



AGENDA GARDNER CITY COUNCIL

City Hall – 120 East Main Street -- Gardner, Kansas
Monday, January 6, 2020
7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PRESENTATION

PUBLIC HEARING

PUBLIC COMMENTS

Members of the public are welcome to use this time to make comments about City matters or items on the agenda that are not part of a public hearing

CONSENT AGENDA

1. Standing approval of the minutes as written for the regular meeting on December 16, 2019.
2. Standing approval of City expenditures prepared December 13, 2019 in the amount of \$1,947,558.24; December 20, 2019 in the amount of \$924,335.79; and December 27, 2019 in the amount of \$1,058,273.56.

PLANNING AND ZONING CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

1. Consider accepting annexation with Landowner Consent
2. Consider revising the use provisions for Communications and Utilities, Public Utility Facility – Major in the *Gardner Land Development Code*
3. Consider adopting a resolution describing the 2019 Corporate Limits and Boundaries of the City of Gardner

COUNCIL UPDATE – Oral presentation unless otherwise noted

EXECUTIVE SESSION

ADJOURNMENT



In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's Office at 913-856-0945 a minimum of 48 hours prior to the meeting.

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December 16, 2019

The City Council of the City of Gardner, Kansas met in regular session on December 16, 2019, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Mayor Steve Shute presiding. Present were Councilmembers Todd Winters, Rich Melton, Mark Baldwin, Randy Gregorcyk and Tory Roberts. City staff present were City Administrator James Pruetting; Business & Economic Development Director Larry Powell; Utilities Director Gonzalo Garcia; Public Works Director Michael Kramer; Parks and Recreation Director Jason Bruce; Police Chief James Belcher; City Attorney Ryan Denk; and City Clerk Sharon Rose. Others present included those listed on the attached sign-in sheet and others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Shute at 7:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

PUBLIC HEARING

1. Consider holding a public hearing for the purpose of receiving comments on the proposed Community Improvement District (Waverly Plaza)

Councilmember Melton made a motion to open a public hearing for the purpose of receiving comments on the proposed Community Improvement District (Waverly Plaza).

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

No members of the public came forward.

Councilmember Melton made a motion to close the public hearing.

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

PUBLIC COMMENTS

Heath Freeman, 602 N. Walnut, stated on November 13, the city published a legal notice for ordinances 2631 and 2632 regarding the recent annexations of 199th Street. The notices didn't have information regarding location and land being annexed, and directed those interested to the office of City Clerk in City Hall or the city's website. AS of this morning, those ordinances were not easily located online at the city's website. The newly passed ordinances page has not been updated since April of 2019 and there's no legal notice page on the city website. If the city is seeking cost-cutting shortcuts, don't do it at the detriment of the services being provided to the citizens. These shortcuts can't limit the access to the information or make it more difficult to seek out the information that they have the legal right to. It couldn't be found anywhere outside the agenda, and that can't be the intent. If this is the method of doing so, the city has to back it up with what's promised within those notices and it's not on the website in a way that can easily be found. One other item, can the governing body direct staff to investigate opportunities for better Christmas and holiday lighting systems in the downtown area? City Hall is a fine looking building, but the light posts, once it's dark; they just don't shine very bright. There's not enough to them. It may be an opportunity to look into a partnership or sponsorship with civic organizations or families that might want to sponsor particular signage if they know what the cost may be. Gardner is a big city, has a vibrant downtown, and

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needs to celebrate that this time of year and shine brightly, not just City Hall, but the poles through the downtown district.

Adam Cox, 285 E. Skylark St, spoke against the designation of the Legal Record as the official paper of Gardner. This publication is not a newspaper in any sense of the word. None of the content is accessible to residents of the city, nor are physical copies of the publication available. Mr. Cox is unclear of what the Kansas Statutes require to be qualified as a newspaper, but the Legal Record is a mystery. Without being able to read it, the justification based on cost is a contrived exercise. The council might consider passing on the cost of related legal notices to those who derive the benefit, i.e. the entity requesting rezoning could pay for their required notice. There have been numerous times various councilmembers have railed against the free press and called for punitive measure against perceived insults. There was misuse of the city's social media account to attack the paper by an individual using the pulpit under the guise of the city. There is value in investigative reporting to uncover injustice and abuse of authority, especially by those in positions of power. Power corrupts, and absolute power corrupts absolutely. The Gardner News should be supported as a local business that provides valuable reporting on local events of all types, instead of thinly veiled punitive measures against the institution. More open dialog would enable issues to be resolved productively. Cost should not be the only deciding factor. The value of this institution must be weighed as well as the fact that the Legal Record stated they did not want to publish Gardner's notices. In today's climate, the answer seems to be to stop communicating and use any leverage at ones disposal to attack and crush enemies. This aggressive approach is reflected in our society as division into us and them and the battle lines are drawn and the war begins. That's dramatic, but another way to look at it could be that as each institution is attacked and falls, the pillars of our free society further crumble. Free press, rules of polite behavior, the social contract. In public service, the ego is supposed to take a back seat. In public service, the constituents matter more than the elected. In public service, getting the upper hand is no longer the goal for the individual. The people who express their thoughts on this will not be swept aside. This is a chance for the new council to put the local community first, support a vendor that has been a steadfast part of the community, and look beyond the dollars to the value of Gardner News

Danedri Herbert, 223 W. Main St, came not speaking on behalf of her former or current employers, but speaking as a long-time resident. Ms. Herbert also noted that her property was one of the annexations along 199th Street. She also has a professional relationship with John Lewis. Her concern with the action tonight is that perception is often reality. The perception is going to be that if they approve the Legal Record as the official paper of record for the city, that perception is that they are using the power of government to reward friends in some instances or to punitively punish detractors. This decision is based on the \$5,000 cost, but council is not considering the cost that it is to residents. She understands the problem of having to pay for legal notices, but it's a statutory requirement. If cost is a problem, then take it up with the state government and don't browbeat a local business, one that is one of the oldest businesses in this community. There are avenues if council feels like they are being unjustly accused of corruption by the local paper. Some of those are costly. Once a month, she gets a glossy 4-page, full color letter, she believes it costs thousands. If the concern is truly buying police cars, that's one place to look, but they can use that avenue to debate or clarify anything they feel has been inaccurately reported in the local newspaper. When they use the cost of this effort to say that's the reasoning and no one is buying it. The most recent example of why no one is buying it, aside from the negative comments on social media, the negative comments from the dais, the negative comments heard around town that the council has made about the local newspaper and its owner. It's the simple things like a few days ago, Ms. Herbert got a key chain that suggested checking her water use to make sure there are no leaks. How much did that cost? Is council willing to put the perception of this community at risk by looking like a corrupt local government to save \$5,000 while passing out keychains that were tossed in the trash? It's bad for business, it's bad for your egos, it's bad for the city.

Adrianna Meder, 32604 W. 171st Ct, read into record an email she sent to council. "I am requesting that the City of Gardner maintains The Gardner News as paper of record. This is a local business that should continue to be supported by our city government. Thank you for your time." Ms. Meder understands there may be concern with cost savings, but think about the cost council is putting toward the citizens who have to drive to Olathe to get a copy of the Legal

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Record. Online is an option, but one download of one issue was \$28. That seems excessive. There are folks that don't have transportation to go to Olathe. If council is going to take the cheaper route, then make it accessible to those that may not have easy access that they can get with the Gardner News.

Mike Darpel, 17050 Agnes St, stated he read the Gardner-Edgerton magazine, and there are good things going on the east side of 35. Something he'd like to see enhance the city and make it look better and more presentable is have all the businesses along Main Street have Christmas lights along the buildings. It would enhance the community, Main Street, and it makes people want to come out here more, and when they come out it's more memorable. It's enticing. Everyone wants to bring more people and more businesses. Mr. Darpel also asked when Main Street will be repaired.

CONSENT AGENDA

- 1. Standing approval of the minutes as written for the regular meeting on December 3, 2019**
- 2. Standing approval of City expenditures prepared November 27, 2019 in the amount of \$578,844.97; and December 6, 2019 in the amount of \$172,927.79.**
- 3. Consider authorizing agreements to establish Watershed Organization 4 and Watershed Organization 5 in Johnson County, Kansas.**

Councilmember Gregorcyk made a motion to approve the Consent Agenda.

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

PLANNING & ZONING CONSENT AGENDA

- 1. Consider accepting the dedication of right-of-way and easements on the final plat for Tallgrass 1st Plat**
- 2. Consider accepting the dedication of right-of-way and easements on the final plat for Main Street Market Place**

Councilmember Melton made a motion to approve the Planning & Zoning Consent Agenda.

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

- 1. Consider adopting an ordinance authorizing the creation of the Waverly Plaza Community Improvement District in the City of Gardner, Kansas and authorizing the imposition of a community improvement district sales tax to be collected within such district**

Director Larry Powell stated that Director Wolff is out of town. Tyler Ellsworth from Kutak Rock is here to present and answer any questions. Staff recommends adopting an ordinance authorizing the creation of the Waverly Plaza Community Improvement District in the City of Gardner, Kansas and authorizing the imposition of a

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community improvement district sales tax to be collected within such district. This is one step in several financial vehicles utilized to assist this project. The Waverly Plaza Project will include an estimated 59,700 sq. ft. of commercial, 144 apartment units, a pool, and a clubhouse. The 1% sales tax will only be collected from the retail/commercial aspect. The entire project is described because it's all included in the district. Mr. Ellsworth spoke about the ordinance being considered. It is a 1% add-on sales tax on the retail portion of the Waverly Plaza project. It is one part of the total incentive package for this retail and residential development. There's also a special benefit district component with special benefit district financing, temporary notes have been issued and closed on for improving streets that are adjacent to the development, there a neighborhood revitalization program, tax abatement on the residential component. The takeaway is this is one piece of a larger package of incentives for this project. Council recently asked staff and consultants to be more proactive about explaining why the council is being asked to consider these incentives for particular projects. For this project, it activates and develops a key corner in the city that hasn't seen development for many years. Looking at the total incentive package, it provides a way for the city to see additional access, additional roads improved, and those are some of the things accomplished with the incentive structure for this project.

Councilmember Gregorcyk made a motion to adopt an ordinance authorizing the creation of the Waverly Plaza Community Improvement District in the City of Gardner, Kansas; and authoring the imposition of a community improvement district sales tax to be collected within such district

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2640.

Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes
Roberts:	Yes

2. Consider adopting a resolution designating *The Legal Record* as the official newspaper of the City of Gardner

Senior Management Analyst Amy Nasta began by stating that K.S.A. 12-1651(a) states "the governing body of each city of the second and third class shall designate by resolution a newspaper to be the official city newspaper". Under Kansas Statutes, the City of Gardner is required to publish several different types of legal notices in its official city newspaper. The most common of these are ordinance summaries and public notices such as notices of public hearings. Other items include, but are not limited to, resolutions and ordinances required to be printed in full, which can be extremely costly, bid and other notifications may also be subject to publication based on Kansas Statutes, city policies, or a combination. The official newspaper is currently the Gardner News. Since 2017, a total of \$25,360 has been spent from the City Clerk fund on "Advertising/Legal Notice" expenses relating to such publications. While other city funds also have advertising and legal notice expenditures, staff focused on the example analysis on the city clerk fund, as all known expenditures of this type are for required legal notices published in the official paper and no expenditures in this fund are related to advertisements. Ms. Nasta provided graphs illustrating advertising and legal notice expenditures, stating the 2019 amounts are based on the December 6th budget to actual report. In 2017, the \$4,976 spent was 124% of budget. In 2018, the \$7,619 was 177% of budget. In 2019, the \$12,765 spent to-date is 255% of budget and was 168% of 2018 spending. Advertising legal notice expenses in the city clerk fund have increased each year as these expenses are for legally required publications. Staff is not able to mitigate expenditures by using the volume of publication. Staff requested informal solicitations to explore possibilities for cost reduction in accordance with the city's purchasing policy. On Thursday, December 5, 2019, staff sent an

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ordinance summary and a public notice to the *Kansas City Star* and to the *Legal Record* requesting price quotations for running each item. These items were selected for comparison for the following reasons: they both have publication requirements set forth by Kansas Statutes; they are of typical size for their item type, thus providing the most relevant comparisons possible; they had recently been published in the *Gardner News*, thus providing the most current pricing for comparison. The ordinance summary was published in the *Gardner News* on November 27, 2019, and the public notice was published in the *Gardner News* on November 6, 2019 and again on November 13, 2019. Current invoices for the publication of these items in the *Gardner News* were used to obtain pricing from the *Gardner News* (invoices dated November 26, 2019 and November 13, 2019, respectively). Staff obtained the pricing, for clarity the *Kansas City Star* prices have been omitted as they were considerably higher than current pricing for *Gardner News*. The *Legal Record* pricing represents 82% or \$35.59 savings for the ordinance summary and 73% or \$101.28 savings for the public notice. The city's purchasing policy allows for local preference, providing "the amount of the quotation of the vendor domiciled within the City of Gardner is not more than 5% greater than the amount of the low quotation". In order for *Gardner News* to meet this threshold, publication prices would need to be reduced to \$7.92 for ordinance summary (a reduction of \$35.21) and \$38.56 for the public notice (a reduction of \$99.40). It is difficult to provide an exact estimation of the overall cost savings as neither the volume nor the content of required legal publications made each year is static or subject to practical measures of control. Staff realizes the numbers presented are variable, but made a concerted good-faith effort to present a reasonable estimation of cost going forward. 25 ordinances were passed in 2017, 32 in 2018, and 44 to-date in 2019. Using the cost of publication for the sample ordinance, staff multiplied that cost of publication by the number of ordinances passed in each respective year, then compared that against the total advertising and legal notice spending in the city clerk fund to estimate the percentage of spending on ordinance summaries versus the percentage of spending on public notices. An average of approximately 20% of annual costs is for ordinance summaries and the remaining 80% can be attributed to public notices, which includes all other publications, providing an estimated cost savings of 75%. In the past 5 years, costs have increased an average of 45% per year, with the smallest annual increase being 18%. It's not possible to reliably estimate cost increases for reasons already outlined. Staff offers three different 5-year cost savings estimates for consideration based on extremely conservative yearly average increases of 25, 15, and zero percent with the current newspaper. At a 25% yearly increase, the *Legal Record* would give us a savings of \$98,503, at a 15% yearly increase, the cost savings would be approximately \$74,450, and with no yearly increase, the *Legal Record* would represent a savings of \$48,009.17. These cost savings are for the City Clerk fund only. Additional savings would be incurred in other city funds with "Advertising/Legal Notice" expenditures related to required publications as well. Given the potential for proportionally large savings in both the long and short term, and given the amount of economic development activity requiring large amounts of legal publications that will increase the amount of advertising and legal notice spending, staff suggests adopting this resolution and designate the *Legal Record* as the official newspaper for the City of Gardner.

