



Governing Body, City of Garden Plain
City Building, 507 N. Main St.
August 3, 2016 at 6:00 pm

PUBLIC HEARING

1. Call to Order by Mayor Larry Lampe:
2. Public Comments for the 2017 Budget:
3. Close the Public Comments:
4. Governing Body Comments on the 2017 Budget:
5. Adjournment:



Governing Body, City of Garden Plain
City Building, 507 N. Main St.
August 3, 2016 at 6:00 pm

1. Call to Order by Mayor Larry Lampe:
2. Consent Agenda:
 - a. Approval of July 6, 2016 Minutes:
 - b. Approval of July 2016 Bills (checks to include: 34938-35059)
 - c. Approval of August 3, 2016 Agenda:
3. Citizens Comments:
4. New Business:
 - a. Consider adopting the 2017 Budget
 - b. American Tower
 - c. Ordinance – Unified Public Offence Code
 - d. Ordinance – Standard Traffic Ordinance
5. Old Business:
 - a. Sewer Plant Update
 - b. Bids on A/C unit for City Hall
 - c. Trash Franchise update
6. Executive Session:
 - a. Attorney/Client Meeting:
 - b. Personnel Issues:
7. Pardon City Attorney:
8. Planning Commission Update:
9. Police and Personnel:
10. Treasurer Report:
11. Department Reports:
 - a. Mayor:
 - b. Parks:
 - c. Streets:
 - d. Gas:
 - e. Water:
 - f. Sewer:
12. Governmental Remarks:
13. Adjournment:

*NOTE: this Agenda is subject to change without notice

TRASH COMMITTEE MEETING

On July 27, 2016 in the council chambers of the City of Garden Plain we held a committee meeting to determine if a trash franchise would be a good fit for the City of Garden Plain.

In attendance were Kim McCormick (City Clerk), Donna Simon, John Kerschen, Herschel West (Waste Connections), and Steve Ellingboe (Nisly Brothers). Mary Ann Harmon and Rose Kramer were unable to attend. I contacted Christy at Allen & Sons and Michael Eischeid at Waste Management and they chose not to attend.

We had some questions answered about how each of the companies handled different situations in the towns that currently have contracts. We discussed some of the different situations that we face here in Garden Plain. We also reviewed the state statutes and the time line that they have imposed. We all agreed that it would not be feasible to get proposals with pricing from any company until it was closer to the time when hauling would start, as it will be two years out. It was determined that I would ask City Council at their meeting August 3 if they would agree to do a Resolution of Intent. If so then we will plan on passing the Resolution at the regular City Council meeting in September this would be the beginning of the time line. There has to be at least 180 days before we pass the ordinance. We hope to also have a plan put together for Council review in September. This would give us plenty of time to make any adjustments, before a public hearing needs to be held and an ordinance passed.

12-2035. Definitions. As used in this act:

(a) "Municipality" means any county, city, township and other political subdivision or taxing subdivision including any board, bureau, commission, committee or other agency having authority to create, regulate or otherwise impact the delivery of collection services.

(b) "Organized collection service" means a system for collecting solid waste, recyclables or both, including franchise, organized collection, or a process in which a municipality goes from multiple haulers to one single contracted hauler in which a specified collector, or a member of an organization of collectors, is authorized to collect from a defined geographic service area or areas some or all of the solid waste or recyclables that is released by generators.

(c) "Recyclables" has the meaning as the term is defined by K.S.A. 65-3402, and amendments thereto.

(d) "Solid waste" has the meaning as the term is defined by K.S.A. 65-3402, and amendments thereto.

12-2036. Organized collection service establishment; procedure; delayed implementation

(a) A municipality may establish an organized collection service as a municipal service by ordinance, in the case of a city, or by resolution, in the case of other municipalities. The ordinance or resolution shall incorporate any franchise, license, or negotiated contract or contract let by bid using one or more collectors or an organization of collectors.

(b) At least 180 days before adopting such an ordinance or resolution, the governing body of the municipality shall announce its intent to consider adoption of an organized collection service, stating specific goals to be achieved, detailed justification for any franchise fees and all other reasons for considering such a service by passage of a resolution of intent. The resolution of intent shall be published once in the official newspaper of the municipality. The resolution of intent shall give notice of a public hearing to be held at least 30 days prior to consideration of the adoption of the resolution of intent on the issue and shall invite the participation of interested persons in the planning and establishing of the organized collection service, including all licensees or other persons operating solid waste or recyclables collection services in the municipality as of the date of announcement of its intent to organize collection in the municipality.

(c) During a 90-day period following the adoption of the resolution of intent, the municipality shall develop a plan for organized collection service. During this period, the

municipality shall invite and employ the assistance of all licensees or other persons operating solid waste or recyclables collection services in the municipality. All licensees or other persons operating solid waste or recyclables collection services in the municipality shall be allowed to participate in all planning meetings.

(d) The municipality shall provide 30 days notice prior to the hearing on the proposed plan to all licensees or other persons operating solid waste collection or recyclables services in the municipality.

