



Small, Serene, Simply Garnett.

AGENDA

DECEMBER 22ND, 2020

I. Call to Order

- A. Pledge of Allegiance
- B. Invocation – Vernon Yoder, Church of the Brethren

II. Citizens to be Heard (Five Minute Time Limit – Per Person)

III. Consent Agenda

- A. Approval of Minutes from November 19th Special City Code Workshop
- B. Approval of Minutes from December 3rd Special City Code Workshop
- C. Approval of Minutes from December 8th City Commission Meeting
- D. Approval of Semi-Monthly Bills and Payroll in the amount of \$202,441.86
- E. Consideration of 2021 CMB Permit for Short Stop #20
- F. Consideration of 2021 CMB Permit for Country Mart
- G. Consideration of 2021 CMB Permit for Pizza Hut
- H. Consideration of 2021 CMB Permit for Casey's General Store
- I. Consideration of 2021 CMB Permit for Chinese Restaurant

IV. Governing Body Comments

- A. Student Representative Nathan Gwin
- B. City Commissioner Greg Gwin
- C. Mayor Pro-Tempore Jody Cole
- D. Mayor Brigitte Brecheisen-Huss

V. Regular Business

- A. Discussion of Noise or Dirt Bike Prohibition Ordinance
- B. Consideration of Claim for Damages from Kevin Colbert in the amount of \$1,200.00
- C. Consideration of Claim for Damages from Ryan Disbrow in the amount of \$2,616.77
- D. Consideration of Claim for Damages from Norman Foltz in the amount of \$324.99
- E. Consideration of Claim for Damages from John & Kelly Heine in the amount of \$139.69
- F. Consideration of Claim for Damages from Mandi Johnson in the amount of \$119.00
- G. Consideration of Claim for Damages from Kurt Katzer in the amount of \$2,657.61
- H. Consideration of Claim for Damages from Leslie David in the amount of \$188.11
- I. Consideration of Claim for Damages from Ron Zimmerman in the amount of \$936.00
- J. Consideration of Claim for Damages from Commissioner Gwin

VI. Informational Items

- A. City Manager's Report
- B. Change in Billing Process for Private Service Lines behind Master Meters
- C. Water Plant Budget Update Summary

VII. Citizens to be Heard (Five Minute Time Limit – Per Person)

VIII. Adjournment

November 19, 2020
Garnett, Kansas

The Governing Body of the City of Garnett met in Special Session via Zoom Cloud Meeting on November 19, 2020 at 6:00 p.m. with the following individuals present: Brigitte Brecheisen-Huss, Mayor; Greg A. Gwin and Jody Cole, City Commissioners; Chris Weiner, City Manager; and Travis Wilson, City Clerk. Student Representative Nathan A. Gwin was absent.

CALL TO ORDER

Mayor Brecheisen-Huss called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited, followed by Mayor Brecheisen-Huss giving the invocation.

REGULAR BUSINESS

Chapter 8 of the Code of the City of Garnett Kansas was reviewed and discussed as follows:

ARTICLE 1

SECTION 8-101

- After discussion, it was agreed to have this article removed as well as adding an article or section regarding pandemics at a future meeting.

ARTICLE 2

SECTION 8-201

- No changes were discussed.

SECTION 8-202

- Add “or designee” to the entire section, so it reads, “The City Manager or designee”.
- Remove “by resolution” so the sentence reads “shall make such an inspection upon being directed to do so by the City Commission of Garnett”.
- Change “all complaints shall be investigated without unnecessary delay” to “all complaints shall be investigated within five (5) business days”.

SECTION 8-203

- No changes were discussed.

SECTION 8-204

- No changes were discussed.

SECTION 8-205

- No changes were discussed.

SECTION 8-206

- No changes were discussed.

SECTION 8-207

- No changes were discussed.

SECTION 8-208

- No changes were discussed.

SECTION 8-209

- No changes were discussed.

ARTICLE 3**SECTION 8-301**

- No changes were discussed.

SECTION 8-302

- No changes were discussed.

SECTION 8-303

- Reference fees outlined in Section 8-304(d).

SECTION 8-304

- Create a tiered structure for penalties.

SECTION 8-305

- . No changes were discussed.

SECTION 8-306

- No changes were discussed.

SECTION 8-307

- No changes were discussed.

SECTION 8-308

- Add Agricultural Use rules and regulations.

ARTICLE 4**SECTION 8-401**

- No changes were discussed.

SECTION 8-402

- No changes were discussed.

SECTION 8-403

- No changes were discussed.

SECTION 8-404

- Add sentence “Once structure is deemed unfit, the City Commission shall be notified.”
- Change the words “the rein” to “therein”.

SECTION 8-405

- Change the word “Municipally” to “Municipality”.
- Remove all things in this section that do not apply to dangerous structures and shift them to nuisances.

SECTION 8-406

- No changes were discussed.

SECTION 8-407

- Add the timeframe to appeal.

SECTION 8-408

- No changes were discussed.
- Change the word “Municipally” to “Municipality”.

SECTION 8-409

- No changes were discussed.

SECTION 8-410

- No changes were discussed.

ARTICLE 5**SECTION 8-501**

- No changes were discussed.

SECTION 8-502

- No changes were discussed.

SECTION 8-503

- No changes were discussed.

SECTION 8-504

- No changes were discussed.

SECTION 8-505

- No changes were discussed.

SECTION 8-506

- No changes were discussed.

SECTION 8-507

- No changes were discussed.

SECTION 8-508

- No changes were discussed.

SECTION 8-509

- Remove the hyphen on the word “withholding.”

SECTION 8-510

- No changes were discussed.

ARTICLE 6

- After discussion, it was agreed to compare this Article with the public building codes and table it for a future city code meeting.

ARTICLE 7

- After discussion, it was agreed to compare this Article with the public building codes and table it for a future city code meeting.

ARTICLE 8

- After discussion, it was agreed to compare this Article with the public building codes and table it for a future city code meeting.

With no further business to come before the commission, Mayor Brecheisen-Huss made a motion to adjourn the meeting. Commissioner Cole seconded the motion. With three (3) votes aye, and zero (0) votes nay, motion passed 3-0.

Meeting adjourned at 7:19 p.m.

ATTEST:

Mayor

City Clerk

December 3, 2020
Garnett, Kansas

The Governing Body of the City of Garnett met in Special Session via Zoom Cloud Meeting on December 3, 2020 at 6:00 p.m. with the following individuals present: Brigitte Brecheisen-Huss, Mayor; Greg A. Gwin and Jody Cole, City Commissioners; Chris Weiner, City Manager; and Travis Wilson, City Clerk. Student Representative Nathan A. Gwin was absent.

CALL TO ORDER

Mayor Brecheisen-Huss called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited, followed by Mayor Brecheisen-Huss giving the invocation.

REGULAR BUSINESS

Chapter 12 of the Code of the City of Garnett Kansas was reviewed and discussed as follows:

ARTICLE 1

SECTION 12-101

- No changes were discussed.

SECTION 12-102

- Change the word “his” to “the city manager’s”

SECTION 12-103

- No changes were discussed.

SECTION 12-104

- Remove the last sentence “In expanding the board from five (5) to seven (7) members, the appointments of new members shall be made so as to assure staggered expiration of members’ terms.”

SECTION 12-105

- After discussion, City Manager Weiner will discuss this section with the Parks and Recreation Advisory Board.

SECTION 12-106

- No changes were discussed.

SECTION 12-107

- No changes were discussed.

ARTICLE 2

SECTION 12-201

- No changes were discussed.

SECTION 12-202

- No changes were discussed.

SECTION 12-203

- No changes were discussed.

SECTION 128-204

- No changes were discussed.

SECTION 12-205

- No changes were discussed.

SECTION 12-206

- No changes were discussed.

SECTION 12-207

- Remove subsection (3).

SECTION 12-208

- Remove this section as it is addressed in a later section.

SECTION 12-209

- Change the word “regulations” to accommodations in subsection (e).

