

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

January 6, 2015

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, January 6, 2015 with all members present except Commissioner Fankhauser. Mayor Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Luis Flores, requested City Commissioners legalize the use and registration of ATV's within the city limits. The Governing Body advised Mr. Flores that they would take it into consideration and have staff review the options.

City Manager Allen provided a memorandum with information updating the City Commission on the STAR Bond project. Kansas Secretary of Commerce Pat George gave, in his December 19, 2014 letter to the City, "preliminary approval and designation of the proposed Project District as an -"eligible area"- for the purpose of developing a STAR Bond Project District as contemplated by KSA 12-17,165."

Finance Director Hitz provided the monthly sales tax report for the Governing Body.

Meetings of note:

- ✓ January 3, 2015 – Pre- Legislative Coffee at St. Catherine Hospital, Classroom B at 10:00 a.m.
- ✓ January 10, 2015 – Garden City Police Department's Annual Awards Ceremony and Employee Winter Party at 6:00 p.m. at the Eagles Lodge.
- ✓ 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 5, 2015 – 127th Chamber Banquet featuring Kansas City Royals General Manager Dayton Moore at the Garden City High School at 6:30 p.m.
- ✓ February 21, 2015 – Legislative Coffee at St. Catherine Hospital, Classroom B at 10:00 a.m.

Appropriation Ordinance No. 2379-2015A, "AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,234,874.00," was read and considered section by section. Mayor Cessna moved to approve and pass Appropriation Ordinance No. 2379-2015A. 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	Absent	Yea

Governing Body considered the rezone and final plat for the Taylor/Emerson Addition located at the southeast corner of Taylor Avenue and Emerson Street.

Ordinance No. 2678-2015, "AN ORDINANCE APPROVING THE REZONING OF LAND FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT; AMENDING THE ZONING ORDINANCE AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS," was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2678-2015. 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	Absent	Yea

Commissioner Law moved to approve the final plat for the Taylor/Emerson Addition. 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	Absent	Yea

Ordinance No. 2679-2015, “AN ORDINANCE AMENDING THE SIGN REGULATIONS, FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING ZONING REGULATION SECTION 23.090; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION SECTION 23.090; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (An amendment to Signs and Outdoor Advertising, regarding the maximum height of an off-site directional sign.),” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2679-2015. 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	Absent	Yea

Garden City Area Chamber of Commerce President Steve Dyer addressed the City Commission and stated his appreciation for the City working with businesses on issues like the sign situation at Best Western.

Ordinance No. 2680-2015, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “I-1” LIGHT INDUSTRIAL DISTRICT TO “C-3” CENTRAL BUSINESS DISTRICT; AMENDING THE ZONING ORDINANCE AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (214 and 216 S. Main Street),” was read and considered section by section. Commissioner Law moved to approve Ordinance No. 2680-2015. 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	Absent	Yea

Ordinance No. 2681-2015, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “A” AGRICULTURAL DISTRICT TO “I-3” HEAVY INDUSTRIAL DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP BUT ONLY TO THE EXTENT AS AMENDED IN THIS ORDINANCE; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (City owned property next to the Jameson property, 310 S. US Hwy 83),” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2681-2015. 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	Absent	Yea

Ordinance No. 2682-2015, “AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; ADOPTING NEW ZONING REGULATIONS TO REGULATE TEMPORARY AND ACCESSORY USES REGULATIONS; AMENDING ZONING REGULATIONS SECTIONS 2.030 AND 22.100; REPEALING IN THEIR ENTIRETY CURRENT

ZONING REGULATIONS SECTIONS 2.030 AND 22.100; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS (An amendment to Temporary and Accessory Uses, to permit structures that have been a wheeled vehicle or a metal container of any kind.),” was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2682-2015. 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	Absent	Yea

Resolution No. 2615-2015, “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 (607 Mulberry Street, 1205 Mulberry Street and 205 S. Taylor Avenue),” was read and considered section by section. Commissioner Dale moved to approve Resolution No. 2615-2015. 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	Absent	Yea

Resolution No. 2616-2015, “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 (1611 Vinzant – black Chevy Camaro and 211 N. 11th Street – Maroon 4 door car),” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2616-2015. 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	Absent	Yea

Commissioner Doll moved to approve staff to destroy specific records from 2009 and older as provided for by the Kansas State Historical Society Department of Archives, and Section 2-742 of the Code of Ordinances of the City of Garden City. 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	Absent	Yea

Commissioner Law moved to approve an Employment Agreement between the City of Garden City, Kansas and Matthew C. Allen, City Manager for the year 2015. 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	Absent	Yea

Commissioner Dale moved to approve and appoint Stan Kennedy, Mel Galvez and Vinh Nguyen each to three-year terms that will end January 2017 on the Police Citizens 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	Absent	Yea

Mayor Cessna moved to approve the following:

1. Governing Body considered and approved of an agreement between the Hay Group and the City of Garden City, Kansas to conduct a pay study in 2015.
2. Governing Body considered and approved a Lease Amendment between Regency Autogroup, INC., d/b/a Hertz Rent-A-Car and the City of Garden City, Kansas.
3. Governing Body considered bids received December 30, 2014 for the Utility Service Center Addition for the Water Department, and awarded the contract to Dick Construction Inc.

