

April 26, 2016
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on April 26, 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 Joshua Ford, Trinity Baptist Church, giving the invocation.

MINUTES APPROVED

A motion was made by Commissioner Cole, seconded by Commissioner Blackie to approve the minutes of April 12, 2016 as written. On roll call, the following vote was recorded: Ayes – three; Noes – none.

BIDS, PLANS & SPECIFICATIONS

City Manager Martin reported on the breakdown of needed street repairs. Farrel King, Street Superintendent, numbered the streets in the order he felt repairs should be made based on the road condition. The 2016 budget for street repairs is \$150,000. In joint cooperation with the county, city commissioners earmarked \$32,000 for the shared expense on the Cedar Valley Reservoir Road. Some of the streets listed need to be done or the base will erode thus causing additional expense. The five (5) streets listed in priority included: (1) Prairie Plaza – Neosho Rd. to Highway 169; (2) 7th Street – Maple to Main; (3) Hays Street – 4th St. to 7th St.; (4) Brummel's Feed to 8th St.; and (5) Cedar Street – 1st St. to 4th St.

In addition to the city streets needing repairs, the Garnett Grand Prix Revival committee provided a bid of \$71,291 to repair the 1,000-foot section of road by the golf course. The former racing association will provide \$32,000 if repairs are made with a new base and asphalt overlay. The balance left on the quote is \$39,291.

Commissioner Blackie said the street repair from Brummel's Feed Store to 8th Street is marked fourth in order of priority. He said the demolition of the old church furniture building needs to be taken into account and repairs made after the demolition work has been completed. City Manager Martin stated it will be scheduled after the demolition. The Prosperity Foundation, who owns the property, approved a contract with the low bidder and the contract calls for the demolition work to be completed by July 1st. The trucks are not supposed to drive on Main Street to the landfill, but we will probably make an exception for this project.

Mayor Gwin said the total of all the street repair projects is \$225,000 and asked if there is money that the commission doesn't know about to cover these projects, such as the ethanol plant tax

money. We have \$120,000 budget to work with. In addition, Prairie Plaza from Neosho Road to Highway 169 is listed as number one on repairs. Olive Street between 4th Street and 6th Street is bad. City Manager Martin replied that the top five listed on the breakdown equal our budget balance.

Mayor Gwin stated Cedar Street between 1st Street and 2nd Street is in the worse condition. City Manager Martin agreed with this assessment. The total repair for the top five (5) streets listed is \$153,305. We can use utility reserves for street improvements if the commission wants to approve this method of financing. Capital Improvement Fund monies come from sales tax revenues, a portion of which is earmarked for street and curb repair. The fund can be amended if the governing body chooses to use some of the reserves.

Mayor Gwin stated that the quote for North Lake Road is \$71,000. After the racing association money is deducted, it still leaves a balance of \$39,000 to be funded. He questioned if the Lake Garnett Grand Prix event will be scaled down if we don't do anything. He questioned if we want to scope the work for the \$32,000 that the racing association donates or do we want to scrap it this year until there is more funding. City Manager Martin replied that at first the Lake Garnett Grand Prix committee felt that 500-feet needed to be repaired. This was followed by a second recommendation that in order to do it right, 1,000-feet needs to be repaired.

C.B. Harris, Jr., Lake Garnett Grand Prix Revival member, said the racing association pledged their money for this year only, not next year. The drivers for the event will be assessed a fee of \$10 per car from now on, which will result in about \$2,000 per year to go towards road repairs.

Mayor Gwin stated that \$32,000 for the scope of work to get down to grade won't go far. The sinkhole area is an issue. C.B. Harris, Jr. said the racing association board wants assurance that the road surface will be fixed right with a new base and overlay or they will withdraw their money. Mayor Gwin stated that the \$32,000 will probably cover the base and overlay for the 500-feet where the sinkhole is. C.B. Harris, Jr. stated the south half of the area is about as bad as the north section. The LGGPR committee feels that if we don't repair the whole area, the repairs won't last because the base is pushing out on the south end. Mayor Gwin said that's where he sees an issue. He noted that the dam has multiple layers of overlay. The arches under the bridges are going to be an issue too. City Manager Martin stated that a contractor felt his company could put in a new culvert on the east side of the lake at no charge as they have pieces of culvert left from large projects they are unable to use. We need to get that confirmed from the company.

