

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

April 5, 2016

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, April 5, 2016 with all members present. Commissioner Cessna opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Candie Gamino addressed the Governing Body with her concerns regarding the Neighborhood Development and Services Department and code issues within Garden City.

Commissioner Cessna moved to approve and allow the Mayor to proclaim April 6, 2016 as Michael Prieto Day. 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 and allow the Mayor to proclaim April 7, 2016 as Jesse Nunez Day. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Law moved to approve and allow the Mayor to proclaim April 5-12, 2016 as Garden City High School Wrestling Championship Week. 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 Cessna moved to approve and allow the Mayor to proclaim April 8, 2016 as Tristan Funk Day. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve and allow the Mayor to proclaim April 12-19, 2016 as Garden City High School Bowling Championship Week. 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

Commissioner Cessna moved to approve and allow the Mayor to proclaim April 2016 as Child Abuse Prevention 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

Commissioner Dale moved to approve and authorize Stutzman Greenhouse to be considered a “Local” applicant and direct staff to charge the \$365.00 annual fee. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Nay	Yea	Nay	Yea	Nay

The motion did not pass.

Mayor Doll moved to deny the waiver request and require Stutzman Greenhouse to pay the \$300.00/day or \$900.00/month fees. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Nay	Yea	Nay	Yea

Commissioner Cessna moved to approve the use of Lee Richardson Zoo facilities for Friends of Lee Richardson Zoo fund-raising events for 2016. 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

Staff provided several items of information for Governing Body review including the following: from Community Development Director Kentner the code compliance report and from Finance Director Hitz the monthly financials, from Police Chief Utz the monthly activity report, from Public Works Director Curran the monthly transit report and city projects update and from Zoo Director Newland the monthly zoo report.

Meetings of note:

- April 9-12, 2016 - Western Kansas Congressional Delegation meetings and reception in Washington, D.C.
- April 20, 2016 - Earth Day - Party for the Planet at Lee Richardson Zoo
- June 2-4, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 7:30 p.m.
- June 5, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 2:00 p.m.
- June 6, 2016 – June 16, 2016 – Flying Legends of Victory will make a tour stop at Garden City Regional Airport. The B-17 Sentimental Journey will be on display for free viewing from 9:00 am - 6:00 pm. A small donation is requested to tour the aircraft and tickets to fly in the aircraft are available!
- June 9-11, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 7:30 p.m.
- June 12, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 2:00 p.m.

Appropriation Ordinance No. 2409-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$7,623,451.07” was read and considered section by section. Commissioner Cessna moved to approve and pass Appropriation Ordinance No. 2409-2016A. 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

The Governing Body considered a Resolution of Intent to Issue Industrial Revenue Bonds (IRB) for Ranch House Senior Living, LLC for the development of a senior housing complex at 2802 N. Campus Drive.

Resolution No. 2652-2016, “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

NOT TO EXCEED \$38,000,000 TO PAY COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING COMMERCIAL FACILITIES WITHIN THE CITY” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2652-2016. 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 Governing Body considered a correction to Municipal Code Section 86-14 -- Maximum Speed Limits.

Ordinance No. 2720-2016, “AN ORDINANCE REGULATING MAXIMUM SPEED LIMITS IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CODE SECTION 86-14; REPEALING CURRENT CODE SECTION 86-14; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2720-2016. 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

The Governing Body considered an amendment to Municipal Code Section 90-304 (f) power factor adjustment.

Ordinance No. 2721-2016, “AN ORDINANCE REGULATING ELECTRIC SERVICE WITHIN THE CITY OF GARDEN CITY, KANSAS; AMENDING CODE SECTION 90-304; REPEALING CURRENT CODE SECTION 90-304; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2721-2016. 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

The Governing Body considered a Resolution of Support for a TIGER VIII grant application being submitted by Lamar, Colorado on behalf of the Southwest Chief Rural Rail Partnership and a request for a pledge of financial support in the amount of \$12,500.