SECTION 12-210

- Remove the hyphen in the word “campground” in subsection (2).
- After discussion, City Manager Weiner will discuss this section with City Attorney Solander regarding verbiage in subsection (2) as well as clarification regarding motorized non-highway vehicles.

SECTION 12-211

- Remove the hyphen in the word “otherwise”.

SECTION 12-212

- No changes were discussed.

SECTION 12-213

- Remove subsection (a).
- Remove subsection (3).

SECTION 12-214

- Remove subsection (b)

SECTION 12-215

- Add a title to subsections (k) and (l)

SECTION 12-216

- No changes were discussed.

SECTION 12-217

- No changes were discussed.

SECTION 12-218

- No changes were discussed.

SECTION 12-219

- No changes were discussed.

SECTION 12-220

- No changes were discussed.

SECTION 12-221

- Change the words “city commission” to “Governing Body”.
- Remove the hyphen in the word “campsites”.
- Remove the hyphen in the word “provided”.

SECTION 12-222

- No changes were discussed.

SECTION 12-223

- No changes were discussed.

SECTION 12-224

- No changes were discussed.

SECTION 12-225

- Verify the section of the uniform traffic ordinance is the correct section referenced.

ARTICLE 3**SECTION 12-301**

- No changes were discussed.

SECTION 12-302

- No changes were discussed.

SECTION 12-303

- Reference fees outlined in Section 8-304(d).

SECTION 12-304

- After discussion, City Manager Weiner will get with Parks & Recreation Director Bures and discuss the appointment of a sexton.

SECTION 12-305

- No changes were discussed.

SECTION 12-306

- No changes were discussed.

SECTION 12-307

- No changes were discussed.

SECTION 12-308

- The fees in this section will be reviewed and added to the overall fee ordinance when it is drafted.

SECTION 12-309

- City Manager Weiner will review this section to determine if it needs retained.

SECTION 12-310

- No changes were discussed.

SECTION 12-311

- No changes were discussed.

SECTION 12-312

- No changes were discussed.

SECTION 12-313

- No changes were discussed.

SECTION 12-314

- No changes were discussed.

SECTION 12-315

- No changes were discussed.

SECTION 12-316

- No changes were discussed.

SECTION 12-317

Add "or designee" after city manager.

SECTION 12-318

- No changes were discussed.

SECTION 12-319

- No changes were discussed.

ARTICLE 4**SECTION 12-401**

- No changes were discussed.

SECTION 12-402

- No changes were discussed.

SECTION 12-403

- No changes were discussed.

ARTICLE 5**SECTION 12-501**

- Change the words “Governing Body” to “City staff”.

SECTION 12-502

- After discussion, City Manager Weiner will discuss this section with Police Chief King.

SECTION 12-503

- No changes were discussed.

ARTICLE 6**SECTION 12-601**

- No changes were discussed.

SECTION 12-602

- No changes were discussed.

SECTION 12-603

- No changes were discussed.

SECTION 12-604

- No changes were discussed.

ARTICLE 7**SECTION 12-701**

- No changes were discussed.

SECTION 12-702

- No changes were discussed.

SECTION 12-703

- No changes were discussed.

SECTION 12-704

- No changes were discussed.

SECTION 12-705

- No changes were discussed.

SECTION 12-705

- No changes were discussed.

SECTION 12-706

- No changes were discussed.

SECTION 12-707

- No changes were discussed.

ADJOURNMENT

With no further business to come before the commission, Mayor Brecheisen-Huss made a motion to adjourn the meeting. Commissioner Cole seconded the motion. With three (3) votes aye, and zero (0) votes nay, motion passed 3-0.

Meeting adjourned at 8:15 p.m.

ATTEST:

Mayor

City Clerk

December 8, 2020
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session via Zoom Cloud Meeting on December 8, 2020 at 6:00 p.m. with the following individuals present, Brigitte Brecheisen-Huss, Mayor; Greg A. Gwin and Jody Cole, City Commissioners; Chris Weiner, City Manager; Terry J. Solander, City Attorney; Travis Wilson, City Clerk; and Nathan A. Gwin, Student Representative.

CALL TO ORDER

Mayor Brecheisen-Huss called the meeting to order at 6:02 p.m.

The Pledge of Allegiance was recited, followed by Reverend Chris Goetz giving the invocation.

APPROVAL OF MINUTES

The Governing Body reviewed the November 24, 2020 City Commission Meeting minutes. A motion was made by Mayor Brecheisen-Huss to approve the November 24, 2020 City Commission Meeting minutes as amended. Commissioner Gwin seconded the motion. Three (3) votes aye, zero (0) votes nay. Motion passed 3-0.

CITIZENS TO BE HEARD

There were no citizens to be heard.

GOVERNING BODY

Student Representative Gwin had no comments.

Commissioner Gwin thanked Mike Burns and Auburn Pharmacy for donating the courtesy car to the Airport. He also commented the Airport project ran into a hitch however it is progressing, and they hope to have it completed by Thursday.

Commissioner Cole thanked the Chamber of Commerce for organizing the Santa Cruise. She also thanked the Friends of the Prairie Spirit Rail Trail for decorating Donna Harris Park.

Mayor Brecheisen-Huss asked about comments on the Southern Star project. City Manager Weiner mentioned nobody has submitted any comments or had any concerns related to the Southern Star project. Mayor Brecheisen-Huss also thanked Auburn Pharmacy for the donation of the courtesy car.

REGULAR BUSINESS

- Consideration of Appointment of Bob Mills and Reappointment of Beth Mersman to the Planning Commission & Zoning Appeals. After discussion, Mayor Brecheisen-Huss made a motion to approve the Appointment of Bob Mills and Reappointment of Beth Mersman to the Planning Commission & Zoning Appeals. Commissioner Cole seconded the motion. With three (3) votes aye, and zero (0) votes nay, motion passed 3-0.

- Consideration of Appointment of Helen Norman & Reappointment of Susan Caron to the Tourism Advisory Board. After discussion, Commissioner Cole made a motion to approve the Appointment of Helen Norman and Reappointment of Susan Caron to the Tourism Advisory Board. Mayor Brecheisen-Huss seconded the motion. With three (3) votes aye, and zero (0) vote nay, motion passed 3-0.
- Consideration of Reappointment of Janon Gordon & Roy Salazar to the Parks & Recreation Advisory Board. After discussion, Commissioner Cole made a motion to approve the Reappointment of Janon Gordon and Roy Salazar to the Parks & Recreation Advisory Board. Commissioner Gwin seconded the motion. With three (3) votes aye, and zero (0) vote nay, motion passed 3-0.
- Consideration of Reappointment of Linda Huttenmueller & Sandra Moffatt to the Library Board. After discussion, Mayor Brecheisen-Huss made a motion to approve the Reappointment of Linda Huttenmueller and Sandra Moffatt to the Library Board. Commissioner Cole seconded the motion. With three (3) votes aye, and zero (0) vote nay, motion passed 3-0.
- Consideration of Reappointment of Elizabeth Abraham to the Housing Authority Board. After discussion, Mayor Brecheisen-Huss made a motion to approve the Reappointment of Elizabeth Abraham to the Housing Authority Board. Commissioner Cole seconded the motion. With three (3) votes aye, and zero (0) vote nay, motion passed 3-0.
- Approval of CDBG-CV funds in the amount of \$12,341.63 for C.D. Schulte Agency. After discussion, Mayor Brecheisen-Huss made a motion to approve the CDBG-CV funds in the amount of \$12,341.63 for C.D. Schulte Agency. Commissioner Gwin seconded the motion. With three (3) votes aye, and zero (0) vote nay, motion passed 3-0.
- Consideration of Police Department Remodel. After discussion, Mayor Brecheisen-Huss made a motion to approve the Police Department Remodel in the amount of \$17,673.96. Commissioner Cole seconded the motion. With two (2) votes aye, and one (1) vote nay, motion passed 2-1.
- Claim for Damages Request from Commissioner Gwin in the amount of \$6,934.16. After discussion, this item was tabled to the 12/22/2020 City Commission Meeting.
- Discussion Regarding an Ordinance Regulating Dirt Bike Tracks or Noise Levels. After discussion, this item was tabled to allow City Manager Weiner to speak with all parties involved in the matter.
- Consideration of Semi-Monthly Bills and Payroll in the amount of \$996,095.96. After discussion, Mayor Brecheisen-Huss made a motion to approve the semi-monthly bills and payroll in the amount of \$996,095.96. Commissioner Gwin seconded the motion. With three (3) votes aye, and zero (0) votes nay, motion passed 3-0.

