

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

May 5, 2020

Call to Order

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 PM via Zoom Tuesday, May 5, 2020.

All members were present via Zoom, an internet-based meeting platform. This public meeting was conducted in a "virtual" manner in order to comply with the State of Kansas Governor Kelly's Executive Order No. 20-29 and Kansas Open Meetings Act.

Commissioner Cessna opened the meeting with the Pledge of Allegiance and the Invocation.

Approval of Minutes

The April 21, 2020 Meeting City Commission minutes were approved as presented with corrections.

Public Comment

Consideration of Petitions, Memorials and Remonstrances

The Governing Body considered and allowed the Mayor to proclaim May 10-16, 2020, as National Police Week.

Commissioner Cessna moved to approve. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body considered and approved to allow the Mayor to proclaim May 2020 as Children's Mental Health Awareness Month.

Commissioner Cessna moved to approve. Commissioner Dick seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

Report of the City Manager

Fire Chief Beaty presented the Garden City Fire Department 2019 Annual Report.

Presentation of the GCPD Organizational Study Action Plan.

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

Meetings of Note

- May 16, 2020 - Garden City Area of Chamber of Commerce - Legislative Coffee will be held virtually at 10:00 a.m. Details can be found at www.gardencitychamber.net
- May 20, 2020 - Finney County Economic Development Corporation Board will be held at 7:30 a.m. Details can be found at www.ficoedc.com

Consideration of Appropriation Ordinance

Appropriation Ordinance No. 2506-2020A, "an appropriation ordinance making certain appropriations for certain claims in the amount of \$4,708,981.32," was read and considered section by section.

Commissioner Cessna moved to approve. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

Consideration of Ordinances and Resolutions

The Governing Body considered and approved an ordinance annexing a 1.328-acre parcel generally located at 3455 E Hwy 50, east of Loves.

1. Ordinance No. 2863 - 2020, an ordinance annexing land to the City of Garden City, Kansas, pursuant to K.S.A. 12-520(a)(7).

Commissioner Cessna moved to approve. Commissioner Dick seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

New Business

The Governing Body considered and approved the schematic design developed by the Confluence Design team. The Confluence Design team also previewed the next community input piece of the project which will include weighing in on the name and theme.

Commissioner Cessna moved to approve. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body considered and approved McCown Gordon for the Construction Manager at Risk for the project and approved proceeding with the boring at The Big Pool.

Commissioner Dick moved to approve. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body considered whether to open the Big Pool for the 2020 season in light of COVID-19 and the corresponding requirements of State and local health orders.

Commissioner Ortiz moved to not open The Big Pool for the 2020 season. The motion failed for lack of a second.

Commissioner Dick moved to table the discussion and have it added to the May 19, 2020 meeting. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Oyler, Dick

Nays: Ortiz, Unruh

The Governing Body considered and approved revisions to the Water Conservation and Drought Response Plan as part of the annual review process outlined in the plan.

Commissioner Cessna moved to approve. Commissioner Dick seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body considered applications for emergency loans using Community Development Block Grant (CDBG) economic development revolving loan funds held by the City.

The Governing Body approved an application Bertha's Flowers & Festivities for a Community Development Block Grant (CDBG) loan in the amount of \$17,500.

Commissioner Cessna moved to approve. Commissioner Dick seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body approved an application from D S Hospitality for a Community Development Block Grant (CDBG) loan in the amount of \$35,000.

Commissioner Cessna moved to approve. Commissioner Ortiz seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body approved an application from Fultons Founders for a Community

Development Block Grant (CDBG) loan in the amount of \$35,000.

Commissioner Dick moved to approve. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body approved an application from Las Margaritas for a Community Development Block Grant (CDBG) loan in the amount of \$35,000.

Commissioner Ortiz moved to approve. Commissioner Dick seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body approved an application from VHC Performance for a Community Development Block Grant (CDBG) loan in the amount of \$35,000.

Commissioner Oyler moved to approve. Commissioner Ortiz seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

Staff reviewed the Enterprise & Support Funds - Golf Course (#70), Golf Course Bldg. (#71), Solid Waste (#75), Drainage Utility (#79).