(e) The plan shall:

(1) Describe in detail the procedures used for development of the plan for organized collection service and compliance with all required notice provisions;

(2) evaluate the proposed organized collection plan in regard to the following:

(A) Achieving the stated goals;

(B) minimizing displacement and economic impact to current solid waste collectors;

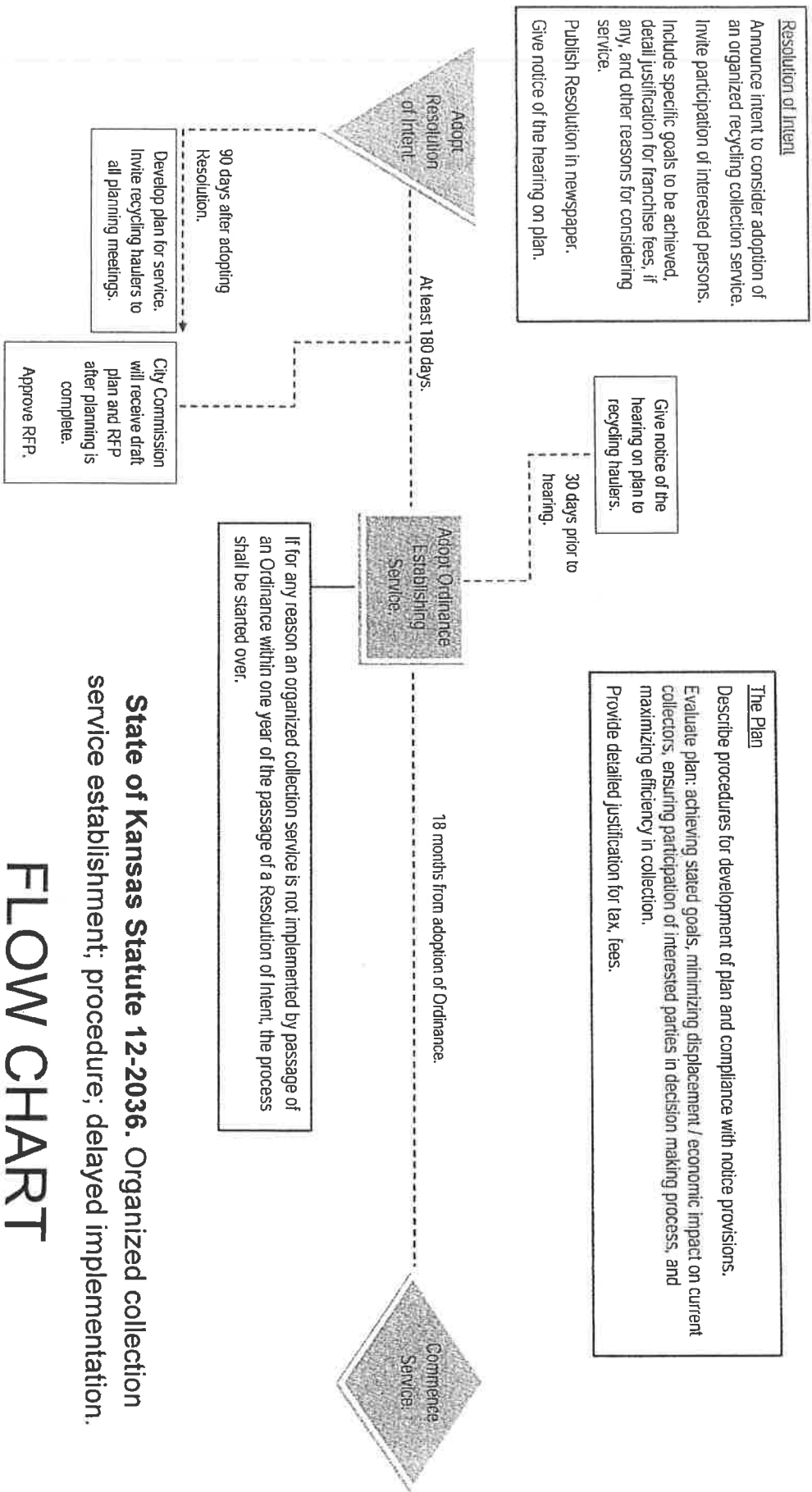
(C) ensuring participation in the decision-making process of all interested parties, including all licensees or other persons operating solid waste or recyclables collection services in the municipality as of the date of the resolution of intent to organize collection in the municipality; and

(D) maximizing efficiency in solid waste collection; and

(3) provide detailed justification for any tax, franchise or similar fee.

(f)(1) A municipality may not commence organized collection service pursuant to this act for a period of at least 18 months from the adoption of an ordinance or resolution establishing such service. During the 18-month period the municipality shall not displace any person licensed to operate solid waste collection services in the municipality.

(2) If for any reason a municipality does not implement an organized collection service by passage of an ordinance or resolution within one year of the passage of a resolution of intent, the process shall be started over as provided in this section.



State of Kansas Statute 12-2036. Organized collection service establishment; procedure; delayed implementation.

FLOW CHART

We will determine the dates to populate

12-2036. Organized collection service establishment; procedure; delayed implementation.

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Required by Law	Comments	Estimated Timeline
By resolution of intent, <ul style="list-style-type: none"> - Announce intent to consider adoption of an ordinance that establishes an organized recycling collection service, stating specific goals to be achieved, detailed justification for any franchise fees and all other reasons for considering service. - Give notice of the public hearing. - Invite recycling haulers to participate in plan development meetings. Publish resolution of intent in official newspaper.	At least 180 days before consideration of adoption of ordinance.	June 12, 2012
Develop a plan for an organized recycling collection service. Invite recycling haulers to planning meetings.	During 90-day period following adoption of resolution of intent.	June 13, 2012 - September 10, 2012
Submit draft plan to City Commission and receive authority to issue a Request for Proposals (RFP).		September 11, 2012
Provide notice of the public hearing on the proposed plan to recycling haulers.	At least 30 days prior to consideration of adoption of ordinance.	November 11, 2012
Adopt the ordinance that establishes an organized recycling collection service.	If ordinance is not adopted within 1 year of passage of resolution of intent, process shall be started over.	December 11, 2012
Commence the organized recycling collection service.	May not commence for a period of at least 18 months from adoption of ordinance.	June 11, 2014