

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
June 3, 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, June 3, 2014 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Shirley Arteaga, 611 W. Fulton Street, was present and voiced her concerns with the new restaurant and cantina that is to open soon at 606 W. Fulton Street. Ms. Arteaga stated she was told that if the business had been closed for a certain amount of time that a liquor license would not be able to be issued. Staff was directed to look into this complaint.

Commissioner Fankhauser moved to approve the request from Ms. Carole Fry, on behalf of the Finney County Fair, for a special rate fee (\$20.00) for solid waste service, permission to close-off Lake Avenue to thru traffic for July 23 – 26, 2014, a waiver of the deposit and daily fees normally required for the carnival and a waiver to the restricted height of aircraft over the corporate limits to allow for helicopter rides. 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

Mayor Cessna moved to approve a request from Dr. Marilyn Douglass, Board Chair for the Garden City Community College Board of Trustees, to allow for dispensing and consumption of cereal malt beverage or alcoholic liquor at Lee Richardson Zoo on the evening of June 13, 2014 pursuant to Code Sections 6-35 and 6-133. 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

Blue Cross Blue Shield, presented the Garden City Recreation Commission the BlueCHIP award. The BlueCHIP award is a community health improvement program that recognizes and rewards Kansas communities that encourage and support healthy lifestyles through programs, initiatives, policies and/or community-wide events.

The Big Pool appeared in the Summer 2014 issue of KANSAS magazine.

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

Finance Director Hitz provided the monthly sales tax report for Governing Body review.

Meetings of note:

- ✓ May 28 - June 1, 2014 - The Commemorative Air Force B-17 was at the Garden City Regional Airport, Available to the public from 9:00 a.m. – 6:00 p.m.
- ✓ May 30 – June 8, 2014 – Beef Empire Days – “Beef...The Chef’s Choice!”
- ✓ May 31, 2014 – BED Children’s Parade at Stevens Park, 10:00 a.m.
- ✓ June 1 – 5, 2014 – American Junior Golf Association (AGJA) tournament at Buffalo Dunes Golf Course
- ✓ June 7, 2014 – BED Chuck Wagon Breakfast at Stevens Park, 6:30 a.m. - 9:30 a.m.
- ✓ June 7, 2014 – BED Parade on Main Street, 10:30 a.m.
- ✓ June 7, 2014 – BED Chuck Wagons in the Park at Stevens Park, 11:30 a.m.
- ✓ June 12, 2014 – Jameson Energy Center Ribbon Cutting at 10:00 a.m.
- ✓ June 21, 2014 – Global Bazaar at Lee Richardson Zoo, 8:00 a.m. – 4:00 p.m.
- ✓ July 23 – 26, 2014 – Finney County Fair
- ✓ August 4 – 10, 2014 – Southwest Kansas Pro-Am

- ✓ August 23 – 24, 2014 – Tumbleweed Festival at Lee Richardson Zoo
- ✓ September 18, 2014 – Diversity Dinner at Garden City High School
- ✓ September 19, 2014 – Multi-Cultural Summit at Garden City Community College
- ✓ September 20, 2014 – Fall Fest 2014

Appropriation Ordinance No. 2365-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,491,224.23,” was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2365-2014A. 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	Yea	Yea

Ordinance No. 2649-2014, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “R-2” SINGLE FAMILY RESIDENTIAL DISTRICT (1105 N. 9th Street),” was read and considered section by section. Mayor Cessna moved to approve Ordinance No. 2649-2014. 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

Ordinance No. 2650-2014, “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 SECTIONS 23.020, 23.030, 23.040, AND 23.100; ADDING NEW ZONING REGULATION SECTION 23.105; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION SECTIONS 23.020, 23.030, 23.040, AND 23.100. ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2650-2014 with an amendment to Section 23.105 (F)(2)(2) changing the square footage from 80 sq. ft. to 128 sq. ft. Commissioner 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