Heath Freeman, 602 N. Walnut, stated reason he is fighting for the *Gardner News* is because they are a true partner of the City, the School District, and the civic organizations. They help tell our story. There's value in that which is being thrown away with numbers that have been presented tonight. Mr. Freeman is here to ask the governing body to not move forward in changing the paper of record to the *Legal Record*. Taking such a vindictive and retaliatory action against a long time partner of the city serves the citizens in no way, and lessens the reputation of this governing body. At no time has any citizen come before council to ask that this action be taken. Not once since this was last discussed in 2017. It's not something the citizens asked for and not something they want. Mr. Freeman brought a copy of the *Legal Record*, but stated they can't get it in *Gardner*. Nearly every comment on the November 18 conversation during council updated was related to content of the *Gardner News*, leading to a request to change the paper of record. A city should not retaliate in such a way because they receive what they perceive to be unfair or inaccurate reporting. They cannot punish the local newspaper because of editorial content. While staff has framed this as a fiscal decision, make no mistake about why citizens are here tonight. They are here because some have taken offense to the reporting and that is wrong. These are quotes from members of the council that night. "Melton: Needless to say, I think we should move on the paper of record and change it, because I'm tired of dealing with it, and I think staff is tired of dealing with it." The 'it' was their reporting and questions. "I think that's irresponsible

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journalism.” “Over the past several months, there has been incorrect information printed in the Gardner News.” Once again, content based decision making is against everything they should stand for. “Because there are so many people that are reading this stuff and it is actually so factually incorrect...” That’s something that council members shouldn’t sit on the dais and say out loud. It’s not the way to attack a long time partner in the city. “Winters: I have been disappointed with some of the stuff that’s come out recently...” Again, referencing the content and that’s the core of the argument. Council is deciding this because they don’t like the content. That’s why it was brought forth. Staff did a fine job getting away from that argument, but that’s not why they are here and no one believes it to be the case. “Shute: I’ve got a problem when a news outlet decides they are going to inject themselves into the business of the city by making false claims and accusations, so yes, I’m concerned about this, and I think it needs to be addressed in some way.” It seems the ‘in some way’ that Mr. Shute spoke of is retaliation in the form of the resolution being considered. Shute posted to facebook later: “I’ll tell you my position. The City of Gardner and its employees deserve better. And the Gardner News stepped way over the line by not only attacking our staff for so-called ‘corruption’, but then concocting a sham ‘protest’ narrative to try and obstruct the business of the city under false pretenses. So yes, it’s time to ‘move forward’.” This displays clear bias. To paraphrase from his facebook later, he compared the newspaper to a restaurant, saying if he doesn’t like the service he should take his business elsewhere. The service the city pays the Gardner News for isn’t their editorial content. The city pays to post their legal notices. They’ve not failed once to deliver the service as asked. This was an open threat/show of intent to take the city’s business elsewhere because the mayor’s opinion on recent stories. That night, the costs were not involved in any way. This is retaliation. Citizens need a governing body that is not thin-skinned. The Legal Record does not want this business. John Lewis made it clear he doesn’t think the city should make this change. There is no printed copy of the Legal Record in the City of Gardner. The last time this came up, the city spent over \$1,000 fighting the vote from that night. That’s 20% of what the legal notices were for the year. It’s never been about the money. Last time, Winters and Gregorcyk voted to stay with the Gardner News. He hopes they do the same tonight. This is not a win-win, they’ll sacrifice service for the cost. The biased comments from the dais deserve a reply from City Attorney Denk on whether there is a bias and they should recuse themselves from voting. Finally, not one dollar spent with the Legal Record would stay in Gardner. It all goes out of town. They shouldn’t let that happen, that shouldn’t be who they are, they don’t need to be that way, and Mr. Freeman asks that they vote against the change.

Ryan Learned, 17195 S. Oakley, spoke against designating the Legal Record. He thanked council for reading and responding to the email sent this morning. A couple of the responses received indicated the Gardner News is still free publish what they want even if they are no longer the paper of record. This is true. They are not being censored. But the Gardner news does have the freedom to publish information and opinion without fear of punishment from the government, which could include stripping them of their paper of record status. Council is coming close to a first amendment violation that is easy to avoid. This is not a simple cost saving effort as it is being portrayed to be in the meeting packet. It’s been made clear both by a couple of members of the governing body, in recorded meetings, and social media commentary, they are not happy with the coverage the city is getting from the Gardner News. This is why it was brought forward tonight. It’s not being brought up as a result of brainstorming sessions to cut costs. The city isn’t seeking every possible way to save .001% of the budget. It’s obvious this is a retaliatory move against the local newspaper. The published meeting packet makes no mention of any of the discussion from the November 18 meeting that led to this agenda item, nor does it mention anything about the last time this came up over 2 years ago for similar reason. Mr. Learned brought the relevant pages from the November 18, 2019 minutes to be entered so it won’t get lost. He sees no value in using the Legal Record. It exists to satisfy the statutory requirement for cities without a newspaper. Gardner is not one of those cities – they are blessed with their own newspaper. The Legal Record has recommended Gardner stick with Gardner News in the past. By moving public notices to the Legal Record, it’s almost guaranteed no one will see them. The Legal Record is impossible to find in print locally and the online edition has a substantial cost barrier to see anything beyond the current issue. Money sent to the Legal Record is money down the drain. The last time this was discussed in 2017, the question arose what does the city get for the extra money being spent on Gardner News. Dr. Winters response 2 years ago was that he thinks there is value in that this is the local paper. People go to Gardner News to read about happenings in Gardner and the surrounding areas – some citizens, including Mr. Learned himself, do look at the public notices while browsing. He hopes to continue seeing them published in the Gardner News.

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Danedri Herbert, 223 W. Main St, was going to limit comments to how bad this will be from a publicity standpoint, and she's worked on both sides of this, she has understanding of both sides. Hearing Mr. Freeman's comments, and knowing that it was in print and easily recallable, she warned council that are going to be sued. The money they would save, the \$5,000 a year, even if they win they still lose. Not just from a public relations standpoint, but they'll have lost money, the money it will cost to litigate. The attorney of record, Mr. Denk, is a contract attorney who is probably not able to represent the city on this matter because it's a specialized area of law. The city will have to find another attorney and sign another contract and it will be expensive. It looks bad. Ms. Herbert took note of Mr. Denk's micro-expressions as Mr. Freeman was speaking, and believes Mr. Denk agrees with the public commenters. Also as a public relations issue, having the employee presenting the item stand next to the podium is mildly intimidating. The expenses over the next five years and from the past five years are based on legal notices that are going to increase every time there's growth. Council can look at the growth in the in the city and decide to whether or not to have those expenses, but they go with it. The argument has always been from the dais that growth pays for itself. If the city needs to charge more to cover legal expenses for the publications, then put them on the developer. That's where they belong. Growth is supposed to pay for itself. The PR nightmare isn't just that the city is going to get sued, it's also that it's not going to run the oldest business of town. They won't have balance, it's not to say they're going to be unfair, but they're human. This wanting to retaliate is going to occur on the other side as well with no holds barred. Money spent on the key chains and door hangers is going to be dug through and every expense is going to be accounted for. If it's difficult now, think of how much more difficult it will be when the people who are angered buy ink by the barrel. Also, the city's expenses are out pacing the budget, that's not the fault of the newspaper, that's the fault of the people who are preparing the budget. That's not on the newspaper when they didn't increase cost. That's on the city. Ms. Herbert believes the city will be sued, so all the costs that have been discussed are not relevant.

Kacy Deaton, 533 N. Winwood, understands what everyone has said about what Gardner News prints, but that is beside the issue. Council sets a dangerous precedent by going past the 5% local preference by allowing an 80% local preference. There are other local businesses that would like to charge 80% more than businesses from out of town and still get the city's business. If Hampton Inn charged 80% more to hold the State of the City there, would council continue to use them or go back to New Century Fieldhouse? That's a no-brainer. Right now, the numbers are small with the Gardner News, but it's a precedent. There is a policy of a 5% local preference for a reason. If council doesn't want it to be 5% any longer, then change it. Make it a dollar amount, anything over \$1,000 or \$10,000, but don't give one local business preference over another business, buying computers, buying anything, 80% is a big difference. If council chooses to continue with Gardner News, they are setting the precedent and any other local business can come to the city and charge 80% more. AS a taxpayer, Ms. Deaton prefers the dollars spent more wisely

Councilmember Roberts said every time she runs for office, she says she'd be the voice of the people. She overwhelmingly got responses to keep the Gardner News as the paper of record. She had 25 emails, phone calls, messages all saying keep Gardner News, and only one person saying to vote for the Legal Record. She won't speak for the rest of the council, but feels they got similar messages. She represents the people and will vote against the Legal Record.

Councilmember Baldwin stated he didn't have 25-1, it was more even. He wrote down his response to the emails, and is stating it here. This is more a political than a business item. Baldwin had more emails on this than on fireworks, and that seems to be the big issue in town. He thought through these questions: does Gardner News try to mislead the public or is it providing an unbiased view? Do politicians not like Gardner News reporting because the story is false, or because it's true? Will moving the legal notices change the reporting by the paper in a good way or a bad way? None of that matters. Regardless how this issue came about, now that it's here, he can't overlook the difference in costs, the 80%. The city can do other things. He'd like to see the city's website better utilized to provide the public with up-to-date information. If it's a city matter, it should be posted out for everyone to see, not just legal notices but also developments, effects of governing body decisions from fact, no opinions. He wants the city to be a leader in providing that information to the residents, not needing to search several news outlets. Baldwin stated that independent media sources can and should write editorials on whatever content they want; that's not what this vote is about. The public should have an independent media source providing public notices to them so

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the government isn't doing whatever it wants, regardless of who that is, it needs to be done. In the past, before newspapers, this was done by nailing notices to the front door. Then newspapers came along, and notices were put in there because that was the media of the day. Now it's moving online. There are 20,000 fact checkers with the city website. One comment brought up is that it's not easy to see past notices with the Legal Record. Baldwin said the city should have a rolling 12-month list of legal notices on the website. He'd like to see the council agenda or Planning Commission agenda link directly to an ordinance or legal notice. Anybody should be able to easily click and get this information. There needs to be distinction about the discussion tonight, freedom of the press is not being jeopardized, as the reporting ability of the Gardner News isn't part of this vote. Concerns about the news reporting on city development, school activities can all continue and Baldwin hopes and assumes it will. The average person doesn't look at a lot of the legal notices. That doesn't mean they aren't important. He wants someone to notice them and call him to ask about them. With concerned residents, particularly about developments, none of them told him they found out via a public notice in the newspaper. It's was from the yellow sign on a property. Business owners may like that legal notices are on the Legal Record, because it hits across multiple jurisdictions. Of 22,000 in Gardner or 8400 households and print subscription estimated at 220 means that 1-2.5% of the population currently get legal notices via a print copy of Gardner News. Print media continues to be reduced with online viewing being acceptable. Baldwin represents the entire city and not a small percentage, he can't vote on this issue biased toward print subscribers. Those saying the Legal Record doesn't want our business from a letter two years ago said the city shouldn't force unwanted business on them; they've already accepted a public notice from the city. Capitalism is two parties who enter into an agreement freely, no one is forced. If the city agrees to pay and they agree to print, the argument of them not wanting our business is non existent. This decision is not political. If it were bidden, the city would take the lowest qualified bidder. The Legal Record is 75-80% less than the Gardner News. Gardner News did not present a reduced fee schedule to be competitive. It's not a lot of money, but none of the tax dollars should be wasted. Citizens who contacted him with that argument saying the paper should be saved, at what price is it a concern of yours? Baldwin doesn't support favoring a local business because it's local, despite the cost. To comments that council has a duty to support a longtime business or a family owned business is not for government to decide, but for the consumers of said business. The National Newspaper Association estimated in 2000 that public notices account for an average of 5-10% of a newspaper's revenue. While it's not 0, it's not a percentage that guarantees a business's failure. If this was for toilet paper and a local company was more than 105% the threshold of the lowest bid, people would ask why the city is spending extra for toilet paper, as they should. Because everyone's voice in what an entity should or shouldn't do is diluted when it comes to government spending, the goal should be the best value. That may not mean the lowest offer, but in this case, the service is the same. All options will print the notices and provide free online access. If the state statute allowed non print papers of record, these notices would have already been online with them printed on a bulletin board. Since the requirement is for a print paper, the city should do so in the most cost-effective manner. Baldwin supports changing the paper of record.

