

AGENDA
CITY COMMISSION MEETING
Tuesday, October 6, 2015
1:00 P.M.

- I. No Pre-meeting.**
- II. REGULAR MEETING CALLED TO ORDER AND CITY CLERK ANNOUNCING QUORUM PRESENT.**
- III. PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION.**
- IV. APPROVAL OF THE MINUTES OF THE LAST REGULAR MEETING, WHICH IF NO CORRECTIONS ARE OFFERED, SHALL STAND APPROVED.**
- V. PUBLIC COMMENT Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**
- VI. CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**

A. None at this writing.

VII. REPORT OF THE CITY MANAGER.

A. Staff has provided several items of information for Governing Body review including the following: from Cemetery Director the monthly report, from Finance Director Hitz the monthly sales tax report and from Interim Police Chief Prewitt the monthly activity report.

B. Meetings of note:

- ✓ October 3, 2015 – Time for Three concert at Clifford Hope Auditorium at Horace Good Middle School at 6:30 p.m.
- ✓ October 8, 2015 – Realtors, Builders and Developers luncheon in the Meeting Room at the City Administrative Center at 12:00 p.m.
- ✓ October 8, 2015 – Dairy Farmers of America Groundbreaking ceremony at 1:30 p.m. at 330 S. Highway 83
- ✓ October 10-12, 2015 - League of Kansas Municipalities Annual Conference in Topeka
- ✓ October 12, 2015 – Black Hills Energy Public Officials dinner at Samy’s Spirits and Steakhouse at 6:00 p.m.
- ✓ October 13, 2015 – Kansas Supreme Court hearings at Garden City High School at 6:30 p.m.
- ✓ October 15, 2015 - Southwest Kansas Coalition Meeting at the City Administrative Center - 4 p.m.
- ✓ October 17, 2015 - Boo at the Zoo - 4 p.m.
- ✓ October 21, 2015 - Annual State of the City address at the Garden City Area Chamber of Commerce breakfast at The Golf Club at Southwind - 7:30 a.m.
- ✓ October 30, 2015 – 8th Annual Banner Art Auction at Clarion Convention Center at 7:00 p.m.
- ✓ November 7, 2015 – Veterans Day parade at 10:00 a.m. and fireworks at 6:45 p.m.

VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.

- A. Appropriation Ordinance No. 2397-2015A.

IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

- A. Ordinance No. _____ - 2015, an ordinance regulating the confiscation, forfeiture and disposition of weapons in the corporate limits of the City of Garden City, Kansas; creating new Code Section 62-27; all to the Code of Ordinances of the City of Garden City, Kansas.
- B. Governing Body consideration and approval of Agreements and Consent to Annexation from two property owners and an annexation ordinance for property located north of Mary Street between the bypass and Jennie Barker Road.
 - 1. Agreement and Consent to Annexation
 - 2. Ordinance No. _____ - 2015, an ordinance annexing land to the City of Garden City, Finney County, Kansas pursuant to K.S.A. 12-520(7) and 12-520(a)(2).
- C. Resolution No. _____ - 2015, a resolution establishing the Downtown Development Fund for the City of Garden City, Kansas; establishing a process for reimbursement of development costs associated with development of vacant properties and revitalization or redevelopment of buildings in the Central Business District of the city.
- D. Governing Body consideration of applicants and appointments to the Public Utilities Advisory Board to fill new positions and approval of a revision of Resolution No. 2598-2014.
 - 1. Resolution No. _____ - 2015, a resolution amending the requirements of membership and term lengths of membership of the Public Utilities Advisory Board of the City of Garden City, Kansas.
 - 2. Public Advisory Board – 9 appointments

X. OLD BUSINESS.

- A. None at this writing.

XI. NEW BUSINESS.

- A. Edwin T. and Martha Sue Pahls, 3001 E. Spruce Street request Governing Body consideration and approval of an agreement to Consent to Annexation on their property.
- B. Traffic Advisory Board Recommendations:
 - 1. Approval of a City –wide ordinance for “No Thru Traffic” in alleys.
 - 2. Approval of a request to change the angle parking on Main Street to 45 degrees.

3. Approval of a request to change the pavement markings from four-lanes to three-lanes with a center turning lane on Fleming Street between Harding Avenue to Kansas Avenue.
4. Approval of a request to lower the speed limit from 55 mph to 45 mph on US-50/US-83/US-400 from 400-500' north of Schulman Avenue to 400-500' south of Spruce Street.
5. Deny the request to lower the speed limit from 40 mph to 35 mph between Fleming Street to Roman Road on K-156 (Kansas Avenue).

C. **Consent Agenda for approval consideration:** (The items listed under this “consent agenda” are normally considered in a single motion and represent items of routine or prior authorization. Any member of the Governing Body may remove an item prior to the vote on the consent agenda for individual consideration.)

1. Governing Body consideration and approval of bids received October 1, 2015 for the Kansas Avenue Pathway Project.
2. Governing Body consideration and approval of bids received on September 29, 2015 for 2015 Street Tree & Stump removal project.
3. Quit Claim Deed from the City of Garden City, Kansas transferring all of Block Sixteen (16) in Stevens Addition except the north one-third (1/3) of the Southwest Quarter (SW1/4) of said Block Sixteen (16) to St. Catherine Hospital.
4. Licenses:

(2015 New)

- | | |
|----------------------------------|-------------------------------|
| a) Double Jack Construction..... | Class A General |
| b) JP Construction, Inc..... | Class C General |
| c) Big D Plumbing | Class D-P Plumbing w/ Gas |
| d) Advantage Plumbing, Inc..... | Class D-P Plumbing |
| e) NRB Construction | Class E-SOC Specialized Other |
| f) The Hub of Syracuse, Inc..... | Class E-SOC Specialized Other |

(2015 Renewal)

- | | |
|--|-------------------------------|
| g) Alfred's Superior Tree Service..... | Class E-SOC Specialized Other |
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XII. CITY COMMISSION REPORTS.

A. Commissioner Law

B. Commissioner Fankhauser

C. Commissioner Cessna

D. Commissioner Dale

E. Mayor Doll

XIII. ADJOURN.

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
September 15, 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, September 15, 2015 with all members present. Mayor Janet Doll opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Commissioner Cessna moved to approve a request from Angela Castillo Chappel, to proclaim September 14 – October 14, 2015 as Hispanic Heritage Month. 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 Cessna moved to approve a request from Vickie Harshbarger, on behalf of Mosaic to proclaim the week of September 13, 2015 as Direct Support Professionals Recognition Week. Beth McDonald received the proclamation, on behalf of Mosaic. 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 Fankhauser moved to approve a request from Morgan Sandifer, on behalf of RSA Marketing Services, to proclaim the month of October 2015 as Physical Therapy Appreciation Month. 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

The annual FAA inspection was conducted at the Garden City Regional Airport on September 1-3, 2015. The airport received a perfect inspection with no discrepancies for the third year in a row. The Garden City Fire Department, Garden City Police Department, airport tenants and airport personnel are to be commended on the successful inspection.

Public Works Director Curran presented the plans for the 2015 Fall Clean-up program to be held September 28 – October 9, 2015.

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

Fire Chief Shelton reviewed a staff report and recommendation to the Finney County Board of Commissioners regarding aerial luminaries.

City Manager Allen reported on the presentation made to USD 457 Board of Education meeting relating to the Reserves at Prairie Ridge Phase III RHID proposed housing project and property tax related tools available for development projects in Garden City.

Staff provided items of information for Governing Body review including the following: from Director of Aviation Powell the monthly report, from Cemetery Director Stevenson the monthly report, from Community Development Director Kentner the monthly building and code enforcement reports, from Finance Director Hitz the monthly financials, from Fire Chief Shelton the monthly activity report, and from Public Works Director Curran the monthly projects and City Link ridership reports.

Meetings of note:

- ✓ September 11-12, 2015 - Community Mexican Fiesta
- ✓ September 12, 2015 - A Wild Affair: "Celebrating Funky Monkey Style" at the Finnup Center for Conservation Education - 6:00 p.m.
- ✓ September 16, 2015 - Garden City Area Chamber of Commerce monthly breakfast at The Golf Club at Southwind - 7:30 a.m.
- ✓ September 18-20, 2015 - Garden City Charity Classic ProAm at Buffalo Dunes Golf Course
- ✓ September 19, 2015. - Fallfest & Art in the Park in the Downtown District - 8:30 a.m. to 3:00 p.m.
- ✓ September 29, 2015 - Town Hall meeting at the City Administrative Center - 7:00 p.m.
- ✓ September 30, 2015 - Fly Kansas Air Tour stop at GCK - 9:00 a.m. to 10:00 a.m.
- ✓ October 1, 2015 - Cultural Diversity Breakfast celebrating Uganda at the Clarion Inn - 7:30 a.m.
- ✓ October 1, 2015 - Multicultural Summit "Finding Common Ground" at the Clarion Inn - 9:30 a.m. to 4:30 p.m.
- ✓ October 10-12, 2015 - League of Kansas Municipalities Annual Conference in Topeka
- ✓ October 13, 2015 - Kansas Supreme Court Justices evening session at Garden City High School at 6:30 p.m.
- ✓ October 15, 2015 - Southwest Kansas Coalition Meeting at the City Administrative Center - 4 p.m.
- ✓ October 17, 2015 - Boo at the Zoo - 4 p.m.
- ✓ October 21, 2015 - Annual State of the City address at the Garden City Area Chamber of Commerce breakfast at The Golf Club at Southwind - 7:30 a.m.

Appropriation Ordinance No. 2396-2015A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,618,445.97,” was read and considered section by section. Mayor Doll moved to approve and pass Appropriation Ordinance No. 2396-2015A. 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	Yea	Yea

The City Commission considered and discussed a Resolution of Intent to Issue Industrial Revenue Bonds for Meadowlark Dairy Nutrition, LLC for the development of a USDA dairy dryer process plant and related facilities.

Resolution No. 2642-2015, “A RESOLUTION STATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$240,000.000 FOR THE PURPOSE OF PURCHASIN, ACQUIRING, CONSTRUCTING AND EQUIPPING A NEW USDA DAIRY DRYER PROCESS PLANT AND ALL THINGS RELATED THERETO,” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2642-2015. 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 1:30 p.m., Mayor Doll opened the public hearing for the purpose of hearing a request for a loan application for Steve Chapman d.b.a. Robinson Discount Furniture (102 N. 11th St.) through the Community Development Block Grant – Economic Development Revolving Loan Fund. Grant administrator Great Plains Development, Inc. has completed the application and has presented it to GCAID, the local review committee. The recommendation of GCAID to the City Commission is to approve the loan of \$100,000 for a term of 7 years at a rate of 6.5%.

There were no comments from the public. Mayor Doll closed the public hearing.

Commissioner Law moved to approve the request for the loan application for Steve Chapman d/b/a Robinson Discount Furniture through the Community Development Block Grant – Economic Development Revolving Loan Fund in the amount of \$100,000 for a term of 7 years at a rate of 6.5%. Commissioner Cessna 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

KDOT has announced the application process for the Transportation Alternative (formerly called transportation enhancement) projects (historic, scenic & environmental, bicycle/pedestrian facilities and Safe Routes to Schools) for FY 2015. City Engineer Cottrell has provided a memorandum concerning potential projects. Governing Body directed staff to obtain more information from other board and tabled the issue to a future City Commission meeting.

Mayor Doll moved to approve the following:

1. Governing Body considered and approved of bids received on September 8, 2015 to replace the waterline on Lyle Avenue between Pats Drive and Hackberry Street and to install a control valve near the US 50/ US 83 Interchange and awarded the contract to Dick Construction, Inc., in the amount of \$358,720.

Bidder	Part A: Lyle Ave.	Part B: Control Valve	Grand Total
Engineers Est.	\$ 375,756.00	\$ 99,700.00	\$ 475,456.00
Dick Construction, Inc.	\$ 228,350.00	\$ 130,373.00	\$ 358,723.00
Nowak Construction Co., Inc.	\$ 367,480.00	\$ 105,800.00	\$ 473,280.00

2. Licenses:

(2015 New)

- a) Ethos Distributed Solutions, Inc. Class A General
- b) Diehl Enterprises, Inc Class A General
- c) Ehrlich Design Builders Class B General
- d) Omni Construction Company, Inc..... Class B General
- e) Blue Star Contracting, LLC..... Class D-E Electrical
- f) J&T Electric LLC Class D-E Electrical
- g) Interphase, Controls & Electrical Services, LLC Class D-E Electrical
- h) Frequencies Wireless Solutions LLC Class E-SOC Specialized
- i) Cook's Exteriors Class E-SOC Specialized
- j) Coast to Coast Carports, Inc Class E-SOC Specialized
- k) Denton Construction LLC Class E-SOC Specialized

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

Mayor Doll adjourned the meeting since there was no further business before the Governing Body.

Janet A. Doll, Mayor

ATTEST:

Rhonda Fisher, Deputy City Clerk

City Commission Reports

Mayor Doll thanked Director of Aviation Powell and her staff for a job well done and kudos for not having any discrepancies for 3 years in a row. Mayor Doll thanked Firefighter Carson for a concise and thorough report on the aerial luminaries. Mayor Doll thanked City Manager Allen, City Planner Davidson and Municipal Court Administrator Cunningham for the information on the RHID proposed housing project. Mayor Doll thanked Garden City Community College for their new improvements, new programs and great staff.

Commissioner Law mentioned Patriot Day last Friday as a nice event, but could be better attended and he appreciated Marty Dinkel and the church involvement. Commissioner Law congratulated the Garden City Regional Airport and staff as well as GCFD and GCPD for doing such a good job.

Commissioner Fankhauser commented that the tour at GCCC was amazing. Commissioner Fankhauser congratulated the airport and staff for receiving the Safety Enhancement Award. Commissioner Fankhauser mentioned the Garden City Classic is happening this weekend.

Commissioner Cessna echoed the others' thoughts on the GCCC tour. Commissioner Cessna congratulated City Manager Allen, City Planner Davidson and Municipal Court Administrator Cunningham and other staff for the great job with the presentation at USD 457 Board of Education meeting. Commissioner Cessna congratulated and thanked Garden City Regional Airport and staff for the 3rd year in a row of doing such a great job and also mentioned enplanements were going up. Commissioner Cessna invited everyone to test drive a vehicle at the Ford Drive 4UR School event on Saturday, September 19 from 9:00 a.m. – 5:00 p.m. at Burtis Motors.

Commissioner Dale congratulated the airport and staff for doing such a great job and thanked all City Department Heads, along with GCFD and GCPD and EMS for working together to make it all gel. Commissioner Dale mentioned he had a great time at the parade and thanked City staff that worked to maintain the safety of others during the festivities.

Petitions

Report of the City Manager

Staff Reports

City Manager / Cemetery Report SEPTEMBER 2015

Cemetery	# of Burials	# of Spaces Sold	# of Spaces Reserved	Revenue Generated			
				Spaces Sold	Spaces Resvd	Opening/Closing of Graves	Other Fees VVC/SMG
VVC	17	3	0	\$ 1,800.00	\$ 450.00	\$ 5,100.00	\$ 1,700.00
SMG	3	0	0	\$ -	\$ -	\$ 1,075.00	

Total Revenue	\$ 10,125.00
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Spaces Sold: Revenue collected from spaces purchased at time of need or pre-need

Spaces Reserved: Payments collected from reserved spaces

OTHER FEES: Monument Layouts
 Weekend/Holiday Service Fees
 Tree Removal
 Chair Rental
 Administrative Fees

CITY OF GARDEN CITY, KANSAS
ANALYSIS OF COUNTY-WIDE SALES TAX RECEIPTS

MONTH RECEIVED	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
JANUARY	82,749	119,104	99,080	87,049	90,999	89,620	90,890	96,504	112,365	136,559	194,148	172,402	201,675	215,987	207,262	300,664
FEBRUARY	135,771	115,633	119,867	107,746	112,817	106,162	108,918	117,464	120,392	112,708	168,090	206,332	201,136	213,048	244,277	362,832
MARCH	111,517	94,385	89,945	83,994	93,138	83,528	84,800	91,096	111,384	127,434	176,275	176,089	187,616	198,757	200,357	290,207
APRIL	110,045	92,941	86,892	88,516	82,176	88,156	88,367	97,920	97,076	105,529	136,058	140,393	176,191	179,735	202,588	302,975
MAY	111,720	98,017	94,809	97,270	92,019	96,607	100,809	103,484	113,955	102,518	173,875	182,165	217,621	215,823	225,522	329,154
JUNE	99,148	93,362	101,379	98,922	86,040	82,884	99,561	98,793	107,235	110,225	174,577	192,468	197,406	205,745	227,284	313,770
JULY	111,647	91,208	99,915	97,573	91,205	88,888	95,381	109,492	130,863	126,193	163,203	175,188	199,698	238,623	232,796	313,034
AUGUST	113,844	98,717	96,327	91,715	97,295	101,836	104,308	99,317	123,221	103,580	180,595	178,778	209,006	213,331 *	223,986	317,123
SEPTEMBER	84,773	99,232	88,585	102,820	94,038	87,159	93,570	106,941	133,521	111,381	174,612	178,054	180,008	232,303	304,118	318,362
OCTOBER	* 129,697	106,658	102,705	97,918	90,696	105,259	101,146	112,166	117,796	108,343	174,202	189,062	203,819	218,503	313,005	
NOVEMBER	103,094	97,348	82,869	78,619	89,706	95,946	94,231	107,500	117,428	111,973	153,378	174,342	208,611	184,384	304,259	
DECEMBER	97,466	89,406	101,296	96,993	94,616	88,792	94,570	109,693	114,846	160,409	161,622	196,711	182,159	236,524	312,690	
TOTAL RECEIPTS	<u>1,291,473</u>	<u>1,196,011</u>	<u>1,163,668</u>	<u>1,129,136</u>	<u>1,114,745</u>	<u>1,114,837</u>	<u>1,156,551</u>	<u>1,250,370</u>	<u>1,400,082</u>	<u>1,416,852</u>	<u>2,030,635</u>	<u>2,161,984</u>	<u>2,364,946</u>	<u>2,552,763</u>	<u>2,998,144</u>	<u>2,848,121</u>
PERCENTAGE CHANGE	13.05%	-7.39%	-2.70%	-2.97%	-1.27%	"FLAT"	3.74%	8.11%	11.97%	1.20%	43.32%	6.47%	9.39%	7.94%	17.45%	

* REFLECTS HERE & THEREAFTER THE NET AMOUNT OF COUNTY-WIDE SALES TAX.
CITY REIMBURSES TO COUNTY THE DEDICATED 1/4 CENT FOR LEC PROJECT THROUGH
AUGUST 2014 RECEIPTS. FINALED AUGUST 2014.

