

March 22, 2016  
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on March 22, 2016 at 6:00 p.m. at City Hall with the following present: Greg A. Gwin, Mayor; W. Gordon Blackie and Jody M. Cole, City Commissioners; Joyce E. Martin, City Manager; Kristina L. Kinney, City Clerk and Terry J. Solander, City Attorney. Also attending: Jeremy DuPont, ACHS Youth in Government Representative.

### **CALL TO ORDER**

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

The Pledge of Allegiance was recited followed by Erv Daugherty, Trinity Lutheran Church, giving the invocation. Mr. Daugherty announced his retirement.

### **MINUTES APPROVED**

Mayor Gwin stated that Nicole Stovall is the Youth Minister at the Nazarene Church rather than the Trinity Lutheran Church as stated in the March 8<sup>th</sup> minutes. Commissioner Blackie said on Page three, seventh paragraph it should read “the race”. A motion was made by Commissioner Cole, seconded by Commissioner Blackie to approve the minutes of March 8, 2016 as corrected. On roll call, the following vote was recorded: Ayes – three; Noes – none.

### **CITIZENS TO BE HEARD**

Marlou Wegener, BCBS, reported that BCBS and Kansas Parks & Recreation Association sponsor the Blue Chip Award. Communities apply for this award with the focus on healthy living practices in the community. Garnett’s application noted the survey on health, collaboration among the community, how to sustain healthy living habits, converting the armory into a recreation center and the Go Anderson County Go program. Anderson County had one of the lowest ratings and in 5 ½ years we are up in rankings for a healthy community. They presented a check for \$2,500 and a banner to display that Garnett is a BlueCHIP award winner.

### **COMMUNICATIONS & REPORTS**

Mayor Gwin reported the City employee benefit lunch for Roy Salazar’s son was a good cause and well attended. He stated it was good to see the employees taking care of their own.

Commissioner Cole echoed Mayor Gwin’s comments and commended the employees for taking care of their fellow employee.

Commissioner Cole commended the fire department. She said she is thankful for the volunteer fire department and the men who go out to fight the fires.

Jeremy DuPont, Youth in Government Representative, reported that he spoke to students about painting the trash barrels that are stored behind the stadium. City Manager Martin said we will work with the students on their schedule. The City will purchase the paint and have it available when the students can work. She questioned if there will be a student sponsor with them when

they paint and Jeremy replied no. Commissioner Cole stated she would be happy to be a sponsor if one is needed. Mayor Gwin added that any students who need community service hours can contact the City to see if there are any jobs that will help them earn their time.

City Manager Martin reported that the Tourism Committee Advisory Board reviewed Cornstock's transient guest tax application. Last year the estimated attendance was 4,100 and this year they hope to increase that number to 5,000. They plan to make changes this year and have all events in the north lake campsite area. The Tourism Committee unanimously recommended approval of the request. Mayor Gwin stated he appreciates the Cornstock Committee working to make the event successful. A motion was made by Commissioner Cole, seconded by Mayor Gwin to approve the transient guest tax application for Cornstock in the amount of \$3,700. On roll call, the following vote was recorded: Ayes – three; Noes – none.

City Manager Martin reported that the Lake Garnett Grand Prix Revival committee would like to make road repairs 500-feet north and 500-feet south of the golf course entrance. The Kansas City group was unable to find sponsors who would donate money this year for road repairs. However, they plan to charge a \$10 admission fee per car with all money collected being given to the City for road improvements. They would like to develop a plan to improve portions of the North Lake road each year. There is some extensive base work that needs to be done. She added that she has been made aware of a new process to seal streets. She received the names of several cities who have used or plan to use the product. She will have Farrel King, Street Superintendent, talk to these cities and possibly plan to go to Hiawatha to look at their roads. Mayor Gwin questioned if the product was similar to chip and seal. City Manager Martin replied it is a fiber material. The City would have to fill any holes to provide a smooth surface to lay the product on. Ottawa plans to do approximately \$200,000 in repairs next year utilizing this product.

Mayor Gwin stated that he still wants to look at the list of planned road repairs for this year. She said we need to request help from the county to do chip and seal on some selected streets. This treatment lasts a long time. Mayor Gwin said that Garnett citizens pay \$450,000 into the county road fund budget and he feels some of this money should be spent in Garnett.

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.

City Manager Martin reported she had talked to Vyve Cable TV about their company failing to meet all the promises given to the governing body at least a year ago. She also questioned them about removing their lines from our old poles on Walnut Street so we can remove the poles. They thought they would have them removed within the next month.

City Manager Martin reported there were 106 PRIDE surveys returned and results have been compiled in a spreadsheet. She asked the governing body to take some time and review the data to discuss at a later meeting and to give her some direction as to whether or not they want to take the next step to become a PRIDE community again.

