

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

City of Garden City  
November 4, 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, November 4, 2014 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Howard Solley, Sam Hermocillo, Roger & Caroline Bradshaw addressed the Governing Body with their concerns regarding the Governing Body action taken at the October 21, 2014 for the zoning compliance at 606 N. Main Street.

Candice Gamino expressed her concern with the property located at 606 N. Main Street and requested the Governing Body to uphold the current C-3 Central Business District Zoning requirements.

Commissioner Fankhauser moved to approve the request to allow the Mayor to proclaim November 14, 2014 as America Recycles Day. 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. Kurt Osterbuhr requested a hearing regarding a weed violation at 2509 N. Taylor Avenue and requested the City assume the liability for him cleaning and maintaining the area in the right-of-way. Governing Body agreed to continue the hearing at a future Commission meeting.

City Manager Allen recognized the efforts of Melinda Hitz, Director of Finance, and her department along with Lewis, Hooper, & Dick, LLC on the occasion of receiving the Certificate of Excellence in Financial Reporting from the Government Finance Officers Association.

City Manager Allen congratulated City of Garden City employees on raising \$23,141.79 for Finney County United Way during their recent campaign drive for 2015.

Community Development Director Kentner gave an update on the creation of a Certificate of Zoning Compliance.

Staff and City Attorney Grisell updated the Governing Body on the status of the requirement of the American Legion to hard surface the parking lot by October 31, 2014. Governing Body agreed they need a date for completion of the parking lot.

Governing Body set March 31, 2015 as the next Town Hall meeting date.

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

County Administrator Partington addressed the Governing Body and stated the Finney County Commission voted to not renew the Interlocal Agreement with the City of Garden City for building permits code enforcement in the county.

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

Meetings of note:

- ✓ November 1, 2014 – Banner Art Auction at the Clarion Inn at 7:00 p.m.

- ✓ November 4, 2014 – Election Day from 7:00 a.m. – 7:00 p.m.
- ✓ November 7, 2014 – Dedication of the “Prairie Thunder” by artist Rusty Burgardt at 8<sup>th</sup> Street and Laurel Street intersection at 5:15 p.m.
- ✓ November 8, 2014 – Veterans Day parade at 10:00 a.m. and fireworks at 7:00 p.m.
- ✓ November 10, 2014 – City Commission training with Mike Conduff at City Administrative Center from 8:30 a.m. – noon
- ✓ November 20, 2014 – Crystal Apple Teacher Recognition banquet at the Clarion Inn at 6:00 p.m.
- ✓ December 7, 2014 – Evening Christmas Parade at 6:00 p.m.
- ✓ December 13, 2014 – TubaChristmas Concert on Grant Avenue at 3:00 p.m.
- ✓ January 26, 2015 – Southwest Kansas Chambers of Commerce, “SW Kansas Night Out in Topeka”, from 5:30 -7:30 p.m.

Appropriation Ordinance No. 2375-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,976,577.46,” was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2375-2014A. 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

City Engineer Cottrell requested Governing Body consideration and approval of annexation of the Jameson tract adjacent to the Wastewater Treatment Plant and Jameson Energy Center. This is a non-contiguous annexation, of property owned by the City.

Ordinance No. 2674-2014, “AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(a)(2),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2674-2014. 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

Resolution No. 2608-2014, “A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER’S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE STRUCTURE MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-81 ET SEQ OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (1904 Crestway Drive),” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2608-2014. 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

Staff has been working with a developer on a project that would qualify for Sales Tax and Revenue Bond (STAR Bond) financing. The project location has not been finalized, but it is in the vicinity of US-50/83/400 and Schulman Avenue. The Governing Body was asked to consider adopting a Resolution of Intent for the creation of a Star Bond District.

Resolution No. 2609-2014, “A RESOLUTION STATING THE INTENT OF THE CITY OF GARDEN CITY, KANSAS TO CONSIDER CREATION OF A SALES TAX AND REVENUE BOND (STAR BOND) DISTRICT, APPROVE A REDEVELOPMENT PLAN FOR THE DISTRICT AND PROVIDING FOR

NOTICE OF A PUBLIC HEARING ON SUCH MATTERS,” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2609-2014. 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

Mark Pamplin gave an update the Governing Body on the fundraising for The State Theater project. Governing Body asked staff to review the code issues in the building and to prepare a request for proposals from interested parties.

Commissioner Dale moved to approve the following:

1. Governing Body acceptance of an electric easement at 318 N. 12<sup>th</sup> Street from Jaime Medina.
2. Governing Body rejection of bids received on October 29, 2014 for the Elephant Exhibit Expansion project at Lee Richardson Zoo, which exceeded the Architect’s estimate.
3. Governing Body consideration and approval of a contract between the City of Garden City, Kansas and SunGard Public Sector Inc. for computer aided dispatch software to be used at Garden City Police Department.
4. Licenses:

**(2014 New)**

- a) Simplex Grinnell, LP..... Class E-F Fire Sprinkler & Protective
- b) Dairy Engineering .....Class E-SOC Specialized Other
- c) Advantage Plumbing, Inc..... Class D-P Plumbing w/ Gas

**(2015 Renewal)**

- d) City of Garden City ..... Class B General
- e) J. Scott III. .... Class B General
- f) A-M Russell Excavating .....Class E-SOC Specialized Other

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 Law moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 45 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 3:30 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

At the expiration of the designated time, and in open session, Commissioner Dale moved to extend the executive session for 15 minutes or until 3:45 p.m. 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

At the expiration of the designated time, and in open session, Commissioner Fankhauser moved to extend the executive session for 20 minutes or until 4:06 p.m. 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

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 Finance Director Hitz and staff for the continued good work they do for the City and the community. Commissioner Dale asked staff to find out why the tent is still up at Jax's Sports Grille. Commissioner Dale discussed the zoning issues for the Mary Street area and future zoning options for the continued growth of Garden City.

Commissioner Doll congratulated Finance Director Hitz and staff and stated they have received the same award for many years and that it's a good thing. Commissioner Doll congratulated and thanked the City staff for the money they raised during the United Way campaign. Commissioner Doll reminded people about the National Recycle Day on November 14, 2014 and asked them to do their part.

Commissioner Fankhauser congratulated Finance Director Hitz and staff for their award and City employees for their donations to United Way. Commissioner Fankhauser reminded everyone of the dedication of the public art, "Prairie Thunder" on November 6, 2014 at 5:15 p.m.

Commissioner Law congratulated Finance Director Hitz and staff. Commissioner Law congratulated and thanked the City employees for their efforts with the United Way campaign.

Mayor Cessna echoed the thoughts on congratulating Finance Director Hitz and staff and the efforts of the City employees for the United Way drive. Mayor Cessna thanked staff for the pre-meeting regarding the 2014 Air Service Study. Mayor Cessna asked staff for an update on the street lights at the airport. Public Utilities Director Muirhead stated all the utility poles are installed and crews are working on transferring power from the old poles to the new poles.