

July 10, 2017
Garnett, Kansas

The Governing Body of the City of Garnett met in special session on July 10, 2017 at 6:00 p.m. at the City Hall for a joint city/county commission meeting. Those present: W. Gordon Blackie, Mayor; Greg A. Gwin City Commissioner; Joyce E. Martin, City Manager; Kristina L. Kinney, City Clerk; Jerry Howarter and Dave Pracht, County Commissioners; James Campbell, County Counselor. Absent: Jody Cole, City Commissioner; Terry J. Solander, City Attorney; and Les McGhee, County Commissioner.

Whereupon the written request for said meeting as signed by Commissioners Blackie, Gwin and Cole was read as follows:

We, the undersigned Commissioners of the City of Garnett, Kansas respectfully request that a special meeting of the Governing Body of the City of Garnett, Kansas be held at the City Hall on July 10, 2017 at 6:00 p.m. for the purpose of considering the following items, to-wit:

1. Joint City/County Commission Meeting
2. Any other lawful business to come before the Governing Body

Respectfully submitted,

/s/ W. Gordon Blackie

/s/ Greg A. Gwin

/s/ Jody M. Cole

Whereupon the written request for said meeting was entered at length on the journal.

Following the meal, County Commission Chairman Jerry Howarter called the meeting to order at 6:20 p.m.

Dennis Arnold, Economic Development Director, was present to discuss his department's operation. He reported that the City and County each pay \$20,000 toward the economic development fund. He serves on the board of the Prosperity Foundation and the Regional Planning Commission. He recruited Neosho County Community College to locate here; serves as a liaison with the State and does lobbying on the regional level and to other organizations. The

Garnett Industrial Development Corporation (GIDC) is active again and uses their money to promote Garnett and Anderson County. Two members of ACDA serve on this board. Mr. Arnold identified many businesses he has helped in both the city and the county. He plans to retire at the end of January, 2018 and plans to do some part time consulting work. He recommended that the city and county continue with their current arrangement.

City Manager Martin provided an update on the cost of fireworks and donations received for the Libertyfest fireworks event. She asked the County Commissioners if they still planned to give \$1,000 as they indicated earlier. Approximately \$4,500 in donations will be carried over for next year's display. The licensed shooter said people are already booking for next year. The fourth falls on a Wednesday next year. No decision was made on the 2018 date. County Commissioner Howarter questioned whether it was a good idea to publicize the amount of money to be set aside for next year's event because it might hurt donations. City Manager Martin replied that a news release has already been sent.

City Manager Martin asked if the County had decided where to place the art sculptures that were purchased through the Creative Arts Grant. County Commissioner Howarter stated that one of the large sculptures will be placed on the sally port on the south side of the jail. The smaller sculpture is too large for the Annex building so they decided it would be placed at the new county shop. The city manager will contact Michelle Miller, County Administrative Assistant to determine where to place the sculpture at the county shop. County Clerk Julie Heck will be contacted about the exact location on the south side of the law enforcement building.

City Manager Martin questioned if she had understood correctly that the County Commissioners wanted to wait on absorbing some of the landfill charges until all the work on the sidewalk along the one-way on Fifth Avenue was completed. She said we have a major drainage issue under Main and Fifth Street and the road will have to be torn up and fixed or the road could possibly become a sink hole. County Commissioner Howarter said they are talking about sharing the expense of the sidewalk debris only. County Commissioner Pracht agreed and said not the road debris.

County Commissioner Howarter stated roof work will be done on the courthouse and said they will need to close the one-way for the crane to park. City Manager Martin stated there is no problem with that. Crews should complete the work on the curb this week.

Commissioner Gwin thanked the County Commissioners for helping support Libertyfest and assistance with the landfill charges. He added that there was some confusion with the fair board, but the City did support them by providing \$2,500 in utility reserves and another \$2,800 in transient guest tax monies which totals \$5,300 for the 2017 fair.

Commissioner Gwin discussed Neighborhood Revitalization. There are designated zones within the city where some areas have a tax rebate for 5-years and some areas are 8-years. He would like to see the county participate city-wide like they do in Greeley. Dennis Arnold, Economic Development Director, explained that neighborhood revitalization is to help areas become an incentive for new construction. Entities do not lose revenue on the new construction or renovation because it has never been received. Property owners still pay tax on their lot when a new house is built. If someone adds an addition, they still pay their current tax on the existing structure and only the new addition is abated for 5-years. This gives an incentive to stabilize and build new buildings. To blanket a whole county is not a good idea. This is done to increase growth in a small town, mostly those with populations less than 5,000. However he said it is not recommended to make neighborhood revitalization county-wide. He added that this program has helped Greeley some. The interlocal agreement can be done by two (2) entities or one (1) entity. County Commissioner Howarter questioned if Colony had a neighborhood revitalization program. Mr. Arnold replied it had been discussed years ago but nothing was done. He said he would talk to them again.

Commissioner Gwin added that the improvements must be greater than \$5,000. Mr. Arnold stated the tax rebate transfers to the new owner if a property is sold. The minimum amount to be spent on improvements is \$5,000 but there is no maximum. He said a tax abatement is harder to control because the State Board of Tax Appeals (BOTA) is involved. A tax rebate is completely decided on by the governing bodies and is a percentage step down each year. Usually a county and city will participate but he doesn't approach the school district. If a property owner doesn't pay their taxes, the tax rebate goes away. He added that we do not use the tax rebate to subsidize someone who is in direct competition with another business in town.

Commissioner Gwin added there is a clause in the agreement that the program can't be used if there is a natural disaster. The school board participates with this in the City.