Attorney Ryan Denk stated that Councilmember Baldwin did well framing the appropriate legal consideration. Mr. Freeman referenced a claim for retaliation. There have been cases based on newspaper comment and switching the paper of record. It's important in going forward that the discussion steer clear of the content of what is within the Gardner News, steer clear of past dissatisfaction with some content, particularly content of a political nature in the Gardner News.

Councilmember Gregorcyk said this is a long standing issue and he wants to talk about the political side, not the content of the newspaper. Gregorcyk said there has been a strong trend of bias. The definition of bias is prejudice in favor of or against one thing, person, or group compared with another considered to be unfair. They can review notes of council meetings. It was discussed from the dais from the constituents of Gardner from 2017. They reviewed the costs, but if budgets are out of whack then they need to get the budget in line. The budget was not in line with projected growth. Those projected growth items would be based on what legal notices would cost us. Gregorcyk returned to bias. Bias is also seen in social media. K.S.A. 12-4758 and T5-4304 "has generally been held that the vote of a council member who was disqualified because of bias in regard to the subject matter considered may not be counted in determining the necessary majority for valid action". The bias goes back to 2017. Then Mayor Morrow provided a letter from John Lewis with the Legal Record that he wasn't interested in Gardner's business. Gregorcyk has second hand info that Mr. Lewis is still not interested. The genesis of the bias is rooted

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from 207 to current. Gregorcyk asked Mayor Shute and Councilmember Melton to recuse themselves from the vote based on bias. It's not about just the content, but the council has continued to talk about this. August 7, 2017, Mr. Freeman asked the council to dictate staff take no further action after a KORA request showed, in three surveys, Gardner citizens get news from Gardner News at a ratio of 2-1. Mr. Freeman said the Gardner News is a trusted resource to find out what's going on in the city, and that this is a miniscule budget item and it is best to continue with a hometown newspaper. Gregorcyk agrees. It is miniscule at 0.01459%. The projections of a \$98,503 over the course of 5 years is only because the budgets are not projected to be in line with the projected growth, which is where the legal notices come from. Mayor Shute disputed that statement, saying this is not versus budget amounts. The yellow on the chart is the Legal Record and the blue is Gardner News; it has nothing to do with budgets. Gregorcyk said he understands, but the budgets need to be in line with the projected growth. Those budgets would not show the disparity. Councilmember Melton said if the city was using the Legal Record, those budgets would not have busted. Mayor Shute said it's Councilmember Gregorcyk's floor. Councilmember Gregorcyk continued stating that Melton doesn't care what paper of record they use; he wants to be financially fair, saying he was willing to table the item to allow the Gardner News to come back with a better price. Gregorcyk said that Councilmember Winters stated on August 7, 2017 that he did not wish to spend more time on this. Councilmember Harrison stated that night that a component of general accessibility needed to be considered as well. Gregorcyk said the bias is thick that they should not vote for the Legal Record. He called back to July 3, 2017 and said Attorney Denk made a comment to make the determination that there is sufficient circulation means in reference to K.S.A. 12-1651. Gregorcyk understands the advisement of Attorney Denk. The city can align the budget with the projected growth that would not show such a shortfall from a budgeted perspective. Every dollar does count, but they shouldn't penalize, in a vindictive way, a local homegrown business owned by a constituent, and he would vote for Gardner News. He asked Shute and Melton again to recuse themselves from the vote.

Mayor Shute asked Attorney Denk's determination on the earlier statute. Denk said regarding K.S.A. 12-4758, it was in reference to acquiring an interest in... Gregorcyk said it was borne from an urban development, but it has generally been held that the vote of a council member who is disqualified because of bias, so it was borne out of the urban case, but not specific to the urban case. Denk said that statute deals specifically with a commissioner or employee of an urban renewal agency, which has been vested by a municipality with urban renewal project powers. It prohibits them from monetarily acquiring any interest, direct or indirect, in any urban renewal project or any property included within the project scope. This is within the urban renewal article in the Kansas Statutes. Mayor Shute asked if that pertains to a specific type of interest or bias toward a developer or toward a portion of that renewal district constituting a conflict of interest? Denk confirmed if someone owned an interest in an urban renewal project that is eligible for project funding or if they own property that is within that urban renewal project then it's a direct pecuniary interest in the issue before the governing body. Mayor Shute said they would declare that and recuse in that case.

Attorney Denk responded generally to the issue of bias. Some municipalities an overall code of ethics that Gardner doesn't have. He refers to instead is the adopted Roberts Rules of Order. They adopt standards within Roberts Rules of Order for when it's appropriate for a member to recuse themselves. Those circumstances come into play when there is a unique personal or proprietary interest in the matter. It would need to be unique to them as members of the body, not a matter of general applicability throughout the community. Personal pecuniary interest would be an example of that. Mayor Shute said simply establishing or possessing a policy position, i.e. a feeling of advocacy toward or against a certain approach of policy does not, in itself, constitute a requirement to recuse. Attorney Denk said there is no requirement to recuse except in some specific statutory contexts, like the urban renewal matter, or a personal interest on a contract before the governing body. Short of those specific statutory directions, or the Roberts Rules of Order which have general provisions relating to conflicts of interest that he shared, it's up to each individual to make their assessment as to a sufficient conflict of interest that may prohibit them from acting impartially. Councilmember Gregorcyk appreciated Attorney Denk's clarification, but still believes there is bias, whether bedded in law or predicated on precedence. Gregorcyk stated again in 2017, Mr. Lewis made it clear he is not interested in doing business with the city. They took the recent transaction, but Mr. Lewis didn't want to talk to any council member and does not want to do business with the city. What type of respect does the governing body have for the free market if that newspaper doesn't want the city's business? Gregorcyk will vote to stay with the Gardner News.

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Councilmember Baldwin said the Governing Body Rules of Procedure has a section on when to recuse and it's in line with what Attorney Denk shared.

Councilmember Melton first pointed out that the staff member presenting always stands to the side of the podium during public comment. In August 2017, Melton brought forth that if the Gardner News could match the Legal Record, plus 5%, then council would have no issue. Two years later, the Gardner News has made no effort, no good faith to try to lower the bill. He has issue with that, being stewards of the citizens' money. The governing body is elected to protect the citizens and their money. This is a great example of that. If they can't do this finite amount, how will they handle anything tough? Melton got a handful of emails, but didn't hear from the other 22,000 citizens. There are a bunch of people who don't care what we do and that's something to think about. What business would you personally buy from if it were 80% more expensive than a comparable business? They should treat this like their own money. This is something they have to answer. He also notes that if John Lewis cashes the city's checks, it doesn't matter.

Councilmember Winters asked staff to clarify they can put these notices on the city's website, and updated frequently? Ms. Nasta confirmed yes, staff can use the existing ordinance page and create an additional page to put public notices and content up, and keep them current. Mayor Shute said for a rolling 12-month period. Winters asked if staff can provide printed notices? Ms. Nasta said yes. City Clerk Rose said anyone who contacts the City Clerk's office can request a printed copy. Winters asked if staff can place them in the pamphlet holder each week. Ms. Nasta confirmed staff can do that. Councilmember Winters wanted to vote in favor of staying with the Gardner News, but when he saw the numbers, it's hard to overlook this significant amount of money. His biggest concern was spending the money to provide a large amount of access for citizens, but staff can put this on the city's website. They can send texts and emails, and this is not limiting access to citizens. Most cities in the area are using Legal Record, with Olathe being an exception. They use Gardner News, so if an Olathe resident wants public notices, they have to buy the Gardner News. They have to come here to get it. The city is being transparent and accessible. His vote is in no way retaliatory at all. He wanted to find reason to continue this, but can't justify the numbers, and is in favor of the Legal Record. Councilmember Gregorcyk asked Winters to clarify about putting them online, but that's not in line with the state statute, so is this an additional step? Winters confirmed this would be an addition, so citizens don't have to go purchase the Legal Record, or get a subscription. They can get all the same information through the city's website and still satisfy the Kansas statute. Melton additionally suggests staff take copies to Groundhouse Coffee with the other papers to be more accessible. Baldwin said before we make 20 copies, see how many people are coming in and set a threshold where maybe they charge \$0.10 a page. At a certain point, someone else could have done this just as easily from the city's website or the newspaper site and the city doesn't need to spend additionally. Winters still suggests having a few available.

Mayor Shute said the city needs to up the communications game. Staff stated here and elsewhere they are willing to increase the communication. The city wants to be more transparent and have the legal notices readily available for everybody. Shute got a copy of the Legal Record at the Johnson County Courthouse. He believes they are paid for by the County. The nice thing about having notices in the Legal Record from the standpoint of people who want to do business with the City of Gardner is that there are many other legal notices from many communities. There is not an exclusive paper of record for several cities in Johnson County. Some cities specify multiple papers for paper of record. The law requires one paper, it doesn't require that the city can only use that one paper. In the future, if Gardner News wishes to bid for the business, that may be something to look at.

Councilmember Gregorcyk asked Attorney Denk if there is sufficient circulation to meet statute. Denk said K.S.A. 12-1651 requires that newspaper of record for cities of the 2nd class and 3rd class be published at least 50 times each year, having been published for at least 1 year prior, entered at the post office of publication as second-class mail matter, more than 50% of the circulation must be sold to subscribers either on a daily, weekly, monthly or yearly basis, and shall have general paid circulation on a daily, weekly, monthly, or yearly basis in the county and shall not be a trade, religious, or fraternal publication. Denk's recollection of the 2017 discussion is that neither publication met those requirements. Because of those concerns, City of Lenexa home-ruled out of state statute, because no newspaper was meeting those requirements. Shute said that is because the printed publications are not nearly in general circulation as they were. Denk can't speak to whether Legal Record does or Gardner News does, he hasn't

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done research, but that's what the statute provides. Lenexa was one of the municipalities, the statute requires the city to have one newspaper, if they want multiple newspapers, they have to home-rule out from state statute. Lenexa did this and had two papers, but recently dropped one. They home-ruled out from requirements of state statute because of the difficulty of finding any publication that meets those requirements. Councilmember Gregorcyk asked, depending on the outcome of the vote tonight and what Denk shared, should the city be concerned about litigation? Denk doesn't know whether the Gardner News has a legal standing to enforce this statute. He questioned whether they have legal standing if they were trying to compel compliance with that statute. The area of concerns is what people stood up to talk about, concerns about retaliation and a First Amendment claim. Denk said the governing body has done a good job of keeping the analysis focused on the appropriate issues.

Councilmember Melton called the question. Mayor Shute stopped the debate. Councilmember Gregorcyk called a point of order to ask why Melton called the question. Shute said it doesn't matter, there's no debate.

Councilmember Melton made a motion to adopt a resolution of the City of Gardner, Kansas, designating The Legal Record as the official newspaper for the City of Gardner, Kansas

Councilmember Baldwin Seconded.

With a majority of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2045.

Roberts:	No
Winters:	Yes
Baldwin	Yes
Gregorcyk:	No
Melton:	Yes
Shute:	Abstain

3. Consider annexation process with landowner consent

Business and Economic Development Director Larry Powell brought forth this annexation with landowner consent for a property formerly known as Cross Winds Community Church, approximately 10.83 acres of rural property located on Clare Road and adjacent to the southeast corner of the Grata property, which was previously annexed by the city. The property is being offered for voluntary annexation by the Trustee of Cross Winds Community Church. The church has been absorbed into New Life Community Church. They are the responsible owners of record, even though the deed is still in the name of Crosswinds. The request is a voluntary annex and has been properly signed.

Councilmember Melton made a motion to accept the Voluntary Consent Annexation Agreement and Consent Annexation Request of Cross Winds Community Church and adopt an ordinance annexing land to the City of Gardner, Kansas

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2641.

Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes
Roberts:	Yes

4. Consider adopting an ordinance annexing land obtained by the City of Gardner in a condemnation of property for the FAA to protect runways

Business & Economic Development Director Larry Powell stated the city recently gained control over 18.79 acres of property adjacent to the Gardner Airport. It is now under the ownership of the city. It was purchased with assistance from the FAA for a Runway Protection Zone off the east end of the east/west runway.

Councilmember Melton made a motion to adopt an ordinance annexing land southwest of 175th Street and Waverly Road in the City of Gardner, Kansas

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2642.

Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes
Roberts:	Yes
Winters:	Yes

5. Consider advancing operating funds to the Gardner Land Bank

Business & Economic Development Director Larry Powell said Finance Director Wolff and Powell himself worked with staff to put together the next step in creating the land bank, which was put in place in November. The council, which is acting as the land bank board when they are in session, needs to put a budget in place to that it can have legal standing according to statute. The budget would be used for the activities of the land bank when it is accepting or dispensing of land, meeting the legal requirements and paying for those as needed as the land bank board. This request will create a budget with \$5,000 and would be coming from the general fund.

