

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
February 18, 2014

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, February 18, 2014 with all members present except Mayor Fankhauser. Commissioner Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Commissioner Law moved to approve the request from Garden City Community College TRiO program to authorize the Mayor to proclaim February 21, 2014 as TRiO Day. 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	Absent	Yea

Commissioner Law moved to approve the request to authorize the Mayor to proclaim the month of March 2014 as Problem Gambling Awareness Month. 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	Absent	Yea

The City received the December 2013 franchise payment in the amount of \$5,992.68 from AT&T, the 4th quarter franchise payment in the amount of \$109,742.42 from Black Hills Energy and the 4th quarter franchise payment in the amount of \$56,624.67 from Cox Communications.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Community Development Director Kentner the monthly building report and Annual report, from Fire Chief Shelton the monthly activity report, from Police Chief Hawkins the monthly activity report, from Finance Director Hitz the monthly financials, from Public Works Director Curran the Finney County Transit report and from Zoo Director Sexson the monthly report.

Meetings of note:

- ✓ February 15, 2014 – Legislative Coffee at St. Catherine Hospital at 10:00 a.m.
- ✓ February 21, 2014 – 2014 National TRiO Day at GCCC Beth Tedrow Student Center at 11:30 a.m.
- ✓ February 24, 2014 - Public Forum on Finney County ¼ cent sales tax ballot issue presented by Garden City Area Chamber of Commerce & Garden City Downtown Vision at 6:30 p.m. in the Meeting Room at the City Administrative Center.
- ✓ February 26, 2014 – Governing Body Annual Goal Setting Retreat at the Fynnup Center from 8:30 a.m. – 4:00 p.m.
- ✓ March 4, 2014 – Special Election for the renewal/extension of a county wide ¼ cent sales tax.
- ✓ March 13, 2014 – Garden City Area Chamber of Commerce Annual Banquet at GCCC.
- ✓ March 15, 2014 – Legislative Coffee at St. Catherine Hospital at 10:00 a.m.
- ✓ March 22-25, 2014 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ April 19, 2014 – Legislative Coffee in the cafeteria at St. Catherine Hospital at 10:00 a.m.
- ✓ April 23, 2014 – Earth Day Celebration “Party for the Planet” at Lee Richardson Zoo from 9:00 a.m. – 2:00 p.m.
- ✓ May 17, 2014 – Legislative Coffee at St. Catherine Hospital at 10:00 a.m.

Appropriation Ordinance No. 2358-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,614,318.53,” was read and considered section by section. Commissioner Cessna moved to approve and pass Appropriation Ordinance No. 2358-

2014A. 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	Absent	Yea

Resolution No. 2570 - 2014, "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. (1505 Fulton Street)," was read and considered section by section. Commissioner Law moved to approve Resolution No. 2570-2014. 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	Absent	Yea

Resolution No. 2571 - 2014, "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 (1912 C Street – red Ford pickup, 509 N. 13th Street – red Ford T-Bird, 1712 Kello Street – Dark Cherokee SUV and 1505 W. Fulton Street – Tan Chevy Caprice, White Oldsmobile Mini-Van, White Cadillac and light blue Cadillac)," was read and considered section by section. Commissioner Dale moved to approve Resolution No. 2571-2014. 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	Absent	Yea

Resolution No. 2572 - 2014, "A RESOLUTION AUTHORIZING THE REMOVAL OF TREE NUISANCE FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 94-64 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (403 Evans Street)," was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2572-2014. 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	Absent	Yea

Ordinance No. 2640 - 2014, "AN ORDINANCE GRANTING TO UNITED WIRELESS COMMUNICATIONS, INC., ITS SUCCESSORS AND ASSIGNS, A CONTRACT FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF GARDEN CITY, KANSAS; ALL PURSUANT TO K.S.A. 12-2001 ET SEQ. BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS," was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2640-2014. 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	Absent	Yea

Ordinance No. 2641-2014, "AN ORDINANCE ESTABLISHING INTERCONNECTION AND INSTALLATION STANDARDS, METERING, AND A RATE RIDER FOR PARALLEL OPERATION OF CUSTOMER OWNED RESIDENTIAL AND COMMERCIAL RENEWABLE ENERGY GENERATION FACILITIES; CREATING NEW CODE SECTION 90-309; 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. 2641-2014. Commissioner Doll 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 Yea Absent Yea

