

January 8, 2019
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on January 8, 2019 at 6:00 p.m. at City Hall with the following individuals present: Jody Cole, Mayor; Greg A. Gwin and Brigitte Brecheisen-Huss, City Commissioners; Chris Weiner, City Manager; Terry J. Solander, City Attorney; and Travis Wilson, Interim City Clerk. Will Mechnig, Student Representative was absent.

CALL TO ORDER

Mayor Cole called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited, followed by Art Black, Church of the Nazarene, giving the invocation.

APPROVAL OF MINUTES

The Governing Body reviewed the December 26, 2018 City Commission Meeting minutes. A motion was made by Mayor Cole to approve the December 26, 2018 City Commission Meeting minutes as amended. Commissioner Brecheisen-Huss seconded the motion. Motion passed 3-0.

CITIZENS TO BE HEARD

There were no citizens to be heard.

GOVERNING BODY

Commissioner Brecheisen-Huss reported Anderson County Kansans for Life met on 01/07/19 and discussed the Kansans for Life Rally that will be held at the Topeka Capital Building on January 22nd and if anyone had any questions please feel free to contact her and she would be glad to give them more information.

Commissioner Gwin commented he went around the lakes and noticed there had been a lot of brush cleared and that it looked nice.

Mayor Cole commented that she has some 2019 Commission goals that include working with the Dan Hanson Foundation that partners with K-State students in the areas of agriculture, civil engineering, and interior design. These students would spend the summer in Garnett on projects like beautification of the downtown area, storefronts, senior citizen center, and the library. They would also plan things like a Court Yard Music Festival, help repair dilapidated houses, and help write a historical grant for the North Lake. Mayor Cole also mentioned she would like to see the Commission begin plans to replace and improve the park playground and the biking and walking trails, get started on the Safe Routes to School Sidewalk Project that would be from Park Road to Anderson County High School and Park Road to Garnett Elementary School. Mayor Cole would also like to find ways to ensure that all local businesses become handicap accessible as some people in the community are unable to go to properties in town because they are not handicap accessible.

These projects are all related to the community survey and would be a great place to focus our attention in 2019.

REGULAR BUSINESS

- Appointment of Mayor for the City of Garnett for 2019. Based on previous practice, Mayor Cole motioned to appoint Greg Gwin as Mayor for the City of Garnett for 2019. Commissioner Brecheisen-Huss seconded the motion. Commissioner Gwin Abstained. Motion passed 2-0.
- Appointment of Mayor Pro-Tempore Brigitte Brecheisen-Huss. Mayor Cole motioned to appoint Brigitte Brecheisen-Huss as Mayor Pro-Tempore for the City of Garnett for 2019. Commissioner Gwin seconded the motion. Commissioner Brecheisen-Huss Abstained. Motion passed 2-0.
- Zoning Application of a Zoning Change from R2 District to OI District, discussing properties 600 S. Hayes and 615 W. 7th. Mayor Gwin mentioned the Zoning Commission had a public hearing containing a list of property owners within 200 feet.

Mayor Gwin contacted a few of the property owners and nobody knew anything about it and the paperwork received only pertained to one of the properties, not both. City Manager Weiner commented that the City is supposed to provide notification to all property owners that are within 200 feet of the impacted property and he was under the understanding that it had been done. City Manager Weiner apologized that he couldn't verify if the property owners were notified as the Planning Administrator Gary Giczewski has been out of the country and wouldn't be back until 01/09/19.

Mayor Gwin asked City Attorney Terry J. Solander if he had any documentation from Gary. City Attorney Solander said he didn't have any documentation that was sent out but thought he had an email with the property owner list. Mayor Gwin mentioned he visited 5 of the 22 property owners on the list and none of them knew about it. He also asked if the City sends registered letters to know that people got them. City Attorney Solander commented that the practice is to send them by mail that is tracked or by certified mail with a returned receipt.

City Manager Weiner also assumed that the required notifications were made but, in the event the City did not, they would go through the process and make the notifications. Members of the Hospital spoke stating that Gary received a call asking what the hospital planned to do with the property. City Manager Weiner commented that he assumed we made the notifications but could verify and get the Commission an answer on whether each property owner received a notification.

Mayor Gwin mentioned the information provided by City staff talked about 600 S. Hayes but there wasn't one for 615 W. 7th. City Attorney commented that the legal description was correct on both notices, but the same address was used on both notices however they do distinguish lots 1,2, and 3 and lot 4.

Commissioner Brecheisen-Huss asked if any of the property owners that Mayor Gwin spoke to have any concerns. Mayor Gwin mentioned the conversations were brief and told the property owners that the property next door was being rezoned and if they knew anything about it and none were aware of it.

Commissioner Cole asked if the Rezoning Application could be passed on the basis that the Commission get verification that the letters were received. Mayor Gwin asked what they would do if one or more didn't get notified and that the public hearing documentation was wrong. City Manager Weiner mentioned if the Commission elected to pass the application, he could send an email once he received verification and recommended that the City make sure that all property owners were notified.