CITY OF GARDEN CITY, KANSAS

ANALYSIS OF CITY SALES TAX RECEIPTS

MONTH RECEIVED	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
JANUARY	310,710	390,595	379,780	309,257	357,335	335,673	351,457	351,627	409,255	529,129	415,161	432,278	483,869	508,705	480,712	521,960
FEBRUARY	447,336	389,764	444,123	419,884	434,310	423,853	416,061	444,506	465,707	415,062	416,555	509,745	497,844	514,511	575,307	638,635
MARCH	371,146	344,152	321,705	304,720	346,371	316,320	317,599	338,956	418,336	461,822	432,675	426,585	438,777	468,745	469,435	470,493
APRIL	364,979	334,588	303,909	313,029	317,571	318,835	321,431	358,967	361,119	388,668	328,743	328,309	409,253	411,491	468,167	493,539
MAY	377,482	356,202	340,131	354,013	345,880	351,143	372,027	382,562	426,812	362,989	430,701	442,882	502,577	481,623	528,216	556,737
JUNE	344,293	341,573	336,435	356,920	340,240	319,314	364,552	363,536	398,458	413,934	423,173	471,595	457,884	469,940	526,978	523,569
JULY	361,811	331,627	359,143	329,005	338,923	330,628	350,754	394,947	456,516	469,538	402,144	431,189	453,965	554,262	540,941	540,334
AUGUST	369,837	350,737	342,529	322,875	376,955	371,521	377,510	372,473	456,809	373,995	433,641	420,914	490,394	504,212	526,281	546,571
SEPTEMBER	304,050	363,139	324,385	366,794	362,024	323,475	341,558	388,244	463,398	421,706	415,115	433,117	424,160	529,341	509,837	548,219
OCTOBER	449,981	382,926	368,395	357,624	341,725	369,193	365,725	408,881	446,179	411,421	425,392	450,833	468,586	501,467	516,778	
NOVEMBER	332,271	355,951	296,743	287,373	339,384	337,133	351,892	352,723	435,767	402,883	390,433	412,877	474,976	422,213	496,772	
DECEMBER	327,755	323,048	381,904	364,126	338,971	338,058	356,317	396,872	432,701	461,792	412,973	481,207	424,131	501,046	519,605	
TOTAL RECEIPTS	<u>4,361,650</u>	<u>4,264,300</u>	<u>4,199,181</u>	<u>4,085,619</u>	<u>4,239,689</u>	<u>4,135,146</u>	<u>4,286,883</u>	<u>4,554,294</u>	<u>5,171,057</u>	<u>5,112,939</u>	<u>4,926,706</u>	<u>5,241,531</u>	<u>5,526,416</u>	<u>5,867,556</u>	<u>6,159,029</u>	<u>4,840,057</u>
PERCENTAGE CHANGE	6.46%	-2.23%	-1.53%	-2.70%	3.77%	-2.47%	3.67%	6.24%	13.54%	-1.12%	-3.64%	6.39%	5.44%	6.17%	4.97%	

GARDEN CITY POLICE DEPARTMENT
MASTER ACTIVITY REPORT
 August of 2015
INCIDENTS REPORTED

OFFENSES	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Murder/Manslaughter	0	0	2
Rape	2	2	10
Robbery	1	0	7
Aggravated Assault	2	5	47
Burglary	10	14	60
Theft	92	56	446
Auto Theft	1	3	8
Arson	1	0	6
TOTAL	109	80	586
All Other Crimes	154	140	1105
GRAND TOTAL	263	220	1691

CRIMINAL ENFORCEMENT ACTIVITIES

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Adult Arrests	203	275	1848
Juveniles Detained	38	29	241
TOTAL CUSTODY	241	304	2089
Alcohol Related	19	26	184
Drug Related	27	36	277
Curfew Violations	3	9	41

INVESTIGATIONS DIVISION ACTIVITIES

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Total Cases Assigned	24	42	252
Total Active Cases	222	184	1415
Adult Affidavits Filed	8	11	97
Juvenile Affidavits Filed	1	2	10
Follow-Up Contacts	499	461	4232
Special Assignments	28	32	295
Search Warrants	135	29	266
Supplemental Reports	135	239	1444
Other Reports	231	211	1604
Cases Referred For Prosecution	68	66	486

TRAFFIC ACCIDENT INVESTIGATIONS

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Fatal Accidents	0	0	0
Injury Accidents	6	4	40
Non-Injury Accidents	63	36	415
TOTAL ACCIDENTS	69	40	455
Private Property Accidents	1	5	29

**GARDEN CITY POLICE DEPARTMENT
 MASTER ACTIVITY REPORT
 August of 2015**

OFFICERS ASSAULTED

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Firearm	0	0	0
Cutting Instrument	0	0	0
Other Dangerous Weapon	0	0	4
Hands, Fist, Feet, Etc.	3	6	25
Police Service Dog	0	0	0
TOTAL ASSAULTS	3	6	21

PATROL/CRD DIVISIONS SUMMARY

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Offense Reports	279	240	1847
Supplemental Reports	133	145	1051
Other Reports	104	109	854
Community Oriented Policing	207	246	2021
Speeding Citations	46	18	331
Other Traffic Citations	357	310	2841
Parking Citations	14	9	98
Warning Notices	582	689	4714
Penal Summons	28	28	294
Felony Cases Cleared	16	35	234
Misdemeanor Cases Cleared	123	144	996
DUI Cases Cleared	16	13	100
Insecure Premises	11	33	112
Field Interviews	17	8	49
Citizen & Business Assists	165	158	1235
Alarms	60	92	638
Adult Affidavits Filed	26	42	305
Juvenile Affidavits Filed	20	22	144

COMMUNICATIONS CENTER ACTIVITIES

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Non-Traffic Activities	2798	2840	20355
Traffic Activities	877	910	6916
TOTAL ACTIVITIES	3675	3750	27271
911 Calls	1795	1767	12559
Finney County Sheriff's Office Activities	518	517	3583

**GARDEN CITY POLICE DEPARTMENT
 MASTER ACTIVITY REPORT
 August of 2015**

RESPONSE TIME SUMMARY

DESCRIPTION	THIS MONTH	LAST YEAR	5 YEARS AGO
Average Emergency	3.05	3.05	3.27
Average Non-Emergency	12.1	10.2	14.01
Average Traffic Accident	12.41	11.39	14.18

ANIMAL INCIDENT ACTIVITIES

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Animals Impounded	216	178	1209
Animals Disposed	100	43	317
Citations Issued	2	0	19
Animal Bites	1	0	20
Adoptions	22	12	196

TRAINING HOURS RECEIVED

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Administrative	24.00	27.00	237.50
Patrol/CRD Division	724.50	373.00	3003.00
Support Services Division	91.50	63.00	472.25
Investigation Division	64.00	40.50	514.50
Instructor Hours	79.50	104.00	547.50
SUB-TOTAL TRAINING HRS	983.50	607.50	4774.75
Academy Training Hours	800.00	800.00	3200.00
TOTAL TRAINING HOURS	1783.50	1407.50	7974.75

ADMINISTRATIVE INVESTIGATIONS

DESCRIPTION	THIS MONTH	LAST MONTH	TO DATE THIS YEAR
Allegations Received	0	2	12
Unfounded	0	0	1
Unsubstantiated	0	0	1
Sustained	0	1	4
Exonerated	1	1	4
Violation Not Based On Complaint	0	0	0
Investigation In Progress	2	2	16
Administrative Closure	1	0	2
Commendations	2	1	16

Bias-Based Policing Statistics

August 2015

	July #	July %	August #	August %
SUBJECTS CONTACTED:	225	N/A	198	N/A
AGE:				
15 yoa - 19 yoa	41	18%	36	18%
20 yoa - 29 yoa	82	36%	77	39%
30 yoa - 49 yoa	73	32%	59	30%
50+	29	13%	26	13%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%
RACE:				
White	213	95%	179	90%
Black	10	4%	16	8%
Native American	2	1%	0	0%
Asian	0	0%	3	2%
Other	0	0%	0	0%
More Than One Race	0	0%	0	0%
Not Provided/Unknown	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%
GENDER:				
Male	161	72%	146	74%
Female	64	28%	52	26%
Unknown	0	0%	0	0%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%
ETHNICITY:				
Hispanic/Latino	153	68%	120	61%
Non-Hispanic	69	31%	76	38%
Not Provided	3	1%	2	1%
<i>TOTAL</i>	225	100%	198	100%
RESPONSE AREA:				
1	27	12%	34	17%
2	32	14%	26	13%
3	54	24%	56	28%
4	63	28%	59	30%
5	49	22%	23	12%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%
PRIMARY REASON FOR OFFICER INVESTIGATION:				
Call Related	20	9%	28	14%
Officer Initiated	205	91%	170	86%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%
INFORMATION OBTAINED BY:				
Officer's Perception	189	84%	159	80%
Investigation	36	16%	39	20%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%

Bias-Based Policing Statistics

August 2015

	July #	July %	August #	August %
RELIGIOUS DRESS:				
Yes	3	1%	1	1%
No	222	99%	197	99%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%

PRIMARY REASON FOR STOP:				
Moving Violation	155	69%	128	65%
Equipment Violation	44	20%	50	25%
Criminal Offense/Probable Cause	9	4%	14	7%
Other Violation	5	2%	3	2%
To Render Service	1	0%	1	1%
Suspicious Circumstances	1	0%	0	0%
Pre-existing Knowledge	0	0%	2	1%
Special Detail	10	4%	0	0%
Multiple Reasons	0	0%	0	0%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%

ACTION TAKEN:				
Citation	166	74%	146	74%
Search	0	0%	0	0%
Warning	13	6%	14	7%
Arrest	46	20%	38	19%
Warrant Arrest	0	0%	0	0%
Assistance Provided	0	0%	0	0%
No Action	0	0%	0	0%
Not Provided	0	0%	0	0%
<i>TOTAL</i>	225	100%	198	100%

SEARCH:				
Not Applicable	193	86%	171	86%
Vehicle Indicators	3	1%	1	1%
Verbal Indicators	0	0%	0	0%
Physical/Visual Indicators	13	6%	9	5%
Document Indicators	4	2%	0	0%
Incident to Arrest	11	5%	15	8%
Other	1	0%	1	1%
More Than One Reason	0	0%	0	0%
Not Provided	0	0%	1	1%
<i>TOTAL</i>	225	100%	198	100%

TYPE OF SEARCH:				
No Search Conducted	195	87%	167	84%
Consent Search Conducted	3	1%	3	2%
Inventory	2	1%	2	1%
Stop and Frisk	0	0%	0	0%
Search Warrant	0	0%	0	0%
No Search/Consent Denied	0	0%	0	0%
Search Incident to Arrest	16	7%	22	11%
Plain View	6	3%	1	1%
Probable Cause	3	1%	2	1%
More Than One Type	0	0%	0	0%
Not Provided	0	0%	1	1%

Bias-Based Policing Statistics

August 2015

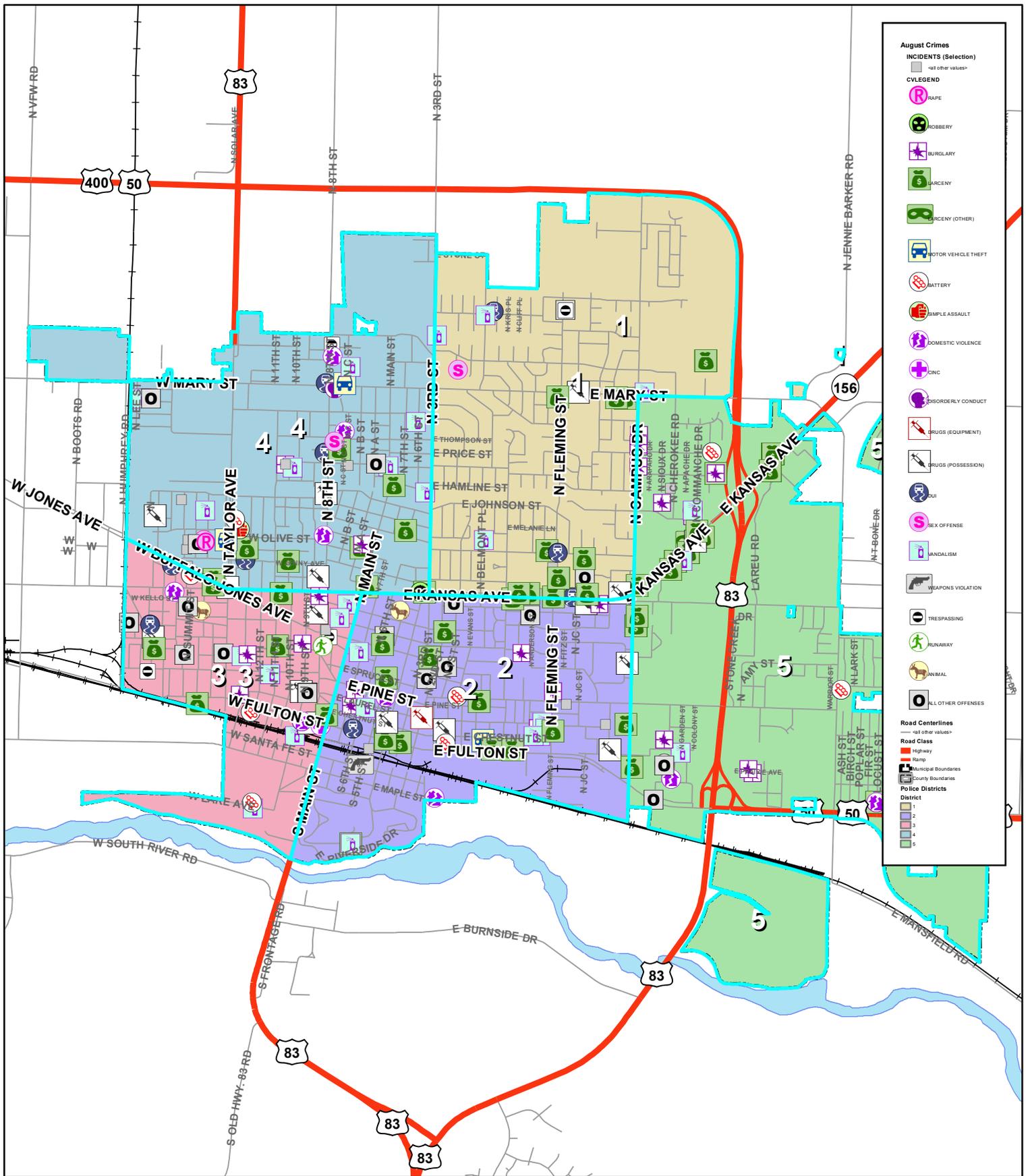
	July #	July %	August #	August %
<i>TOTAL</i>	225	100%	198	100%

Bias-Based Policing Statistics

August 2015

		July #	July %	August #	August %
CONTRABAND SEIZED:					
	None	214	95%	183	92%
	Currency	0	0%	0	0%
	Firearms	0	0%	0	0%
	Other Weapons	0	0%	0	0%
	Drugs/Paraphernalia	7	3%	7	4%
	Alcohol/Tobacco Products	2	1%	7	4%
	Stolen Property	0	0%	0	0%
	Other	1	0%	0	0%
	More Than One Type	0	0%	0	0%
	Not Provided	1	0%	1	1%
	<i>TOTAL</i>	225	100%	198	100%

Hispanic	Arrests	37	24%	22	18%
	Citations	106	69%	90	75%
	Warnings	10	7%	8	7%
Non-Hispanic	Arrests	9	13%	16	21%
	Citations	57	83%	54	71%
	Warnings	3	4%	6	8%

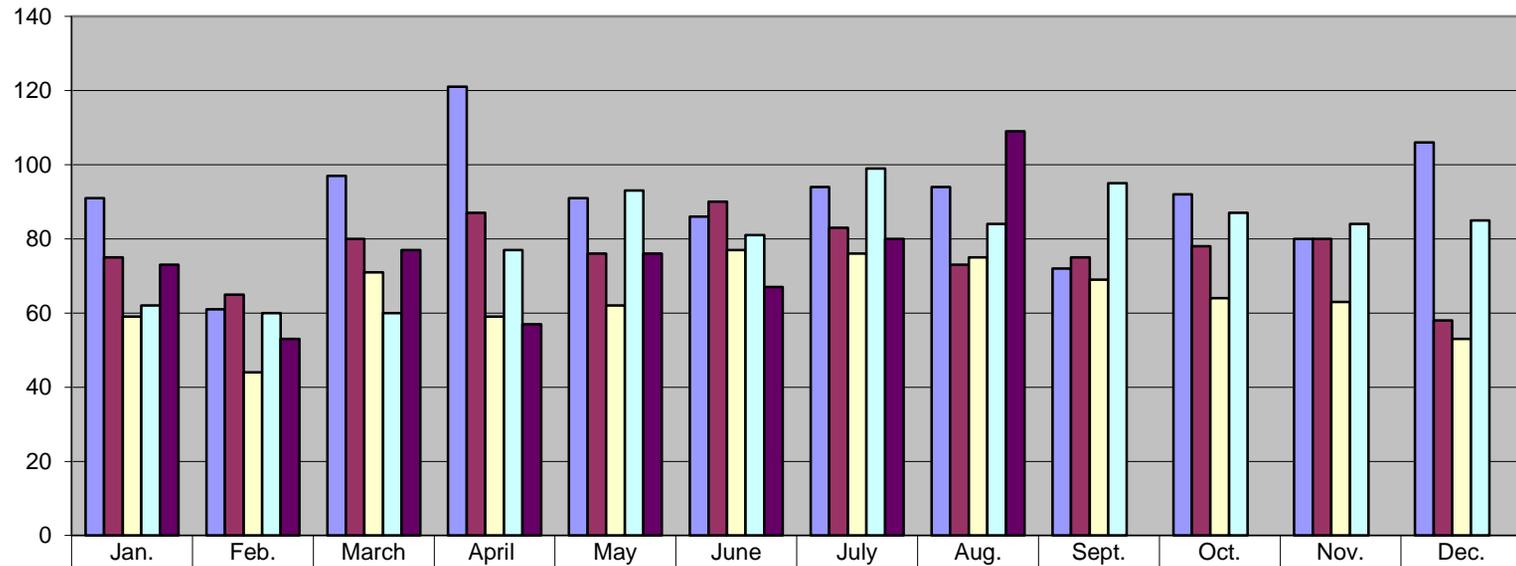


Garden City PD

This agency is not responsible for the misinterpretation of this map and makes no inference or judgment as to the relative safety of particular areas. This map does not meet national map accuracy standards and should not be used for engineering purposes.

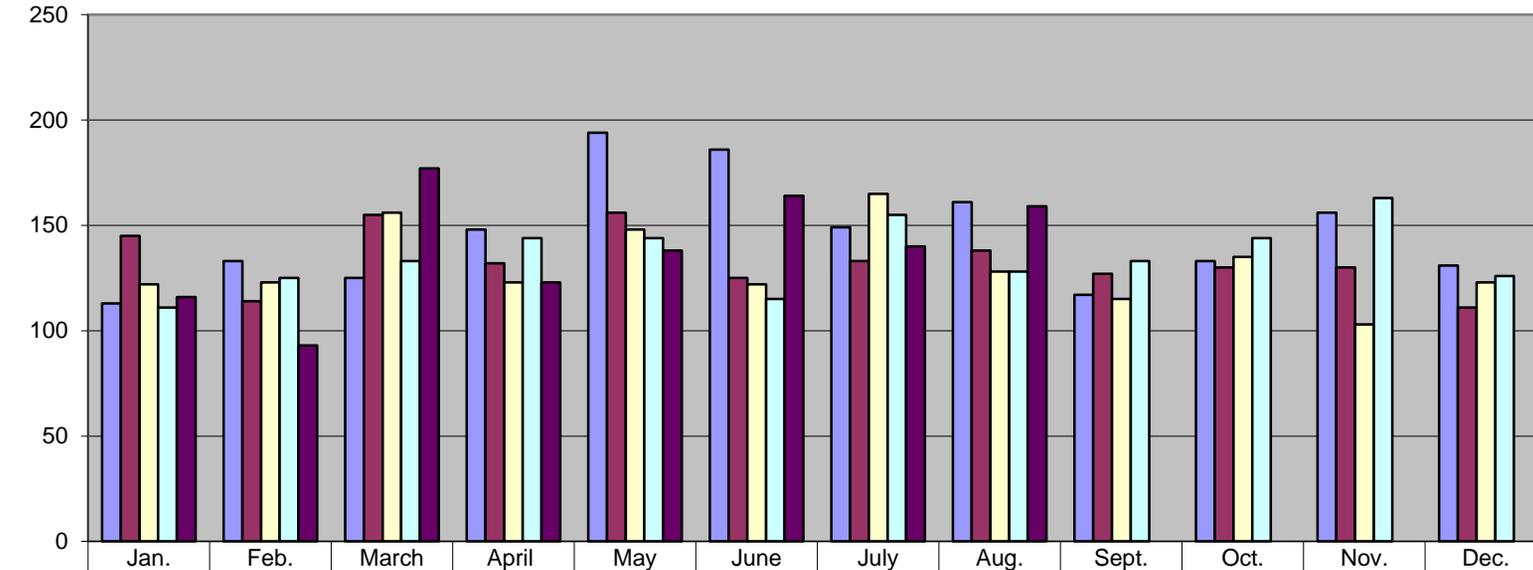


Part I



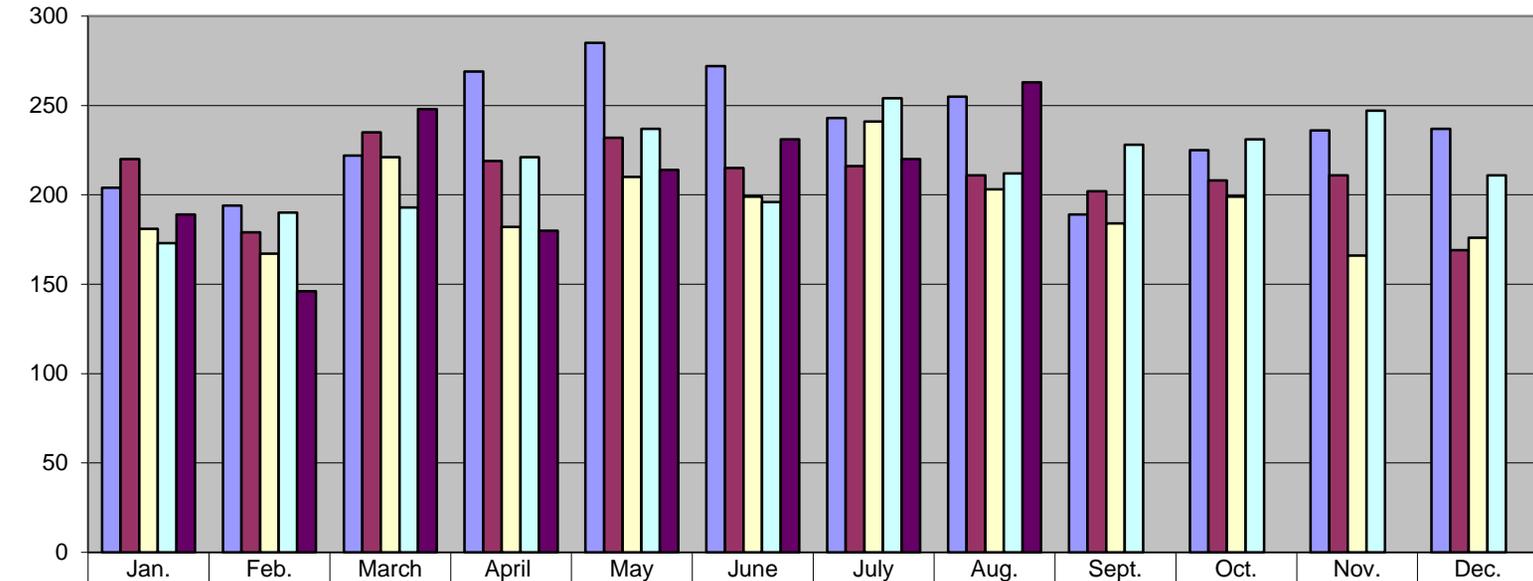
	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2011	91	61	97	121	91	86	94	94	72	92	80	106
■ 2012	75	65	80	87	76	90	83	73	75	78	80	58
■ 2013	59	44	71	59	62	77	76	75	69	64	63	53
■ 2014	62	60	60	77	93	81	99	84	95	87	84	85
■ 2015	73	53	77	57	76	67	80	109				

All Other Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2011	113	133	125	148	194	186	149	161	117	133	156	131
2012	145	114	155	132	156	125	133	138	127	130	130	111
2013	122	123	156	123	148	122	165	128	115	135	103	123
2014	111	125	133	144	144	115	155	128	133	144	163	126
2015	116	93	177	123	138	164	140	159				

Grand Total All Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2011	204	194	222	269	285	272	243	255	189	225	236	237
■ 2012	220	179	235	219	232	215	216	211	202	208	211	169
■ 2013	181	167	221	182	210	199	241	203	184	199	166	176
■ 2014	173	190	193	221	237	196	254	212	228	231	247	211
■ 2015	189	146	248	180	214	231	220	263				

Meetings of Note



2330 N. Hoover
Wichita, KS 67205
p: 316-941-1648

September 28, 2015

Celyn Hurtado
City Clerk
City of Garden City
301 N. 8th Street
Garden City, KS 67846

Dear Celyn:

Black Hills Energy cordially invites you and the Garden City Commissioners and staff for a local officials dinner meeting we are hosting on **Monday, October 12 from 6:00-8:00 pm at Samy's Spirits & Steakhouse**, 1911 E Kansas Avenue.

