; AMENDING ZONING REGULATION ARTICLE 23; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION ARTICLE 23; 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. 2624-2013. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Ordinance No. 2625-2013, “AN ORDINANCE REGULATING BUILDING PERMITS AND SITE PLANS FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING ZONING REGULATION ARTICLE 1; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION ARTICLE 1; 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. 2625-2013. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Nay	Yea

Ordinance No. 2626-2013, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “I-1” LIGHT INDUSTRIAL DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (3285 E. Fulton Street)” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2626-2013. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Ordinance No. 2627-2013, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “P-F” PUBLIC FACILITIES DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (1706 & 1802 E. Spruce Street)” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2627-2013. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Ordinance No. 2628-2013, “AN ORDINANCE REGULATING PUBLIC FACILITIES DISTRICT OF THE ZONING REGULATIONS OF THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS TO ALLOW TEMPORARY ACCESSORY USES AS A CONDITIONAL USE IN THE CITY OF GARDEN CITY, KANSAS; AMENDING ZONING REGULATION ARTICLE 12; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION ARTICLE 12; 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. 2628-2013. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	Yea	Yea	Yea

Governing Body took no action on consideration of offers by Garden City Arts to purchase the American Legion building for \$1.00, and a \$10,000 offer from Martin Nusser on behalf of Hector Gutierrez.

Advisory Board Recommendations:

Commissioner Cessna moved to appoint Ken Frey, Charlie Robinson and Darin Germann a three-year terms that begin January 2014 and end December 31, 2017 on the Airport 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	Absent	Yea	Yea	Yea

Commissioner Cessna moved to appoint Brandon Neeb to fill a three-year term beginning November 2013 and ending December 31, 2017 on the Airport 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	Absent	Yea	Yea	Yea

Commissioner Law moved to approve the following:

1. Governing Body consideration and acceptance of bids received October 8, 2013 for the 2014 Crack Sealing project and authorization for the Mayor and City Clerk to execute the contracts.
2. Governing Body consideration and approval of a service level agreement with IDEATEK for a communications link.
3. Governing Body consideration and approval for a residential lease agreement between the City of Garden City, Kansas and Kenneth and Karen Powell for 2321 N. Eighth Street.
4. Governing Body acceptance of a deed from Mosaic Housing Corp. XX – Garden City for right-of-way on Schulman Avenue.
5. Quit Claim Deed from Kenneth &/or Carol Savoy transferring Space 6; Lot 38; Zone J of Valley View Cemetery to the City of Garden City, Kansas.
6. Licenses:

**(2013 Renewal)**

- |    |                                  |                               |
|----|----------------------------------|-------------------------------|
| a) | McGraw Fencing & Repair .....    | Class E-SOC Specialized Other |
|    | <b>(2013 New)</b>                |                               |
| b) | LSX Construction, LLC .....      | Class A General               |
| c) | Sega, Inc. ....                  | Class A General               |
| d) | C&K Construction & Service ..... | Class D-P Plumbing w/ Gas     |
| e) | Boco Buildings .....             | Class E-SOC Specialized Other |

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

Cessna	Dale	Doll	Fankhauser	Law
Yea	Absent	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 Law congratulated Amy Perkins and the Service & Finance department for getting 250 online payments.

Commissioner Cessna congratulated Amy Perkins. Commissioner Cessna thanked City staff for their help on the agenda items. Commissioner Cessna thanked Chamber of Commerce President Steve Dyer for his efforts on the cereal malt beverage and liquor license issue.

Commissioner Dale was absent.

Commissioner Doll had no comments.

Mayor Fankhauser had no comments.