

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

May 19, 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 19, 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. 20-16 and Kansas Open Meetings Act.

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

Approval of Minutes

The May 5, 2020 Meeting City Commission minutes were approved as presented.

Public Comment

Report of the City Manager

Public Utilities Director Muirhead provided an update on the COVID- 19 Electric credits.

City Manager Allen provided an update on the preparation of an application for a \$300,000 economic development grant under the State of Kansas Department of Commerce Community Development Block Grant (CDBG) program for community response to COVID-19.

City Manager Allen stated he and Mayor Unruh recently toured the Tyson Plant and encouraged other Commissioners to take the tour.

City Manager Allen mentioned an email that was sent to all Commissioners from Dr. Lindsay Byrnes on COVID-19 and stated it would be included in the next packet.

Water Resource Manager Jones advised the Wastewater Collection System and Treatment Plant Improvements projects for 2020, a packaged scope of work that was bid in one unit, received no bids at the bid opening on May 13, 2020. Staff is reviewing options to complete the scope of work.

Presentation of the April 2020 report from the Garden City Regional Airport.

Presentation of April activity report from the Garden City Fire Department.

Presentation of the April 2020 Building Report from Neighborhood & Development Services.

Presentation of the March 2020 Code Compliance Report from Neighborhood & Development Services.

Presentation of the April 2020 Code Compliance Report from Neighborhood & Development

Services.

Presentation of the April 2020 Master Activity Report from the Garden City Police Department.

Presentation of the GCPD Organizational Study Action Plan.

Presentation of the Monthly Financial Reports from Service and Finance.

Meetings of Note

- May 16, 2020 - Garden City Area of Chamber of Commerce - Legislative Coffee will be held virutally 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
- May 22, 2020 - Special Meeting of the City Commissioners via Zoom at 11:00 a.m.

Consideration of Appropriation Ordinance

Appropriation Ordinance No. 2507-2020A, an appropriation ordinance making certain appropriation for certain claims in the amount of \$1,526,690.92," was read and considered section by section.

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

Consideration of Ordinances and Resolutions

The Governing Body considered and approved making improvements to the City's aquatic facility eligible for financing.

1. Ordinance No. 2864-2020, an ordinance of the City of Garden City, Kansas, authorizing the City to make public building facility improvements, and further authorizing the City to issue General Obligation bonds in an estimated principal amount of \$14,000,000 to pay costs of the project.

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

Old Business

At approximately 1:30 p.m. the Governing Body initiated the procedure for consideration of a franchise for a retail electric service provider for two (2) recently annexed real properties, East Cambridge, LLC and Empirical Foods, Inc.

Wheatland Electric Cooperative, Inc. (WECI) has requested it be granted a franchise for the East Cambridge. LLC parcel. The Governing Body conducted the process according to the statutory requirements of KSA 66-1,176. Public Works Director Muirhead presented evidence and arguments on behalf of the City. James McVay, WECI General Counsel, presented evidence and arguments on behalf of WECI. Both parties requested more time to present additional evidence regarding rates. The City and WECI will present additional evidence to the Governing Body, to be considered at a later regular meeting.

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.

Beth Koksall submitted a comment through email to the City Clerk Hurtado stating she was opposed to the opening of the pool for the 2020 season. No other comments were submitted.

Commissioner Unruh moved to not open The Big Pool for the 2020 season. Commissioner Oyler seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Ayes: Dick, Ortiz, Oyler, Unruh

Nays: Cessna

New Business

The Governing Body considered and approved funding awarded under the FY2020 Bureau of Justice Assistance (BJA) Coronavirus Emergency Supplemental Funding Program in the amount of \$45,881.00.

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

The Governing Body considered and approved a waiver to the Code of Ordinance Section 62-12 to allow for the discharge of consumer fireworks within the city limits of Garden City during June 27, 2020 through July 5, 2020 from 10:30 a.m. to 10:30 p.m.

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 considered and approved the destruction of specific Fire Department records from 2014 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.

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 considered the following applications for emergency loans using Community Development Block Grant (CDBG) economic development revolving loan funds held by the City:

The Governing Body considered and approved an application from Medina Adventures, Inc. for a Community Development Block Grant (CDBG) loan in the amount of \$25,000.

Commissioner Ortiz moved to approve. Commissioner Unruh 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 application from Pearls Sports Shop for a Community Development Block Grant (CDBG) loan in the amount of \$35,000.

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 and approved reappointing Donna Lightner and Blair Loving to each serve a two-year term beginning July 2020 - June 2022 the Zoo Advisory Board.