At the dinner meeting on October 12, Gabe Schlickau, Sr. Program Manager, Economic Development, and I, will provide an update on our state and local activities. We look forward to meeting with Garden City officials as it enables us to an opportunity to answer questions and address comments regarding the natural gas service we provide to customers in Garden City.

If you have additional questions, please contact me at 316-941-1648 or on my cell phone at 316-613-1344.

Thank you!

Sincerely,

Monique Pope
Program Manager, Community Affairs
Black Hills Energy

Special Session **Kansas Supreme Court**



Seated left to right: Justice Marla J. Luckert; Chief Justice Lawton R. Nuss; and Justice Carol A. Beier. Standing left to right: Justice Dan Biles, Justice Eric S. Rosen, Justice Lee A. Johnson, and Justice Caleb Stegall.

6:30 p.m.

Tuesday, October 13, 2015

Auditorium

Garden City High School

Supreme Court invites community to special session at GCHS

The Kansas Supreme Court will hear three cases in a special session at Garden City High School as part of its ongoing outreach to familiarize Kansans with the high court, its work, and the overall role of the Kansas judiciary.

It will be the Supreme Court's first visit to Garden City in its 154-year history and it will be the second time for the court to hear cases in the evening. The court's first evening session was in April in Hays and it drew a record crowd of nearly 700 people.

The court will be in session from 6:30 p.m. to about 8:30 p.m. Tuesday, October 13, in the auditorium of the Garden City High School at 2720 Buffalo Way.

After the session concludes, the justices will greet the public in an informal reception.

Docket

Appeal No. 108,963: *Betty A. Born, et al v. Sharon L. Born and Todd J. Born, et al.* This is a petition for review of a case that originated in Sedgwick County that seeks to resolve ownership interest in a family-owned business after one family member/owner died.

Appeal No. 109,634: *City of Dodge City v. Orie J. Webb.* Webb was convicted of driving under the influence of alcohol in Ford County. The question before the court is whether Webb was improperly coerced into submitting to a breath test in violation of his constitutional and statutory rights under the implied consent law.

Appeal No. 110, 415: *State of Kansas v. Charles C. Logsdon.* Logsdon appeals a Reno County conviction for first-degree murder, and other charges, for which he was sentenced to life in prison without possibility of parole for 50 years. Issues before the court are whether there was sufficient evidence presented at trial to convict him, and whether the district court committed errors when it denied his motion for mistrial, when it imposed a hard-50 sentence, and when it instructed the jury on the law regarding aiding and abetting.

Summaries of the cases and briefs filed by the attorneys involved are available online by following

the Garden City Supreme Court Docket link under What's New on the Kansas judicial branch website at www.kscourts.org.

Attending the Special Session

Anyone who wants to attend the special session should plan to arrive at the high school before 6 p.m. to allow time to get through security screening. To ease your check-in, do not bring:

- food or drink
- large bags, large purses, backpacks, computer cases, or briefcases;
- knives, pepper spray, firearms, or weapons;
- electronic devices like laptop computers, handheld games, personal digital assistants, or tablets. If you have to carry a cell phone, it must be turned off or its ringer silenced, and it must be stored out of sight while court is in session.

Quiet Please

Audience members are prohibited from talking during oral arguments because it interferes with the attorneys' remarks and questions asked by the justices. Talking immediately outside the auditorium is also discouraged.

If someone arrives after the session starts, or must leave the auditorium before it ends, he or she should be as quiet as possible entering and exiting the auditorium.

Live Video Stream

A live stream of the special session will be available on the Internet by selecting the *Watch Supreme Court Live!* link on the judicial branch home page at www.kscourts.org.

Supreme Court Outreach

Garden City High School is the court's ninth destination since 2011, when the court convened outside of the Kansas Judicial Center to mark the state sesquicentennial. Its first stop was the historic Supreme Court courtroom in the Capitol. From there, the court conducted special sessions in Salina, Greensburg, and Wichita. The court visited Overland Park in 2012, Pittsburg in 2013, Kansas City in 2014, and Hays in 2015.

CONSIDERATION OF APPROPRIATION ORDINANCE

Ordinances & Resolutions

MEMORANDUM

TO: City Commission

FROM: Jacob M. Cunningham, Assistant City Attorney

DATE: 9/29/2015

RE: Proposed Garden City Code of Ordinances, Ordinance Section 62-27 Confiscation, forfeiture and disposition of weapons ("Proposed Ordinance").

The Proposed Ordinance is being proffered for your consideration in light of the Legislature's repealing of K.S.A. 21-6307. (A copy of K.S.A. 21-6307 has been attached hereto for your reference as Exhibit "A.") Effective July 1, 2014, the Kansas Legislature repealed K.S.A. 21-6307 from state statutes. Rather than remove the authority granted within that statute entirely, primarily the ability to confiscate and dispose of weapons seized during the investigation of a crime, as well as to utilize the proceeds from any sale of weapons seized in the commission of a crime, the Legislature chose to transfer this authority to K.S.A. 22-2512. This transfer was effectuated in House Bill 2578.

Evidencing this transfer of authority, K.S.A. 22-2512(c)(6), (c)(7), (c)(8), (d), (e) and (f) state the following:

(6)(A) except as provided in subsections (c)(6)(B) and (d), any weapon or ammunition, in the discretion of the court having jurisdiction of the property, shall be:

- (i) Forfeited to the law enforcement agency seizing the weapon for use within such agency, for sale to a properly licensed federal firearms dealer, for trading to a properly licensed federal firearms dealer for other new or used firearms or accessories for use within such agency or for trading to another law enforcement agency for that agency's use;
- (ii) forfeited to the Kansas Bureau of Investigation for law enforcement, testing or comparison by the Kansas Bureau of Investigation forensic laboratory;
- (iii) forfeited to a county regional forensic science center, or other county forensic laboratory for testing, comparison or other forensic science purposes; or
- (iv) forfeited to the Kansas department of wildlife, parks and tourism for use pursuant to the conditions set forth in K.S.A. 32-1047, and amendments thereto.

(B) Except as provided in subsection (d), any weapon which cannot be forfeited pursuant to subsection (c)(6)(A) due to the condition of the weapon, and any weapon which was used in the commission of a felony as described in K.S.A. 21-5401, 21-5402, 21-5403, 21-5404 or 21-5405, and amendments thereto, shall be destroyed.

(7) controlled substances forfeited for violations of K.S.A. 21-5701 through 21-5717, and amendments thereto, shall be dealt with as provided under K.S.A. 60-4101 through 60-4126, and amendments thereto;

(8) unless otherwise provided by law, all other property shall be disposed of in such manner as the court in its sound discretion shall direct.

(d) If a weapon is seized from an individual and the individual is not convicted of or adjudicated as a juvenile offender for the violation for which the weapon was seized, then within 30 days after the declination or conclusion of prosecution of the case against the individual, including any period of appeal, the law enforcement agency that seized the weapon shall verify that the weapon is not stolen, and upon such verification shall notify the person from whom it was seized that the weapon may be retrieved. Such notification shall include the location where such weapon may be retrieved.

(e) If weapons are sold as authorized by subsection (c)(6)(A), the proceeds of the sale shall be credited to the asset seizure and forfeiture fund of the seizing agency.

(f) For purposes of this section, the term "weapon" means a weapon described in K.S.A. 21-6301, and amendments thereto.

As stated above, the Legislature chose to transfer the authority previously granted in K.S.A. 21-6307 into the Code of Criminal Procedure via K.S.A. 22-2512. In order to vest the municipal court with similar authority as outlined in K.S.A. 22-2512, the City would need to adopt the Proposed Ordinance.

In weighing its decision, the Commission should note that the adoption of the Proposed Ordinance will not conflict with state law and thus will not run afoul of the City's Home rule authority to add additional restrictive provisions to existing state law. In the Proposed Ordinance, the City would be providing the Municipal Court, in the event of convictions for the following violations, with specific authority to dispose of weapons in the possession of the GCPD:

- Criminal Use of Weapons, 62-2(10.1);
- Criminal Carrying of a Weapon, 62-2 (10.1.1);
- Drawing A Weapon Upon Another, 62-2(10.2);
- Criminal Distribution of Firearms to a Felon, 62-2(10.3);
- Unlawful Discharge of a Firearm, 62-2(10.5);
- [Unlawful discharge of an] Air-gun, Air Rifle, Bow and Arrow, Slingshot, BB Gun or Paintball Gun 62-2(10.6);

- Unlawful Aiding, Abetting [in the discharge of an Air-gun, Air Rifle, Bow and Arrow, Slingshot, BB Gun or Paintball Gun], 62-2(10.8); and
- And prohibited acts on premises licensed to sell alcoholic beverages, 62-14.

Finally, those individuals whose weapons were seized and ultimately are acquitted of the charges they faced, **shall** have the ability to retrieve their seized weapon(s), subsequent to law enforcement determining that the same is/are not stolen. This is evidenced in subsection (c) of the Proposed Ordinance.

2012 Kansas Statutes

21-6307. Confiscation and disposition of weapons; use of proceeds of sale. (a) Upon conviction of a violation or upon adjudication as a juvenile offender for a violation of subsections (a)(1) through (a)(6) or (a)(10) through (a)(14) of K.S.A. 2012 Supp. 21-6301, 21-6302, 21-6304, 21-6305 or subsection (a)(1) or (a)(2) of 21-6308, and amendments thereto, any weapon seized in connection therewith shall remain in the custody of the trial court.

(b) Any stolen weapon so seized and detained, when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession, if known. All other confiscated weapons when no longer needed for evidentiary purposes, shall in the discretion of the trial court, be:

(1) Destroyed;

(2) forfeited to the law enforcement agency seizing the weapon for use within such agency, for sale to a properly licensed federal firearms dealer, for trading to a properly licensed federal firearms dealer for other new or used firearms or accessories for use within such agency or for trading to another law enforcement agency for that agency's use; or

(3) forfeited to the Kansas bureau of investigation for law enforcement, testing, comparison or destruction by the Kansas bureau of investigation forensic laboratory.

(c) If weapons are sold as authorized by subsection (b), the proceeds of the sale shall be credited to the asset seizure and forfeiture fund of the seizing agency.

History: L. 2010, ch. 136, § 192; L. 2011, ch. 30, § 53; July 1.



ORDINANCE NO. _____-2015

AN ORDINANCE REGULATING THE CONFISCATION, FORFEITURE AND DISPOSITION OF WEAPONS IN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; CREATING NEW CODE SECTION 62-27; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Garden City, Kansas:

Section 1. New Section 62-27 of the Code of Ordinances for the City of Garden City, Kansas, is hereby added, to read as follows:

Section 62-27. Confiscation, forfeiture, and disposition of weapons.

- (a) Upon conviction of a violation of sections 62-2 (10.1), 62-2 (10.1.1), 62-2 (10.2), 62-2 (10.3), 62-2 (10.5), 62-2 (10.6), 62-2 (10.8) or 62-14 of the Code of Ordinances of the City of Garden City, Kansas, any weapon seized in connection therewith shall remain in the custody of the municipal court.
- (b) Any stolen weapon so seized and detained, when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession, if known. All other confiscated weapons when no longer needed for evidentiary purposes, shall be deemed forfeited to the City of Garden City, Kansas, and thereafter, shall be destroyed or preserved as city property. All weapons forfeited to the City of Garden City, Kansas, may in the discretion of the Garden City Police Department, be destroyed, be used by the Garden City Police Department, sold to a properly licensed federal firearms dealer, traded to a properly licensed federal firearms dealer for other new or used firearms or accessories for use within such agency, traded to another law enforcement agency, or forwarded to the Kansas Bureau of Investigation for law enforcement testing, comparison or destruction by the Kansas Bureau of Investigation forensic laboratory. Upon conviction of a violation of any of the sections delineated in 62-27(a) above, all right, title, and interest of any individual so convicted, to any weapon used in such a violation, shall be deemed forfeited to the City of Garden City, Kansas.
- (c) If a weapon is seized from an individual and the individual is not convicted of the violation for which the weapon was seized, then within 30 days after the declination or conclusion of prosecution of the case against the individual, including any period of appeal, the Garden City Police Department shall verify that the weapon is not stolen, and upon such verification shall notify the person from whom it was seized that the weapon may be retrieved. Such notification shall include the location where such weapon may be retrieved.

SECTION 2. This ordinance shall be in full force and effect from and after October 6th, 2015, and following its publication, in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 6th day of October, 2015.

JANET A. DOLL, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor



Memorandum

To: City Commission
Date: September 30, 2015
From: Staff
RE: NORTHEAST AREA ANNEXATION

CITY COMMISSION

ROY CESSNA,

Mayor

MELVIN L. DALE

JANET A. DOLL

DAN FANKHAUSER

J. CHRISTOPHER LAW

MATTHEW C. ALLEN
City Manager

MELINDA A. HITZ, CPA
Finance Director

RANDALL D. GRISELL
City Counselor

CITY ADMINISTRATIVE CENTER
301 N. 8TH
P.O. Box 499
GARDEN CITY, KS
67846-0499
620.276.1160
FAX 620.276.1169
www.garden-city.org

Issue

Governing Body consideration and approval of Agreements and Consent to Annexation from two property owners and an annexation ordinance for property located north of Mary Street between the Bypass and Jennie Barker Road.

Background

To facilitate orderly growth and development in the northeast area, staff has been working with the property owners on an annexation strategy. The Governing Body is asked to consider and approve annexation of 144.0 acres east of the Bypass and north of Mary Street.

The Governing Body is asked to approve the Agreement and Consent to Annexation from O'Brate Realty LLC, and an annexation request from S.C.O., Inc. An Ordinance is attached for Governing Body consideration and approval. In addition to the annexation, the Governing Body is asked to accept an Easement from O'Brate Realty, LLC adjacent to the Morris Substation.

When the City acquired the right-of-way for the K-156/Mary/Jennie Barker intersection project, we also acquired a small uneconomic remnant parcel on the south side of old Mary Street. Transfer of this parcel to O'Brate Realty, LLC, will be presented to the Governing Body at a future date.

Alternatives

1. Approve the Agreement and Consent to Annexation from O'Brate Realty LLC, and the annexation request from S.C.O., Inc.
2. Adopt the Annexation Ordinance.
3. Accept the Easement from O'Brate Realty, LLC.
4. Defer action until a later date.

Recommendation

Staff recommends that the Governing Body approve Alternatives No 1, 2, and 3.

Fiscal Note

The cost to the City for this annexation would be the incremental difference in property taxes on certain parcels until the property is developed not to exceed a 5 year period. The City will assume responsibility for the traffic signal at the Mary Street interchange, KDOT has paid us \$3,850.00 per year for maintenance.

AGREEMENT AND CONSENT TO ANNEXATION

NOW ON this ____ day of _____, 2015, this Agreement to Annexation (Agreement) entered into by and between the **CITY OF GARDEN CITY, KANSAS**, hereinafter referred to as **CITY**, and **O'BRATE REALTY, L.L.C.**, hereinafter referred to as **OWNER**, and,

WHEREAS, **OWNER** is the owner of the below-described real property as detailed in Exhibit A attached hereto and incorporated herein, and in consideration of the following terms, **OWNER** consents to the annexation of the real property described as follows:

Parcels of land located in Section 4, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, more particularly described on EXHIBIT A, attached hereto.

NOW, THEREFORE, the parties agree as follows:

1. The parties understand that this Agreement is made in order to facilitate an economic development project within the City of Garden City.
2. **OWNER** agrees and consents to the annexation of **OWNER's** real property by **CITY**, in consideration of **CITY's** reimbursement to **OWNER** for any net incremental increase in property taxes due to being within the **CITY's** corporate limits, for property that is undeveloped (with or without a preliminary plat) and zoned Agriculture, for a period of seven years.
3. The parties agree that the real property will be zoned consistent with current County zoning upon annexation. **OWNER** may initiate future rezoning of the real property in its best interest.
4. The parties understand and agree that the consent given herein shall be deemed to be sufficient consent to an annexation proceeding under K.S.A. 12-520.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year first above written.

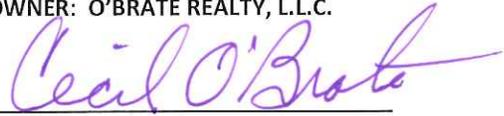
CITY OF GARDEN CITY, KANSAS

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

OWNER: O'BRATE REALTY, L.L.C.



Cecil O'Brate, Member

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on 28 day of September, 2015, before me, a Notary Public in and for the County and State aforesaid, came **Cecil O'Brate**, Member, O'Brate Realty, L.L.C., who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.

 Holly Schwaderer
Notary Public

My Commission Expires:
06/11/2018

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on the ____ day of _____, 2015, before me, a Notary Public in and for the County and State aforesaid, came **Janet A. Doll**, Mayor, and **Celyn N. Hurtado**, City Clerk, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.

