

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

City of Garden City

July 21, 2020

## **Call to Order**

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 PM at the City Administrative Center Tuesday, July 21, 2020.

All members were present. Commissioner Cessna opened the meeting with the Pledge of Allegiance and the Invocation.

## **Approval of Minutes**

The July 7, 2020 Commission Meeting minutes were approved as presented with a correction to the primary election date of August 4, 2020.

## **Public Comment**

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

The Governing Body considered and approved a request from Aaron Stewart, Garden City Recreation Commission, under Code Section 6-35 and 6-133 to allow possession, consumption and sale of cereal malt beverages of alcoholic liquors during the The Siege 5K Obstacle Course on Saturday, August 15, 2020 at 3502 N. Campus Drive (in front of the Crazy House).

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 the use of Lee Richardson Zoo and the service of beer and wine on July 26, 2020 from 5:00 p.m. - 8:30 p.m. for a Meet and Greet for Dr. Roger Marshall for U.S. Senate and Dr. William "Bill" Clifford for U.S. House of Representatives. The fee reduction was not approved.

Commissioner Unruh 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

## **Report of the City Manager**

Police Chief Utz and Fire Chief Beaty presented the 2020 Firework Violations Report.

The City received correspondence from Cox Communications regarding COVID-19 updates.

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

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

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

Presentation of the June 2020 City Link Ridership Report from Public Works.

Presentation of the GCPD Organizational Study Action Plan.

Presentation of the Monthly Financial Reports from Service and Finance.

Presentation of the June 2020 monthly staff report from Lee Richardson Zoo

### **Meetings of Note**

- July 22, 2020 - Finney County Economic Development Corporation Board will be held at 7:30 a.m. at the City Administrative Center

### **Consideration of Appropriation Ordinance**

Appropriation Ordinance No. 2511-2020A, "an appropriation ordinance making certain appropriations for certain claims in the amount of \$1,770,914.97," was read and considered section by section.

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

The Governing Body considered and approved a resolution establishing a date and time for a public hearing regarding the Rural Housing Incentive District for Milestone Addition.

1. Resolution No. 2853 - 2020, a resolution of the Governing Body of the City of Garden City, Kansas determining that the City is considering establishing a Rural Housing Incentive District within the City and adopting a plan for the development of housing and public facilities in such proposed district; establishing the date and time of a public hearing on such matter, and providing for the giving of notice of such public hearing. (Milestone Addition)

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 considered and approved an ordinance issuing a ten (10) year telecommunications franchise agreement to PGB Fiber LLC, from Ulysses, Kansas.

1. Ordinance No. 2869 - 2020, an ordinance granting to PGB Fiber, LLC, its successors and assigns, a contract franchise to construct, operate and maintain a telecommunications system in the City of Garden City, Kansas; all pursuant to K.S.A. 12-2001 ET SEQ.

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 a Motor Vehicle Nuisance Resolution.

1. Resolution No. 2854-2020, a resolution authorizing the removal of motor vehicle nuisances from certain properties in the City of Garden City, Kansas, pursuant to Section 38-63 of the Code of Ordinances of the City of Garden City, Kansas (121 N. Main Street- 2-Door Red Vehicle).

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 Tree Nuisance Resolution.

1. Resolution No. 2855-2020, a resolution authorizing the removal of nuisance conditions from the property listed below in the City pursuant to Section 94-64 of the Code of Ordinances of the City of Garden City, Kansas (903 Theron Place - Dead or Diseased Tree on property).

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

## **Old Business**

Commissioner Ortiz stepped down from his seat at the bench.

The Governing Body considered and approved reopening the Request For Proposal process for architectural services at 310 N. 7th St.

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, Oyler, Unruh

Abstained: Ortiz

The Governing Body considered and approved the selection of the City Electric Department as the retail electric service provider for the newly annexed property in Ordinance No. 2852-2020.

Commissioner Unruh 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

### **New Business**

At 1:30 p.m. Mayor Unruh opened the Public Hearing on the matter of the Governing Body hearing questions, concerns and comments from the public with regard to the proposed 2021 budget for the City of Garden City.

City Manager Allen discussed the proposed 2021 budget and the process to authorize the budget.

There being no further comment from the public, Mayor Unruh closed the public hearing at 1:32 p.m.

1. The Governing Body considered and approved the authorization of the 2021 Budget Certificate, which summarizes the maximum levy of property tax for specific funds and the maximum expenditure for all funds of the City's budget.

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

Shelia Crane, Executive Director of Downtown Vision, Inc., provided a quarterly update to the Governing Body.

The Governing Body considered and approved reopening the bid process to sell two parcels of surplus City property located at 401 - 403 East Kansas Ave, Garden City.

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 and approved an Interlocal Agreement between Finney County and the City of Garden City for the FY19 Edward Byrne Memorial Justice Assistance Grant Program.

Commissioner Oyler 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 Guaranteed Maximum Price for Bid Package

#1 with a value of \$7,980,609 as part of the Garden Rapids project at The Big Pool.

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 a proposal from Walters-Morgan Construction, Inc for base proposal improvements to the City of Garden City Wastewater Treatment Plant and selected sewer collection lift stations in the sewer collection system in the amount of \$949,000.00. Work described in Add Alternate 1 was excluded from project renewal.

