

March 8, 2016  
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on March 8, 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 Nicole Stovall, Youth Minister of the Nazarene Church, giving the invocation.

### **MINUTES APPROVED**

Mayor Gwin stated on page two of the minutes of February 23, 2016, second sentence of the second paragraph, he wanted the wording changed to say 'the road south of the entrance is not as deteriorated'; third sentence changed from north to south, and the fourth sentence changed to say repave rather than replace and remove the words 'with a new base'. He also questioned on page six, the first paragraph states they would meet with Emily Fulbright after talking to the city manager. He said she met with them last, after the other employees were done talking. City Clerk Kinney stated that was what he had said and questioned whether he wanted it changed to actually what had happened or what he had said. City Manager Martin agreed and stated that she had asked Emily if she wanted to go first after the meeting had adjourned to executive session and she said no. Mayor Gwin was okay with leaving the minutes as recorded. He questioned the timeline of each employee's visit with them. Commissioner Cole stated she didn't write the times down. City Manager Martin stated the minutes reflect the times that she had noted. It was decided to keep the times as the minutes stated.

Commissioner Blackie said on page two, second paragraph, he wanted his statement changed to say 'cold patch', rather than asphalt.

A motion was made by Mayor Gwin, seconded by Commissioner Blackie to approve the minutes of February 23, 2016 as amended. On roll call, the following vote was recorded: Ayes – three; Noes – none.

### **COMMUNICATIONS & REPORTS**

Mayor Gwin read a proclamation proclaiming April as Fair Housing month.

Mayor Gwin announced the Prairie Spirit Rail Trail group will have their anniversary celebration and banquet on Wednesday, March 16, 2016.

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 the city employees have invited the governing body to attend an employee lunch on March 18, 2016 with all monetary proceeds given to help an employee whose son is ill.

City Manager Martin reported the maps shared with the governing body outline the sewer repairs to be done in the alleys east of Maple Street. John Olson, Wastewater Superintendent, hand delivered the bid packets to local contractors. Bids are due on March 23, 2016 by 1:00 p.m.

City Manager Martin reported that she approved a bid today on replacing the wood windows at the stadium with cinder blocks. After this is done the building will be power washed then painted by city crews. Electrical crews removed the old meter setting and are replacing the electric pole. A portion of the tin roof will be replaced. Park crews will be moving the trash barrels inside the stadium. City Manager Martin reported that she has received two (2) bids for work to be done at the depot and awarded the bid to a local contractor.

City Manager Martin reported that Ruth Theis, President of the Prairie Spirit Rail Trail, had questioned if the Santa Fe Depot is on the historic register, and it is not. She stated that an individual at the State Historical Society in Topeka was surprised that it was not because the majority of the Santa Fe depots are on the historic register. They offered to help with the necessary paperwork if that is what the commission wants to do. Being on the historic register would provide tax credits, but since we don't pay taxes we can sell those credits and use the money for improvements. There are also many grants that would be available. Representatives from the State Historical Society were here last week and they had interest in the North Lake Park because it was a WPA project. Because of the old buildings, dam and picnic tables, they believe we need to include this in our application as well. City Manager Martin asked the governing body for approval to complete that process to get the depot and the North Lake Park on the historic register.

Mayor Gwin stated his concern that having the facilities on the historic register might limit us on the repairs if they have to be made to the period, which will increase the cost. City Manager Martin agreed and said she has photographs of the depot before and after repairs were made. There were no changes to how the original depot was. The representative noted that the original windows are still in the depot, the sliding door, teller cage, and scales are all original. It does tie our hands on what we can do, but it preserves the historic value of the building.

After discussion, the governing body authorized the City Manager to pursue getting the Santa Fe Depot and the North Lake Park on the historic register. Commissioner Cole thanked the City Manager for looking into this.

Mayor Gwin reported that someone dumped several large truck tires in the ditch west of the entrance to the old city dump on Highway 31. City Manager Martin will have crews pick up the tires.

City Manager Martin reported that she spoke to Trent McCown, Prairie Spirit Rail Trail Manager, and he did not make any repairs to the trail in front of the depot. Farrel King, Street Superintendent, spoke with a gentleman at Garnett True Value Lumber who has experience with road surface repairs, and he recommended a product to try. Street crews repaired three (3) small cracks with this product. Larger cracks will be filled with sand then the tar-like product will be applied. She plans to have Bill Ratliff look at the repairs. Trent McCown is assisting the City Manager in looking for grants to repair the trail surface.

City Manager Martin reported that the Lake Garnett Grand Prix Revival Committee would like to spend the money that the racing association has on the North Lake road repairs approximately 500-feet north of the golf course entrance.

The new banner project was discussed. City Manager Martin reported that anyone can sponsor a retired, deceased or active duty military personnel to have their pictures placed on a banner that will be flown around the square, along Highway 59 and Park Road out to the cemetery on Memorial Day, 4<sup>th</sup> of July and Veteran's Day. Each banner is \$200 with the sponsor providing a photograph to be placed on the banner.

