

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

City of Garden City

September 1, 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, September 1, 2020.

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

## **Approval of Minutes**

The August 18, 2020 Commission Meeting minutes were approved as presented.

## **Public Comment**

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

The Governing Body considered and approved a request from Angelica Castillo Chappel on behalf of the Community Mexican Fiesta Association to allow the Mayor to proclaim the month of September 2020 as Hispanic Heritage Month in 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

## **Report of the City Manager**

Assistant City Manager Cunningham and Stewart Nelson from Gibson, Mancini, Carmichael & Nelson (GMCN) provided an update on the GCPD Evidence and Municipal Court facilities located at 310 N. 7th Street.

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

Presentation of the GCPD Organizational Study Action Plan.

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

## **Meetings of Note**

- September 2, 2020 - Southwest Kansas Coalition Annual Meeting in Dodge City at 5:30 p.m.
- September 3, 2020 - Public Utilities Advisory Board meeting - Special Guest KMEA General Manager Paul Mahlberg at the City Administrative Center at 5:30 p.m.
- September 4, 2020 - Downtown Historical Walk Tour by Johnetta Hebrlee at 7:00 p.m.
- September 10-11, 2020 - Battle of the Badges Blood Drive at the Clarion Inn
- September 11, 2020 - Food Truck Friday & events from 11:00 a.m. - 7:00 p.m.

- September 16, 2020 - Garden City Area Chamber of Commerce Breakfast at Clarion Inn Conference Center at 7:10 a.m.
- September 23, 2020 - Finney County Economic Development Corporation Board will be held at 7:30 a.m. at the City Administrative Center
- September 29, 2020 - Town Hall Meeting at the City Administrative Center in the Commission Chambers at 7:00 p.m.
- November 7, 2020 - Banner Art Auction at Clarion Inn at 6:30 p.m.

### **Consideration of Appropriation Ordinance**

Appropriation Ordinance No. 2514-2020A, "an appropriation ordinance making certain appropriations for certain claims in the amount of \$3,682,263.84," was read and considered section by section.

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

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

The Governing Body considered and approved the Uniform Public Offense Code (UPOC) for 2020.

1. Ordinance No. 2874-2020, an ordinance regulating public offenses within the corporate limits of the City of Garden City, Kansas; incorporating by reference the Uniform Public Offense Code for Kansas Cities, 36th Edition, with certain omissions, changes, and additions; amending Code Section 62-2; repealing existing Code Section 62-2; all to the Code of Ordinances of the City of Garden City, Kansas.

Commissioner Oyler 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 and approved the Standard Traffic Ordinance (STO) for 2020.

1. Ordinance No. 2875-2020, an ordinance regulating traffic within the corporate limits of the City of Garden City, Kansas; incorporating by reference the Standard Traffic Ordinance for Kansas Cities, 47th Edition, with certain omissions, changes, and additions; prescribing additional regulations; providing certain penalties; amending Code Section 86-2; repealing existing Code Section 86-2; all to the Code of Ordinances of the City of Garden City, Kansas.

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

Mayor Unruh opened the Public Hearing at 1:30 p.m. for the consideration to adopt the Development Plan and establish the Rural Housing Incentive District (RHID) for Milestone Addition by ordinance is brought before the Governing Body.

Neighborhood & Development Services Planner Dougherty-O'Hara provided an update on the process of a Rural Housing Incentive District plan.

With no further comments from the public, Mayor Unruh closed the public hearing at 1:33 p.m.

1. Ordinance. No. 2877-2020, an ordinance of the City of Garden City, Kansas, establishing a Rural Housing Incentive District within the City and adopting a plan for the development of housing and public facilities in such district, and making certain findings in conjunction therewith. (Milestone Addition)

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 an ordinance rezoning property from "A" Agriculture District to "R-1" Single Family Residential District for property located at North Third Street and Stone Street.

1. Ordinance No. 2876-2020, an ordinance approving the rezoning of land from "A" Agriculture District to "R-1" Single Family Residential 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 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 a Motor Vehicle Nuisance Resolution.

