



**AGENDA
CITY COMMISSION MEETING
Tuesday, January 3, 2017
1:00 PM**

City Administrative Center, 301 N. 8th Street

I. Note:

Pre-meeting at 11:00 a.m. – 11:45 a.m., located in the large meeting room at the City Administrative Center for the Commission to interview candidates for the appointment of one City representative to the Finney County Economic Development Board of Directors. Administrative staff will be present and the pre-meeting is open to the public.

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

A. December 20, 2016 City Commission minutes

V. PUBLIC COMMENT Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)

VI. CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

VII. REPORT OF THE CITY MANAGER

A. Presentation of the November 2016 activity reports from the Garden City Police Department.

B. Presentation of the Monthly Sales Tax Report from Service and Finance.

VIII. MEETINGS OF NOTE

- January 12, 2017 - Finney County Economic Development Corporation Annual Meeting in the GCCC Endowment Room
- January 18, 2017 - Kansas Municipal Utilities Day at the Capitol, Topeka, Kansas
- January 23, 2017 - Southwest Kansas Chambers of Commerce, "SWKS Night Out in Topeka," from 5:30 p.m. - 7:30 p.m.
- January 25, 2017 - League of Kansas Municipalities, Local Government Day at Capitol Plaza Hotel at 2:00 p.m.

- February 25, 2017 - Polar Plunge & Polar Strut for Special Olympics at Municipal Pool & Zoo from 10:00 a.m. - 12:30 p.m.

IX. CONSIDERATION OF APPROPRIATION ORDINANCE

- A. Appropriation Ordinance No. 2426-2017A

X. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

- A. The Governing Body is asked to consider and approve a comprehensive plan amendment and rezone of the property located at approximately 5000 E. Mansfield Road from Finney County "A" Agricultural District to Garden City "I-3" Heavy Industrial District.

1. Ordinance No. _____-2017, an ordinance approving the rezoning of land from "A" Agricultural District to "I-3" Heavy Industrial District; amending the Zoning Ordinance, the Comprehensive Plan of the City, and the District Zoning Map of the City; repealing the current Zoning Ordinance, Comprehensive Plan, and District Zoning Map; all to the Code of Ordinances of the City of Garden City, Kansas.

- B. The Governing Body is asked to consider and approve a rezone of 1106 Campus Drive from "I-2", Medium Industrial District to "C-2", General Commercial District.

1. Ordinance No. _____-2017, an ordinance approving the rezoning of land from "I-2" Medium Industrial District to "C-2" General Commercial District; amending the Zoning Ordinance and Zoning Regulations and the District Zoning Map of the City; and repealing the current Zoning Ordinance and Zoning Regulations and District Zoning Map; all to the Code of Ordinances of the City of Garden City, Kansas.

XI. OLD BUSINESS

- A. 1:30 p.m. - Public Hearing - The Governing Body is asked to consider and approve the unsafe structure order for 205 S Fourth Street.
- B. 2:00 p.m. Public Hearing - The Governing Body is asked to consider and approve an unsafe structure order for 207 S Fourth Street, Garden City, Kansas.

XII. NEW BUSINESS

- A. The Governing Body is asked to consider and approve an Employment Agreement between the City of Garden City and Matthew C. Allen, City Manager.
- B. The Governing Body is asked to consider and approve the destruction of specific records from 2011 and older as provided for by the Kansas State Historical Society Department of Archives and Section 2-742 of the Code of Ordinances of the City of Garden City, Kansas.
- C. The Governing Body is asked to consider appointing a City representative to

the Finney County Economic Development Corporation Board.

D. *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. The Governing Body is asked to consider and approve the lot split of units 3304 and 3306 of Lot One (1) of Block Two (2) of the Eagle Crest Addition.
2. Quit Claim Deed from heirs of Jane Lovell transferring Space 2, Lot 106, Zone H, located Valley View Cemetery to Jesse and/or Beatrice Ledesma.

XIII. CITY COMMISSION REPORTS

A. Mayor Law

B. Commissioner Fankhauser

C. Commissioner Cessna

D. Commissioner Dale

E. Commissioner Doll

XIV. OTHER ENTITIES

- A. Presentation of the December 20, 2016 minutes for the Police/Citizens Advisory Board meeting.

XV. ADJOURN

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City
December 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, December 20, 2016 with all members present except Commissioner Cessna. Commissioner Doll opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Lonnie Farris addressed the Governing Body asking for an appointment to meet with the Commission to discuss ADA accommodations in the city.

The Governing Body recognized Gene Greer as the 2016 City of Garden City Third Quarter Safety Award recipient. Congratulations, Gene!

Commissioner Fankhauser moved to approve and allow the Mayor to proclaim December 3rd as NJCAA Football National Champions Day 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
Absent	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve and allow the Mayor to proclaim December 21, 2016 as Ray Purdy Day 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
Absent	Yea	Yea	Yea	Yea

Head Golf Professional Wasinger provided an update on Buffalo Dunes Golf Course for 2016.

Assistant to the City Manager Cottrell provided an update on the status of the proposed fishing pond at the drainage ditch and Arkansas River.

Park Superintendent Liebelt provided an update on the Santa Fe Park project.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly staff report, from Neighborhood & Development Services Director Kentner the monthly building report, from Cemetery Director Stevenson the monthly activity report, from Finance Director Hitz the monthly activity report, and from Zoo Director Newland the monthly activity report.

Meetings of note:

- January 12, 2017 – Finney County Economic Development Corporation Annual Meeting in the GCCC Endowment Room
- January 18, 2017 – Kansas Municipal Utilities Day at the Capitol, Topeka, Kansas
- January 23, 2017 – Southwest Kansas Chambers of Commerce “SW Kansas Night Out in Topeka” from 5:30 – 7:30 p.m.
- January 25, 2017 – League of Kansas Municipalities, Local Government Day at Capitol Plaza Hotel at 2:00 p.m.
- February 25, 2017 – Polar Plunge & Polar Strut for Special Olympics at Municipal Pool & Zoo from 10:00 a.m. – 2:00 p.m.

Appropriation Ordinance No. 2425-2016A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,562,710.00 was read and considered section by section. Commissioner Doll moved to approve and pass Appropriation Ordinance No. 2425-

2016A. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

The Governing Body considered a resolution authorizing temporary financing for several water system improvements.

Resolution No. 2692-2016, "A RESOLUTION AUTHORIZING THE ISSUANCE OF TAXABLE TEMPORARY NOTES OF THE CITY OF GARDEN CITY, KANSAS, IN THE TOTAL PRINCIPAL AMOUNT OF \$6,355,000 TO TEMPORARILY FINANCE THE COSTS OF CERTAIN IMPROVEMENTS IN THE CITY; AND PROVIDING THE TERMS, DETAILS, FORM AND CONDITIONS OF SUCH NOTES" was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2692-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

The Governing Body considered an ordinance to allow the Finney County Humane Society to set animal adoption and impound fees at their discretion.

Ordinance No. 2753-2016, "AN ORDINANCE REGULATING THE PROCEDURE FOR REDEMPTION OF IMPOUNDED ANIMALS IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CODE SECTION 10-134; REPEALING EXISTING CODE SECTION 10-134, 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. 2753-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Ordinance No. 2754-2016, "AN ORDINANCE PROHIBITING PUBLIC NUDITY IN THE CITY OF GARDEN CITY, KANSAS; CREATING NEW CODE SECTION 62-29; ALL IN THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS" was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2754-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

The Governing Body considered the renewal of the Rural Housing Incentive District resolution which outlines the policy and use of the development tool within the City of Garden City for 2017.

Resolution No. 2693-2016, "A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR A HOUSING INCENTIVE POLICY WITHIN THE CITY OF GARDEN CITY, KANSAS AND SETTING FORTH SUCH POLICY TO INCENTIVIZE HOUSING DEVELOPMENTS" was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2693-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to not adopt or establish a joint City and County land bank. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Ray Purdy addressed and thanked the Governing Body for allowing him to serve on the Finney County Economic Development Corporation board for the past six years.

Lona DuVall, President of Finney County Economic Development Corporation, presented the third quarter report from 2016.

Commissioner Fankhauser moved to approve the addition of the “Responding to Financial Emergency Guideline” to the City’s Financial Management Guidelines document. Mayor Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve year end transfers from the General Fund to the Capital Improvement Reserve for selected 2016 capital projects and equipment purchases not completed by year’s end. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to direct staff to pursue the funding opportunity and submit an application for funding to the Bureau of Reclamation. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve a contract for professional engineering services between the City and SEGA, Inc. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve funding for the Downtown Development Fund for 2017. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the Traffic Advisory Board recommendation to evaluate the traffic control devices at the intersection of Pine Street and Sixth Street in front of the Post Office and make no changes at this time. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Mayor Law moved to approve the Traffic Advisory Board recommendation to deny the request to close the alleyway from Belmont Place and approve the installation of

three speed dips in the alleyway with signage. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to reappoint Jim Howard and Mario Lopez each to serve three-year terms from January 1, 2017 – December 31, 2019 on the Planning Commission. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the following:

1. The Governing Body considered and approved the bid from Altec Industries Inc. for (1) 2017 Aerial / Telescoping Material Handling Bucket Truck.

BIDDERS	COST	TOTAL CITY COST	DELIVERY DATE
Altec Industries Inc.	\$124,056.71	\$124,056.71	16-18 weeks
Terex Utilities	\$142,361.00	\$142,361.00	6-8 weeks
Versalift	\$124,534.00	\$124,534.00	36 weeks

2. The Governing Body considered and approved an amendment to the Master Service Agreement with Revere Healthcare Solutions, Inc.
3. The Governing Body considered and approved Contractors licenses for December 20, 2016.

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

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve the Cereal Malt Beverage, Pawnbroker, Precious Metal Dealer, and Taxicab licenses with the exception of Mariscos Puerto Nuevo stating they must turn in a completed Cereal Malt Beverage application prior to December 29, 2016. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	Yea	Yea	Yea	Yea

Mayor Law moved that the City Commission go into executive session pursuant to K.S.A. 75-4319(b)(1) for 45 minutes for the purpose of discussing matters of non-elected personnel and their contractual obligations because if this matter were discussed in open session it might invade the privacy of those discussed and that the City Commission reconvene into open session in the City Commission Chambers at 4:31 p.m. with City Manager Allen present. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Absent	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 Doll congratulated Parks employee Gene Greer, the Garden City Community College football team and Ray Purdy. Commissioner Doll stated she appreciated the reports on Buffalo Dunes Golf Course and Finney County Economic Development Corporation. Commissioner Doll thanked Neil Hawley for the great idea on the fishing pond.

Mayor Law congratulated Gene Greer and stated he is another example of the fine city employees we have employed. Mayor Law recognized and thanked Human Resources Director Medina for her service to the city employees and thanked Public Utilities Director Muirhead for thinking of her and awarding her the Rising Star award. Mayor Law thanked Ray Purdy for his years of service. Mayor Law congratulated the 2016 Garden City Community College football team on their NJCAA Championship win. Mayor Law thanked Wheatland Electric for helping the City's Electric Department on the recent power outages. Mayor Law wished everyone a Merry Christmas, especially to the troops overseas.

Commissioner Fankhauser congratulated the Garden City Community College football team on their National Championship win. Commissioner Fankhauser thanked Ray Purdy for his years of service and said he appreciates the time Ray has spent on the FCEDC board. Commissioner Fankhauser wished everyone a Merry Christmas.

Commissioner Cessna was absent.

Commissioner Dale congratulated and thanked Gene Greer on receiving the Third Quarter Safety award. Commissioner Dale congratulated the Garden City Community College football team and stated it is a very exciting time for those student athletes. Commissioner Dale congratulated and thanked Ray Purdy for his years of service on the FCEDC Board. Commissioner Dale wished everyone a Merry Christmas.

Petitions

Report of the City Manager

Staff Reports



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Michael D. Utz, Chief of Police
DATE: January 3, 2017
RE: November 2016 activity reports from the Garden City Police Department.

ISSUE:

Presentation of the November 2016 activity reports from the Garden City Police Department.

BACKGROUND:

Attached are the Garden City Police Department activity reports for November 2016.

ALTERNATIVES:

None.

RECOMMENDATION:

None.