City Manager Martin reported that her newsletter article will explain that the wind farm project that the City is participating through KMEA is not the same project that is being proposed for eastern Anderson County.

City Manager Martin reported that Barbara Merry, an employee of the Wolf Creek Nuclear Plant, contacted her about donating some of their used exercise equipment to the recreation center. She will prepare a letter for the governing body to sign thanking them for the donation.

### **NEW BUSINESS**

A motion was made by Commissioner Cole, seconded by Mayor Gwin to approve the reappointment of Skip Landis and Les Thomas to another three (3) year term on the Planning Commission. On roll call, the following vote was recorded: Ayes – three; Noes – none.

Mike Norman, Garnett Enduro Club reported that the race will be covered under the Kart Association insurance. Mayor Gwin questioned the \$200 down payment stated in the contract. City Manager Martin said this has been in the kart racing agreement for many years and is for the trash service for both races. A motion was made by Commissioner Blackie, seconded by Mayor Gwin to approve the agreement between the City and the Garnett Enduro Club. On roll call, the following vote was recorded: Ayes – three; Noes – none.

Debbie Edwards, KsFiberNet Sales, discussed bringing internet fiber to Garnett. Debbie stated that they do not deliver service to residential customers, but will sell wholesale so sometimes other carriers pick up the service and offer it to residences. Their service will enable connectivity for businesses to connect multiple facilities. They offer Ethernet, internet, wavelength, managed and VoIP services. They will deliver a backbone network up Highway 169. A distribution line would be built to add customers. Their service option will range from 10mb to 100gig networks.

Bob Wallentine, VP of Network Planning and Development, explained that the access point is planned for south of town, but that point may change. They have received requests for proposals from schools. The company has to be competitive and they build the delivery of service costs into what they charge the customer.

City Attorney Solander is reviewing the franchise agreement. He asked for cities in the area that have already completed a franchise agreement with the company. The following cities have franchise agreements: Osawatomie, Pittsburg, Parsons, Humboldt, Ft. Scott, Sedan, Yates Center, Lawrence, Manhattan and Wichita.

Jeremy DuPont, ACHS Youth in Government Representative, said he has talked to the high school students and they are excited to get faster internet service in the school. Mayor Gwin thanked Jeremy for discussing this with the students and reporting their thoughts.

Mayor Gwin asked that background checks be done on the company such as rate increases, so we don't have issues similar to other companies.

A motion was made by Commissioner Blackie, seconded by Mayor Gwin to reappoint Bob Mills for a two (2) year term on the KMEA Board of Directors. On roll call, the following vote was recorded: Ayes – three; Noes – none.

A motion was made by Mayor Gwin, seconded by Commissioner Cole to appoint Commissioner Blackie to a two (2) year term as the alternate member on the KMEA Board of Directors. On roll call, the following vote was recorded: Ayes – two; Noes – none. Commissioner Blackie abstained.

City Manager Martin reported that the County Commissioners have approved the week of April 11-15, 2016 as free dump week. A motion was made by Commissioner Cole, seconded by Mayor Gwin to designate the week of April 11-15, 2016 as spring cleanup week. On roll call, the following vote was recorded: Ayes – three; Noes – none. Mayor Gwin asked that a thank you note be sent to the County Commissioners.

## **RESOLUTIONS**

Resolution 3/9/16-1 was read as follows: A RESOLUTION AUTHORIZING THE SERVING OF COMPLIMENTARY ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE FOR THE TASTE AND TALENTS ART AND TASTING TOUR ON SATURDAY, OCTOBER 8, 2016, SPONSORED BY THE GARNETT AREA CHAMBER OF COMMERCE AND THE CITY OF GARNETT, ACTING THROUGH THE WALKER ART COMMITTEE SPECIAL EVENT. City Attorney Solander stated this is the same event as was done last year. The event must support the arts and there are restrictions on the amount and how much beer and wine is served. A motion was made by Commissioner Blackie, seconded by Commissioner Cole to approve Resolution 3/9/16-1 as written. On roll call, the following vote was recorded: Ayes – three; Noes – none.

**CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE**

Ordinance # 4140 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. Mayor Gwin reported that the bill for Shafer, Kline & Warren shown on page seven is excluded and will not be paid. City Manager Martin stated the check is written but it is being held until we receive the information needed. A motion was made by Mayor Gwin, seconded by Commissioner Blackie to approve Ordinance #4140 with the exclusion of the Shafer, Kline & Warren check. On roll call, the following vote was recorded: Ayes – three; Noes –none. Ordinance #4140 paid warrants in the amount of \$262,320.76.

There being no further business to come before the Governing Body, Mayor Gwin adjourned the meeting at 7:04 p.m.

/s/ Greg A. Gwin  
Mayor

Attest:  
/s/ Kristina L. Kinney  
City Clerk