INFORMATIONAL ITEMS

The Departmental reports were received and discussed

The November 2020 Financials were received.

The Traffic Study for the Intersection of U59/K31/Park Road was discussed.

The Refuse Utility Operations Changes Proposal was reviewed and discussed.

The City Manager's Report was received and discussed.

CITIZENS TO BE HEARD

There were no citizens to be heard.

ADJOURNMENT

With no further business before The Governing Body, Mayor Brecheisen-Huss made a motion to adjourn the meeting. Commissioner Gwin seconded the motion. With three (3) votes aye, and zero (0) votes nay, motion passed 3-0.

Meeting adjourned at 7:24 p.m.

Mayor

Attest:

City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
				15
GOVERNMENT ADMINISTRAT	GENERAL	AIRE-MASTER OF EASTERN KANSAS	HAND SANITIZER (12 64 OZ J	300.00
		AMERICAN BUSINESS FORMS dba	W2 & 1099 FORMS	271.60
		GARNETT AREA CHAMBER OF COMMERCE	CHAMBER DUES	500.00
		GARNETT POST OFFICE	6 MONTH PO BOX RENEWAL	75.00
		KANSAS STATE TREASURER	STATE COURT COLLECTION FEE	1,384.00
		LEAGUE OF KANSAS MUNIC.	2021 CITY MEMBERSHIP DUES	1,945.32
		PYRAMID FOODS/RAMEY/PRICE CUTTER	ICE, SUGAR	7.76
			ICE	3.98
			WATER	22.99
			TOTAL:	4,510.65
COMMUNITY DEVELOPMENT	GENERAL	EDGECOMB FLOORING	FLOORING, WEST OFFICES	2,464.21
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	88.57
		WETTSTEIN AUTO & WELDING	BATTERY - INSPECTOR TRUCK	142.95
			TOTAL:	2,695.73
PARKS, RECREATION & CE	GENERAL	ADVANTAGE COMPUTER	PORT TESTING/CONFIGURING	120.00
		ANCHOR SALES & SERV CO, INC.	TIRES (2)	216.32
		EDGECOMB FLOORING	FLOORING, REC CENTER OFFIC	1,927.36
		HAMPEL OIL DISTRIBUTORS, INC.	FUEL	385.03
		NAVRAT'S	DISINFECTING WIPES	309.00
		PYRAMID FOODS/RAMEY/PRICE CUTTER	COFFEE	17.97
			TOTAL:	2,975.68
STREET & STORMWATER	GENERAL	HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.98
		KEY EQUIPMENT & SUPPLY CO.	DIRT SHOE, TOW BAR ASSEMBL	422.35
		LUNDCO	TORK TOWELS	64.00
		PYRAMID FOODS/RAMEY/PRICE CUTTER	COFFEE	11.98
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	268.57
		WHITAKER AGGREGATES, INC.	ICE CONTROL	284.80
			TOTAL:	1,084.68
MUNICIPAL AIRPORT	AIRPORT	ANDERSON COUNTY TREASURER	TAG - 2011 CHEVROLET HHR	28.75
		SCHETTLER, PAT	CHRISTMAS BONUS	225.00
			TOTAL:	253.75
LIBRARY	LIBRARY	AMAZON	BOOKS, TISSUE, ENVELOPES	98.90
			BOOKS, TISSUE, ENVELOPES	53.65
			BOOKS, TISSUE, ENVELOPES	17.90
			BOOKS, TISSUE, ENVELOPES	107.72
		BAKER & TAYLOR BOOKS	BOOKS	393.86
			BOOKS	287.19
			BOOKS	146.30
		CENTER POINT LARGE PRINT	BOOKS	42.54
			BOOKS	42.54
		GARNETT PUBLISHING, INC.	HELP WANTED ADS	104.58
		HARLEQUIN READER SERVICE	BOOKS	16.69
		PHILADELPHIA INSURANCE CO.	PHILADELPHIA INSURANCE CO.	393.00
		QUILL CORPORATION	INK TONER, FAX CARTRIDGE	82.98
		RUESCHHOFF LOCKSMITH & SECURITY	ALARM MONITORING	111.95
			TOTAL:	1,899.80
FIRE DEPARTMENT	PUBLIC SAFETY	DANKO EMERGENCY EQUIPMENT	HELMET LIGHTS	533.30
		HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.99
			TOTAL:	566.29

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
				16
POLICE DEPARTMENT	PUBLIC SAFETY	AXON ENTERPRISE, INC.	BODY CAM ASSEMBLY,E.COMLIC	997.00
		DIGITAL CONNECTIONS, INC.	PD - COPIER MAINTENANCE	25.43
		GALLS LLC	BATON, SCABBARD,HANDCUFF/M	178.21
		LEXIPOL, LLC	POLICY MANUAL SUBSCRIPTION	3,779.00
		MFA OIL CO - PETRO CARD 24	FUEL	561.49
		SAINT LUKES HEALTH SYSTEM	PREEMPLOYMENT PHYSICAL-GOO	150.00
		TURNER, TODD	MAGPUL BIPODS (2)	246.34
			TOTAL:	5,937.47
TOURISM	TOURISM	CHAMBER PLAYERS COMM. THEATRE	TGT REIMBURSEMENT	534.03
		GARNETT PUBLISHING, INC.	LWL AD PACKAGE	350.00
		LAKE GARNETT GR.PRIX REV. COMM	TGT REIMBURSEMENT	4,405.11
			TOTAL:	5,289.14
ELECTRIC PRODUCTION	ELECTRIC	LEO'S AUTO SUPPLY, INC.	OIL FILTERS,AIR FILTERS	211.68
			TOTAL:	211.68
ELECTRIC DISTRIBUTION	ELECTRIC	CINTAS CORPORATION # 430	UNIFORMS	123.08
		HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.99
		KANSAS ONE-CALL SYSTEM INC.	LOCATES	13.50
		PYRAMID FOODS/RAMEY/PRICE CUTTER	WATER	26.04
		UNION PACIFIC RAILROAD CO.	LS RENT	819.55
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	268.57
			TOTAL:	1,283.73
GAS	GAS	DC & B SUPPLY	4" DRESSER	30.24
		HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.98
		KANSAS ONE-CALL SYSTEM INC.	LOCATES	13.50
		LUNDCO	TORK TOWELS	34.72
		UNION PACIFIC RAILROAD CO.	LS RENT	819.54
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	208.57
			TOTAL:	1,139.55
SANITATION	SANITATION	COFFEY COUNTY HIGHWAY DEPARTMENT	LANDFILL FEES	843.84
		HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.99
		SAINT LUKES HEALTH SYSTEM	PREEMPLOYMENT PHYSICAL - L	150.00
		UNION PACIFIC RAILROAD CO.	LS RENT	819.55
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	268.57
			TOTAL:	2,114.95
WASTEWATER	WASTEWATER	KANSAS ONE-CALL SYSTEM INC.	LOCATES	13.50
		PACE ANALYTICAL SERVICES, INC.	ANALYTICAL SERVICES	390.00
		PYRAMID FOODS/RAMEY/PRICE CUTTER	ICE, TOWELS, LINERS	13.27
		SEK MULTI COUNTY HEALTH DEPT-GARNETT	HEP. B VACCINE - HARVEY	90.00
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	88.57
			TOTAL:	595.34
WATER	WATER	HAMPEL OIL DISTRIBUTORS, INC.	1" METER, ON ROAD DIESEL T	32.98
		HAWKINS, INC.	WATER CHEMICALS	3,009.47
		KANSAS ONE-CALL SYSTEM INC.	LOCATES	13.50
		OLATHE WINWATER WORKS CO.	BUSHINGS, BALL STOPS	219.00
		PACE ANALYTICAL SERVICES, INC.	ANALYTICAL SERVICES	250.00
		SHANE NEWLAND REPAIR, LLC	TURBIDIMETER, CALIBRATION	3,683.64
		UNION PACIFIC RAILROAD CO.	LS RENT	819.54
		UCI TESTING	ANNUAL ADMIN & PHMSA FEES	448.58
			TOTAL:	8,476.71