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
November 2016 Master Activity Report	12/21/2016	Backup Material
November 2016 Chart Comparison of Crimes	12/28/2016	Backup Material

**GARDEN CITY POLICE DEPARTMENT
 MASTER ACTIVITY REPORT
 November of 2016
INCIDENTS REPORTED**

<i>OFFENSES</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Murder/Manslaughter	0	0	0
Rape	4	4	22
Robbery	0	2	8
Aggravated Assault	8	6	75
Burglary	6	6	69
Theft	85	86	713
Auto Theft	4	4	24
Arson	2	1	7
TOTAL	109	109	918
All Other Crimes	118	148	1467
GRAND TOTAL	227	257	2385

CRIMINAL ENFORCEMENT ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Adult Arrests	211	173	1884
Juveniles Detained	23	11	238
TOTAL CUSTODY	234	184	2122
Alcohol Related	20	19	159
Drug Related	44	24	371
Curfew Violations	13	3	45

INVESTIGATIONS DIVISION ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Total Cases Assigned	50	44	445
Total Active Cases	170	217	2101
Adult Affidavits Filed	8	6	94
Juvenile Affidavits Filed	7	0	22
Follow-Up Contacts	487	243	6090
Special Assignments	20	25	486
Search Warrants	27	6	122
Supplemental Reports	131	41	1179
Other Reports	115	47	1832
Cases Referred For Prosecution	33	61	434

TRAFFIC ACCIDENT INVESTIGATIONS

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Fatal Accidents	1	0	1
Injury Accidents	8	3	64
Non-Injury Accidents	49	58	614
TOTAL ACCIDENTS	58	61	679
Private Property Accidents	13	17	106

OFFICERS ASSAULTED

**GARDEN CITY POLICE DEPARTMENT
 MASTER ACTIVITY REPORT
 November of 2016**

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Firearm	0	0	2
Cutting Instrument	0	0	0
Other Dangerous Weapon	0	4	4
Hands, Fist, Feet, Etc.	0	4	29
Police Service Dog	0	0	0
TOTAL ASSAULTS	0	8	35

PATROL/CRD DIVISIONS SUMMARY

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Offense Reports	238	266	2705
Supplemental Reports	381	242	2130
Other Reports	0	0	305
Community Oriented Policing	150	152	1868
Speeding Citations	58	28	461
Other Traffic Citations	236	227	2786
Parking Citations	23	22	156
Warning Notices	332	299	4208
Penal Summons	85	59	498
Felony Cases Cleared	35	33	413
Misdemeanor Cases Cleared	186	182	1531
DUI Cases Cleared	15	14	105
Insecure Premises	6	6	67
Field Interviews	9	6	102
Citizen & Business Assists	144	176	1933
Alarms	61	77	804
Adult Affidavits Filed	31	27	355
Juvenile Affidavits Filed	13	14	136

COMMUNICATIONS CENTER ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Non-Traffic Activities	1987	2117	23567
Traffic Activities	618	754	7009
TOTAL ACTIVITIES	2605	2871	30576
911 Calls	1316	1465	16064
Finney County Sheriff's Office Activities	392	450	5010

**GARDEN CITY POLICE DEPARTMENT
 MASTER ACTIVITY REPORT
 November of 2016**

RESPONSE TIME SUMMARY

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST YEAR</i>	<i>5 YEARS AGO</i>
Average Emergency	4.76	3.41	5.07
Average Non-Emergency	9.4	13.16	11.1
Average Traffic Accident	6.12	13.66	10.56

ANIMAL INCIDENT ACTIVITIES

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Animals Impounded	105	105	1319
Animals Disposed	31	37	430
Citations Issued	0	0	1
Animal Bites	3	3	42
Adoptions	13	19	173

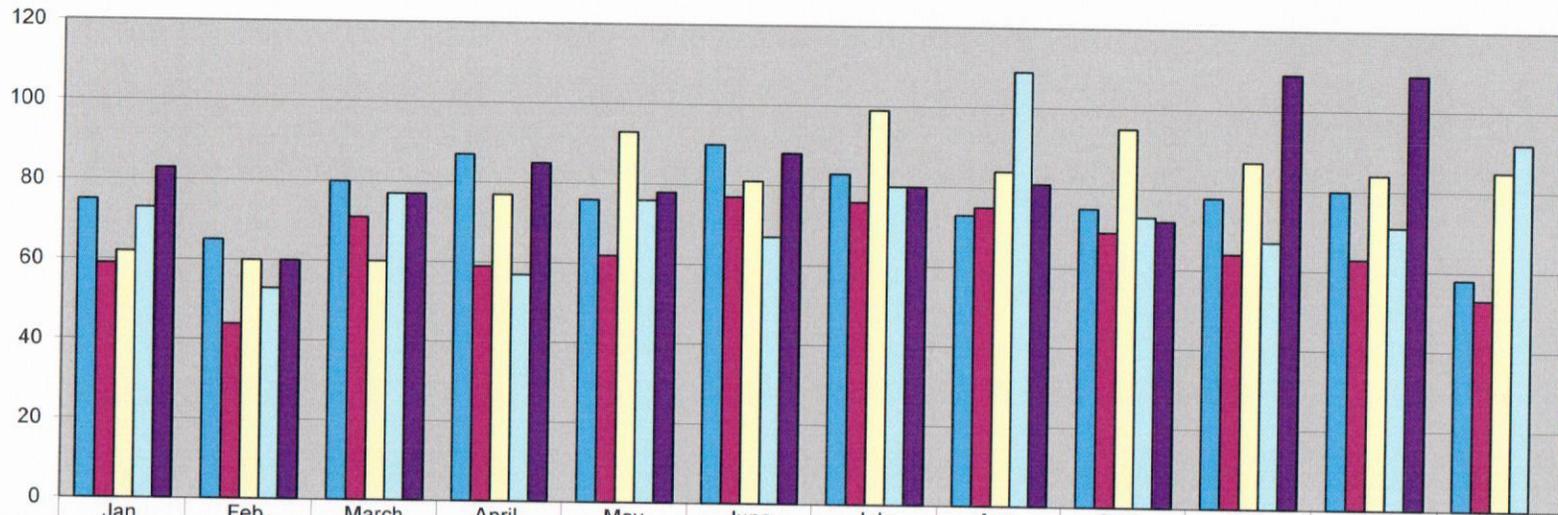
TRAINING HOURS RECEIVED

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Administrative	0.00	285.50	608.25
Patrol/CRD Division	288.00	972.50	4488.75
Support Services Division	11.00	71.75	379.90
Investigation Division	76.00	432.00	1245.50
Instructor Hours	36.00	216.00	505.50
SUB-TOTAL TRAINING HRS	411.00	1977.75	7227.90
Academy Training Hours	136.00	16.00	3136.00
TOTAL TRAINING HOURS	547.00	1993.75	10363.90

ADMINISTRATIVE INVESTIGATIONS

<i>DESCRIPTION</i>	<i>THIS MONTH</i>	<i>LAST MONTH</i>	<i>TO DATE THIS YEAR</i>
Allegations Received	1	0	10
Unfounded	0	0	0
Unsubstantiated	0	0	1
Sustained	1	0	6
Exonerated	0	0	4
Violation Not Based On Complaint	0	0	2
Investigation In Progress	0	0	9
Administrative Closure	0	0	1
Commendations	4	2	42

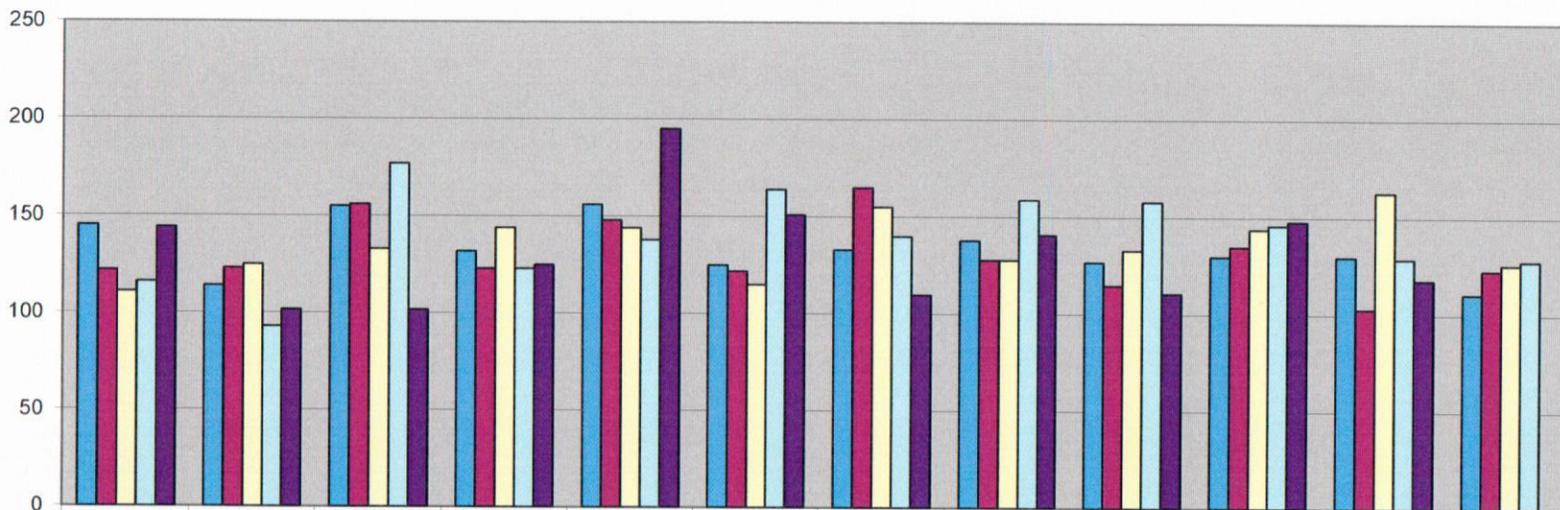
Part I Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 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	73	67	71	92
■ 2016	83	60	77	85	78	88	80	81	72	109	109	

Part I Crimes - Murder, Manslaughter, Rape, Robbery, Agg. Assault, Burglary, Theft, Auto Theft, Arson

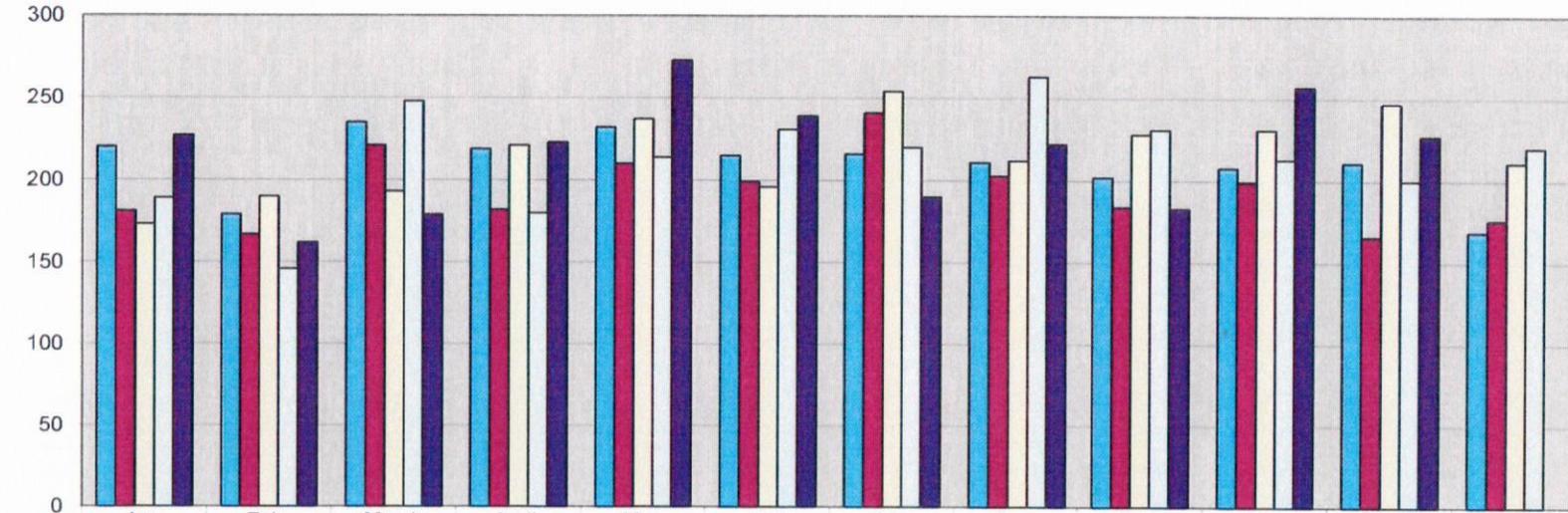
All Other Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 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	158	146	129	128
■ 2016	144	102	102	125	195	151	110	141	111	148	118	

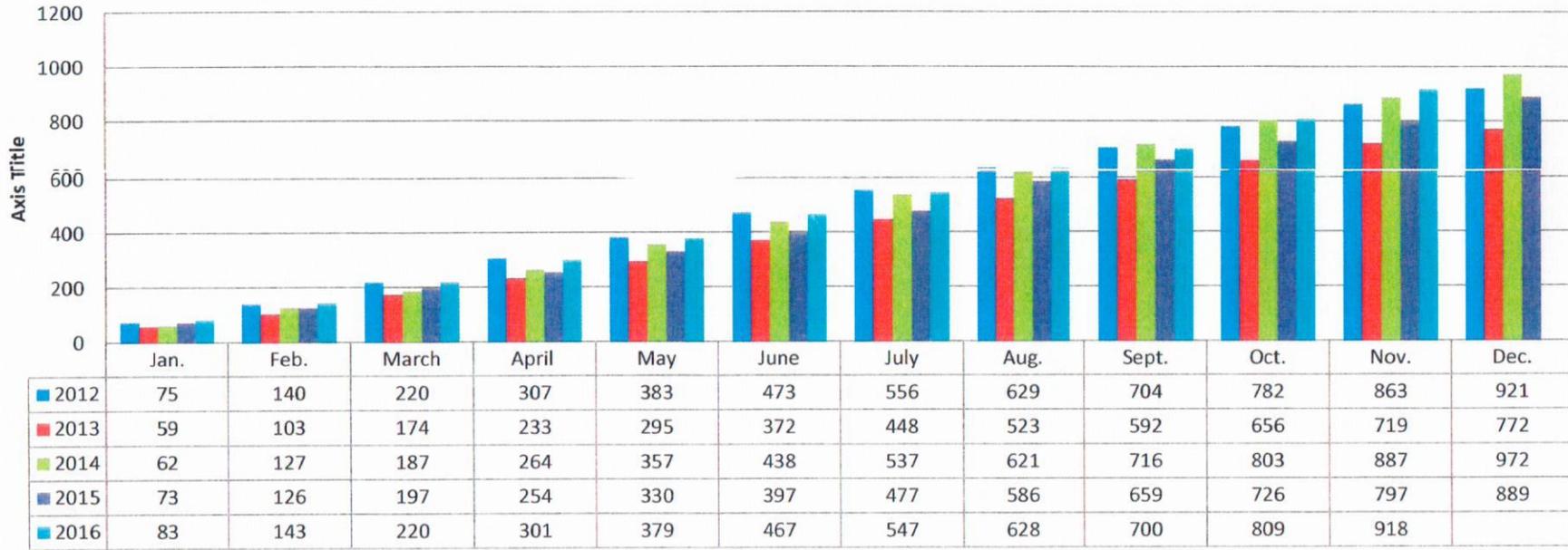
All Other Crimes may include: Interference with Police Officer, Criminal Threats, Disorderly Conduct, Criminal Trespass, Narcotic Violations, Liquor Violations, Indecent Liberties with Child, Kidnapping, DUI, Graffiti, Forgery, Weapons Violation, Criminal Damage to Property