Notary Public

My Commission Expires:

EXHIBIT A

Starting at the Southeast Corner of Section 4, Township 24 South, Range 32 West of the 6th P.M. in Finney County, Kansas, thence north along the east line of said Section 4 on a bearing of N 0°41'15" E a distance of 388.26 feet, thence west on a bearing of N 89°18'45" W a distance of 40 feet to the actual point of beginning (P.O.B.), said point being the intersection of the north-westerly right of way line of Kansas Highway No. 156 and the westerly right of way line of Jennie Barker Road, thence continuing west on a bearing of N 89°18'45" W a distance of 217.8 feet, thence north on a bearing of N 0°41'15" E a distance of 400 feet, thence east on a bearing of S 89°18'45" E a distance of 217.8 feet to the westerly right of way line of the Jennie Barker Road, thence north along said right of way line on a bearing of N 0°41'15" E a distance of 534.55 feet, thence west on a bearing of N 88°12'50" W a distance of 621.87 feet, thence north on a bearing of N 0°41'15" E a distance of 1319.16 feet to the north line of the Southeast Quarter of said Section 4, thence west along the north line of said quarter on a bearing of N 88°10'11" W a distance of 1983.25 feet to the Interior Quarter Corner of said Section 4, thence south along the west line of said Southeast Quarter on a bearing of S 0°49'30" W a distance of 2229.66 feet, thence east on a bearing of S 88°20'45" E a distance

of 1122.57 feet, thence south on a bearing of S 1°39'15" W a distance of 390.0 feet to the northerly right of way line of Mary Street, thence east along the north right of way line of Mary Street on a bearing of S 88°20'45" E a distance of 1152.65 feet to the north-westerly right of way line of Kansas Highway No. 156, thence northeasterly along the northwesterly right of way line of said highway on a bearing of N 44°47'03" E a distance of 490.34 feet to the point of beginning, containing 124.350 acres more or less; and,

Starting at the South Quarter Corner of Section 4, Township 24 South, Range 32 West of the 6th P.M. in Finney County, Kansas, thence north along the north-south half section line of said Section 4 on a bearing of N 0°57'20" W a distance of 98.08 feet to the actual point of beginning (P.O.B.), thence continuing north along said north-south half section line on a bearing of N 0°57'20" W a distance of 321.92 feet, thence east on a bearing of S 88°20'45" E a distance of 170.5 feet, thence south on a bearing of S 0°57'20" E a distance of 310.67 feet, thence southeasterly on a bearing of S 60°05'45" E a distance of 167.4 feet to the northerly right of way line of Mary Street along the south-side of said Section 4, thence west along the said north line of Mary Street on a bearing of N 88°20'45" W a distance of 138.42 feet, thence northwesterly on a bearing of N 67°32'45" W a distance of 191.52 feet to the point of beginning (P.O.B.), containing 1.518 acres more or less,

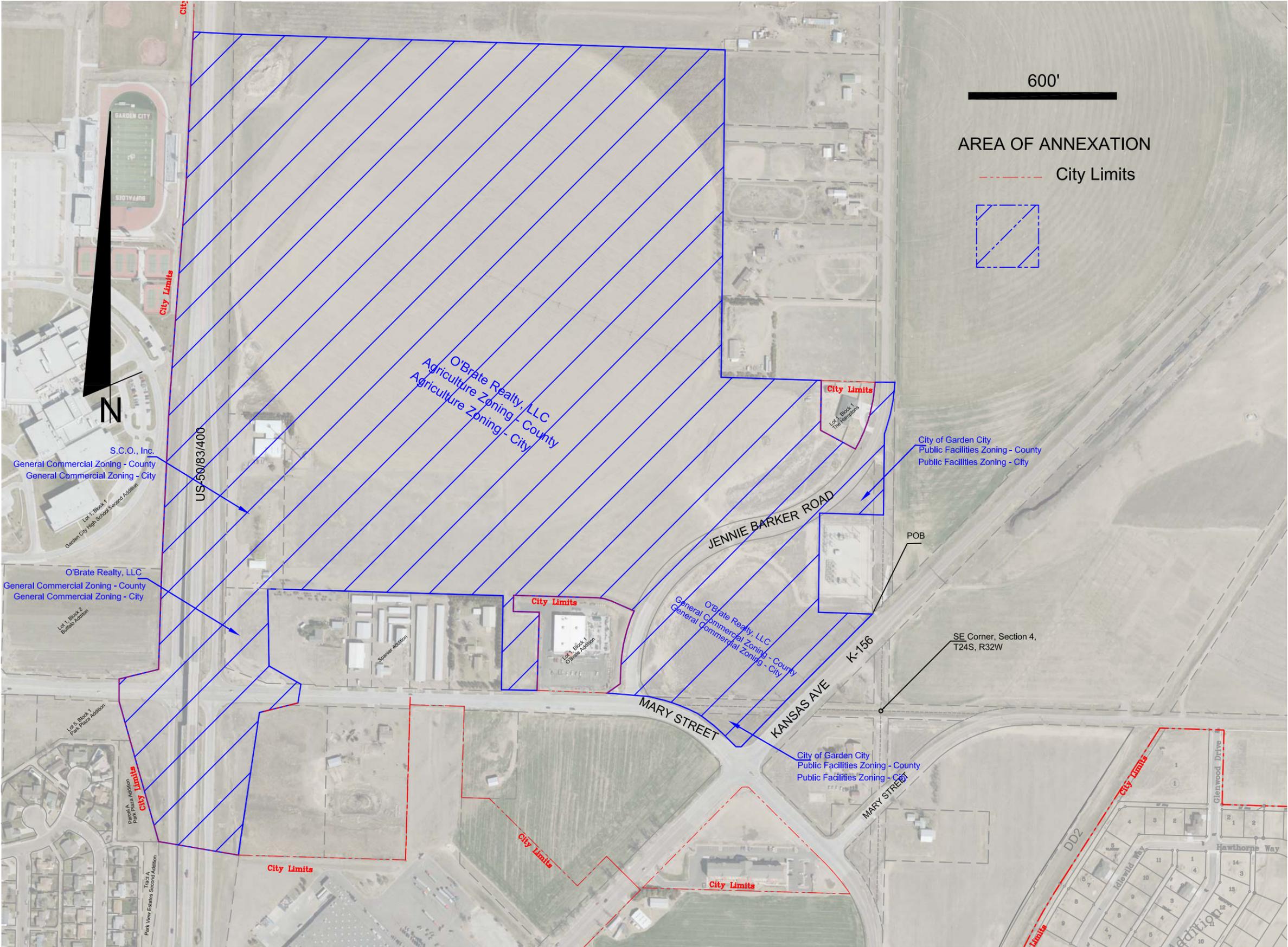
EXCEPT TRACT BELOW

273 409

A tract of land located in the Southeast Quarter of Section 4, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, being further described as follows:

Commencing at the South one-quarter corner of Section 4, T24S, R32W of the 6th P.M., Thence $N00^{\circ}49'30''E$ on the quarter section line for a distance of 920.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 70.00 feet to the Point of Beginning. Thence $N00^{\circ}49'30''E$ and parallel to the West line of the Southeast quarter of Section 4 for a distance of 200.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet; thence $S00^{\circ}49'30''W$ and parallel to the West line of the Southeast Quarter of Section 4 for a distance of 200.00 feet; thence $N88^{\circ}20'45''W$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet to the Point of Beginning.

Also EXCLUDING all rights-of-way and the areas platted as O'Brate Addition and The Hamptons.



Mayor and City Commissioners
City of Garden City
PO Box 499
Garden City KS 67846

Dear Mayor and Commissioners.

This is to request that our property at the northeast corner of the Bypass and Mary Street as described on the attached, be annexed into the City of Garden City. We further request that all City utilities – water, wastewater, electric and solid waste – provide service to the property.

Thank you for your consideration.

Sincerely,


S.C.O., Inc.

EXHIBIT A

A tract of land located in the Southeast quarter of Section 4, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, being further described as follows:

Commencing at the South one-quarter corner of Section 4, T24S, R32W of the 6th P.M., Thence $N00^{\circ}49'30''E$ on the quarter section line for a distance of 420.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 70.00 feet to the Point of Beginning. Thence $N00^{\circ}49'30''E$ and parallel to the West line of the Southeast Quarter of Section 4 for a distance of 500.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet; thence $S00^{\circ}49'30''W$ and parallel to the West line of the Southeast quarter of Section 4 for a distance of 500.00 feet; thence $N88^{\circ}20'45''W$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet to the Point of Beginning.

And the following tract:

A tract of land located in the Southeast Quarter of Section 4, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, being further described as follows:

Commencing at the South one-quarter corner of Section 4, T24S, R32W of the 6th P.M., Thence $N00^{\circ}49'30''E$ on the quarter section line for a distance of 920.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 70.00 feet to the Point of Beginning. Thence $N00^{\circ}49'30''E$ and parallel to the West line of the Southeast quarter of Section 4 for a distance of 200.00 feet; thence $S88^{\circ}20'45''E$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet; thence $S00^{\circ}49'30''W$ and parallel to the West line of the Southeast Quarter of Section 4 for a distance of 200.00 feet; thence $N88^{\circ}20'45''W$ and parallel to the South line of the Southeast quarter of Section 4 for a distance of 230.00 feet to the Point of Beginning.

(PUBLISHED IN *THE GARDEN CITY TELEGRAM* ON THIS ____ DAY OF _____, 2015)

ORDINANCE NO. ____-2015

AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(7) and 12-520(a)(2).

WHEREAS, the following described land adjoins the City of Garden City, Kansas, and is generally located in the South Half of Section 4, and the North Half of Section 9, all in Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas; and

WHEREAS, the owner or owners of the land consent to annexation of portions of the following described land pursuant to K.S.A. 12-520(7), as amended; and

WHEREAS, the City of Garden City is the owner of a portion of the following described land pursuant to K.S.A. 12-520(a)(2), as amended; and

WHEREAS, the governing body of the City of Garden City, Kansas, finds it advisable to annex such land.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:

SECTION 1. That the following described land is hereby annexed and made a part of the City of Garden City, Finney County, Kansas:

A tract of land in South Half of Section 4, and the North Half of Section 9, all in Township 24 South, Range 32 West of the Sixth Principal Meridian, City of Garden City, Finney County, Kansas described as follows: Beginning at the Southeast Corner of Section 4, thence N 0°41'15" E 388.26 feet; thence N 89°18'45" W 40 feet to the POINT OF BEGINNING, said point being the intersection of the Northwesterly right-of-way line of K-156 and the West right-of-way line of old Jennie Barker Road; thence N 89°18'45" W 217.8 feet; thence N

0°41'15" E 400 feet; thence S 89°18'45" E 257.8 feet, to the East line of Section 4; thence N 0°41'15" E 327.62 feet, more or less, to the Southerly right-of-way line of new Jennie Barker Road; thence along a curve to the left, with a radius of 640.00 feet, an arc distance of 231.35 feet, more or less, with a chord bearing N 11°02'47" E 230.09 feet, along the said right-of-way line to the extended North line of the Southeast Quarter of the Southeast Quarter of Section 4; thence N 89°18'45" W 80 feet to the West line of Jennie Barker Road, said line being the East line of The Hamptons; thence along said East line, being a curve to the right, an arc distance of 278.00 feet with a radius of 560.00 feet, a chord bearing of S 14°56'09" W 275.15 feet to the Southeast corner of The Hamptons; thence along said boundary N 60°50'33" W 164.06 feet; thence N 0°40'53" E 192.53 feet; thence N 89°50'16" W 421.87 feet; thence N 0°41'15" E 1319.16 feet to the North line of the Southeast Quarter of Said Section 4; thence N 88°10'11" W 1983.25 feet to the Interior Quarter Corner of said Section 4; thence N 89°50'16" W 164.81 feet along the north line of the Southwest Quarter of said Section 4, to the West right-of-way line of US-50/83/400, said line being the East line of Garden City High School Second Addition; thence S 01°10'46" W 482.38 feet along said right-of-way line; thence S 02°55'43" W 814.21 feet along said right-of-way line; thence S 00°51'39" W 1134.06 feet along said right-of-way line; thence S 61°53'00" W 164.27 feet along the South line of Lot 1, Block 2, Buffalo Addition; thence S 01°51' E 80.00 feet to the Northeast corner of Lot 5, Block 1, Park Plaza Addition; thence S 17°27'40" E, 588.19 feet, along the Easterly boundary of said Park Plaza Addition, said line being the West right-of-way line of U.S. Highway 50/83/400; thence S 79°31'57" W 339.71 feet, to a point on the East right-of-way line of U.S. Highway 50/83/400; thence along said right-of-way, N 06°47'07" E 579.09 feet; thence N 75°54'33" E 140.89 feet, to the South right-of-way line of Mary Street; thence N 13°30'47" E 81.74 feet, to the North right-of-way line of Mary Street; thence N 60°05'45" W 146.24 feet; thence N 0°57'20" W 310.67 feet; thence S 88°20'45" E 952.07 feet; thence S 01°39'15" W 380.00 feet to the north right line of Mary Street; thence S 88°21'23" E 121.97 feet along said right-of-way to the Southwest corner of Lot 1, Block 1, O'Brate Addition; thence N 01°38'37" E 315.00 feet along the boundary of said Lot 1; thence N 88°21'23" W 105.00 feet along the boundary of said Lot 1; thence N 01°38'37" E 65.00 feet to the Northwest corner of said Lot 1; thence S 88°21'23" E 335.70 feet along the boundary of said Lot 1; thence along a curve to the right, with a radius of 154.94 feet, an arc distance of 59.41 feet, with a chord bearing S 77°20'41" E 59.05 feet, along the boundary of said Lot 1; thence S 66°23'07" E 100.07 feet along the boundary of said Lot 1, to the West right-of-way line of Jennie Barker Road; thence along a curve to the right, with a radius of 540.00 feet, an arc distance of 245.42 feet, with a chord bearing S 12°37'45" W 243.92 feet, along said right-of-

way line; thence S 56°55'24" W 70.42 feet along the boundary of said right-of-way line to the North right-of-way line of Mary Street; thence S 88°21'23" E 210.13 feet along said right-of-way line extended; thence along a curve to the right, with a radius of 540.00 feet, an arc distance of 303.15 feet, with a chord bearing S 61°25'54" E 299.87 feet along said right-of-way; thence S 45°13'26" E 80.86 feet along said right-of-way line; thence S 89°46'34" E 21.21 feet along said right-of-way line to the Northwesterly right-of-way line of K-156; thence N 44°46'34" E 751.36 feet along said right-of-way line to the POINT OF BEGINNING; said tract of land containing 144.0 acres, more or less.

SECTION 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, this 6th day of October 2015.

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado. City Clerk

AGREEMENT AND CONSENT TO ANNEXATION

NOW ON this ____ day of _____, 2015, this Agreement to Annexation (Agreement) entered into by and between the **CITY OF GARDEN CITY, KANSAS**, hereinafter referred to as **CITY**, and **O'BRATE REALTY, L.L.C.**, hereinafter referred to as **OWNER**, and,

WHEREAS, **OWNER** is the owner of the below-described real property as detailed in Exhibit A attached hereto and incorporated herein, and in consideration of the following terms, **OWNER** consents to the annexation of the real property described as follows:

Parcels of land located in Section 4, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, more particularly described on EXHIBIT A, attached hereto.

NOW, THEREFORE, the parties agree as follows:

1. The parties understand that this Agreement is made in order to facilitate an economic development project within the City of Garden City.
2. **OWNER** agrees and consents to the annexation of **OWNER's** real property by **CITY**, in consideration of **CITY's** reimbursement to **OWNER** for any net incremental increase in property taxes due to being within the **CITY's** corporate limits, for property that is undeveloped (with or without a preliminary plat) and zoned Agriculture, for a period of seven years.
3. The parties agree that the real property will be zoned consistent with current County zoning upon annexation. **OWNER** may initiate future rezoning of the real property in its best interest.
4. The parties understand and agree that the consent given herein shall be deemed to be sufficient consent to an annexation proceeding under K.S.A. 12-520.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year first above written.

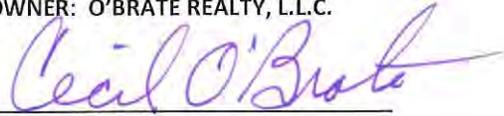
CITY OF GARDEN CITY, KANSAS

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

OWNER: O'BRATE REALTY, L.L.C.

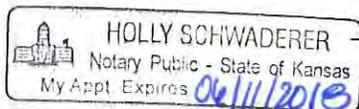


Cecil O'Brate, Member

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on 28 day of September, 2015, before me, a Notary Public in and for the County and State aforesaid, came **Cecil O'Brate**, Member, O'Brate Realty, L.L.C., who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.



Holly Schwaderer

Notary Public

My Commission Expires:
06/11/2018

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on the ____ day of _____, 2015, before me, a Notary Public in and for the County and State aforesaid, came **Janet A. Doll**, Mayor, and **Celyn N. Hurtado**, City Clerk, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.

Notary Public

My Commission Expires:

EXHIBIT A

Starting at the Southeast Corner of Section 4, Township 24 South, Range 32 West of the 6th P.M. in Finney County, Kansas, thence north along the east line of said Section 4 on a bearing of N 0°41'15" E a distance of 388.26 feet, thence west on a bearing of N 89°18'45" W a distance of 40 feet to the actual point of beginning (P.O.B.), said point being the intersection of the north-westerly right of way line of Kansas Highway No. 156 and the westerly right of way line of Jennie Barker Road, thence continuing west on a bearing of N 89°18'45" W a distance of 217.8 feet, thence north on a bearing of N 0°41'15" E a distance of 400 feet, thence east on a bearing of S 89°18'45" E a distance of 217.8 feet to the westerly right of way line of the Jennie Barker Road, thence north along said right of way line on a bearing of N 0°41'15" E a distance of 534.55 feet, thence west on a bearing of N 88°12'50" W a distance of 621.87 feet, thence north on a bearing of N 0°41'15" E a distance of 1319.16 feet to the north line of the Southeast Quarter of said Section 4, thence west along the north line of said quarter on a bearing of N 88°10'11" W a distance of 1983.25 feet to the Interior Quarter Corner of said Section 4, thence south along the west line of said Southeast Quarter on a bearing of S 0°49'30" W a distance of 2229.66 feet, thence east on a bearing of S 88°20'45" E a distance

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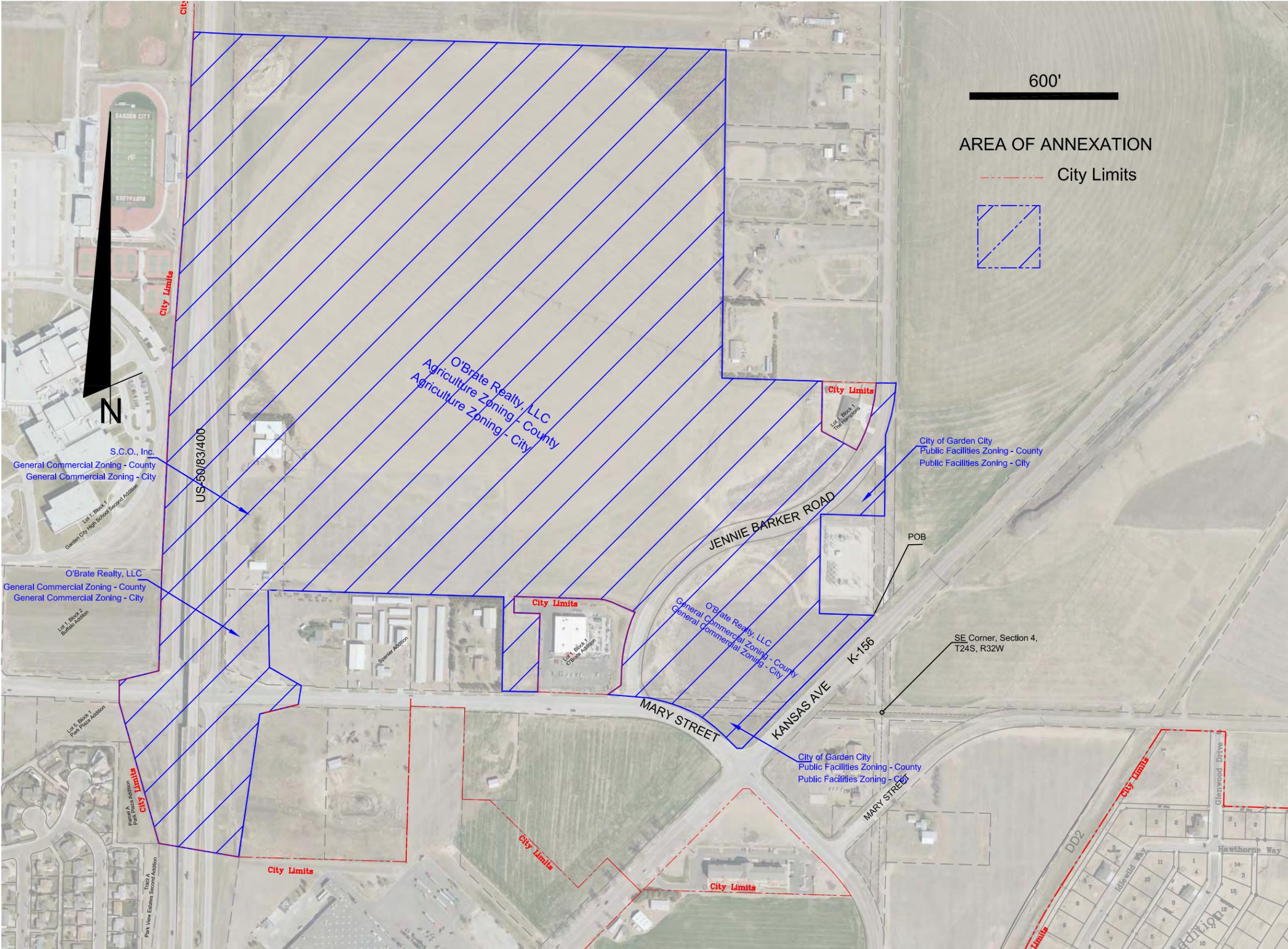
EXCEPT TRACT BELOW

273 409

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Also EXCLUDING all rights-of-way and the areas platted as O'Brate Addition and The Hamptons.



Mayor and City Commissioners
City of Garden City
PO Box 499
Garden City KS 67846

Dear Mayor and Commissioners.

This is to request that our property at the northeast corner of the Bypass and Mary Street as described on the attached, be annexed into the City of Garden City. We further request that all City utilities – water, wastewater, electric and solid waste – provide service to the property.

Thank you for your consideration.

