

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
May 17, 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, May 17, 2016 with all members present. Mayor Law opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Governing Body and staff recognized the 2016 First Quarter City of Garden City Safety Award recipient, Candace Brawner.

Commissioner Fankhauser moved to approve requests from Carole Fry, representing the Finney County Fair, to include the following:

1. Special rate fee (\$20.00) for solid waste service.
2. Permission to close off Lake Avenue to thru traffic for July 27-31, 2016
3. A waiver of the deposit and daily fees normally required for the carnival.

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

Water Resource Manager Jones presented a progress update on the 2016 Cast Iron Water Main Cleaning Project.

City Manager Allen congratulated Public Utilities Director Muirhead on his recent appointment as the 2016/2017 President of Kansas Municipal Utilities (KMU).

Public Works Director Curran presented an update regarding the 2016 Spring Cleanup from March 30 – April 14, 2016.

Staff provided items of information for Governing Body review including the following: from Director of Aviation Powell the monthly activity report, from Neighborhood & Development Services Director Kentner the April 2016 building and code compliance report, from Public Works Director Curran the city projects update, from Fire Chief Shelton the monthly activity report, and from Zoo Director Newland the monthly staff report.

Meetings of note:

- May 17, 2016 – Joint Meeting of the Governing Bodies of Garden City, Holcomb, and Finney County at 11:00 a.m. – 1:00 p.m. in the Meeting Room at the City Administrative Center
- May 31, 2016 Town Hall meeting at the City Administrative Center at 7:00 p.m.
- June 2-4, 2016 at 7:30 p.m. and June 5, 2016 at 2:00 p.m. – Monkey Business performance at the Finnup Center in the Baffa Lecture Hall
- June 6-13, 2016 - Flying Legends of Victory tour at Garden City Regional Airport. B-17 free viewing from 9:00 am - 6:00 pm.
- June 9-11 at 7:30 p.m. and June 12, 2016 at 2:00 p.m. - Monkey Business performance at the Finnup Center in the Baffa Lecture Hall
- June 11, 2016 - Beef Empire Days Community Feed at Lee Richardson Zoo on the west green from 9:00 a.m. - 11:00 p.m.
- June 11, 2016 - Beef Empire Days Main Street parade at 10:30 a.m.
- July 30, 2016 - Downtown Summer Sidewalk Sales
- August 20, 2016 - Downtown Vision's 2016 Art Banner Walk

Appropriation Ordinance No. 2412-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$2,125,722.30” was read and considered section by section. Mayor Law moved to approve and pass Appropriation Ordinance No. 2412-2016A. 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 an ordinance declaring all elections of the City of Garden City to be nonpartisan.

Ordinance No. 2725-2016, “AN ORDINANCE ESTABLISHING THAT ALL MUNICIPAL ELECTIONS FOR THE CITY OF GARDEN CITY, KANSAS SHALL BE NONPARTISAN ELECTIONS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2725-2016. 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

The Governing Body considered an ordinance to amend the Garden City Zoning Regulations to allow Community Resource Centers in the R-3 District.

Ordinance No. 2726-2016, “AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS TO REGULATE THE R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT; AMENDING ZONING REGULATION SECTIONS 2.030 AND 7.035; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION SECTIONS 2.030 AND 7.035; ALL TO THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2726-2016. 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 rezone of 2002 Labrador Boulevard from the “C-2” General Commercial District to the “R-3” Multiple Family Residential District.

