

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

City of Garden City

June 16, 2020

Note:

## **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, June 16, 2020.

## **Approval of Minutes**

The Governing Body considered and approved the June 2, 2020 Meeting City Commission minutes as presented.

## **Public Comment**

## **Consideration of Petitions, Memorials and Remonstrances**

The Governing Body considered and approved a request from High Plains Public Radio to allow the Mayor to proclaim June 27, 2020 as High Plains Public Radio Day in Garden City, Kansas.

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

## **Report of the City Manager**

On Wednesday, June 10th the City received notice from the District Court of Finney County, Kansas that the City's motion for Summary Judgment was granted and Wheatland Electric Cooperative, Inc.'s Motion for Summary Judgment was denied in Case No. 18 CV 72.

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

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

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

Presentation of the Police Department Organizational Study Action Plan.

Presentation of the Monthly Financial Report from Service and Finance.

Presentation of the May 2020 monthly staff report from Lee Richardson Zoo.

## **Meetings of Note**

- June 24, 2020 - Finney County Economic Development Corporation Board will be held at 7:30 a.m. Details can be found at [www.ficoedc.com](http://www.ficoedc.com)
- June 30, 2020 - Town Hall Meeting at the City Administrative Center in the Commission Chambers at 7:00 p.m.

### **Consideration of Appropriation Ordinance**

Appropriation Ordinance No. 2509-2020A, "an appropriation ordinance making certain appropriations for certain claims in the amount of \$1,572,204.04," was read and considered section by section.

Commissioner Dick 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

### **Consideration of Ordinances and Resolutions**

The Governing Body considered and approved an ordinance where case law of the State of Kansas would prohibit the applicability of City ordinances to KSU's real property.

1. Ordinance No. 2866-2020, an ordinance addressing the applicability of ordinances of the City of Garden City, Kansas to real property owned by Kansas State University, on behalf of the Kansas Board of Regents and the State of Kansas.

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 a resolution authorizing temporary financing for the Pool Project and the East Side Drainage Project.

1. Resolution No.2851-2020, a resolution providing for issuance of taxable temporary notes of the City of Garden City, Kansas, in the total principle amount of \$16,000,000 to provide funds to temporarily finance costs of previously authorized internal improvements; and providing the terms, details, form and conditions of such taxable temporary notes.

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

1. The Governing Body is considered and approved an ordinance rezoning from "I-1, I-2" Light-Medium Industrial (County) to "C-2" General Commercial District (City) for the property generally located west of 1603 W. Mary St., and east of Ray Rd., Garden City, Kansas.

1. Ordinance No. 2867- 2020 an ordinance approving the rezoning of land from "I-1, I-2" Light-Medium Industrial District to "C-2" General Commercial District amending the zoning ordinance, the zoning regulations, and the district zoning map of the city; and repealing the current zoning ordinance, the zoning regulations, and the district zoning map; all to the code of ordinances of the City of Garden City, Kansas.

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 amendments to the Garden City Zoning Regulations Article 20: "PUD" Planned Unit Development.

1. Ordinance No. 2868 - 2020, an ordinance amending the Zoning Regulations for the City of Garden City, Kansas amending zoning regulation sections 20.010, 20.020, 20.030, 20.040, 20.050, 20.060, 20.070, 20.080, 20.090, 20.100, 20.110, and 20.120 repealing in its entirety current zoning regulations sections 20.010, 20.020, 20.030, 20.040, 20.050, 20.060, 20.070, 20.080, 20.090, 20.100, 20.110, and 20.120, all to the Code of Ordinances of the City of Garden City, Kansas.

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

## **Old Business**

The Governing Body considered the selection of an electric service provider for the newly annexed property. Staff will draft proposed findings, conclusions and recommendations for the July 21st meeting.

## **New Business**

1:30 p.m. - Theresa Dasenbrock, and Kristen Sekavec, from accounting firm Lewis, Hooper & Dick, LLC, presented the City's 2019 Comprehensive Annual Financial Report.

Commissioner Unruh 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 a late application for the Neighborhood Revitalization Program (NRP) on behalf of Dr. Jay Main & Dr. Lance Palmer for the address 2304 E. Mary Street for a major remodel.

The Governing Body considered and approved Task Order Number 3 between the City of Garden City and HNTB Corporation for environmental engineering services for the Garden City Regional Airport terminal project.

Commissioner Cessna moved to Motion. 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 two re-appointments to the Traffic Advisory Committee and appoint a new member.

Review of General Fund (#001), and General Fund Revenues.

The Governing Body considered and approved an Executive Session 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.

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

### ***Consent Agenda***

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

Ayes: Cessna, Unruh, Dick, Oyler, Ortiz

The Governing Body considered and approved the 2020 Integrated Resource Plan to the Western Area Power Administration.

The Governing Body considered and approved the Grant Agreement for the CARES Act Airport Grant for operational and maintenance reimbursement at the Garden City Regional Airport - Airport Improvement Program (AIP) 3-20-00-24-044-2020 in the amount of \$5,645,672.

The Governing Body considered and approved the contractor licenses for June 16, 2020.

The Governing Body considered and approved a 2020 Cereal Malt Beverage license.

### **Other Entities**

Presentation of the May 14, 2020 minutes from the Garden City Regional Airport Advisory Board.

Presentation of the June 1, 2020 unofficial minutes from the Traffic Advisory Committee.

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

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Troy Unruh, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

### **City Commission Reports**

A. Commissioner Dick stated that he is happy to be back to in-person meetings. Commissioner Dick stated that citizens should remember to fill out their Census forms. Commissioner Dick stated that every counted household is worth about \$60,000 in reimbursement in federal funding.

B. Mayor Unruh met with Chief Utz, captains and lieutenants and stated that the meeting was very informative. Commissioner Unruh stated that the Police Department offers different opportunities to learn about the Police Department, like ride-alongs and citizens academy. Mayor Unruh stated that he was able to visit the Jameson Energy Center and encourages citizens to schedule a tour. Mayor Unruh thanked Lewis, Hooper and Dick for their audit summary.

C. Commissioner Cessna congratulated Finance Director Hitz and Staff on the budget and audit report. Commissioner Cessna stated that it was good to see how it was all put together and to see only minor deficiencies. Commissioner Cessna reiterated that citizens should remember to fill out the Census. Commissioner Cessna stated that he is glad to be back to in-person meetings.

D. Commissioner Ortiz stated that the Census is important and should be filled out, since for many, it's become a second thought during the breakout of the pandemic. Commissioner Ortiz stated that citizens should remember to be courteous to physical distancing guidelines and mask wearing. Commissioner Ortiz congratulated all new committee members and staff members who are new to the City, and thanked them for taking on service roles. Commissioner Ortiz thanked Staff and Lewis, Hooper & Dick for their work on the audit and report.

E. Commissioner Oyler stated that she was glad the commission could gather physically. Commissioner Oyler stated that citizens should remember to fill out the Census, as it is very important. Commissioner Oyler stated that the audit document and presentation was impressive and provides perspective to where the City is as a locality and in the State. Commissioner Oyler congratulated the newly appointed committee members. Commissioner Oyler stated that the civic engagement that was happening during quarantine was great; and asked citizens to please continue that, even as things return to 'normal.'