Sincerely,

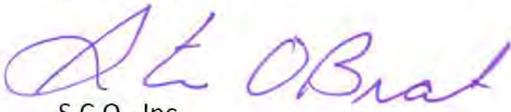

S.C.O., Inc.

EXHIBIT A

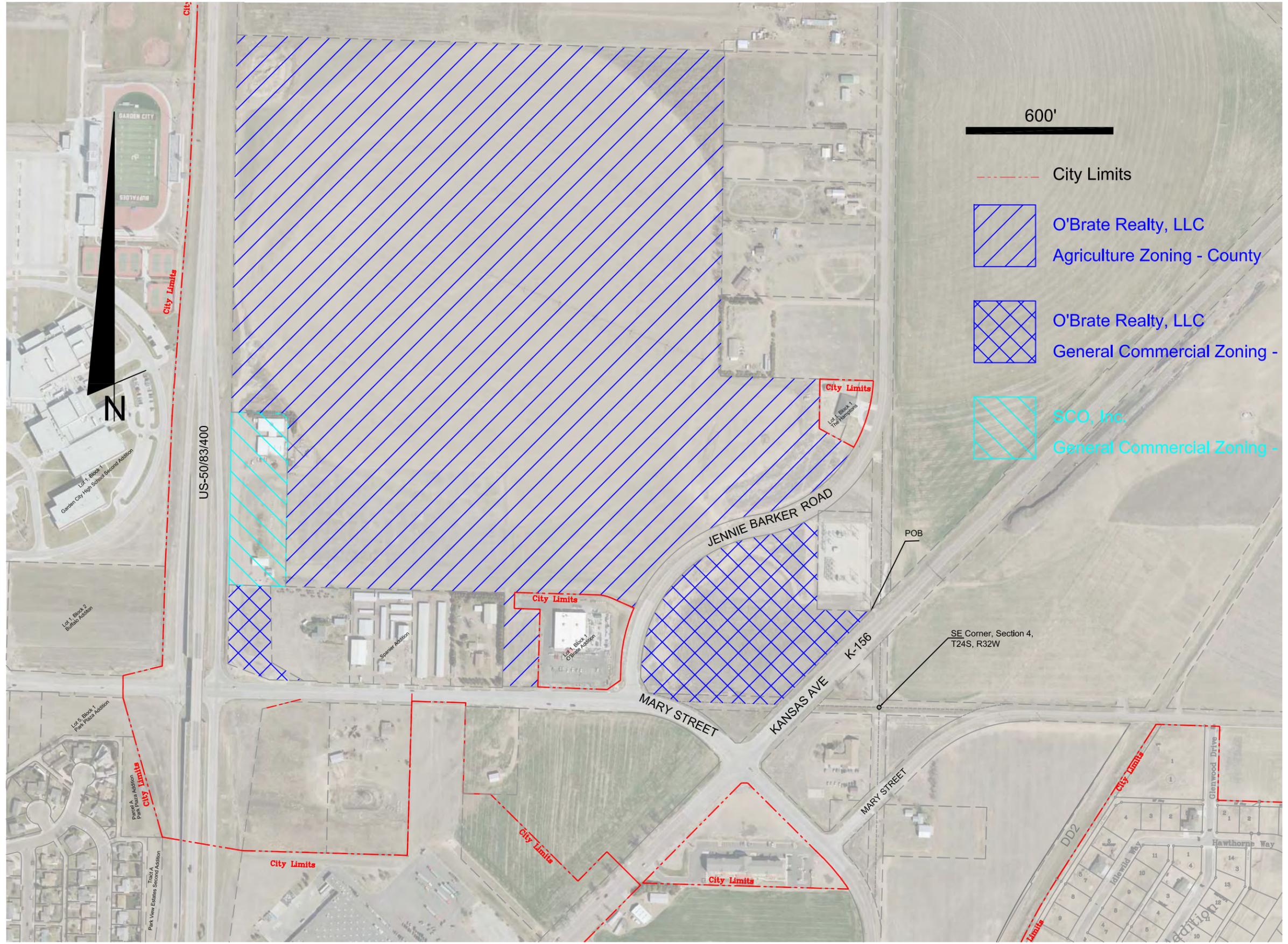
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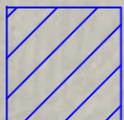
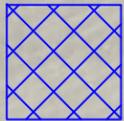
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600'

-  City Limits
-  O'Brate Realty, LLC
Agriculture Zoning - County
-  O'Brate Realty, LLC
General Commercial Zoning -
-  SCO, Inc.
General Commercial Zoning -

US-50/83/400

JENNIE BARKER ROAD

POB

SE Corner, Section 4,
T24S, R32W

MARY STREET

KANSAS AVE

K-156

MARY STREET

DD2

Idolville Way

Hawthorne Way

Glenwood Drive

GARDEN CITY
BUFFALOES
Garden City High School Second Addition
Lot 1, Block 1
Lot 2, Block 1
Lot 3, Block 1
Lot 4, Block 1
Lot 5, Block 1
Lot 6, Block 1
Lot 7, Block 1
Lot 8, Block 1
Lot 9, Block 1
Lot 10, Block 1
Lot 11, Block 1
Lot 12, Block 1
Lot 13, Block 1
Lot 14, Block 1
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Lot 83, Block 1
Lot 84, Block 1
Lot 85, Block 1
Lot 86, Block 1
Lot 87, Block 1
Lot 88, Block 1
Lot 89, Block 1
Lot 90, Block 1
Lot 91, Block 1
Lot 92, Block 1
Lot 93, Block 1
Lot 94, Block 1
Lot 95, Block 1
Lot 96, Block 1
Lot 97, Block 1
Lot 98, Block 1
Lot 99, Block 1
Lot 100, Block 1

Lot 1, Block 2
Balfago Addition

Lot 5, Block 1
Park Plaza Addition

Parcel A
Park Plaza Addition

Trail A
Park View Estates Second Addition

City Limits

Spencer Addition

Lot 1, Block 1
O'Brate Addition

Lot 1, Block 1
The Lamplighters

(PUBLISHED IN *THE GARDEN CITY TELEGRAM* ON THIS ____ DAY OF _____, 2015)

ORDINANCE NO. ____-2015

AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(7) and 12-520(a)(2).

WHEREAS, the following described land adjoins the City of Garden City, Kansas, and is generally located in the South Half of Section 4, and the North Half of Section 9, all in Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas; and

WHEREAS, the owner or owners of the land consent to annexation of portions of the following described land pursuant to K.S.A. 12-520(7), as amended; and

WHEREAS, the City of Garden City is the owner of a portion of the following described land pursuant to K.S.A. 12-520(a)(2), as amended; and

WHEREAS, the governing body of the City of Garden City, Kansas, finds it advisable to annex such land.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:

SECTION 1. That the following described land is hereby annexed and made a part of the City of Garden City, Finney County, Kansas:

A tract of land in South Half of Section 4, and the North Half of Section 9, all in Township 24 South, Range 32 West of the Sixth Principal Meridian, City of Garden City, Finney County, Kansas described as follows: Beginning at the Southeast Corner of Section 4, thence N 0°41'15" E 388.26 feet; thence N 89°18'45" W 40 feet to the POINT OF BEGINNING, said point being the intersection of the Northwesterly right-of-way line of K-156 and the West right-of-way line of old Jennie Barker Road; thence N 89°18'45" W 217.8 feet; thence N

0°41'15" E 400 feet; thence S 89°18'45" E 257.8 feet, to the East line of Section 4; thence N 0°41'15" E 327.62 feet, more or less, to the Southerly right-of-way line of new Jennie Barker Road; thence along a curve to the left, with a radius of 640.00 feet, an arc distance of 231.35 feet, more or less, with a chord bearing N 11°02'47" E 230.09 feet, along the said right-of-way line to the extended North line of the Southeast Quarter of the Southeast Quarter of Section 4; thence N 89°18'45" W 80 feet to the West line of Jennie Barker Road, said line being the East line of The Hamptons; thence along said East line, being a curve to the right, an arc distance of 278.00 feet with a radius of 560.00 feet, a chord bearing of S 14°56'09" W 275.15 feet to the Southeast corner of The Hamptons; thence along said boundary N 60°50'33" W 164.06 feet; thence N 0°40'53" E 192.53 feet; thence N 89°50'16" W 421.87 feet; thence N 0°41'15" E 1319.16 feet to the North line of the Southeast Quarter of Said Section 4; thence N 88°10'11" W 1983.25 feet to the Interior Quarter Corner of said Section 4; thence N 89°50'16" W 164.81 feet along the north line of the Southwest Quarter of said Section 4, to the West right-of-way line of US-50/83/400, said line being the East line of Garden City High School Second Addition; thence S 01°10'46" W 482.38 feet along said right-of-way line; thence S 02°55'43" W 814.21 feet along said right-of-way line; thence S 00°51'39" W 1134.06 feet along said right-of-way line; thence S 61°53'00" W 164.27 feet along the South line of Lot 1, Block 2, Buffalo Addition; thence S 01°51' E 80.00 feet to the Northeast corner of Lot 5, Block 1, Park Plaza Addition; thence S 17°27'40" E, 588.19 feet, along the Easterly boundary of said Park Plaza Addition, said line being the West right-of-way line of U.S. Highway 50/83/400; thence S 79°31'57" W 339.71 feet, to a point on the East right-of-way line of U.S. Highway 50/83/400; thence along said right-of-way, N 06°47'07" E 579.09 feet; thence N 75°54'33" E 140.89 feet, to the South right-of-way line of Mary Street; thence N 13°30'47" E 81.74 feet, to the North right-of-way line of Mary Street; thence N 60°05'45" W 146.24 feet; thence N 0°57'20" W 310.67 feet; thence S 88°20'45" E 952.07 feet; thence S 01°39'15" W 380.00 feet to the north right line of Mary Street; thence S 88°21'23" E 121.97 feet along said right-of-way to the Southwest corner of Lot 1, Block 1, O'Brate Addition; thence N 01°38'37" E 315.00 feet along the boundary of said Lot 1; thence N 88°21'23" W 105.00 feet along the boundary of said Lot 1; thence N 01°38'37" E 65.00 feet to the Northwest corner of said Lot 1; thence S 88°21'23" E 335.70 feet along the boundary of said Lot 1; thence along a curve to the right, with a radius of 154.94 feet, an arc distance of 59.41 feet, with a chord bearing S 77°20'41" E 59.05 feet, along the boundary of said Lot 1; thence S 66°23'07" E 100.07 feet along the boundary of said Lot 1, to the West right-of-way line of Jennie Barker Road; thence along a curve to the right, with a radius of 540.00 feet, an arc distance of 245.42 feet, with a chord bearing S 12°37'45" W 243.92 feet, along said right-of-

way line; thence S 56°55'24" W 70.42 feet along the boundary of said right-of-way line to the North right-of-way line of Mary Street; thence S 88°21'23" E 210.13 feet along said right-of-way line extended; thence along a curve to the right, with a radius of 540.00 feet, an arc distance of 303.15 feet, with a chord bearing S 61°25'54" E 299.87 feet along said right-of-way; thence S 45°13'26" E 80.86 feet along said right-of-way line; thence S 89°46'34" E 21.21 feet along said right-of-way line to the Northwesterly right-of-way line of K-156; thence N 44°46'34" E 751.36 feet along said right-of-way line to the POINT OF BEGINNING; said tract of land containing 144.0 acres, more or less.

SECTION 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, this 6th day of October 2015.

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado. City Clerk

EASEMENT

In consideration of the sum of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned,

O'BRATE REALTY, L.L.C.,

their successors and assigns, hereby grant to the City of Garden City, Kansas (City), its successors, assigns, lessees, agents, franchisees, and all others granted the right to use or occupy a City right-of-way or easement, the right, privilege, and authority to construct, erect, maintain, repair, reconstruct, operate, or remove a line or lines for City electric, lines and ancillary equipment, on, over, and under the surface of the following described real estate:

A tract of land in South Half of Section 4, and the North Half of Section 9, all in Township 24 South, Range 32 West of the Sixth Principal Meridian, City of Garden City, Finney County, Kansas described as follows: Beginning at the Southeast Corner of Section 4, thence N 0°41'15" E 388.26 feet; thence N 89°18'45" W 40 feet to the POINT OF BEGINNING, said point being the intersection of the Northwesterly right-of-way line of K-156 and the West right-of-way line of old Jennie Barker Road; thence N 89°18'45" W 217.8 feet; thence N 0°41'15" E 393.7 feet, to the Southerly right-of-way line of new Jennie Barker Road; thence Southwesterly along the Southerly right-of-way line of new Jennie Barker Road to the intersection with a line which is 307.8 feet east of the East line of said Section 4, as measured parallel with and perpendicular to the East line of said Section; S 0°41'15" W 356.66 feet; thence S 45°13'26" E 195.28 feet to the Northwesterly right-of-way line of K-156; thence N 44°46'34" E 186.64 feet along said right-of-way line to the POINT OF BEGINNING; said tract of land containing 0.84 acres, more or less.

together with the rights and privileges therein necessary for the full enjoyment thereof, including the right of ingress and egress. This Easement shall run with the land.

It is expressly understood that the undersigned, in granting the use herein specified, have done so without divesting themselves of the use and enjoyment of the described premises, subject only to the rights of the City, its successors, assigns, lessees, agents, and franchisees to use the same for the purposes herein specified.

IN WITNESS WHEREOF, the Grantors have caused this Easement Agreement to be signed this 11 day of September, 2015

O'BRATE REALTY, L.L.C.,


Cecil O'Brate, Member

NOTARY PUBLIC-State of Kansas

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

 **SHAYLA CAFFEE**
My Appt. Exp. 10-9-17

BE IT REMEMBERED, that on the 11 day of September, 2015, before me, a Notary Public in and for the County and State aforesaid, came Cecil O'Brate, Member, O'Brate Realty, LLC, who is personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.


Notary Public

My Commission Expires:
10-9-17



COMMUNITY
DEVELOPMENT

DEPARTMENT
SERVING

GARDEN CITY
HOLCOMB

AND
FINNEY COUNTY

620-276-1170

INSPECTIONS
620-276-1120

inspection@garden-city.org

CODE COMPLIANCE
620-276-1120
code@garden-city.org

PLANNING AND
ZONING
620-276-1170
planning@garden-city.org

CITY ADMINISTRATIVE
CENTER
301 N. 8TH
P.O. BOX 998
GARDEN CITY, KS
67846-0998
620.276.1170
FAX 620.276.1173
www.garden-city.org

Memo

To: Planning Commission
From: Kaleb Kentner
CC: File
Date: September 30, 2015
Re: Creation of the Downtown Development Fund

ISSUE: To create a development fund that can be used to offset and/or fund the various expenses associated with the development and revitalization of the Central Business District. To encourage the revitalization and/or redevelopment of existing buildings and the development of vacant properties in Downtown Garden City which is consistent with the goals of the Comprehensive and Downtown Master Plans.

BACKGROUND: Garden City staff, Downtown Vision staff, Board Directors, and Committees have been working on ways to meet the goals of the Comprehensive Plan and Downtown Master Plan. At the June 16, 2015 City Commission meeting, Downtown Vision presented the proposal plan for the Downtown Development Fund. (Proposal is attached) The City Commission recommended they proceed with working with staff to formally create the program. With this direction from the City Commission, staff has prepared the attached resolution and draft application for your review and consideration.

The purpose of this program is to encourage the revitalization and/or redevelopment of existing businesses in Downtown Garden City and the development of vacant properties consistent with the Comprehensive Plan and Downtown Master Plan.

It is our thought that by creating a Downtown development incentive fund, we will broaden the scope of eligible projects, thus spurring on those projects that tend to be in a "holding pattern". While new development is always great, we hope that this added incentive might entice our current building owners/tenants to do upgrades on their existing properties. Currently, less than a dozen empty storefronts on our Main Street exist. These empty spaces have proven the hardest to develop. We have discovered some of the hurdles for these properties include funding for upgrades needed for accessibility/code compliance issues, efficiency upgrades, demolition expenses, environmental remediation and façade renovation. This program can help these existing properties overcome these hurdles.

This fund would be available to properties located within the Central Business District as outlined in the official boundary map in the Garden City Downtown Master Plan. Properties must be in compliance with the existing zoning regulations and Downtown Master Plan. If several applications are received at one time, first priority would be given to existing commercial properties that are paying and are current on property taxes. After that, priority will be giving to existing buildings, followed by new construction. Nonprofit companies would be given the lowest priority. Projects over \$50,000 require City Commission approval.

The resolution creating the program is attached. A draft of the application has also been attached and may be modified from time to time. The program will have the following requirements:



COMMUNITY
DEVELOPMENT
DEPARTMENT
SERVING
GARDEN CITY
HOLCOMB
AND
FINNEY COUNTY
620-276-1170

INSPECTIONS
620-276-1120

inspection@garden-city.org

CODE COMPLIANCE
620-276-1120
code@garden-city.org

**PLANNING AND
ZONING**
620-276-1170
planning@garden-city.org

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P.O. BOX 998
GARDEN CITY, KS
67846-0998
620.276.1170
FAX 620.276.1173
www.garden-city.org

- a) Property seeking to utilize the Downtown Development Fund must be located within the Central Business District of the City. The official boundary for the Central Business District is located in the Garden City Downtown Master Plan.
 - b) The following improvements are eligible for reimbursement of 80% of costs paid, up to \$200,000 per project:
 - i. Environmental Remediation
 - ii. Façade Renovation
 - iii. Interior Remodeling (including accessibility/code compliance issues)
 - iv. Second Story Residential/Commercial Development
 - v. Efficiency Upgrades
 - vi. Demolition Expense
 - c) Professional fees for design, architecture and legal are eligible for reimbursement of 50% of costs paid, up to \$50,000 per project.
 - d) Total cost of a project must be at least \$20,000 to qualify for funding.
 - e) Application for the program must be filed within ninety (90) days from the date of issuance of the first building permit.
 - f) A copy of a deed indicating ownership of the property to be developed and a receipt showing full payment of real property taxes must be submitted to the City.
 - g) All reimbursements will be issued by the City within thirty (30) days of final inspection and approval.
3. The terms and conditions of the Downtown Development Program may be administratively amended or revised from time to time, without the requirement to amend this Resolution.

ALTERNATIVES: The Governing Body may:

1. Approve of the program and resolution.
2. Approve of the program and resolution with changes.
3. Not approve of the program and resolution.

STAFF RECOMMENDATION: Staff recommends approval of the program and resolution.

FISCAL NOTE: The program is a first come first served program beginning in 2015. Each year \$250,000.00 will be budgeted to fund the program.

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING THE DOWNTOWN DEVELOPMENT FUND FOR THE CITY OF GARDEN CITY, KANSAS; ESTABLISHING A PROCESS FOR REIMBURSEMENT OF DEVELOPMENT COSTS ASSOCIATED WITH DEVELOPMENT OF VACANT PROPERTIES AND REVITALIZATION OR REDEVELOPMENT OF BUILDINGS IN THE CENTRAL BUSINESS DISTRICT OF THE CITY.

WHEREAS, the Central Business District of the City of Garden City, Kansas (City), has vacant properties and buildings which are in need of revitalization and redevelopment; and

WHEREAS, available funds for revitalization and redevelopment of buildings in the Central Business District are sometimes difficult to procure; and

WHEREAS, revitalization and redevelopment of buildings in the Central Business District is in the best interest of the City and it is a benefit to persons wishing to invest in the Central Business District and develop a business.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas, as follows:

1. The City hereby creates the Downtown Development Fund for the purpose of offering funds for the revitalization or redevelopment of existing buildings in the Central Business District of the City.
2. The City hereby creates the Downtown Development Program for revitalization or redevelopment of existing buildings in the Central Business District, consistent with the Comprehensive Plan and Downtown Master Plan of the City. The Downtown Development Program shall have the following requirements:
 - a) Property seeking to utilize the Downtown Development Fund must be located within the Central Business District of the City. The official boundaries for the Central Business District are located in the Garden City Downtown Master Plan.
 - b) The following improvements are eligible for reimbursement of 80% of costs paid, up to \$200,000 per project:
 - i. Environmental Remediation
 - ii. Façade Renovation
 - iii. Interior Remodeling (including accessibility/code compliance issues)
 - iv. Second Story Residential/Commercial Development
 - v. Efficiency Upgrades
 - vi. Demolition Expense
 - c) Professional fees for design, architecture and legal are eligible for reimbursement of 50% of costs paid, up to \$50,000 per project.
 - d) Total cost of a project must be at least \$20,000 to qualify for funding.

- e) Application for the program must be filed within ninety (90) days from the date of issuance of the first building permit.
 - f) A copy of a deed indicating ownership of the property to be developed and a receipt showing full payment of real property taxes must be submitted to the City.
 - g) All reimbursements will be issued by the City within thirty (30) days of final inspection and approval.
3. The terms and conditions of the Downtown Development Program may be administratively amended or revised from time to time, without the requirement to amend this Resolution.

IT IS SO RESOLVED THIS _____ DAY OF OCTOBER, 2015, BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS.