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
ECONOMIC DEVELOPMENT	ECONOMIC DEVELOPME	KS. DEPARTMENT OF COMMERCE	AFFILIATE REGISTRATION FEE	400.00
			TOTAL:	400.00
PARKSIDE #1	PARKSIDE #1	HD SUPPLY	FAUCET, VALVE, TILE, WAXRING	154.59
		THOLEN HVAC	FLAME SENSON MAINTENANCE	122.50
			TOTAL:	277.09
PARKSIDE #2	PARKSIDE #2	ALL-IN-ONE PEST, HOME & LAWN, LLC	BEDBUG FOLLOW UP	130.00
		HD SUPPLY	FAUCET, VALVE, TILE, WAXRING	154.59
			TOTAL:	284.59
PARK PLAZA NORTH	PARK PLAZA NORTH	BAUMAN INTERIORS, LLC dba BAUMAN'S CAR	CARPET, PAD	3,102.03
		HECK'S REPAIR & SERVICE	SUMP PUMP HOUSING	229.95
		HD SUPPLY	FAUCET, VALVE, TILE, WAXRING	154.60
			TOTAL:	3,486.58
CAPITAL IMPROVEMENTS	CAPITAL IMPROVEMEN	ANDERSON CO. EMERGENCY MGMT.	GARNETT TORNADO SAFEROOM	5,806.25
		B & B CONSRUCTION & HANDYMAN SERVICES	HALF OF REMODEL COST	8,836.98
		GARVER	K68 FUELING APRON	24,286.47
		UTILITY SAFETY AND DESIGN, INC.	ODORIZER	6,500.00
			TOTAL:	45,429.70

===== FUND TOTALS =====

101	GENERAL	11,266.74
102	AIRPORT	253.75
104	LIBRARY	1,899.80
105	PUBLIC SAFETY	6,503.76
107	TOURISM	5,289.14
109	ELECTRIC	1,495.41
110	GAS	1,139.55
111	SANITATION	2,114.95
112	WASTEWATER	595.34
113	WATER	8,476.71
114	ECONOMIC DEVELOPMENT	400.00
115	PARKSIDE #1	277.09
116	PARKSIDE #2	284.59
117	PARK PLAZA NORTH	3,486.58
118	CAPITAL IMPROVEMENT	45,429.70

GRAND TOTAL:		88,913.11

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				18
ADVANTAGE COMPUTER	PORT TESTING/CONFIGURING	GENERAL	PARKS, RECREATION & CE	120.00
			TOTAL:	120.00
LAIRE-MASTER OF EASTERN KANSAS	HAND SANITIZER (12 64 OZ J	GENERAL	GOVERNMENT ADMINISTRAT	300.00
			TOTAL:	300.00
ALL-IN-ONE PEST, HOME & LAWN, LLC	BEDBUG FOLLOW UP	PARKSIDE #2	PARKSIDE #2	130.00
			TOTAL:	130.00
AMAZON	BOOKS, TISSUE, ENVELOPES	LIBRARY	LIBRARY	98.90
	BOOKS, TISSUE, ENVELOPES	LIBRARY	LIBRARY	53.65
	BOOKS, TISSUE, ENVELOPES	LIBRARY	LIBRARY	17.90
	BOOKS, TISSUE, ENVELOPES	LIBRARY	LIBRARY	107.72
			TOTAL:	278.17
AMERICAN BUSINESS FORMS dba	W2 & 1099 FORMS	GENERAL	GOVERNMENT ADMINISTRAT	271.60
			TOTAL:	271.60
ANCHOR SALES & SERV CO, INC.	TIRES (2)	GENERAL	PARKS, RECREATION & CE	216.32
			TOTAL:	216.32
ANDERSON CO. EMERGENCY MGMT.	GARNETT TORNADO SAFEROOM	CAPITAL IMPROVEMEN	CAPITAL IMPROVEMENTS	5,806.25
			TOTAL:	5,806.25
ANDERSON COUNTY TREASURER	TAG - 2011 CHEVROLET HHR	AIRPORT	MUNICIPAL AIRPORT	28.75
			TOTAL:	28.75
AXON ENTERPRISE, INC.	BODY CAM ASSEMBLY, E.COMLIC	PUBLIC SAFETY	POLICE DEPARTMENT	997.00
			TOTAL:	997.00
B & B CONSRUCTION & HANDYMAN SERVICES	HALF OF REMODEL COST	CAPITAL IMPROVEMEN	CAPITAL IMPROVEMENTS	8,836.98
			TOTAL:	8,836.98
BAKER & TAYLOR BOOKS	BOOKS	LIBRARY	LIBRARY	393.86
	BOOKS	LIBRARY	LIBRARY	287.19
	BOOKS	LIBRARY	LIBRARY	146.30
			TOTAL:	827.35
BAUMAN INTERIORS, LLC dba BAUMAN'S CAR	CARPET, PAD	PARK PLAZA NORTH	PARK PLAZA NORTH	3,102.03
			TOTAL:	3,102.03
CENTER POINT LARGE PRINT	BOOKS	LIBRARY	LIBRARY	42.54
	BOOKS	LIBRARY	LIBRARY	42.54
			TOTAL:	85.08
CHAMBER PLAYERS COMM. THEATRE	TGT REIMBURSEMENT	TOURISM	TOURISM	534.03
			TOTAL:	534.03
CINTAS CORPORATION # 430	UNIFORMS	ELECTRIC	ELECTRIC DISTRIBUTION	123.08
			TOTAL:	123.08
COFFEY COUNTY HIGHWAY DEPARTMENT	LANDFILL FEES	SANITATION	SANITATION	843.84
			TOTAL:	843.84
DANKO EMERGENCY EQUIPMENT	HELMET LIGHTS	PUBLIC SAFETY	FIRE DEPARTMENT	533.30
			TOTAL:	533.30

