

December 27, 2016
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on December 27, 2016 at 6:00 p.m. with the following present: Greg A. Gwin, Mayor; W. Gordon Blackie and Jody M. Cole, City Commissioners; Joyce E. Martin, City Manager and Terry J. Solander, City Attorney. Absent: Kristina L. Kinney, City Clerk. Also attending: Jeremy DuPont, ACH 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 Pastor Bill Driver of the First United Methodist Church giving the invocation.

MINUTES APPROVED

A motion was made by Commissioner Cole, seconded by Commissioner Blackie to approve the minutes of December 13, 2016 as written. On roll call, the following vote was recorded: Ayes – three; noes – none.

COMMUNICATIONS & REPORTS

Mayor Gwin announced that a reception will be held for Gene Highberger on January 6, 2017 from 2:00 – 4:00 p.m. at the County Extension Office to honor and thank Mr. Highberger for twenty years of service as County Commissioner. Mr. Highberger did not run for reelection.

Commissioner Cole said it was a privilege to experience the fellowship and brotherhood at the annual Firemen's Christmas party. She said that when the fire alarm went off, the firemen didn't think twice about going out into the elements. She offered her thanks for everything they do.

Student Representative Jeremy Dupont said he continues to try and arrange a fund raiser through the local Pizza Hut; however their manager has been ill and they have been unable to meet. He continues to try and get a complete list of what equipment the skate boarders would like to have.

Human Resource Director Jenny Myers presented information on a "Return to Work Program" that will cover injured city employees which is an important thing to have in place for any employee injured on the job who, through a doctor's approval, can do other things for the city.

While there may be lifting restrictions, the employee could mow or paint. EMC, which is the city's workmen's compensation insurance carrier, established guidelines for the preparation of the document which will benefit both the employer and employee. If the city is able to keep the employee working, this reduces the amount of money paid for wages by EMC and affects the city's experience modification which is a calculation on the amount of the insurance premium. Jenny said staff was requesting the commission's approval to implement the policy.

Mayor Gwin asked if it would be possible to review the policy every six (6) months rather than annually. Jenny replied in the affirmative. He asked about a possible discrepancy in an employee's wage, i.e. the employee might be earning \$20 per hour; however his assigned task because of an injury might be valued at \$10 per hour. Jenny said that EMC would make up any difference if we had to reduce an employee's salary.

The question was asked about what jobs could be done in the event an employee is injured. Jenny replied that she sent out a questionnaire to each department head asking them what jobs could be done if one of their employees had lifting restrictions resulting from an on-the-job injury. Suggestions were received and included in the city's plan with the understanding that the attending doctor would have to approve whatever job assignments the city might have. This plan keeps the city from pulling employees from other departments or trying to hire temporary personnel.

Mayor Gwin asked what would happen if the employee did not progress to come back to work. Jenny said that the city has a disability insurance policy the employees can purchase and benefits are available through KPERS and Social Security.

City Attorney Solander said he had looked at the information and it appears to him to be a win-win situation for the city and would recommend its adoption.

It was agreed to change the review date to every six (6) months.

A motion was made by Mayor Gwin, seconded by Commissioner Cole to implement the "Return to Work Program" as presented. On roll call, the following vote was recorded: Ayes – three; 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.

PUBLIC HEARING

Mayor Gwin called the public hearing to order at 6:25 p.m. to discuss amendments to two (2) funds in the 2016 Budget. He asked the city manager to explain the procedure and the reason for the amendment.

City Manager Martin explained that two (2) funds need to be amended to keep from being cited for budget violations. She said that the 2016 budget was prepared approximately 16 months ago and there can be problems with not estimating budgeted expenditures high enough or not being able to predict weather related problems to equipment. The two (2) funds involved are SEK and Capital Outlay. Librarian Andrea Sobba applied for and received grants in the SEK fund which allowed for painting and re-carpeting of a portion of the library building. Increased expenditures in the Capital Outlay Fund are a result of funds received from the Racing Association, Lake Garnett Grand Prix Revival group and approved transfers from utility reserves to cover the cost of additional repairs to selected streets. The original budget for SEK was \$13,894 with a requested amendment to \$18,730; Capital Outlay original budget was \$322,761 to be amended to \$388,526. No tax or utility rate increases are needed.

Mayor Gwin asked for comments from the public. With none being received, he closed the hearing at 6:35 p.m. A motion was made by Mayor Gwin, seconded by Commissioner Cole to approve the budget amendments as published. On roll call, the following vote was recorded: Ayes – three; noes – none.

ORDINANCES

Ordinance #4167 was read as follows: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OR DISTRICT OF CERTAIN LAND LOCATED IN THE CITY OF GARNETT, KANSAS, UNDER THE AUTHORITY GRANTED BY ORDINANCE NO. 3059 OF SAID CITY. City Attorney Solander explained this ordinance changed the zoning classification of 407 West Second from O-I to B-1 as approved by the City Commission at their December 13, 2016 meeting. A motion was made by Commissioner Blackie, seconded by Mayor Gwin to approve Ordinance #4167 as read. On roll call, the following vote was recorded: Ayes – three; noes – none.

CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE

Ordinance #4168 was read as follows: AN ORDINANCE FOR THE APPROPRIATION OF CERTAIN CLAIMS. A motion was made by Commissioner Blackie, seconded by Commissioner Cole to approve Ordinance #4168 as written. On roll call, the following vote was recorded: Ayes – 3; noes – none. Ordinance #4168 paid warrants in the amount of \$73,956.95.

Mayor Gwin wished everyone a Happy New Year.

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

/s/ Greg A. Gwin

Mayor

Attest:

/s/ Kristina L. Kinney

City Clerk