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

APPROVED:

Randall D. Grisell, City Counselor

Downtown Development Fund



Proposal



120 E. Laurel St.
Garden City, KS 67846
620.276.0891
vision@gcdowntown.com

Overview

Garden City Downtown Vision was established over 10 years ago to address the problem of a declining Main Street district. While the empty storefronts were increasing in number, the overall atmosphere and attraction of our Downtown district was decreasing.

Currently, we boast less than 10 empty storefronts on our Main Street. However, the remaining empty spaces have proven the hardest to develop. The overall theme for our Board of Directors and Committees over the last 18 months has been to discover what the hurdle is on these properties. Through the implementation of our Jump Start Business Developer Program, which was created to encourage the entrepreneurial spirit in our district, we have discovered that funding remains a huge barrier.

Goals & Objectives

Downtown Vision would like to propose the idea of creating a development fund that can be used to offset and/or fund the various expenses associated with the development and revitalization of the Central Business District.

Goal 1: Encourage development of vacant properties, and the revitalization and/or redevelopment of existing buildings in Downtown Garden City.

Goal 2: Development & revitalization shall be consistent with the Comprehensive Plan and Downtown Master Plan.

Current Incentives

There are currently a few incentives offered for development in the Downtown District. They are as follows:

- Neighborhood Revitalization (City)
- Downtown Streetscapes (City)
- 2nd Story Residential (City)
- Jump Start Business Developer (DVI)
- IWW Loan Program (DVI)

While these can be grouped together to provide a good incentive package, the programs can be restrictive in what the funding can be used for.



Proposal

It is our thought that by creating a Downtown development incentive fund, it will broaden the scope of eligible projects, thus spurring on those projects that tend to be in a “holding pattern”. While new development is always great, we hope that this added incentive might entice our current building owners/tenants to do upgrades on their existing properties as well.

Suggestions for projects that would be eligible for the funds:

- Environmental Remediation
 - Façade Renovation
 - Interior Remodel (including accessibility/code compliance issues)
 - 2nd story residential/commercial development
 - Efficiency upgrades
 - Demolition expense
- } 80% of cost paid, up to \$200,000 per project
-
- Professional Fees (design, architecture, legal) } 50% of cost paid, up to \$50,000 per project
 - Reimbursed expense (must show invoice to receive payment)

** Total cost of project must be at least \$20,000 to qualify for this funding





APPLICATION FOR DOWNTOWN DEVELOPMENT FUND

Overview

On behalf of Downtown Vision, The City of Garden City is offering a development fund that can be used to offset and/or fund the various expenses associated with the development and revitalization of the Central Business District.

Goal 1: Encourage development of vacant properties, and the revitalization and/or redevelopment of existing buildings in Downtown Garden City.

Goal 2: Development & revitalization shall be consistent with the Comprehensive Plan and Downtown Master Plan.

The program will reimburse 80% of eligible costs paid, up to \$200,000 per project. This program will also reimburse up to 50% of the costs paid for professional fees (design, architecture, legal), up to \$50,000 per project.

All reimbursements will be issued within thirty (30) days of the approved final inspection.

General Requirements

1. The property must be located within the Central Business District to qualify. The official boundaries for this district are located in the *Garden City Downtown Master Plan (Figure A.1 The new Boundary, page 39)*.

2. The following improvements are eligible for the funds:

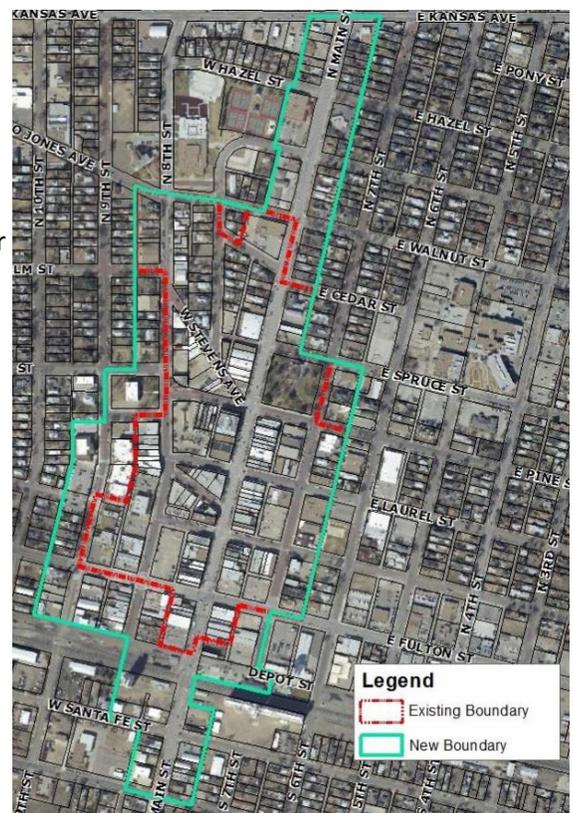
- Environmental Remediation
 - Façade Renovation
 - Interior Remodel (including accessibility/code compliance issues)
 - 2nd Story Residential/Commercial Development
 - Efficiency Upgrades
 - Demolition Expense
- } 80% of cost paid, up to \$200,000 per project

3. Professional Fees (design, architecture, legal) } 50% of cost paid, up to \$50,000 per project

4. Total cost of project must be at least \$20,000 to qualify for this funding.

5. An Application for this program must be filed within ninety (90) days from the date of the issuance of the first building permit.

6. A copy of the Deed and receipt of paid property taxes will be required.





APPLICATION FOR DOWNTOWN DEVELOPMENT FUND

RESOLUTION#

DATE:

PLEASE PRINT OR TYPE

OWNER'S NAME

OWNER'S MAILING ADDRESS

PHONE NUMBERS

HOME

WORK

EMAIL

PROPERTY ADDRESS

PROPERTY IDENTIFICATION INFORMATION

(Parcel ID number and Legal description are documented on your tax statement or call the County Clerk's Office)

COPY OF DEED

RECEIPT OF PAID TAXES

LEGAL DESCRIPTION

Use additional sheets if necessary

PARCEL IDENTIFICATION NUMBER (CAMA)

PROPERTY IMPROVEMENTS

PLEASE CHECK ALL THAT APPLY

- Environmental Remediation
 Façade Renovation
 Interior Remodel
 Efficiency Upgrades
 2nd Story Residential/ Commercial Development
 Demolition Expense

IS PROPERTY LISTED ON HISTORIC REGISTRY OR LOCATED WITHIN A HISTORIC DISTRICT BOUNDARY?

No

Yes *(must attach proof of historic registration)*

PROPOSED PROPERTY IMPROVEMENTS

IMPROVEMENT DESCRIPTION

(Please be specific and Use additional sheets if necessary)

IMPROVEMENT (cost estimates) \$ _____

PROJECTED CONSTRUCTION SCHEDULE

/ /

START DATE

/ /

FINISH DATE

/ /

PROPERTY OWNER / APPLICANTS SIGNATURE

DATE

FOR OFFICE USE ONLY

APPROVALS:

- Community Development Date of Approval _____
 Finance Director Date of Approval _____
 City Commission (funds in excess of \$50,000) Date of Approval _____



**PUBLIC UTILITIES
DEPARTMENT**

MIKE MUIRHEAD
Public Utilities
Director
301 N 8th St
620.276.1577

CLIFF SONNENBERG
Electric Service's Center
Superintendent
140 Harvest Ave
620.276.1290

FRED JONES
Water Department
Resource Manager
106 S 11th St
620.276.1292

ED BORGMAN
Waste Water
Superintendent
345 S Jennie Barker Rd
620.276.1281

CITY ADMINISTRATIVE
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301 N 8TH ST
P.O. Box 998
GARDEN CITY, KS
67846-0998
620.276.1160
FAX 620.276.1169
www.garden-city.org

MEMORANDUM

TO : Governing Body
THRU: Matt Allen, City Manager
FROM: Mike Muirhead, Public Utilities Director
Sam Curran, Public Works Director
DATE : September 29, 2015
RE : Board Appointments for Public Utilities Advisory Board

Issue:

Governing Body consideration of applicants and appointments to the Public Utilities Advisory Board to fill new positions and approving a revision of Resolution 2598-2014. Attached are the applications of the nine purposed board members, and the revised resolution.

Background:

On August 19, 2014, the City Commission adopted Resolution 2598-2014 creating the Public Utilities Advisory Board. The Board's purpose is to "advise the Governing Body of the City of Garden City, Kansas, with regard to utility rates, investments, infrastructure and major utility project issues involving Garden City Public Utilities." Additionally Section II of Resolution 2598-2014 states, "The membership of the board shall be composed of representation from residents within the City of Garden City corporate boundaries, with a total of nine (9) representatives."

Staff ask the Governing Board to consider keeping the number of Board members to nine (9), but only 7 members must be residents of Garden City, with the remaining members from Garden City or Finney County.

We present the following names, in no particular order, to serve three (3) year-terms provided that when initial appointments are made, three (3) shall be for terms which expire January 1, 2017, three (3) shall be made for terms which expire January 1, 2018, and two (2) shall be for terms which expire January 1, 2019. Thereafter all appointments shall be for three (3) year terms.

Alternatives:

1. The City Commission may appoint the following to the Public Utilities Advisory Board: Alicia Dianda, Kevin Campbell, Mel Galvez, Steve Dyer, Constance Smith, Steve Michel, Julie Christner, Laureen Bryant and Jonathan Smith and make revisions to Resolution 2598-2014.

2. Do not appoint these applicants nor make revisions to Resolution 2598-2014 and recommend that staff continue to recruit Board members.



**PUBLIC UTILITIES
DEPARTMENT**

MIKE MUIRHEAD
Public Utilities
Director
301 N 8th St
620.276.1577

CLIFF SONNENBERG
Electric Service's Center
Superintendent
140 Harvest Ave
620.276.1290

FRED JONES
Water Department
Resource Manager
106 S 11th St
620.276.1292

ED BORGMAN
Waste Water
Superintendent
345 S Jennie Barker Rd
620.276.1281

CITY ADMINISTRATIVE
CENTER
301 N 8TH ST
P.O. Box 998
GARDEN CITY, KS
67846-0998
620.276.1160
FAX 620.276.1169
www.garden-city.org

Recommendations:
Staff recommends alternative #1

Fiscal:
There is no fiscal impact caused by this action.

RESOLUTION NO. _____

A RESOLUTION AMENDING THE REQUIREMENTS OF MEMBERSHIP AND TERM LENGTHS OF MEMBERSHIP OF THE PUBLIC UTILITIES ADVISORY BOARD OF THE CITY OF GARDEN CITY, KANSAS.

WHEREAS, it is the policy of the City of Garden City, Kansas (City), to promote and foster public input in addressing the community's utility related issues; and

WHEREAS, on August 19, 2014, through Resolution No. 2598-2014, the Governing Body of the City (Governing Body) created the Public Utilities Advisory Board; and

WHEREAS, to accommodate public interest and participation in the Public Utilities Advisory Board, changes to the requirements of membership and terms lengths of membership need to be adopted; and

WHEREAS, to implement the above referenced changes, Section II and Section III of Resolution No. 2598-2014 shall be amended as reflected below; and

WHEREAS, all remaining Sections of Resolution No. 2598-2014 shall remain in full force and effect, and the new Sections established herein shall be incorporated as if part of the original Resolution No. 2598-2014.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas as follows:

SECTION 1. Section II of Resolution No. 2598-2014 is hereby amended to read as follows:

SECTION II.

That there shall be a total of nine (9) representatives on the Board, appointed by the Mayor of the City, with the advice and consent of the Governing Body. The membership of the Board shall be structured such that a minimum of seven (7) members of the Board shall be residents of the City of Garden City, Kansas, with the remaining members being either residents of the City of Garden City, Kansas, or residents of Finney County, Kansas. The initial appointments shall be made for the following term lengths: three (3) shall be for terms which expire January 1, 2017, three (3) shall be for terms which expire January 1, 2018, and three (3) shall be for terms which expire January 1, 2019. Thereafter, all appointments shall be for three (3) year terms.

SECTION 2. Section III of Resolution No. 2598-2014 is hereby amended to read as follows:

SECTION III.

That the Board shall convene in a place and time designated by the Mayor of the City of Garden City, Kansas. At such meeting the Board shall elect a Chairperson for an initial term which shall expire on January 1, 2017. Thereafter, each Chairperson shall

be elected for a term of two (2) years. Other officers may be elected, bylaws adopted, and the time and place for future meetings set, by action of a quorum of the Board. A quorum shall consist of five (5) members of the Board.

SECTION 3. This resolution shall supersede and replace Section II and Section III of Resolution No. 2598-2014 as specified herein, with the remainder of Resolution No. 2598-2014 remaining in full force and effect.

SECTION 4. This resolution shall be effective from and after its publication in The Garden City Telegram, the official City newspaper.

IT IS SO RESOLVED THIS 6TH DAY OF OCTOBER, 2015, BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS.

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

APPROVED:

Randall D. Grisell, City Counselor

GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Alicia Dianda HOME PHONE: 620-521-4018

ADDRESS: 2519 N. B St. Apt. # 4 WORK PHONE: 620-272-0570

E-MAIL ADDRESS: adianda@ummam.org

OCCUPATION (if employed): Dental Practice Manager

PLACE OF EMPLOYMENT: UMMAM

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 28 yrs.

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

My job consists of helping others, and providing resources/services for those who cannot afford healthcare. So I am very interested in participating in serving on a board, because I feel like I have a lot of knowledge and passion for making my home a better place for my friends and family. I have also lived and grew up in Garden City, and I feel like I need to do more to make it a better place.

OTHER APPLICABLE EXPERIENCE: _____

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

Airport Advisory Board

Alcohol Fund Advisory Committee

Art Grant Committee

Building Safety Board of Appeals

Community Health Advisory Board

Cultural Relations Board

Golf Advisory Board

Landmarks Commission

Lee Richardson Zoo Advisory Board

Local Housing Authority

Parks & Tree Board

Planning Commission

Police/Citizen Board

Public Utilities Advisory Board

Recreation Commission

Traffic Advisory Committee

Zoning Board of Appeals

RETURN THIS FORM TO:

City Manager's Office – Attn: Celyn
City Administrative Center
P.O. Box 998
Garden City, KS 67846-0998

GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Kevin Campbell HOME PHONE: 586.530.8380

ADDRESS: 1001 Gillespie Pl WORK PHONE: _____

E-MAIL ADDRESS: Kjcampbellconsulting@gmail.com

OCCUPATION (if employed): Team 7 INC.

PLACE OF EMPLOYMENT: Garden City

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 6 Yrs

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:
I am an active member of the community interested in growth

OTHER APPLICABLE EXPERIENCE: _____
CIP Board, FCPA, YMCA Building committee

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- | | |
|---|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Local Housing Authority |
| <input checked="" type="checkbox"/> Alcohol Fund Advisory Committee | <input type="checkbox"/> Parks & Tree Board |
| <input type="checkbox"/> Art Grant Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Police/Citizen Board |
| <input checked="" type="checkbox"/> Community Health Advisory Board | <input checked="" type="checkbox"/> Public Utilities Advisory Board |
| <input type="checkbox"/> Cultural Relations Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Golf Advisory Board | <input type="checkbox"/> Traffic Advisory Committee |
| <input type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Lee Richardson Zoo Advisory Board | |

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Mel Galvez HOME PHONE: (316) 239-4277

ADDRESS: 1202 Long Blvd, Garden City, KS WORK PHONE: (620) 275-1766 EXT 228

E-MAIL ADDRESS: melgalvez@me.com

OCCUPATION (if employed): Finances

PLACE OF EMPLOYMENT: United Methodist Mexican-American Ministries

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 25+ years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

To help assist in planning, organizing, and evaluating principles, and strategies
that could help Garden City become a better community.

OTHER APPLICABLE EXPERIENCE: Bachelor's Degree in Business Administration.

Over 10 years of banking experience. Bilingual (Spanish), fluent writer, reader, and speaker.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

Airport Advisory Board

Alcohol Fund Advisory Committee

Art Grant Committee

Building Safety Board of Appeals

Community Health Advisory Board

Cultural Relations Board

Golf Advisory Board

Landmarks Commission

Lee Richardson Zoo Advisory Board

Local Housing Authority

Parks & Tree Board

Planning Commission

Police/Citizen Board

Public Utilities Advisory Board

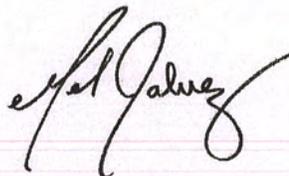
Recreation Commission

Traffic Advisory Committee

Zoning Board of Appeals

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Steve Dyer

HOME PHONE: 275-2015

ADDRESS: 105 Wellington

WORK PHONE: 276-3264

E-MAIL ADDRESS: sdyer@gardencitychamber.net

OCCUPATION (if employed): President

PLACE OF EMPLOYMENT: Garden City Area Chamber of Commerce

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? Native

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

Help make garden city a great place.

OTHER APPLICABLE EXPERIENCE: work with over 500 businesses in Garden City: Finney County.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- | | |
|--|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Committee | <input type="checkbox"/> Parks & Tree Board |
| <input type="checkbox"/> Art Grant Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Police/Citizen Board |
| <input type="checkbox"/> Community Health Advisory Board | <input checked="" type="checkbox"/> Public Utilities Advisory Board |
| <input type="checkbox"/> Cultural Relations Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Golf Advisory Board | <input type="checkbox"/> Traffic Advisory Committee |
| <input type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Lee Richardson Zoo Advisory Board | |

RETURN THIS FORM TO:

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Constance M. Smith HOME PHONE: 620-640-1847

3501 N. Campus Dr # C205

ADDRESS: PO Box 144 GCKS WORK PHONE: 620-275-3702

E-MAIL ADDRESS: navyblue1973@gmail.com or constancewhitehurst@centura.org

OCCUPATION (if employed): Administrative Assistant

PLACE OF EMPLOYMENT: Siena Medical Clinic

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 41 years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

I am interested in serving on an advisory board to have the opportunity to discuss options, brainstorm possibilities and help implement new policies/avenues of change.

OTHER APPLICABLE EXPERIENCE: I am a co-chair of the St.

Catherine Hospital Green Team and have been a member of a number of other committees/teams through St. Catherine's Siena Medical.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- Airport Advisory Board
- Alcohol Fund Advisory Committee
- Art Grant Committee
- Building Safety Board of Appeals
- Community Health Advisory Board
- Cultural Relations Board
- Golf Advisory Board
- Landmarks Commission
- Lee Richardson Zoo Advisory Board

- Local Housing Authority
- Parks & Tree Board
- Planning Commission
- Police/Citizen Board
- Public Utilities Advisory Board
- Recreation Commission
- Traffic Advisory Committee
- Zoning Board of Appeals

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Steve Michel HOME PHONE: cell-620-271-2929

ADDRESS: 8715 E. Six Mile Road GCK WORK PHONE: 620-276-0700

E-MAIL ADDRESS: michel@wbsnet.org

OCCUPATION (if employed): Bus Driver, Business owner

PLACE OF EMPLOYMENT: USD 457, Prairie Wind Aquatics

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 1952-1962, 1980-present

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

Interest in preserving and expanding the infrastructure in the city.

OTHER APPLICABLE EXPERIENCE: 25 years at Cash& Carry Lumber, business owner, own several Homes and 2 businesses in corporate limits of the city, served 12+ years on Parks and Tree Board.

Now serving on CIP Committee.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

Airport Advisory Board

Alcohol Fund Advisory Committee

Art Grant Committee

Building Safety Board of Appeals

Community Health Advisory Board

Cultural Relations Board

Golf Advisory Board

Landmarks Commission

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Planning Commission

Police/Citizen Board

Public Utilities Advisory Board

Recreation Commission

Traffic Advisory Committee

Zoning Board of Appeals

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: JULIE CHRISTNER HOME PHONE: 290-6071

ADDRESS: 1629 BANCROFT WORK PHONE: 275-7451

E-MAIL ADDRESS: julie@keygc.com

OCCUPATION (if employed): MANAGER

PLACE OF EMPLOYMENT: KEY OFFICE

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 53 YRS

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

DUE TO MY INTERESTS & OCCUPATION I HAVE INTEREST IN THE SUCCESS OF OUR COMMUNITY

OTHER APPLICABLE EXPERIENCE: SEC OF THE BOARD GCOTV 4-YRS, SEC. FCPA 2-YRS, V.P. TRAFFIC ADVISORY BOARD 1 YR

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- | | |
|--|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Committee | <input type="checkbox"/> Parks & Tree Board |
| <input type="checkbox"/> Art Grant Committee | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Police/Citizen Board |
| <input type="checkbox"/> Community Health Advisory Board | <input checked="" type="checkbox"/> Public Utilities Advisory Board |
| <input type="checkbox"/> Cultural Relations Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Golf Advisory Board | <input type="checkbox"/> Traffic Advisory Committee |
| <input checked="" type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Lee Richardson Zoo Advisory Board | |

RETURN THIS FORM TO:
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City Administrative Center
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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Jonathan Smith HOME PHONE: 248-224-8510
ADDRESS: 2001 Pawnee #3 WORK PHONE: 620-640-5275
E-MAIL ADDRESS: Jsmith@umnam.org
OCCUPATION (if employed): Chief Information Officer
PLACE OF EMPLOYMENT: UMNAM
HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 22 months

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

This community has welcomed me with open arms (I'm from Detroit) and I would like to contribute. This is now my home.

