

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City  
September 20, 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, September 20, 2016 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Commissioner Cessna moved to allow the Mayor to proclaim September 11, 2016 as Day of Service and Remembrance in Garden City, Kansas. 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 Megan Bogus, Susan Davis International to declare Garden City, Kansas as a Hidden Heroes supporting 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 allow the Mayor to proclaim September 27, 2016 as Butterfly Appreciation Day 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

Water Resource Manager Jones presented a report regarding water consumption within the City and at City facilities for the current year.

Communications & Project Manager Freburg provided an update on the City's website redesign project.

Lee Richardson Zoo has again been awarded accreditation by the Association of Zoos and Aquariums.

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 monthly building report, from Finance Director Hitz the monthly financial report, from Fire Chief Shelton the monthly activity report, from Police Chief Utz the monthly activity report and from Zoo Director Newland the monthly staff report.

Meetings of note:

- September 15-17, 2016 - Garden City Charity Classic at The Golf Club at Southwind
- September 17, 2016 - Fall Fest 2016, Main Street, Grant Avenue and Stevens Park, 8:30 a.m. - 3:30 p.m.
- September 24, 2016 - A Wild Affair at Lee Richardson Zoo, gates open at 6:00 p.m.
- October 6, 2016 - Diversity Breakfast at the Clarion Inn and Conference Center, 7:30 a.m. - 9:00 a.m.; Multi Cultural Summit 9:30 a.m. - 3:30 p.m.
- October 8-10, 2016 - League of Kansas Municipalities 2016 Annual Conference in Overland Park, Kansas
- October 18, 2016 – Black Hills Energy Public Officials dinner at Samy's Spirits and Steakhouse from 6:00 p.m. - 8:00 p.m.

- October 20, 2016 - League of Kansas Municipalities 2016 Regional Supper at the Wheatland Broadband Center, 416 S. Main Street, Scott City, Kansas - 5:30 p.m.
- October 22, 2016 - Boo! At the Zoo, Advance pass gate opens at 4:00 p.m.
- October 26, 2016 - 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.
- November 5, 2016 - Banner Art Auction, Clarion Inn - 6:30 p.m.
- December 4, 2016 - Downtown Evening Christmas Parade, Main Street - 6:30 p.m.

Appropriation Ordinance No. 2419-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$7,661,000.42 was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2419-2016A. 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 amendment to City of Garden City’s Code Section No. 94-2a - Vegetation.

Ordinance No. 2739-2016, “AN ORDINANCE REMOVING THE REQUIREMENT TO OBTAIN A CITY OF GARDEN CITY, KANSAS, ISSUED ARBORIST LICENSE TO APPLY PESTICIDES TO TREES, PRUNE TREES, PLANT TREES AND TRIM TREES AND SHRUBS; AMENDING CURRENT CODE SECTION 94-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Doll moved to approve Ordinance No. 2739-2016. 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 adding Section 94-5 – Vegetation, to the Code of Ordinances.

Ordinance No. 2740-2016, “AN ORDINANCE ALLOWING THE CITY OF GARDEN CITY, KANSAS, TO REMOVE IMMINENTLY HAZARDOUS TREES FROM PRIVATE PROPERTY WHEN POSING AN IMMEDIATE THREAT TO LIFE OR PROPERTY; CREATING NEW CODE SECTION 94-5; 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. 2740-2016. 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 the vacation of an alley adjacent to Lots 13, 14, 15, 19, 20, 21 and 22, subdivision of Block 37, Original Plat, all in Garden City, Finney County, Kansas.

