



City Manager's Report

May 22nd, 2018

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

This past week was extremely busy as we had multiple sewer line issues, water main breaks, and are making substantial progress on the budget setup. I also went to Ottawa to give an interview on the KOFO radio station for a community perspective piece. I plan to make a routine appearance approximately every six months to give an update on our community. Director Wettstein and I also met with Candidate for Governor, Jim Barnett, and had a good conversation regarding our community and how the State impacts us at the local level. Director of Community Development Susan Wettstein submitted an economic development proposal for a company looking for sites similar to the Taylor Forge property. The Kansas Department of Transportation (KDOT) has a mill and overlay project slated to begin this month starting on the north side of Garnett heading north toward Ottawa. This project is expected to take just under a month to complete.

As for agenda items, Item A is the consideration of the Jarett's claim for damages against the City as presented at the last meeting. Since the last meeting, no new information or claims have been brought to us. Upon further discussion with staff and the City Attorney, we have concluded that based upon the information provided, the City has no legal liability to pay for the damages caused by the wastewater backup into the Jarett's home. We obviously may elect to pay for some or all of the claim out of goodwill, but it is my recommendation that we do not do so. While I admit that it is an extremely unfortunate situation and no one wants such a situation to happen to themselves; in my opinion, taking a position that we should pay for damages caused by an unforeseen and reasonably addressed service disruption is a position that we will at some

point be unable to stay consistent with. In the event electric service is disrupted due to a wind storm, ice storm, or KCP&L outage, we could be faced with the same situation – having a failure of our service which causes damage (loss of food in refrigerators/freezers, fried electronic devices and appliances, etc.) – and damages may exceed a threshold at which we cannot afford to pay out of goodwill. City Attorney Solander has provided a memo further outlining Staff's recommendation.

Items B through F are dealing with the transfer of the Garnett Inn and Suites property (currently held in the City of Garnett's name) over to Garnett Hospitality, L.L.C. as the Industrial Revenue Bonds (IRB's) issued to build the facility are being paid off. Items G and H are the documents that the City and County Commissions and the USD 365 School Board will all need to approve in order to renew the Neighborhood Revitalization Plan (NRP) effective July 1st. The County Commission I expect will approve the document on Monday the 21st, followed by the City Commission on Tuesday the 22nd, and the School Board will hopefully finalize the agreements at their next meeting on June 7th. As previously stated, this is a five (5) year agreement rather than two (2) and the County has extended their participation to most of the area south of First Avenue and east of Maple Street.

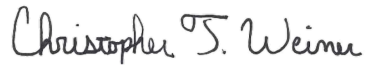
Item I is the appointment of Denise Scheibmeir to our vacancy on the Walker Art Committee. With item J, I am asking your thoughts on a situation which has developed on the Planning Commission. Planning Commission Chairwoman Beth Mersman has recently moved out of the City limits and even out of the boundaries of our existing restrictions on Planning Commission Board Members (3 miles outside of town is the restriction – Mrs. Mersman now lives approximately 4.5 miles outside of the City limits). I have attached a memorandum from City Attorney Solander articulating that if you so desire, we could modify or remove our existing restriction on living requirements to allow Mrs. Mersman to stay on the Planning Commission. Otherwise, Mrs. Mersman will obviously need to step down from her position on the Commission and we will begin advertising for the vacancy thereby created.

Item K is on the agenda again because if I recall correctly we never definitely set the date(s) for the special meeting workshop(s). Item L is the approval of the semi-monthly bills in the amount of \$34,480.75.

Under the informational category I have included your monthly financial report for the month ended April 30th along with reminders for upcoming events and the City/County joint meeting. As for the financial report, as you can see, being a third of the way through the year, we have only spent just over a quarter of our budget. We will definitely begin to see an uptick in expenses however as summer seasonal help is hired and vacant full-time positions become filled.

As always, please let me know if you have any questions and I appreciate the opportunity to serve you and this wonderful community as your City Manager.

Sincerely,

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

Christopher T. Weiner, City Manager