Grand Total All Crimes

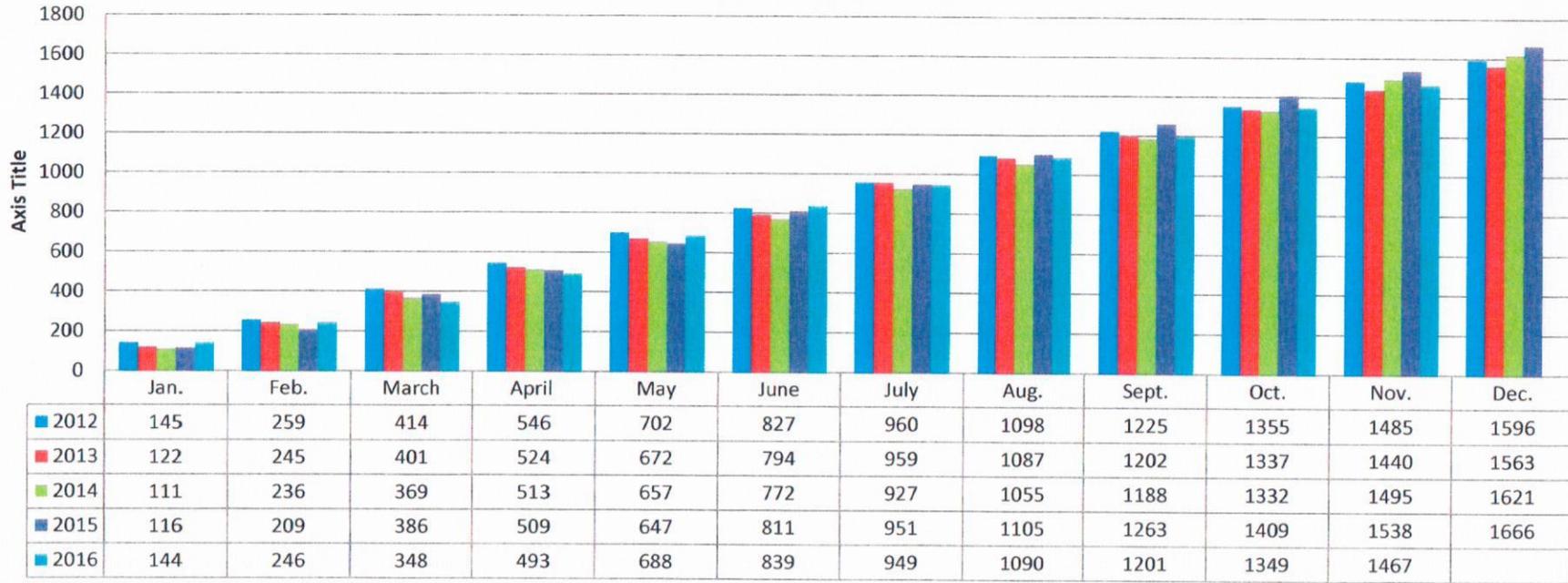


	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
■ 2012	220	179	235	219	232	215	216	211	202	208	211	169
■ 2013	181	167	221	182	210	199	241	203	184	199	166	176
□ 2014	173	190	193	221	237	196	254	212	228	231	247	211
□ 2015	189	146	248	180	214	231	220	263	231	213	200	220
■ 2016	227	162	179	223	273	239	190	222	183	257	227	

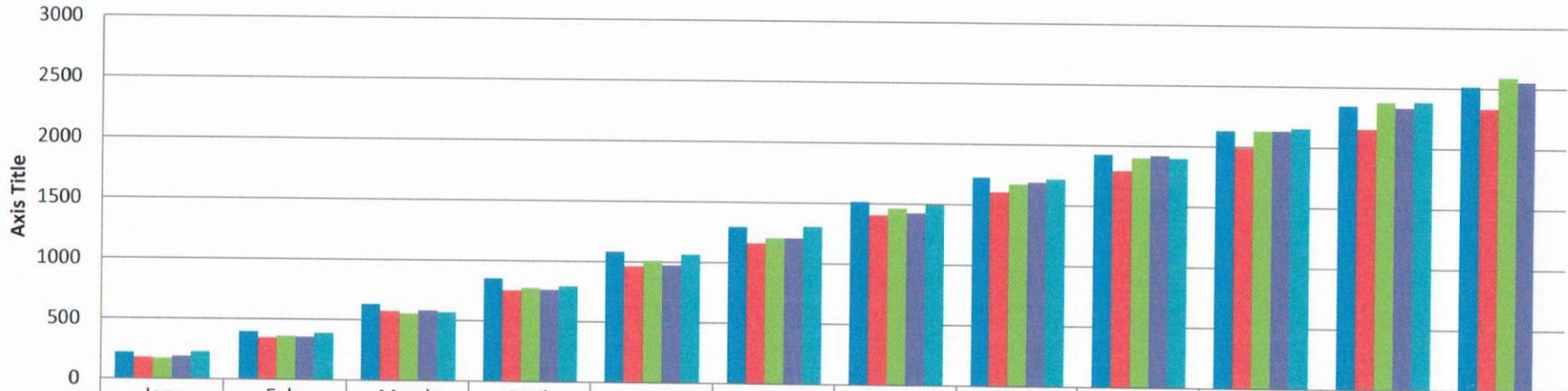
YTD Part 1 Crimes



YTD - All Other Crimes



YTD - All Crimes



	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2012	220	399	634	853	1085	1300	1516	1727	1929	2137	2348	2517
2013	181	348	575	757	967	1166	1407	1610	1794	1993	2159	2335
2014	173	363	556	777	1014	1210	1464	1676	1904	2135	2382	2593
2015	189	355	583	763	977	1208	1428	1691	1922	2135	2335	2555
2016	227	389	568	794	1067	1306	1496	1718	1901	2158	2385	



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Service and Finance
DATE: January 3, 2017
RE: Monthly Sales Tax Report - December 2016.

ISSUE:

Presentation of the Monthly Sales Tax Report from Service and Finance.

BACKGROUND:

Attached is the Service and Finance Monthly Sales Tax Report for December 2016.

ALTERNATIVES:

None.

RECOMMENDATION:

None.

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Monthly Sales Tax Report - December 2016	12/27/2016	Backup Material

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

MONTH RECEIVED	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
JANUARY	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	307,037
FEBRUARY	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	358,531
MARCH	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	301,101
APRIL	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	303,689
MAY	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	324,679
JUNE	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	298,761
JULY	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	330,600
AUGUST	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	303,152
SEPTEMBER	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	326,369
OCTOBER	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	301,429	330,331
NOVEMBER	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	308,291	321,505
DECEMBER	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	312,260	310,550
TOTAL RECEIPTS	<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>3,770,101</u>	<u>3,816,305</u>
PERCENTAGE CHANGE	-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%	25.75%	1.23%

July 1, 2014 - 1/4 cent expires 10/1/2025
October 1, 2015 - 1/4 cent expires 9/30/2021

CITY OF GARDEN CITY, KANSAS
ANALYSIS OF CITY SALES TAX RECEIPTS

MONTH RECEIVED	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
JANUARY	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	543,148
FEBRUARY	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	629,836
MARCH	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	502,661
APRIL	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	514,449
MAY	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	569,117
JUNE	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	524,973
JULY	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	551,396
AUGUST	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	535,506
SEPTEMBER	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	534,225
OCTOBER	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	517,874	563,222
NOVEMBER	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	528,692	541,283
DECEMBER	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	539,387	522,361
TOTAL RECEIPTS	<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>6,426,010</u>	<u>6,532,177</u>
PERCENTAGE CHANGE	-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%	4.33%	1.65%

Consideration of Appropriation Ordinance

Ordinances & Resolutions



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Kaleb Kentner, Neighborhood & Development Services Director
DATE: January 3, 2017
RE: GC2016-76&77: Comprehensive Plan Amendment and Rezone from Finney County "A" to Garden City "I-3".

ISSUE:

The Governing Body is asked to consider and approve a comprehensive plan amendment and rezone of the property located at approximately 5000 E. Mansfield Road from Finney County "A" Agricultural District to Garden City "I-3" Heavy Industrial District.

1. Ordinance No. _____-2017, an ordinance approving the rezoning of land from "A" Agricultural District to "I-3" Heavy Industrial District; amending the Zoning Ordinance, the Comprehensive Plan of the City, and the District Zoning Map of the City; repealing the current Zoning Ordinance, Comprehensive Plan, and District Zoning Map; all to the Code of Ordinances of the City of Garden City, Kansas.

BACKGROUND:

General Information	
Date:	January 3, 2016
Jurisdiction:	Garden City
Owner(s):	Garden City Industrial Park
Applicant:	Jim Orr
Requested Action:	Comprehensive Plan Amendment and Rezoning Finney County "A" Agricultural District and "I-3" Heavy Industrial District to Garden City "I-3" Heavy Industrial District
Purpose:	Rezone properties for heavy industrial potential
Location Address:	Approximately 5000 E. Mansfield Road
Comprehensive Plan:	The Comprehensive Plan does not delineate future land use for this location and will need to be created for this area.
Sites Existing Zoning:	"A", Agricultural (Finney County)
Surrounding Zoning:	North "I-3", Heavy Industrial District (City) South "I-3", Heavy Industrial District (County) East "I-3", Heavy Industrial District (City) West "I-3" Heavy Industrial District (City)

Land Area:	Contains 51.13 acres +/-
Notice Date:	This project was published and noticed by mail as required by code.

Comments & Required Improvements

1. Jim Orr, the applicant, is requesting to rezone this property from the Finney County "A" Agricultural District to Garden City "I-3" Heavy Industrial District.
2. The applicant proposes to rezone this property in connection to a recent annexation of the same to accommodate an anticipated Transload facility.
3. The Transload Facility will give opportunities for businesses, including this applicant, to expand their business. This particular parcel will be used by TP&L. A proposed site plan for the area has been included (see **Exhibit 1**).
4. The Garden City Comprehensive Plan does not illustrate the potential land use of this property that had been until recently outside of the city limits (see **Exhibit 2**). It does show neighboring properties as Industrial potential. The applicant is requesting that the Comprehensive Plan be amended to show the parcel as industrial potential, to allow for the rezone.

The Governing Body may make their recommendation and state their findings according to the criteria in Section 27.040. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA.

Prior to taking any action on a request for an amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

- (A) The physical character of the neighborhood surrounding the property under consideration.
- (B) The existing zoning and land uses of properties both adjacent and near the property under consideration,
- (C) The suitability under existing conditions of the subject property for the land uses to which it has been zoned
- (D) The extent to which removal or alteration of the existing zoning classification will affect nearby properties (outlined in (B) above),
- (E) The length of time the subject property has remained vacant as zoned (if applicable),
- (F) The relative gain to the public health, safety and welfare by the change of value of the landowner's property compared to any hardship that may be imposed upon the landowner,
- (G) The consideration of recommendations of permanent or professional staff (if applicable),
- (H) The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the County of Finney County, Kansas, and
- (I) Other factors relevant or specific to a particular proposed zoning amendment.

ALTERNATIVES:

The Governing Body may:

1. Approve the comprehensive plan amendment and rezoning request.
2. Not approve the comprehensive plan amendment and rezoning request.

RECOMMENDATION:

Staff Recommendation: Staff recommends approval of the comprehensive plan amendment and

the rezoning of the property.

Planning Commission Recommendation: The Planning Commission voted to recommend approval of the comprehensive plan amendment and the rezoning request.

Member Present: 8

Yea Vote: 8

Nay Vote: 0

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Minutes, Map, Exhibits	12/28/2016	Backup Material
Ordinance	12/28/2016	Ordinance



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

GC2016-76/77 Amend Comp Plan & Rezone of 5000 Mansfield Rd. from “A” to “I-3”, GC Industrial Park

Staff Davidson reads staff report.

Staff Davidson – I do want to mention that this entire property is in the proposed floodplain so the applicant would be required to meet all floodplain regulations with any kind of development made on that property.

OPEN PUBLIC COMMENT

CLOSE PUBLIC COMMENT

Chairman Lopez – Was there any correspondence on this or any phone calls?

Staff Davidson – No, I did not receive any information. We did have a lot of people concerned when the parcel to the north next to Towns Riverview was rezoned, but this one falls in the middle so I think it was done as far as the residents were concerned.

Vice-Chairman Germann – I’m curious as to why this wasn’t included in the original (rezoning).

Member Hitz – That’s my question too.

Staff Davidson – It had separate ownership. It was done and annexed a little bit later on.

VICE-CHAIRMAN GERMANN MAKES MOTION TO APPROVE THE AMENDMENT TO THE COMPREHENSIVE PLAN. MEMBER HOWARD SECONDS THE MOTION.