Trisha Wilson, resident of 619 W. 7th, spoke and mentioned she was not notified of the rezoning and didn't receive a letter.

Travis Rockers mentioned he spoke to Gary and was told he needed to get a list of property owners within 200 feet of the area. He went to the County Abstract and got the list from them and submitted it to the City.

Mayor Gwin requested the rezoning application to be tabled at this time

- Proposal of Prepay Program for Natural Gas Purchasing. City Manager Weiner mentioned the City has the opportunity to participate in this prepay program and believes it's an excellent opportunity to bring down the cost of our natural gas purchasing and a significant cost savings. It carries a long-term contract similar to our Electric contract. He introduced Dixie Riedel, the Executive Director of KMGa, and Bob Mills, our Power Plant Director. Dixie Riedel provided the Governing Body with a Participation Agreement along with a historical report of gas usage over the past eight (8) years and a three (3) year potential breakdown and cost savings.

Dixie Riedel explained how the Prepay Program worked and how the gas would be purchased. Commissioner Cole asked what other cities were involved with this and Dixie stated Winfield, Hesston, Halstead, Moundridge, and Eskridge are all on board. There were also two (2) small cities who were not for the prepay program as they were fearful of the thirty (30) year contract.

Mayor Gwin asked if there would be any transportation costs. Dixie Riedel explained the way our gas is delivered into our system would remain the same as it is currently, this program is an added layer of purchasing the gas commodity for the biggest benefit of the City residents.

Commissioner Brecheisen-Huss asked if the estimate included all of the administrative and maintenance fees taken out and Dixie said it was only the gas commodity. Mayor Gwin asked if the Governing body wanted to go through the contract and Dixie mentioned there are changes being made and a new agreement is being drawn up and each city will have a back-to-back agreement that matches what KMGa must sign. All agreements will be identical.

Mayor Gwin asked about storing the gas. Dixie Riedel mentioned there are limits to what you can place in storage and recommend putting 40% in storage during summer months and as you get closer to winter, recommended to have the storage at 90%.

Commissioner Cole asked Bob Mills if he had any concerns and he had none. Bob also said the City has no risk involved in the program and worst-case scenario after 5 years the City could get out and go back to buying gas how we were.

Commissioner Brecheisen-Huss asked for ways the City could leave the contract or if you can leave the contract. Dixie Riedel said the City could turn back the volumes of gas and have them remarketed by the Minnesota group and the City would still pay at a discounted price, but you would remain in the contract. The only way to leave the contract is if the minimum discount isn't met once every 5 years.

Mayor Gwin commented on going through the contract. Commissioner Cole mentioned a new agreement is being drawn up and though it would be better to wait until the new contract agreement is received. Commissioner Brecheisen-Huss asked when KMGa would have the new contract and Dixie said they are supposed to have it Monday, January 14th.

After further discussion about the proposed agreement and the concerns and questions of the Governing Body answered, the Governing Body requested a final copy of the contract before a decision is made. Mayor Gwin asked if City Staff had any further comments. City Manager Weiner thinks it is a good program for us to save the City some money.

- Proposal recommending a Left-Hand Turn Signal at the Intersection of Highways 59 and 31. Tabled as Will Mechnig, Student Representative was absent.
- Proclamation for Law Enforcement Recognition Day. Mayor Gwin read the proclamation declaring January 9, 2019 as Law Enforcement Recognition Day.
- Proclamation for School Choice Week. Mayor Gwin read the proclamation declaring January 20-26, 2019 as School Choice Week.
- Consideration of Resolution 2019-1: Designation of the Official City Newspaper. After discussion, Commissioner Brecheisen-Huss motioned to approve Resolution 2019-1 designating The Anderson County Review as the Official City Newspaper. Commissioner Cole seconded the motion. Motion passed 3-0.
- Consideration of Resolution 2019-2: GAAP Waiver Resolution. After discussion, Commissioner Brecheisen-Huss motioned to approve Resolution 2019-2. Commissioner Cole seconded the motion. Motion passed 3-0.
- Agreement for the Garnett Enduro Club for Go-Kart Races. After discussion, Commissioner Brecheisen-Huss motioned to approve the Garnett Enduro Club Agreement. Commissioner Cole seconded the motion. Motion passed 3-0.