BIDDER	BASE BID	Alternate A-1	Alternate A-2			MECH. CONTR.
		Parking Fence	Alter. Tread Stair	%ADDS	DAYS	ELEC. CONTR.
Architect's Estimate	\$1,750,000	NA	NA			
Dick Construction, Garden City	\$1,188,900	\$8,400	\$ 4,500	20%	280	Comfort Specialists Pyramid Plumbing 3G Electric
Lee Construction, Garden City	\$1,332,000	\$13,900	\$ 5,200	18%	365	Comfort Specialists Pyramid Plumbing 3G Electric
Harbin Const.LLC, Salina	\$1,343,000	\$9,200	\$ 6,500	10%	270	Comfort Specialists Pyramid Plumbing 3G Electric
JAG Construction Dodge City	\$1,674,703	\$8,640	\$ 10,933	13%	240	Glassman Davis Electric
Hutton Construction, Garden City						
McBride Construction, Hugoton						

4. Licenses:

(2015 New)

- a) Tatro Plumbing Co., Inc. Class A General

(2015 Renewal)

- b) BG Construction, Inc Class A General
c) Building Solutions, LLC..... Class A General
d) Compton Construction Corporation Class A General
e) Coonrod & Associates Construction Co., Inc Class A General
f) Elder-Jones, Inc..... Class A General
g) Harbin Construction, LLC Class A General
h) Lee Construction Class A General
i) Morton Buildings, Inc Class A General
j) Rabb's Construction, LLC..... Class A General
k) Sears Home Improvement Products Inc. Class A General
l) Western Steel and Automation, Inc..... Class A General
m) Conant Construction, LLC..... Class B General
n) Casco Homes, Inc..... Class B General
o) D&H Mobile Homes, Inc..... Class B General
p) Diamond Roofing..... Class B General
q) DV Douglass Roofing, Inc..... Class B General
r) G&H Construction Class B General
s) Hayden Tower Service, Inc..... Class B General
t) Hitz Builders Class B General
u) Jackson Construction..... Class B General
v) Kearney & Son, Inc. Class B General
w) Kinney Glass, Inc. Class B General
x) Mitch's Trim & Cabinetry Class B General
y) Nuzum Handyman Service Class B General
z) Plains Ready Mix Class B General
aa) Poor Boy Enterprises Class B General
bb) Quality Structures, Inc..... Class B General
cc) Starr Construction Class B General
dd) Stucky Builders, LLC..... Class B General
ee) Lance Rupp Class C General
ff) B&B Electrical..... Class D-E Electrical
gg) Brian Barlow Construction Class D-E Electrical

- hh) Electrical Corporation of America, Inc..... Class D-E Electrical
- ii) Dan’s Electrical Service Class D-E Electrical
- jj) Scheeter Electric..... Class D-E Electrical
- kk) VanCampen Electric..... Class D-E Electrical
- ll) AES Mechanical Service Group, Inc Class D-M Mechanical
- mm) J&J Heating & Air Class D-M Mechanical
- nn) William’s Heating & Air Conditioning Class D-M Mechanical
- oo) Heinz Plumbing Class D-P Plumbing w/ Gas
- pp) Weathercraft Co., of Garden City Class D-R Plumbing w/ Gas
- qq) A-1 Sign Company..... Class D-SI Sign
- rr) Ad-Bench-Er..... Class D-SI Sign
- ss) Commercial Sign Company..... Class D-SI Sign
- tt) Mr. Pool..... Class D-USP Unlimited Swimming Pool
- uu) Bamford Fire Sprinkler Co., Inc Class E-BF Backflow Test
- vv) St. Catherine Hospital..... Class E-BF Backflow Test
- ww) Western Irrigation, Inc Class E-BF Backflow Test
- xx) David Schmidt Class E-SOC Specialized Other
- yy) DV Enterprises, LLC..... Class E-SOC Specialized Other
- zz) Gary’s Glass Service, LLC..... Class E-SOC Specialized Other
- aaa) J&K Tree Trimming & Removal Class E-SOC Specialized Other
- bbb) Joe Amos Construction, Inc..... Class E-SOC Specialized Other
- ccc) Klotz Sand Co., Inc. Class E-SOC Specialized Other
- ddd) Mason Tree Care..... Class E-SOC Specialized Other
- eee) McPherson Concrete Storage Systems, Inc..... Class E-SOC Specialized Other
- fff) Mr. Pool..... Class E-SOC Specialized Other
- ggg) P.B Hoidale Co., Inc. Class E-SOC Specialized Other
- hhh) Precision Siding & Construction Co. Class E-SOC Specialized Other
- iii) Roth Glass and Framing, LLC Class E-SOC Specialized Other
- jjj) Sturdi-Bilt Storage Barns, Inc. Class E-SOC Specialized Other
- kkk) Western Irrigation, Inc. Class E-SOC Specialized Other
- lll) Southwest Kansas Waterworks, LLC Class E-WC Water Conditioning
- mmm) El Patron Mexican Restaurant 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	Absent	Yea

Mayor Cessna moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 15 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 1:55 p.m. with City Attorney Grisell, and Community Development Director Kentner present and Michael Seck, Legal Counsel, by phone. 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	Absent	Yea

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

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Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Absent	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

Mayor Cessna thanked staff and stated there are a lot of great things happening in the community. Mayor Cessna stated that the sales tax report is right where the City wanted it to be.

Commissioner Dale thanked staff for highlighting ordinance changes in the packet and stated that it helps the Commissioners see what is being changed. Commissioner Dale thanked staff for the 2014 services provided to the City Commissioners and to the City. Commissioner Dale stated the 2014 sales tax is exactly where they wanted it to be and he looks forward to the 2015 sales tax reports. Commissioner Dale thanked former Commissioners, former City Managers and staff for guiding the City in the direction it has over the last several years.

Commissioner Doll wished everyone a Happy New Year.

Commissioner Fankhauser was absent.

Commissioner Law had no comments