

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

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

Michael Gian, owner of Naab Electric was present and stated he was upset about the license procedures in the Community Development and Inspections Department.

Mayor Fankhauser moved to deny the request from David Litton, on behalf of Check n-Go, 2312 E. Kansas Avenue, to waive Section 62-10 of the Code of Ordinances to allow placement of advertising stickers on vehicles. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Law moved to approve the requests from Mr. Daryl Hamlett, President of the Tumbleweed Festival, Inc., for the use of the west green at Lee Richardson Zoo on August 22, 23, and 24, 2014 for the 23rd annual Tumbleweed Festival. The request includes set-up August 18 – 23 and teardown August 25 – 26. The request also includes allowing volunteers to drive in gates at no charge, and closing the drive in gates during the festival to maintain safe walking areas. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Dale moved to approve a request from Mr. Wes Chambers, American Warrior Construction, the general contractor for the Pioneer Road Estates development, to extend the deadline for the City’s Residential Housing Incentive Program from the current April 23, 2014 completion deadline for 60 days. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to deny a request from Mr. Mark Miller, the property owner at 503 E. Kansas Avenue, for a parking waiver asking for three (3) on-street spaces to be counted toward the strip center’s required off-street parking requirement or to consider the Check Into Cash business as a retail establishment, which would require three (3) spaces instead of a professional office, which requires six (6) spaces. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Public Works Director Sam Curran provided information for Governing Body review concerning the 2014 Spring Clean-up Program to be undertaken March 31 – April 11, 2014.

The City received an annual royalty check in the amount of \$4,296.72 from Service Line Warranties of America.

Finance Director Melinda Hitz provided correspondence on the Development & Disposition Agreement regarding sales tax increment financing between the City of Garden City, Kansas and Home Depot U.S.A., Inc. (Home Depot).

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 code enforcement report, from Finance Director Hitz the sales tax report and the monthly financials, from Public Works Director Curran the monthly City Project Updates and the City Link ridership report, from Police Chief Hawkins the monthly activity report, and from Zoo Director Sexson the monthly report.

Meetings of note:

- ✓ 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.
- ✓ March 28, 2014 – Come & Go Retirement Reception for Zoo Director Kathy Sexson from 3:00 p.m. – 5:00 p.m. in the Finnup Center for Conservation Education
- ✓ April 2-4, 2014 – Administrative Assistants of Kansas Cities – Spring Conference at the City Administrative Center
- ✓ 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. 2360-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,499,688.17,” was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2360-2014A. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Bond Counsel Mary Carson provided a Resolution authorizing the 2014 Schulman Crossing Phase 1 TIF Bond sale for April 15, 2014. Financial Advisor Chuck Bouilly provided the Financial Advisory Services Agreement with George K. Baum & Co. for Governing Body consideration and approval.

Resolution No. 2574-2014, “A RESOLUTION OF THE CITY OF GARDEN CITY, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY’S GENERAL OBLIGATION BONDS, SERIES A, 2014, IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$10,750,000,” was read and considered section by section. (This resolution erroneously has the same number as a resolution adopted on March 4, 2014. For purposes of identification, this resolution may be referred to as 2574-2014 (March 18, 2014). Commissioner Doll moved to approve Resolution No. 2574-2014 (March 18, 2014). Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the Financial Advisory Services Agreement with George K. Baum & Co. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Law moved to deny the amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City, Kansas for the leased premises known as Napolis – Flight Deck Restaurant. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Law moved and directed staff to work with Reynaldo Mesa, on behalf of Amro Samy and K & S LLC, owner of the Clarion Inn and Sleep Inn, on a future vacation of Kansas Plaza on the south and east sides of the property to accommodate parking lot expansion at the Clarion Inn. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the cost sharing (50/50) the cost of \$20,600.00 associated with the necessary outside engineering for the Towns Riverview water main extension project. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Law moved to approve and authorize the City of Garden City, Kansas to enter into an electrical engineering “General Services Agreement” with SEGA, Inc. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve and appoint Mellaina Johnson to the Police Citizens Advisory Board for 3-year board appointment 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
Absent	Yea	Yea	Yea	Yea

Commissioner Dale moved to approve the following:

1. KDOT has transmitted Supplemental Agreement No. 2 to Agreement No. 128-13 for Governing Body consideration and approval relating to the Schulman Crossing road improvements.
2. Governing Body consideration and rejection of bids received March 13, 2014 for the Finnup Park Walking Trail Phase 2.
3. Licenses:
 - (2014 New)
 - a) BG Construction..... Class B General

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

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Law moved to approve the bids received at 2:00 p.m. on March 13, 2014 for the renovation project at the Windsor Hotel. The request includes authorization for the Mayor and City Clerk to execute the contracts. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

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

Dan Fankhauser, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Cessna was absent.

Commissioner Dale had no comments.

Commissioner Doll had no comments

Mayor Fankhauser stated that representatives from the City would be attending the Western Kansas Congressional Reception in Washington, D.C. on March 24, 2014.

Commissioner Law stated the Governing Body and staff finished up the 2014-2015 goals for the City and stated it was a good process.