Ordinance No. 2741-2016, “AN ORDINANCE VACATING AN ALLEY BETWEEN LOTS 13, 14, 15, 19, 20, 21 AND 22, SUBDIVISION OF BLOCK 37, ORIGINAL PLAT, ALL IN THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2741-2016. 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 Fankhauser moved to approve the use of the excess Law Enforcement Center Sales Tax Funds for three additional projects. 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 Doll moved to approve selling the property located at 1904 Crestway through a sealed bid process. 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 addendum to the development agreement of the Ranch House Addition. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna Dale Doll Fankhauser Law  
 Yea Yea Yea Yea Nay

Commissioner Cessna moved to appoint Keith Rathbun to fill an unexpired term left by Alyssa Benavidez on the Garden City Recreation Commission Board set to expire February 2018. 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 Nay

Commissioner Dale moved to approve the following:

1. The Governing Body considered and approved the replat of J.J.'s Addition.
2. The Governing Body considered and approved the Lease Agreement between Regency Autogroup, Inc. (d/b/a Dollar Car Rental) and the City of Garden City for lease of space located at Garden City Regional Airport.
3. The Governing Body considered and approved an Agreement with KDOT for Transload Facility State Rail Service Improvement grant for construction of a new rail siding.
4. The Governing Body considered and approved bids received on September 16th for the Garden City Transload Facility Rail Project.

**TRANSLOAD RAIL PROJECT**  
**City of Garden City, Kansas**  
**Bid Opening 9/16/2016 10:00 am**

Item	Engineer's Estimate	Sporer Land Development Inc. Oakley KS	MJE, LLC Montezuma KS	Stoppel Dirt, Inc. Sublette KS	Ragnar Benson LLC Loves Park IL	Balfour Beatty Rail Fleming Island FL
Base Grading Construction	\$2,571,457.00	\$1,724,100.30	\$1,904,563.75	\$2,276,693.95	\$2,601,054.71	\$3,141,945.77
Base Rail	\$3,174,830.00	\$2,136,319.05	\$2,433,560.00	\$2,177,448.37	\$2,488,025.83	\$2,351,663.55

<b>Construction</b>						
<b>Total Base Bid</b>	\$5,746,287.00	\$3,860,419.35	\$4,338,123.75	\$4,454,142.32	\$5,089,080.54	\$5,493,609.32
<b>Alternate # 1</b>	\$100,000.00	No Bid	\$200,000.00	\$228,375.00	No Bid	No Bid
<b>Total Base Bid + Alt. #1</b>	\$5,846,287.00	No Bid	\$4,538,123.75	\$4,682,517.32	No Bid	No Bid
<b>Alternate # 2</b>	\$3,079,634.00	\$2,217,183.90	\$2,548,231.00	\$2,261,948.79	\$2,826,383.33	\$2,425,942.84
<b>Total Base Grading Bid + Alt. #2</b>	\$5,651,091.00	\$3,941,284.20	\$4,452,794.75	\$4,538,642.74	\$5,427,438.04	\$5,567,888.61
<b>Alternate # 3</b>	\$3,309,405.00	\$2,208,343.45	\$2,610,003.00	\$2,323,013.35	\$2,888,895.48	No Bid
<b>Total Base Grading Bid + Alt. #3</b>	\$5,880,862.00	\$3,932,443.75	\$4,514,566.75	\$4,599,707.30	\$5,489,950.19	No Bid
<b>Total Base Grading Bid + Alt. #2 + Alt # 1</b>	\$5,751,091.00	No Bid	\$4,652,794.75	\$4,767,017.74	No Bid	No Bid
<b>Total Base Grading Bid + Alt. #3 + Alt # 1</b>	\$5,980,862.00	No Bid	\$4,714,566.75	\$4,828,082.30	No Bid	No Bid
		LOW				

5. The Governing Body considered and approved bids received September 14, 2016 for three projects on Kansas Avenue. The projects are 1) Kansas Avenue Widening from Main Street to Third Street, 2) Watermain Replacement from Main Street to Third Street, and 3) Kansas Avenue Reconstruction from west of Belmont Place to Anderson Street.

