

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
December 16, 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, December 16, 2014 with all members present. Commissioner Law opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Shea Sinclair and Troy Unruh, on behalf of LiveWell Finney County, invited and discussed with the Governing Body the upcoming LiveWell Healthy Community Design Summit in February, 2015.

Garden City Citizens' Academy will be held March 5 – May 5, 2015. Citizens' Academy is a nine-week program designed to teach interested residents about various aspects of their local government. It provides an interactive way to learn about City Government and gives participants insight into how City departments operate. The 2015 schedule was presented to the Governing Body along with a copy of the application.

Public Utilities Director Muirhead discussed the Power Supply and Utility Financial update.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Community Development Director Kentner the monthly building report and code enforcement report, from Finance Director Hitz the monthly financials, from Police Chief Hawkins the monthly activity report, from Public Works Director Curran the monthly projects and transportation report and from Zoo Director Newland the monthly activity report.

Meetings of note:

- ✓ December 12, 2014 – Mayor's Christmas Dinner at The Golf Club at Southwind at 6:30 p.m.
- ✓ December 13, 2014 – Tails in Tinseltown at the Finnup Center for Conservation Education from 9:00 a.m. – noon
- ✓ December 13, 2014 – TubaChristmas Concert on Grant Avenue at 3:00 p.m.
- ✓ January 3, 2015 – Pre- Legislative Coffee at St. Catherine Hospital, Classroom B at 10:00 a.m.
- ✓ January 26, 2015 – Southwest Kansas Chambers of Commerce, "SW Kansas Night Out in Topeka", from 5:30 -7:30 p.m.
- ✓ February 2, 2015 – Dinner with LiveWell Team and Mark Fenton from 6:00 p.m. – 7:30 p.m. location TBA
- ✓ February 3, 2015 – LiveWell Healthy Community Design Summit at the Clarion Inn, time TBA.
- ✓ February 21, 2015 – Legislative Coffee at St. Catherine Hospital, Classroom B at 10:00 a.m.

Appropriation Ordinance No. 2378-2014A, "AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,532,862.04," was read and considered section by section. Commissioner Law moved to approve and pass Appropriation Ordinance No. 2378-2014A. 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

Commissioner Doll moved to approve the Agreements and Consent to Annexation from O'Brate Realty LLC and American Warrior Inc. for property along US-50/400.

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. 2676-2014, "AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(a)(7)," was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2676-2014. 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

On November 4, 2014, the City Commission adopted Resolution No. 2609-2014, setting a Public Hearing on December 16th at 1:30 p.m., on the creation of a Star Bond District. At 1:30 p.m., Mayor Cessna opened the public hearing pursuant to Resolution No. 2609-2014 on the creation of a STAR Bond Project District.

Greg Cotton, Chief of Staff and General Counsel, Sporting Club (Sporting Kansas City), and Korb Maxwell, Polsinelli, PC, presented a project plan for a STAR Bond District.

Lona Duvall, Finney County Economic Development, Shannon Dick, Steve Dyer, Garden City Area Chamber of Commerce, Jerry Ortiz and Eloy Gallegos expressed their support and appreciation for the STAR bond project.

Following the discussion, the Mayor closed the public hearing.

Ordinance No. 2677-2014, "AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS MAKING FINDINGS REGARDING A STAR BOND PROJECT DISTRICT AND ESTABLISHING A STAR BOND PROJECT DISTRICT WITHIN THE CITY," was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2677-2014. 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. 2612-2014, "A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR A HOUSING INCENTIVE POLICY WITHIN THE CITY OF GARDEN CITY, KANSAS AND SETTING FORTH SUCH POLICY TO INCENTIVIZE HOUSING DEVELOPMENTS," was read and considered section by section. Commissioner Law moved to approve Resolution No. 2612-2014. 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. 2613-2014, "A RESOLUTION CREATING THE ELECTRICAL SYSTEMS OPERATING CAPITAL RESERVE ACCOUNT TO MAINTAIN FUNDS FOR OPERATION AND MAINTENANCE OF THE JAMESON ENERGY CENTER OR FOR CAPITAL OUTLAYS REQUIRED BY EMERGENCY SITUATIONS INVOLVING TRANSMISSION, DISTRIBUTION, OR SUBSTATIONS," was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2613-2014. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
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Yea Yea Yea Yea Yea

Finance Director Hitz provided the annual Capital Improvement Reserve Fund (05) transfers.

Commissioner Fankhauser moved to approve the annual Capital Improvement Reserve Fund (05) transfers for Governing Body as presented. 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 2:00 p.m., Mayor Cessna opened the public hearing for the purpose of the Governing Body hearing and answering concerns, questions and/or objections of taxpayers relating to the proposed amendment to the 2014 City of Garden City budget for the following funds: Capital Improvement Reserve, DEA Forfeiture, 12-6a13 Revolving and Special Rec & Parks.

There being no comments from the public, the Mayor closed the public hearing.