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

City Manager Allen and Public Utilities Director Muirhead reviewed the Enterprise & Support Funds - Electric Capital Reserve (#67), Electric Utility (#68), Water & Wastewater Utility (#80), Wastewater Repair & Replacement (#81), Water Maintenance Reserve(#82), and Water Reuse Utility (#84).

The Governing Body considered and approved Task Order Number 2 between the City of Garden City and HNTB for the airfield remarking project at the Garden City Regional Airport - Airport Improvement Program (AIP) 3-20-00-24-43.

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

Consent Agenda

Commissioner Ortiz moved to approve the following items on the Consent Agenda. Commissioner Unruh 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 Burns & McDonnell for a Water Marketing Strategy Plan for the Reuse of Wastewater Effluent for a fee not to exceed \$279,800.00.

The Governing Body considered and approved the contractor licenses for May 19, 2020.

Other Entities

Presentation of the March 12, 2020 minutes from the Garden City Regional Airport Advisory Board.

ADJOURN

Troy Unruh, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

A. Commissioner Ortiz thanked everyone who watched the meeting and for listening to the discussion. Commissioner Ortiz stated that there were difficult decisions to make during the meeting, but those decisions were made to keep the community safe. Commissioner Ortiz expressed appreciation towards everyone being understanding of the pool decision.

B. Commissioner Oyler stated that the decision to close the pool this season was a tough one and expressed her appreciation to staff for providing thorough plans and information if the pool did open. Commissioner Oyler stated that the information provided helped in making her decision about the pool and stated that community safety was a factor in her decision as well. Commissioner Oyler stated that she is available and willing to speak about the pool. Commissioner Oyler stated she wouldn't have been able to attend this meeting because of her son's graduation from Westpoint Military Academy, but because of the COVID-19 pandemic there was no graduation ceremony. Commissioner Oyler stated that she is proud of her son and all 2020 graduates. Commissioner Oyler quoted her son's class motto "With vision we lead" and stated that this motto is true for all graduates who have handled this unique situation. Commissioner Oyler stated that she is excited about the Community Development Block Grants that will be discussed on Friday. Commissioner Oyler stated that she has observed how Zoom meetings have encouraged a higher level of civic engagement and she's happy to see that.

C. Commissioner Dick mentioned that he grew up going to the Big Pool and learned how to swim

there. Commissioner Dick stated that the pool decision was difficult, but because of the current pandemic, he didn't believe it was possible to open this season. Commissioner Dick reminded everyone to fill-out and submit their 2020 Census forms. Commissioner Dick stated that the U.S.D. 457 has done a great job with finishing a successful school year, even with all of the hardships and obstacles that have come with COVID-19. Commissioner Dick thanked Centura Health for dispersing masks and hand-sanitizer to the community. Commissioner Dick stated that it was great to see a large company step up and help out the community. Commissioner Dick stated that he would like to know what the plan is to reopen Lee Richardson Zoo since outdoor recreation is important. Commissioner Dick stated that he is happy that the public can now go to shops and businesses, but with that said, he asked that people voluntarily wear a mask. Commissioner Dick stated that when you wear a mask, you protect yourself and everyone else.

D. Mayor Unruh thanked everyone for Zoom meeting attendance. Mayor Unruh stated that one of his favorite definitions of leadership is "the unshakable faith in people's capacity to be generous, creative and kind." Mayor Unruh stated that he has been involved with the adopt a senior project and that he's adopted two seniors. Mayor Unruh is proud of the graduating class and the community for their ability to be creative about celebrating graduation. Mayor Unruh stated that Memorial Day is coming up and encouraged everyone to take a walk at the cemetery and enjoy the new sidewalk and landscaping. Mayor Unruh stated that he was invited to tour Tyson and was impressed by the company's safety protocols. Mayor Unruh quoted Tyson Plant Manager saying, "If people don't feel safe, they will not come to work." Mayor Unruh stated that the safety protocols at Tyson are put in place to protect the employees and the community of Garden City. Mayor Unruh stated that our Tyson plant impacts the world, and that there are products in that plant that are shipped all over the world. Mayor Unruh encouraged his fellow Commissioners to tour the plant. Mayor Unruh stated that the Big Pool item was a hard decision, and that he cares deeply about it and loves the history behind it. Mayor Unruh stated that he is excited for the new aquatic center in 2021. Mayor Unruh stated that he appreciates public input.

E. Commissioner Cessna thanks City staff for all they've done throughout the COVID-19 situation. Commissioner Cessna stated that U.S.D. 457 has wrapped up an unusual school year and hopes school can be successfully opened by next year.