

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

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

Mark Pamplin was present and updated the Governing Body on the fundraising for The State Theater project. Mr. Pamplin will attend the October 21, 2014 City Commission meeting to give an update on the progress of the fundraising efforts.

Commissioner Fankhauser moved to approve the requests from Lindsey Becker for a waiver to the current and future noise ordinance, waiver of the sign permit fee and a waiver to park in the empty lot to the east of the building on August 8 & 9, 2014, September 12 & 13, 2014 and October 10 & 11, 2014 from 8:00 p.m. – 11:30 p.m. at the Jax Sports Grille at 1907 E. Mary Street for outdoor music concerts. Notwithstanding the waiver of the current of a future noise ordinance, should there be a complaint about the noise level during an event, Jax will be expected to comply with requests of City staff or the Garden City Police Department to moderate noise levels to a level in compliance with the then existing noise ordinance. 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

Staff updated the Governing Body on a citizen’s concern about alcohol use at the restaurant site at 606 W. Fulton Street, former El Zarape Restaurant.

Staff provided several items of information for Governing Body review including the following: from Communications Specialist Freburg the monthly report and from Finance Director Hitz the monthly sales tax report

Meetings of note:

- ✓ July 10, 2014 – Black Hills Energy public hearing at the Finnup Center at 6:00 p.m.
- ✓ July 19, 2014 – Bowling for Rhinos at Hard Rock Lanes, 6:00 p.m. – 10:00 p.m.
- ✓ July 23 – 26, 2014 – Finney County Fair
- ✓ August 4 – 10, 2014 – Southwest Kansas Pro-Am
- ✓ August 7, 2014 – 2014 SHRM of SWKS Business Leadership Conference at GCCC
- ✓ August 23 – 24, 2014 – Tumbleweed Festival at Lee Richardson Zoo
- ✓ September 6, 2014 – A Wild Affair at Lee Richardson Zoo
- ✓ September 11 – 13, 2014 – Garden City Classic at Buffalo Dunes Golf Course
- ✓ September 18, 2014 – Diversity Dinner – Clarion Inn
- ✓ September 19, 2014 – Multi-Cultural Summit – Garden City Community College
- ✓ September 20, 2014 – Fall Fest 2014

Appropriation Ordinance No. 2367-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,845,015.36,” was read and considered section by section. Commissioner Fankhauser moved to approve and pass Appropriation Ordinance No. 2367-2014A. 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. 2590-2014, “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 (504 N. 3rd Street and 305 W. Mary Street),” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2590-2014. 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

Commissioner Law moved to approve and directed staff to proceed with a negotiated contract with Emergency Services Consulting International for a Fire Facility Study. 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

Finance Director Hitz and staff reviewed with the Governing Body the proposed Notice of Hearing for the City of Garden City 2015 Budget. The budget calendar identifies this as the final opportunity for the Governing Body to make amendments prior to publication of the proposed mill levy for public hearing on July 15, 2014 at 1:30 p.m. At that meeting, the Commission may make changes to the 2015 Budget, but not in a manner that would increase the property tax mill levy beyond what was published. Staff will also be available to discuss any remaining issues or concerns.

Commissioner Fankhauser moved to set a Public Hearing for July 15, 2014 at 1:30 p.m. to take into consideration the City Manager’s proposal for the 2015 Budget, per the proposed notice of hearing. 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

Kim Inderlied, Executive Director at Finney County Convention & Visitors Bureau presented their quarterly report.

Commissioner Fankhauser moved to approve and appoint David Coltrain to fill an unexpired term on the Parks & Tree Advisory Board until December 2016. 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 the following:

1. Governing Body consideration and approval of the Grant Agreement for AIP 36 – Reconstruction of Taxiway C West of Runway 17-35 (Design Only) between the City of Garden City and U.S. Department of Transportation Federal Aviation Administration.
2. Governing Body consideration and acceptance of a utility easement along the drainage ditch south of Spruce Street, for an electric transmission line.
 - a) Bert Mastin
 - b) Geri Rowland
 - c) Towns & Sons Enterprises, LP

3. Quit Claim Deed from the Heir of C.A. (Milhon) Ary transferring Spaces 5, 6, 7 and 8, Lot 214, Zone A of Sunset Memorial Gardens to the City of Garden City, Kansas.
4. Quit Claim Deed from Gerald A. Cates transferring Spaces 5 and 6, Lot 108, Zone C of Sunset Memorial Gardens to Betty &/or Richard Schreibvogel.
5. Permission for Hector Rivera to reserve spaces 3 & 4, Zone J of Valley View Cemetery for the consideration of \$50.00 for a period of one year.
6. Licenses:

(2014 New)

- a) Marlan Wilson – Elks Lodge Temporary Cereal Malt Beverage
- b) AAA Pawn Shop & Armory Inc. Pawnbroker
- c) Wooden Nickel Pawn Shop Pawnbroker
- d) AAA Pawn Shop & Armory Inc. Precious Metal Dealer
- e) Gipson Diamond Jewelers Precious Metal Dealer
- f) Linenberger Jewelry..... Precious Metal Dealer
- g) Wooden Nickel Pawn Shop Precious Metal Dealer
- h) AES Mechanical Services Group, Inc..... Class D-M Mechanical
- i) Castrellon Construction Class E-SOC Specialized Other
- j) AEGIS Fire Protection, LLC Class E-F Fire Sprinkler & Protection

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 that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 10 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 2:58 p.m. with City Attorney Grisell, City Manager Allen and Public Utilities Director Muirhead present. 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 Fankhauser noted the sales tax report looks great for the first six months of 2014 and stated by his calculations it is a 6.8% increase over the same time in 2013. Commissioner Fankhauser thanked staff for their hard work during the budget process.

Commissioner Law stated it is hard work that everyone puts in for the budget process and he thanks staff for that effort. Commissioner Law stated he was happy to see a bump to the salary pool and hopes with the mill levy the City might be able to hire new staff members.

Mayor Cessna echoed the recognition to staff for their work during the budget process. Mayor Cessna thanked the city crews that assisted in the many issues with the recent heavy rainfall. Mayor Cessna stated there is a lot to be proud of here in Garden City and encouraged everyone to keep up the good work.

Commissioner Dale thanked city staff for their work on the budget information presented. Commissioner Dale thanked Kim Inderlied, Executive Director at Finney County Convention & Visitors Bureau for her enthusiastic presentation and stated you can tell she enjoys her job. Commissioner Dale stated he is very proud of the people that work at Convention & Tourism Bureau and also Downtown Vision and the Chamber of Commerce, these offices promote Garden City very well.

Commissioner Doll thanked staff for their work in the budget process and how it was presented to Commissioners. Commissioner Doll thanked the Emergency Responders for their work in the recent rainstorms.