

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

City of Garden City

April 1, 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, April 1, 2014 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Allie Medina, Finney County Economic Development Corporation and Nicole Lucas, Downtown Vision Inc. requested the Governing Body consider establishing a general business license for the City of Garden City. Governing Body directed staff to work with both agencies and the Garden City Area Chamber of Commerce and present their recommendations at a future meeting.

Kim Inderlied, Finney County Convention & Tourism, was unable to be present to update the Governing Body on recent activities at Convention & Tourism offices.

Commissioner Cessna moved to approve the request from Eric Cenatiempo with The Appliance and Furniture Mart to approve a waiver to the sign and temporary structure requirements from April 23, 2014 – May 5, 2014 at 1117 Fleming in order to hold a tent sale. 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 Dale moved to approve the request from Bible Christian Church for a waiver of the sign fee to promote the Day of Service on Saturday, April 12, 2014. The banner would be placed north of the right-of-way at the Family Life Center at 1501 E. Mary Street from April 2 – 14, 2014. 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

The Governing Body and the employees and citizens of Garden City took time to recognize and celebrate Zoo Director Kathy Sexson, her 30 years of service on the occasion of her retirement and her service to this community. Commissioner Cessna moved to allow the Mayor to proclaim April 1, 2014 as Kathy Sexson 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	Yea	Yea

Commissioner Cessna moved to approve the request from Ms. Lori Jacobs, Spirit of the Plains, CASA and Tammy Murillo, Kansas Children’s Service League to allow the Mayor to proclaim the month of April 2014 as Child Abuse Prevention Month. 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

Mayor Fankhauser recused himself from the bench.

John Chappel, Casco Homes, Inc., on behalf of Garden Sport Rentals requested Governing Body approval to waive Chapter 18 of the Code of Ordinances, which references the 2009 International Building Code, as it relates to automatic fire sprinklers.

Governing Body directed staff to work with John Chappel for a solution and present their recommendation at a future meeting if needed.

Mayor Fankhauser returned to his seat at the bench.

Public Works Director Curran provided the monthly transit report for Governing Body review.

The United States Department of Transportation released Order 2014-3-9 selecting American Airlines to provide Essential Air Service (EAS) at Garden City Regional Airport for another two-year term ending July 31, 2016.

Meetings of note:

- ✓ April 2-4, 2014 – Administrative Assistants of Kansas Cities – Spring Conference at the City Administration Building
- ✓ April 3, 2014 - Kansas Municipal Energy Agency Regional meeting 10:00 a.m. – 2:00 p.m. at the Finnup Center.
- ✓ April 11 – 12, 2014 – Tree Selection, Planting & Maintenance Guidelines presentation at Finnup Center
- ✓ April 19, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.
- ✓ April 23, 2014 – 11:00 a.m. for a ribbon cutting at the Pioneer Road Estates Development
- ✓ 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.
- ✓ May 28 - June 1, 2014 - The Commemorative Air Force B-17 will be at the Garden City Regional Airport. The B-17 will be available to the public from 9:00 am – 6:00 pm.

Appropriation Ordinance No. 2361-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,211,946.96,” was read and considered section by section. Commissioner Doll moved to approve and pass Appropriation Ordinance No. 2361-2014A. 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

Ordinance No. 2642-2014, “AN ORDINANCE AMENDING ACCESSORY USES, TEMPORARY USES AND NON-CONFORMING USES, FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS BY ADDING R-3 TO THE DISTRICTS ALLOWING DETACHED MOTHER-IN-LAW HOUSES/GUEST HOUSES,” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2642-2014. 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	Yea	Yea

Ordinance No. 2643-2014, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-O” COMMERCIAL OFFICE DISTRICT TO “C-3” CENTRAL BUSINESS DISTRICT (515 N. 8th Street),” was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2643-2014. 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	Yea	Yea

Ordinance No. 2644-2014, “AN ORDINANCE AMENDING THE FENCE REGULATIONS, FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS BY REMOVING THE FEE AMOUNT AND REFERRING TO THE BUILDING PERMIT AND INSPECTION FEE SCHEDULE,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2644-2014. 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

Salvador Rojo owner of the property at 109 S. Thirteenth Street and requested partial vacation Santa Fe Street adjacent to his property.

