

Garnett, Kansas  
March 14, 2017

The Governing Body of the City of Garnett met in regular session on March 14, 2017 at 6:00 p.m. at City Hall with the following present: W. Gordon Blackie, Mayor; Greg A. Gwin, City Commissioner; Joyce E. Martin, City Manager and Terry J. Solander, City Attorney. Absent: Jody M. Cole, City Commissioner and Kristina L. Kinney, City Clerk. Others present: Jeremy Dupont, ACHS Youth in Government representative.

#### **CALL TO ORDER**

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

The Pledge of Allegiance was recited followed by Chris Goetz of the First Christian Church giving the invocation.

#### **APPROVAL OF MINUTES**

In the last paragraph of page two of the February 28, 2017 minutes, Commissioner Gwin said his statement should read: as long as we are in the looking phase and reviewing specific resumes with the League **can we** do this in executive session? A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the minutes of February 28, 2017 as corrected. On roll call, the following vote was recorded: Ayes – two; noes – none.

A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the minutes of March 1, 2017 as written. On roll call, the following vote was recorded: Ayes – two; noes – none.

In the second paragraph of page two of the March 8, 2017 minutes, Commissioner Gwin asked that the statement “no action was taken after the executive session” be added at the end of this paragraph. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the minutes of March 8, 2017 as corrected. On roll call, the following vote was recorded: Ayes – two; noes – none.

#### **COMMUNICATIONS & REPORTS**

Commissioner Gwin stated that the Commission had narrowed the number of city manager candidates down to two (2). These individuals will come to Garnett on March 29<sup>th</sup> for personal interviews. Details still need to be worked out.

School representative Jeremy Dupont said the students would be changing their fund raising date at the Pizza Hut to every Thursday.

City Attorney Solander advised the commissioners that the matter of the special use permit should have been listed under Advisory Board reports and recommendations since the Planning Commission held the public hearing and voted unanimously to recommend approval of the special use permit. Gary Giczewski, who will replace Andy Frye as Building Official/Zoning Officer, was introduced. Mayor Blackie called for the following: Consideration of a special use permit for MABB Enterprises LLC to build a fence greater than 6 feet tall on property located on the southeast corner of Lot C-3 of Hayden's Lakeview Estates Addition.

Mike Blaufuss, owner of MABB Enterprises, LLC advised the commission that his plan had changed somewhat from what was presented to the Planning Commission as he has purchased the building to the west of his lawn mower building from Rick and Diane Doran. Commissioner Gwin stated that the only difference is the fence is proposed to be 9 ½' tall rather than 10' tall as reported in the minutes. Andy Frye said that at one point, there was a question posed by Mr. Doran as to where the fence would be placed; however that problem has been resolved. Mayor Blackie asked if there were any other persons who would like to contribute any comments. Commissioner Gwin questioned Andy if any citizens had talked to him or Gary with the response being no. City Attorney Solander explained that the only reason the Dorans were in attendance at the hearing was because of an error in the application.

A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the recommendation of the Planning Commission to approve the special use permit to build a fence greater than 6 feet tall as requested by MABB Enterprises. On roll call, the following vote was recorded: Ayes – two; noes – none.

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

The project report was reviewed and discussed.

#### **NEW BUSINESS**

The Commission considered the transient guest tax applications for the Garnett Area Chamber of Commerce as follows: Spring and Fall sidewalk sales - \$242.50 each for a total of \$485; Taste's & Talents - \$596.45; Christmas Parade - \$294.95 for a grand total of \$1,376.50. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the transient

guest tax applications for the Garnett Area Chamber of Commerce events as listed. On roll call, the following vote was recorded: Ayes – two; noes – none.

The Commission considered the transient guest tax application for Anderson County Corn Festival, Inc. in the amount of \$3,500. Board member Jenny Myers thanked the city commissioners, city manager and staff for their support of this event. She said they try to put on a good festival to benefit local businesses, camping and gas stations. Several board members were present and echoed their appreciation for everything the city does. Commissioner Gwin said this is one of the easiest events for him to approve. A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the transient guest tax application for Anderson County Corn Festival, Inc. as requested. On roll call, the following vote was recorded: Ayes – two; noes – none. Mayor Blackie thanked the board members for all their hard work in putting on this event.

