

# THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

March 4, 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, March 4, 2014 with all members present. Commissioner Law opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

David Litton, Check-N-Go was unable to attend the meeting to discuss with the Governing Body the Itinerant Merchant license.

Representative John Doll was present and gave an update on recent legislative issues.

Mayor Fankhauser moved to approve the request from Deann Gillen, Executive Director, Beef Empire Days to waive the daily fee and the deposit for the carnival (May 16 – May 25, 2014). 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 Dale moved to approve the requests from Angelica Castillo Chappel, Garden City Community Mexican Fiesta Association, pursuant to Code Section 6-35, to sell beer and other cereal malt beverages under a temporary CMB license on public property at Stevens Park on Saturday, September 13, 2014, an annual parade on Main Street beginning at 10:00 a.m., use of Stevens Park from 8:00 a.m. – 11:00 p.m., temporary closure of Heroes Way, the use of electricity at Stevens Park, a temporary waive to the noise ordinance and use of the restrooms, concession stand and extra picnic tables with the requirement to have twelve (12) portable toilets. 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	Nay

Commissioner Law moved to approve the requests from Jimmy Deal, on behalf of Leave a Legacy Foundation for the temporary closure of public vehicle access to Lee Richardson Zoo on Saturday, October 4, 2014 from 8:00 a.m. – 10:30 a.m., a barricade to be placed at the 4th Street entrance to the zoo, a waiver of the fees associated with hanging of banners and signs, assistance from Garden City Police Department and an extension of the sign waiver ordinance to allow signs to be placed at St. Catherine Hospital through November 4, 2014. 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 instructed staff to prepare a resolution for a future meeting to refinance the City's Water Supply Revenue Bond, Series 2005 (Wheatland Electric Cooperative, Inc. Project) based on the request from Wheatland Electric Cooperative, Inc.

Monica Turrentine, Finney County Humane Society, presented their request for waiver of the Itinerant Merchant License for a spay and neuter clinic they are sponsoring. Commissioner Cessna moved to approve a waiver of the Itinerant Merchant License fee for Spay Today Mobile Outreach to operate a spay and neuter clinic at 901 W. Mary Street on March 5 – March 9, 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	Yea	Yea

The City received the January 2014 franchise payment in the amount of \$5,946.31 from AT&T.

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

Meetings of note:

- ✓ 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 in Classroom B 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 Classroom B 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 in Classroom B at St. Catherine Hospital at 10:00 a.m.

Appropriation Ordinance No. 2359-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,305,230.81,” was read and considered section by section. Commissioner Law moved to approve and pass Appropriation Ordinance No. 2359-2014A. 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. 2574 - 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, (1906 Vinzant Street – White Ford Mustang and 509 N. 10th Street – Red Ford T-Bird),” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2574-2014. 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	Yea	Yea

Resolution No. 2575 - 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, (202 N. 10TH Street),” was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2575-2014. 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

Advisory Board Recommendations:

Governing Body requested staff and the Airport Advisory Board work with Sherif Dullovi to get copies of the businesses financial records and present the request for an amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City, Kansas for the leased premises known as Napoli’s – Flight Deck Restaurant at a future Commission meeting.

Commissioner Cessna moved to approve the distribution of 2014 grant funds as recommended by the Arts Grant Committee.

Organization	Amount Requested	-	Amount Recommended
American Fusion Project	\$2,500		2500
Friends of Garden City Arts	\$7,000		2000
Garden City Arts	\$9,000		1250
Downtown Vision	\$3,500		0
Sandhill Arts	\$5,000		2000
SWKS Live on Stage	\$2,500		2000
STEPS	\$5,000		2000
Tumbleweed	\$3,000		2500
<b>Total</b>	<b>\$37,500</b>		<b>14250</b>

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	Abstained	Yea

Commissoiner Cessna moved to approve and appoint Jacob Bradshaw and Helen Batchelder to the Police Citizens Advisory Board for 3-year board appointments from March 2014 – December 2016. 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

Commissioner Law moved to approve the following:

1. KDOT provided the State and City Agreement, No. 41-14, for the FY2015 KLINK Project on Kansas Avenue from 200 feet east of Center Street to Anderson Street. The Governing Body authorized the Mayor and City Clerk to execute the agreement, and the request to KDOT to combine the FY 2014 and 2015 projects for letting in 2015.
2. Governing Body considered and accepted bids received on February 27, 2014 for one (1) ¾ Ton 2WD Chassis Only and two (2) 4WD Half Ton pickups.
3. Quit Claim Deed from Arlene Williams transferring Spaces 1 & 2, Lot 127, Zone F of Valley View Cemetery to Sharon Jarmer.
4. Permission for Gabriela Ramirez to reserve Space 1, Lot 64, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
5. Licenses:

**(2014 New)**

- a) Carniceria Garcia..... Cereal Malt Beverage
- b) Carniceria Garcia..... Cereal Malt Beverage
- c) Advanced Air..... Class D-M Mechanical
- d) Southwestern Electrical Co., Inc. ....Class D-E Electrical
- e) Wichita Electric Co., Inc. ....Class D-E Electrical
- f) Falcon Fire Sprinkler, LLC.. ....Class E-F Sprinkler and Protection

**(2014 Renewal)**

- g) Mid-Plains Construction..... Class B General
- h) Morgan Brothers Construction, Inc ..... Class B General
- i) Nemecheck Construction..... Class B General
- j) Waltz Construction..... Class B General
- k) Robert Wirth ..... Class B General
- l) Black Hills/Kansas Gas Utility Co. ....Class D-E Electrical
- m) Freedom Electric, Inc. ....Class D-E Electrical
- n) Gallegos A/C .....Class D-E Electrical
- o) J. Geier Electric .....Class D-E Electrical

- p) Roger W. Unruh .....Class D-E Electrical
- q) Stiltner Electric, Inc.....Class D-E Electrical
- r) Black Hills/Kansas Gas Utility Co. .... Class D-M Mechanical
- s) Gallegos A/C .....Class D-P Plumbing w/ Gas
- t) J&J Heating & Air.....Class D-P Plumbing w/ Gas
- u) E&L Lawn Care .....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	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 Law congratulated the Garden City High School Buffalos on the repeat win of the 6A State Wrestling championship.

Commissioner Cessna congratulated the GCHS wrestling team for their 6A State Championship. Commissioner Cessna thanked Representative Doll for giving the Legislative update. Commissioner Cessna thanked the Arts Committee for their work on the distribution of the 2014 funds. Commissioner Cessna commented that all the advisory boards do a lot of the legwork for the Commissioners and that makes their job easier. Commissioner Cessna reminded everyone to go vote.

Commissioner Dale congratulated the GCHS 6A State Wrestling Champions and asked that they come back to a future meeting. Commissioner Dale thanked Representative Doll for his briefing and his accessibility. Commissioner Dale thanked City Manager Allen and staff for their work on the Goal Setting Retreat and stated there was a lot of material to go over.

Commissioner Doll thanked the Arts Grant Committee and stated it's not an easy task to distribute the funds. Commissioner Doll thanked the Finney County Humane Society for putting on the spay and neuter program. Commissioner Doll thanked Representative Doll for his update. Commissioner Doll reminded everyone to go vote.

Mayor Fankhauser thanked Commissioner Cessna for filling in for him during his absence. Mayor Fankhauser thanked City employees for the flowers he received after his recent surgery. Mayor Fankhauser reminded everyone to go vote.