Councilmember Gregorcyk asked why this could not be funded through transient guest tax, instead of general fund? Mayor Shute said the land bank is not considered an economic development activity. Director Powell said the land bank is an incentive tool and can be utilized that way. The funding, per Kansas statute can come from general funding. Staff did not take it from the other fund because it's been overextended and doesn't have budgetary funds to take. Gregorcyk said moving forward they could realign the transient guest tax with the Southwest Johnson County EDC. Shute said they have to reevaluate that. The delayed opening of Hampton Inn put the city behind with the transient guest tax. They will have to lower some of those number because they are behind, but they can consider this as part of those discussions. Gregorcyk said that way it's not funded by taxpayers, it's funded by transient guest tax and it's an economic vehicle to use. Shute confirmed and said he expected any development funds would have to come from development community.

Councilmember Melton made a motion to authorize the City Administrator to advance operating funds to the Gardner Land Bank in the amount of \$5,000.

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

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6. Consider adopting an ordinance amending Title 13, Utilities Code of the City of Gardner

Utilities Director Gonz Garcia said this is a housekeeping item. In January of this year, council adopted 2598 amending the utilities code referring to rates. Staff were incorporating the new rates, they discovered errors and omissions to the original ordinance. In the council's notes, the changes were highlighted in red.

Councilmember Gregorcyk made a motion to adopt an ordinance amending Title 13, Utilities Code of the City of Gardner, Kansas, 2008, increasing various rates and charges and amending or repealing all ordinances or regulations not in conformity herewith.

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2643.

Gregorcyk:	Yes
Melton:	Yes
Roberts:	Yes
Winters:	Yes
Baldwin	Yes

7. Consider a recommendation to condemn water easements for the Hillsdale Water Treatment Plant Expansion

Utilities Director Gonz Garcia said this is part of the expansion project. The city needs a new 24-inch raw water line to supply raw water from Hillsdale Lake to the plant. The city retained the services of Burns & McDonnell to assist with easement acquisitions. Burns & McDonnell has engaged with property owners and explained the need for the easements. They have taken owners concerns and revised the agreements, but as of now, none of the landowners have signed the easement agreements. Staff consulted with city attorney about what if the landowners don't sign the agreements, and the length of time for an eminent domain process. It's 90 days from start to finish, so they will continue to reach out to the landowners to sign agreements, but staff wants to initiate the preliminary step for eminent domain so the plant expansion won't be delayed.

Councilmember Gregorcyk clarified that this is in Miami county, correct? Director Garcia confirmed. Gregorcyk asked if the eminent domain piece is a portion left and right of the area we are excavating. Garcia said it's south of the existing expansion. Gregorcyk asked if staff has Miami County consent? Attorney Denk said the city has the authority to exercise eminent domain outside of territorial jurisdictions for things like this.

Councilmember Winters asked if this is underground. Director Garcia confirmed it is underground. Winters clarified that this is saying the city wants to put the pipe there and cover it up and if the city needs to get in there for maintenance, they can. Councilmember Melton asked if this will go by any houses? Garcia said the easements are very close to Moonlight Road. Mayor Shute said it's just off the road right-of-way. Councilmember Baldwin said this is because they failed to obtain the right-of-way the first time. Shute clarified that the city failed to obtain the original easements, and now repairing a bad decision made years ago.

Councilmember Melton Made a motion to adopt a resolution declaring the necessity and authorizing a survey and descriptions of lands or interests therein necessary to be condemned for the location, laying-out, construction, reconstruction, operation, use, maintenance and repair of raw water lines and improvements attendant thereto from Hillsdale Lake to the City's Hillsdale Water Treatment Plant located within Miami County, Kansas

Councilmember Baldwin Seconded.

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Mayor Shute asked that this has nothing to do with the existing transfer lines from Hillsdale to the city. Director Garcia confirmed this has nothing to do with the existing transmission lines from Hillsdale to the city.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2046.

Melton:	Yes
Roberts:	Yes
Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes

COUNCIL UPDATES

Mayor Shute said thoughts and prayers go out to Michael Kramer who lost his father-in-law suddenly.

Director Powell said Mr. Divilbiss expresses his thanks for the action tonight on the CID for Waverly Plaza. Concerning that, the Public Works department is moving forward with the Santa Fe and Waverly portions of that project, but have run into some items on the waterline placement. They planned to start soon and had signs out that they were going to close the intersection, but that has been deferred. Powell reminded the public that they can find out about road closings through public announcements they can sign up for.

Director Bruce said the trail for Kill Creek is wrapping up. The contractor did a good job on the project. He thanked the engineering division of Tim McEldowney, Mike Gardner, and Mark Pottinger for their help on this project. Staff is going to Kansas Wildlife, Parks and Tourism in January to apply for grant funding to expand the trail up to Symphony Farms on 167th St.

Chief Belcher gave a shout out to the men and women pushing snow. Public Works and Parks all pitch in. They are doing a great job.

Mayor Shute asked City Clerk Rose about the openings on the boards and commissions. Rose said she has applications and will reach out for interviews. Mayor Shute said they need to designate the interview team for the Planning Commission and schedule them for early January to fill the seat before their next scheduled meeting. He asked council for their interest on the interview team for Planning Commission. Councilmembers Melton and Roberts indicated their interest. Shute confirmed and asked about other committees. City Clerk Rose said there are several. Melton asked for the list of openings to be sent out on the Friday Minute Memo.

Councilmember Melton responded to Mr. Darpel about the lights downtown. The city can't force any businesses to put up lights on their property and the city would have to hang them and be responsible for them. Getting business owners involved is a challenge. Mayor Shute said the plaza lights is a big example of this. There are districts that have coordinated the lighting. It's his understanding, as with the plaza lights, there is a neighborhood association or commercial association that does this. A business group comes together to get it done. The city can encourage that. City Administrator Pruetting recommended talking with the Chamber of Commerce. Shute mentioned the downtown beautification committee. Councilmember Baldwin suggested having a competition.

Mr. Darpel appreciated the response. He sees many other cities with lights downtown, and believes it helps the community a lot. As much as the city is growing; wanting more business investment. It increases camaraderie. Councilmember Melton said just as they can't make a homeowner put them on their house, they can't make a business put them on their building. Mayor Shute said they can encourage a neighborhood association formation. Councilmember Winters said the city can improve some of its decorations as well. Councilmember Melton continued, stating the street crews did a great job; he was impressed. Melton asked Chief Belcher who they call when there's an accident? Marvin with Marvin's Towing told Melton that the city calls random tow trucks. Chief Belcher said the officers go through dispatch. Melton was told some cities have ordinances that are specific to the city where the accident is. There are plenty of tow trucks in town and Melton believes the city should be using them as primary instead of calling someone from out of town. Attorney Denk said there are other jurisdictions that

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have a tow rotation, and tow companies very much want to be on the list, but he doesn't know about having a residency component. He said some tow companies have filed litigation to get on the rotation lists. Melton asked if this is something that benefits the city – to keep the money local? Denk said he doesn't have issue with that and can look into it. Melton said his priority is that they would need to be in the zip code to be on the list, and meet criteria with storage and fencing. City Administrator Pruetting said they may evaluate that from the other side, because if a company has exclusivity here, other cities may shut them out. Shute agreed there may be retaliation. Pruetting said they all have home base somewhere, and if the city starts doing home base here, others may implement that or take this company off their list because he's not part of the rotation. Shute said the reason the rotation is there is for equitable use. Pruetting said it prevents 6 trucks racing to one accident. Belcher clarified that if there is a need for a tow and if the owner does not have a preference for a specific company, they contact dispatch and go with the next company up. If they can't respond, it goes to the next company. Shute said it's as fair as it can get.

Councilmember Baldwin thanked the residents who wrote and came out to speak on tonight's item. That was probably the most involvement they've had on a business item in a long time. Baldwin liked the idea of Christmas lights being handled by an organization or families donating toward it so the city doesn't increase costs. He came from a small town and every light pole had something lit up for the two miles of town. He would like to look at having donations solicited. He wishes everyone a Merry Christmas and Happy New Year.

Councilmember Gregorcyk agrees with Baldwin on the lights. There are churches and civic clubs that may be interested in that, and that could turn into a competition. Gregorcyk and his wife sponsored children and there are folks in our city that have that need, and want to share. He thanked those who reached out via email. It was a great example of what this republic is all about, being able to voice opinions, no matter what side. He responded in kind to everyone, whether he agreed with them or not. He's concerned about litigation, but appreciated hearing from constituents. They took time, did research, attended the meeting tonight and he appreciated that. Gregorcyk wishes staff and citizens Merry Christmas and Happy New Year. He tried to time snow blowing efforts with city plows; they are efficient. He appreciates the men and women taking care of the roads, doing their best to take care of the property they are servicing.

Councilmember Roberts said everyone stole her thunder and she echoes most of what the others said what everyone said. She appreciated all the calls, texts, emails. The vote didn't go their way this time, but that's part of the process. She's anxious to move on and do great things for Gardner. Roberts again thanked everyone for contacting her. That's what the process is all about, and she appreciates that.

Mayor Shute emphasized the Public Works team and how great they are at snow removal. He was out in other jurisdictions during the storm, but when he returned to Gardner, the roads were cleared. It was well done. The crews did a great job of prepping the roads before the snow. It was a tough storm and they did a great job. Shute extended his personal appreciation of how well the crews did. Regarding the Christmas Tree fund, they were able to help over 70 families this year. Price Chopper stepped up and gave \$3,000. The fund provided gift cards to all the families. Many folks will have a better Christmas this year because of the generosity of the community. He gave kudos to those around the dais who have paid it forward. The holidays are coming up, be safe.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business to come before the Council, on a motion duly made by Councilmember Melton and seconded by Councilmember Baldwin the meeting adjourned at 8:59 p.m.

City Clerk

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BANK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001986	00	ANIXTER, INC.						
4430095-02	000037			00 12/13/2019	501-4130-441.52-31	PARTS	EFT:	600.62
4392934-06	000093			00 12/13/2019	501-4130-441.52-31	METERS	EFT:	166.13
4430095-05	000094			00 12/13/2019	501-4130-441.52-31	LINE HARDWARE	EFT:	172.58
4446140-00	000095			00 12/13/2019	501-4130-441.52-31	CABLE AND HARDWARE	EFT:	3,127.70
4452438-00	000096			00 12/13/2019	501-4130-441.52-31	PEDESTAL	EFT:	4,103.67
4424706-01	000097			00 12/13/2019	501-4130-441.52-31	LINE HARDWARE	EFT:	3,218.57
						VENDOR TOTAL *	.00	11,389.27
0001366	00	APAC KANSAS, INC						
8001824755	000098			00 12/13/2019	521-4230-442.52-12	AXEL TRUCK	EFT:	143.00
8001825473	000099			00 12/13/2019	521-4230-442.52-12	AXEL TRUCK	EFT:	71.50
						VENDOR TOTAL *	.00	214.50
0002847	00	BLACK HILLS ENERGY						
12102019	000100			00 12/13/2019	501-4120-441.31-15	MONTHLY BILLING	EFT:	2,511.60
						VENDOR TOTAL *	.00	2,511.60
0002420	00	BRENNTAG MID-SOUTH, INC						
BMS455340	000101			00 12/13/2019	521-4220-442.52-13	CHEMICALS	EFT:	2,486.25
						VENDOR TOTAL *	.00	2,486.25
0002494	00	BRET'S AUTOWORKS						
38618	000418			00 12/13/2019	001-3120-431.43-05	BUCKET TRUCK REPAIR	EFT:	3,308.74
						VENDOR TOTAL *	.00	3,308.74
0001984	00	BSN SPORTS, LLC						
906984047	000087			00 12/13/2019	001-6110-461.47-53	RUBBER BASKETBALLS	EFT:	363.60
						VENDOR TOTAL *	.00	363.60
0004934	00	BURNS & MCDONNELL/CAS CONSTRUCTORS						
3	PI0519			00 12/10/2019	521-4240-442.61-03	HILLSDALE WTP EXPANSION	EFT:	888,834.44
						VENDOR TOTAL *	.00	888,834.44
0004617	00	CENTRAL PLUMBING						
AP-19001	PI0516			00 11/30/2019	551-4540-445.62-10	SEWER EXTENSION	EFT:	26,601.30
						VENDOR TOTAL *	26,601.30	26,601.30
0000001	00	CENTURYLINK						
313696625	12/19000038			00 12/13/2019	001-3116-431.40-03	MONTHLY BILLING	EFT:	20.01
313696625	12/19000039			00 12/13/2019	001-3120-431.40-03	MONTHLY BILLING	EFT:	37.16
313680665	12/19000040			00 12/13/2019	001-6110-461.40-03	MONTHLY BILLING	EFT:	62.54
313014430	12/19000102			00 12/13/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	350.40
313823146	12/19000103			00 12/13/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	51.90
						VENDOR TOTAL *	522.01	522.01
0001208	00	CHLORINATORS, INC						
135858	000443			00 12/13/2019	521-4220-442.43-02	SMARTVALVE SERVICE	EFT:	943.50
						VENDOR TOTAL *	943.50	943.50
0000429	00	CINTAS FIRE PROTECTION						
						VENDOR TOTAL *	943.50	943.50