Mayor Gwin stated the bid of \$71,000 calls for 5-inches of asphalt and said no streets in town have that thickness. Home Run Drive, at the ball complex, is the only street in town that has a thick layer of asphalt. C.B. Harris, Jr. said he didn't think the 5-inches of asphalt are a deal breaker from the committee's standpoint. City Manager Martin stated the city streets have a base and 2-inches of asphalt. If this is adequate, the road surface is milled and a new asphalt overlay installed.

Commissioner Cole stated that as much as she enjoys the Lake Garnett Grand Prix Revival, she feels we should take care of the city streets first. Constituents she has talked to feel the same way.

Mayor Gwin stated the Lake Road section with the sinkhole is the worst spot in the community and the road off 6th Avenue to Neosho Street that Hurricane Services is on needs attention as well.

City Manager Martin offered her opinion that our citizens travel the city streets more than the North Lake Road. There are casual travelers on North Lake Road but people want to continue with the city street repairs.

Mayor Gwin stated the last go-kart race he participated in, cones had to be placed to divert karters away from the sinkhole area. Eventually, the road is going to be impassable and we have a responsibility to maintain that road as well. Commissioner Cole questioned if the City Manager and Farrel King had looked at North Lake Road when they assessed the streets in most need of repairs. City Manager Martin replied yes. She reported that street repairs have been made on the west and south part of town. Now in order to finish where we left off, we need to move to the east part of town. We need to have a joint city/county meeting to request help from the county in using their equipment to chip and seal some of our streets. We use to do more of the chip and seal, but residents complained about the dust and gravel so this was stopped.

Mayor Gwin stated that 3rd Street from the rail trail to Oak Street is on the breakdown list, however the same area on 2nd Street from the rail trail to Oak Street is in far worse condition. City Manager Martin questioned if some of the drivers choose not to come here for the event, how many years will it continue? C.B. Harris, Jr. said they won't make it another two (2) years in the shape the road is in and the racing association has pledged to help if we replace the section of road. Mayor Gwin asked if the racing association has seen the scope of work on the bid. Their money will not get much done if the suggested repairs are made. C.B. Harris, Jr. said Jim Sobba and Terry Solander are on the racing association committee. City Attorney Solander said he had not seen the scope of work on the bid except through the city, so he doesn't imagine the other members know besides Jim Sobba.

City Manager Martin stated that the last time there was road work in this area, the go-kart association helped with funding. Mayor Gwin stated he estimates that changing the scope of work on the bid to what is done on city streets, for \$71,000 we could replace 10,000-feet of road rather than just 1,000-feet. He stated he would like to table the matter so the racing association members are made aware of this. City Manager Martin reported that she thought Mr. Sobba had talked with a couple of members however, none of them have attended a LGGPR meeting. Mr. Sobba had stated that they didn't want just an overlay done on the road. Mayor Gwin said it has been about 20-years since the last road work was done there, and if we fix the sinkhole and overlay the road surface, he would expect it to last another 20-years. A 50-year lifespan is not as realistic.

City Attorney Solander stated that racing association members consist of Jim Sobba, Bill Craig, Jerry Padfield, Mike McDonald, and himself. His position is the same as Mr. Sobba's to not just do an overlay. Engineering done from the dirt up is an expense, but he is against a company just putting an overlay on because that is what caused some issues in the past.

C.B. Harris, Jr. said as long as there is a decent road to drive on, they will continue to have the event. If not, drivers will not put their cars on the road. They also want a plan for immediate road surface improvements on a year by year basis.

Commissioner Cole questioned if the bid specs were done for common car traffic or to race cars on? C.B. Harris, Jr. stated that they do not race cars. Commissioner Cole questioned whether the bid was then for average speed on the road. C.B. replied no and stated that cars don't race but the speed is at the driver's choice, some up to 80 miles per hour. He added that this is the only event like this in the United States. There are some events in Europe. Word is spreading and they are attracting more high-end cars, which is what their goal is.

Mayor Gwin recommended tabling this for everyone to review and decide if we want to use some of the utility reserves. City Manager Martin reported that three years ago we did \$300,000 in road work and it was very noticeable to our community. She said the committee is asking for a commitment to do other parts of North Lake Road in future years and wants a plan.