Ordinance No. 2645-2014, “AN ORDINANCE VACATING A PORTION OF SANTA FE STREET, LYING SOUTH OF BLOCK 57, ORIGINAL PLAT,” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2645-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Nay	Yea	Yea

Resolution No. 2576-2014, “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 (907 Inge Avenue and 209 N. 13th Street),” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2576-2014. 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	Yea	Yea

Resolution No. 2577-2014, “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 (304 N. 1st Street – Gold Ford Taurus and Red Chevy pick-up, 1913 B Street – dark blue SUV, 1509 St. John Street – Red Ford 4-door car and 907 Inge – white and green RV),” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2577-2014. 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

Director of Aviation Powell presented the bids received on March 11, 2014 for remodeling the restrooms at the airport terminal, all of the bids exceeded the architect’s estimate. The City’s consulting architect, Stewart Nelson, recommended that the Governing Body waive the Purchasing and Contracting Policy and award the contract for the base bid work as there was no real option available to revise and rebid the project; the project involves several phases that were underestimated and the low bid was appropriate for the work.

Commissioner Cessna moved to waive the Purchasing and Contracting Policy requirements, and award the contract to Lee Construction, Inc., Garden City, in the amount of \$235,496.00 for the remodeling of public restrooms at Garden City Regional Airport. 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                      Yea                      Yea

Commissioner Doll moved to select Kansas Avenue from 350 ft. west of Belmont Place to 400 ft. west of Center Street for the FY 2016 KLINK and Kansas Avenue from Third Street to Belmont Place for the FY 2017 Geometric Improvement programs. 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

Several projects authorized in the 2014 budget and/or proposed in the 2014 Capital Improvement Programs require debt financing. City Engineer Cottrell reviewed the projects for the potential 2014 bond issue. Final decisions will be made later in the budget process.

Commissioner Cessna moved to approve and appoint Director of Public Utilities Muirhead, Electric Superintendent Sonnenberg and Electric Foreman Pottorf to serve on the Kansas Municipal Energy Agency (KMEA) Board of Directors and to execute certificates in accordance with the agency's bylaws. 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

Commissioner Doll moved to approve the 2014-2015 City Commission Goals with recommended changes to the first item to include, "study future fire needs of the community." 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 Doll moved to approve the following:

1. Governing Body consideration and approval of a contract between Maguire Iron, Inc. and the City of Garden City, Kansas for work related to removal of the internal platform and spider rods in the amount of \$24,960 and consideration of optional work not to exceed \$10,000.
2. Governing Body consideration and approval of accepting the low bid from Professional Turf for the Tri-Plex Mower.
3. Governing Body consideration and approval of a preliminary plat for Prairie View Acres Subdivision.
4. Quit Claim Deed from Kevin Thomas transferring Space 3, Lot 139, Zone H of Valley View Cemetery to Kenneth or Norma Thomas.
5. Quit Claim Deed from Kenneth or Norma Thomas transferring Spaces 3 & 4, Lot 139, Zone H of Valley View Cemetery to Kevin or Lynette Thomas.
6. Quit Claim Deed from Sandra K. Heinrichs transferring Space 5, Lot 68, Zone H of Valley View Cemetery to the City of Garden City, Kansas.
7. Permission for Lawrence A. Garcia to reserve Space 4, Lot 91, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
8. Governing Body consideration and rejection of bids received March 13, 2014 for the Finnup Park Walking Trail Phase 2.

9. Licenses:

(2014 New)

a) Z-2 ..... Class C General

(2014 Renewal)

b) Ducts In A Row ..... Class D-M Mechanical

c) Ramos Concrete..... Class E-SOC Specialized

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 Doll congratulated Zoo Director Sexson and thanked her for all the wonderful years she has worked at Lee Richardson Zoo. Commissioner Doll thanked Spirit of the Plains (CASA) and Kansas Children’s Service League for their work on the prevention of child abuse.

Mayor Fankhauser thanked Zoo Director Sexson for her years of service and stated he was impressed the most because she started at the lower level and has worked her way to the Director position. Mayor Fankhauser reminded everyone that Spring Cleanup has started and stated it is an amazing program. Mayor Fankhauser provided an update on the Western Kansas Congressional Reception in Washington, D.C.

Commissioner Law congratulated Zoo Director Sexson and thanked her for all the work she has accomplished over the years. Commissioner Law stated that he sees the same commitment and passion from the other Zoo employees and stated that’s why it is a great facility and great things will continue to happen there. Commissioner Law asked staff how HB 2597 will affect the City’s recycling program and asked that staff review it.

Commissioner Cessna congratulated Zoo Director Sexson on her years of service and dedication to the job. Commissioner Cessna reminded everyone that Spring Cleanup started and stated it seems to be going well. Commissioner Cessna provided an update on the Western Kansas Congressional Reception in Washington, D.C.

Commissioner Dale thanked City Manager Allen and staff for their work on putting the City Commission meetings together. Commissioner Dale congratulated Zoo Director Sexson on her 30 years of service and wished her a happy retirement. Commissioner Dale said he believes that Spirit of the Plains (CASA) and Kansas Children’s Service League have a great mission and offer an invaluable service to the community. Commissioner Dale said he is excited for Old Chicago to open.