VEND NO	SEQ#	VENDOR NAME	BANK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND- ISSUED AMOUNT
0000429	00	CINTAS FIRE PROTECTION						
8404418540	000105	00 12/13/2019			501-4120-441.31-15	MONTHLY BILLING	EFT:	32.80
8404418540	000104	00 12/13/2019			501-4130-441.31-15	MONTHLY BILLING	EFT:	85.25
8404418540	000106	00 12/13/2019			521-4230-442.31-15	MONTHLY BILLING	EFT:	19.80
8404418540	000108	00 12/13/2019			531-4320-443.31-15	MONTHLY BILLING	EFT:	69.21
8404418540	000107	00 12/13/2019			531-4330-443.31-15	MONTHLY BILLING	EFT:	19.79
0001643	00	CITY OF EDGERTON				VENDOR TOTAL *	.00	226.85
NOV-19		00 12/13/2019			531-4320-443.31-15	WASTEWATER TREATMENT	15,327.65	
0003708	00	CITY OF OLATHE				VENDOR TOTAL *	15,327.65	
2019 S. CDR	000042	00 12/13/2019			531-4310-443.48-03	S. CEDAR CREEK SPECIALS	11,760.78	
0001396	00	CLEAR WATER EQUIPMENT				VENDOR TOTAL *	11,760.78	
3041-533	000043	00 12/13/2019			521-4220-442.52-12	MAINTENANCE KITS	EFT:	915.95
0000069	00	COLEMAN EQUIPMENT, INC.				VENDOR TOTAL *	.00	915.95
403383	000419	00 12/13/2019			501-4130-441.52-04	PARTS FOR CHAINSAW	EFT:	301.04
0000072	00	CONSTRUCTION MATERIALS, INC.				VENDOR TOTAL *	.00	301.04
135614	000044	00 12/13/2019			001-6120-461.52-01	MAINTENANCE MATERIALS	EFT:	20.70
0004644	00	CORE & MAIN LP				VENDOR TOTAL *	.00	20.70
L523367	000109	00 12/13/2019			521-4230-442.52-12	HYDRANT PARTS	525.92	
L590312	000110	00 12/13/2019			521-4230-442.52-12	HYDRANT PARTS	568.22	
0001059	00	COSENTINO FOOD STORES				VENDOR TOTAL *	1,094.14	
12112019	000092	00 12/13/2019			703-1120-411.54-99	GIFT CARDS - XMAS PROGRAM	2,670.00	
0002830	00	CREATIVE CARNIVALS & EVENTS, LLC				VENDOR TOTAL *	2,670.00	
13312	000045	00 12/13/2019			001-6110-461.47-54	RENTALS	EFT:	450.00
0002336	00	DAVIS, PHIL				VENDOR TOTAL *	.00	450.00
12102019	000032	00 12/13/2019			001-6110-461.47-54	DJ SERVICES	225.00	
0004096	00	DESIGN 4 SPORTS				VENDOR TOTAL *	225.00	
34750	000420	00 12/13/2019			001-6110-461.53-02	HOODIE FOR KEN'S RETIREME	EFT:	35.00
0000708	00	DLT SOLUTIONS, LLC				VENDOR TOTAL *	.00	35.00

VEND NO	SEQ#	VENDOR NAME	BANK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000421	00	KANSAS MUNICIPAL UTILITIES, INC.					
0000112	00	KANSAS ONE-CALL SYSTEM, INC.			VENDOR TOTAL *	.00	500.00
9110242	000073	00 12/13/2019	001-3120-431.31-15	STORMWATER LOCATING SVC		EFT:	124.20
9110242	000070	00 12/13/2019	501-4130-441.40-06	ELECTRIC LOCATING SERVICE		EFT:	124.20
9110243	000439	00 12/13/2019	501-4130-441.40-06	LOCATE FEES		EFT:	21.60
9110242	000071	00 12/13/2019	521-4230-442.40-06	WATERLINE LOCATING SVC		EFT:	124.20
9110242	000072	00 12/13/2019	531-4330-443.40-06	SEWERLINE LOCATING SVC		EFT:	124.20
0000332	00	KANSAS STATE TREASURER			VENDOR TOTAL *	.00	518.40
50576	000063	00 12/13/2019	001-0000-207.10-17	MUNICIPAL COURT REVENUE		75.00	
50576	000064	00 12/13/2019	001-0000-207.10-13	MUNICIPAL COURT REVENUE		1,040.00	
50576	000065	00 12/13/2019	001-0000-207.10-14	MUNICIPAL COURT REVENUE		308.00	
50576	000066	00 12/13/2019	001-0000-207.10-11	MUNICIPAL COURT REVENUE		212.00	
50576	000067	00 12/13/2019	001-0000-207.10-12	MUNICIPAL COURT REVENUE		3,713.00	
50576	000068	00 12/13/2019	001-0000-207.10-15	MUNICIPAL COURT REVENUE		391.50	
50576	000069	00 12/13/2019	001-0000-207.10-16	MUNICIPAL COURT REVENUE		120.00	
0001446	00	KMEA EMP #1 OPERATING ACCT			VENDOR TOTAL *	5,859.50	
EMPI-GD-2019-10000442	00 12/13/2019	501-0000-351.13-00	MONTHLY BILLING		EFT:	231,721.45	
EMPI-GD-2019-11000440	00 12/13/2019	501-4120-441.41-01	MONTHLY BILLING		EFT:	244,413.15	
EMPI-GD-2019-10000441	00 12/13/2019	501-4120-441.41-01	MONTHLY BILLING		EFT:	210,775.24	
0001626	00	KMEA GRDA OPERATING ACCT			VENDOR TOTAL *	.00	223,466.94
GRDA-GD-20-01 000114	00 12/13/2019	501-4120-441.41-01	MONTHLY BILLING		EFT:	199,315.18	
0003399	00	KMEA WAPA OPERATING FUND			VENDOR TOTAL *	.00	199,315.18
WAPA-GA-19-12 000074	00 12/13/2019	501-4120-441.41-01	MONTHLY BILLING		EFT:	5,750.50	
0002881	00	LA CARRETA			VENDOR TOTAL *	.00	5,750.50
1023921	000464	00 12/13/2019	601-1230-412.46-01	SAFETY COMM AWARDS LUNCH.		607.00	
0004937	00	LAN-TEL COMMUNICATIONS SERVICES			VENDOR TOTAL *	607.00	
1	PI0517 007204	00 11/14/2019	117-3120-431.62-05	SALES TAX - CONCRETE		EFT:	133,690.50
1	PI0518 007205	00 11/14/2019	117-3120-431.62-05	BOND - CONCRETE		EFT:	35,881.20
0004413	00	LASER EQUIPMENT			VENDOR TOTAL *	.00	169,571.70
673848	000081	00 12/13/2019	001-2110-421.52-20	PRINTER CARTRIDGE		EFT:	523.67
0000127	00	MARRIOTT GARAGE			VENDOR TOTAL *	.00	523.67
19145	000444	00 12/13/2019	001-2120-421.46-01	VEHICLE TOW - UNIT #115		EFT:	65.00

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT. EPAY OR HAND-ISSUED AMOUNT
0000127	00	MARRIOTT GARAGE						
0099999	00	MCANANY CONSTRUCTION		00 12/12/2019	501-0000-229.00-00	VENDOR TOTAL *	.00	65.00
000042455		UT				FINAL BILL REFUND	473.56	
0003838	00	MEGA INDUSTRIES CORP		00 12/03/2019	401-6120-461.62-23	VENDOR TOTAL *	473.56	169,519.38
2-PW1703		PI0520 007194 00				KILL CREEK TRAIL	EFT:	
0000130	00	MOBILPHONE				VENDOR TOTAL *	.00	169,519.38
6089031		000079		00 12/13/2019	001-3120-431.40-03	MONTHLY BILLING	EFT:	8.24
6089031		000077		00 12/13/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	34.18
6089031		000075		00 12/13/2019	521-4230-442.40-03	MONTHLY BILLING	EFT:	4.12
6089031		000078		00 12/13/2019	531-4320-443.40-03	MONTHLY BILLING	EFT:	37.62
6089031		000076		00 12/13/2019	531-4330-443.40-03	MONTHLY BILLING	EFT:	4.12
0000131	00	MURRAY'S TAILORING & ALTERATIONS				VENDOR TOTAL *	.00	88.28
10112019		000445		00 12/13/2019	001-2120-421.42-02	SEW PATCHES ON SHIRTS	EFT:	33.00
0001269	00	O'DONNELL AND SONS CONSTRUCTION				VENDOR TOTAL *	.00	33.00
98790		000080		00 12/13/2019	001-3120-431.52-08	ASPHALT	EFT:	857.06
0000144	00	O'REILLY AUTOMOTIVE, INC.				VENDOR TOTAL *	.00	857.06
0354-129304		000446		00 12/13/2019	501-4130-441.52-02	DISPENSER FOR SHOP USE	EFT:	32.83
0354-130141		000447		00 12/13/2019	501-4130-441.52-04	BATTERIES FOR TRUCK #405	EFT:	388.16
0354-130146		000448		00 12/13/2019	501-4130-441.52-09	HYDRAULIC OIL FOR SHOP	EFT:	54.73
0354-130149		000449		00 12/13/2019	501-4130-441.52-12	FUEL LINE FOR SHOP	EFT:	30.49
0354-130150		000450		00 12/13/2019	501-4130-441.52-12	AIR COUPLERS AND PLUGS	EFT:	73.21
0354-130510		000451		00 12/13/2019	501-4130-441.52-12	OIL DRY FOR SHOP STOCK	EFT:	20.78
0354-130549		000452		00 12/13/2019	501-4130-441.52-04	HEATER HOSE #453	EFT:	9.00
0354-130549		000453		00 12/13/2019	501-4130-441.52-09	ANTIFREEZE FOR SHOP	EFT:	32.82
0354-130551		000454		00 12/13/2019	501-4130-441.52-09	ANTIFREEZE FOR SHOP	EFT:	32.82
0354-130553		000455		00 12/13/2019	501-4130-441.52-04	HOSE CLAMPS #453	EFT:	5.81
0002020	00	PACE ANALYTICAL SERVICES, INC				VENDOR TOTAL *	.00	680.65
1960091120		000456		00 12/13/2019	531-4320-443.31-15	LAB TESTING - WET TEST	EFT:	1,543.00
0000590	00	PETTY CASH - PARKS AND RECREATION				VENDOR TOTAL *	.00	1,543.00
12062019		000035		00 12/13/2019	001-0000-341.03-98	FRONT COUNTER	20.00	
12122019		000034		00 12/13/2019	001-6110-461.54-51	START-UP MONEY	300.00	
0000149	00	PRAXAIR DISTRIBUTION INC				VENDOR TOTAL *	320.00	

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000149	00	PRAXAIR DISTRIBUTION INC						
93211833	000082	00 12/13/2019			001-3116-431.44-02	CYLINDER RENTAL	EFT:	43.45
93485856	000083	00 12/13/2019			001-3116-431.44-02	CYLINDER RENTAL	EFT:	156.03
93486290	000084	00 12/13/2019			001-6120-461.44-02	CO2 SHOP	EFT:	48.10
93495658	000115	00 12/13/2019			501-4120-441.44-02	NITROGEN	EFT:	165.31
93492648	000116	00 12/13/2019			501-4120-441.44-02	GAS	EFT:	274.73
0000586	00	PROTECTIVE EQUIPMENT TESTING				VENDOR TOTAL *	.00	687.62
69254	000085	00 12/13/2019			501-4130-441.53-02	SUPPLIES	EFT:	2,188.02
0000198	00	QUALITY REFRIGERATION, INC.				VENDOR TOTAL *	.00	2,188.02
12164	000088	00 12/13/2019			001-6110-461.52-15	WINTERIZED ICE MACHINES	EFT:	127.50
12164	000089	00 12/13/2019			001-6110-461.52-15	WINTERIZED ICE MACHINES	EFT:	127.50
0000241	00	RAY LINDSEY COMPANY				VENDOR TOTAL *	.00	255.00
2019634	000457	00 12/13/2019			531-4320-443.52-12	PARTS	EFT:	196.16
0003110	00	REJIS COMMISSION				VENDOR TOTAL *	.00	196.16
429036	000458	00 12/13/2019			001-2110-421.31-15	SET UP ACCTS-JOLLY/WHITE	EFT:	21.50
0004625	00	RENAISSANCE INFRASTRUCTURE CONSULT				VENDOR TOTAL *	.00	21.50
19-0669	PI0514	00 10/31/2019			401-6120-461.62-23	PROFESSIONAL SERVICES	EFT:	2,012.00
19-0759	PI0515	00 11/29/2019			401-6120-461.62-23	PROFESSIONAL SERVICES	EFT:	756.00
0003305	00	RICOH USA INC				VENDOR TOTAL *	.00	2,768.00
5058126425	000117	00 12/13/2019			531-4320-443.43-02	MONTHLY BILLING	23.77	
0004830	00	SECURITY BANKCARD CENTER				VENDOR TOTAL *	23.77	
11/2019	000128	00 12/12/2019			001-1110-411.54-51	PAYPAL EBAY SAVINGSINSU	EFT:	49.99
11/2019	000129	00 12/12/2019			001-1110-411.54-51	AMZN MKTP US YG87082B3 AM	EFT:	39.00
11/2019	000134	00 12/12/2019			001-1110-411.54-51	HOBBY-LOBBY #0075	EFT:	21.54
11/2019	000135	00 12/12/2019			001-1110-411.54-51	AMZN MKTP US ES7NY3MQ3	EFT:	42.68
11/2019	000136	00 12/12/2019			001-1110-411.54-51	WAL-MART #5307	EFT:	47.66
11/2019	000137	00 12/12/2019			001-1110-411.54-51	WAL-MART #5307	EFT:	33.28
11/2019	000121	00 12/12/2019			001-1120-411.54-51	WWW.GIGSALAD.COM	EFT:	44.00
11/2019	000122	00 12/12/2019			001-1120-411.54-51	JOHNSON COUNTY EQUIPMENT	EFT:	10.00
11/2019	000123	00 12/12/2019			001-1120-411.54-51	THE UPS STORE 5784	EFT:	30.40
11/2019	000124	00 12/12/2019			001-1120-411.54-51	IN STRAHAN CLEANING	EFT:	149.00
11/2019	000130	00 12/12/2019			001-1120-411.54-51	OFFICE SIGN COMPANY - CON	EFT:	80.95
11/2019	000131	00 12/12/2019			001-1120-411.54-51	SO ACA CATERING	EFT:	267.50
11/2019	000132	00 12/12/2019			001-1120-411.54-51	HY-VEE OLATHE 1463	EFT:	116.46
11/2019	000133	00 12/12/2019			001-1120-411.52-20	PRIDE CLEANERS #24	EFT:	124.00
11/2019	000140	00 12/12/2019			001-1120-411.52-20	STAPLS7226676916000001	EFT:	23.49

