

## THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City  
September 2, 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, September 2, 2014 with all members present. Commissioner Doll opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Commissioner Law moved to approve and authorize a request from Angelica Castillo-Chappel on behalf of the Community Mexican Fiesta Association for the Mayor to proclaim the month of September 14 – October 14, 2014 as Hispanic Heritage 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

Commissioner Fankhauser moved to approve and authorize the Mayor to proclaim the week of September 7, 2014 as Direct Support Professionals Recognition Week. 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

Fire Chief Allen Shelton provided a memorandum detailing the success of the firefighters during the annual Muscular Dystrophy Association Boot Block on Sunday, August 24, 2014. The community responded with donations totaling \$7,207.43.

Public Works Director Curran reviewed with the Governing Body the plans for the 2014 Fall Cleanup program to be held September 29 – October 10, 2014.

The City's auction was held on Friday, August 8, 2014. Net proceeds for the City of Garden City were \$13,495.05.

### Meetings of note:

- ✓ September 2, 2014 – American Fusion Project at Garden City High School at 7:00 p.m.
- ✓ September 6, 2014 – A Wild Affair at Lee Richardson Zoo at 6:00 p.m.
- ✓ September 10, 2014 – KDOT Regional Public Transit Business Model Implementation meeting at the City Administrative Center from 2:30 – 4:00 p.m.
- ✓ September 11 – 13, 2014 – Garden City Charity Classic at Buffalo Dunes Golf Course
- ✓ September 12- 13, 2014 – 88<sup>th</sup> Garden City Community Mexican Fiesta – on the 12<sup>th</sup> the Queen Pageant 7:00 p.m. at GCCC and on the 13<sup>th</sup> Parade at 10:00 a.m. on Main Street
- ✓ September 17, 2014 – The Mayor's "State of the City" address at Chamber Breakfast at 7:30 a.m. at The Golf Club at Southwind
- ✓ September 18, 2014 – Special Meeting of the City Commission at 8:30 a.m.
- ✓ September 18, 2014 – Diversity Dinner – Clarion Inn at 6:30 p.m.
- ✓ September 19, 2014 – Multi-Cultural Summit – Garden City Community College starting at 8:00 a.m.
- ✓ September 20, 2014 – Fall Fest 2014
- ✓ September 20, 2014 – Chamber of Commerce Wine Tasting Event– 7:00 p.m. at the Clarion Inn
- ✓ September 28, 2014 – Governor Brownback's Economic Summit on Animal Agriculture at St. Dominic Parish Center from 9:00 a.m. – 3:00 p.m.

- ✓ September 29, 2014 – KDOT Local Consult meeting in Garden City at the Clarion Inn at 9:00 a.m.
- ✓ September 30, 2014 – Town Hall meeting, TBA
- ✓ October 1, 2014 – Southwest Kansas Coalition meeting in Dodge City from 4:00 p.m. – 7:00 p.m.
- ✓ October 11-13, 2014 – League of Kansas Municipalities Annual Conference – Wichita, Kansas

Appropriation Ordinance No. 2371-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$4,198,516.48,” was read and considered section by section. Commissioner Doll moved to approve and pass Appropriation Ordinance No. 2371-2014A. 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

Ordinance No. 2665-2014, “AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2014, WITH CERTAIN OMISSIONS, ADDITIONS, OR CHANGES; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AMENDING CODE SECTION 86-2; REPEALING EXISTING CODE SECTION 86-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2665-2014. 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. 2666-2014, “AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2014, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES; AMENDING CODE SECTION 62-2; REPEALING EXISTING CODE SECTION 62-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2666-2014. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2667-2014, “AN ORDINANCE MAKING IT UNLAWFUL TO INTERFERE WITH PARENTAL CUSTODY IN THE CITY OF GARDEN CITY, KANSAS; CREATING NEW CODE SECTION 62-21; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS,” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2667-2014. 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

Governing Body was asked to adopt the resolutions allowing the City of Garden City to participate in the Kansas Moderate Income Housing (MIH) Grant Program from the Kansas Housing Resources Corporation (KHRC) and to prioritize the applicants.

