

June 14, 2016
Garnett, Kansas

The Governing Body of the City of Garnett met in regular session on June 14, 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 Bill Driver, Minister of the First Methodist Church giving the invocation.

MINUTES APPROVED

A motion was made by Commissioner Cole, seconded by Commissioner Blackie to approve the minutes of May 24, 2016 as written. On roll call, the following vote was recorded: Ayes – three; Noes – none.

A motion was made by Commissioner Cole, seconded by Mayor Gwin to approve the minutes of June 7, 2016 as written. On roll call, the following vote was recorded: Ayes – three; Noes – none.

CITIZENS TO BE HEARD

Julie Heck introduced herself and stated she is a candidate for County Clerk in the upcoming election.

COMMUNICATIONS & REPORTS

Mayor Gwin asked for prayers for Assembly of God Pastor Joe Johnson and his family as they recently lost their home and belongings to a fire.

Mayor Gwin stated that he was in Colorado during the military veteran banner dedication and he heard it was a great success.

Mayor Gwin thanked his fellow commissioners for covering for him at the last meeting while he was out of town.

Commissioner Cole stated the military veteran banner dedication was great. She thanked the boy scouts for doing such a good job cleaning up after Square Fair.

Jeremy DuPont reported students would like to have more equipment installed at the skate park. He is waiting on information to see what type of equipment they are interested in. Mayor Gwin asked him to speak with City Manager Martin as the company used in the past did a good job and we possibly still have some money in the fund to purchase more equipment.

A motion was made by Commissioner Cole, seconded by Mayor Gwin to appoint Rachel Barraza to the Garnett Community Foundation Board. 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.

Mayor Gwin stated the new netting backstop at the Legion ballfield looks good. He questioned the netting pushing back and causing possible injuries if a ball hit the netting at 70 - 80 mph. Phil Bures, Park & Recreation Director, stated he didn't see that happening based on the way the netting has been stretched around the poles. If it pushes back it would only be a few inches. City Attorney Solander stated that the recreation exemption under the Tort Claims Act would release the City from any liability from injuries. He also added that there is a risk people have to accept at sporting events, especially when they are setting on the front rows.

Mayor Gwin stated that he would like to see a list of streets that the city manager will give to the County Commissioners for the 2017 chip & seal program.

Mayor Gwin reported the Kansas Department of Commerce Regional Business Excellence Award winners will attend the next meeting for the commission to present their awards.

Mayor Gwin reported an employee brunch will be on Friday, June 17th, from 11 am to 1 pm.

OLD BUSINESS

Mayor Gwin reported that there has been a lot of confusion on the election changes and whether a primary is needed or not. City Attorney Solander stated that he has always believed that our charter ordinance exempts the City from requiring a primary election. The confusion has come from election officers and the Attorney General. Charter Ordinance #7 has been in effect since March 1981 and we can stand by it. Under the present law, a primary election will cut four (4) candidates to three (3) candidates. He recommended that the governing body pass a motion so a record will be in the minutes that they do not wish to have a primary election in 2016, or ever, on authority of Charter Ordinance #7.

Mayor Gwin asked City Commission candidate Paula Scott, who was in attendance, how she felt about the primary election. Paula replied that she did not see a need to have a primary if it is not legally necessary.

A motion was made by Commissioner Cole, seconded by Commissioner Blackie stating that the governing body does not wish to have a primary election in 2016 citing the provisions of Charter Ordinance #7. On roll call, the following vote was recorded: Ayes – three; Noes – none.

Chris Goetz, Pastor of The First Christian Church and GAPP organizer, presented a proposal for a North Lake Disc Golf Course. In 2013, there were several local people who wanted to get involved in the Garnett Area Paint Project (GAPP). This year they would like to have a large project that the community can get involved in. Disc golf is a popular recreational sport and has

international sanctions. Emporia, Kansas is the headquarters for National Disc Golf. The goal is to have part of the baskets installed in July. The standard course consists of 18 holes and the tournament course consists of 24 holes, which will be more challenging even for local players. There are different types of cuts on the holes that can be moved around the course to keep it challenging.