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
DC & B SUPPLY	4" DRESSER	GAS	GAS	30.24
			TOTAL:	30.24
DIGITAL CONNECTIONS, INC.	PD - COPIER MAINTENANCE	PUBLIC SAFETY	POLICE DEPARTMENT	25.43
			TOTAL:	25.43
EDGEComb FLOORING	FLOORING, WEST OFFICES	GENERAL	COMMUNITY DEVELOPMENT	2,464.21
	FLOORING, REC CENTER OFFIC	GENERAL	PARKS, RECREATION & CE	1,927.36
			TOTAL:	4,391.57
GALLS LLC	BATON, SCABBARD,HANDCUFF/M	PUBLIC SAFETY	POLICE DEPARTMENT	178.21
			TOTAL:	178.21
GARNETT AREA CHAMBER OF COMMERCE	CHAMBER DUES	GENERAL	GOVERNMENT ADMINISTRAT	500.00
			TOTAL:	500.00
GARNETT POST OFFICE	6 MONTH PO BOX RENEWAL	GENERAL	GOVERNMENT ADMINISTRAT	75.00
			TOTAL:	75.00
GARNETT PUBLISHING, INC.	HELP WANTED ADS	LIBRARY	LIBRARY	104.58
	LWL AD PACKAGE	TOURISM	TOURISM	350.00
			TOTAL:	454.58
GARVER	K68 FUELING APRON	CAPITAL IMPROVEMEN	CAPITAL IMPROVEMENTS	24,286.47
			TOTAL:	24,286.47
HAMPEL OIL DISTRIBUTORS, INC.	FUEL	GENERAL	PARKS, RECREATION & CE	385.03
	1" METER, ON ROAD DIESEL T	GENERAL	STREET & STORMWATER	32.98
	1" METER, ON ROAD DIESEL T	PUBLIC SAFETY	FIRE DEPARTMENT	32.99
	1" METER, ON ROAD DIESEL T	ELECTRIC	ELECTRIC DISTRIBUTION	32.99
	1" METER, ON ROAD DIESEL T	GAS	GAS	32.98
	1" METER, ON ROAD DIESEL T	SANITATION	SANITATION	32.99
	1" METER, ON ROAD DIESEL T	WATER	WATER	32.98
			TOTAL:	582.94
HARLEQUIN READER SERVICE	BOOKS	LIBRARY	LIBRARY	16.69
			TOTAL:	16.69
HAWKINS, INC.	WATER CHEMICALS	WATER	WATER	3,009.47
			TOTAL:	3,009.47
HD SUPPLY	FAUCET, VALVE, TILE, WAXRING	PARKSIDE #1	PARKSIDE #1	154.59
	FAUCET, VALVE, TILE, WAXRING	PARKSIDE #2	PARKSIDE #2	154.59
	FAUCET, VALVE, TILE, WAXRING	PARK PLAZA NORTH	PARK PLAZA NORTH	154.60
			TOTAL:	463.78
CHECK'S REPAIR & SERVICE	SUMP PUMP HOUSING	PARK PLAZA NORTH	PARK PLAZA NORTH	229.95
			TOTAL:	229.95
KANSAS ONE-CALL SYSTEM INC.	LOCATES	ELECTRIC	ELECTRIC DISTRIBUTION	13.50
	LOCATES	GAS	GAS	13.50
	LOCATES	WASTEWATER	WASTEWATER	13.50
	LOCATES	WATER	WATER	13.50
			TOTAL:	54.00
KANSAS STATE TREASURER	STATE COURT COLLECTION FEE	GENERAL	GOVERNMENT ADMINISTRAT	1,384.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				<u>20</u>
			TOTAL:	1,384.00
KEY EQUIPMENT & SUPPLY CO.	DIRT SHOE, TOW BAR ASSEMBL	GENERAL	STREET & STORMWATER	422.35
			TOTAL:	422.35
KS. DEPARTMENT OF COMMERCE	AFFILIATE REGISTRATION FEE	ECONOMIC DEVELOPME	ECONOMIC DEVELOPMENT	400.00
			TOTAL:	400.00
LAKE GARNETT GR.PRIX REV. COMM	TGT REIMBURSEMENT	TOURISM	TOURISM	4,405.11
			TOTAL:	4,405.11
LEAGUE OF KANSAS MUNIC.	2021 CITY MEMBERSHIP DUES	GENERAL	GOVERNMENT ADMINISTRAT	1,945.32
			TOTAL:	1,945.32
LEO'S AUTO SUPPLY, INC.	OIL FILTERS,AIR FILTERS	ELECTRIC	ELECTRIC PRODUCTION	211.68
			TOTAL:	211.68
LEXIPOL, LLC	POLICY MANUAL SUBSCRIPTION	PUBLIC SAFETY	POLICE DEPARTMENT	3,779.00
			TOTAL:	3,779.00
LUNDCO	TORK TOWELS	GENERAL	STREET & STORMWATER	64.00
	TORK TOWELS	GAS	GAS	34.72
			TOTAL:	98.72
MFA OIL CO - PETRO CARD 24	FUEL	PUBLIC SAFETY	POLICE DEPARTMENT	561.49
			TOTAL:	561.49
NAVRAT'S	DISINFECTING WIPES	GENERAL	PARKS, RECREATION & CE	309.00
			TOTAL:	309.00
OLATHE WINWATER WORKS CO.	BUSHINGS, BALL STOPS	WATER	WATER	219.00
			TOTAL:	219.00
PACE ANALYTICAL SERVICES, INC.	ANALYTICAL SERVICES	WASTEWATER	WASTEWATER	390.00
	ANALYTICAL SERVICES	WATER	WATER	250.00
			TOTAL:	640.00
PHILADELPHIA INSURANCE CO.	PHILADELPHIA INSURANCE CO.	LIBRARY	LIBRARY	393.00
			TOTAL:	393.00
PYRAMID FOODS/RAMEY/PRICE CUTTER	ICE, SUGAR	GENERAL	GOVERNMENT ADMINISTRAT	7.76
	ICE	GENERAL	GOVERNMENT ADMINISTRAT	3.98
	WATER	GENERAL	GOVERNMENT ADMINISTRAT	22.99
	COFFEE	GENERAL	PARKS, RECREATION & CE	17.97
	COFFEE	GENERAL	STREET & STORMWATER	11.98
	WATER	ELECTRIC	ELECTRIC DISTRIBUTION	26.04
	ICE, TOWELS, LINERS	WASTEWATER	WASTEWATER	13.27
			TOTAL:	103.99
QUILL CORPORATION	INK TONER, FAX CARTRIDGE	LIBRARY	LIBRARY	82.98
			TOTAL:	82.98
RUESCHHOFF LOCKSMITH & SECURITY	ALARM MONITORING	LIBRARY	LIBRARY	111.95
			TOTAL:	111.95
SAINT LUKES HEALTH SYSTEM	PREEMPLOYMENT PHYSICAL-GOO	PUBLIC SAFETY	POLICE DEPARTMENT	150.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				21
	PREEMPLOYMENT PHYSICAL - L SANITATION		SANITATION	150.00
			TOTAL:	300.00
SCHETTNER, PAT	CHRISTMAS BONUS	AIRPORT	MUNICIPAL AIRPORT	225.00
			TOTAL:	225.00
SEK MULTI COUNTY HEALTH DEPT-GARNETT	HEP. B VACCINE - HARVEY	WASTEWATER	WASTEWATER	90.00
			TOTAL:	90.00
SHANE NEWLAND REPAIR, LLC	TURBIDIMETER, CALIBRATION	WATER	WATER	3,683.64
			TOTAL:	3,683.64
THOLEN HVAC	FLAME SENSON MAINTENANCE	PARKSIDE #1	PARKSIDE #1	122.50
			TOTAL:	122.50
TURNER, TODD	MAGPUL BIPODS (2)	PUBLIC SAFETY	POLICE DEPARTMENT	246.34
			TOTAL:	246.34
UCI TESTING	ANNUAL ADMIN & PHMSA FEES	GENERAL	COMMUNITY DEVELOPMENT	88.57
	ANNUAL ADMIN & PHMSA FEES	GENERAL	STREET & STORMWATER	268.57
	ANNUAL ADMIN & PHMSA FEES	ELECTRIC	ELECTRIC DISTRIBUTION	268.57
	ANNUAL ADMIN & PHMSA FEES	GAS	GAS	208.57
	ANNUAL ADMIN & PHMSA FEES	SANITATION	SANITATION	268.57
	ANNUAL ADMIN & PHMSA FEES	WASTEWATER	WASTEWATER	88.57
	ANNUAL ADMIN & PHMSA FEES	WATER	WATER	448.58
			TOTAL:	1,640.00
UNION PACIFIC RAILROAD CO.	LS RENT	ELECTRIC	ELECTRIC DISTRIBUTION	819.55
	LS RENT	GAS	GAS	819.54
	LS RENT	SANITATION	SANITATION	819.55
	LS RENT	WATER	WATER	819.54
			TOTAL:	3,278.18
UTILITY SAFETY AND DESIGN, INC.	ODORIZER	CAPITAL IMPROVEMEN	CAPITAL IMPROVEMENTS	6,500.00
			TOTAL:	6,500.00
WETTSTEIN AUTO & WELDING	BATTERY - INSPECTOR TRUCK	GENERAL	COMMUNITY DEVELOPMENT	142.95
			TOTAL:	142.95
WHITAKER AGGREGATES, INC.	ICE CONTROL	GENERAL	STREET & STORMWATER	284.80
			TOTAL:	284.80

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
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22

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===== FUND TOTALS =====
101 GENERAL 11,266.74
102 AIRPORT 253.75
104 LIBRARY 1,899.80
105 PUBLIC SAFETY 6,503.76
107 TOURISM 5,289.14
109 ELECTRIC 1,495.41
110 GAS 1,139.55
111 SANITATION 2,114.95
112 WASTEWATER 595.34
113 WATER 8,476.71
114 ECONOMIC DEVELOPMENT 400.00
115 PARKSIDE #1 277.09
116 PARKSIDE #2 284.59
117 PARK PLAZA NORTH 3,486.58
118 CAPITAL IMPROVEMENT 45,429.70
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GRAND TOTAL: 88,913.11
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TOTAL PAGES: 5

Payroll: \$113,528.75
Total: \$202,441.86



Small, Serene, Simply Garnett.