Resolution No. 2600-2014, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH SAMY’S DEVELOPMENT, LLC AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM (Clarion Park Estates),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2600-2014. 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	Abstained	Yea

Resolution No. 2601-2014, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH PRAIRIE WIND HOMES OF KANSAS, LLC AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM (East Garden Village and Prairie Wind),” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2601-2014. 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. 2602-2014, “A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS GIVING AUTHORITY TO THE CITY OF GARDEN CITY, KANSAS TO PARTNER WITH CG INVESTMENTS, LLC AND APPLY FOR AND PARTICIPATE IN THE KANSAS MODERATE INCOME HOUSING PROGRAM (Prairie View Acres),” was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2602-2014. 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 authorize the Mayor to sign a letter to Kansas Housing Resources Corporation asking them to evaluate and prioritize the MIH applicants. 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

Resolution No. 2603-2014, “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 (225 Inge Avenue – white motor home),” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2603-2014. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2604-2014, “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 (601 Howerton and 207 S. 4th Street),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2604-2014. 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 Fankhauser moved to rescind Resolution No. 2597-2014 and adopt a corrected resolution for the Community Health Advisory Board. 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

Resolution No. 2605-2014, "A RESOLUTION PROVIDING FOR THE CREATION, MEMBERSHIP, STRUCTURE AND RESPONSIBILITIES OF A COMMUNITY HEALTH ADVISORY BOARD TO ADVISE THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS, WITH REGARD TO POLICY ISSUES INVOLVING COMMUNITY HEALTH, ESPECIALLY AS IT RELATES TO THE BUILT ENVIRONMENT," was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2605-2014. 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 Doll moved to approve the following:

1. Governing Body consideration and approval of a 2014 Vegetation Mowing application from Mike Komlofske.
2. Governing Body consideration and approval of a plat for the Giardino Addition.
3. Governing Body consideration and approval of a commercial lease agreement for 112 W. Pine Street.
4. Governing Body consideration and approval of an interlocal agreement between the City of Garden City, Kansas and the City of Holcomb, Kansas for building code inspection and enforcement.
5. Governing Body consideration and approval of an interlocal agreement between the City of Garden City, Kansas and County of Finney, Kansas for building code inspection and enforcement.
6. Quit Claim Deed from Shirley M. Roop transferring Spaces 1 and 2, Lot 31, Zone I of Valley View Cemetery to the City of Garden City, Kansas.
7. Permission for Charles M. &/or Carol A. Barton to reserve Space 2, Lot 105, Zone J of Valley View Cemetery for the consideration of \$50.00 for a period of one year.
8. Licenses:

**(2014 New)**

- a) U Pump It #212 ..... Cereal Malt Beverage
- b) Coonrod & Associates Construction Co. Inc ..... Class A General
- c) Lance Rupp ..... Class C General
- d) McPherson Concrete Storage Systems, Inc. .... Class E-SOC Specialized Other
- e) Life Scapes ..... Class E-SOC Specialized Other

**(2015 Renewal)**

f) Walmart #652.....Cereal Malt Beverage

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 20 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 2:30 p.m. with Assistant City Attorney Cunningham, City Manager Allen, Public Utilities Director Muirhead present and Gregg Ottinger on the phone. 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

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.

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Roy Cessna, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

**City Commission Reports**

Commissioner Doll thanked the Garden City Fire Department for the MDA Boot Block and the money they raised. Commissioner Doll encouraged citizens to participate in the 2014 Fall Cleanup. Commissioner Doll thanked the three housing developers that are participating in the Moderate Income Housing grant program.

Commissioner Fankhauser thanked the Garden City Fire Department for their work with the MDA for the annual Boot Block and stated it was a great program.

Commissioner Law thanked the Garden City Fire Department for their work on the MDA Boot Block.

Mayor Cessna echoed the thoughts of the other commissioners on the Garden City Fire Department MDA Boot Block and Fall Cleanup. Mayor Cessna inquired about the two academies being offered by Garden City Police Department. Police Chief Hawkins stated there is a Citizens Police Academy and also a Student Academy that will each run for 7 weeks and start October 4, 2014 with no cost to participate. Mayor Cessna encouraged everyone to attend the American Fusion Project and to thank Garden City native, Kristen Doering, for bringing the project to Garden City, Kansas.

Commissioner Dale thanked Garden City Fire Department for the MDA Boot Block. Commissioner Dale encouraged citizens to get out there and help make the city cleaner by participating in 2014 Fall Cleanup. Commissioner Dale thanked the Tumbleweed group and stated it was the best ticket in town that weekend.