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004830	00	SECURITY BANKCARD CENTER	00	12/12/2019	001-1120-411-46-02	ADOBE ACROPRO SUBS	16.41	EFT:
11/2019		000148	00	12/12/2019	001-1130-411-31-15	CANVA 02502-1808605	12.95	EFT:
11/2019		000126	00	12/12/2019	001-1140-411-46-01	WM SUPERCENTER #5307	22.46	EFT:
11/2019		000125	00	12/12/2019	001-1140-411-46-01	SO SUGAR MAMMA SWE	428.00	EFT:
11/2019		000127	00	12/12/2019	001-1140-411-46-01	HY-VEE OLATHE 1463	1,600.00	EFT:
11/2019		000138	00	12/12/2019	001-1140-411-52-20	STAPLS7226676916000001	1,117.68	EFT:
11/2019		000139	00	12/12/2019	001-1140-411-46-01	SO GROUNDHOUSE COF	13.00	EFT:
11/2019		000141	00	12/12/2019	001-1140-411-46-01	PRICE CHOPPER #117	114.97	EFT:
11/2019		000142	00	12/12/2019	001-1140-411-46-01	WM SUPERCENTER #5307	20.06	EFT:
11/2019		000143	00	12/12/2019	001-1140-411-46-01	PRICE CHOPPER #117	6.70	EFT:
11/2019		000144	00	12/12/2019	001-1140-411-46-01	WM SUPERCENTER #5307	3.88	EFT:
11/2019		000145	00	12/12/2019	001-1140-411-52-20	INDEED	142.17	EFT:
11/2019		000146	00	12/12/2019	001-1140-411-46-05	THE GALLERY COLLECTION	135.39	EFT:
11/2019		000147	00	12/12/2019	001-1140-411-47-02	STAPLS7227387224000001	8.97	EFT:
11/2019		000262	00	12/12/2019	001-1140-411-52-20	WM SUPERCENTER #5307	33.20	EFT:
11/2019		000264	00	12/12/2019	001-1140-411-52-20	SAMSCUB #8208	39.98	EFT:
11/2019		000265	00	12/12/2019	001-1140-411-52-20	WM SUPERCENTER #5307	24.10	EFT:
11/2019		000266	00	12/12/2019	001-1140-411-52-20	PRICE CHOPPER #117	148.40	EFT:
11/2019		000268	00	12/12/2019	001-1140-411-52-20	PRICE CHOPPER #117	145.56	EFT:
11/2019		000269	00	12/12/2019	001-1140-411-52-20	PRICE CHOPPER #117	148.40	EFT:
11/2019		000270	00	12/12/2019	001-1140-411-52-20	SO GROUNDHOUSE COF	26.00	EFT:
11/2019		000271	00	12/12/2019	001-1150-411-46-01	DOUBLETREE BY HILTON W	587.25	EFT:
11/2019		000152	00	12/12/2019	001-1150-411-46-02	KS.GOV PAYMENT	76.88	EFT:
11/2019		000153	00	12/12/2019	001-1150-411-46-02	GOVERNMENT FINANCE OFFIC	420.00	EFT:
11/2019		000150	00	12/12/2019	001-1305-413-46-01	WSU MARKETPLACE	50.00	EFT:
11/2019		000151	00	12/12/2019	001-1310-413-46-02	INT'L CODE COUNCIL INC	62.38	EFT:
11/2019		000160	00	12/12/2019	001-1330-413-52-20	STAPLS7227437768000001	98.51	EFT:
11/2019		000161	00	12/12/2019	001-1330-413-52-20	STAPLS7227561965000001	90.00	EFT:
11/2019		000173	00	12/12/2019	001-2110-421-46-02	PARTY CITY 1103	29.98	EFT:
11/2019		000179	00	12/12/2019	001-2110-421-52-20	AMZN MKTP US 7A14F8123	28.04	EFT:
11/2019		000182	00	12/12/2019	001-2110-421-31-15	IN MIDWEST SHREDDING SER	115.00	EFT:
11/2019		000183	00	12/12/2019	001-2110-421-46-01	FBI LEEDA INC	50.00	EFT:
11/2019		000184	00	12/12/2019	001-2110-421-46-02	FBI LEEDA INC	350.00	EFT:
11/2019		000186	00	12/12/2019	001-2110-421-46-02	AMZN MKTP US 8VOM93JS3 AM	19.99	EFT:
11/2019		000193	00	12/12/2019	001-2110-421-52-20	PRICE CHOPPER #117	27.23	EFT:
11/2019		000194	00	12/12/2019	001-2110-421-52-20	POCKETPRESS	359.60	EFT:
11/2019		000195	00	12/12/2019	001-2110-421-46-01	SO METRO CHIEFS AN	171.12	EFT:
11/2019		000174	00	12/12/2019	001-2120-421-52-20	IN ARROWHEAD SCIENTIFIC	1,015.29	EFT:
11/2019		000175	00	12/12/2019	001-2120-421-43-05	BRET'S AUTOWORKS 0000522	94.83	EFT:
11/2019		000176	00	12/12/2019	001-2120-421-43-05	BRET'S AUTOWORKS 0000522	346.51	EFT:
11/2019		000177	00	12/12/2019	001-2120-421-43-05	BRET'S AUTOWORKS 0000522	563.71	EFT:
11/2019		000180	00	12/12/2019	001-2120-421-52-20	WM SUPERCENTER #5307	22.74	EFT:
11/2019		000181	00	12/12/2019	001-2120-421-43-05	BRET'S AUTOWORKS 0000522	231.21	EFT:
11/2019		000185	00	12/12/2019	001-2120-421-53-02	PAYPAL BADGESOURCE	170.00	EFT:
11/2019		000187	00	12/12/2019	001-2120-421-52-20	AMZN MKTP US RB3C69IF3 AM	35.00	EFT:
11/2019		000192	00	12/12/2019	001-2120-421-52-20	AMAZON.COM M88U13U43 AMZN	59.97	EFT:
11/2019		000196	00	12/12/2019	001-2120-421-46-01	PRICE CHOPPER #117	14.98	EFT:
11/2019		000197	00	12/12/2019	001-2130-421-52-02	KETCH ALL COMPANY	33.50	EFT:
11/2019		000198	00	12/12/2019	001-3110-431-52-20	WM SUPERCENTER #5307	5.55	EFT:

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11/2019	000218	00 12/12/2019	00	12/12/2019	001-3116-431-52-20	NAPA AUTO PARTS GARDNER	EFT:	27.48
11/2019	000219	00 12/12/2019	00	12/12/2019	001-3116-431-52-20	NAPA AUTO PARTS GARDNER	EFT:	65.10
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11/2019	000225	00 12/12/2019	00	12/12/2019	001-3116-431-52-20	FASTENAL COMPANY 01KSKA3	EFT:	13.31
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11/2019	000212	00 12/12/2019	00	12/12/2019	001-3120-431-43-02	AMAZON.COM ZA3RY8Q43	EFT:	44.98
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11/2019	000223	00 12/12/2019	00	12/12/2019	001-3120-431-52-04	NAPA AUTO PARTS GARDNER	EFT:	28.84
11/2019	000226	00 12/12/2019	00	12/12/2019	001-3120-431-52-10	O'REILLY AUTO PARTS 354	EFT:	13.48
11/2019	000227	00 12/12/2019	00	12/12/2019	001-3120-431-52-04	MUNICIPALTYLLC-SERVICE FEE	EFT:	40.00
11/2019	000228	00 12/12/2019	00	12/12/2019	001-3120-431-52-04	JOHNSON CITY MV OLATHE	EFT:	3.00
11/2019	000231	00 12/12/2019	00	12/12/2019	001-3120-431-43-02	MIDWAY FORD TRUCK CENTER	EFT:	33.75
11/2019	000232	00 12/12/2019	00	12/12/2019	001-3120-431-53-02	KEY EQUIPMENT & SUPPLY C	EFT:	168.23
11/2019	000233	00 12/12/2019	00	12/12/2019	001-3120-431-52-02	E EDWARDS WORK WEAR (OLA	EFT:	504.84
11/2019	000234	00 12/12/2019	00	12/12/2019	001-3120-431-43-05	BRET'S AUTOWORKS (GARDNE	EFT:	76.50
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11/2019	000242	00 12/12/2019	00	12/12/2019	001-3120-431-52-02	TRAILS WEST ACE HDWE	EFT:	30.56
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11/2019	000374	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	FUN EXPRESS	EFT:	26.30
11/2019	000375	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	WWW GIGSALAD.COM	EFT:	52.91
11/2019	000376	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	WAL-MART #5307	EFT:	50.00
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11/2019	000378	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	DOLLAR-GENERAL #1347	EFT:	19.52
11/2019	000379	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	AMZN MKTP US 905QC5893 AM	EFT:	3.11
11/2019	000380	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	AMZN MKTP US A98749H53 AM	EFT:	6.00
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11/2019	000387	00 12/12/2019	00	12/12/2019	001-6110-461-54-51	CMI	EFT:	24.40
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11/2019		000399				00	12/12/2019	001-6110-461.54-51	SHERWIN WILLIAMS 707568		72.25
11/2019		000401				00	12/12/2019	001-6110-461.54-51	TRAILS WEST ACE HDWE		17.90
11/2019		000409				00	12/12/2019	001-6110-461.54-51	TRAILS WEST ACE HDWE		6.80
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11/2019		000214				00	12/12/2019	001-6120-461.43-05	O'REILLY AUTO PARTS 354		7.49
11/2019		000215				00	12/12/2019	001-6120-461.43-05	NAPA AUTO PARTS GARDNER		6.75
11/2019		000365				00	12/12/2019	001-6120-461.31-15	IPY WATCHMEN SECURITY SVC		113.13
11/2019		000366				00	12/12/2019	001-6120-461.44-02	PURE WATER DELIVERY		81.58
11/2019		000367				00	12/12/2019	001-6120-461.52-01	AMZN MKTP US U266T2QY3		19.99
11/2019		000382				00	12/12/2019	001-6120-461.52-01	TRAILS WEST ACE HDWE		9.56
11/2019		000383				00	12/12/2019	001-6120-461.52-01	IN CREATIVE DISPLAYS, IN		85.00
11/2019		000384				00	12/12/2019	001-6120-461.52-01	TRAILS WEST ACE HDWE		1.19
11/2019		000385				00	12/12/2019	001-6120-461.53-02	ORSCHLHN FARM AND HOME ST		168.97
11/2019		000386				00	12/12/2019	001-6120-461.52-01	AUTOZONE #3781		19.99
11/2019		000389				00	12/12/2019	001-6120-461.43-02	HARRISON MACHINE SHOP AND		180.00
11/2019		000390				00	12/12/2019	001-6120-461.52-01	ORSCHLHN FARM AND HOME ST		39.98
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11/2019		000392				00	12/12/2019	001-6120-461.52-01	TRAILS WEST ACE HDWE		20.57
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11/2019		000396				00	12/12/2019	001-6120-461.43-02	O'REILLY AUTO PARTS 354		81.45
11/2019		000400				00	12/12/2019	001-6120-461.53-02	E EDWARDS WORK WEAR (OLA		139.46
11/2019		000402				00	12/12/2019	001-6120-461.43-02	O'REILLY AUTO PARTS 354		6.98
11/2019		000403				00	12/12/2019	001-6120-461.52-01	MID-STATES RENTAL (GARDNE		59.00
11/2019		000405				00	12/12/2019	001-6120-461.52-01	WAL-MART #5307		31.42
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11/2019		000407				00	12/12/2019	001-6120-461.53-02	ORSCHLHN FARM AND HOME ST		434.97
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11/2019		000414				00	12/12/2019	001-6120-461.53-02	VANDEBILT S NO. 10, INC		124.99
11/2019		000364				00	12/12/2019	001-6130-461.31-15	IPY WATCHMEN SECURITY SVC		53.83
11/2019		000404				00	12/12/2019	001-6130-461.43-01	TRAILS WEST ACE HDWE		7.75
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11/2019		000188				00	12/12/2019	401-2120-421.61-03	AMAZON.COM 728IK3IT3 AMZN		190.08
11/2019		000189				00	12/12/2019	401-2120-421.61-03	AMAZON.COM 8B0974163 AMZN		359.44