OTHER APPLICABLE EXPERIENCE: My experiences from Detroit, my healthcare operations, and IT experience will prove to be a valuable asset to any advisory board/committee I serve on.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- | | |
|---|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Committee | <input type="checkbox"/> Parks & Tree Board |
| <input type="checkbox"/> Art Grant Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Safety Board of Appeals | <input checked="" type="checkbox"/> Police/Citizen Board |
| <input checked="" type="checkbox"/> Community Health Advisory Board | <input checked="" type="checkbox"/> Public Utilities Advisory Board |
| <input checked="" type="checkbox"/> Cultural Relations Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Golf Advisory Board | <input type="checkbox"/> Traffic Advisory Committee |
| <input type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Lee Richardson Zoo Advisory Board | |

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GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Laureen Bryant HOME PHONE: 785-817-3987 (Cell)

ADDRESS: 329 S Campusview Ct, #2 WORK PHONE: 620-275-9267

E-MAIL ADDRESS: laureenb@lhd.com

OCCUPATION (if employed): Staff Accountant

PLACE OF EMPLOYMENT: Lewis, Hooper, and Dick, LLC

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 2 months

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

Prior to moving to Garden City, I valued electric coops, electric investors, and fluid pipe-
lines for their property taxes for the Kansas Dept. of Revenue

OTHER APPLICABLE EXPERIENCE: _____

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

Airport Advisory Board

Alcohol Fund Advisory Committee

Art Grant Committee

Building Safety Board of Appeals

Community Health Advisory Board

Cultural Relations Board

Golf Advisory Board

Landmarks Commission

Lee Richardson Zoo Advisory Board

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Parks & Tree Board

Planning Commission

Police/Citizen Board

Public Utilities Advisory Board

Recreation Commission

Traffic Advisory Committee

Zoning Board of Appeals

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Old Business

New Business

MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 30 September 2015

RE: ANNEXATION AGREEMENT REQUEST

ISSUE

Edwin T. and Martha Sue Pahls, 3001 E. Spruce Street, request Governing Body consideration and approval of an annexation agreement on their property.

BACKGROUND

The Pahls property was recently rezoned by Finney County upon recommendation of the Planning Commission. A recommendation from the rezoning action was to enter into an annexation agreement, as the property is currently served by City Water and Electric. The Staff Report to the Planning Commission is attached.

ALTERNATIVES

- 1) The Governing Body may approve the annexation agreement.
- 2) The Governing Body may deny approval of the agreement.

RECOMMENDATION

Staff recommends approval of the annexation agreement.

FISCAL

There is no cost to the City for this action.



Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

C.W. Harper, P.E.
Assistant City Engineer

CITY ADMINISTRATIVE
CENTER
301 N. 8TH
P.O. BOX 998
GARDEN CITY, KS
67846-0998
620.276.1130
FAX 620.276.1137
www.garden-city.org

AGREEMENT TO PROVIDE MUNICIPAL SERVICES AND CONSENT TO ANNEXATION

NOW ON this ____ day of _____, 2015, this Agreement to Provide Municipal Services and Consent to Annexation (Agreement) entered into by and between the **CITY OF GARDEN CITY, KANSAS**, hereinafter referred to as **CITY**, and **EDWIN T. PAHLS AND MARTHA SUE PAHLS**, hereinafter referred to as **OWNER**, and,

WHEREAS, **OWNER** requests and **CITY** desires to provide the described municipal service(s) to the described real property.

WHEREAS, **CITY** currently provides the municipal electric service to the described real property.

WHEREAS, **OWNER** is the owner of the following described real property an in consideration of the delivery or extension of municipal service(s) by **CITY** to the described real property, owner desires to consent to the annexation of the described real property, to-wit:

Starting at the Southwest corner of the Northwest Quarter of Section 15, Township 24 South, Range 32 West of the 6th P.M., Finney County , Kansas, thence in an Easterly direction, at an angle to the right of 90°10'00" from the West line of said Northwest Quarter section, along the South Line of said Quarter section a distance of 628.19 feet to the point of beginning; thence Northerly at an interior angle of 91°44'27", a distance of 429.36 feet; thence Westerly at an interior angle of 88°15'33", a distance of 203.00 feet; thence Southerly at an interior angle of 91°44'27", a distance of 429.36 feet, to a point on the South line of said Quarter section; thence Easterly at an interior angle of 88°15'33", along the South line of said Quarter section, a distance of 203.00 feet to the point of beginning

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the parties agree as follows:

1. **CITY** agrees to deliver or extend municipal **water service**, at in-city rates, to the real property, said real property currently lying outside the boundaries of **CITY**.
2. In consideration of the delivery of municipal **electric and water service** to the real property, **OWNER** agrees and consents to the annexation of the real property by **CITY** at a date annexation is desired by **CITY**.
3. The parties understand and agree that the consent given herein pursuant to K.S.A. 12-534 and that such consent shall be deemed to be sufficient consent to an annexation proceeding under K.S.A. 12-520.
4. The parties understand and agree that this Agreement shall be binding upon all heir, executors, administrators, successors, and permitted assigns, and further, that this Agreement shall run with the real property.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year first above written.

CITY OF GARDEN CITY, KANSAS

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

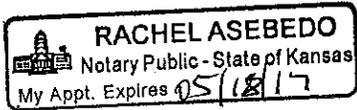
Edwin T. Pahls
EDWIN T. PAHLS

Martha Sue Pahls
MARTHA SUE PAHLS
For Edwin T. Pahls

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on the 15 day of September, 2015, before me, a Notary Public in and for the County and State aforesaid, came **EDWIN T. PAHLS AND MARTHA SUE PAHLS**, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same as Mayor of the City of Garden City, Kansas.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.



Rachel Asebedo
Notary Public

My Commission Expires:

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on the _____ day of _____, 2015, before me, a Notary Public in and for the County and State aforesaid, came **Janet A. Doll**, Mayor and **Celyn N. Hurtado**, City Clerk, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.

Notary Public

My Commission Expires:

STAFF REPORT

FC2015-53: Rezoning from "I-1, I-2" Light – Medium Industrial District to "R-R" Rural Residential District, 3801 E Spruce Street, Garden City, KS 67846

GENERAL INFORMATION

Date:	August 20, 2015	Jurisdiction:	Finney County
Owner:	Edwin Terry Pahls		
Applicant:	Edwin Terry Pahls		
Requested Action:	Rezoning from "I-1, I-2" Light – Medium Industrial District to "R-R" Rural Residential District		
Purpose:	Rezone property to a residential zone		
Location address:	3801 E Spruce Street, Garden City, KS 67846		
Comprehensive Plan:	Proposed land use is consistent with the Comprehensive Plan		
Sites Existing Zoning:	"I-1, I-2" Light – Medium Industrial District		
Surrounding Zoning:	North	"MHP" Manufactured Home Park District	
	South	"MHP" Manufactured Home Park District	
	East	"I-1, I-2" Light – Medium Industrial District	
	West	"C-2" General Commercial District	
Land Area:	Contains 2 acres +/-		
Notice Date:	This project was published and noticed by mail as required by code.		

COMMENTS & REQUIRED IMPROVEMENTS

1. The applicant is requesting to rezone the property from "I-1, I-2" Light – Medium Industrial District to "R-R" Rural Residential in order to sell the property for residential use. There is an existing house on the property. This property is in the County but is surrounded on three sides by City limits. The "R-R" district is designed for more of a rural setting and staff feels that the "L-R" Low Density Residential District would be a more appropriate zone due to its proximity to Garden City.
2. This property is not on a public right-of-way; however there is an existing access easement connecting to N Jennie Barker Road.
3. The property uses city electric and water; however, a pre-annexation agreement has not been signed. Staff recommends that a pre-annexation agreement be signed as a condition of approval.
4. The applicant has submitted a plat for approval (Case: FC2015-54).

RECOMMENDATION

Staff is unable to recommend approval of the rezoning to "R-R" Rural Residential District, but would recommend rezoning to "L-R" Low Density Residential District and recommend that a pre-annexation agreement is signed.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends rezoning the property to "L-R" Low Density Residential contingent upon the applicant signing a pre-annexation agreement.

Members Present- 7

Yea vote- 7

Nay vote- 0

**Attached are the Planning Commission minutes pertaining to this case.*



Case Number: FC2015-53
 Applicant: Edwin Terry Pahls
 Address: 3801 E. Spruce Street
 Request: Rezone from "I-1, I-2" Light - Medium Industrial to "R-R" Rural Residential District



Figure 1: View of the property looking north.



Figure 2: View of the property looking north.



Figure 3: View of property looking north.



Figure 4: View of the property looking east.



Figure 5: View of the property looking northeast.



Figure 6: View of the property looking northeast.



Figure 7: View of the property looking northwest.



**These minutes are draft only. They have not been approved by the Planning Commission.*

8/20/2015

FC2015-53/54: Bulkley Addition and Rezoning from “I-1/I-2” to “R-R”, 3801 E. Spruce

Staff Davidson reads staff reports.

Secretary Kentner explains case.

Chairman Lopez- Why would it not be annexed right now?

Secretary Kentner- It very well could be. It’s the choice of the property owner. We aren’t exactly sure how long ago that it was connected to City water so it would be beneficial to them to annex it so they don’t have to pay higher costs for the utilities. They will have to pay higher taxes though.

Member Laubach- So if we approve this with the pre-annexation agreement, the City can annex it at any time, correct? At their discretion?

Secretary Kentner- Correct. We would prefer it be voluntary though.

OPEN PUBLIC COMMENT

Edwin Pahls- I’m the owner and I bought the property at the tax sale with the intent of flipping it and selling it, which I did. I will sign the agreement and I agree that “L-R” probably fits better but I can’t sign the letter until it gets rezoned.

Staff Davidson- Is it your intention to annex it in?

Edwin Pahls- Yes.

Secretary Kentner- Honestly, this is the best option because with the real estate laws, you can’t get a residential loan on the property.

Ken Parks- The easements on the property are recorded and are private. We aren’t trying to make them public.

Discussion ensues regarding easements.

Chairman Lopez- I was curious what the adjoining “C-2” property could be used for? Would there be any buffer zones?

Secretary Kentner- There would need to be buffers on all sides. The property is large enough for a commercial business to operate there. There are three lots here that don’t have access to public right of way. We don’t know how long ago that was done. The best case scenario would be to have a road running along the south side of these properties which would be an extension of Spruce Street.

Chairman Lopez- I appreciate the concerns you brought up but the applicant seems agreeable to doing what appears to be conducive with the way the City is growing.

Member Germann- What is currently on that “C-2” property?

Secretary Kentner- It’s undeveloped.

CLOSE PUBLIC COMMENT.

MEMBER LAUBACH MAKES MOTION TO APPROVE PLAT.

MEMBER HOWARD SECONDS MOTION.

Votes were taken by yeas and nays and recorded as follows:

Germann	Gigot	Howard	Law	Lopez	Laubach	Schneider	Schwindt
Yea	Not Present	Yea	Yea	Yea	Yea	Recused	Yea

Motion passed.

*MEMBER GERMANN MAKES MOTION TO REZONE TO "L-R" CONTINGENT UPON PRE-ANNEXATION LETTER
MEMBER LAUBACH SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

Germann	Gigot	Howard	Law	Lopez	Laubach	Schneider	Schwindt
Yea	Not Present	Yea	Yea	Yea	Yea	Recused	Yea

Motion passed.



MEMORANDUM

TO: Governing Body
FROM: Sam Curran, Director of Public Works
DATE: September 29, 2015
SUBJECT: Traffic Advisory Board Recommendations

CITY COMMISSION

JANET A. DOLL,
Mayor

ROY CESSNA

MELVIN L. DALE

DAN FANKHAUSER

J. CHRISTOPHER LAW

MATTHEW C. ALLEN
City Manager

MELINDA A. HITZ, CPA
Finance Director

RANDALL D. GRISELL
City Counselor

ISSUE

The Traffic Advisory Board discussed the following issues at their September 14th Meeting:

1. Resident requesting speed dips in alley of Honey Bee Court.
2. Main Street parking stalls type and angle.
3. Fleming Street Pavement Markings – Kansas Avenue to Harding Avenue.
4. KDOT Road Safety Audit (RSA) #EN-2840-02.

Item 1: The City received a request to install speed dips in the alley of Honey Bee Court¹.

BACKGROUND

The Traffic Advisory Board has reviewed this request in two separate Board meetings. Resident's concerns are as follows:

Motorists are using the alley as a cut-thru behind Shamrock Street and Honey Bee Court. Traffic in the alley runs non-stop, 24 hours a day, 7 days a week. Believes 75% of traffic comes from residents living on Honey Bee Court

In 2010, the Commissioners approved the installations of "No Outlet" signs at the intersections along Hillman Avenue.

The second meeting held on Monday, September 14, 2015, the Board reviewed the issue again.

After additional discussions on the issue, the Board voted to have the City look into developing a City-wide ordinance or amending the Standard Traffic Ordinance for

¹ Honey Bee Court Alley Map

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CENTER
301 N. 8TH
P.O. Box 998
GARDEN CITY, KS
67846-0998
620.276.1160
FAX 620.276.1169
www.garden-city.org



CITY COMMISSION

JANET A. DOLL,

Mayor

ROY CESSNA

MELVIN L. DALE

DAN FANKHAUSER

J. CHRISTOPHER LAW

MATTHEW C. ALLEN
City Manager

MELINDA A. HITZ, CPA
Finance Director

RANDALL D. GRISELL
City Counselor

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Kansas Cities, Article 14, Miscellaneous Rules, Section 118, Driving Through or On Private Property to Avoid Traffic Control Devices as a solution to this request.

ALTERNATIVES

1. Closing the alleys using removal bollards with reflective tape.
2. Install dips and signage in alleys.
3. Sign the alleys as “No Thru Traffic” with Police enforcement.
4. Adopt a City-wide ordinance for “No Thru Traffic” in alleys.
5. Amend the Standard Traffic Ordinance for Kansas Cities booklet.
6. Deny request.

RECOMMENDATION

The Traffic Advisory Board recommends (Alternative 4) adopting a City-wide ordinance for “No Thru Traffic” in alleys. Alternative five was not presented to the Board at their meeting as an option.

Item 2: Main Street Parking.

BACKGROUND

After the Community Summit, Staff was instructed to review the installation of reverse parking stalls in the Downtown area versus staying with standard parking stalls. Also under review is the option of changing the angle of the standard parking stalls from 35 degrees to 45 degrees. Staff is requesting direction with painting the parking stalls on Main Street.

1. Staff tried reverse parking using a City pickup and noticed several issues with amenities in the Downtown area that would be damaged using this type of parking stall.
2. Topeka is currently utilizing some reverse parking; however, most cities/towns are just looking into the idea.
3. Staff recommended utilizing reverse parking on the east side of Steven’s Park on Seventh Street as a possible test area. It may benefit the vendors at the Downtown Farmer’s Market.
4. Staff also recommended using 45 degree parking stalls to maximize the number of parking stalls in the Downtown area. This angle would still provide an 11 foot driving lane on Main Street.

ALTERNATIVES

1. Use reverse parking on Main Street.
2. Maintain 35 degree parking stalls on Main Street.
3. Maintain parking stalls but change angle to 45 degrees on Main Street.
4. Deny the above alternatives and provide direction.



CITY COMMISSION

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RECOMMENDATION

Board recommends maintaining the standard parking stalls but change the angle to 45 degrees. (Alternative 3)

Item 3: Fleming Street Pavement Marking – Kansas Avenue to Harding Avenue².

BACKGROUND

After the Community Summit, Staff was instructed to look for opportunities of using some road diets in the community. After some review, Staff recommends changing the pavement markings on Fleming Street between Harding Avenue and Kansas Avenue to three-lanes. Currently, this segment of Fleming Street functions similar to a three-lane roadway for traffic traveling northbound as you approach Harding Avenue. Also by changing the pavement markings at this location, it creates a better transition into the pavement markings north of Harding Avenue which is marked as a three-lane road.

ALTERNATIVES

1. Maintain current pavement markings as a four-lane roadway.
2. Change the pavement markings to a three-lane roadway with a center turning lane as per proposed drawing.
3. Deny the above alternative and provide direction.

RECOMMENDATION

Board recommends (Alternative 2) changing the pavement markings from four lanes to three lanes with a center turning lane.

Item 4: KDOT Road Safety Audit (RSA) #EN-2840-02.

BACKGROUND

KDOT conducted a Road Safety Audit (RSA) in Finney County a number of months ago. KDOT wants City's input on the below recommendations as they move forward to a final report.

1. **US-83 South³** - Recommends changing the speed limit from 65 mph to 60 mph after Burnside Drive – County road.

² Fleming Street Pavement Marking Map

³ US 83 Map



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2. **US-50/US-83 (Taylor Avenue)**⁴ – KDOT already made this change – 45 mph to 40 mph after drainage ditch to Mary Street, then 50 mph from Mary Street north to City limits – completed last year
3. **US-50/US-83/US-400 (Bypass)**⁵ – KDOT recommends lowering the speed limit through Schulman Avenue and Spruce Street intersections from 55 mph to 45 mph. The suggested change would be 400’-500’ north of Schulman Avenue and 400’-500’ south of Spruce Street
4. **K-156**⁶ – Recommends changing the speed limit from 40 mph to 35 mph between Fleming Street to Roman Road.

ALTERNATIVES

1. US-50/US-83/US-400 (Bypass) – lower the speed limit from 55 mph to 45 mph from 400-500’ north of Schulman Avenue to 400-500’ south of Spruce Street.
2. K-156 – lower the speed limit from 40 mph to 35 mph between Fleming Street to Roman Road.
3. Maintain the current speed limits.

RECOMMENDATION

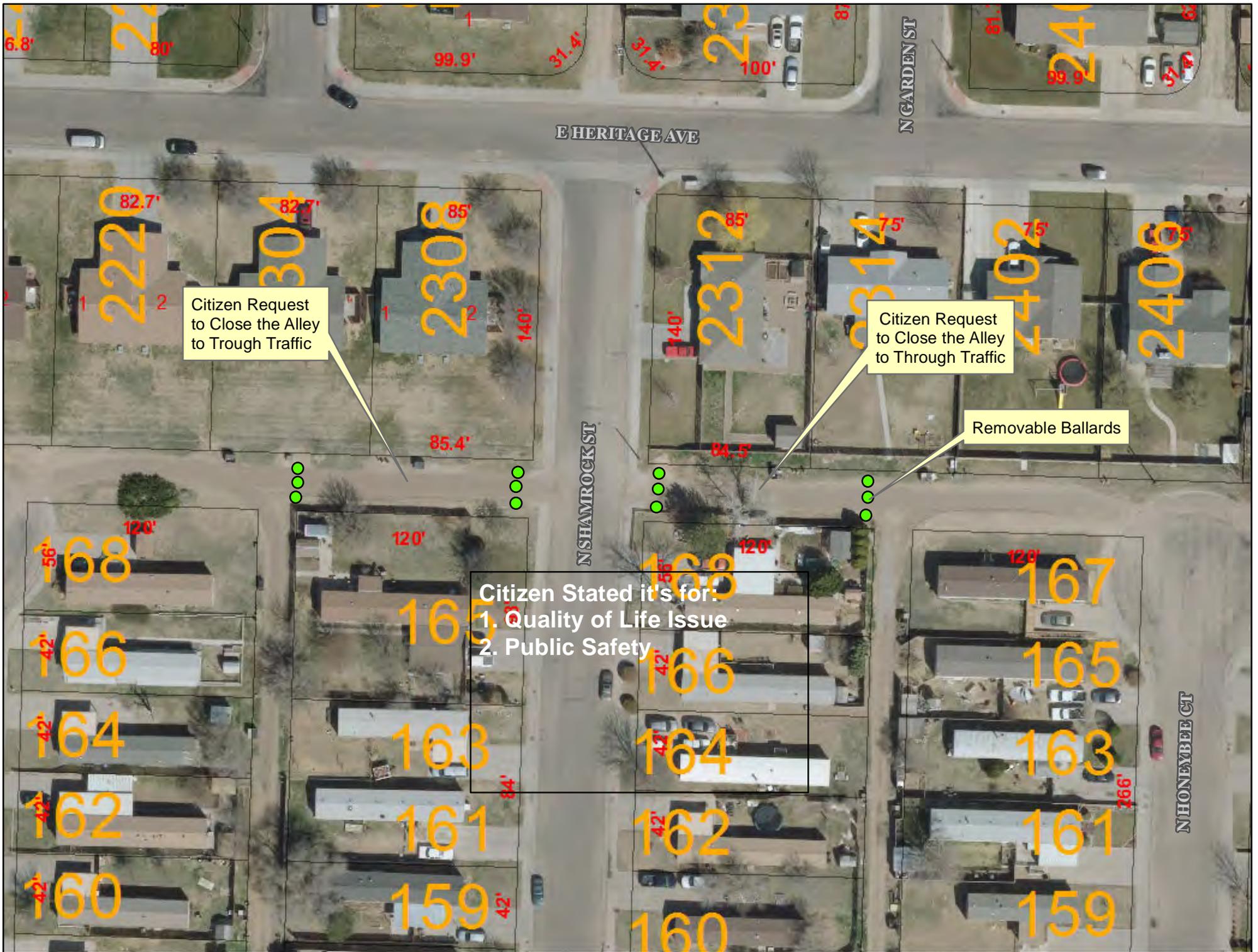
Board agrees with the change on the Bypass, lowering the speed limit from 55 mph to 45 mph 400-500’ north of Schulman Avenue to 400-500’ south of Spruce Street.