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present	Yea

MEMBER HITZ MAKES MOTION TO APPROVE THE REZONE OF S26, T24, R32W, APPROXIMATELY 5000 MANSFIELD RD FROM “A” AGRICULTURAL DISTRICT TO “I-3” HEAVY INDUSTRIAL DISTRICT. MEMBER SCHNEIDER SECONDS MOTION.

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present	Yea

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



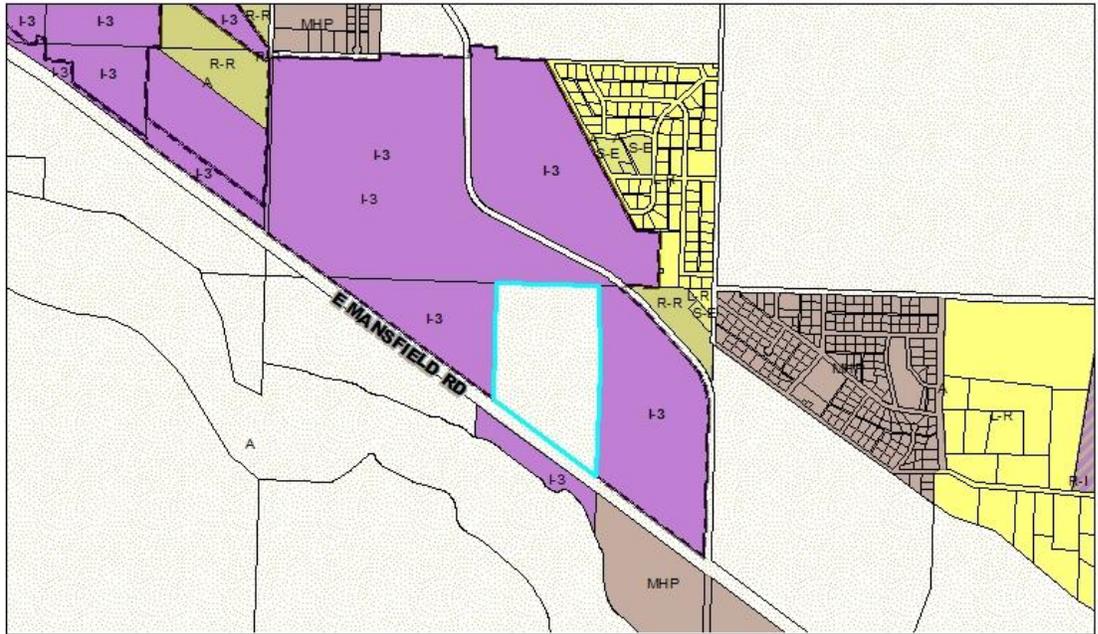
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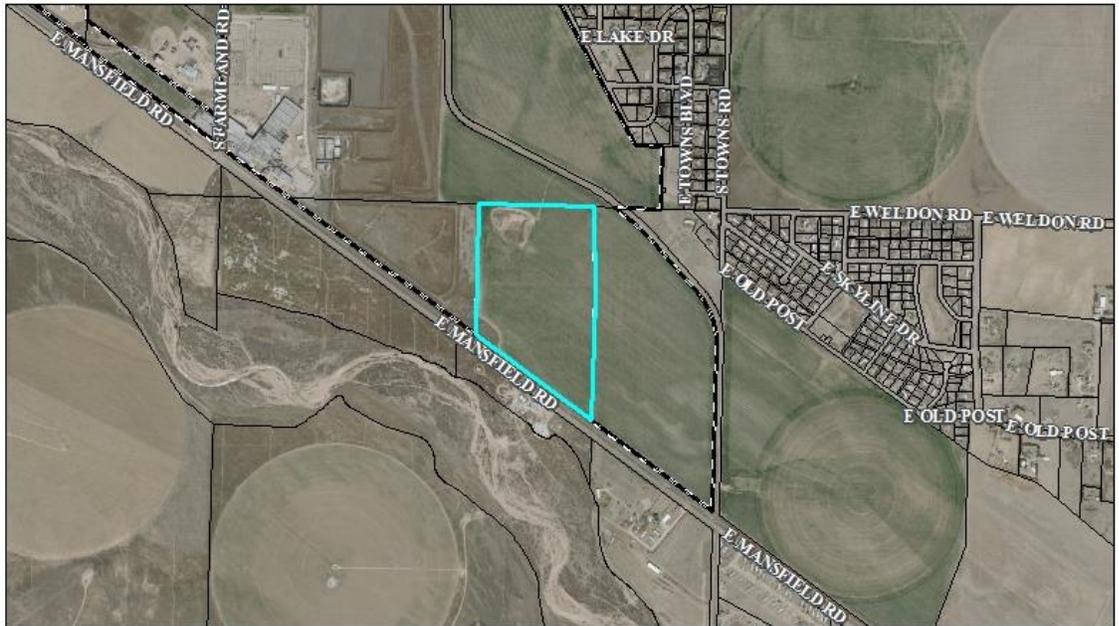
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Case Number: GC2016-76/77
Applicant: Jim Orr - Garden City Industrial Park
Address: S26, T24, R32W, generally located at approximately 5000 E. Mansfield Road, Garden City, KS
Request: Rezone from Finney County Zoning "A" Agricultural District to the "I-3" Heavy Industrial District of the City of Garden City Zoning Regulations





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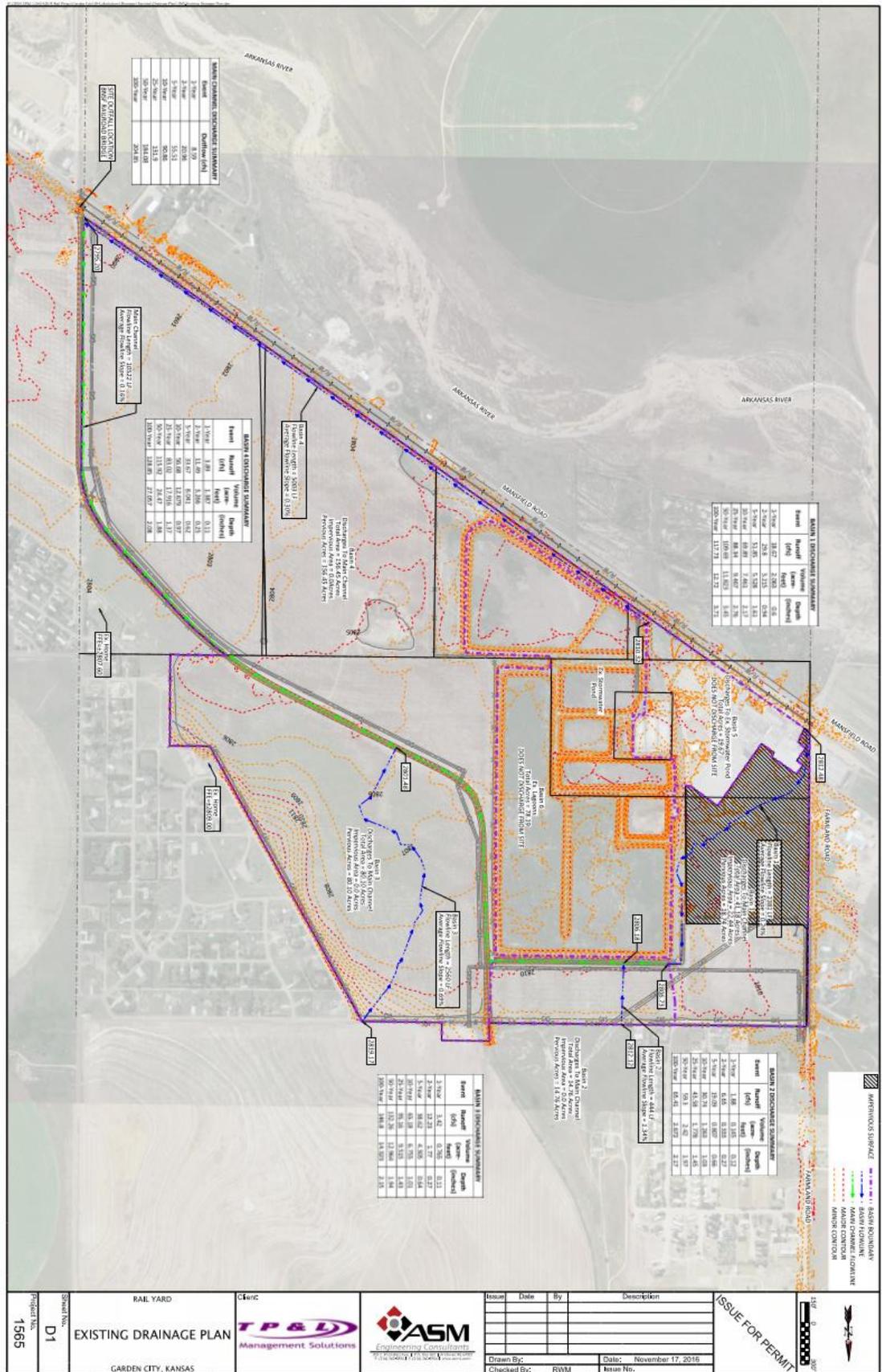
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Exhibit 1: Site plan





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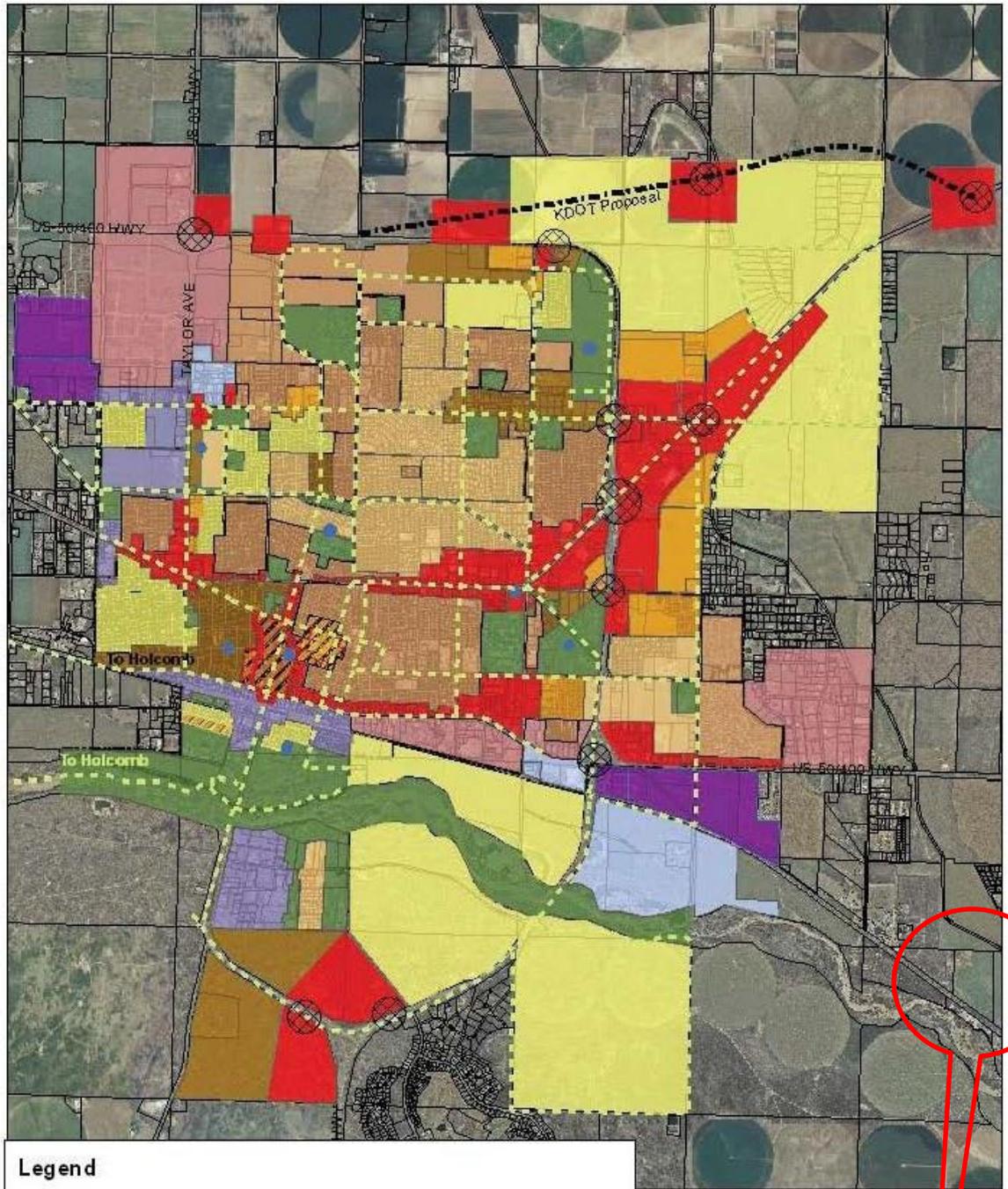
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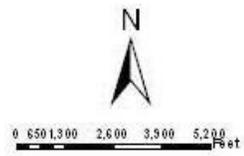
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Exhibit 2: Garden City Comprehensive Plan Future Land Use Map



Legend			
Future Land Use			
	Activity Center		Sign Overlay
	Commercial		Single Family
	CBD		Up To 2 Families
	Comm Indus/Res		2 or More Families
	Comm /Res		Light/Med Indus
	Hospital Overlay		Single Fam/Multi Mix
	Pub Open/Fac		Trail
	Horse Overlay		
	Heavy Industrial		