Resolution No. 2583-2014, “A RESOLUTION STATING THE INTENT OF THE CITY OF GARDEN CITY, KANSAS TO CONSIDER THE ADDITION OF AREA TO A REDEVELOPMENT DISTRICT AND PROVIDING FOR NOTICE OF A PUBLIC HEARING ON SUCH MATTER,” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2583-2014. 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. 2584-2014, “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 (510 N. 4th Street and 509 N. Taylor Avenue),” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2584-2014. 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. 2585-2014, “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 (1017 N. 4th Street),” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2585-2014. 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

Mr. Charles Claar, Ms. Theresa Dasenbrock and Ms. Kristin Sekavec of Lewis, Hooper and Dick, the City’s auditors, reviewed with the Governing Body the Comprehensive Annual Financial Report (Audit) for the City of Garden City for the year 2013.

Finance Director Hitz reviewed the Tax Funds and their Support Funds - Recreation Commission (#25), Bond & Interest (#40), Airport (#60), Airport Improvement (#61), and General Fund (#01) departmental budgets.

Mayor Cessna moved to approve a request from Fire Chief Allen Shelton for a waiver to the ordinance prohibiting the discharge of fireworks within the corporate limits of the City from July 3, 2014 to July 5, 2014 between the hours of 10:30 a.m. and 10:30 p.m. Commissioner 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 Law moved to approve a performance management system including software used for conducting employee performance evaluation. 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

Commissioner Fankhauser moved to approve staff to enter into a grant application process for the 2014 local solicitation Edward Byrne Memorial Justice Assistance Grant. If the grant of \$12,995 is awarded, the Garden City Police Department intends to purchase L3 System in-car cameras. 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 asked to table the appointment of the Garden City Recreation Commission board appointee to survey the make-up of the current board members.

Commissioner Dale moved to approve the following:

1. KDOT Supplemental Agreement No. 1 to the State and City Agreement, No. 209-12, for the Windsor Hotel Enhancement Project.
2. Agreement for towing services between the City of Garden City, Kansas and Skeeter’s Body Shop.
3. Quit Claim Deed from Charles &/or Dolline Skilling transferring Spaces 1 & 2, Lot 66, Zone I of Valley View Cemetery to the City of Garden City, Kansas.
4. Licenses:

(2014 New)

- a) Barnett Home Improvement Class A General

- b) Garden City Recreation Commission Class B General
- c) Glassman Corporation Class D-M Mechanical
- d) Fast Eddie’s Appliance Repair.Class E-SOC Specialized Other
- e) Rocky Mountain West TelecomClass E-SOC Specialized Other

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 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 4:05 p.m. with City Attorney Grisell, City Manager Allen and Public Utilities Director Muirhead present and Gregg Ottinger by phone. 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

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

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

Roy Cessna, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Dale congratulated the Garden City Recreation Commission for the BlueCHIP award. Commissioner Dale thanked Lewis, Hooper & Dick, LLC for their time and effort on the audit. Commissioner Dale thanked City Manager Allen, Finance Director Hitz and staff for their hard work and for keeping the City in good shape.

Commissioner Doll echoed the comments from Commissioner Dale.

Commissioner Fankhauser had no comments.

Commissioner Law congratulated the Garden City Recreation Commission for the BlueCHIP award and for the recognition in the KANSAS magazine for the Big Pool. Commissioner Law thanked staff for their work on the audit. Commissioner Law stated that last Friday he attended two retirement parties for longtime employees, Dan Wimmer and Donna Gerstner and stated he wishes them well in their future pursuits.

Mayor Cessna stated he recently welcomed 39 people from across Kansas for the Leadership Kansas program and was a moderator for a diversity and energy panel. Mayor Cessna stated the Leadership Kansas program normally starts here in Garden City because we set the bar high and stated it's a great way to showcase Garden City. Mayor Cessna reminded everyone that the American Junior Golf Association is here at Buffalo Dunes Golf Course for the second year in a row and stated it is a great event with many talented individuals. Mayor Cessna stated the sales tax report shows people are shopping locally, and Mayor Cessna encouraged others to continue to shop locally. Mayor Cessna echoed the other Commissioners' comments on the City audit and staff work.