M E M O

TO: Members of the Garnett City Commission; Christopher T. Weiner, City Manager

FROM: Terry J. Solander, City Attorney

SUBJECT: Analysis of Claim filed by Commissioner Gwin

=====

Kansas Public Employees Retirement System (KPERS) can provide a retirement benefit to local elected officials if they elect to be covered. That election to participate may be made by any local official whose annual compensation is \$5,000 or more. Participation is optional, and election must be made and completed on approved forms no later than 90 days following the swearing in of such official. The election is a one-time option and failure to elect to participate is deemed to be an irrevocable election NOT to participate.

If a local elected official chooses to participate, he or she does so on the same basis as any other public employee. The participating official pays the employee's part, withheld from his or her paycheck, and the employer pays an additional amount each month, based on the monthly compensation. Employee and employer payments are remitted to KPERS.

At retirement, a participating official will receive a monthly retirement benefit, the amount of which is determined by a number of factors and can include selected options to the retiring employee which will have an impact on term and amount. In addition, a lump-sum death benefit is included. The only guarantee is that a participant will recover the actual amount of his or her contribution. Note, the employer's contribution is not subject to refund under any circumstance, except through benefit pay-out.

At cessation of employment, the former employee may choose to withdraw from KPERS but is ONLY entitled to refund of the amount of his or her contribution (never the amount of the employer's contribution).

Memo to Commissioners
RE: Gwin Claim
Page 2

Commissioner Gwin has filed a claim seeking to be paid in cash and in full for the City's contribution to KPERS that would have been paid on his behalf by the City through the entirety of his present term of office, had he elected at the outset (2007) of his tenure as Commissioner to be a participating member of KPERS. The amount of his claim is \$6,934.16. The theory of liability appears to be based on alleged negligence by the City to provide him notice of his right to participate in KPERS or the failure to provide him with an KPERS election form, or both. If a local elected official elects not to participate or fails to elect in within 90 days of the date of first eligibility, the official can never make a change. If you opt in, you can't later opt out; and if you opt out or fail to make an election, you can't later decide you want in.

Several observations, in the event it is determined that actionable negligence by the City occurred:

1. The employer's contribution is NEVER directly payable or subject to refund to the employee. Therefore, I do not believe that the correct measure of damages is a payment to claimant for the employer's contribution.

2. The plethora of a participating employee's options at retirement make it very difficult to calculate what the stream of payment to be made over the retirant's remaining lifetime is or what it would be worth today, at a discounted value. The law could consider such to be projections of value to be speculative and speculative damages are never recoverable. While there are some options at cessation of service (before retirement, such as not being elected to a succeeding term or not choosing to run for a further term), that is a more calculable amount. But, since withdrawal at that time is limited to the employee's contributions it is irrelevant: No contributions were made by employee.

3. Whatever might be determined to be the present value of the stream of retirement payments, an offset for the compounded value of Commissioner Gwin's unpaid employee contributions which he did not pay into KPERS should be taken into account in calculating that value. For example, the value to him at a 3% compounding factor of his retained (in other words, not made) contributions through the end of year 2020 would be almost \$4,450.00.

4. I have not been able to find any requirement that a City (as employer) has a clear duty to inform newly elected officials of the availability of KPERS as a benefit or to provide any form or forms. Unlike a retirement plan for any private employment, KPERS is statutory. Unrealistic as it may seem, a person is deemed to know the law whether in fact they do or not.

Memo to Commissioners
RE: Gwin Claim
Page 3

Also, the increase in commissioner's pay thereby crossing the eligibility threshold when previously Garnett commissioners were not eligible is another factor to be accounted for. Both of these aspects cloud determination of the basis for the claim.

So then we come to the issue that I believe resolves the question on this claim: the statute of limitations. The alleged negligent act was the failure of Garnett to notify Commissioner Gwin that he could opt in or out of KPERS. Whether or not this was in fact negligent, this failure either occurred when Commissioner Gwin was sworn in (2007) or when the salary increase took effect (January of 2008). Ordinarily, the statute of limitations for this type of matter is two years. That time period clearly has run and recovery of any damages would be barred. There is a saving proviso (K.S.A. 60-513(b) in the statute, however :

Except as provided in . . . [subsections relating to damages due to ionizing radiation and to services of certain health care providers, neither applicable here], the causes of action listed in subsection (a) shall not be deemed to have accrued until the act giving rise to the cause of action first causes substantial injury, or, if the fact of injury is not reasonably ascertainable until some time after the initial act, then the period of limitation shall not commence until the fact of injury becomes reasonably ascertainable to the injured party, but in no event shall an action be commenced more than 10 years beyond the time of the act giving rise to the cause of action. [Emphasis supplied.]

I could lengthen this memo considerably discussing whether the two year portion of this limitation applies or whether the matter was subject to a longer, three year period of limitation (implied contract). And, if the two year statute applies, when the first substantial injury occurred, etc. But, the outer limit of 10 years cuts off any claim irrespective of those other matters. The cause of action arose, either in 2007 or in 2008; ten years ran in January 2018. The claim is barred.

I recommend the claim be denied in its entirety.

Dated December 18, 2020.



City Manager's Report

December 22nd, 2020

Honorable Mayor Brecheisen-Huss, and City Commissioners Cole and Gwin,

I am going to go ahead and wish you all a very Merry Christmas since we will not meet again before the holiday. I have included the project updates in this packet, not much has changed since last we met. City Clerk Wilson and I met with our water plant engineers, Professional Engineering Consultants (PEC) concerning the budget for the new water treatment plant. Unfortunately, the estimated cost has increased significantly. While there have been some additions to the overall planned scope, such as the high service pump station, concrete buildings rather than steel, and coffins for our chlorine gas tanks rather than scrubbers, the majority of the cost increase is due to the significant rise in the cost of materials and labor as well as a previously unbudgeted expense for bonds and insurance. I have discussed with PEC the challenges this presents us given that we have already requested and received approval for a set project loan amount (\$13,662,678) well below this new estimated amount (\$17,001,475.90) – a increase of approximately \$3.34 million (an almost 25% increase). While I believe that we can probably still absorb this increased amount without needing to take out additional loans, or needing to increase rates further, I will verify this as well as explore some other options regarding financing. I have included a summary from PEC of these significant changes in your packet. They will attend our first meeting in January to address the budget changes and answer questions you have. Director Burkhardt and I will also meet with them to review the 60% plans and see if we can find ways to reduce the cost. As for the park land conversion part of this project, the property owner and his attorney are reviewing the contract drafted by City Attorney Solander and we expect to be able to move forward within a few weeks as the owner finalizes some personal dealings.

As you may remember me emailing you about, both Director's Turnipseed and Hix recently hosted Kansas Beats the Virus events on behalf of the City and Chamber, respectively. There was great turnout and we heard a lot of positive feedback after the events. Director Turnipseed has obtained a grant to fund the action plan developed by the group to create and implement a campaign to encourage mask wearing. Chamber Director Hix is also applying for a grant on behalf of her group's action plan, encouraging healthy behaviors and lifestyles.