Resolution No. 2573 - 2014, “A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY, KANSAS TO ENTER INTO A MUNICIPAL LEASE/PURCHASE AGREEMENT (LEASE NO. 5000127-005) FOR POLICE DEPARTMENT AND GOLF COURSE EQUIPMENT WITH CLAYTON HOLDINGS, LLC,” was read and considered section by section. Commissioner Law moved to approve Resoluition No. 2573-2014. 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	Absent	Yea

Commissioner Dale moved to deny KSA 12-105b claim by Jose Roman Alvarado arising out of a motor vehicle accident on December 25, 2011. Commission Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Absent	Yea

Commissioner Cessna moved to approve the following:

1. Governing Body consideration and approval of a Utility Easement from Worf Land, LLC related to the Chappel Heights development.
2. Governing Body consideration and acceptance of bids received February 13, 2014 for the 2014 Street Improvement project and authorization for the Mayor and City Clerk to execute the contracts.
3. Licenses:

(2014 New)

- a) Rosales Masonry Co., LLCClass E-SOC Specialized Other
- b) Infinity Sign, Inc.....Class D-SI Sign Installer

(2014 New)

- c) APAC – Kansas, Inc..... Class A General
- d) Compton Construction Corporation Class A General
- e) Mid-America Millwright Service, Inc. Class A General
- f) The Law Company, Inc. Class A General
- g) Brungardt Plumbing Class B General
- h) Chambless Roofing, Inc. Class B General
- i) Cook Construction..... Class B General
- j) Ed Barb Construction Class B General
- k) Farr Construction..... Class B General
- l) Fuller Construction Class B General
- m) Garden City Roofing & Insulation, Inc. Class B General
- n) Morales Construction Class B General
- o) Outlaw Enterprises Class B General
- p) Patriot Construction..... Class B General
- q) Prairie Winds Construction, Inc. Class B General
- r) Star Lumber & Supply Company, Inc. Class B General
- s) Tim Routon Construction Class B General
- t) TNT Construction..... Class B General
- u) Western Kansas Baptist Association Class B General
- v) Williams General Construction & Repair..... Class B General
- w) Energy Management Systems Class D-M Mechanical
- x) Hemmert Electrical.....Class D-E Electrical
- y) Faith Technologies, Inc.Class D-E Electrical
- z) Morales Electric.....Class D-E Electrical
- aa) VanCampen Electric.....Class D-E Electrical
- bb) Wallace Electric, LLC.....Class D-E Electrical
- cc) Wheatland Electric Coop, Inc.....Class D-E Electrical
- dd) Brungardt PlumbingClass D-P Plumbing w/ Gas
- ee) C&K Construction & Service.....Class D-P Plumbing w/ Gas
- ff) Ad-bench-er..... Class D-S Sign Installation
- gg) Commercial Sign Company..... Class D-S Sign Installation
- hh) Brungardt Plumbing Class E-BF Backflow Test

- ii) David SchmidtClass E-SOC Specialized Other
- jj) Dirks Earthmoving CompanyClass E-SOC Specialized Other
- kk) J&K Tree Trimming & Removal.....Class E-SOC Specialized Other
- ll) Sturdi-Bilt Storage Barns, Inc.Class E-SOC Specialized Other
- mm) Towns & Sons EnterprisesClass E-SOC Specialized Other

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	Absent	Yea

Commissioner Doll moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 15 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 1:46 p.m. with City Attorney Grisell, City Manager Allen and Public Utilities Director Muirhead present. 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	Absent	Yea

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

Commissioner Cessna adjourned the meeting since there was no further business before the Governing Body.

Roy Cessna, Vice Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Mayor Fankhauser was absent.

Commissioner Law congratulated the GCCC Trio program and stated there are great things happening with that program.

Commissioner Cessna said he wishes and prays that Mayor Fankhauser has a speedy recovery. Commissioner Cessna congratulated the GCCC Trio Program, wished them great success in the future and stated it is a great program. Commissioner Cessna thanked the people that were in attendance for the Problem Gambling Awareness proclamation.

Commissioner Dale congratulated the GCCC Trio program for their work and wished them well.

Commissioner Doll congratulated the GCCC Trio program and stated it was a great asset to the community.