

December 22, 2015
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on Tuesday, December 22, 2015 at City Hall with the following present: Greg A. Gwin, Mayor; Preston W. Peine and W. Gordon Blackie, City Commissioners; Joyce E. Martin, City Manager and Kristina L. Kinney, City Clerk. Absent: Terry J. Solander, City Attorney.

CALL TO ORDER

Mayor Gwin called the meeting to order at 6:05 p.m.

The Pledge of Allegiance was recited followed by Pastor Ron Jones of the First Baptist Church giving the invocation. Pastor Jones provided information on the amount of food distributed to local residents this year through the Harvester's program.

MINUTES APPROVED

Mayor Gwin stated that Pastor Ervin Daughterty, Jr. represents the Trinity Lutheran Church and asked that the December 8, 2015 minutes be corrected to reflect the correct church. A motion was made by Commissioner Peine, seconded by Mayor Gwin to approve the minutes of December 8, 2015 as corrected. On roll call, the following vote was recorded: Ayes – three; noes – none.

COMMUNICATIONS & REPORTS

Mayor Gwin commented that the employee Christmas Party and Firemen's Christmas Party were very nice and well attended.

Commissioner Blackie agreed with Mayor Gwin's comments. He asked if anyone had filed for the vacant city commission seat to which the city manager replied no. Mayor Gwin said he hoped there would be many interested persons who will file.

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.

Commissioner Peine encouraged staff, Mayor Gwin and Commissioner Blackie to follow through on the PRIDE program. He said this was one thing he participated in as a young person in the community and the many things they accomplished proved to him the need to volunteer

and have a sense of civic pride. He felt this organization might have also helped influenced his decision to run for city commissioner.

PUBLIC HEARING

At 6:41 p.m. Mayor Gwin opened the public hearing to receive comments on proposed 2015 budget amendments as follows:

	<u>Adopted</u>	<u>Amended</u>
Recreation Center	\$ 59,400	\$ 61,000
Water & Sewer	\$1,812,700	\$1,963,241
Refuse	\$ 320,357	\$ 340,537

The City Manager explained that additional exercise program instructors at the recreation center increased the salary line item in this fund; engineering services for the proposed water plant and sewer improvements, equipment repairs at the water plant and lightning damage to equipment at the wastewater treatment plant caused considerably more in expenses than anticipated when the 2015 water and sewer budgets were prepared; repairs to a trash truck and trash bins is the reason for the increase in the Refuse Department.

The Governing Body concurred with the recommended budget adjustments. Commissioner Peine stated that during the 2015 budget preparation, sewer improvements were discussed; however, no cost analysis was available to know how much to allow for engineering and proposed repairs. A motion was made by Commissioner Peine, seconded by Mayor Gwin to approve the proposed 2015 budget admendments. On roll call, the following vote was recorded: Ayes – three; noes – none.

Mayor Gwin asked for comments from the public. There being none, he closed the Public Hearing at 6:48 p.m.

OLD BUSINESS

No members of the Anderson County Fair Association Board were present to discuss their request to increase the contractual amount of kilowatts provided by the city during the annual fair. Commissioner Peine asked if they had provided any other thoughts or arguments and the city manager replied no. The city manager stated that she advised Chairman Jess Rockers of the information provided to the commission at the previous meeting and encouraged them to come to a meeting to express their opinions. The Governing Body members said they believed the City was providing a great deal to the fair in the way of transient guest tax funds and kilowatts for the fair, carnival and food vendors. A motion was made by Commissioner Peine, seconded by Mayor Gwin to leave the contract as is thus declining the fair board’s request to

increase the number of kilowatts provided during the fair. On roll call, the following vote was recorded: Ayes – three; noes – none. Mayor Gwin suggested that since the city purchases a large number of kilowatts from KCP&L perhaps they would be willing to donate funds to the city or fair association for this event. The City Manager will contact a representative from KCP&L and make this request.