- Discussion of the Structure of a Five-Member City Commission. Commissioner Brecheisen-Huss requested this topic be added to the agenda as it was mentioned during a previous meeting that it needed to be revisited. She mentioned the extension of Mayor Gwin's term and City Attorney Solander liked the recommendation of adding two (2) new people on board. Mayor Gwin agreed, for the citizens of Garnett, it would be the safest thing to only elect two (2) instead of three (3). Commissioner Cole wanted to know what the process is to get to that point and if any charter ordinances would need appealed. City Attorney Solander said no ordinance would need to be put in place but would have to repeal parts of one (1) or two (2) charter ordinances in place to redesign the structure of the Commission. Mayor Gwin added that under Commissioner Brecheisen-Huss' proposal, it would keep the Commissioners on three (3) year terms. Mayor Gwin motioned to proceed with what was discussed, Commissioner Brecheisen-Huss seconded the motion. Commissioner Cole was against. Motion passed 2-1.
- Consideration of Semi-Monthly Bills in the amount of \$176,418.38. Commissioner Brecheisen-Huss questioned the purchase of tumblers taken out of the Tourism Fund. After discussion, Commissioner Cole motioned to approve the semi-monthly bills in the amount of \$176,418.38. Mayor Gwin seconded the motion. Motion passed 3-0.

EMPLOYEE OF THE MONTH

Jason Wettstein was recognized as the Employee of the Month.

INFORMATIONAL ITEMS

Commissioner Cole thanked Ken Amaya, Ray Arnett, and Nicholas Menacho for working on New Year's Eve for three (3) hours on a water leak. She also mentioned she loves to fish and is excited to see the trees at the North Lake are trimmed back to give more space to fish. Commissioner Cole mentioned the increased Recreation Center memberships due to the 24/7 access to the Recreation Center. She's also excited about the purchase of the new sludge truck and the dump bed, it was long overdue. Commissioner Cole asked Julie Turnipseed, Economic Development Director to share some information from meetings and webinars she had and attended.

Julie spoke about Garnett being selected as a pilot community for the Strategic Growth Initiative through the Department of Agriculture. She mentioned they held a community forum inviting thirty (30) community partners to the meeting. When the Department of Agriculture has a recruitment opportunity, Garnett will be in their system and thinks this is a big gain for the City.

Julie also mentioned that the webinar had a lot of good information and that the City should do a variety of small activities on the square that are less daunting. She also spoke about the First Impressions Program where a team will come to the Garnett Community and grade us. The City will also send a team to a community and grade that community.

Commissioner Brecheisen-Huss asked about Fall Fam Fest. Commissioner Cole explained the idea behind Fall Fam Fest and many different things that could be planned for an event like that.

Mayor Gwin commented that in Susan Wettstein's report, she reported we had 263,146 visitor hits to our website in 2018. Mayor Gwin noticed in Ken Amaya's report the City purchase a stump grinder. City Manager Weiner commented we purchased it for \$4,000.

Mayor Gwin mentioned the inspection of the dam at the Cedar Valley Reservoir and the significant washout in the spillway and wanted that taken care of before the rainy season hits. City Manager Weiner said Ken Amaya and Jason Wettstein went out to look at it and Jason believed he could take care of it without hiring a contractor to fix it.

Mayor Gwin wanted to state the Chamber of Commerce Annual Dinner will be held Thursday, January 24th at 5:30p.m. at the Knight's of Columbus Hall

CITIZENS TO BE HEARD

There were no citizens to be heard.

EXECUTIVE SESSION

Commissioner Brecheisen-Huss asked for a ten (10) minute executive session to discuss non-elected personnel pursuant to non-elected personnel matter exception K.S.A. Statue 75-4319 (b) 1 with the Commissioners and City Attorney Solander present. Mayor Gwin requested a five (5) minute break prior to the executive session.

Commissioner Brecheisen-Huss made a motion to recess executive session to discuss individual employee pursuant to non-elected personnel matter exception K.S.A. Statue 75-4319 (b) 1 for ten (10) minutes with the executive session starting at 8:05 p.m. with the following present: City Manager Weiner, Attorney Solander, and the Commission. Regular session to resume at 8:15 p.m. Commissioner Gwin seconded the motion. Motion passed 3-0.

At 8:15 p.m. a motion was made by Commissioner Cole, seconded by Commissioner Brecheisen-Huss to extend executive session for ten (10) minutes.

At 8:25 p.m. a motion was made by Commissioner Brecheisen-Huss, seconded by Mayor Gwin to extend executive session for five (5) minutes.

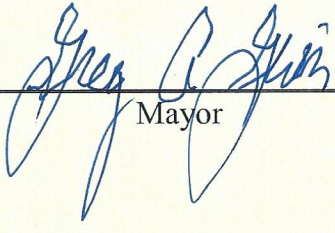
At 8:30 p.m. a motion was made by Mayor Gwin, seconded by Commissioner Brecheisen-Huss to extend executive session for ten (5) minutes.

At 8:35 p.m. a motion was made by Commissioner Cole, seconded by Mayor Gwin to extend executive session for five (5) minutes.

At 8:40 p.m. a motion was made by Commissioner Cole, seconded by Mayor Gwin to extend executive session for five (5) minutes.

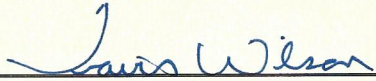
At 8:45 p.m. Mayor Gwin called the meeting back to order and mentioned no action was taken during the executive session.

Meeting adjourned at 8:45 p.m.



Mayor

Attest:



Interim City Clerk