Due to the bulk of this agenda, I have included the items which are typically procedural (minutes, bills, and Cereal Malt Beverage [CMB] Permits) in a consent agenda. These can all be passed with a single motion. If

there is a desire to discuss any particular item listed under the consent agenda at more length, that item can be pulled out and placed under regular business for more in-depth discussion or review. As you may recall with the CMB permits, these are all passed at the end of each calendar year to allow these businesses the ability to sell cereal malt beverages, or beer. Regular Business item A is for further discussion on the topic of a noise or dirt bike prohibition ordinance as requested by some residents. As you requested at our last meeting, I did meet with the property owner of the dirt bike track, and he indicated that he built the track for his sons to practice racing on as they compete in motocross events. He mentioned that the closest motocross track to practice on is approximately an hour away. I will let him know that we did find a motocross track in Burlington which would be closer than the Adrian, Missouri location he referenced. Both the property owner making the complaint and the dirt bike track owner indicated interest and support for a dirt bike track as part of our recreational offerings at one of our parks. We looked into this possibility and while I believe we have the land available and it would be an excellent amenity at Lake Garnett, the insurance costs would be rather high. Our primary insurance underwriter, EMC, will not cover the dirt bike track and as such we will need to obtain specialty insurance through an excess broker. The broker has provided an estimate of \$4,000 - \$6,000 annually for coverage depending upon exposures and our plans. To obtain a more detailed estimate we would need to provide a significant amount of information and conform to certain rules such as providing a track composition and maintenance plan; an operational plan which our outlines plans for liquor sales and a vendors policy; our plans for the hours, seasonal usage, public access, and security, estimated sales, age requirements, maximum participants, and prize monies; as well as a copy of a participation liability waiver we require. This process is much more significant and in depth than I was expecting. As it appears that we will only be able to obtain insurance for a dirt bike track by restricting and controlling access, I do not believe this amenity is well suited for our parks and recreation offerings at this time. I would welcome your thoughts and seek your input on how you would like to proceed at this point with regard to an ordinance and/or any desire to further investigate a local dirt bike track.

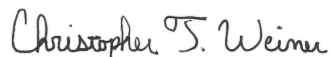
Items B through I are claims for damages against the City for your consideration of the Claim for Damage from Commissioner Gwin. Items B-I are all Claims for Damages for your consideration. They are all the result of an incident with one of our electrical insulators from Friday, November 13th. According to Supervisor Hart, our insulator broke causing it to fall onto the 4 Rivers Electric power lines. This resulted in a power surge to several homes in the area. City Clerk Wilson reached out to our insurance representative Kimberly Skillman-Robrahn from Trustpoint Insurance and was able to clarify that our insurance will cover these claims with a \$500 deductible per claim. Four of the six claims are over \$500, bringing our total to pay out to \$2,771.79 including the \$2,000.00 in deductibles, rather than the entire \$8,182.17. It is incredibly unfortunate that this event occurred and I do empathize with the affected property owners as there was significant damage and financial

losses incurred. However, as I've stated before in these situations, my opinion is that the City should only pay for claims in the event we are liable, which is typically only the case if we are negligent. I do not believe we are negligent in this case. To my understanding, there is insurance coverage available to property owners to cover damage to electronics in the event of power surges or outages. While I acknowledge that the City's equipment did fail, and as a result of that failure, a surge did occur which likely resulted in many of the claims in front of you – this failure was not attributed to City negligence; it could have been the wind, someone could have shot it (which we have seen an increase of occurring recently), or some other reasoning which was still not the City's fault. I do not believe we can or should be a guarantor of service, and unless we want to take that approach, which I highly recommend against, I believe we should only pay claims when we are liable for the damages. The last item is again the consideration of the claim for damages from Commissioner Gwin.

I have included the summary of major changes in the water plant project from PEC as well as a letter we plan to send to a few property owners who are on private service lines with master meters upstream. We have a situation where we have been losing water due to leaks between the master meter and servant meters with nobody being billed for that water. In an effort to avoid shutting the water off to avoid water loss, we will break out the loss on the private line and distribute it accordingly as those property owners own and benefit from that private line.

Please let me know if you have questions regarding any of these items. Thank you all for allowing me to continue to serve this wonderful Garnett community as our City Manager. Merry Christmas!

Sincerely,

A handwritten signature in cursive script that reads "Christopher T. Weiner".

Christopher T. Weiner, City Manager

Project Updates

Water Plant

We are almost complete with the design work for the new water treatment plant and we hope to go to bid this coming summer. Clerk Wilson and I had a budget meeting with PEC, you will find a recap of that in my report. The property owner for the land purchase is reviewing the contract with his attorney and will be getting back to us.

Maple Street Drainage Project

The Maple Street KDOT project which will create drainage from 4th to 1st Avenues on Maple Street (59 highway) is expected to begin in 2022. This project is being funded with grant monies and will hopefully alleviate the flooding issues that we have in that area during heavy rains.

Airport Projects

The fueling apron and taxiway improvement project at the Airport is almost complete. The runway reconstruction and expansion project is continuing with the Master Plan update.

Storm Shelter

We are hoping to have the storm shelter, that was awarded through FEMA thanks to Emergency Management Director Mersman, installed by Spring. It is currently being constructed. Received the invoice from JD, the City's costs were \$5,806.25, invoice is included in this packet.

Fiber Project

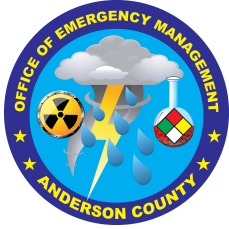
Kansas Fiber Net and Kwikom have begun running fiber cable throughout town. Kansas Fiber Net provided the sketches for running the cable through City Hall and the Fire Department. Plans were approved and they will be touching base with a construction schedule.

North Substation

We are in the process of looking into electrical utility system improvements. Bob is working with KMEA to provide a presentation on the potential project.

Transfer Station

We are looking into the possibility of a transfer station to improve the refuse utility. Andrew is working on a proposal for this project.



Office of Emergency Management Anderson County, Kansas

MOU/Invoice

Date: 12/4/2020

Project: Garnett Tornado Saferoom

Total Cost: \$46,450

Federal Share (75%): \$34,837.50

Anderson County Share Of Remaining: \$5,806.25

City of Garnett Share of Remaining: \$5,806.25

The City of Garnett shall remit the amount of \$5,806.25 to:

Anderson County

Attn: Emergency Management

135 E 5th Ave

Garnett, KS 66032

**135 E 5TH AVE
GARNETT, KS 66032
785-448-6797**



Small, Serene, Simply Garnett.

Customer

1/1/2021

Address

Garnett, KS 66032

Dear Water Customer-

You are currently served by two water meters, a master meter and a servant meter. The master meter monitors your servant meter as well as other meters on this line.

In the event a leak is found between the master meter and one of the servant meters on this line, your utility bill will be adjusted as follows- you will be billed for the water usage at your meter, as well as an equal part of the difference between the sum of all the servant meters versus the master meter.

Example - Four servant meters each showing 3,000 gallons used, versus the master meter showing 15,000 gallons used. This situation shows an unaccounted total of water running through the master meter onto the private service line of 3,000 gallons. As such the 3,000 gallons would be divided equally to add an additional 750 gallons per account. As we bill in 1,000-gallon increments, your utility bill would be for 4,000 gallons.

We are doing this to continue to provide utility service rather than a shut-off in areas where we identify a leak. This allows for the leak to be split evenly by all parties that benefit from that privately owned service line.

Please feel free to contact public works at 785-448-6262 if you need assistance in finding a licensed plumber to complete leak repairs. All others served by the master meter have also received this notice.

Regards,

Andrew Burkhart, City of Garnett Director of Public Works

MEMO

TO: City of Garnett

DATE: December 17, 2020

PROJECT NO.: 35-160401-000

PROJECT: Garnett Water Treatment Facility

ATTENTION: Chris Weiner

FROM: Amelia Jordan, PE

REFERENCE: City of Garnett 60% Design Submittal
Cost Estimate – Summary of Changes

COPIES TO: Sarah Unruh, PEC

Please advise immediately of any misconceptions or omissions you believe to be contained herein.

Following is a breakdown of the cost differences between the concept design and the current 60% design.

1. Building, concrete, stairs, grating, masonry, \$279,000

As the building design was completed, estimates were revised to reflect utilized material types and actual material quantities.

2. Piping, valves, instruments, laboratory, **-\$10,900.**

As the process design progressed, estimates were refined based on the actual design.

3. Treatment Equipment (Clarifiers, rapid mix, flocculation, sedimentation, filtration, UV), installed, **-\$487,900.**

As the final process design was completed equipment costs were obtained from vendors to reflect the actual design.