<b>K-156</b> <b>Kansas Avenue Tied Projects</b> <b>City of Garden City, Kansas</b> <b>Bid Opening 9/14/2016 10:00 am</b>				
Item	Engineer's Estimate	Lee Construction, Inc.	JAG Construction Company, Inc.	Smoky Hill, LLC
<b>KS Ave Widening 156-28 KA-2621-01</b>				
<b>Bid</b>	\$1,241,375.75	\$1,186,079.15	\$1,152,858.00	\$1,217,389.80
<b>KS Ave Watermain Replacement PW1603</b>				
<b>Bid</b>	\$356,963.00	\$193,177.80	\$261,563.60	\$285,253.60
<b>KS Ave Reconstruction 156-28 U-0154-01</b>				
<b>Bid</b>	\$1,150,471.50	\$1,101,575.00	\$1,086,955.75	\$1,180,784.20
<b>Grand Total Bid</b>	\$2,748,810.25	\$2,480,831.95	\$2,501,377.35	\$2,683,427.60

6. The Governing Body considered and approved the Determination of Construction Easements Values for the Kansas Avenue Pathway Transportation Enhancement Project.
7. a. Permission for Victor Banderia to reserve Space 2, Lot 25, Zone J of Valley View Cemetery for the consideration of \$50 for the period of one year.
- b. Permission for Mary Collazo to reserve Space 2, 3 and 4, Lot 51, Zone L of Valley View Cemetery for the consideration of \$50 for the period of one year.
8. a. Quit Claim Deed from Heirs of Albert and/or Martha Savolt transferring Spaces 1, 2, 5, & 6, Lot 72, Zone H of Valley View Cemetery to Albert and/or Linda Savolt.

- b. Quit Claim Deed from Bernardino Buruca transferring Space 5, Lot 154, Zone K of Valley View Cemetery to Jose V. and/or Emma B. Cruz.
- c. Quit Claim Deed from Bernardino Buruca transferring Space 6, Lot 154, Zone K of Valley View Cemetery to Rommel I. Buruca-Cruz and/or Ana S. Buruca.
- d. Quit Claim Deed from heirs of Clay and Henry Weldon transferring Spaces 5 & 6, Lot 250, Zone C of Valley View Cemetery to Hazel Tancayo.

- 9. The Governing Body considered and approved a license for September 20, 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

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

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Chris Law, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

**City Commission Reports**

Commissioner Dale thanked Communication & Project Manager Freburg and Assistant City Manager Cunningham for the presentation on the Legislative Policy and for thinking outside of the box while working on the policy. Commissioner Dale thanked Lee Richardson Zoo and staff for the work on the recent award of the AZA accreditation. Commissioner Dale stated he attended the Fall Fest and was pleased with the great turn out of both vendors and attendees. Commissioner Dale also thanked the Electric and Street Department employees for their work during Fall Fest.

Commissioner Doll stated she enjoyed the pre-meeting discussion on the Legislative Policy. Commissioner Doll congratulated Zoo Director Newland and staff on the award of the AZA Accreditation.

Mayor Law congratulated Zoo Director Newland and staff on the award of the AZA accreditation and stated it was a very involved project and took lots of work. Mayor Law appreciated the Legislative Policy pre-meeting and pointed out that staff is really juggling between four different policies and thanked staff for their work. Mayor Law stated he attended Fall Fest and Fiesta this year and was amazed at the amount of people in attendance for both events and the number of food vendors at both. Mayor Law thanked the city staff for the investment that they put into these Saturday parades and events.

Commissioner Fankhauser thanked Communication & Project Manager Freburg for the work on the website and stated it will be quite the improvement on the old website. Commissioner Fankhauser thanked Zoo staff for their work in achieving the award of the AZA Accreditation.

Commissioner Cessna echoed the thought of the other Commissioners on the AZA accreditation and Legislative Policy pre-meeting. Commissioner Cessna stated he attended the water nozzle presentation and commented that puts the City on track for water conservation goals. Commissioner Cessna thanked Water Resource Manager Jones for the Water Department report. Commissioner Cessna thanked the Garden City Police Department for the quick response to the potential incident at Garden City High School.