Mayor Gwin said he wants to know what the racing association thinks. For their money, we can get about 425- 450 feet of road repairs done. He questioned whether it was their intent not to spend their money if a match is not provided to complete the full 1,000 feet. C.B. Harris, Jr. said the racing association needs to meet to make that decision. City Attorney Solander stated that everyone on the racing association felt something as permanent as possible needs to be done. The \$32,000 is all of the money the association has. If an overlay is done, in 5-7 years, when more repairs are needed, there won't be any money left for additional repairs.

Mayor Gwin stated comparing the quote with city streets, they actually specked 5-inches of asphalt with a 6-inch base. City Attorney Solander said many city streets have sand and gravel with 4-inches of brick under the asphalt.

Mayor Gwin stated he wants to table this to the next meeting and have everyone come back with their proposals. Commissioner Blackie said he would like some middle ground in order to take care of city streets. Commissioner Cole questioned if only one (1) bid was received for street repairs. City Manager Martin replied that Killough Construction is the only asphalt company in the area. Other companies would have to truck in the asphalt and it is not as cost-effective. Mayor Gwin added that SEKAN Construction made some street repairs a few years ago and we were not happy with them.

C.B. Harris, Jr. said he is willing to meet again, but it is more up to the racing association than the Lake Garnett Grand Prix committee. Mayor Gwin stated if nothing is done, the event will cease quickly and it is the city's responsibility to fix the North Lake road for traffic.

John Helms, Refuse Superintendent, presented two (2) quotes for a new trash truck. Refuse crews tried demonstrators for three (3) days and they liked the Armor Equipment Heil truck best. The Heil truck uses high strength steel, which is what is on the truck that was purchased 10-years ago. That truck is old, but the bins are still in good shape. Mayor Gwin questioned whether the old compactor could be used. Mr. Helms replied on the 2006 model it can, but the 1998 Ford is worn out. The 2006 truck is an International 16-yard Heil. Staff plans to keep the 1998 model as

a spare. Recent repairs on the 1998 model includes: replacing the engine; \$1,500 brake work; three (3) cylinders replaced at \$298 each. The bed of the truck is worn out. Mayor Gwin questioned if staff was familiar with the Elliott Viper. Mr. Helms replied no, except for the demonstrator truck. While using that truck, there were some alleys they were not able to get down. In addition, the controls are head height and you have to pull up on the levers. The Heil controls are lower and are a straight in and out on the controls.

Mayor Gwin reported that GENCO has worked on the Heil trucks and he knows all parts can be purchased from the company. He said he doesn't know about the other truck. He added that the high abrasion steel is well worth the money. He noted that the Heil truck bid is \$10,000 higher.

Commissioner Cole questioned if the Heil truck is able to go down all the alleys and Mr. Helms replied yes. City Manager Martin added that we have to stay with 16 cubic yard trucks in order to get down all the alleys.

Mayor Gwin noted that the Heil truck is a 2016 Freight Liner and the Viper is a 2017 freight liner. Mr. Helms stated both trucks are 2017 models however, the wrong quote was apparently delivered to the commission. There were two (2) quotes for the Heil Freight Liner from the same company, just from different salesmen.

City Manager Martin stated the newest truck was paid off last year and money budgeted in the 2016 to start another lease purchase plan for a new truck.

Mayor Gwin proposed this matter be tabled until the next meeting to review the bid that breaks down the expense of the truck and the compactor.

COMMUNICATIONS & REPORTS

Mayor Gwin reported that one evening while he was out one evening he heard the fire whistle, watched the response time and followed the fire truck to the fire scene where a shed was on fire. The firemen arrived and left the station in a few minutes of the alarm. The police department was already on scene. Immediately upon arrival the firemen had pulled the hose off the truck and put the fire out before it reached the trailer. He thanked both the fire department and police department.

Mayor Gwin questioned the status of the work on the back of the stadium. City Manager Martin replied that we are waiting on Don Edgerton to set the cinder blocks into the window openings and then it will be painted.

City Commissioner Cole reported that she visited the departments of the City and enjoyed every minute of it. The city employees took time to show her the facilities and explain everything to her. The work areas and tools were immaculate. The City has dedicated, hard-working, and knowledgeable employees who go above and beyond their job expectations. Employees also have knowledge to go to other departments and use their talents. The City owns a great deal of equipment and the employees take great pride in working on it which saves the City money on repairs. As an example, she said the power plant employees built boat docks in the winter and worked on playground equipment. All departments help the mowing crew when they have time.