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 considered and approved the acceptance of \$95,760 funds for the 2020-2021 Kansas Emergency Solution Grant (ESG) through Kansas Housing Resource Corporation (KHRC).

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 a second amendment to the development agreement for the Chappel Heights Third Addition to allow acceptance of the infrastructure without maintenance bonds and to allow an alternative payment type for the 10' trail.

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

Ayes: Cessna, Dick, Ortiz, Unruh

Nays: Oyler

The Governing Body considered and approved the first-half 2020 semi-annual report for the Community Development Block Grant (CDBG) Revolving Loan Fund on behalf of Great Plains Development, Inc.

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 and approved relocating a crosswalk and installing a Push-Button Pedestrian Warning Light System at Victor Ornelas Elementary School on Spruce Street.

Commissioner Unruh 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 the appointment of Bridget Clarke to fill the unexpired term beginning August 1, 2020 through January 1, 2021 on the Community Health Advisory Board.

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

### ***Consent Agenda***

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

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 Lease Agreement between the City of Garden City and Novus Ag LLC., for real property located at the Garden City Regional Airport.

The Governing Body considered and approved a Change Order #1 to the Jennie Barker Road Improvement Project for the East Side Drainage Pond portion of the project.

The Governing Body considered and approved a sanitary sewer line utility easement agreement.

The Governing Body considered and approved the purchase of 265 three-yard sideload trash containers, and three six-yard frontload containers.

<b>3-Yard Sideload Containers</b>				
<b>Bidders</b>	<b>265 3-Yard Sideload Containers</b>	<b>Total</b>	<b>Delivery Date</b>	<b>Remarks</b>
<b>Downing Sales</b>	<b>\$481.00 each</b>	<b>\$127,465.00</b>	<b>4-5 weeks</b>	
Wastequip Mfg.	\$565.00 each	\$149,725.00	4-6 weeks	
Snyder Ind.	\$732.00 each	\$193,980.00	3-4 weeks	
Box Gang Mfg.				Bid came in after

				deadline.
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<b>6-Yard Frontload Containers</b>				
<b>Bidders</b>	<b>Three – 6-Yard Frontload Containers</b>	<b>Total</b>	<b>Delivery Date</b>	<b>Remarks</b>
<b>Downing Sales</b>	<b>\$1,062.00 each</b>	<b>\$3,186.00</b>	<b>3-4 weeks</b>	
Wastequip Mfg.	\$929.00 each	\$2,787.00	4-6 weeks	Does not meet spec
Snyder Ind.	\$1,220.00 each	\$3,660.00	3-4 weeks	
Box Gang Mfg.				Bid came in after deadline.

The Governing Body considered and approved the contractor licenses for July 21, 2020.

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

**Other Entities**

Presentation of the June 11, 2020 minutes from the Garden City Regional Airport Advisory Board.

Presentation of the July 7, 2020 Zoo Advisory Board minutes

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 Cessna congratulated Downtown Vision on their recent accreditation as a 2020 Main Street America Accredited Program and stated he was happy to see businesses continuing to open during the pandemic. Commissioner Cessna attended the Big Pool Farewell ceremony and stated it was a great event to close out an era and to start a new era. He is excited that we are getting closer to a new water facility. Commissioner Cessna reminded everyone to fill out and return the 2020 Census forms and stated it is vitally important for our community.

B. Commissioner Ortiz commented that there were great presentations during the meeting and appreciates the hard work on each agenda item. Commissioner Ortiz stated he enjoyed attending the Big Pool Farewell ceremony. Commissioner Ortiz reminded everyone to fill out their 2020 Census

forms. Commissioner Ortiz stated he would be willing to discuss and work with Neighborhood & Development Services staff to make improvements to the development plan requirements. Commissioner Ortiz thanked Fire and Police employees for all their work during the fireworks season. Commissioner Ortiz thanked staff for their work on helping to keep the budget and mill levy flat for 2021.

C. Commissioner Oyler stated she is excited to keep the budget and mill levy flat for 2021 and thanked staff for working on it. Commissioner Oyler congratulated Downtown Vision on their Main Street America accreditation and that through their IWW program were able to loan out \$26,000 to local businesses. Commissioner Oyler encouraged everyone to get out and vote and reminded everyone that early voting has started.

D. Commissioner Dick stated he was excited to see that the City could keep the mill levy flat and not reduce services to the community. Commissioner Dick commented that more research has been completed and the best way to get through COVID-19 pandemic is to wear a mask. Commissioner Dick stated he is pleased to see that most people are wearing masks here in Finney County.

E. Mayor Unruh emphasized that it was important to keep the mill levy flat especially during this time. Mayor Unruh stated he attended the Big Pool Farewell ceremony and that it was bittersweet but he is excited to see what's to come with the new water facility. Mayor Unruh congratulated Downtown Vision on the 2020 Main Street American Accreditation program and was proud to know they were one out of 860 cities to be accredited. Mayor Unruh encouraged and reminded everyone that advanced voting has started. Mayor Unruh appreciates the partnership that Neighborhood & Development Services has with local contractors and stated that partnership has helped to build our city. Mayor Unruh mentioned he has heard a lot of rumors on the Big Pool and encourages citizens to follow the City on social media to see and hear the facts.