

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
August 5, 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, August 5, 2014 with all members present except Commissioner Doll. Mayor Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Randy Partington, ESGR (Employer Support of the Guard and Reserve) Area Chair for Southwest Kansas, recognized and honored Master Patrol Officer E.J. Ochs and Master Patrol Officer Troy Davis.

Commissioner Law moved to approve the request from Angelica Castillo-Chappel, on behalf of Mexican Community Fiesta to waive the sign fees and to place a 4’x6’ sign at SE corner of Lewis Automotive ad Campus and Fulton Street, in addition to approved signage at NW corner of Stevens Park and south of GCHS entrance one week prior to the event on September 13, 2014. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Fankhauser moved to approve the request from Battalion Chief Jim Morris for the use of public rights-of-way on Sunday, August 24, 2014 from 9:30 a.m. - 3:00 p.m. in order to hold the Fire Department’s annual fundraising event for the Muscular Dystrophy Association. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

The Safety Committee recognized Matthew Hubbard, Utility Worker I in the Water Department as the second quarter 2014 Safety Recognition winner.

The Kansas Department of Transportation did not select the City's FY 2014 Transportation Alternative project request for East US-50/400 landscaping.

Director of Aviation Powell gave an update on the Garden City Regional Airport restroom remodel project.

Public Works Director Curran included a memorandum to update the Governing Body on the 2014 Street Sealing project.

Police Chief Hawkins provided a memorandum to update the Governing Body on the 2014 Fireworks violations in Garden City.

Staff provided several items of information for Governing Body review including the following: from Fire Chief Shelton the monthly activity report, from Police Chief Hawkins the monthly activity report and from Finance Director Hitz the monthly sales tax receipts.

Meetings of note:

- ✓ August 4 – 10, 2014 – Southwest Kansas Pro-Am
- ✓ August 7, 2014 - SHRM of SWKS Business Leadership Conference at GCCC
- ✓ August 14, 2014 – Banner Art Preview Reception at The Golf Club at Southwind at 6:00 p.m.
- ✓ 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 – GCCC
- ✓ September 20, 2014 – Fall Fest 2014

Appropriation Ordinance No. 2369-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$5,759,367.31,” was read and considered section by section. Mayor Cessna moved to approve and pass Appropriation Ordinance No. 2369-2014A. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Ordinance No. 2656-2014, “AN ORDINANCE ESTABLISHING A POLICY FOR THE CITY OF GARDEN CITY, KANSAS TO PROVIDE ASSISTANCE TO OTHER COUNTIES, CITIES, AND TOWNSHIPS DURING DISASTERS, PURSUANT TO K.S.A. 12-16,117,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2656-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Fankhauser excused himself from the bench.

Governing Body consideration and approval of the rezone and the final plat for Clarion Park Estates located at the northwest corner of Spruce Street and Jennie Barker Road.

Ordinance No. 2657-2014, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “A” AGRICULTURE DISTRICT TO “R-1” SINGLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE ZONING ORDINANCE AND THE DISTRICT ZONING MAP OF THE CITY (Clarion Park Estates),” was read and considered section by section. Mayor Cessna moved to approve Ordinance No. 2657-2014. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Abstained	Yea

Ordinance No. 2658-2014, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-1” NEIGHBORHOOD SHOPPING DISTRICT TO “R-3” MULTIPLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE ZONING ORDINANCE AND THE DISTRICT ZONING MAP OF THE CITY (Clarion Park Estates),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2658-2014. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Law moved to approve the final plat for Clarion Park Estates. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Fankhauser returned to his place at the bench.

Ordinance No. 2659-2014, “AN ORDINANCE REGULATING NOISE IN THE CITY OF GARDEN CITY, KANSAS: DEFINING TERMS AND CONDITIONS RELATED TO REGULATION OF NOISE; SPECIFYING MAXIMUM NOISE LEVELS ACCEPTABLE IN ZONING DISTRICTS, REFERRED TO AS CITY DISTRICTS AND ZONES IN THE ZONING REGULATIONS OF THE CITY; CREATING NEW SECTIONS 62-21, 62-22, 62-23, 62-24 AND 62-25 TO THE CODE OF ORDINANCES OF THE CITY,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2659-2014. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Resolution No. 2593-2014, “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 (north of railroad tracks between 13th Street and Taylor Avenue),” was read and considered section by section. Mayor Cessna moved to approve Resolution No. 2593-2014. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Resolution No. 2594-2014, “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 (2517 N. Main Street – blue Dodge Neon and white Oldsmobile, 157 Honey Bee Street – red Chevy truck and 1712 St. John Street – red Chevy SUV),” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2594-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Resolution No. 2595-2014, “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 (504 N. 3rd Street),” was read and considered section by section. Mayor Cessna moved to approve Resolution No. 2595-2014. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Bond Counsel Mary Carson provided an Ordinance authorizing the 2014 Capital Improvement Projects which require bond financing this year. Financial Advisor Chuck Bouilly provided the Fiduciary Engagement Agreement for Governing Body approval.