She said the City is fortunate to have City Manager Martin and employees. She invited citizens to go visit the city facilities and see what our city employee's do. It was very impressive. Mayor Gwin concurred and said many times people don't see, or know, the job they are working on.

Jeremy DuPont reported students painted 29 trash barrels. He said Brian Maloan, Park Superintendent, helped them a lot. Commissioner Cole thanked Jeremy and the students.

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 that Park Department staff are getting the swimming pool concession stand completed and they will make sure the Legion Ball Field backstop is installed as soon as the netting arrives.

City Manager Martin reported power plant staff repaired and painted the top of what used to be a slipper slide multi-colored. Water & gas staff painted the steps on this equipment.

City Manager Martin reported that city-wide cleanup week went well. We need to talk to the county commissioners on problems we had on commercial pickups.

On May 25, 2016, there will be a dedication program at the courthouse bandstand for the "Garnett Remembers" banners beginning at 7:00 p.m. The community band will have a concert and members of the American Legion and VFW will be invited to attend.

City Manager Martin requested the governing body let us know if they plan to attend the League of Kansas Municipalities Conference on October 8-10, 2016. Hotel rooms where the conference is held fill up fast so we need to get our hotel reservations made.

City Manager Martin asked the governing body if they would like to schedule another city/county joint meeting. The last joint meeting was on September 15, 2015. We need to discuss joint street projects and the city-wide clean up problems. Mayor Gwin added that we need to know if number one (1) on the street repairs is going to be done. City Manager Martin stated that the city's share for the chip and seal on the reservoir road was budgeted for 2016.

OLD BUSINESS

City Attorney Solander reported he reviewed the KsFibreNet franchise agreement and spoke to a representative. He emailed the requested provisions that were granted to the City of Pittsburg. Debbie Edwards didn't have a problem with it, but wanted to copy another individual on the email. The form of the agreement is adequate. The City has had no franchise ordinance since 1996. Mayor Gwin thanked the city attorney for his oversight on the agreement.

City Manager Martin reported Vyve Cable TV plans to start moving their services to the new poles on Walnut Street on Monday, May 2, 2016. She has not heard from the telephone company on their schedule.

NEW BUISNESS

City Attorney Solander reported that the Bowl for Kid’s Sake is a major, regional fundraiser for Big Brothers/Big Sisters. They have sponsored a corn hole tournament in the park in recent years. Since the City has no beer or liquor prohibition in the park, special provisions can be made in an agreement that would allow them to provide beer or liquor but they have to satisfy the State on their requirements and serve complimentary alcohol with the meal. The commission lifted the general prohibition in the park a few years ago. A motion was made by Mayor Gwin, seconded by Commissioner Cole to approve the agreement between the City and Big Brothers/Big Sisters to have a corn hole tournament at the football stadium on May 14, 2016. On roll call, the following vote was recorded: Ayes – three; Noes – none.

RESOLUTIONS

Resolution 4/26/16-1 was read as follows: A RESOLUTION DECLARING THAT THE CITY OF GARNETT IS AN OFFICIAL ENTRANT IN THE PRIDE PROGRAM FOR THE YEAR 2016. City Manager Martin reported that she spoke to representatives from the AP Government class today and she will meet with students Thursday morning to get students involved in the PRIDE program. A motion was made by Commissioner Cole, seconded by Mayor Gwin to approve Resolution 4/26/16-1 as read. On roll call, the following vote was recorded: Ayes – three; Noes – none.

CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE

Ordinance # 4143 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. A motion was made by Mayor Gwin, seconded by Commissioner Cole to approve Ordinance #4143 as read. On roll call, the following vote was recorded: Ayes – three; Noes –none. Ordinance #4143 paid warrants in the amount of \$15,369.54.

EXECUTIVE SESSION

City Manager Martin reported there was no need for executive session this evening.

There being no further business to come before the Governing Body, Mayor Gwin adjourned the meeting at 7:45 p.m.

/s/ Greg A. Gwin
Mayor

Attest:
/s/ Kristina L. Kinney
City Clerk