Resolution No. 2653-2016, “A RESOLUTION ENCOURAGING EFFORTS TO MAINTAIN THE SOUTHWEST CHIEF PASSENGER SERVICE THROUGH THE STATES OF KANSAS, COLORADO AND NEW MEXICO AND PLEDGING FINANCIAL PARTICIPATION IN THE LAMAR COLORADO TIGER VIII GRANT APPLICATION” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2653-2016. 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

President of Finney County Economic Development Corporation, Lona Duvall presented the first quarter report for 2016 to the Governing Body.

Commissioner Law moved direct staff to draft an ordinance to increase the Cereal Malt Beverage license fee in Garden City, Kansas. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Law moved to approve the distribution of \$43,153 from the Downtown Development Fund for the 628 N. 8th Street project. 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 the distribution of \$31,680 from the Downtown Development Fund for the 424 N. Main Street project. 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

Governing Body discussed board reorganizations, and the dates of those reorganizations, to account for the change in dates of local elections created by State law regarding local elections enacted in 2015, however no action was taken.

Commissioner Cessna moved to approve the following:

1. The Governing Body is asked to consider accepting the low bid for street sealing opened Wednesday, March 23, 2016 at 10:00 am.
2. The Governing Body is asked to consider and approve a Real Estate Purchase Option for right-of-way and the purchase of property for the Kansas Avenue widening project, from Maria Cerritos-Mora, a/k/a Maria Cerritos, and Jose Ramirez, her husband.
3. The Governing Body is asked to consider and approve the bid from Davis Electric Inc. in the amount of \$71,400.00, for the electrical equipment upgrade at the City Administrative Center.
4. Quit Claim Deed from Kenneth Dickenson transferring Space 1, Lot 120, Zone A, of Sunset Memorial Gardens to Sharon A. Murray.
5. The Governing Body is asked to consider and approve licenses for April 5, 2016.

Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

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

Janet A. Doll, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Cessna thanked and congratulated the Garden City High School wrestling and bowling teams. Commissioner Cessna thanked FCEDC Director President Lona Duvall and all the organizations that helped to clean up the lot south of the new Walmart Neighborhood Market. Commissioner Cessna reminded everyone that 2016 Spring Cleanup has started and that citizens could check the City's website for their pickup day.

Commissioner Dale announced if a location has been missed for Spring Cleanup, citizens may call in to the Public Works office to check on make-up days. Commissioner Dale thanked the Garden City High School wrestling team and encouraged the team to go for win No. 5. Commissioner Dale thanked and congratulated the Garden City High School bowling team on their first team championship in school history. Commissioner Dale commended the coaches for both teams and thanked them for growing our youth to hopefully become future leaders. Commissioner Dale encouraged citizens to be on alert for child abuse as April is Child Abuse Prevention Month.

Mayor Doll commented that Garden City is fortunate to have amazing students, organizations, teachers, and citizens in general in our community and stated they make a huge impact on our community. Mayor Doll thanked Candie Gamino for her passion for cleaning up Garden City and stated that the complaint basis for code violations may not be working well. Mayor Doll stated she was happy to see FCEDC gathering groups to do clean-ups. Mayor Doll commented that, as a community, we need to take pride in our community.

Commissioner Law congratulated the Garden City High School wrestling team on their fourth consecutive Team Championship and the Garden City bowling team on their first Team Championship. Commissioner Law stated that the Itinerant Merchant issue was a difficult conversation to have and that he was, personally, more than willing to work on a new policy if that's what needs to happen. Commissioner Law added that he will always side with the local businesses. Commissioner Law stated that one of the Commissioner goals is west side development, and that businesses or individuals in the area will need to help lead those efforts.

Commissioner Fankhauser congratulated the Garden City High School Wrestling and Bowling teams and stated it is more than just the athletics, but it's about the students' futures as leaders. Commissioner Fankhauser mentioned that he did not think that people were paying attention to the "Right Turn Only between 7:00 a.m. and 7:00 p.m." turn sign at Kansas Avenue and JC Street and asked what can be done about that situation.