A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the reappointment of Travis Wilson and Susan Caron to three (3) year terms on the Tourism Advisory Board. On roll call, the following vote was recorded: Ayes – two; noes – none.

A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve the reappointment of Beth Mersman to a three (3) year term on the Planning Commission. On roll call, the following vote was recorded: Ayes – two; noes – none.

A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the appointment of Jennifer Sibley and Carrie Rulon to four (4) year terms on the Library Board. On roll call, the following vote was recorded: Ayes – two; noes – none. Cleon Rickel, who was in the audience, was thanked for his years of service on this board.

A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the appointment of Laurel Ladewig to a three (3) year term on the Tourism Advisory Board. On roll call the following vote was recorded: Ayes – two; noes – none.

A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the appointment of Dave Brummel to a three (3) year term on the Parks & Recreation Advisory Board. On roll call the following vote was recorded: Ayes – two; noes – none. The City Manager explained that she and Phil Bures thought it would be a good idea to have someone on this board who utilized the park facilities for camping, fishing and boating. Mr. Brummel is an avid fisherman and is excited about serving.

The Commissioners considered an agreement between the City and the Lake Garnett Grand Prix Revival to use the North Lake Park on October 13-15, 2017 for their annual event. The City Manager advised that this agreement was drawn in standard form. A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve this agreement. On roll call, the following vote was recorded: Ayes – two; noes – none.

A motion was made by Mayor Blackie, seconded by Commissioner Gwin to designate April 10-14, 2017 as spring clean-up week and September 11-15, 2017 as fall clean-up week. On roll call, the following vote was recorded: Ayes – two; noes – none. The City Manager was asked to send a thank you letter to the County Commissioners for allowing free dumping at the county landfill during these two (2) weeks.

### **RESOLUTIONS**

Resolution 3/14/17-1 was read as follows: A RESOLUTION AUTHORIZING THE TEMPORARY EXTENSION OF PREMISES OF TRADE WINDS BAR & GRILL FOR A SPECIAL EVENT, EXTENDING SAID PREMISES INTO AND UPON THE PUBLIC RIGHT OF WAY ADJACENT TO THE PERMANENT PREMISES THEREOF. Mayor Blackie asked if there was anything different in the application compared to the one presented last year. City Attorney Solander said that it appears to be nearly identical to the event that is held following Cornstock. He offered that there have been no problems in the past and that these facilities are allowed to apply for a temporary permit five (5) times per calendar year. A motion was made by Commissioner Gwin, seconded by Mayor Blackie to approve Resolution 3/14/17-1 as read. On roll call, the following vote was recorded: Ayes – two; noes – none. The event will be called “Summer Party” to be held on July 22, 2017.

Resolution 3/14/17-2 was read as follows: A RESOLUTION AUTHORIZING THE SERVING OF COMPLIMENTARY ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE FOR THE TASTE AND TALENTS ART & TASTING TOUR ON SATURDAY, OCTOBER 14, 2017 SPONSORED BY THE GARNETT AREA CHAMBER OF COMMERCE AND THE CITY OF GARNETT, ACTING THROUGH THE WALKER ART COMMITTEE SPECIAL EVENT. Mayor Blackie said this is a repeat event of what has been done in the past. City Attorney Solander said this is a permitted exception to the state’s alcohol rules which allows businesses to offer a small sample of alcoholic drink with the proviso that it is related to an art event which brings the Walker Art Committee into the picture. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve Resolution 3/14/17-2 as read. On roll call, the following vote was recorded: Ayes – two; noes – none.

**CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE**

Ordinance #4175 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the warrants in the amount of \$259,881.82 On roll call, the following vote was recorded: Ayes – two; noes – none.

The Commission considered a claim submitted by Dennis Highberger on behalf of his mother Norma Highberger who owns the property at 300 East Monroe. The City Manager explained that she had discussed this matter with John Olson and it was his recommendation that the city pay this claim because the problem was in the city’s main not Mrs. Highberger’s private line as sewer crews thought. A motion was made by Mayor Blackie, seconded by Commissioner Gwin to approve the claim in the amount of \$592.50. On roll call, the following vote was recorded: Ayes – two; noes – none.

There being no further business to come before the Governing Body, Mayor Blackie adjourned the meeting at 6:45 p.m.

/s/ Greg A. Gwin

Mayor

Attest:

/s/ Kristina L. Kinney

City Clerk