Board disagrees with changing the speed limit on Kansas Avenue (K-156) to 35 mph between Fleming Street to Roman Road. They felt the 85th percentile during off peak hours would be closer to the 40 mph making it difficult for motorists to stay within the proposed speed limit. They recommend allowing the traffic to set the speed limit as long as it remains 40 or below.

⁴ US 50/US 83 (Taylor Avenue) Map

⁵ US 50/US 83/US 400 (Bypass) Map

⁶ K-156 Map



Citizen Request to Close the Alley to Through Traffic

Citizen Request to Close the Alley to Through Traffic

Removable Ballards

Citizen Stated it's for:
1. Quality of Life Issue
2. Public Safety



0 50 100 200 300 400 Feet



Current Speed Limits

Proposed Speed Limit

50 mph

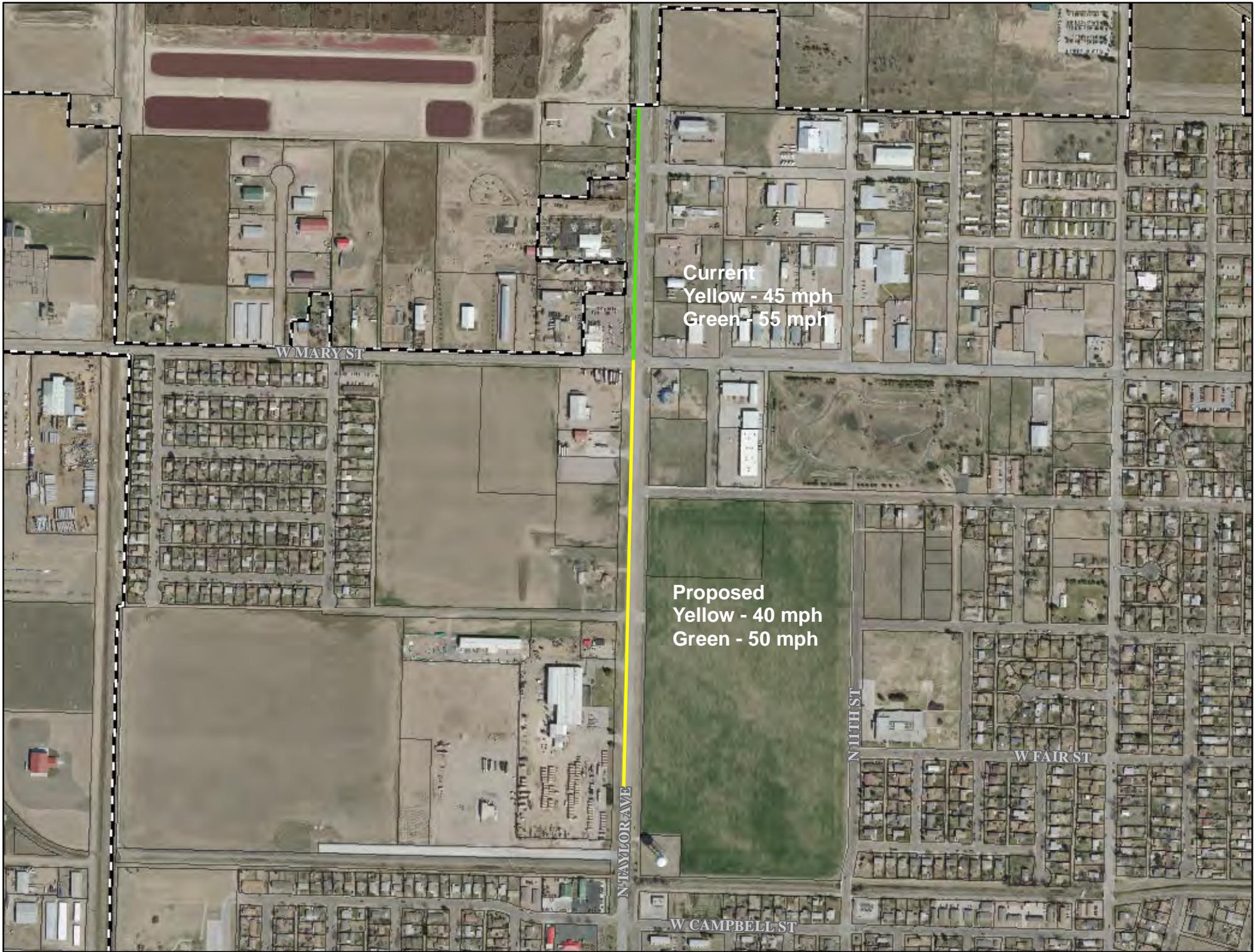
50 mph

55 mph

60 mph

S MAIN ST

S US 83 HWY



Current
Yellow - 45 mph
Green - 55 mph

Proposed
Yellow - 40 mph
Green - 50 mph

W MARY ST

N TAYLOR AVE

N 11TH ST

W CAMPBELL ST

W FAIR ST



**KDOT Safety Audit
Recommend Lowering Speed Limit
From 55 to 45**

E CRESTWAY DR

E HARDING AVE

E KANSAS AVE

E SCHULMAN AVE

E SPRUCE ST

E FULTON ST

N US 83 HWY

N JENNIE BARKER RD



Consent Agenda

MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 1 October 2015

RE: KANSAS AVENUE PATHWAY PROJECT – BIDS

ISSUE

Governing Body consideration and approval of bids were received October 1st for the Kansas Avenue Pathway Project.

BACKGROUND

The project constructs a ten foot wide concrete pathway on the northwest side of Kansas Avenue from Campus Drive to Leslie Road. This is a Transportation Enhancement project through KDOT, funded at 80% by grant and 20% City.

We received two bids, one being under the engineer's estimate. The low bid was submitted by Lee Construction, Inc. Construction could begin yet this fall, but will likely not be completed until next spring.

ALTERNATIVES

- 1) The Governing Body may accept the low bid and award the contract.
- 2) The Governing Body may reject the bids.

RECOMMENDATION

Staff recommends awarding the contract, subject to KDOT concurrence, to Lee Construction, Inc., in the amount of \$749,441.75, and authorizing the Mayor and City Clerk to execute the contracts when the documents have been returned by the contractor.

FISCAL

Our share was included in the 2014 Major Trafficway Bond issue.



Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

Assistant City Engineer

A handwritten signature in cursive script that reads "Steve Cottrell".

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CITY OF GARDEN CITY
ENGINEERING DEPARTMENT

TABULATION OF BIDS
10/1/2015 10:00

28 TE-0385-01
Kansas Avenue Pathway

BIDDER	Total	COMMENT
Engineer's Estimate	\$ 914,997.00	
Lee Construction, Inc.	\$ 749,441.75	LOW
J-A-G Construction Co.	\$ 988,596.10	

28 TE-0385-01
Kansas Avenue Pathway

				Engineer's Estimate		Lee Construction Inc. Garden City		J-A-G Construction Co. Dodge City	
No.	Bid Item	Unit	Quan	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1.	Clearing & Grubbing	LS	1	\$ 82,900.00	\$ 82,900.00	\$ 7,500.00	\$ 7,500.00	\$ 67,000.00	\$ 67,000.00
2.	Remove Existing Structures	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 18,500.00	\$ 18,500.00	\$ 17,400.00	\$ 17,400.00
3.	Rock Excavation	CY	56	\$ 100.00	\$ 5,600.00	\$ 250.00	\$ 14,000.00	\$ 54.00	\$ 3,024.00
4.	Common Excavation	CY	145	\$ 15.00	\$ 2,175.00	\$ 12.50	\$ 1,812.50	\$ 20.00	\$ 2,900.00
5.	Embankment (Contractor-Furnished)	CY	1605	\$ 25.00	\$ 40,125.00	\$ 8.35	\$ 13,401.75	\$ 42.00	\$ 67,410.00
6.	Type F Barrier Wall	LF	228	\$ 250.00	\$ 57,000.00	\$ 210.00	\$ 47,880.00	\$ 90.00	\$ 20,520.00
7.	Concrete Pavement (9"Var)(AE)(Plain)	SY	276	\$ 75.00	\$ 20,700.00	\$ 82.00	\$ 22,632.00	\$ 90.00	\$ 24,840.00
8.	Compaction (Type B)(MR-90)	SY	869	\$ 3.00	\$ 2,607.00	\$ 6.00	\$ 5,214.00	\$ 11.50	\$ 9,993.50
9.	4" Concrete Shared-Use Path	SY	4275	\$ 37.50	\$ 160,312.50	\$ 36.50	\$ 156,037.50	\$ 43.00	\$ 183,825.00
10.	4" concrete sidewalk	SY	47	\$ 37.50	\$ 1,762.50	\$ 45.00	\$ 2,115.00	\$ 43.00	\$ 2,021.00
11.	4" colored/patterned concrete	SY	1458	\$ 100.00	\$ 145,800.00	\$ 85.00	\$ 123,930.00	\$ 95.00	\$ 138,510.00
12.	7" Concrete Sidewalk ramps	SY	340	\$ 100.00	\$ 34,000.00	\$ 56.00	\$ 19,040.00	\$ 130.00	\$ 44,200.00
13.	Curb & Gutter	LF	126	\$ 50.00	\$ 6,300.00	\$ 35.00	\$ 4,410.00	\$ 30.00	\$ 3,780.00
14.	Vinyl 3 Rail Fence	LF	1417	\$ 20.00	\$ 28,340.00	\$ 24.00	\$ 34,008.00	\$ 17.00	\$ 24,089.00
15.	Seeding	Ac	0.6	\$ 7,500.00	\$ 4,500.00	\$ 7,500.00	\$ 4,500.00	\$ 18,862.00	\$ 11,317.20
16.	Fertilizer	Ac	0.6	\$ 1,750.00	\$ 1,050.00	\$ 1,250.00	\$ 750.00	\$ 2,354.00	\$ 1,412.40
17.	Adjust Inlet to Grade	Ea	4	\$ 1,000.00	\$ 4,000.00	\$ 1,420.00	\$ 5,680.00	\$ 9,450.00	\$ 37,800.00
18.	5' x 3' RCB	LF	25	\$ 500.00	\$ 12,500.00	\$ 600.00	\$ 15,000.00	\$ 915.00	\$ 22,875.00
19.	Soil Saver	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 6,500.00	\$ 6,500.00	\$ 19,500.00	\$ 19,500.00
20.	24" RCP	LF	365	\$ 75.00	\$ 27,375.00	\$ 78.00	\$ 28,470.00	\$ 79.00	\$ 28,835.00
21.	15" HDPE	LF	20	\$ 50.00	\$ 1,000.00	\$ 545.00	\$ 10,900.00	\$ 88.00	\$ 1,760.00
22.	Inlet-Manhole Special	Ea	1	\$ 5,000.00	\$ 5,000.00	\$ 3,855.00	\$ 3,855.00	\$ 5,200.00	\$ 5,200.00
23.	Type 22 Inlet	Ea	4	\$ 3,000.00	\$ 12,000.00	\$ 2,875.00	\$ 11,500.00	\$ 6,600.00	\$ 26,400.00
24.	Traffic Signal Modification	LS	1	\$ 160,000.00	\$ 160,000.00	\$ 76,300.00	\$ 76,300.00	\$ 60,000.00	\$ 60,000.00
25.	Pavement Mkg (Int. Grade)(24" White)	LF	272	\$ 10.00	\$ 2,720.00	\$ 26.00	\$ 7,072.00	\$ 25.00	\$ 6,800.00
26.	Pavement Mkg (Int. Grade)(12" White)	LF	1106	\$ 5.00	\$ 5,530.00	\$ 14.00	\$ 15,484.00	\$ 14.00	\$ 15,484.00
27.	Signs	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 10,750.00	\$ 10,750.00	\$ 11,000.00	\$ 11,000.00
28.	2" Water tap & meter (Set)	Ea	4	\$ 1,200.00	\$ 4,800.00	\$ 1,200.00	\$ 4,800.00	\$ 1,200.00	\$ 4,800.00
29.	1" Water tap & meter (Set)	Ea	1	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00
30.	Irrigation System	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 25,000.00	\$ 25,000.00	\$ 28,000.00	\$ 28,000.00
31.	Temporary Erosion Control	LS	1	\$ 500.00	\$ 500.00	\$ 12,750.00	\$ 12,750.00	\$ 60,000.00	\$ 60,000.00
32.	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 30,250.00	\$ 30,250.00	\$ 30,000.00	\$ 30,000.00
33.	Construction Staking	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 8,500.00	\$ 8,500.00	\$ 7,000.00	\$ 7,000.00
TOTAL SCHEDULE 1:					\$ 914,997.00	\$ 749,441.75	\$ 988,596.10		



MEMORANDUM

TO: Governing Body
FROM: Andy Liebelt, Parks Superintendent
DATE: September 29, 2015
SUBJECT: 2015 Street Tree & Stump Removal Project

CITY COMMISSION

JANET A. DOLL,
Mayor

ROY CESSNA

MELVIN L. DALE

DAN FANKHAUSER

J. CHRISTOPHER LAW

ISSUE

Staff is requesting Governing Body consideration of accepting the low bid for the 2015 Street Tree & Stump Removal Project from Alfred's Superior Tree Service.

BACKGROUND

Bids were opened September 29, 2015 in the Administration Building at 10:00 a.m. for the removal of 50 trees and 51 stumps City-wide. The bids submitted are:

Alfred's Superior Tree Service, Wichita	\$16,998.00
Pro-Cut Tree Service, Garden City	\$23,000.00
Arbor Masters, Wichita	\$26,500.00
DV Enterprises LLC, Liberal	\$50,000.00

MATTHEW C. ALLEN
City Manager

MELINDA A. HITZ, CPA
Finance Director

RANDALL D. GRISELL
City Counselor

ALTERNATIVES

1. Approve the low bid from Alfred's Superior Tree Service for \$16,998.00
2. Reject the low bid from Alfred's Superior Tree Service

RECOMMENDATION

Staff recommends Governing Body consideration and approval for the 2015 Street Tree & Stump Removal from Alfred's Superior Tree Service for \$16,998 (**Alternative 1**).

FISCAL NOTE

This project is funded from the Special Parks and Recreation and the Capital Improvement Reserve Budgets; Fund Cite #030-14-000-6039.

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MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 1 October 2015

RE: ST. CATHERINE HOSPITAL DEED

ISSUE

The Governing Body is asked to consider and approve a deed transferring all of Block 16, Stevens Addition, except the north 1/3 of the southwest ¼ of said Block, from the City to St. Catherine Hospital.

BACKGROUND

When St. Catherine Hospital paid off the Industrial Revenue Bonds for the Medical Office Building in 2010, the deed transferring the property back to the Hospital was inadvertently overlooked. The property is shown on the attached map.

ALTERNATIVES

The Governing Body may approve or deny the property transfer.

RECOMMENDATION

Staff recommends Governing Body approval of the transfer and authorization for the Mayor and City Clerk to execute the deed.

FISCAL

There is no cost to the City for this matter.

Steve Cottrell



Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

C.W. Harper, P.E.
Assistant City Engineer

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Property to be deeded to St. Catherine Hospital

N 5TH ST

E WALNUT ST

N 3RD ST

N 6TH ST

N 4TH ST

E SPRUCE ST

QUIT CLAIM DEED

CITY OF GARDEN CITY, KANSAS, a municipal corporation, Grantor

QUIT CLAIMS TO

ST. CATHERINE HOSPITAL, a Kansas corporation, Grantee

All of the following described REAL ESTATE in the City of GARDEN CITY, County of FINNEY and the State of KANSAS, to-wit:

All of Block Sixteen (16) in Stevens Addition to the City of Garden City, Finney County, Kansas, except the following described tract:

The North one-third (1/3) of the Southwest Quarter (SW $\frac{1}{4}$) of said Block Sixteen (16).

For the sum of Zero Dollars (\$0.00) and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions, reservations and leases of record.

CITY OF GARDEN CITY, KANSAS

Dated: _____, 2015

By _____
Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

STATE OF KANSAS)
) ss.
COUNTY OF FINNEY)

BE IT REMEMBERED, that on this _____ day of _____, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came JANET A. DOLL, who is personally known to me to be the same person who executed the foregoing instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal as of the day and year last above written.

Notary Public

My Appointment Expires: _____

The Real Estate Sales Validation Questionnaire shall not apply to this transfer pursuant to K.S.A. 79-1437e (2) or (12).

Other Entities Minutes

August Board Meeting | 2015

Wednesday, August 26, 2015 4:29 p.m.

AGENDA

The date needs to be changed from August 19, 2015 to August 26, 2015.

Approved

Pollet	Deal	Brock	Nelson	Winter
Aye	Aye	Aye	Aye	Aye

MINUTES

Minutes of July 22, 2015.

Approved

Pollet	Deal	Brock	Nelson	Winter
Aye	Aye	Aye	Aye	Aye

PUBLIC COMMENT

No Comment.

NEW BUSINESS

RESOLUTION 15-10 INSURANCE

The commercial property increased \$117.00. The auto went up \$17.00 from last year. The excess increased \$8.00, the other commercial liability went up \$220.00. The D&O insurance increase \$256.00. Member Nelson inquired on the liability of the company car. The check written out to the Housing Insurance group is for \$18,557.00, the check written to the Great American Insurance group for the D&O group is for \$3,218.00.

Approved

Pollet	Deal	Brock	Nelson	Winter
Aye	Aye	Aye	Aye	Aye

FLAT RENTS

This has been opened to the public for thirty day comment for the tenants. No response has been received at this point. The flat rents will increase in October of this year. This is a requirement that will happen yearly. Executive Director will be ready at the September board meeting for a decision of approval.

DIRECTOR'S REPORT

AR REPORT

No questions or comments.

FINANCIAL REPORT

The budget will need some revamping. There is excess money in the cleaning budget because staff has taken over and cut costs. Member Pollet inquired about the HA's capital fund on page N-1. Executive Director drew down \$75,000.00 which was put in the wrong category. Next month the adjustment will be made.

OCCUPANCY REPORT

Around eight apartments are scheduled to be opened over the next few months.

WAITING LIST REPORT

The one bedroom list is still closed. The entire list was called and removed all applicants that did not respond or were not interested.

CALENDAR

The board meeting will be moved to September 23, 2015. September 7th the office will be closed for Labor Day.

Executive Director informed board members about extra training online called Lead the Way. This is free training to better understand the operation of housing authorities and board member roles and responsibilities.

The environmental review is due next month. This will cost around \$5,000.00. This is a requirement for our five year plan. They compare our five year plan to what is needed and if it is effecting the environment. Our CFP money will not be released without this environmental review.

August Board Meeting | 2015

Member Nelson: Nothing to report.

Member Pollet: Tenant approached me and had very good things to say about GCHA staff. In the five years this tenant has been here this is the best he has seen the Housing Authority.

Chairman Brock: Nothing to report.

Member Deal: Had a great time at the National Night Out.

Member Winter: Sometimes the trash door is not locked. Are there specific times it is locked? Executive director informed Member Winter sometimes tenants do not lock the doors after use. Member Winter requested a note be posted on the door that the trash chute door should be locked as well as send out a reminder to tenants. In addition would like to have a packet be passed out to tenants during move in for tips. Executive Director informed Member Winter that the Golden Rules was created just for that purpose per Member Winters request in the past.

Motion for adjournment

Approved

Pollet	Deal	Brock	Nelson	Winter
Aye	Aye	Aye	Aye	Aye

Meeting Adjourned 5:28 p.m.

Jennifer Brock, Chairman

Robyn Graffia, Secretary

Garden City Police Department
PCAB Meeting
September 09/15/2015

Present: Courtney E. Prewitt, Captain; Sergeant Andrew Roush; Mellaina Johnson; Connie Bonwell; Stan Kennedy; Vinh Nguyen; Brandon Neeb; Lupe Carrasco, Administrative Assistant.

Guest: Eagaly Diaz, High School Intern.

The meeting convened at 1730.

Captain Prewitt led a review of the monthly activity reports.

Inquiries were made regarding graffiti in town.

The School Active Shooter training was discussed.

The meeting adjourned at 1800.