City Manager Martin said we need a number of people who are willing to step forward and serve on one of the advisory boards. She also encouraged the youth to get involved like they use to when we had PRIDE, because they helped so much on various projects.

City Manager Martin reported that approximately 95% of the electrical work has been completed at the stadium. Park crews still need to replace the particle board on the north end and install new tin on the back of the building. Don Edgerton, local contractor, will fill in the windows and another City department will paint the west side once this is completed.

Netting will be installed on the backstop at the Legion Ball Field. Crews need to finish the inside of the new concession stand. Mowing season will start soon.

City Manager Martin thanked the employee committee for having an employee benefit lunch to help Roy Salazar's son. County law enforcement officers came since Roy serves as an interpreter for them. A considerable amount of money was raised that will be used to help the family with gasoline for trips to the doctor, utilities and groceries.

### **OLD BUSINESS**

City Manager Martin asked that discussion on the KsFibreNet franchise agreement be tabled. She sent emails to the cities that were mentioned at the previous meeting who had signed agreements with the company. She received six (6) responses back and they are all in the planning stages and no fiber has been installed yet.

City Attorney Solander added that he also had some questions on the franchise agreement and wants to talk to a city administrator at one of the cities. The Yates Center City Council had some questions but most answers were found in the agreement. Pittsburg has a little different agreement. He stated he feels that offering retail service will be beneficial to the company. Bringing another company in with them to sell retail off their backbone seems as though it would be better for KsFibreNet. The Yates Center council doesn't feel this service will benefit their community. Mayor Gwin asked City Attorney Solander if he had any concerns with an open-ended agreement on the company's part, and he replied no.

### **NEW BUSINESS**

A motion was made by Mayor Gwin, seconded by Commissioner Cole to approve the appointment of Linda Huettenmueller and Sandra Moffatt to a four (4) year term on the Garnett Library Board. On roll call, the following vote was recorded: Ayes – three; Noes – none.

A motion was made by Commissioner Blackie, seconded by Mayor Gwin to approve the reappointment of Marcia Wiltsey and Phyllis Adams to another three (3) year term on the Walker Art Committee. On roll call, the following vote was recorded: Ayes – three; Noes – none.

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

Ordinance # 4141 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. Commissioner Blackie requested for the Council Report to be saved to a pdf file for ease of reading on his device, since part of the information is printed up to the edge.

A motion was made by Commissioner Blackie, seconded by Commissioner Cole to approve Ordinance #4141 as read. On roll call, the following vote was recorded: Ayes – three; Noes – none. Ordinance #4141 paid warrants in the amount of \$85,008.82.

At 6:45 p.m., a motion was made by Mayor Gwin, seconded by Commissioner Blackie to adjourn for a five minute recess to, and reconvene at 6:55 p.m. to receive a report from Economic Development Director Dennis Arnold.

At 6:56 p.m., Mayor Gwin called the meeting back to order.

Mr. Arnold reported on the status to remove the old church furniture factory building. He said several complaints have been received. The building is owned by a private economic development group who will clean off the property and use it for industrial development purposes. Had the group not taken over the building, the City would be responsible for demolition and clean up.

The building is 120 years old. A Brownfield Grant was received which paid the expense to have representatives from the Kansas Department of Health & Environment inspect and test the area for contaminants. The initial demolition bid was very expensive since the roof had collapsed and fell into the building rubble. While there is asbestos in the roof materials, none was in the walls. The large, underground gasoline tank was located by KDHE field representatives. It was properly crushed and filled in and poses no problems.

Mr. Arnold stated that removing the building is not the city's responsibility. City Manager Martin added that it took time to apply for the Brownfield grant and for KDHE personnel to come onsite and assess what was there. The City just received their findings approximately two weeks ago. We are hopeful that some grant money will be available to help with the clean-up and removal of debris. Once this is accomplished, there will be a 4 ½ acre site with three phase electric service available. The cost for the group to clean-up the site will be cheaper rather than developing another site.

Dennis Arnold reported that the final project from the \$50,000 Creative Arts Grant is to hang murals around town. The murals are smaller silhouettes of butterflies that will be powder coated black. The original plan was to put several park benches with the butterfly awning around town similar to the one at the swimming pool. However, that was the only one that was placed due to engineering design changes that had to be made and other issues.

Dennis Arnold reported that Tom Lasser and Donnie Welsh purchased the old Warner Manufacturing building on East Fourth Avenue. Mr. Lasser will operate a regional pool chemical business for residential customers and Mr. Welsh will expand his business to operate a regional classic car refurbishing business.

Dennis Arnold reported that the 3-D printer has been installed and is working at the library so the public will have access to it.

There being no further business to come before the Governing Body, Mayor Gwin adjourned the meeting at 7:25 p.m.

/s/ Greg A. Gwin  
Mayor

Attest:

Kristina L. Kinney  
City Clerk