1. Resolution No. 2857-2020, 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 (504 Evans Street- Grey Van, Tan Van and White Toyota ).

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 Motor Vehicle Nuisance Resolution.

1. Resolution No. 2858-2020, 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 (926 N. 9th Street- White Pick-Up Truck, Red Nissan Car, Black Chevy Car, and white GMC Van).

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

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

### **Old Business**

The Governing Body considered and approved the budget for the 8th Street Corridor and Streetscape Reconstruction Project from which we can provide KDOT with a maximum City cost share. KDOT project number: 028 TE-0469-01

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

### **New Business**

Mayor Unruh opened the Public Hearing at 2:00 p.m. for the consideration of an order to declare an unsafe structure and order the completion of repairs or demolition at 401 Hudson.

Neighborhood & Development Services Director Davidson explained the process of the unsafe structure order.

Benjamin Gonzales, owner of the property, addressed the Governing Body and stated he would be able to complete repairs at 401 Hudson in the sixty days set out in the structure order.

With no further comments from the public, Mayor Unruh closed the public hearing at 2:10 p.m.

1. The Governing Body considered and approved the unsafe structure order for 401 Hudson Street.

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 the Guaranteed Maximum Price for Bid Package #2 with a value of \$3,904,270 with an additional buy-up option including arched beams with shade coverings between seasons with overall cost of \$128,804 and an annual cost to the bond of \$8,600 as part of the Garden Rapids project at The Big Pool.

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, Oyler, Unruh

Nays: Ortiz

### ***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, Dick, Ortiz, Oyler, Unruh

The Governing Body considered and approved the low bid for the purchase of three (3) 2021 4WD Half-Ton Pickups, one for Parks, one for Airport, and one for Inspections.

The Governing Body considered and approved the Final Plat for the Milestone Addition.

The Governing Body considered and approved the contractor licenses for September 1, 2020.

The Governing Body considered and approved a 2020 Taxi Cab license.

### **Other Entities**

Presentation of the minutes from the Police/Citizens Advisory Board meeting held on July 21, 2020.

Presentation of the July 16, 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.

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Troy Unruh, Mayor

ATTEST:

### **City Commission Reports**

A. Commissioner Dick stated that the pre-meeting was good and it was great to see Public Utilities Director Muirhead and KMEA work towards building the community of Garden City and the surrounding communities as well. Commissioner Dick stated that school is back in session and citizens should be aware of children using crosswalks, especially since it's been a while since they've been used by students. Commissioner Dick stated that people should be kind to parents, teachers, administrators, and kids during this odd school year. Commissioner Dick stated that sales tax numbers set a record for the highest amount recorded in August.

B. Mayor Unruh stated that he is proud of the work Public Utilities Muirhead Director, staff and KMEA have done. Mayor Unruh thanked previous commissioners for the planning and previous decisions made that affect where the City is today and headed to in the future with energy needs. Mayor Unruh stated that he appreciates staff and the detail and explanation included in department reports. Mayor Unruh thanked Neighborhood and Development Services for working with people respectfully on difficult issues. Mayor Unruh stated that the City of Garden City is approaching 75% completion of the 2020 Census surveys.

C. Commissioner Cessna commented that Garden City is open for business and he was pleased to see the recent sales tax report. Commissioner Cessna stated that citizens should fill out the Census if they have not, it is important for public funding, and the survey is easy to complete.

D. Commissioner Ortiz echoed the thoughts of other Commissioners encouraging citizens to complete the 2020 Census if they haven't yet already. Commissioner Ortiz thanked city staff for being flexible and helpful to citizens especially in situations such as the structure order on this agenda. Commissioner Ortiz stated that Garden City is a great place to start a new business and develop property and thanked developers and new business owners.

E. Commissioner Oyler stated that she enjoyed the pre-meeting and appreciated the amount of information provided. Commissioner Oyler thanked Public Utilities Director Muirhead and KMEA for all of the logistics and infrastructure. Commissioner Oyler stated that citizens should be aware of crossing guards in addition to students and parents using the crosswalks to travel to school.