

GOODLAND CITY COMMISSION
Regular Meeting

February 6, 2012

5:00 P.M.

Regular Meeting was called to order by Mayor John Garcia with Vice-Mayor Annette Fairbanks, Commissioner Chris Zimmerman, Commissioner Gary Farris, and Commissioner Bill Finley responding to roll call.

Also present were Doug Gerber-City Manager, Michael Solomon-Economic Development, Rich Simon-Public Works Superintendent, Brian James – Fire Chief/Building Inspector, and Mary Volk-City Clerk.

Mayor Garcia led the Pledge of Allegiance.

PUBLIC HEARING:

PETITIONS AND MEMORIALS:

PUBLIC COMMENT:

- A. Dave Daniels representing Run for the Wall stated, this is scheduled for May 19th and 20th we would like to ask for a fuel donation. Last year the City donated \$500 and declared Saturday of the event as a holiday, we would like to do that again. We are talking to Kiwanis and V.F.W. about putting out flags and we would like a reminder in City newsletter. Last year we had \$1,600 donated for fuel in Goodland, the cost for fuel in Goodland was about \$2,100. Another idea citizens were talking about is when Interstate-70 is closed; will the City consider running the bus until nine or so at night to help people get around town?
- B. **Blue Cross Blue Shield** - Charlie Krull from Blue Cross Blue Shield stated, the City had a good renewal for the fourth year in a row. After March 17th we will know the final accounting for the year. Last year City received a refund of approximately \$79,000 and this year looks better, but we need to get final numbers. The City renewed insurance at approximately a two percent decrease, when most policies are experiencing approximately a seven percent increase. Employees should be commended. Doug stated, this renewal is partly because of luck, but mainly we can credit our employees for realizing the value of the benefit. Charlie stated, the City has reached the maximum limit for reserves so any excess premium will be reimbursed to City.

CONSENT AGENDA:

- A. **01/16/12 Commission Meeting Minutes**
- B. **01/16/12 Special Commission Meeting Minutes**
- C. **Appropriation Ordinances 2012-03, 2012-03A, 2012-03B, 2012-P03, 2012-P03A**
- D. **Resolution No. 1353: 524 W. 16th**
- E. **Resolution No. 1354: 601 Industrial Loop**

ON A MOTION by Commissioner Zimmerman to approve Consent Agenda **seconded** by Vice-Mayor Fairbanks. Mayor Garcia stated, the footers are in bad shape at the Industrial Loop. Doug stated, by adopting the resolution you are setting a hearing date for the property. We have contacted the owner, but he has not contacted us. He is aware of what is going on with notices served him. I understand he is trying to sell the land and building, but we feel we need to keep moving forward so we are not left with problem. **MOTION carried on a VOTE of 5-0.**

ORDINANCES:

RESOLUTIONS:

FORMAL ACTIONS:

- A. Fire Vehicle** – Doug stated, as the Commission is aware, the fire vehicle was totaled in an accident late December. The City received \$12,800 settlement for the loss. We feel it is important to replace with an enclosed vehicle to carry gear and other people. Brian has done some research and came up with options to purchase a vehicle. We are asking for authority to spend up to \$14,800 to purchase a vehicle. That is the settlement amount plus two percent. Some of the vehicles on the list have sold already, but looking at options within price range. Dan Brenner Ford has an Expedition with 102,000 miles on it for \$9,700, which will work. He has checked with previous owners and it is in good shape. Doug stated, we would like to ask for the ability to purchase a vehicle when one comes available. Commissioner Zimmerman asked, could we purchase a nice vehicle with fewer miles to last longer? Doug stated, your point is well taken, we just need to figure what else we can do since the vehicle is not in the budget. Commissioner Finley stated, I am apprehensive to purchase a vehicle with that many miles. Commissioner Zimmerman stated, I feel we should authorize \$20,000 for them to purchase vehicle and accessories for emergency vehicle. Mayor Garcia stated, I feel should be able to come up with something in \$15,000 range. Vice-Mayor Fairbanks asked, do these totals include lights, sirens, radios and stickers? Brian stated, the equipment is approximately \$5,000. Brian stated, I feel we should stay at \$20,000 or less. **ON A MOTION by Commissioner Zimmerman to authorize Staff the ability to purchase a vehicle with accessories for the Fire Chief with accessories in an amount not to exceed \$20,000, seconded by Vice-Mayor Fairbanks. MOTION carried on a VOTE of 5-0.**
- B. Incentives: The Basement** – Michael Solomon stated, last year The Basement asked the City for incentives and the Commission waived connection fees and permit fees, but wanted to wait to determine the incentive for utilities. We are proposing a six-month average incentive in the amount of \$3,412.26. **ON A MOTION by Vice-Mayor Fairbanks to grant a six-month utility incentive to The Basement in the amount of \$3,412.26, seconded by Commissioner Farris. MOTION carried on a VOTE of 5-0.**
- C. Incentives: Kansasland Tire** – Michael Solomon stated, Kansasland has expanded 10,000 square feet and are opening truck operation in about three weeks, the warehouse will be open in about a month and half. They are asking for help with the installation cost for electrical service. In past practice the Commission has granted a seventy percent rebate for these costs, which is \$4,593.84. Mayor Garcia stated, I feel this is a great addition and incentive is in line with incentives granted other businesses. **ON A MOTION by Commissioner Finley to grant a seventy percent rebate on installation costs for electrical service to Kansasland in the amount of \$4,593.84, seconded by Commissioner Zimmerman. MOTION carried on a VOTE of 5-0.**