Approximate area of proposed land use change

ORDINANCE NO. _____-2017

AN ORDINANCE APPROVING THE REZONING OF LAND FROM "A" AGRICULTURAL DISTRICT TO "I-3" HEAVY INDUSTRIAL DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP; 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. The Zoning Ordinance of the City of Garden City, Kansas, adopted by Ordinance No. 2528-2011, with all amendments thereto, is hereby amended to rezone the below described real property from "A" Agricultural District to "I-3" Heavy Industrial District:

SECTION 2. The "Future Land Use Map" of the City of Garden City, Kansas adopted by Ordinance No. 2469-2010 with all amendments thereto, is hereby amended as follows:

The boundary of Heavy Industrial Potential overlay is hereby amended to include the following described real property:

All of Lot Two (2), Lot Three (3), and the Northwest Quarter of the Northeast Quarter (NW/4 NE/4) of Section Twenty-six (26), Township Twenty-four (24) South, Range Thirty-two (32) West of the Sixth Principal Meridian, Finney County, Kansas, lying and situated North of the right-of-way of the Atchison, Topeka, and Santa Fe Railway Co.,

Except, a tract described as follows: Beginning at a point on the North line of said Section 26, said point being 732.21 feet East of the Northwest corner of said Section 26; thence East along the North line of said section a distance of 415.0 feet; thence South at an interior angle of 90⁰ a distance of 287.72 feet to the Northerly right-of-way line of the Atchison, Topeka, and Santa Fe Railroad; thence in a Northwesterly direction along the Northerly right-of-way line of said railroad and at an interior angle of 55⁰16' a distance of 504.98 feet to the point of beginning, and

Except. A portion of Lot Three (3) and the East 200' of Lot Two (2) South of railroad right-of-way running through said Lots 2 and 3; and Except, a tract described as commencing at the Northwest corner of said Section 26 and thence N 90⁰00W along the north line of said section a distance of 1319.62 feet to a ½" rebar for the point of beginning; thence continuing West along the north line of said Section 26 a distance of 31.0 feet to a rebar; thence S 01⁰49'21" E. a distance of 955.38 feet to a rebar; thence East to a point on the west line of the east half of the Northeast Quarter which is 954.90 feet south of the north line of said Section 26; thence N 00⁰02'13" E along the west line of the east half of the Northeast Quarter of said Section 26 for 954.90' to the point of the beginning.

Except oil, gas and other minerals underlying the surface of said land.

SECTION 3. The "Future Land Use Map" adopted by Ordinance No. 2469-2010, as previously existing and amended, be and the same is hereby amended, to be replaced and continue hereafter as amended in this ordinance.

SECTION 4. The District Zoning Map referred to in the Zoning Regulations, Section 3.020, of the City of Garden, Kansas, adopted by Ordinance No. 2528-2011, as previously existing and amended, be and the same is hereby amended, to be consistent with the amendments set forth herein.

SECTION 5. The current Zoning Ordinance, Zoning Regulations, and District Zoning Map of the City of Garden City, Kansas, as previously existing and amended, be and the same hereby are repealed, to be replaced as specified in this ordinance. All sections of the Zoning Ordinance, Zoning Regulations, and District Zoning Map not specifically amended herein, shall remain in full force and effect.

SECTION 6. That this ordinance shall be in full force and effect from and after 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 3rd day of January, 2017.

CHRIS LAW, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Kaleb Kentner, Neighborhood & Development Services Director
DATE: January 3, 2017
RE: GC2016-80 A Rezone of 1106 Campus Drive

ISSUE:

The Governing Body is asked to consider and approve a rezone of 1106 Campus Drive from “I-2”, Medium Industrial District to “C-2”, General Commercial District.

1. Ordinance No. _____-2017, an ordinance approving the rezoning of land from “I-2” Medium Industrial District to “C-2” General Commercial District; amending the Zoning Ordinance and Zoning Regulations and the District Zoning Map of the City; and repealing the current Zoning Ordinance and Zoning Regulations and District Zoning Map; all to the Code of Ordinances of the City of Garden City, Kansas.

BACKGROUND:

General Information							
Date:	January 3, 2016						
Jurisdiction:	Garden City						
Owner:	Ken Nguyen						
Applicant	Ken Nguyen						
Requested Action:	Rezoning from “I-2”, Medium Industrial District to “C-2”, General Commercial District.						
Purpose:	Rezone property to						
Location Address:	1106 Campus Drive						
Comprehensive Plan:	The proposed land use is consistent with the Comprehensive Plan						
Sites Existing Zoning:	“I-2”, Medium Industrial District						
Surrounding Zoning:	<table border="0"> <tr> <td>North</td> <td>“I-2”, Medium Industrial District “R-1”, Single Family Residential District</td> </tr> <tr> <td>South</td> <td>“I-2”, Medium Industrial District “R-1”, Single Family Residential District</td> </tr> <tr> <td>East</td> <td>“R-1” Single Family Residential District “C-2” General Commercial District</td> </tr> </table>	North	“I-2”, Medium Industrial District “R-1”, Single Family Residential District	South	“I-2”, Medium Industrial District “R-1”, Single Family Residential District	East	“R-1” Single Family Residential District “C-2” General Commercial District
North	“I-2”, Medium Industrial District “R-1”, Single Family Residential District						
South	“I-2”, Medium Industrial District “R-1”, Single Family Residential District						
East	“R-1” Single Family Residential District “C-2” General Commercial District						

	West "C-2", General Commercial District
Land Area:	Contains 1.71 acres +/- for all parcels together
Notice Date:	This project was published and noticed by mail as required by code.

Comments & Required Improvements

1. This property is located at the corner of Campus and Kansas Avenue and is the location of the Golden Dragon restaurant.
2. The applicant is requesting to rezone this parcel from "I-2", Medium Industrial District to "C-2", General Commercial District to be able to attract a wider scope of potential businesses that might be interested in investing in this property.
3. The Comprehensive Plan does show this parcel as commercial potential.

The Planning Commission may approve according to the criteria in Section 27.040. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA.

Prior to taking any action on a request for an amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

- (A) The physical character of the neighborhood surrounding the property under consideration.
- (B) The existing zoning and land uses of properties both adjacent and near the property under consideration,
- (C) The suitability under existing conditions of the subject property for the land uses to which it has been zoned
- (D) The extent to which removal or alteration of the existing zoning classification will affect nearby properties (outlined in (B) above),
- (E) The length of time the subject property has remained vacant as zoned (if applicable),
- (F) The relative gain to the public health, safety and welfare by the change of value of the landowner's property compared to any hardship that may be imposed upon the landowner,
- (G) The consideration of recommendations of permanent or professional staff (if applicable),
- (H) The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the City of Garden City, Kansas, and
- (I) Other factors relevant or specific to a particular proposed zoning amendment. (Ord. #1770, 11/2/91)

ALTERNATIVES:

The Governing Body May:

1. Approve the rezoning request.
2. Not approve the rezoning request.

RECOMMENDATION:

Staff Recommendation: Staff recommends approval of the rezoning request.

Planning Commission Recommendation: The Planning Commission recommended approval of the rezoning request.

Members Present: 8
Yea Vote: 8
Nay Vote: 0

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Minutes, Maps, Pictures	12/28/2016	Backup Material
Ordinance	12/28/2016	Ordinance



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

GC2016-80 Rezone 1106 Campus Dr. from “I-2” to “C-2”, Golden Dragon Restaurant

Staff Davidson reads staff report.

OPEN PUBLIC COMMENT

CLOSE PUBLIC COMMENT

Staff Davidson – I did not receive any calls on this particular piece of property.

Chairman Lopez – I found it interesting that it was still zoned like that; it might have been carried over from when John’s Motors was there.

Member Schneider – Is the only “I-2” now the yogurt shop?

Secretary Kentner – Yes, the yogurt shop is really the only thing left. That’s one of those things that we look at next time on the zoning map when making corrections because it really doesn’t fit. My understanding is that this area that has been industrial has been there for years. Restaurants are legal uses in Industrial districts so they never had to rezone it for that use.

Discussion ensued regarding surrounding zoning districts.

Chairman Lopez – Once again, going to a lesser exposure I don’t really see a lot of concerns unless any of you have any concerns.

Member Schneider –If there were more industrial around it there would be but this is a logical step.

MEMBER HOWARD MAKES MOTION TO APPROVE THE REZONE OF 1106 CAMPUS DRIVE FROM “I-2” MEDIUM INDUSTRIAL DISTRICT TO “C-2” GENERAL COMMERCIAL DISTRICT. MEMBER SCHNEIDER SECONDS THE MOTION.

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present	Yea

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



NEIGHBORHOOD &
DEVELOPMENT
SERVICES
DEPARTMENT
SERVING
GARDEN CITY
HOLCOMB
AND
FINNEY COUNTY

620-276-1170

INSPECTIONS

620-276-1120

CODE COMPLIANCE

620-276-1120

PLANNING AND
ZONING

620-276-1170

CITY ADMINISTRATIVE

CENTER

301 N. 8TH

P.O. Box 998

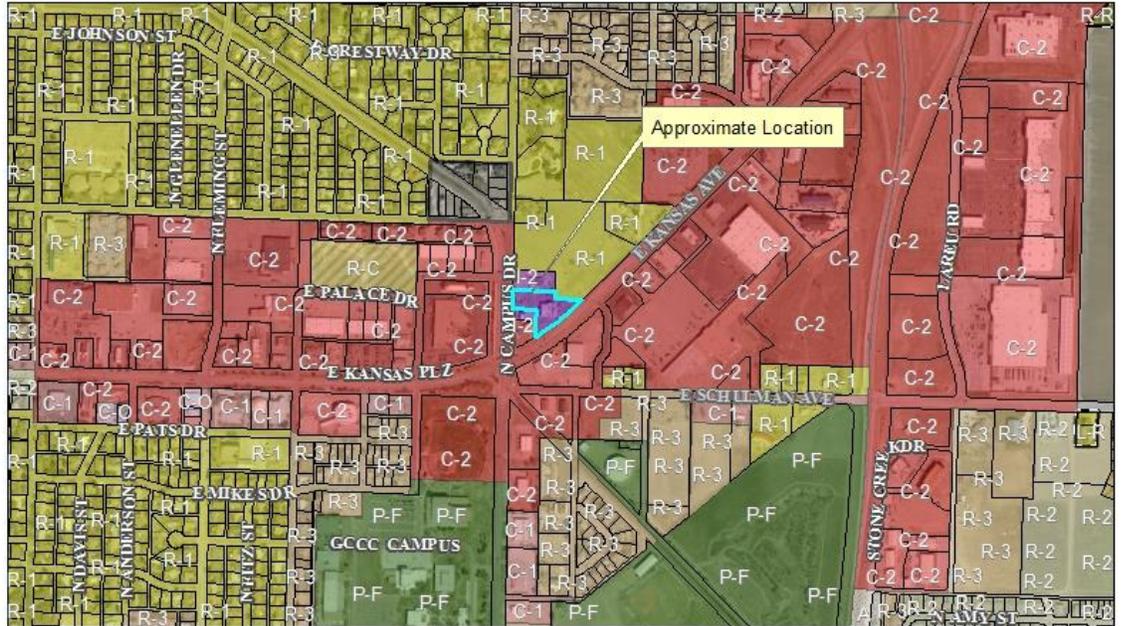
GARDEN CITY, KS

67846-0998

PH 620.276.1170

FAX 620.276.1173

www.garden-city.org



Case Number: GC2016-80
Applicant: Golden Dragon Restaurant, LLC (Ken Nguyen)
Address: 1106 Campus Drive
Request: Rezone "I-2" to "C-2"





NEIGHBORHOOD &
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Looking north east off of Kansas Avenue



Looking east off of Campus Drive

(Published in the Garden City Telegram on the _____ day of January, 2017)

ORDINANCE NO. _____-2017

AN ORDINANCE APPROVING THE REZONING OF LAND FROM "I-2" MEDIUM INDUSTRIAL DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT; AMENDING THE ZONING ORDINANCE AND ZONING REGULATIONS AND THE DISTRICT ZONING MAP OF THE CITY; AND REPEALING THE CURRENT ZONING ORDINANCE AND ZONING REGULATIONS AND DISTRICT ZONING MAP; 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. The Zoning Ordinance of the City of Garden City, Kansas, adopted by Ordinance No. 2528-2011, with all amendments thereto, is hereby amended to rezone the below described real property from "I-2" Medium Industrial District to "C-2" General Commercial District:

Lots Three (3) and Four (4), Block One (1), in the Campus Plaza North Addition, located in Section Nine (9), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6th P.M., in Garden City, Finney County, Kansas.

And

A tract of land in the Southwest Quarter of Section 9, Township 24 South, Range 32 West of the 6th P.M., Garden City, Finney County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of Campus Plaza North Addition as filed in Env. 322B, at a found ½" R-bar; thence North 00°03'36" East along the East Right-of-Way line of Campus Drive a distance of 56.33 feet to a set ½" R-bar; thence South 89°56'04" East a distance of 290.16 feet to a set ½" R-bar; thence South 00°08'00" West a distance of 56.22 feet to a found ½" R-bar; thence North 89°57'22" West along the north line of Campus Plaza North Addition a distance of 290.09 feet to the point of beginning

SECTION 2. The District Zoning Map referred to in the Zoning Regulations, Section 3.020, of the City of Garden, Kansas, adopted by Ordinance No. 2528-2011, as previously existing and amended, be and the same is hereby amended, to be consistent with the amendments set forth herein.