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11/2019	000272	00	12/12/2019	501-4120-441-52-04	TRAILS WEST ACE HDWE	EFT:	7.65	
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11/2019	000279	00	12/12/2019	501-4130-441-53-02	E EDWARDS WORK WEAR (OLA	EFT:	157.64	
11/2019	000281	00	12/12/2019	501-4130-441-52-02	TRAILS WEST ACE HDWE	EFT:	25.17	
11/2019	000280	00	12/12/2019	501-4130-441-52-12	THE HOME DEPOT #2218	EFT:	30.36	
11/2019	000282	00	12/12/2019	501-4130-441-52-02	J HARLEN CO INC	EFT:	176.05	
11/2019	000283	00	12/12/2019	501-4130-441-52-02	HARBOR FREIGHT TOOLS 619	EFT:	13.13	
11/2019	000284	00	12/12/2019	501-4130-441-53-02	NGROS WSTRN STR#2 INC	EFT:	421.97	
11/2019	000285	00	12/12/2019	501-4130-441-52-02	OLATHE WINWATER WORKS	EFT:	38.32	
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11/2019	000287	00	12/12/2019	501-4130-441-52-04	TOMPKINS INDUSTRIES- INC	EFT:	26.45	
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11/2019	000250	00 12/12/2019			603-3150-431-52-01	CES 491	EFT:	106.25
11/2019	000251	00 12/12/2019			603-3150-431-52-01	O'REILLY AUTO PARTS 354	EFT:	12.99
11/2019	000252	00 12/12/2019			603-3150-431-52-01	EWING IRRIGATION PRD 48	EFT:	357.21
11/2019	000253	00 12/12/2019			603-3150-431-52-01	GERKEN RENT ALL GARDNER	EFT:	43.20
11/2019	000254	00 12/12/2019			603-3150-431-52-01	TRAILS WEST ACE HDWE	EFT:	24.99
11/2019	000255	00 12/12/2019			603-3150-431-52-01	CES 491	EFT:	39.00
11/2019	000256	00 12/12/2019			603-3150-431-52-01	TRAILS WEST ACE HDWE	EFT:	3.88
11/2019	000257	00 12/12/2019			603-3150-431-52-01	THE HOME DEPOT #2218	EFT:	8.48
11/2019	000154	00 12/12/2019			604-1320-413-46-01	TRAILS WEST ACE HDWE	EFT:	.40
11/2019	000155	00 12/12/2019			604-1320-413-46-01	SUPERION, LLC	EFT:	399.00
11/2019	000156	00 12/12/2019			604-1320-413-52-20	STAPLS7226725128000002	EFT:	114.88
11/2019	000157	00 12/12/2019			604-1320-413-52-20	STAPLS7226725128000001	EFT:	9.99
11/2019	000158	00 12/12/2019			604-1320-413-52-20	STAPLS7226725128000003	EFT:	13.29
11/2019	000159	00 12/12/2019			604-1320-413-52-20	TRANSACT TECHNOLOGIES IN	EFT:	411.19
11/2019	000372	00 12/12/2019			702-6110-461-54-52	TRAILS WEST ACE HDWE	EFT:	17.96
11/2019	000373	00 12/12/2019			702-6110-461-54-52	WAL-MART #5307	EFT:	44.75
						SQ GAMBINO'S PIZZA	EFT:	141.90
						VENDOR TOTAL *		36,707.49
0000160	00	SHAWNEE COPY CENTER INC.						
119911	000459	00 12/13/2019			001-2110-421-52-20	NTA'S	EFT:	119.82
119795	000118	00 12/13/2019			521-4230-442-52-20	BUSINESS CARDS - MANES	EFT:	51.16
0004159	00	SHRED-IT USA LLC						
8128694117	000460	00 12/13/2019			001-2110-421-31-15	SHREDDING SERVICES	.00	170.98
						VENDOR TOTAL *		
0000161	00	SIGN HERE, INC.						
23684	000119	00 12/13/2019			521-4230-442-52-04	TRUCK DECALS	46.40	229.00

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000161	00	SIGN HERE, INC.				VENDOR TOTAL *	.00	229.00
0002081	00	SYNAGRO CENTRAL	00	12/13/2019	531-4320-443.47-39	LOADS HAULED	EFT:	2,321.52
0004944	00	THREE WILLOW LLC				VENDOR TOTAL *	.00	2,321.52
09052019	00	PI0513 007206	00	09/05/2019	130-3130-431.62-04	MITIGATION	EFT:	15,150.00
0002969	00	TREKK DESIGN GROUP LLC				VENDOR TOTAL *	.00	15,150.00
19-001148	00	PI0510 006842	00	12/04/2019	531-4310-443.31-15	I/I REDUCTION PROGRAM	2,169.75	
0000238	00	USA BLUE BOOK				VENDOR TOTAL *	2,169.75	
85340	00	0000462	00	12/13/2019	521-4230-442.52-02	FLOW TESTER GAUGE	EFT:	501.65
0003950	00	WISECUP, KIMBERLY				VENDOR TOTAL *	.00	501.65
12132018	00	000033	00	12/13/2019	001-6110-461.47-54	SCRAPBOOKING CLASSES	42.00	
0004939	00	YARD DESIGNS, JOCO				VENDOR TOTAL *	42.00	
1001	00	000086	00	12/13/2019	001-6110-461.54-51	SIGNS & DECOR	EFT:	50.00
							VENDOR TOTAL *	50.00
							EFT/EPAY TOTAL ***	1,766,379.07
							TOTAL EXPENDITURES ****	1,766,379.07
							*****	1,947,558.24
GRAND TOTAL							181,179.17	

PREPARED 12/20/2019, 16:23:22
 PROGRAM: GM339L
 CITY OF GARDNER

EXPENDITURE APPROVAL LIST
 AS OF: 12/20/2019 PAYMENT DATE: 12/20/2019

VEND NO INVOICE NO	SEQ#	VENDOR NAME VOUCHER P.O. NO	MIAMI COUNTY 000536	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001530 WA-2002	00			00 12/20/2019	521-4240-442.61-03	CONDITIONAL USE PERMIT	770.00	
GRAND TOTAL							770.00	
VENDOR TOTAL *							770.00	
TOTAL EXPENDITURES *****							770.00	

VEND NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004265	00	ACCESS INFORMATION PROTECTED	000471	00	12/20/2019	001-1150-411.31-15	OFF-SITE STORAGE	1,187.34	
7816576									
0004834	00	ADVENTHEALTH	000471	00	12/20/2019	601-1230-412.31-15	VENDOR TOTAL * RANDOM DRUG SCREENS	1,187.34	100.00
564590									
0004340	00	ALL CITY MANAGEMENT SERVICES INC	000495	00	12/20/2019	001-2110-421.31-15	VENDOR TOTAL * CROSSING GUARD CONTRACT	.00	100.00
65330									
0002636	00	ALTEC CAPITAL SERVICES, LLC	000496	00	12/20/2019	501-4130-441.44-02	VENDOR TOTAL * EQUIPMENT LEASE	.00	1,807.68
981217			000497	00	12/20/2019	501-4130-441.44-02	EQUIPMENT LEASE		4,620.94
981216			000498	00	12/20/2019	501-4130-441.44-02	EQUIPMENT LEASE		3,645.52
981215			000499	00	12/20/2019	501-4130-441.44-02	EQUIPMENT LEASE		3,502.11
981214									3,667.41
0000566	00	AMERICAN TOPSOIL, INC	000471	00	12/20/2019	501-4130-441.52-12	VENDOR TOTAL * DIRT	.00	15,435.98
135423									
0001986	00	ANIXTER, INC.	000471	00	12/20/2019	501-4130-441.43-01	VENDOR TOTAL * LED FIXTURE	.00	34.55
4457754-01			000471	00	12/20/2019	501-4130-441.53-02	TOOL BAG		258.09
4457754-02			000472	00	12/20/2019	501-4130-441.52-31	TRANSFORMER		88.67
4457754-00									3,081.72
0001366	00	APAC KANSAS, INC	000500	00	12/20/2019	001-3120-431.47-38	VENDOR TOTAL * SPOILS	.00	3,428.48
8001827817									
0003913	00	ARMSCOR CARTRIDGE INC	000472	00	12/20/2019	001-2120-421.52-20	VENDOR TOTAL * TRAINING AMMO	.00	71.50
10865									
0004860	00	AT&T MOBILITY	000472	00	12/20/2019	001-2110-421.40-03	VENDOR TOTAL * MONTHLY BILLING	336.00	
12082019									
0000064	00	BIG O TIRES	000473	00	12/20/2019	521-4220-442.43-05	VENDOR TOTAL * TIRES	2,337.76	154.98
016001-124903									
0002420	00	BRENNTAG MID-SOUTH, INC	000501	00	12/20/2019	521-4220-442.52-13	VENDOR TOTAL * CHEMICALS	.00	154.98
BMS462138									
0003080	00	CATES HEATING & AIR COND SVC INC					VENDOR TOTAL *	.00	2,486.25

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	ITEM	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0003080	00	CATES HEATING & AIR COND SVC INC	PI0523 007164	00	11/12/2019	001-3120-431.31-15	ELECTRIC HEAT FOR SHOP		EFT:	22,970.00
89301										
0000001	00	CENTURYLINK					VENDOR TOTAL *		.00	22,970.00
313607125	12/190000474				00 12/20/2019	001-6110-461.40-02	WS PHONE -MONTHLY BILLING		76.31	
314105759	12/19000502				00 12/20/2019	521-4220-442.40-03	MONTHLY BILLING		51.83	
313239127	12/19000503				00 12/20/2019	531-4320-443.40-03	MONTHLY BILLING		267.18	
314117591	12/190000474				00 12/20/2019	602-1340-413.40-03	MONTHLY BILLING		1,561.76	
0003451	00	CHRIS CAKES INC					VENDOR TOTAL *		1,957.08	
10324					00 12/20/2019	001-6110-461.54-51	CATERING		1,292.90	
0003716	00	DATAPROSE					VENDOR TOTAL *		1,292.90	
DP1903957					00 12/20/2019	604-1320-413.31-15	MONTHLY BILLING		1,292.90	
0001557	00	DATCO, INC					VENDOR TOTAL *		EFT:	6,583.46
198220					00 12/20/2019	531-4320-443.53-02	LOGO EMBROIDERY		.00	6,583.46
0004096	00	DESIGN 4 SPORTS					VENDOR TOTAL *		25.00	
34764					00 12/20/2019	001-6110-461.47-53	FALL SOFTBALL SHIRTS		25.00	
0099999	00	DOERR, RAY					VENDOR TOTAL *		EFT:	649.75
000024285					00 12/13/2019	501-0000-229.00-00	FINAL BILL REFUND		.00	649.75
0003481	00	DPC INDUSTRIES INC					VENDOR TOTAL *		.00	215.00-
817003104-19					00 12/04/2019	521-4220-442.52-13	CHLORINE		EFT:	643.00
0003960	00	ELLIOTT EQUIPMENT COMPANY					VENDOR TOTAL *		.00	643.00
153843					PI0525 007210 00 11/26/2019	521-4230-442.61-09	CAMEL COMBO SEWER CLEANER		EFT:	169,000.00
153843					PI0526 007210 00 11/26/2019	531-4330-443.61-09	CAMEL COMBO SEWER CLEANER		EFT:	169,000.00
0004946	00	EVERGY					VENDOR TOTAL *		.00	338,000.00
2424383255	1119000474				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		11,142.23	
4469208877	1019000474				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		50.50	
446920887	1119 000474				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		112.54	
9279570154	1219000504				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		6,598.95	
2424383255	1219000531				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		13,794.71	
9279570154	1019000532				00 12/20/2019	521-4220-442.40-05	MONTHLY BILLING		6,929.27	
7011930732	1019000474				00 12/20/2019	531-4320-443.40-05	MONTHLY BILLING		336.84	
6466308678	1019000474				00 12/20/2019	531-4320-443.40-05	MONTHLY BILLING		94.73	
7011930732	1119000474				00 12/20/2019	531-4320-443.40-05	MONTHLY BILLING		652.62	

CHECK # : 127722

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004946	00	EVERGY		00	12/20/2019	531-4320-443.40-05	MONTHLY BILLING	32.03	
6466308678	1119000529								
0004492	00	FLOWER FARM, THE	000474	00	12/20/2019	601-1230-412.46-01	VENDOR TOTAL * SAFETY COMMITTEE LUNCHEON	39,744.42	
33455									
0000086	00	GALLS, LLC	000505	00	12/20/2019	001-2120-421.53-02	VENDOR TOTAL * PATROL BOOTS - MARSHALL	57.50	125.00
014506189									
0000028	00	GARDNER NEWS	000474	00	12/20/2019	001-1150-411.47-01	VENDOR TOTAL * ORD SUMMARIES	.00	125.00
1219015									
0004093	00	GOLDING, KIM A.	000474	00	12/20/2019	001-1110-411.54-51	VENDOR TOTAL * PHOTOGRAPHY	.00	150.00
KG112039									
0001840	00	GT DISTRIBUTORS INC	000506	00	12/20/2019	001-2120-421.52-20	VENDOR TOTAL * AMMO - TRAINING	.00	150.00
INV0741102									
INV0741538									
0001368	00	HAROLD, LLOYD	000475	00	12/20/2019	531-4320-443.43-02	VENDOR TOTAL * AIR MIXER	.00	508.20
1267									
0004797	00	HATLEY, KRISTIE	000470	00	12/20/2019	001-7110-471.46-01	VENDOR TOTAL * MILEAGE REIMBURSEMENT	.00	3,310.00
12122019									
0000463	00	HOLIDAY CONTRACTING, INC.	PI0528	00	12/16/2019	531-4320-443.31-15	VENDOR TOTAL * REPLACE STEPS	171.33	21,110.00
12162019KCWRRF									
0000102	00	ICMA RETIREMENT TRUST - 457	000478	00	12/20/2019	721-0000-202.03-04	VENDOR TOTAL * CONTRIBUTIONS	.00	21,110.00
249639									
0004633	00	INTEGRITY LOCATING SERVICES, LLC	000511	00	12/20/2019	001-3120-431.31-15	VENDOR TOTAL * LOCATING SERVICE	.00	6,950.59
3596									
3596									
3596									
3596									
0099999	00	JAMES R WOODY JR	000494	00	12/20/2019	001-0000-228.30-00	VENDOR TOTAL * CASH BOND REFUND	.00	8,062.00
64015									