DISCUSSION ITEMS:

- A. Water Line Project** - Doug stated, I am concerned that the size and scope of this project was overlooked at last meeting. EBH and Rich continue to look into project, but we want to make sure Commission is aware of the size of project. Mayor Garcia stated, you indicated the project would last about a year and felt better to proceed all at once rather than breaking project down. I feel that changing both the base rate and water consumption rate are the way to go. Doug stated, the current base rate is \$15.60, which gets you 300 cubic feet, anything beyond that is \$1.07 per 100 cubic feet. I tried to spell out different options for changing the rate structure to be able to pay off the debt. Mayor Garcia asked, does \$3,200,000 include project design? Doug stated, yes it should include everything in project from start to finish. There are a lot of different ways you can precede with rate. Mayor Garcia stated, I feel we

need to give this some thought, we have options to choose from. Doug stated, I am just making sure we are not overlooking the issue and the Commission continues to think about the project. Typically if you raise the consumption portion of your rate, revenue will dip until people realize what can use, but then it will come back up. Considering the aquifer that is not a bad thing for the Commission to think about though. Mayor Garcia asked the Commission to continue thinking about project and address any questions to Doug.

Commissioner Farris stated, this will also cut down on water loss and help with street maintenance in long term. Commissioner Finley asked, is the reason we are not doing project in increments because people are here and more economical to do all at once? Rich stated, yes, and the contractors are pretty hungry right now. I also feel if we have the mess it is easier to do all at once.

- B. Fire Department Cooperation** – Doug stated, we have discussed this issue a significant number of times and feel we need to come to best possible consensus so we can vote as to whether or not to proceed. Jerry Fairbanks, City Attorney is present to discuss some issues of concern by the Commission. Jerry stated, you have the ability to determine the number of mills required for funding, it can be whatever City and County can agree upon. You can combine into a district and turn everything over to the district. In this case, the Fire District Board acts independent from City or County. Or you also have the ability to contract with the County to operate department and lease equipment. You can do whatever you want as long as both City and County agree upon it. I am not sure it is that complicated. The Commission needs to decide what position you want to take and make it known to the County to see if they agree, then you can make a mutual agreement. Commissioner Finley stated, if we merge departments, when is mill levy set? Jerry stated, you have it be part of negotiations. Commissioner Finley stated, could the district increase mill as choose. Jerry stated, you put language in agreement as to how mill is set. Jerry stated, it all depends on which statute you form the department under. Commissioner Finley stated, I read in KSA 12-3910, once the district is established, they have duties to levy taxes for operations. Jerry stated, you have the right to define how mill levy will be set by district in your agreement when you merge. Doug stated, one main concern of mine is setting the levy limits to protect interests of Commission, but that can be worked out in separate agreement. Jerry stated, the point is that it is not a take it or leave it proposition for City or County. If City and County can agree on a general idea, we will find a way to make it work. Doug stated, when I met with Fire Board they are willing to concede board representation so that the board will be made up of more members from City than County. Commissioner Zimmerman asked, if we consolidate, could you set a deadline for City to determine to opt out or continue operations? Jerry stated, if you use statute in Chapter 12 an exit strategy or review time period is required to ensure both entities are satisfied with operations. Commissioner Zimmerman stated, I feel a good way to proceed is full consolidation, maximum of five mills with a five member board. Three members on the board appointed by City, then have three to five years to reassess operations. Commissioner Farris asked, could the County build a building with that kind of money? Commissioner Zimmerman stated, I have heard the County is building a building for fire and ambulance anyway. Commissioner Finley stated, they are looking toward the future with the building and looking at consolidation. Doug stated, I understand the Commission is feeling like we are going to be responsible for the costs of the building, but the City is going to have to do work with fire bay. This will not be an easy issue to address, but cannot be nervous about thinking the building will make operations more expensive. Jerry stated, cost is factor, but ability to provide services should be our first priority. Doug stated, I have thought about Commissioner Finley's question as to why we cannot cooperate instead of consolidating. I still believe it is much easier to answer with one