SECTION 3. The current Zoning Ordinance, Zoning Regulations, and District Zoning Map of the City of Garden City, Kansas, as previously existing and amended, be and the same hereby are repealed, to be replaced as specified in this ordinance. All sections of the Zoning Ordinance, Zoning Regulations, and District Zoning Map not specifically amended herein, shall remain in full force and effect.

SECTION 4. That this ordinance shall be in full force and effect from and after 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 3rd day of January, 2017.

CHRIS LAW, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor

Old Business



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Kaleb Kentner, Neighborhood & Development Services Director
DATE: January 3, 2017
RE: Unsafe structure order for 205 S Fourth Street, Garden City, Kansas.

ISSUE:

1:30 p.m. - Public Hearing - The Governing Body is asked to consider and approve the unsafe structure order for 205 S Fourth Street.

BACKGROUND:

The house at 205 S. Fourth is severely damaged as a result of abandonment. A violation notice dated August 29, 2016 was sent to the property owner of record. A follow-up inspection was done on September 28, 2016, per the violation notice. The follow-up inspection revealed nothing had been done to the property and no efforts had been made by the owner to repair or demolish the structure.

On October 18, 2016, the City Commission approved a resolution fixing a time and place at which the owner of record and any occupant of the structure may appear and show cause why the structure should not be condemned, ordered repaired or demolished and removed.

ALTERNATIVES:

1. Allow property to remain in existing condition.
2. Approve the unsafe structure order to begin the process of a clean-up and repair, or demolition and removal of the unsafe structure(s).

RECOMMENDATION:

Staff recommends approval of the Unsafe Structure Order and allow the property owner the time stated in the order to repair or demolish the structure(s). A follow up inspection will be scheduled to verify the status of the property. If the property remains in the same condition and no permits have been approved by the City, the City will then proceed with the demolition and removal process.

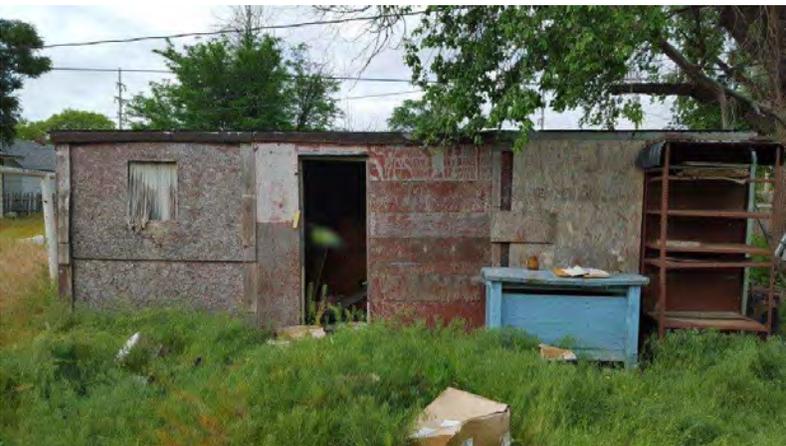
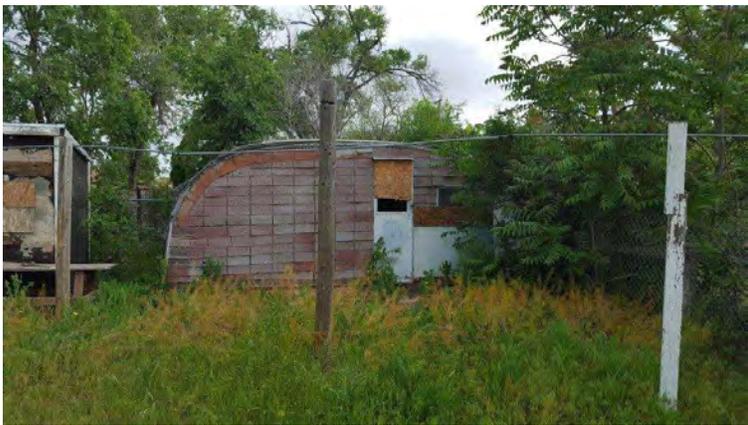
FISCAL NOTE:

Demolition costs will range between \$10,000.00 to \$20,000. A lien will be placed on the property for the exact amount of demolition expenses.

ATTACHMENTS:

Description	Upload Date	Type
Pictures & Map	12/30/2016	Backup Material
Resolution	12/28/2016	Backup Material
205 S. Fourth Street - Unsafe Structure Order	12/29/2016	Backup Material

205 S Fourth



205 S Fourth





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(Published in the Garden City Telegram on Oct 22 and Oct 29, 2016)

RESOLUTION NO. 2666-2016

A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER'S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE MAIN STRUCTURE AND THE ACCESSORY STRUCTURES MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-83 ET SEQ OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

WHEREAS, the Governing Body of the City of Garden City has found that there exists within the city structures which are unsafe, unfit or dangerous for human use or habitation because of conditions caused by dilapidation, deterioration, disrepair, or casualty and that such conditions are adverse to the general welfare of the city in that they have a blighting influence on adjoining properties, neighborhoods, and the city as a whole, or are injurious to the health, safety, and welfare of the residents of the city and,

WHEREAS, the enforcing officer(s) has found an unsafe, unfit or dangerous structures existing as a result of dilapidation, deterioration, disrepair, or casualty does exist at:

205 SOUTH FOURTH

OWNER-Lupe Hernandez

The Report of Findings Include: The main structure and all surrounding accessory structures (5) are extremely dilapidated. Hazardous electrical conditions exist (interior and exterior), the main structure and all surrounding accessory structures (5) are not secure, the front and back yards are not being maintained and hazardous plumbing conditions exist.

(See attached Report of Findings with supporting exhibits.)

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas that a hearing is hereby set for 1/3/2017 @ 1:30pm in the afternoon in the Commission Room at the City Administrative Center, 301 N. Eighth Street, Garden City, Kansas and any owner, owner's agent, any lienholder of record and any occupant is hereby notified to appear and show cause why the structure should not be condemned and ordered repaired, or demolished and removed.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, on this 18th day of October, 2016.


CHRIS LAW, MAYOR

ATTEST:


Celyn Hurtado, CITY CLERK

ORDER

Unsafe, Unfit or Dangerous Structure

Code of Ordinances Section 18-80 et seq.

Location of Real Property: The South half of the Northeast Quarter (S1/2NE1/4) of block sixty-eight (68), Original Plat of Garden City, Kansas, also described as the south third of the Northeast Quarter (S1/3 NE1/4) and the South Half of the Middle Third of the Northeast Quarter (S1/2 M1/3 NE1/4 of Block Sixty-eight (68) of the Original Plat of Garden City, Kansas; 205 S. Fourth

NOW ON this 3rd day of January, 2017, the matter of the condition of a structure located at the South half of the Northeast Quarter (S1/2NE1/4) of block sixty-eight (68), Original Plat of Garden City, Kansas, also described as the south third of the Northeast Quarter (S1/3 NE1/4) and the South Half of the Middle Third of the Northeast Quarter (S1/2 M1/3 NE1/4 of Block Sixty-eight (68) of the Original Plat of Garden City, Kansas; 205 S. Fourth, comes on for hearing. After hearing evidence on the condition of the structure on October 18th, 2016, the Governing Body of the City of Garden City, Kansas (City) finds the following:

1. The structure is unsafe, unfit, or dangerous for human use or habitation. The structure, as a result of dilapidation, deterioration, or disrepair would be injurious to the health, safety, or welfare of an individual if the structure were inhabited, and/or it is otherwise unsafe, unsanitary, or otherwise injurious to adjoining property, neighborhoods, or the general welfare of the City.

2. The structure has the following, but not limited to, areas of dilapidation, deterioration, or disrepair:

- a. Hazardous electrical conditions exist (interior and exterior)
- b. Main structure and all surrounding accessory structures (5) are not secure
- c. Front and back yards are not being maintained
- d. Hazardous plumbing conditions exist

3. The owner of the structure, Lupe R. Hernandez and any and all other individuals claiming an ownership interest in the structure, are hereby ordered as follows:

- a. Commence repair or demolition and removal of the structure within 30 days (February 2, 2017) of January 3, 2017; and
- b. Complete repair or demolition and removal of the structure within 60 days (March 4, 2017) of January 3, 2017.

Complete or completion of repair or demolition and removal in this order shall mean material and substantial completion of the plans of a contractor for repair or demolition and removal of the structure as per Section 18-27 of the Code of Ordinances, and if the structure is repaired by the owner, in a condition allowing for issue of a Certificate of Occupancy by the City.

4. Should the owner of the structure not timely commence and complete repair or demolition and removal of the structure, pursuant to Code Sections 18-82A and 18-84C, the City shall cause the structure to be demolished and removed with assessment of costs as provided by Code Section 18-86A.

5. This order shall be published, with a copy mailed to the owner, agents, lienholders of records, and occupants as provided by Code Section 18-84C.

IT IS SO ORDERED.

Date

CHRIS LAW, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Kaleb Kentner, Neighborhood & Development Services Director
DATE: January 3, 2017
RE: Unsafe structure order for 207 S Fourth Street, Garden City, Kansas.

ISSUE:

2:00 p.m. Public Hearing - The Governing Body is asked to consider and approve an unsafe structure order for 207 S Fourth Street, Garden City, Kansas.

BACKGROUND:

The house at 207 S Fourth is severely damaged as a result of abandonment. A violation notice dated August 17, 2016 was sent to the property owner of record. A follow-up inspection was done on September 16, 2016, per the violation notice. The follow-up inspection revealed nothing had been done to the property and no efforts had been made by the owner to repair or demolish the structure.

On October 18, 2016, the City Commission approved a resolution fixing a time and place at which the owner of record and any occupant of the structure may appear and show cause why the structure should not be condemned, ordered repaired or demolished and removed.

ALTERNATIVES:

1. Allow property to remain in existing condition.
2. Approve unsafe structure order to begin the process of clean-up and repair, or demolition and removal of the unsafe structure(s).

RECOMMENDATION:

Staff recommends approval of the Unsafe Structure Order and allow the property owner the time stated in the order to repair or demolish the structure(s). A follow up inspection will be scheduled to verify the status of the property. If the property remains in the same condition and no permits have been approved by the City, the City will then proceed with the demolition and removal process.

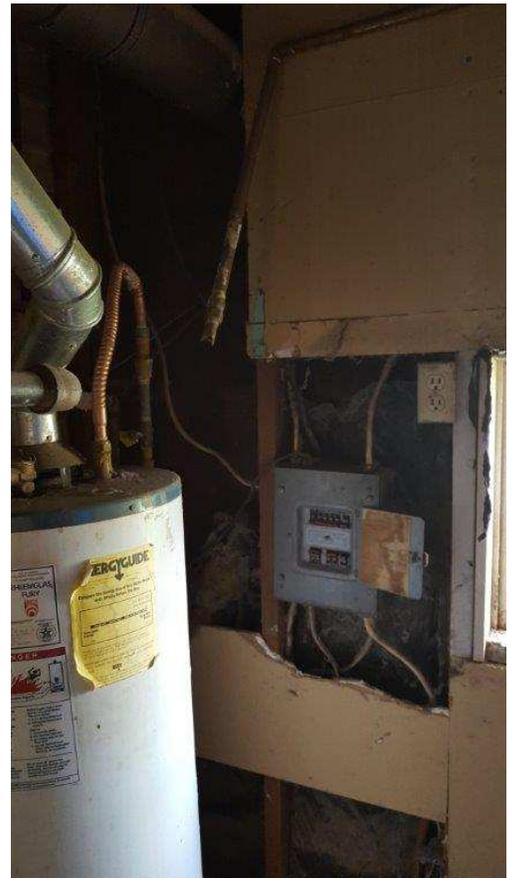
FISCAL NOTE:

Demolition costs will range between \$15,000 to \$30,000. A lien will be placed on the property for the exact amount of demolition expenses.

ATTACHMENTS:

Description	Upload Date	Type
Pictures and Map	12/30/2016	Backup Material
Resolution	12/28/2016	Backup Material
207 S. Fourth Street - Unsafe Structure Order	12/29/2016	Backup Material

207 S Fourth



207 S Fourth





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(Published in the Garden City Telegram on October 27 and October 29, 2016)

RESOLUTION NO. 2667-2014

A RESOLUTION FIXING A TIME AND PLACE AT WHICH THE OWNER, OWNER'S AGENT, ANY LIENHOLDER OF RECORD AND ANY OCCUPANT OF THE MAIN STRUCTURE AND THE ACCESSARY STRUCTURES MAY APPEAR AND SHOW CAUSE WHY THE STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED, OR DEMOLISHED AND REMOVED, PURSUANT TO SECTION 18-83 ET SEQ OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

WHEREAS, the Governing Body of the City of Garden City has found that there exists within the city structures which are unsafe, unfit or dangerous for human use or habitation because of conditions caused by dilapidation, deterioration, disrepair, or casualty and that such conditions are adverse to the general welfare of the city in that they have a blighting influence on adjoining properties, neighborhoods, and the city as a whole, or are injurious to the health, safety, and welfare of the residents of the city and,

WHEREAS, the enforcing officer(s) has found an unsafe, unfit or dangerous structures existing as a result of dilapidation, deterioration, disrepair, or casualty does exist at:

207 SOUTH FOURTH

OWNER-Geronimo Moreno

The Report of Findings Include: The main structure is extremely dilapidated. Hazardous electrical conditions exist, the main structure is not secure, the front and back yards are not being maintained, hazardous plumbing conditions exist, the main structure is not secure and the interior walls and ceiling are dilapidated.

(See attached Report of Findings with supporting exhibits.)