Commissioner Cessna moved to approve the Governing Body go into an Executive Session for 45 minutes pursuant to K.S.A. 75-4319(b)(1) pertaining to personnel 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 the City Commission reconvene into open session in the virtual Zoom meeting at 5:55 p.m. with the purpose of the City Manager's annual evaluation. Commissioner Ortiz seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

Consent Agenda

Commissioner Cessna moved to approve the following items on the Consent Agenda.

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

Ayes: Cessna, Dick, Ortiz, Oyler, Unruh

The Governing Body considered and approved an agreement between the City of Garden City and

the United States Department of the Interior: Bureau of Reclamation for funding to develop a Water Marketing Strategy for the City of Garden City and Finney County, Kansas.

The Governing Body considered and approved Agreement No. 91-20 on Project No. 50B-28 KA-5432-01 (Fulton Street Drainage Project) between the Secretary of Transportation, Kansas Department of Transportation (KDOT), the City of Garden City (City), and Wilson & Company, Inc., Engineers & Architects (Consultant) for Preliminary Engineering (PE) Design Services not to exceed \$134,137.48.

The Governing Body considered and approved application for 2020 Vegetation Mowing for Code Violations.

The Governing Body considered and approved the Water Utility Emergency Response Plan as part of the annual review process outlined in the plan.

Other Entities

Presentation of the February 11, 2020 Garden City Board of Zoning Appeals approved minutes.

Presentation of the March 19, 2020 Holcomb-Garden City-Finney County Area Planning Commission approved minutes.

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

Troy Unruh, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

A. Commissioner Cessna stated that he participated in the morning community prayer at St. Catherine Hospital and it was for the safety of staff and healing of patients. Commissioner Cessna thanked staff from Garden City Area Chamber of Commerce, Finney County Economic Development Corporation, Downtown Vision Inc. and Finney County Convention & Tourism Bureau for their efforts in helping local businesses during the pandemic. Commissioner Cessna stated the annual Fire Department report had great information in it for the public and stated it will be a great recruiting tool. Commissioner Cessna stated he received the annual water use report in the mail and stated it is great information for the public about their water usage throughout the year. Commissioner Cessna encouraged and reminded people to complete their 2020 Census. Commissioner Cessna stated that leaders in the community are faced with hard decisions to make and thanked everyone for their support. Commissioner Cessna commented that the City is continuing to improve our virtual meetings and thanks staff for that work.

B. Commissioner Ortiz echoed Commissioner Cessna's thoughts and reminded everyone that we need to have kind hearts and to consider those around us during this time. Commissioner Ortiz asked that everyone keep the high school seniors in their prayers as they have missed out on several big moments in their senior years.

C. Commissioner Oylar commented that it is hard to make these decisions but she tries to make them based on the good of the whole. Commissioner Oylar encouraged everyone to pick their favorite take out restaurant and have a Zoom dinner with friends and family. Commissioner Oylar stated that Finney County United Way is available to assist people with basic needs and to reach out if you are in need of something. Commissioner Oylar asked that everyone be respectful to others during this time and to give "grace and space."

D. Commissioner Dick encouraged people to pick up some takeout food and celebrate Cinco de Mayo. Commissioner Dick gave kudos and thanked USD 457 on the way they are handling the distance learning in our community and stated he has received several positive comments from others with the same thoughts.

E. Mayor Unruh stated that Commissioners received handwritten "thank-you" cards for the electric utility credit and he was very appreciative of those notes. Mayor Unruh commented that he loves the "grace and space" phrase during this time. Mayor Unruh thanked Downtown Vision, Finney County Economic Development Corporation, Finney County Convention & Tourism Bureau and Garden City Area Chamber of Commerce for their work on the reopening guide for businesses and have made themselves available to the County Commission. Mayor Unruh stated the County Commissioners are taking the lead on the COVID-19 situation and the City has agreed to stand with them. Mayor Unruh encouraged everyone to check out the Adopt a Senior Facebook page and look at adopting a local high school senior. Mayor Unruh shared a message he received from Senior Cameron that thanked the City for everything that is being done to keep the community safe. Mayor Unruh shared a quote from President Theodore Roosevelt, "Do what you can, with what you have, where you are."