Commissioner Doll moved to approve the Certificate of Amendment of the 2014 Budget. 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

At the November 4, 2014 meeting, the Governing Body asked for a staff report on the building code issues prior to issuing a new Request for Proposals (RFP) for use of the State Theater. City Engineer Cottrell and Fire Marshal Laubhan discussed the safety issues regarding the theater as it is currently.

Mark Pamplin, The State Theater Project, discussed his plans for the building and would like to continue with that plan. Priscilla Hallberg, String Academy of the Plains and Garden City Arts Center Board member, discussed her need for her own music studio and larger art center in the downtown area.

Commissioner Fankhauser moved to authorize staff to proceed with installation of certain improvements – Exit Lights, Emergency Lighting, fire extinguishers, and a functional rear exit door near the stage – prior to any future use and then allow continue use of the building during the interim period not to exceed \$10,000.00. 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 Doll moved and directed staff to issue a new Request for Proposals for the State Theater located at 418 N. Main Street with a due date of March 2, 2015 and presentation to the Governing Body on March 17, 2015. 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 Law moved to approve a Continuing Disclosure Policy for the City of Garden City's issuances of debt. 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 approve and appoint Verna Weber and Susan Escareno the Alcohol Fund Advisory Committee. 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 Fankhauser moved to approve and appoint Susan Escareno to a one-year term and Verna Weber to a three-year terms both beginning January 2015 on the Alcohol Fund Advisory Committee. 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 and appoint Racheal Murungi-Kisekka, Mel Galvez, Lisa Cady and Liz Sabandith each to three-year terms that will end January 2017 on the Cultural Relations 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

Commissioner Law moved to approve the following:

1. Governing Body consideration and acceptance of an easement from Andrew R. and Cynthia A. Stinemetz for a street light at 2115 Antler Ridge Drive.
2. Governing Body consideration and approval of the Consent to Assignment of Lease Agreement between Regency Autogroup, INC., d/b/a Hertz Rent-A-Car and the City of Garden City.
3. Governing Body consideration and approval of an agreement to dissolve the Garden City Information Technology Cooperative and redistribute the remaining funds among the partners.
4. Licenses:

(2014 New)

- a) Crossland Construction Company Class A General

(2015 Renewal)

- b) Agave Restaurant..... Cereal Malt Beverage
- c) Cao Thanh Vietnamese Restaurant..... Cereal Malt Beverage
- d) Carniceria Garcia Market..... Cereal Malt Beverage
- e) Carniceria Garcia Restaurant Cereal Malt Beverage
- f) El Remedio Market..... Cereal Malt Beverage
- g) El Remedio Restaurant Cereal Malt Beverage
- h) El Zarape of Garden City..... Cereal Malt Beverage
- i) Express Corner..... Cereal Malt Beverage
- j) Food Mart #3 Cereal Malt Beverage
- k) Fulton Convenience Store..... Cereal Malt Beverage
- l) Garden Bowl..... Cereal Malt Beverage
- m) Hard Rock Lanes Cereal Malt Beverage
- n) Pizza Hut #102..... Cereal Malt Beverage
- o) Pizza Hut #125..... Cereal Malt Beverage
- p) Plank’s BBQ..... Cereal Malt Beverage
- q) Quicker Mart..... Cereal Malt Beverage
- r) Taco Salinas..... Cereal Malt Beverage
- s) Tacos El Tapatio Cereal Malt Beverage
- t) U Pump It #203..... Cereal Malt Beverage