4. Pumps (backwash, transfer and high service), \$32,200.

As the project design progressed, equipment pricing was updated to reflect the current design. In addition, an additional backwash pump was added to the design. The backwash pumps are sized to backwash at a low rate with one pump, followed by two pumps producing a high rate. The third pump is for redundancy. In the case that one of the pumps requires maintenance, the system will still be able to perform a backwash cycle at both low and high flow rates.

5. Lagoon stop plates, \$13,000.

The City indicated these stop plates need to be replaced. The cost estimate is approximate as these specific plates are no longer being sold and the company that made them does not have an equal product. The replacement plates will need to be custom made.

6. High service pump station (HSPS), installed, \$355,000.

The conceptual design was based on the existing high service pump station being reused. After discussions with KDHE, a detailed review of the site utilities and existing structures and equipment, and discussion with the City, it was determined that a new HSPS should be constructed next to the new clearwells.

7. Clearwells, installed, \$930,400.

The conceptual design included steel tanks. Although steel tanks are slightly less expensive than concrete for initial construction, life cycle costs for steel tanks can be considerable due to repainting and other maintenance. The decision was made by the City to change the clearwells to concrete.

8. Chemical System Equipment (ChlorTainers, Watson Marlow chemical feed skids, chlorine dioxide generator, powdered activated carbon bulk feeder) installed, \$749,500.

ChlorTainers: The original budget included a chlorine gas scrubber, which cleans the air in the event of a chlorine gas leak before it is exhausted to the atmosphere. Capital cost for two ChlorTainers is approximately \$315,000, installed. There is virtually no maintenance other than occasional o-ring replacement.

ChlorTainers are high pressure containment vessels into which a 1-ton or 150-lb chlorine gas cylinder is placed. If the cylinder should leak, the gas is contained within the sealed vessel and continued to be used at a normal rate. All of the chemical is used, and no hazardous waste is generated or let into the atmosphere. They require minimal maintenance because it is a passive system with no moving parts. They also restrict unauthorized access to cylinders, which enhances plant safety and security.

Wet scrubbers use chemicals to neutralize the chlorine gas and require regular maintenance and because of the chemicals involved, they can be hazardous for staff. Daily maintenance includes system monitoring for performance, e.g. airflow, pressure drop, pump flow and pressure, sump conditions, etc. Weekly maintenance includes draining, checking and cleaning the sump. Semi-annual maintenance involves inspection of internal components. In addition, every few years there will be more substantial maintenance work to complete which require more significant investment and downtime.

Capital cost for a 1-ton system would be in the range of \$45,000 to \$100,000, installed; annual operations and maintenance (O&M) costs would be in the range of \$45,000 to \$145,000. Although the capital costs for a scrubber system are lower than ChlorTainer, the significant O&M costs make this option less cost-efficient over time. Chemical Feed Pumps: Watson Marlow pumps were identified by City staff as being the preferred manufacturer for the chemical feed pumps. These pumps are typically 2-3 times the cost of comparable pumps. Blue-White and Grundfos both make chemical feed pumps that are very reliable, accurate and easy to use, and are the manufacturer used in the previous estimate.

Chlorine Dioxide Generator and Chlorine Feed Equipment: As the project design progressed quotations from potential vendors were obtained to reflect current pricing.

Powdered Activated Carbon System: The conceptual estimate for the Powdered Activated Carbon (PAC) system was based on the same kind of system the City currently utilizes with operators manually feeding bags of PAC into a mix tank and the chemical solution fed with a chemical feed pump. PAC is a fine powder which can be difficult to contain. Any dust that escapes quickly forms a black covering on all adjacent equipment. It is an electrical conductor which is potentially explosive. PAC is very abrasive and can cause significant wear and tear on chemical feed pumps.

The PAC feed equipment proposed with the current design is a skid mounted system incorporating a frame from which bulk bags of PAC is suspended. PAC is drawn from the bottom of the bulk bag and fed by a volumetric feeder into a water-driven eductor system. The resulting PAC slurry is then conveyed directly to the dosing point. These systems minimize dust creation, are safer to use and chemical feed pumps are not required.

9. Excavation and site work, \$38,800.

As the project design progressed the excavation and site work costs were revised to reflect the actual design.

10. Concrete pavement and sidewalks, \$129,400.

The conceptual design included gravel roadways rather than the concrete noted in the 60% design submittal. Since chemical delivery by heavy-duty trucks will be conducted on the perimeter of the building, concrete pavement is recommended for longevity and reduced maintenance.

11. Mechanical, electrical and controls, \$390,200.

At the 60% design stage costs for mechanical, electrical, and controls are based on a percentage of the total construction cost. Since the total construction cost has increased from the conceptual design stage, so did these items. As the design moves towards 90% design, the mechanical, electrical and controls costs will be based on the final design and equipment vendor quotations. In addition, the electrical cost estimate currently includes a back-up generator to provide a second source of power. The option to use the existing power plant as this second source is being evaluated and this cost will be refined based on the final design.

12. Mobilization and project contingency allowance, \$242,500.

These costs are based on a percentage of the total construction cost. Since the construction cost increased from the conceptual design stage, so did these items. As the design moves towards 90% design, the mobilization and project contingency allowance amounts will be more refined.

The project contingency allowance is a set value on the bid form that would be used at the City's discretion to address scope changes during construction that arise from owner requested changes or to address unforeseen conditions. The intent of the allowance is to have funds available in the bid price to address changes during construction rather than having to process change orders to the project. Any amount not used from the allowance is returned to the City at the end of the project. The allowance is currently included as 4% of the total construction cost – this value will be set prior to bidding based on discussions with the City. This cost was not included in the concept design.

13. Bonds and insurance, \$666,900.

These costs are based on a percentage of the total construction cost. The allowance is currently included as 5% of the total construction cost.

OWNER	CITY OF GARNETT	Professional Engineering Consultants, P.A.	
ANALYSIS	60% SUBMITTAL CONSTRUCTION COST ESTIMATE REV 1	303 S. Topeka	
DESC.	WATER TREATMENT PLAN TOTAL ESTIMATED COST	Wichita, KS 67212	
		PEC #160401-000	12/17/2020
		316-262-2691	

CAPITAL COSTS

ITEM	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL COST
1	BUILDING, CONCRETE, STAIRS, MASONRY	LS	1	\$2,343,800	\$2,343,800
2	PIPING, VALVES, INSTRUMENTS, LABORATORY	LS	1	\$1,112,000	\$1,112,000
3	CLEARWELLS	LS	1	\$1,258,500	\$1,258,500
4	TREATMENT EQUIPMENT (CLARIFIERS, RAPID MIXERS, FLOCCULATORS, SEDIMENTATION BASINS, FILTERS, UV)	LS	1	\$3,306,700	\$3,306,700
5	HIGH SERVICE PUMP STATION	LS	1	\$355,000	\$355,000
6	LAGOON STOP PLATES	LS	1	\$13,000	\$13,000
7	CHEMICAL FEED EQUIPMENT	LS	1	\$1,041,500	\$1,041,500
8	EXCAVATION, SITE WORK (CONCRETE PAVEMENT, SIDEWALK)	LS	1	\$391,200	\$391,200
9	PUMPS	LS	1	\$345,000	\$345,000
10	PROJECT MECHANICAL	LS	1	\$275,000	\$275,000
11	PROJECT ELECTRICAL	LS	1	\$1,302,300	\$1,302,300
12	PROJECT CONTROLS	LS	1	\$701,200	\$701,200
13	MISCELLANEOUS EQUIPMENT	LS	1	\$45,000	\$45,000
14	DEMOLITION	LS	1	\$45,500	\$45,500
15	MOBILIZATION	LS	1	\$311,800	\$311,800
16	PROJECT CONTINGENCY ALLOWANCE	LS	1	\$500,000	\$500,000
SUBTOTAL					\$13,347,500
CONTINGENCY					10%
					\$1,334,750
BONDS AND INSURANCE					5%
					\$667,375
TOTAL ESTIMATED CONSTRUCTION COSTS					\$15,349,625

*All costs should be considered preliminary for budgeting purposes only