C. B. Harris attended the meeting to discuss an agreement between the City and LGGPR to reserve the north park on October 8 and 9, 2016. This agreement was tabled at the previous meeting as the commission was not wanting to support the request to close the lake from 7:00 a.m. Saturday morning through 5:00 p.m. Sunday afternoon. Mr. Harris said his group felt they could better control the activities at the north lake if it were closed to the general public during this time period. However, the Commission disagreed saying they did not want to have the park closed for this continual period of time as they need to make sure they are considering all of the other people who want to use the facility. Mr. Harris reported that another car club group, that was apparently unaware of the scheduled event, entered the park on Saturday morning and proceeded to drive around the lake road which could have been a disaster if the local group had cars on the road at the same time. It was suggested that more police patrolling could be done throughout the time period requested. Mr. Harris said he received many comments about how cordial the police department was and he didn't want to do anything to alienate the relationship LGGPR has with them. The City Manager suggested that the Police Chief meet with the local LGGPR committee to discuss additional security for the event. Chief Pekarek agreed and a report will be given to the commission after this meeting. The Commission thought this would be a good idea, however they said they would not approve an agreement that closed the park for the times requested. They assured Mr. Harris that his group could count on complete support from the commission and city staff for this event. Commissioner Peine asked if the annual events at the North Lake were tracked from one year to the next. The city manager stated that Colette keeps a calendar of events for this park and was very good to mark the annual events from one year to the next. However, the county does not do this, therefore the organizers of any annual event at the north park must remember to contact the county clerk's office to reserve their facilities.

NEW BUSINESS

Susan Wettstein, Desiree Donovan and Susan Caron, representing the Tourism Advisory Board, were in attendance for the presentation of the tourism marketing plan. Susan Wettstein outlined the proposed plan and asked if the governing body had any questions. The Commission commended the tourism board on the proposed marketing plans and encouraged them to continue to follow the same path that was chosen three (3) years ago. Commissioner Peine stated that tourism is much more than having a marketing plan. He said it is important to

have a plan to determine how successful we are and if the plan has been beneficial or not. He continued by saying that we have a plan to help determine what our different niches are and to help people decide if they want to come to visit, live here and/or start a business here. However, he said that one thing holding us back is the fact that we have very poor interconnection service which he believes is something community development, economic development, city and county commissioners need to work on together. Without it, we are going to struggle to get people here because in today's work environment, many people are able to work from their homes and don't have to commute to another community.

A motion was made by Commissioner Blackie, seconded by Commissioner Peine to reappoint Ron Zimmerman to another three (3) year term on the Airport Advisory Board. On roll call, the following vote was recorded: Ayes – three; noes – none.

A motion was made by Commissioner Peine, seconded by Mayor Gwin to approve the following 2016 Cereal Malt Beverage license applications: Leiszler Oil/Short Stop; Casey's General Store; Pizza Hut of SE Kansas and the Chinese Restaurant. On roll call, the following vote was recorded: Ayes – three; noes – none.

ORDINANCES

Ordinance No. 4133 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 this is an annual request made by city staff to delete utility accounts from the system after all efforts have been made to receive payment. This ordinance requests a total write-off of \$7,740.68. A motion was made by Commissioner Peine, seconded by Mayor Gwin to approve Ordinance No. 4133 as read. On roll call, the following vote was recorded: Ayes – three; noes – none. Commissioner Peine stated how amazed he is at the low amount of bad debts to be written off from one year to the next which is a credit to city staff.

Charter Ordinance No. 26 was read as follows: A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM THE PROVISIONS OF L. 2015, CHAPTER 88, SECTION 71, RELATING TO THE FILLING OF GOVERNING BODY VACANCIES. The City Manager stated that the purpose of this ordinance is to allow the governing body to continue filling vacancies in the same manner they are currently following, i.e. the two commissioners interview interested candidates and vote on who to select. If there is a tie, then the city attorney casts the deciding vote. If the new legislation is followed and the two commissioners can't come to a decision, an election will have to be held which can cost the city a considerable amount of money. A motion was made by Commissioner Blackie, seconded by Commissioner Peine to approve

Charter Ordinance No. 25 as read. On roll call, the following vote was recorded: Ayes – three; noes – none.

Commissioner Peine offered a parting comment to the city manager and commissioners asking them to consider installing a sidewalk on Park Road from Caseys west to Maple Street. Mr. Peine said this would improve the walkability of people going to the park and the businesses along Maple.

CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE

Ordinance No. 4134 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. A motion was made by Commissioner Peine, seconded by Commissioner Blackie to approve Ordinance No. 4134 as written. On roll call, the following vote was recorded: Ayes – three; noes – none. Ordinance No. 4134 paid warrants in the amount of \$70,873.06.

There being no further business to come before the Governing Body, Mayor Gwin adjourn the meeting at 7:40 p.m.

/s/ Greg A. Gwin

Mayor

Attest:

/s/ Kristina L. Kinney

City Clerk