person in charge. When you have two different people to answer to, problems always arise. Commissioner Finley asked, could we do any further research on issue because need to know what the costs will be for taxpayers and need to have taxpayers best interest in mind. Doug stated, costs are hard to establish because agreement needs to be specific with our situation. Jerry stated, this can occur, it is just an area where there is not a lot of information. Doug stated, I am working on the assumption the Commission is still willing to discuss the issue so trying to determine comfort level of Commission and which statute appeals to Commission. Mayor Garcia stated, I feel we need to address whether we want to proceed with contract, consolidation or lease. Commissioner Finley stated, I have a concern with giving power to a Fire Board who does not have answer to anyone. Doug stated, they will make their own decision, but there has to be an element of trust. Commissioner Zimmerman stated, I see Commissioner Finley's point, but feel if appointed it will affect them and the Commission, the appointment will not be easily done, but I want to see full consolidation. Doug stated, I feel majority of Commission is not in favor of full consolidation. Commissioner Farris stated, I do not want finances to get out of control, have to control flow of money because we are responsible for it. Vice-Mayor Fairbanks stated, I understand, but no matter which way we go we can put provisions in to regulate it. Jerry stated, that is correct, statutes give you any option you want if you have consensus. Commissioner Finley stated, so we can set criteria before we put agreement in place. Jerry stated, yes you want that done before agreement is finalized. Vice-Mayor Fairbanks stated, I do not feel we can make decision until we understand County issue with building. Commissioner Finley asked, tax wise who takes burden of taxing district. Doug stated, City would represent ninety percent of citizens, but large part of assessed valuation will come from a few individuals. Mayor Garcia stated, we have had three agreements, the last one was well structured, but protected City and they were not interested. I do not understand their reasoning. A few years ago we had an issue where we thought we controlled costs, when ultimately we had no say in controlling costs. I feel our concerns have been spelled out in contracts and they should be addressed. Doug stated, by next meeting I suggest having a contract that has been reviewed by the City Attorney and that the majority of Commission can stand behind to continue moving forward. Majority consensus of Commission agrees with Doug's suggestion.

CORRESPONDENCE AND STAFF REPORTS:

- A. Refer to correspondence received in packet.**
- B. Michael Solomon presented monthly Economic Development Report.**
- C. City Manager's Report – 1.** Next meeting is February 21st because of City observed holiday on February 20th. **2.** We continue asking people to sign up to receive utility bills electronically. I would like Commission to be leaders in this regard. **3.** The City was working on an upgrade with our contractor to put in new switches at sub-station, but our plan did not work causing the electrical issues this afternoon. **4.** I attended League of Kansas Municipality meetings last week. There are a couple issues for NW Kansas in legislation that should be watched. They are trying to regulate home owned carnivals, which will make it difficult to operate our carnival. Another bill is the Summary of Publication Bill which will require City's to provide a summary publication for ordinances adopted, with complete text posted on City's website for two weeks. There is also a push this year for alcohol in grocery stores, which appears to have good support. There are many other bills, these are just some to watch. Mayor Garcia questioned, what is the carnival bill? Doug stated, right now requirements are to inspect carnival rides every two years, but they want to require annual inspections so everyone will have to be trained to be a carnival operator. Our local carnival committee has estimated this to cost our carnival approximately \$7,000 per year.

MAYOR AND COMMISSION REPORTS

A. Commission Reports

Vice-Mayor Fairbanks – 1. No Report.

Commissioner Finley - 1. Question the status for enforcement of truck parking. Doug stated, the intent was to have a grace period before enforcement. Enforcement has started, but do not believe any tickets have been written. Mayor Garcia stated, we agreed enforcement was on a complaint basis.

Commissioner Zimmerman – 1. Is there a possibility of putting more lights on K-27 over via dock and at Caldwell Street? Doug stated, I believe we have no power to Caldwell location, but will look into it.

Commissioner Farris – 1. Question the status of the bid letting for brick intersections. Doug stated, the project was let too soon so advertised for bids again and they are due soon. Commissioner Farris asked if it was made public that there is concrete under bricks? Doug stated, I am unaware, but will check on it.

B. MAYOR'S REPORT – 1. Question status of lights at Welcome Sign. Doug stated, they have been ordered, waiting for them to come in. **2.** Exit lights look great, are they still working on Exit 17 right? Doug stated, the State is done with their portion of project, Electric Distribution crew is working to finish the light project.

EXECUTIVE SESSION:

A. Executive Session – Under the authority of KSA 75-4319 (b)(2) for Attorney Client Matters – Mayor Garcia made a motion at 6:45 p.m. to recess into executive session under the authority of K.S.A. 75-4319 (b)(2) for Attorney Client Matters not to exceed fifteen minutes. I request the City Commission, Doug, and City Attorney be present. Vice-Mayor Fairbanks seconded the motion. **MOTION carried by a VOTE of 5 to 0.** Meeting resumed at 7:00 p.m.

B. Executive Session – Under authority K.S.A. 75-4319 (b)(1) for a preliminary discussion relating to Personnel Matters of Non-Elected Personnel - Mayor Garcia made a motion at 7:02 p.m. to recess into executive session under the authority of K.S.A. 75-4319 (b)(1) for a preliminary discussion relating to Personnel Matters of Non-Elected Personnel not to exceed fifteen minutes. I request the Commission and Doug be present. Vice-Mayor Fairbanks seconded the motion. **MOTION carried by a VOTE of 5 to 0.** Meeting resumed at 7:17 p.m.

ADJOURNMENT WAS HAD ON A MOTION by Vice-Mayor Fairbanks seconded by Commissioner Farris. MOTION carried by unanimous VOTE, meeting adjourned at 7:20 p.m.

John Garcia, Mayor

ATTEST:

Mary P. Volk, City Clerk