Mr. Goetz would like to put in the first 12 holes of the course this year. Holes 9 and 10 will require some trees to be cut. On hole 9, they would trim the low limbs to 12-feet and it will be a 12'x12' straight hole. They will do some fundraising for the last 12 holes. A disc on hole 8 could go over the fence on the property line, but they will have a 10' to 12' pole with a hook to retrieve the disc over the fence. Hole 10 will require removal of eight (8) small cedar trees. No large trees will be removed. All labor will be done locally and the Boy Scouts would like to get involved as well. Local residents will be responsible to organize tournaments, rather than City staff.

Phil Bures, Park & Recreation Director, stated he likes the course that Mr. Goetz has laid out, and he wants to see the course put in correctly and at standard specifications for tournaments. Area youth could get in involved with the course as part of their physical education classes. The course can help our recreation programs be more diversified in our offerings. He stated the major construction will be to trim and cut the trees to install the course. After installation, the only maintenance will be to mow around the baskets and tees.

Mr. Goetz stated he has played disc golf in Colorado since 1990 and there were courses all around where he lived. The baskets will be heavy duty and he is able to get pricing at \$210 per basket rather than the standard \$249.

Mayor Gwin questioned whether he saw any problem with raising enough funds for the first 12 holes by July 17, 2016. Mr. Goetz replied that he thinks the funds will come together and stated he already has \$1,000 in donations. All funds will go through the Garnett Community Foundation so donations will be tax deductible.

Commissioner Cole questioned how the proposed course compares to other courses that he has played. Mr. Goetz replied that Emporia has two (2) courses that are very versatile. Their baskets cost \$1,200 each. There is also an extra 2-feet all around the concrete slab. The baskets he is proposing will hold up for 20 years in the weather.

Community Development Director Susan Wettstein stated that she and Phil attended a recreation workshop and one topic was the popularity of disc golf courses. She spoke on behalf of tourism and said this committee would lend their full support to the project because it is another means to draw people to Garnett.

The Commissioners gave Mr. Goetz their blessing and wished him well on this new project.

ORDINANCES

Ordinance # 4148 was read as follows: AN ORDINANCE AUTHORIZING THE CITY OF GARNETT, KANSAS TO ENTER INTO A MUNICIPAL LEASE PURCHASE

AGREEMENT, AS LESSEE, WITH THE GSSB, AS LESSOR, WITH RESPECT TO A 2017 FREIGHTLINER TRUCK WITH A HEIL 16 YARD COMPACTOR. City Attorney Solander reported that this agreement is consistent with other lease purchase agreements and ensures litigation will be done in Kansas if there are any issues. Mayor Gwin stated that Page 4, Section B of the Lease Purchase Agreement has an incorrect date since it has not been delivered. City Attorney Solander said he will place a blank for the date until the trash truck has arrived. Mayor Gwin said he would assume that no payments will be made until the truck is delivered, to which the city manager replied yes. Mayor Gwin added that the purchase of the truck was approved over a month ago at \$130,000. A motion was made by Commissioner Cole, seconded by Mayor Gwin to approve Ordinance # 4148 as corrected. On roll call, the following vote was recorded: Ayes – three; Noes – none.

CLAIMS, BONDS & COMMERCIAL LIABILITY INSURANCE

Ordinance # 4149 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 #4149 as read. On roll call, the following vote was recorded: Ayes – three; Noes –none. Ordinance #4149 paid warrants in the amount of \$275,018.80.

EXECUTIVE SESSION

At 6:55 p.m., a motion was made by Mayor Gwin to call for an executive session to discuss personnel for 30 minutes, beginning at 7:05 p.m. after a 10-minute break, seconded by Commissioner Cole. On roll call, the following vote was recorded: Ayes – three; Noes – none. At 7:35 p.m. Mayor Gwin extended the executive session for an additional 45 minutes.

At 8:16 p.m., Mayor Gwin called the meeting back to order. No action was taken in executive session.

There being no further business to come before the Governing Body, Mayor Gwin adjourned the meeting at 8:20 p.m.

Greg A. Gwin
Mayor

Attest:
Kristina L. Kinney
City Clerk