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas that a hearing is hereby set for 1/3/2017 @ 2:00 pm in the afternoon in the Commission Room at the City Administrative Center, 301 N. Eighth Street, Garden City, Kansas and any owner, owner's agent, any lienholder of record and any occupant is hereby notified to appear and show cause why the structure should not be condemned and ordered repaired, or demolished and removed.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, on this 18th day of October, 2016.



CHRIS LAW, MAYOR

ATTEST:



Celyn Hurtado, CITY CLERK

ORDER

Unsafe, Unfit or Dangerous Structure

Code of Ordinances Section 18-80 et seq.

Location of Real Property: The North One-Third (N1/3) of the Southeast One-Fourth (SE ¼) of Block Sixty-eight (68), Original Plat to the City of Garden City, Finney County, Kansas; 207 S. Fourth

NOW ON this 3rd day of January, 2017, the matter of the condition of a structure located at the North One-Third (N1/3) of the Southeast One-Fourth (SE ¼) of Block Sixty-eight (68), Original Plat to the City of Garden City, Finney County, Kansas; 207 S. Fourth, comes on for hearing. After hearing evidence on the condition of the structure on October 18th, 2016, the Governing Body of the City of Garden City, Kansas (City) finds the following:

1. The structure is unsafe, unfit, or dangerous for human use or habitation. The structure, as a result of dilapidation, deterioration, or disrepair would be injurious to the health, safety, or welfare of an individual if the structure were inhabited, and/or it is otherwise unsafe, unsanitary, or otherwise injurious to adjoining property, neighborhoods, or the general welfare of the City.

2. The structure has the following, but not limited to, areas of dilapidation, deterioration, or disrepair:

- a. Hazardous electrical conditions exist (interior and exterior)
- b. Main structure and all surrounding accessory structures are not secure
- c. Front and back yards are not being maintained
- d. Hazardous plumbing conditions exist
- e. Interior walls and ceilings are dilapidated

3. The owner of the structure, Geronimo Moreno and any and all other individuals claiming an ownership interest in the structure, are hereby ordered as follows:

- a. Commence repair or demolition and removal of the structure within 30 days (February 2, 2017) of January 3, 2017; and
- b. Complete repair or demolition and removal of the structure within 60 days (March 4, 2017) of January 3, 2017.

Complete or completion of repair or demolition and removal in this order shall mean material and substantial completion of the plans of a contractor for repair or demolition and removal of the structure as per Section 18-27 of the Code of Ordinances, and if the structure is repaired by the owner, in a condition allowing for issue of a Certificate of Occupancy by the City.

4. Should the owner of the structure not timely commence and complete repair or demolition and removal of the structure, pursuant to Code Sections 18-82A and 18-84C, the City shall cause the structure to be demolished and removed with assessment of costs as provided by Code Section 18-86A.

5. This order shall be published, with a copy mailed to the owner, agents, lienholders of records, and occupants as provided by Code Section 18-84C.

IT IS SO ORDERED.

Date

CHRIS LAW, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

New Business



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Matthew C. Allen, City Manager
DATE: January 3, 2017
RE: 2017 City Manager Employment Agreement

ISSUE:

The Governing Body is asked to consider and approve an Employment Agreement between the City of Garden City and Matthew C. Allen, City Manager.

BACKGROUND:

Each year, following a performance evaluation, the City Commission considers the terms of an employment agreement with the City Manager. The Commission concluded its evaluation process on December 20, 2016. Based on that evaluation and a review of comparable salary and benefit packages, the City Commission requested the City Attorney draft the attached Employment Agreement for 2017, and that it come before them for consideration at the January 3, 2017 regular meeting.

The proposed agreement is consistent with the terms of the 2016 agreement, with the exception of base salary, vehicle and communications allowance, the term of the agreement, and the percentage of base salary contributed by the employer to a qualifying 457 retirement plan.

Base Salary is proposed to change from an annual rate of \$130,746 to \$132,750 on January 1, 2017. On June 1, 2017 the annual base salary rate is proposed to change to \$134,750. The term of the agreement is proposed to change from January 1, 2017 through May 31, 2018. The annual vehicle and communications allowance is proposed to increase from \$5,000 to \$6,000. Changes to the Performance Evaluation section were made to reflect the proposed change in the length of the agreement. Percentage of base salary contributed by the employer to a qualifying 457 retirement plan is proposed to change from 11% to 11.5%.

ALTERNATIVES:

1. Approve the Employment Agreement.
2. Deny the Employment Agreement.

RECOMMENDATION:

The City Commission's attorney, Randy Grisell, can advise the Commission on any legal questions regarding the agreement.

FISCAL NOTE:

The changes proposed in base salary, employer contribution to a qualified 457 retirement plan, and vehicle/communications allowance result in approximately a \$5,189 increase for calendar year 2017 over the 2016 agreement.

ATTACHMENTS:

Description	Upload Date	Type
City Manager Employment Agreement 2017	12/28/2016	Backup Material

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (Agreement), made and entered into this 1st day of January, 2017, by and between THE BOARD OF COMMISSIONERS OF THE CITY OF GARDEN CITY, KANSAS, (City or Governing Body), and MATTHEW C. ALLEN (Employee).

WITNESSETH:

WHEREAS, the City desires to retain the services of the Employee as City Manager, as contemplated and provided by the Code of Ordinances of City (Code) and state statutes; and

WHEREAS, it is the desire of the City to provide certain benefits, establish certain conditions of employment and to set working conditions of the Employee; and

WHEREAS, the Employee desires to be employed as City Manager of the City;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, and the performance thereof by the parties, it is agreed as follows:

1. **Duties.** The City hereby agrees to employ the Employee as City Manager in charge of the administration of the City's business, to perform the functions and duties specified in state statutes and the Code, and to perform other legally permissible and proper duties and functions as the Governing Body shall from time to time assign.

2. **Term.** The term of this Agreement shall be seventeen (17) months, commencing January 1, 2017, and ending May 31, 2018. The Employee agrees to remain in the exclusive employment of the City and neither to accept other employment nor to become employed by any other employer until date of termination. The term "exclusive employment" shall not be construed to include occasional teaching, writing, consulting, or paid philanthropic work performed on the Employee's time off, provided that it does not interfere with the Employee's duties and responsibilities as City Manager. Regardless of the date of approval by the Governing Body and the Employee, the term of this Agreement shall commence January 1, 2017.

3. **Disability.** If the Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of thirty (30) successive days beyond any accrued sick leave, or for twenty (20) business days over a thirty (30) day period after exhaustion of accrued sick leave, the City shall have the option to terminate this Agreement, consistent with all applicable federal and state laws pertaining to required leave, disabilities and accommodations. Provided, in any such event the Employee shall be compensated for any accrued and compensable sick leave, vacation, holidays, and other accrued benefits, but Employee shall not be paid any severance pay or further compensation.

4. **Salary.** The City agrees to pay the Employee for his services rendered pursuant to this Agreement a gross salary as follows:

a) From January 1, 2017 to May 31, 2017, at a rate equal to a One Hundred Thirty-two Thousand Seven Hundred Fifty Dollars (\$132,750.00) annual salary; and

b) From June 1, 2017 to May 31, 2018, at a rate equal to a One Hundred Thirty-four Thousand Seven Hundred Fifty Dollars (\$134,750.00) annual salary.

The salary shall be paid in installments at the same time as other employees of the City are paid.

5. **Performance Evaluation.** The Governing Body shall review and evaluate the performance of the Employee at least once annually, in April, with the next evaluation to be in April 2018. The review and evaluation shall be in accordance with specific criteria developed by the City. The Mayor of the Governing Body shall provide the Employee with a summary written statement of the findings of the Governing Body and provide an adequate opportunity for the Employee to discuss his evaluation with the Governing Body. By the end of May of each term of this Agreement, the evaluation shall also be used to determine salary and benefit adjustments for the Employee.

6. **Hours of Work.** It is recognized that the Employee must devote a great deal of time outside the normal office hours of business of the City, and to that end, the Employee will be allowed to take compensatory time off as he shall deem appropriate during normal office hours.

7. **Vehicle and Communications Equipment.** In January 2017, for the period from January 1, 2017 to May 31, 2017, the Employee shall be paid a vehicle and communications equipment (cell phone and house computer) allowance of Two Thousand Five Hundred Dollars (\$2,500.00). In June 2017, for the period from June 1, 2017 to May 31, 2018, the Employee shall be paid a vehicle and communications equipment allowance of Six Thousand Dollars (\$6,000.00). The allowance is for the Employee's use of his personal vehicle and communications equipment for City related business. The Employee shall be responsible for the liability, property damage, and comprehensive insurance for the vehicle, as well as the purchase, operation, maintenance, repair and regular replacement of the vehicle or communications equipment.

8. **Travel and Related Expenses.** The Employee shall receive a stipend for expenses related to out of town travel, including, but not limited to airfare, vehicle, lodging and food expenses, as follows:

a) In January 2017, for the period from January 1, 2017 to May 31, 2017, the amount of Two Thousand Eighty-three and 35/100 Dollars (\$2,083.35); and

b) In June 2017, for the period from June 1, 2017 to May 31, 2018, the amount of Five Thousand Dollars (\$5,000.00).

The Employee shall be directly responsible for payment of such expenses. This stipend shall be in addition to, and exclusive of, the City's responsibilities for payment of registration expenses in Paragraph 14, Professional Development – Registration Expenses.

9. **Vacation and Sick Leave.** Per calendar year, the Employee shall accrue, and have credited to his personal account, vacation and sick leave at the same rate as other employees of the City, and in accordance with policies of the City. The Employee shall not utilize more than five (5) consecutive business days of vacation leave at any one time without prior consent of the Governing Body, and shall so plan the use of vacation leave as to insure his presence during the budget process. Should Employee voluntarily resign during the term of this Agreement, he shall be paid accrued vacation leave, up to a maximum of four hundred (400) hours.

The Employee may convert up to one hundred twenty (120) hours of accrued vacation per year to taxable income. The rate of conversion shall be the annual salary established in Paragraph 4 divided by two thousand eighty (2,080) times the number of hours of accrued vacation converted. Notwithstanding the Employee's right to convert accrued vacation hours to taxable income, the Employee's accrued vacation hours shall not be less than three hundred twenty (320) hours after any conversion.

10. **Personal Leave.** Per calendar year, the Employee shall receive seven (7) days of personal leave credited to his personal account at the beginning of each year. Annual personal leave must be used during the year granted and no personal leave will be paid upon termination of employment, whether voluntary or involuntary. As with the use of vacation leave, the Employee shall not utilize more than five (5) consecutive business days of personal leave, or the combination of personal leave and vacation leave, at any one time without prior consent of the Governing Body, and shall so plan the use of personal leave as to insure his presence during the budget process.

11. **Life and Health Insurance.** The City shall purchase and pay the required premiums on term life insurance policies equal in amount to two times the annual gross salary of the Employee, with the beneficiary named by the Employee to receive one-half of any benefits paid, and the City the other one-half. The City shall provide hospitalization, surgical, and comprehensive medical insurance for the Employee and his dependents and pay the premiums thereon equal to that which is provided all other employees of the City, in accordance with policies of the City.

12. **Retirement.** The City agrees to execute all necessary agreements required by the qualified 457 retirement plan provider of the Employee's choice for participation in the selected plan and, in addition to the base salary paid by the City to the Employee, the City agrees to pay an amount equal to eleven and one half percent (11.5%) of the Employee's annual gross salary set forth in Paragraph 4, into the plan on the Employee's behalf, in equal proportionate amounts each pay period, as deferred compensation, and to transfer ownership to succeeding employers upon the Employee's resignation or termination.

13. **Dues and Subscriptions.** The City shall pay for the professional dues and subscriptions of the Employee for his participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City. Such memberships shall be identified at the time the departmental budget is being determined by the Governing Body.

14. **Professional Development – Registration Expenses.** The City shall pay for the registration expenses of the Employee to afford the Employee opportunities to continue development of professional credentials (ICMA-CM) and to enable the Employee to adequately pursue necessary official and other functions for the City, including but not limited to the annual conference of the International City Management Association, the League of Kansas Municipalities and such other national, regional, state and local governmental groups and committees which the Employee serves as a member. The City also agrees to pay registration expenses of the Employee for short courses, institutes, and seminars that are necessary for his professional development and for the good of the City.

15. **Termination; Resignation; Severance Pay.**

(a) This Agreement may be terminated by the Governing Body, with or without cause, or as required by Paragraph 20. In the event the Employee is terminated by the Governing Body before expiration of the term set forth in Paragraph 2, or the Governing Body decides not to extend this Agreement for a subsequent annual term, and during such time the Employee is willing and able to perform his duties under this Agreement, then in that event the City agrees to pay the Employee a lump sum cash payment equal to nine (9) months' salary, as established in Paragraph 4; provided, however, that in the event the Employee is terminated for commission of a misdemeanor involving moral turpitude or veracity, or a felony, then, in that event, the City shall have no obligation to pay the aggregate severance sum designated in this paragraph.

(b) In the event the City at any time during the term of this Agreement reduces the salary or other financial benefits of the Employee in a greater percentage than an applicable across-the-board reduction for all employees of the City, or in the event the City refuses, following written notice, to comply with any other provision benefiting the Employee herein, or the Employee resigns following a suggestion, whether formal or informal, by the Governing Body that he resign, then, in that event, the Employee may at his option, be deemed to be terminated at the date of such reduction or such refusal to comply.

