

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
April 19, 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 19, 2016 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Mayor Doll stated that it has been a privilege and honor to serve and represent this community as the Mayor of Garden City and thanked the citizens of this community and her fellow Commissioners for the faith they placed in her to serve in this capacity. Mayor Doll reflected on the highlights of the previous year.

Commissioner Cessna moved to appoint Commissioner Law as Chairperson to the Board, to assume the duties and title of Mayor. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Former Mayor Doll presented the traditional wooden gavel to Mayor Law. Mayor Law presented a recognition award to former Mayor Doll.

Mayor Law stated he appreciates the confidence the other Commissioners have placed in him and that hopes to do as well as he has seen done in previous years.

Commissioner Fankhauser moved to appoint Commissioner Dale as the Vice-Chairperson, to assume the duties and title of Vice-Mayor and serve as the Chairperson in the absence of the Mayor. Mayor 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 the City Clerk and City Attorney as personnel authorized to be seated at the Commission bench. 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 Cessna moved to approve to designate The Garden City Telegram as the official city newspaper. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

A brief reception for family, friends and residents followed the reorganization of the City Commission of the City of Garden City in the large meeting room at the City Administration Center.

Commissioner Cessna moved to approve a request from Russ Tidwell, President of the Tumbleweed Festival, Inc., for the use of the west green at Lee Richardson Zoo on August 26-28, 2016 for the 25th annual Tumbleweed Festival. The request includes set-up August 22-25 and teardown August 29-30. The request also includes allowing volunteers to drive in through the gates at no charge and closing the drive-in gates during the festival to maintain safe walking areas. 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 a request from Jimmy Deal, on behalf of Leave a Legacy Foundation, for the temporary closure of public vehicle access to Lee Richardson Zoo on Saturday, October 1, 2016 from 8:00 a.m. - 10:30 a.m. This request also includes a waiver of fees associated with hanging of banners and signs and permission to have 18" x 24" yard signs placed in individuals' yards, the Clarion Inn, and at St. Catherine Hospital from September 30 - November 5, 2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve a request from Eric Cenatiempo, on behalf of The Appliance and Furniture Mart, for a waiver to the sign and temporary structure requirements from April 23, 2016 - May 1, 2016 at 1117 Fleming Street to hold a tent/sidewalk sale. 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 a request by the Finney County Preservation Alliance (FCPA) to allow the possession and consumption of alcoholic liquor, specifically wine, in a public park on May 21, 2016, from 6:00 p.m. to 10:00 p.m. for a fundraising event. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve a request to name the basketball courts at Finnup Park the "Carlos Bribiesca Basketball Courts." 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

Director of Aviation Powell presented the March 2016 staff report for the Garden City Regional Airport.

Neighborhood & Development Services Director Kentner presented the March 2016 code compliance report from Neighborhood & Development Services.

Congratulations to City Clerk Celyn Hurtado on the occasion of receiving the Nancy Crain Administrative Professional of the Year Award from the Administrative Assistants of Kansas Cities! Newton City Clerk Denise Duerkson presented the award.

Staff provided several items of information for Governing Body review including the following: from Community Development Director Kentner the building report, from Cemetery Director Stevenson the monthly staff report, from Finance Director Hitz the monthly financials and sales tax report, from Police Chief Utz the monthly activity report and from Zoo Director Newland the monthly zoo report.

Meetings of note:

- April 20, 2016 - Earth Day - Party for the Planet at Lee Richardson Zoo
- April 28, 2016 – Citizen’s Academy closing dinner/graduation at the City Administrative Center at 5:30 p.m.

- April 29, 2106 – Arbor Day Tree Planting Ceremony at Bernadine Sitts Intermediate Center at 2:55 p.m.
- May 13, 2016 – Peace Officer’s Memorial Day Ceremony at 10:00 a.m. in the front of the Law Enforcement Center, 304 N. Ninth Street
- June 2-4, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 7:30 p.m.
- June 4-11, 2016 – Beef Empire Days’ activities
- June 5, 2016 - "Monkey Business" performance at the Finnup Center in the Baffa Lecture Hall at 2:00 p.m.
- June 6, 2016 – June 13, 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.
- July 30, 2016 – Downtown Summer Sidewalk Sales
- August 20, 2016 – Downtown Vision’s 2016 Art Banner Walk

Appropriation Ordinance No. 2410-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$961,335” was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2410-2016A. 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

At 1:39 p.m., Mayor Law opened the public hearing for the purpose of the Governing Body hearing questions, concerns and comments from the public in regards to the Chappel Heights Second Addition project.

Assistant Neighborhood & Development Services Director Davidson explained the procedure for the adoption of a Development Plan and establishment of a Rural Housing Incentive District (RHID).

Bernard Chappel updated the Governing Body on the Chappel Heights project and thanked City staff for their assistance on the project.

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

Ordinance No. 2722-2016, “AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS, ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH (Chappel Heights Second Addition)” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2722-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered a Feral Cat Trap-Neuter-Release (TNR) Program.

Kay Gillespie thanked the Governing Body for considering the TNR program and requested the Governing Body to reconsider the three cat rule.

Whitney Buchman addressed the Governing Body regarding his opposition to the TNR program.

Ordinance No. 2723-2016, “AN ORDINANCE ESTABLISHING A FERAL CAT TRAP-NEUTER-RETURN PROGRAM IN THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2723-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered an ordinance to increase the Cereal Malt Beverage license fees in Garden City, Kansas.