u)	U Pump It #207.....	Cereal Malt Beverage
v)	U Pump It #212.....	Cereal Malt Beverage
w)	Wheat Lands Country Store.....	Cereal Malt Beverage
x)	AMF Electrical Cont, Inc.....	Class A General
y)	G&R Concrete Specialists-Precision Builders, Inc.	Class A General
z)	Hellas Construction, Inc.	Class A General
aa)	Hutton Construction Corporation	Class A General
bb)	Hyphen Construction Group, Inc.....	Class A General
cc)	Innovative Construction Solutions, Inc.	Class A General
dd)	Nabholz Construction Corporation	Class A General
ee)	Robinson Construction, LLC.....	Class A General
ff)	Berry Roofing	Class B General
gg)	Brak-Hard Concrete Construction Co., LLC.....	Class B General
hh)	Bogner Oilfield Service, Inc.	Class B General
ii)	Cook Construction	Class B General
jj)	Dunlap Construction Co., Inc.	Class B General
kk)	DV Construction.....	Class B General
ll)	DV Vital Construction	Class B General
mm)	J2 Construction, Inc.	Class B General
nn)	John H. Hotz.....	Class B General
oo)	Johnson Septic Tank Service, LLC	Class B General
pp)	Kerry Spanier Construction.....	Class B General
qq)	McGaughey Construction.....	Class B General
rr)	Mid Plains Construction.....	Class B General
ss)	Paul Teetzen Construction.....	Class B General
tt)	Pro Build Company, LLC.....	Class B General
uu)	RC Electric, LLC.....	Class B General
vv)	Rental Enterprise	Class B General
ww)	Richard Wright Construction.....	Class B General
xx)	RJ's General Plumbing & General Contracting	Class B General
yy)	Byerly Construction	Class B General
zz)	Square Deal Hani Services	Class B General
aaa)	Stoecklein Construction.....	Class B General
bbb)	Tuff Shed, Inc.	Class B General
ccc)	The Southard Corporation	Class B General
ddd)	Unified School District 457.....	Class B General
eee)	Waltz Construction.....	Class B General
fff)	West Construction	Class B General
ggg)	Wildeman Construction.....	Class B General
hhh)	AMF Electrical Cont., Inc.	Class D-E Electrical
iii)	Baier Electric	Class D-E Electrical
jjj)	LJS Electric	Class D-E Electrical
kkk)	M. Berry Electric.....	Class D-E Electrical
lll)	RC Electric, LLC.....	Class D-E Electrical
mmm)	Ducts in a Row, LLC.....	Class D-M Mechanical
nnn)	Unger's Heating & Air Conditioning, Inc.	Class D-M Mechanical
ooo)	Crist Plumbing	Class D-P Plumbing
ppp)	Dimond Plumbing	Class D-P Plumbing
qqq)	Johnson Septic Tank Service, LLC	Class D-P Plumbing
rrr)	RJ's Plumbing & General Contracting, Inc.....	Class D-P Plumbing
sss)	Luminous Neon, Inc.....	Class D-SI Sign
ttt)	Austin Pools, LLC.....	Class D-USP Unlimited Swimming Pool
uuu)	Unified School District 457.....	Class E-B Backflow Device Tester
vvv)	Continental Fire Sprinkler.....	Class E-F Fire Sprinkler & Protection
www)	Pryor Automatic Fire Sprinkler, Inc....	Class E-F Fire Sprinkler & Protection
xxx)	Jonathan Thuy Tran.....	Class E-L Landlord
yyy)	Dreiling Rentals.....	Class E-L Landlord
zzz)	Dreiling Construction.....	Class E-SOC Specialized Other
aaaa)	J&R Construction, LLC	Class E-SOC Specialized Other
bbbb)	Life Scapes	Class E-SOC Specialized Other
cccc)	McGraw Fencing & Repair	Class E-SOC Specialized Other
dddd)	Overland Contracting, Inc.	Class E-SOC Specialized Other
eeee)	Solida Tree Service, Inc.	Class E-SOC Specialized Other
ffff)	Square Deal Handi Services.....	Class E-SOC Specialized Other
gggg)	The Green Solution Tree Service	Class E-SOC Specialized Other
hhhh)	Unified School District 457.....	Class E-SOC Specialized Other

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 that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 30 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 3:20 p.m. with City Attorney Grisell, City Manager Allen present and Michael Seck, Legal Counsel, 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, Commissioner Fankhauser moved to extend the executive session for 10 minutes or until 3:30 p.m. 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

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

Commissioner Law moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(1) for 30 minutes for the purpose of discussing matters of non-elected personnel and their contractual obligations because if this matter were discussed in open session it might invade the privacy of those discussed and that the City Commission reconvene into open session in the City Commission Chambers at 4:00 p.m. with City Manager Allen present. 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 Law moved to extend the executive session for 15 minutes or until 4:15 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, 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 Law wishes everyone Happy Holidays.

Mayor Cessna wished everyone a Merry Christmas. Mayor Cessna stated he was excited to see Sporting KC seeking Garden City as their destination location. Mayor Cessna thanked Public Utilities Director Muirhead for the discussion on the electric rates and stated the City made the right decision. Mayor Cessna stated the Fire Study was very interesting and good ideas on where the City can go with future fire service needs and thought it was well worth the resources used to obtain the study. Mayor Cessna stated Finney County Commission recently changed the electronic message board regulations and stated the City maybe should look into changing regulations.

Commissioner Dale wished everyone a Happy Holiday. Commissioner Dale thanked Downtown Vision for the Christmas parade and had one suggestion to try and light up the floats or the street lighting more so attendees can see faces.

Commissioner Doll wishes everyone a Merry Christmas and asked everyone to keep your thoughts and prayers with those that can't be with their families as they serve our country. Commissioner Doll thanked Sporting KC for choosing to affiliate with Garden City, Kansas and stated she is very excited about the possibilities. Commissioner Doll encouraged people to participate in the 2015 Citizens Academy. Commissioner Doll thanked former Commissioners for their decisions on the electric rates and the City's electric provider.

Commissioner Fankhauser wished everyone a Merry Christmas. Commissioner Fankhauser stated the Fire Study pre-meeting was a good report. Commissioner Fankhauser asked everyone to keep former City Manager Bob Halloran in their prayers.