Ordinance No. 2660-2014, “AN ORDINANCE AUTHORIZING THE CITY OF GARDEN CITY, KANSAS TO CONSTRUCT CERTAIN MAIN

TRAFFICWAY IMPROVEMENTS IN THE CITY AND AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PAY THE COSTS THEREOF,” was read and considered section by section. Mayor Cessna moved to approve Ordinance No. 2660-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Ordinance No. 2661-2014, “AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS, AUTHORIZING THE CITY TO MAKE CERTAIN PUBLIC BUILDING IMPROVEMENTS AND AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS IN AN APPROXIMATE PRINCIPAL AMOUNT OF \$1,726,978 TO PAY COSTS OF THE IMPROVEMENTS,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2661-2014. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Fankhauser moved to approve the Fiduciary Engagement Agreement with George K. Baum & Co. and authorize the Mayor and City Clerk to execute the documents. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Law moved to approve a Settlement Agreement and Release between the City of Garden City, Kansas and Wheatland Electric Cooperative, Inc., in Case No. 14 CV 10, In the District Court of Finney County, Kansas, captioned-Wheatland Electric Cooperative, Inc. v. City of Garden City, Kansas, concerning the annexation of the Garden City Waste Water Treatment Plant and the statutory compensation related thereto. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Commissioner Law moved to approve and directed staff to move forward with the Investment Grade Audit with Siemens Inc. and authorize the Mayor to sign the agreement. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows.

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Mayor Cessna moved to approve and appoint Racheal Murungi-Kisekka to fill the unexpired term that will end December 2014 and Karen Aguilar to fill the unexpired term that will end December 2016 on the Cultural Relations Advisory Board. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

Mayor Cessna moved to approve the following:

1. Governing Body consideration and approval of professional services with Austin Peters Group and CivicHR to overhaul the City performance management system in the amount of \$24,710.
2. Governing Body consideration and approval of an extension agreement with Wellness Innovations and Nursing Services, Inc.
3. Governing Body consideration and acceptance of bids received July 29th for Phase 2 construction of Lareu Road and Stone Creek Drive for the Samy Addition development, and authorization for the Mayor and City Clerk to execute the contracts.
4. Governing Body rejection of bids received July 29th for the Harding Street Lift Station Rehabilitation, which exceeded the Engineer's Estimate.
5. Governing Body consideration and acceptance of a utility easement from Paul A. Kornechuk in Lot 27, Block 1, Jones Addition.
6. Governing Body consideration and approval of a request from Garden City Community College for an underground communications cable on Campus Drive between the main campus and the football field.
7. Governing Body consideration and approval of a professional services agreement between the City of Garden City, Kansas and The Architect for the design of the proposed addition to the Electric Service Center.
8. Quit Claim Deed from Lawrence H. Davis transferring Spaces 7 & 8, Lot 104, Zone A of Sunset Memorial Gardens to Lawrence Kent &/or Kay Davis.
9. Permission for Juan Andrade to reserve Space 7, Lot 30 Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.

10. Licenses:

(2014 New)

- a) El Patron Mexican Restaurant Cereal Malt Beverage
- b) Food Mart #1 Cereal Malt Beverage
- c) AGAVE Restaurant Cereal Malt Beverage
- d) Elder-Jones, Inc. Class A General
- e) Levi Sperry Class D-E Electrical
- f) Triple J Fire Alarm Systems, Inc. Class E-F Fire Sprinkler & Protection
- g) Southwest Kansas Waterworks, LLC Class E-WC Water Conditioning

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

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Absent	Yea	Yea

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

Mayor Cessna congratulated Officer Ochs and Officer Davis and stated this is just another example of the outstanding citizens living and working in Garden City. Mayor Cessna thanked and congratulated Matthew Hubbard for his safety recognition award. Mayor Cessna encouraged citizens to go vote and reminded citizens that school starts August 13th and to watch for children walking to school.

Commissioner Dale congratulated Matthew Hubbard and stated how important safety is to the City as a whole. Commissioner Dale is happy to see the Garden City Fire Department participating in the 35th year of the MDA Boot Block. Commissioner Dale congratulated Officer Ochs and Officer Davis for their part in volunteering to help a military family.

Commissioner Doll was absent.

Commissioner Fankhauser congratulated Officer Ochs and Officer Davis for their assistance to the Barajas-Leon family. Commissioner Fankhauser stated the Cancer Center had a ribbon cutting event at 4:00 p.m. today.

Commissioner Law congratulated Matthew Hubbard for the safety award recognition and Officer Ochs and Officer Davis for their service award. Commissioner Law stated he knows all of them personally and has no doubts that they would help anyone if they needed assistance and stated it was nice to see them recognized for it publicly. Commissioner Law thanked the Fire Department for their long standing work with the MDA and encourages everyone to stop and see the firefighters on August 24th. Commissioner Law thanked Jackie Gigot, former Budget Analyst for the Garden City Police Department, for her 19 years of service and wished her well in her future endeavors.