Ordinance No. 2724-2016, “AN ORDINANCE ESTABLISHING A FEE FOR A CEREAL MALT BEVERAGE RETAILER’S LICENSE IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTION 42-46; REPEALING CURRENT CODE SECTION 42-46; 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. 2724-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve and direct staff to submit a trail grant application to the Sunflower Foundation for the Tangeman Complex trail connector. 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 KDOT Supplemental Agreement No. 2, to agreement No. 209-12, for the Windsor Hotel Transportation Enhancement 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

Commissioner Cessna moved to approve the following changes to Downtown Development Fund (DDF) for the purpose of clarifying the procedure.

1. Upon the completion of the project, all applicants must have their project inspected to verify the scope of work completed, and the applicant must present receipts verifying the work performed. If the difference of the total amount of work performed or dollars spent is more than ten percent (10%) from the pre-project plan, staff will re-present their project to the City Commission for reevaluation before the funds are awarded.
2. When an applicant is awarded the DDF, they will then have 180 days to begin their project or they will lose their awarded funds.

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 Federal Fund Exchange Master Agreement with the Kansas Department of Transportation and the 2016 Request to

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

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve the response provided by staff to the Federal Aviation Administration's Public Notice on Aeronautical Study Number 2015-ACE-3660-OE. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Assistant to the City Manager Cottrell reviewed projects authorized in the 2016 budget and/or proposed in the 2016 and 2017 Capital Improvement Programs that require debt financing with the Governing Body. This matter will be discussed again during the budget process leading to a final decision.

Finance Director Hitz reviewed the 2016 & 2017 Capital Improvement Program along with proposed financing of those projects. Review of Special Revenue, Support & Misc. Funds - TIF (#04), Capital improvement Reserve (#5), CD Loan Fund (#6), Cemetery Endowment (#7), Community Trust Reserve (#8), DEA Enforcement (#10), Drug Enforcement (#11), E-911 Funds (#15), Finnup Foundation (#18), 12-6 a13 Revolving Fund (#26), Risk Reserve (#27), Special Drug & Alcohol (#29), Special Parks & Rec (#30), Special Traffic- way(#32), Street (#01-133), Workers Compensation (#35), Workers Compensation Reserve (#36), Community Development (#50), Economic Development Revolving Loan (#52), Project Development (#53).

Commissioner Dale moved to approve the following:

1. Governing Body consideration and approval of the low bid from M-B Companies for snow removal equipment at the Garden City Regional Airport (Airport Improvement Program (AIP) 3-20-00-24-35).
2. Governing Body consideration and approval of licenses for April 19, 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

Commissioner Cessna moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 20 minutes for the purpose of consultation with City legal counsel on matters which are privileged in the attorney/client relationship which if discussed in open session would waive that privilege and that the City Commission reconvene into open session in the City Commission Chambers at 4:25 p.m. with City Manager Allen, City Attorney Grisell and Assistant City Attorney Cunningham present. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

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

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

Chris Law, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Commissioner Dale thanked Commissioner Doll for her term as Mayor and congratulated new Mayor Law. Commissioner Dale stated it was great to hear an update on the Chappel Heights project. Commissioner Dale congratulated City Clerk Hurtado on receiving the Administrative Professional of the Year Award from the Administrative Assistants of Kansas Cities.

Commissioner Doll congratulated Mayor Law and Vice Mayor Dale on their appointments. Commissioner Doll stated she attended the Police Department's award ceremony and thanked Sergeant Wheat, Officer Armenta and Officer Taylor for their service to Garden City. Commissioner Doll discussed the recent trip to Washington, D.C. and stated the visits with DOT, EAS, Senator Roberts and Senator Moran seemed to be well received. Commissioner Doll mentioned that she recently attended a ribbon cutting at Western Kansas Community Foundation and stated they have a great new program called I Promise. Commissioner Doll congratulated City Clerk Hurtado on her recent award. Commissioner Doll discussed that the city has had over 250 code compliance issues on the last report that takes money away from the City that could be used elsewhere and pleaded with citizens to clean up their yards and areas around them.

Mayor Law congratulated and thanked Sergeant Wheat, Office Armenta and Officer Taylor for their service to our community. Mayor Law stated after hearing the stories of what took place on the calls and hearing the number of drugs taken off the streets, he knows the awards are well deserved. Mayor Law stated he was happy to see the family of Carlos Bribiesca request that the basketball courts be named in his memory. Mayor Law stated this might inspire younger kids to see the kind of impact they can make in our community. Mayor Law congratulated City Clerk Hurtado for her award and Vice Mayor Dale for his new position on the Commission and thanked Commissioner Doll for her service to the community.

Commissioner Fankhauser congratulated City Clerk Hurtado on her award. Commissioner Fankhauser said he received a phone call from a citizen stating their appreciation for the work done by the Water Department.

Commissioner Cessna thanked Mayor Doll for her year of service. Commissioner Cessna congratulated Mayor Law and Vice Mayor Dale and wished them well. Commissioner Cessna congratulated and thanked Sergeant Wheat, Officer Armenta and Officer Taylor for their protection of our community. Commissioner Cessna congratulated City Clerk Hurtado on her award and thanked the Street Department for the sealing on north Third Street.