

June 12, 2018
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on June 12, 2018 at 6:00 p.m. at City Hall with the following present: Greg A. Gwin, Mayor Pro-Tempore; Brigitte Brecheisen-Huss, City Commissioner; Chris Weiner, City Manager; and Terry J. Solander, City Attorney. Also attending: Will Mechnig, ACHS Youth in Government Representative and Nancy Hermreck, Interim City Clerk. Absent: Jody M. Cole, Mayor.

CALL TO ORDER

Mayor Pro-Tempore Gwin called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited, followed by Joshua Ford, Trinity Baptist Church, giving the invocation.

APPROVAL OF MINUTES

The Governing Body reviewed the May 22, 2018 minutes of the City Commission Meeting, upon no discussion, a motion was made by Commissioner Brecheisen-Huss to approve the May 22, 2018 City Commission Meeting minutes. Mayor Pro-Tempore Gwin seconded the motion. On roll call, the following vote was recorded: Ayes – two; Noes - none.

PUBLIC FORUM

No public forum was heard.

GOVERNING BODY

Student Representative Will Mechnig - no report.

Commissioner Brecheisen-Huss voiced her concerns about the up-keep of the Cedar Valley Reservoir. She corrected statements made by City Manager Chris Weiner concerning KOMA regulations relating to the five-member commission.

Mayor Pro-Tempore Gwin wished to thank everyone involved in organizing and preparing for the Celebration of Service and the Avenue of Flags display. He also asked City Manager Weiner to be sure to send an agenda to Art Black.

Mayor Cole, absent, no report.

REGULAR BUSINESS

- Discussion of Ordinance 4196. It was agreed to move forward with this Ordinance. It will be placed on the next agenda for approval.
- Consideration of request for Transient Guest Tax funding for the Greeley Smokeoff. The request for funding is less than was requested last year and the tourism committee has recommended the commission approve it. Commissioner Brecheisen-Huss asked whether our Charter Ordinance and State Law allowed for transient guest tax revenue to be spent

outside city limits. Mayor Pro-Tempore Gwin stated he understood the Transient Guest Tax monies were county wide. City Attorney Solander was asked to research the legality of using transient guest tax monies outside Garnett city limits. Request tabled until next meeting.

- Discussion of 2018 Building Codes. City Manager Weiner informed the commission that the Planning Commission approved the adoption of the 2018 Building Codes at their June 5th meeting and it was now up to the commission on whether they want to approve them. After little discussion a motion was made by Mayor Pro-Tempore Gwin and seconded by Commissioner Brecheisen-Huss to approve the adoption of the 2018 Building Codes. Ayes - two; Noes - none.
- Consideration of Semi-monthly Bills and Payroll in the amount of \$255,750.98. After some discussion about mileage and grant funding for the new city vehicle, patrol truck and Tasers, Commissioner Brecheisen-Huss made a motion to approve the semi-monthly bills and payroll in the amount of \$255,750.98 and Mayor Pro-Tempore Gwin seconded: Ayes - two; Noes - none.

INFORMATIONAL ITEMS

Departmental reports were received and discussed.

City Manager's Report was received and discussed.

Electric Lineman, Bryan Sobba, was recognized as employee of the month.

May Financial Report was received.

Vyve Cable TV Services Rate Increase was received and discussed.

Joint City/County meeting will be Monday June 25th at 6:00 p.m. at Mr. D's.

CITIZENS TO BE HEARD

James Gainer voiced his concerns about the city and how they handle nuisances. He explained that he plans to cooperate with the city on cleaning up his properties. He feels the city has dealt with him in a hostile nature and the city is not business friendly. Mr. Gainer asks the laws to be applied fairly throughout the town. Commissioner Brecheisen-Huss recognized that City Manager Weiner has verified that Mr. Gainer has been working on the problem. She also recognizes that Mr. Gainer is one person and asked that he prioritize his task to bring health and safety to his properties. Mayor Pro-Tempore Gwin asked for city staff to bring the commission a recent history of what is out of compliance.

Mark Wade has the same issues as discussed above. He lives across the road from the elementary school and has been the subject of "Phone Forum" and now the City Code Enforcement Department. He also feels that the city is against small business and needs to change before there is no business here. Mayor Pro-Tempore Gwin informed Mr. Wade that

there are ordinances that have been put in place and the city employees are only doing their job to enforce them. Commissioner Brecheisen-Huss and Mayor Pro-Tempore Gwin thanked Mr. Wade for bringing his issue to the commission.

EXECUTIVE SESSION

Commissioner Brecheisen-Huss asked for a ten (10) minute executive session with Mayor Pro-Tempore Greg Gwin related to personnel matters of non-elected personnel according to K.S.A. statue 75-4319 (b) 1 from 7:45 p.m. to 7:55 p.m. City Manager Weiner informed the commission that Mayor Cole has requested the commission to refrain from holding an executive session in her absence, but if they felt it necessary, she asked for City Attorney Solander to be present in the entire session. City Manager Weiner also stated that there is no legal binding to Mayor Cole’s request. Commissioner Brecheisen-Huss stated that she still wanted the executive session to be between herself and Mayor Pro-Tempore Gwin only. Commissioner Brecheisen-Huss again made a motion to enter into executive session, as stated above, to begin at 7:45 p.m. for ten (10) minutes, motion seconded by Mayor Pro-Tempore Gwin. On roll call, the following vote was recorded: Ayes - two; Noes - none.

7:56 p.m. Mayor Pro-Tempore Gwin called the meeting back to order. With no further business to come before the Governing Body, Mayor Pro-Tempore Gwin motioned to adjourn the meeting and Commissioner Brecheisen-Huss seconded. On roll call, the following vote was recorded: Ayes - two; Noes - none.

Meeting adjourned at 7:57 p.m.

/s/
Mayor

Attest:

/s/
City Clerk