Mayor Blackie said the speed limit on Seventh Street road from Westphalia coming into Garnett drops abruptly from 55 mph to 30 mph. He shared a letter from a visitor from Tupelo, MS who was coming into Garnett from Westphalia using his GPS. Where the speed limit drops, he was given a ticket for going 44 mph. He paid the fine but wanted to bring this to the commission's attention because he feels this looks like a booby trap for visitors. He requested that signage be placed prior to the lowered speed limit alerting visitors of the reduced speed.

County Commissioner Pracht stated that the speed limit doesn't drop to 30 mph until after they come out of the curve. That curve cannot be made at 44 mph so they have to speed up after the curve. County Counselor Campbell said he has had trouble not speeding in that area as well.

City Clerk Kinney stated that the speed limit used to be 40 mph on that stretch of road so it is difficult when you've traveled that route for many years. County Clerk Heck said her staff had said the same thing.

Mr. Campbell added that in order to change the signage, an engineering study has to be done. He recommended a yellow advisory sign as a better option. An advisory speed limit sign is not a mandated speed limit. He will review the Standard Traffic Ordinance to determine the proper signage.

County Commissioner Pracht asked if something could be done to get the blue pickup parked in front of the Kirk House to park diagonally since it sticks out so far into the roadway. City Manager Martin said this is a problem in several areas around town. County Counselor Campbell added that some communities paint a white line behind parking spaces and if a long truck sticks out past that line, they must park somewhere else. City Clerk Kinney added that with the new vehicles, spaces need to be wider now as well. Some larger vehicles take up two (2) parking spaces since they are wider and there isn't enough room left in the remaining space.

County Commissioner Howarter reported that the 2018 County budget is still in the works. Insurance costs have been increasing dramatically. He questioned whether the City was considering a cost of living raise for employees in 2018. Commissioner Gwin replied that they haven't met on the budget yet. He added that a 2% cost of living raise was approved for 2017.

City Manager Martin stated the BCBS premium is raising and our representative, Christy McNichol told us we were not going to like the proposed amount. The City has a four tier plan. A single plan costs the City \$508 and family is close to \$1,200. County Commissioner Howarter stated the County is paying \$710 now for a single plan.

County Commissioner Howarter asked if there was any new information to report on the memorial wall. City Clerk Kinney replied no.

County Commissioner Howarter reported that this Saturday, July 15, 2017, the Vietnam traveling memorial wall will be in Paola. Miami, Linn, Franklin and Anderson Counties will be involved. The county commissioners will participate by reading a proclamation. The American Legion Riders will also attend. The wall will be located at 5 Delaware St. in Paola, KS.

County Commissioner Howarter asked for an update on street projects. Commissioner Gwin replied that this month Killough will do the leveling course work on several city streets. County Commissioner Howarter stated that Chanute is doing chip and seal on their city streets. City Commissioner Gwin stated that asphalt is nice but it's so expensive. County Commissioner Howarter agreed and said it is not cost-effective.

County Commissioner Howarter asked if we still have a copy of the original agreement on economic development. City Manager Martin replied yes, saying that she is doing a report for the County which will include copies of the two (2) agreements and financial information. She has already gone back seven (7) years, but would like to go back a few more years.

County Commissioner Howarter questioned what the city's thoughts are on the economic development director position. Commissioner Gwin stated he had some reservations at first on splitting the position with Linn County but he has not seen a big conflict with people who want to come here or to that county. It is more cost effective. He added that he is in favor of still splitting the position with the County. County Commissioner Howarter agreed.

County Commissioner Howarter said they are struggling to get volunteer firemen in Kincaid and Bush City. There are capable people in these areas but they don't feel they have time due to conflicts with family, kid's activities, etc. There are others who want to become members, but they don't qualify. City Manager Martin stated the City has 14 volunteer firemen but there aren't enough men in town during the day due to working jobs out of town.

County Commissioner Howarter reported that they are applying for a 50/50 grant to build a new fire station in Welda. They have already purchased the land. County Counselor Campbell reported the land is in downtown Welda. Someone donated a parcel of ground and the county purchased a lot next to it. A survey was done that showed the County owned about 16-feet of land where a neighbor's building is located. The County is trying to figure out exactly where the property lines are as people were just constructing buildings because they thought they knew where the line was but didn't. He stated that he has a specified amount of time to work on County business and once that is gone, he has to attend to other job related responsibilities.

City Manager Martin questioned what happened when Denise Law's building on the square was sold at the tax sale. County Counselor Campbell stated that he had received notice from Ms. Law's attorney, therefore he had to advise her that he couldn't talk to her about the pending tax sale. The lawyer told him that there were federal tax liens on the property. However, Mr. Campbell thought he had the authority to sell the property so offered it at the fall tax sale. After he discovered that this couldn't be done the county had to refund the buyers money. City Manager Martin stated that two (2) liens had been released, however, there are still three (3) active liens. One (1) lien goes off in 2018 and two (2) go off in 2019. She said there is a young man who wants to do something with the property and she would rather him fix the building rather than the city having to tear it down.

County Counselor Campbell said he is also working on doing a quit claim deed for the ballfield property in Harris. He hopes the church will take the property and then the county will be done

with that. There is also some property near lola where the County needs to put in a bridge, so he is working on eminent domain for that property. There are also four (4) acres on a county road that Lester Welsh, Road Superintendent, wants to give back to the property owner so he can straighten his fence row. He said this all takes time.

There being no further business, County Commissioner Howarter adjourned the meeting at 8:05 p.m.

s/ W. Gordon Blackie

Mayor

Attest:

s/ Kristina L. Kinney

City Clerk