

Garnett, Kansas  
March 28, 2017

The Governing Body of the City of Garnett met in regular session on March 28, 2017 at 6:00 p.m. at City Hall with the following present: W. Gordon Blackie, Mayor; Greg A. Gwin and Jody M. Cole, City Commissioners; Joyce E. Martin, City Manager and Terry J. Solander, City Attorney. Absent: Kristina L. Kinney, City Clerk and Jeremy Dupont, ACHS Youth in Government representative.

#### **CALL TO ORDER**

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

The Pledge of Allegiance was recited followed by Bill Driver of the United Methodist Church giving the invocation.

#### **APPROVAL OF MINUTES**

Commissioner Gwin questioned the minutes of March 9, 2017 because they stated the notice and call which said five (5) candidates would be interviewed for the city manager position when only four (4) candidates were actually interviewed. The City Manager and City Attorney explained that the notice and call signed by the commissioners prior to the meeting said five (5) candidates; therefore the minutes need to reflect this number. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the minutes of March 9, 2017 as written. On roll call, the following vote was recorded: Ayes – three; noes – none.

A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the minutes of March 14, 2017 as written. On roll call, the following vote was recorded: Ayes – three; noes – none.

#### **COMMUNICATIONS & REPORTS**

Mayor Blackie announced that the two (2) candidates for the city manager's position are Christopher Weiner and David Forrest. He said both candidates will be in Garnett on Wednesday, March 29, 2017 to meet the employees and citizens followed by a formal interview with the city commissioners.

Commissioner Gwin apologized for missing Les Garber's luncheon. He asked the city manager to extend his apologies to Mr. Garber.

The city manager announced that a reception will be held for Andy Frye on Friday, March 31 from 2:00 – 4:00 p.m. at City Hall. Mr. Frye will retire from city employment on that day.

Minutes – March 28, 2017

Page Two

The General Report of City Manager Joyce E. Martin was received and discussed, a copy of which is attached hereto and made a part hereof.

The project report was reviewed. Progress continues on the grant application through Kansas Rural Water for the water plant.

There will be a joint city/county commission meeting on Monday, April 3, 2017 at 6:00 p.m. at the City Hall. Discussions will include street repair work, the Anderson County landfill, sidewalk on the south side of the courthouse and placement of one of the iron sculptures on a county owned building.

### **NEW BUSINESS**

A motion was made by Commissioner Gwin, seconded by Commissioner Cole to approve the appointment of Roy Salazar to a three year term on the Parks & Recreation Advisory Board. On roll call, the following vote was recorded: Ayes – three; noes – none.

A motion was made by Commissioner Cole, seconded by Commissioner Gwin to approve the reappointment of Earl (Butch) Rocker and Steve Spring to another three (3) year term on the Housing Authority Board. On roll call, the following vote was recorded: Ayes – three; noes – none.

The City Commission considered an agreement between the City and Big Brothers/Big Sisters to use the football field on May 20, 2017 for their annual corn hole tournament. City Attorney Solander explained that a few years ago the commission had adopted a flexible rule to allow the use of city facilities for certain events on a case by case basis. He said there have been no problems with the prior events sponsored by this organization. A motion was made by Commissioner Gwin, seconded by Commissioner Cole to approve the agreement as presented. On roll call, the following vote was recorded: Ayes – three; noes – none.

The Commission considered a request from the organizers of LGGPR to close Fourth Avenue from Main to the west side of Eric Brummel's building and to close Oak Street from Fourth to the alley south of the post office. This will accommodate their car show. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve this request. On roll call, the following vote was recorded: Ayes – three; noes – none.

### **ORDINANCES**

Ordinance No. 4176 was read as follows: AN ORDINANCE DELETING CERTAIN UNPAID UTILITY BILLS FROM THE ACCOUNTING RECORDS OF THE CITY OF GARNETT, KANSAS. The City Manager explained that the amounts listed in said ordinance were fees charged by Kansas Set-off plus some accounts of deceased individuals. A motion was made by Commissioner Cole, seconded by Commissioner Gwin to approve Ordinance No. 4176 as read. On roll call, the following vote was recorded: Ayes – three; noes – none.

### **RESOLUTIONS**

Resolution 3/28/17-1 was read as follows: A RESOLUTION DECLARING IT TO BE THE INTENT OF THE CITY OF GARNETT TO OWN, HOLD AND USE A PARTICULAR LOT FOR A PUBLIC RIGHT OF WAY. The City Attorney explained that Lot 16 in Block 55 has been used as a drive through from Sixth Avenue to the alley behind the businesses located in the 100 Block of East Fifth. Many years ago, when Gambles, Tax Time and other businesses were located on Oak Street this area served as a means for the owners to enter their buildings from the back. These lots have been purchased and it is possible that another business might locate in the area; therefore this lot could continue to serve the same purpose. This Resolution declares the city's intent to hold the property as a right-of-way. Mayor Blackie said the Resolution could be reversed if something unexpected developed in this area. A motion was made by Mayor Blackie, seconded by Commissioner Cole to approve Resolution 3/28/17-1 as written. On roll call, the following vote was recorded: Ayes – three; noes – none.

### **CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE**

Ordinance No. 4177 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. A motion was made by Mayor Blackie, seconded by Commissioner Cole to approve the warrants in the amount of \$73,691.55. On roll call, the following vote was recorded: Ayes – three; noes – none.

Gary Giczewski questioned the commissioners as to where they are in the selection process for a new city manager. He asked if this was a term limit position because he will be working for this person. Commissioner Gwin said it is hoped that the individual selected will be as dedicated to the city as others have been in the past. Commissioner Gwin said the two (2) candidates were announced previously and the League needs to be contacted about the results of the background checks. One applicant marked his information as confidential, therefore the commission does not want to breach that confidence. Mayor Blackie said the commission needs to plan when the three (3) of them can get together to make their final decision. Commissioner Cole said this can be done after the interviews are conducted on March 29<sup>th</sup>. City Attorney Solander said if the League has any type of protocol in these matters, it might be

Minutes – March 28, 2017

Page Four

a good idea to follow them. Commissioner Cole will check with the League representative. Negotiation of a contract and benefits can be done in executive session; however the final contract offer must take place in open session.

There being no further business to come before the governing body, Mayor Blackie declared the meeting adjourned at 7:00 p.m.

/s/ W. Gordon Blackie  
Mayor

Attest:

/s/ Kristina L. Kinney  
City Clerk