(c) In the event the Employee voluntarily resigns his position with the City before the expiration of the term of employment in Paragraph 2, the Employee shall give the City a minimum of two (2) months' notice in advance, unless the parties otherwise agree. If Employee voluntarily resigns, Employee shall not be entitled to severance pay or any further compensation under this Agreement, from and after date of resignation, with the exception of any accrued vacation leave allowed by Paragraph 9.

16. **Suspension.** The City may suspend the Employee at any time during the term of this Agreement. The Employee shall be given written notice setting forth the reasons for the suspension. Suspension without pay for more than five (5) days in any twelve (12) month term of this Agreement shall be considered a reduction in salary under Paragraph 15(b).

17. **Other Terms and Conditions of Employment.** The Governing Body shall have the authority to fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Code, or any other law.

18. **Insurance.** The City shall maintain public officials' liability insurance to cover all insurable acts or omissions of the Employee within the scope of the Employee's employment with the City.

19. **Bonding.** The City shall bear the full cost of any fidelity or other bonds required of the Employee under any applicable law or ordinance.

20. **Sufficiency of Funds.** In the event sufficient funds shall not be appropriated by the City for the payments and obligations required under the terms and conditions of this Agreement, the City may terminate this Agreement pursuant to the notice requirements set forth herein. This Agreement is subject to the terms and provisions of the Cash Basis Law, K.S.A. 10-1101 et seq., and the Kansas Budget Law, K.S.A. 79-2925 et seq.

21. **General Provisions.**

(a) The text herein shall constitute the entire Agreement between the parties.

(b) If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

(c) There may be no modification or amendment of this Agreement (other than notice of change of address), except in writing and executed with the same formalities as this Agreement.

(d) This Agreement shall be construed in accordance with the laws of the state of Kansas.

(e) The paragraph headings appearing in this Agreement have been inserted for the purposes of convenience and ready reference, and do not purport to nor shall they be deemed to define, limit, or extend the scope or intent of the paragraph to which they pertain.

22. **Notices.** Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

CITY: City Clerk
City of Garden City
P. O. Box 998
Garden City, Kansas 67846

EMPLOYEE: Matthew C. Allen
1709 Pioneer Road
Garden City, Kansas 67846

Alternatively, notices required pursuant to this Agreement may be personally served. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

23. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the Employee, his heirs, executors, administrators, and legal representatives.

IN WITNESS WHEREOF, on the 3rd day of January, 2017, this Agreement has been approved by the Governing Body of the City and signed by the parties.

CITY OF GARDEN CITY, KANSAS

Date: _____

By _____
CHRIS LAW, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

EMPLOYEE

Date: _____

MATTHEW C. ALLEN

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Celyn N. Hurtado, City Clerk
DATE: January 3, 2017
RE: 2016 Records Destruction

ISSUE:

The Governing Body is asked to consider and approve the destruction of specific records from 2011 and older as provided for by the Kansas State Historical Society Department of Archives and Section 2-742 of the Code of Ordinances of the City of Garden City, Kansas.

BACKGROUND:

The City may not destroy certain city records for statutorily required periods of time. Other records may be photographed or microfilmed and the originals destroyed (see K.S.A. 12-120 e seq). In addition, the Kansas State Historical Society publishes the Local Government Records Management Manual which lists requested minimum time periods to help guide decisions regarding how long to keep those records for which there is no statutorily required time period.

The request includes records pertaining to the following: Municipal Court records: 2011 & older traffic infractions, closed traffic infraction cases, non-misdemeanor, bail bonds, cancelled checks and audited bank statements, daily revenue reports, correspondence files, invoices, duplicate purchase orders, cash bond and warrant pick up sheets, and returned arrest warrants (traffic infractions only) from the Garden City Police Department that have expired in the year 2016.

The request before the City Commission is consistent with previous requests and Commission decisions regarding record destruction with the exception of records from Service & Finance. The City's auditors have advised the Service and Finance Department to keep their records for seven years, instead of the six years that was the normal practice for that department.

ALTERNATIVES:

1. Move to approve and destroy the specific records from 2011 and older from Municipal Court and Police Departments as identified above.
2. Deny the request to destroy the specific records.

RECOMMENDATION:

Staff recommends the destruction of the specified records.

FISCAL NOTE:

None.



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Staff
DATE: January 3, 2017
RE: Finney County Economic Development Corporation Board Appointment

ISSUE:

The Governing Body is asked to consider appointing a City representative to the Finney County Economic Development Corporation Board.

BACKGROUND:

Both the Finney County Economic Development Corporation (FCEDC) and the City have solicited interest for serving on the FCEDC Board. As of the publication of the agenda packet, only one person has expressed interest, Larry Geier.

Larry Geier, and anyone else who expresses interest prior to Tuesday's pre-meeting, will be invited to interview with the City Commission for the board appointment during the Tuesday January 3rd pre-meeting (11:00am in the City Administrative Center 2nd Floor Large Meeting Room).

ALTERNATIVES:

1. Appoint Larry Geier as the City representative to the Finney County Economic Development Corporation Board.
2. Appoint someone else to the Finney County Economic Development Corporation Board.
3. Delay your decision regarding making an appointment to the Finney County Economic Development Corporation Board.

RECOMMENDATION:

Staff has no recommendation.

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Larry Geier applicant	12/30/2016	Backup Material

November 22, 2016

City of Garden City
301 N. 8th Street
Garden City, Kansas 67846
via email: matt.allen@gardencityks.us

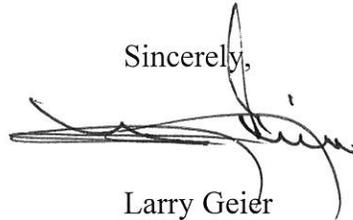
Re: Appointment of City of Garden City representative to Finney County Economic Development Corporation Board of Directors

Dear Mayor and Commissioners,

I am submitting this letter to you in order to be considered for the open position on the Finney County Economic Development Corporation board of directors that has recently been advertised. I believe that my experience in the community would be a benefit. I am a strong proponent of Finney County and Garden City and would like the opportunity to serve in this capacity.

I may be reached at 817-583-3398 should you have any questions for me.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Geier", with a long horizontal stroke extending to the left.

Larry Geier

Consent Agenda



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Kaleb Kentner, Neighborhood & Development Services Director
DATE: January 3, 2017
RE: GC2016-75 Lot Split of Units 3304 and 3306 of Lot One of Block Two of the Eagle Crest Addition

ISSUE:

The Governing Body is asked to consider and approve the lot split of units 3304 and 3306 of Lot One (1) of Block Two (2) of the Eagle Crest Addition.

BACKGROUND:

At the request of John Chappel, c/o Casco Homes, Inc., the Governing Body is asked to review and consider the lot split of 3304 and 3306 Eagle Street in the Eagle Crest Addition. The plat was reviewed during a plat review on Wednesday November 2nd and was approved on November 4th. The applicant is building a duplex that will be split into two for-sale lots.

This lot split comes before the Commission due to the 8' Public Utility Easement dedication to the City that is located to the south of 3304.

ALTERNATIVES:

The Governing Body may:

1. Approve the lot split.
2. Not approve the lot split.

RECOMMENDATION:

Recommendation: Staff Recommends approval of the lot split.

Planning Commission Recommendation: The Planning Commission voted to recommend approval of the lot split.

Member Present- 8

Yea vote-8

Nay Vote- 0

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Minutes, Map, Plat	12/28/2016	Backup Material



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

GC2016-75 Lot Split of 3304 & 3306 Eagle Crest Addition , Casco Homes & Dave Matthews

Staff Davidson reads staff report.

Vice-Chairman Germann – The lots looked weird to me because there’s a big one and small one and it looks like the building is equal on both sides.

Staff Davidson – The other one is a little bit bigger and they will have more land on that. It’s a very narrow piece of property and the home is very narrow. The width of the garage and the four-foot area for the door is the widest it goes with the other one being a lot wider.

Member Law – How did they get by without having alleys?

Secretary Kentner – Alleys are optional and are not required. It’s kind of split with the subdivisions that we have seen come in; out here they use poly carts for trash service.

Discussion ensued regarding the pros and cons of alleys and current issues with alleys.

Member Schneider – Is this going to affect anything with utilities such as water or any accessibility?

Secretary Kentner – No.

MEMBER HOWARD MAKES MOTION TO APPROVE THE LOT SPLIT OF LOTS 3304 & 3306 OF LOT 1, BLOCK 2 OF THE EAGLE CREST ADDITION. MEMBER GIGOT SECONDS THE MOTION.

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

Germann	Hitz	Gigot	Howard	Law	Lopez	Schneider	Schwindt	Stewart
Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present	Yea

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

NEIGHBORHOOD &
DEVELOPMENT

SERVICES

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GARDEN CITY

HOLCOMB

AND

FINNEY COUNTY

620-276-1170

INSPECTIONS

620-276-1120

CODE COMPLIANCE

620-276-1120

PLANNING AND

ZONING

620-276-1170

CITY ADMINISTRATIVE

CENTER

301 N. 8TH

P.O. Box 998

GARDEN CITY, KS

67846-0998

PH 620.276.1170

FAX 620.276.1173

www.garden-city.org



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Case Number: GC2016-75
Applicant: Casco Homes, Inc.
Address: 3304 & 3306 Eagle Street
Request: Lot Split of units 3304 & 3306 of Lot 1, Block 2 of the Eagle Crest Addition





**NEIGHBORHOOD &
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Looking east



Looking north east



Looking south east



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Cemetery Dept.
DATE: January 3, 2017
RE: Quit Claim Deeds

ISSUE:

Quit Claim Deed from heirs of Jane Lovell transferring Space 2, Lot 106, Zone H, located Valley View Cemetery to Jesse and/or Beatrice Ledesma.

BACKGROUND:

None.

ALTERNATIVES:

None.

RECOMMENDATION:

None.

FISCAL NOTE:

None.

Other Entities Minutes



MEMORANDUM

TO: Governing Body
THRU: Matthew C. Allen, City Manager
FROM: Michael D. Utz, Chief of Police
DATE: January 3, 2017
RE: Presentation of the December 20, 2016 minutes for the Police/Citizens Advisory Board meeting.

ISSUE:

Presentation of the December 20, 2016 minutes for the Police/Citizens Advisory Board meeting.

BACKGROUND:

Attached are the meeting minutes for the Police/Citizens Advisory Board meeting held on December 20, 2016.

ALTERNATIVES:

None.

RECOMMENDATION:

None.

FISCAL NOTE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Police/Citizens Advisory Board Minutes for December 2016	12/21/2016	Backup Material



**Garden City Police Department
Police Citizens Advisory Board**

December 20, 2016

5:30 pm – 6:30 pm

MICHAEL D. UTZ
CHIEF OF POLICE

RAQUEL ARELLANO
ADMINISTRATIVE ASSISTANT

COURTNEY PREWITT
PATROL CAPTAIN

MICHAEL REAGLE
COMMUNITY RESPONSE DIVISION
CAPTAIN

MICHAEL RADKE
INVESTIGATIONS DIVISION
CAPTAIN

RANDY RALSTON
OFFICE OF PROFESSIONAL
STANDARDS CAPTAIN

KATHY FAIRCHILD
SUPPORT SERVICES DIRECTOR

EMILY BURNS
BUDGET ANALYST

GARDEN CITY POLICE
DEPARTMENT
304 N. 9TH ST.
P.O. BOX 998
GARDEN CITY, KS
67846-0998
620.276.1300
FAX 620.276.1350
www.gcpolice.org

Present: Mellaina Johnson, Alyssa Ralston, Charles Allen

Absent: Darla Samy; Connie Bonwell; Jeff Starkey; Stan Kennedy;
Vinh Nguyen, Steve Jones

Staff: Chief Michael Utz, Sergeant Andrew Roush, Raquel Arellano

Guests: Emma Kennedy; Kylie Travers

I. Call Meeting to Order

Chairman Chuck Allen called the meeting to order at 5:30 p.m.

II. Approval of Minutes

Chairman Chuck Allen gave a moment for attendees to review the Minutes from the Police/Citizens Advisory Board meeting held on November 22, 2016.

III. Review of Master Activity Report

Chief Utz presented the information of the November 2016 Master Activity and Crime Analysis Reports.

The new format of the Monthly Activity Report was discussed. The Board unanimously approved the changes to the Monthly Activity Report and provided feedback.

IV. Monthly Recap

Chief Utz informed the Board that Officers Reid and Kelley are in Field Training and Justin Hawthorne and Shaun Hale are currently at the Kansas Law Enforcement Training Academy. Chief Utz also congratulated Officers Benson and Mosburg from completing their training program, and are now patrolling the streets as solo officers.

Chief Utz reported that the Garden City Police Department's children's Christmas party held on December 9, 2016, was a success. There were forty children of GCPD employees that attended the party at the Law Enforcement Center.



MICHAEL D. UTZ
CHIEF OF POLICE

RAQUEL ARELLANO
ADMINISTRATIVE ASSISTANT

COURTNEY PREWITT
PATROL CAPTAIN

MICHAEL REAGLE
COMMUNITY RESPONSE DIVISION
CAPTAIN

MICHAEL RADKE
INVESTIGATIONS DIVISION
CAPTAIN

RANDY RALSTON
OFFICE OF PROFESSIONAL
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V. Report From the Chief

Chief Utz gave an update on the Garden City Police Department's Chaplain Program. Chief Utz informed the Board that applications are currently being accepted for the Chaplain positions which are made up of volunteers.

VI: Report from Guests & Board Members

Chairman Chuck Allen announced that the next PCAB Meeting is scheduled for Tuesday, January 17, 2017, at 5:30 p.m.

VII: Adjournment

Meeting Adjourned at 6:15 p.m.