Ordinance No. 2727-2016, “AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “R-3” MULTIPLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE ZONING ORDINANCE AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE AND DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2727-2016. 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 to approve a construction agreement with the Kansas Department of Transportation for the Meadowlark Dairy Nutrition plant highway and access road improvements. 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 Fankhauser moved to approve the purchase agreement for 305 N. 5th Street. 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 a Real Estate Purchase Agreement between the City of Garden City and Jacob M. Foltz and Ashley M. Foltz for the purchase of property located on E. Schulman Avenue, east of Jennie Barker Road to create a regional detention pond for stormwater control of the northeast portion of Garden City. 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 waive City ordinance 62-12; to allow for the discharge of consumer fireworks within the City limits of Garden City during the days of June 27 to July 5 from 10:30 a.m. – 10:30 p.m., specific to the sale of fireworks in the state of Kansas per K.A.R.22-6-5. 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 Doll moved to hold a public hearing regarding the establishment of a collaborative city and county land bank on May 31, 2016 at 7:00 p.m. during the City's Town Hall meeting. 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 Final Plat and Development Agreement of the Arcos Addition, First Replat. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve and authorize the Mayor and the City Clerk to execute the Firm Electric Contract, with the Kansas Municipal Energy Agency, for Garden City's allocation of electric power from the Western Area Power Administration. 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 staff to negotiate with Kansas State University and Southwest Towing for possible connection to the City water supply. 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 Fankhauser stepped down from the bench.

Commissioner Doll moved to approve the request from the Traffic Advisory Board recommendation to approve "Resident Parking Only" signs at 502 N. Fifth Street.

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	Absent	Yea

Commissioner Fankhauser returned to the bench.

Commissioner Cessna move to re-appoint Police Chief Utz to serve on the Community Corrections Advisory Board. 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 appoint Deborah Oyler to fill an unexpired term on the Garden City Recreation Commission set to expire February 2017 vacated by Marcus Ramos. 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

Sarah Unruh, PE, Professional Engineering Consultants (PEC) made a presentation on the Water Rate Study.

Finance Director Hitz reviewed the Enterprise & Support Funds - Electric Capital Reserve (#67), Electric Utility (#68), Utility Deposit (#69), Water & Wastewater Utility (#80), Wastewater Repair & Replacement (#81), and Water Maintenance Reserve (#82).

Mayor Law moved to approve the following:

1. The Governing Body approved deeds for alley right-of-way in Block 72, Original Plat (east side of the 200 Block S. First Street)
2. The Governing Body approved the purchase of 250 sideload trash containers.
3. The Governing Body approved applications for 2016 Vegetation Mowing for Code Violations.
4. The Governing Body approved licenses for May 17, 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

Commissioner Cessna moved to approve a contract to provide engineering services for the City by Wilson & Company, Inc. 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

Mayor Law moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(2) for 30 minutes for the purpose of consultation with City legal counsel on matters which are privileged in the attorney/client relationship which if discussed in open session would waive that privilege and that the City Commission reconvene into open session in the City Commission Chambers at 4:15 p.m. with City

Attorney Grisell, City Manager Allen, Public Utilities Director Muirhead and John Krajewski by phone. 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 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

Mayor Law congratulated Public Utilities Director Muirhead on his appointment as President to Kansas Municipal Utilities Board and Candace Brawner on her safety award. Mayor Law commented that he has heard words of admiration from other entities regarding the working relationship that the City has with the County. Mayor Law stated he appreciates working with the County even though Commissioners don't always see eye to eye. Mayor Law reminded all that the Click It or Ticket It campaign will be starting soon and asked that citizens not wait until then to comply.

Commissioner Fankhauser commented that the pre-meeting with the County and Holcomb had a good discussion and stated that is a strong suit of the two entities. Commissioner Fankhauser congratulated Candace Brawner for her safety award and Public Utilities Director Muirhead on his appointment to the KMU Board.

Commissioner Cessna congratulated first quarter safety award winner Candace Brawner and Public Utilities Director Muirhead on the recent appointment as President of the Kansas Municipal Utilities Board. Commissioner Cessna stated the pre-meeting with Finney County Commissioners and City of Holcomb was a good meeting. Commissioner Cessna mentioned the last day of school for Garden City would be May 19, 2016 and the first day of school for next year will be August 11, 2016.

Commissioner Dale congratulated Public Utilities Director Muirhead on the recent appointment as President of the Kansas Municipal Utilities Board. Commissioner Dale thanked Candace Brawner for her award and stated that training is key. Commissioner Dale commented that it was a pleasure to have the joint meeting with Finney County and City of Holcomb.

Commissioner Doll echoed the thoughts of the other Commissioners congratulating Candace Brawner and Public Utilities Director Muirhead. Commissioner Doll reminded everyone that the Legislative Coffee was May 21, 2016 at 10:00 a.m.