CHECK #:

600.00

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BANK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0099999	00	JAMES R WOODY JR							
0000995	00	JCI INDUSTRIES INC					VENDOR TOTAL *	600.00	
8188160	000474	00	12/20/2019		521-4220-442.52-12	PUMPHEAD		EFT:	442.25
8188428	000512	00	12/20/2019		521-4220-442.52-12	VALVE		EFT:	698.00
8188327	000513	00	12/20/2019		521-4220-442.52-12	PUMPHEAD		EFT:	442.25
0001362	00	JOHNSON COUNTY COMMUNITY COLLEGE					VENDOR TOTAL *	.00	1,582.50
S0562849	000529	00	12/20/2019		001-2120-421.46-01	ACADEMY TRAINING - CONRAD		EFT:	1,914.83
0002760	00	KA-COMM, INC					VENDOR TOTAL *	.00	1,914.83
171665	PI0530 007214	00	12/06/2019		401-2120-421.61-03	SIGNAL BOOSTER		EFT:	10,161.53
0000300	00	KANSAS DEPT OF REVENUE					VENDOR TOTAL *	.00	10,161.53
9351-84AF-3ARG	000480	00	12/20/2019		001-0000-207.20-00	NOVEMBER SALES TAX	CHECK #:	103	12.33
9351-G37J-HHMA	000484	00	12/20/2019		501-0000-207.20-00	NOVEMBER SALES TAX	CHECK #:	103	40,617.69
9351-G37J-HHMA	000483	00	12/20/2019		501-4110-441.48-02	NOVEMBER SALES TAX	CHECK #:	103	816.30
9351-G37J-HHMA	000482	00	12/20/2019		501-4120-441.48-02	NOVEMBER SALES TAX	CHECK #:	103	7.20
9351-G37J-HHMA	000481	00	12/20/2019		501-4130-441.48-02	NOVEMBER SALES TAX	CHECK #:	103	118.05
9351-84AF-3ARG	000479	00	12/20/2019		551-0000-207.20-00	NOVEMBER SALES TAX	CHECK #:	103	437.28
0002671	00	KANSAS GAS SERVICE					VENDOR TOTAL *	.00	42,008.85
161419073	11/19000474	00	12/20/2019		551-4520-445.40-04	MONTHLY BILLING		487.65	
0000332	00	KANSAS STATE TREASURER					VENDOR TOTAL *	487.65	
12122019	2019E 000474	00	12/20/2019		117-9100-491.75-00	2019E COI		987.34	
12122019	2019E 000474	00	12/20/2019		130-9100-491.75-00	2019E COI		1,842.66	
12122019	2019C 000475	00	12/20/2019		403-9100-491.75-00	2019C COI		630.00	
12122019	2019D 000475	00	12/20/2019		403-9100-491.75-00	2019D COI		630.00	
0099999	00	KC HOME RENTAL MANAGEMENT					VENDOR TOTAL *	4,090.00	
000053867	UT	00	12/18/2019		501-0000-229.00-00	MANUAL CHECK		135.81	
0003513	00	KMEA- DOGWOOD					VENDOR TOTAL *	135.81	
KMEA-DG-GR-2001000475	00	12/20/2019			501-4120-441.41-01	MONTHLY BILLING		EFT:	165,444.68
0002489	00	KPERS					VENDOR TOTAL *	.00	165,444.68
1517676	000485	00	12/20/2019		721-0000-202.03-05	121919 PAY PERIOD	CHECK #:	112	676.29
1517683	000486	00	12/20/2019		721-0000-202.03-01	121919 PAY PERIOD	CHECK #:	112	112.47
1517688	000487	00	12/20/2019		721-0000-202.03-01	121919 PAY PERIOD	CHECK #:	112	40,723.60
0003568	00	KPERS RETIREMENT					VENDOR TOTAL *	.00	41,512.36

INVOICE NO	SEQ#	VENDOR NAME	VOUCHER P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	CHECK #	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0003568	00	KPERS RETIREMENT	000488	00	12/20/2019	721-0000-202.03-03	121919 PAY PERIOD	118	2,032.91	
1517695							VENDOR TOTAL *			
0002490	00	KPF	000489	00	12/20/2019	721-0000-202.03-05	121919 PAY PERIOD		2,032.91	
1517677										
1517713			000490	00	12/20/2019	721-0000-202.03-02	121919 PAY PERIOD	113	92.53	
								113	26,087.03	
0004769	00	KRONOS SAASHR, INC	000475	00	12/20/2019	602-1340-413.47-05	MONTHLY BILLING		26,179.56	
11540647								EFT:	1,737.11	
0001103	00	KUTAK ROCK LLP	000475	00	12/20/2019	001-1130-411.31-15	PROFESSIONAL SERVICES		1,737.11	
2648516			000475	00	12/20/2019	001-1130-411.31-15	PROFESSIONAL SERVICES	EFT:	9,220.65	
2648524			000475	00	12/20/2019	001-1130-411.31-15	PROFESSIONAL SERVICES	EFT:	1,156.75	
2648522			000475	00	12/20/2019	117-9100-491.75-00	PROFESSIONAL SERVICES	EFT:	6,822.60	
2648829			000475	00	12/20/2019	130-9100-491.75-00	COI	EFT:	2,931.68	
2648829			000475	00	12/20/2019	403-9100-491.75-00	COI	EFT:	5,471.32	
2648830			000475	00	12/20/2019	403-9100-491.75-00	COI	EFT:	5,000.00	
2648828			000475	00	12/20/2019	403-9100-491.75-00	COI	EFT:	8,225.00	
0004794	00	LEAK INVESTIGATORS, LLC	000514	00	12/20/2019	001-6130-461.31-15	POOL LEAK DETECTION		38,828.00	
5799								EFT:	450.00	
0001122	00	MADDEN RENTAL	000475	00	12/20/2019	551-4520-445.43-01	PORTABLE TOILET		450.00	
4990								EFT:	175.00	
0003700	00	MCANANY VAN CLEAVE & PHILLIPS PA	000475	00	12/20/2019	001-1120-411.31-02	LEGAL SERVICES		175.00	
818721			000475	00	12/20/2019	001-1120-411.31-02	LEGAL SERVICES	EFT:	61.50	
818723			000475	00	12/20/2019	001-1120-411.31-02	LEGAL SERVICES	EFT:	491.51	
818722			000475	00	12/20/2019	001-1120-411.31-02	LEGAL SERVICES	EFT:	725.50	
789525			PI0531 007069	00	04/30/2019	001-1120-411.31-02	LEGAL SERVICES	EFT:	11,123.83	
818720			PI0532 007216	00	12/12/2019	001-1120-411.31-02	LEGAL SERVICES	EFT:	11,000.00	
0099999	00	MELANIE R VAUGHN	000493	00	12/20/2019	001-0000-228.30-00	CASH BOND REFUND		23,402.34	
67158								EFT:	145.00	
0000130	00	MOBILFONE	000519	00	12/20/2019	001-3120-431.40-03	MONTHLY BILLING		145.00	
6089805			000517	00	12/20/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	8.24	
6089805			000515	00	12/20/2019	521-4230-442.40-03	MONTHLY BILLING	EFT:	36.32	
6089805			000518	00	12/20/2019	531-4320-443.40-03	MONTHLY BILLING	EFT:	4.12	
6089805			000516	00	12/20/2019	531-4330-443.40-03	MONTHLY BILLING	EFT:	49.76	
0000132	00	NATIONAL SIGN CO., INC.					VENDOR TOTAL *		102.56	

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000946	00	RIGHT-WAY JANITORIAL, INC						
2891		000475	00	12/20/2019	603-3150-431.42-01	MONTHLY BILLING	EFT:	3,534.38
2891		000475	00	12/20/2019	603-3150-431.42-01	MONTHLY BILLING	EFT:	331.78
2891		000475	00	12/20/2019	603-3150-431.42-01	MONTHLY BILLING	EFT:	100.00
2891		000475	00	12/20/2019	603-3150-431.42-01	MONTHLY BILLING	EFT:	138.58
0004869	00	RITZ SAFETY, LLC						
31650		000522	00	12/20/2019	501-4130-441.53-02	CLOTHING	EFT:	9,723.77
0004120	00	RIVERGROUP DESIGN						
GRD064		000475	00	12/20/2019	001-1120-411.47-02	NEWSLETTER	EFT:	683.15
GRD063		000524	00	12/20/2019	001-1120-411.54-51	GRAPHIC DESIGN	EFT:	683.15
GRD063		000523	00	12/20/2019	105-1120-411.31-15	GRAPHIC DESIGN	640.00	
							80.00	
							80.00	
0004484	00	RYAN PAINTING						
226263		000525	00	12/20/2019	001-6120-461.52-01	SHELTER STAINING	EFT:	700.00
0003945	00	SANTA FE STORAGE, LLC						
10488		000475	00	12/20/2019	001-6110-461.44-02	MONTHLY BILLING	EFT:	700.00
0004721	00	SCHULTE SUPPLY INC						
S1155725.003		000526	00	12/20/2019	521-4230-442.52-12	PUMP	EFT:	845.00
							.00	845.00
0000672	00	SCOTWOOD INDUSTRIES, INC.						
0504647-IN		000527	00	12/20/2019	001-3120-431.52-16	SNOW REMOVAL	EFT:	1,606.80
							.00	1,606.80
0001709	00	SPRINT						
403233312-216		000475	00	12/20/2019	001-1120-411.40-03	MONTHLY BILLING	EFT:	38.55
403233312-216		000475	00	12/20/2019	001-1140-411.40-03	MONTHLY BILLING	EFT:	38.55
403233312-216		000475	00	12/20/2019	001-1305-413.40-03	MONTHLY BILLING	EFT:	48.55
403233312-216		000475	00	12/20/2019	001-3110-431.40-03	MONTHLY BILLING	EFT:	10.00
403233312-216		000476	00	12/20/2019	001-3116-431.40-03	MONTHLY BILLING	EFT:	38.55
403233312-216		000476	00	12/20/2019	001-3120-431.40-03	MONTHLY BILLING	EFT:	132.68
403233312-216		000475	00	12/20/2019	001-3130-431.40-03	MONTHLY BILLING	EFT:	77.10
403233312-216		000475	00	12/20/2019	001-6105-461.40-03	MONTHLY BILLING	EFT:	241.30
403233312-216		000475	00	12/20/2019	001-7110-471.40-03	MONTHLY BILLING	EFT:	667.21
403233312-216		000475	00	12/20/2019	001-7120-471.40-03	MONTHLY BILLING	EFT:	53.55
403233312-216		000475	00	12/20/2019	501-4110-441.40-03	MONTHLY BILLING	EFT:	115.45
403233312-216		000475	00	12/20/2019	501-4120-441.40-03	MONTHLY BILLING	EFT:	77.10
403233312-216		000475	00	12/20/2019	501-4130-441.40-03	MONTHLY BILLING	EFT:	75.58
403233312-216		000475	00	12/20/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	152.55
403233312-216		000475	00	12/20/2019	521-4220-442.40-03	MONTHLY BILLING	EFT:	152.68
							1,691.44	10.00
							1,691.44	

INVOICE NO	SEC#	VENDOR NAME	VOUCHER P.O. NO	BANK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001709	00	SPRINT						
403233312-216	000475			00 12/20/2019	521-4230-442.40-03	MONTHLY BILLING	EFT:	65.58
403233312-216	000475			00 12/20/2019	531-4320-443.40-03	MONTHLY BILLING	EFT:	119.51
403233312-216	000475			00 12/20/2019	531-4330-443.40-03	MONTHLY BILLING	EFT:	142.68
403233312-216	000475			00 12/20/2019	602-1340-413.40-03	MONTHLY BILLING	EFT:	561.55
403233312-216	000475			00 12/20/2019	603-3150-431.40-03	MONTHLY BILLING	EFT:	38.55
403233312-216	000476			00 12/20/2019	604-1320-413.40-03	MONTHLY BILLING	EFT:	144.70
0003791	00	STANDARD AND POOR'S				VENDOR TOTAL *	.00	3,001.97
11382307	000475			00 12/20/2019	117-9100-491.75-00	2019E COI	EFT:	3,610.95
11382307	000475			00 12/20/2019	130-9100-491.75-00	2019E COI	EFT:	6,739.05
11382308	000475			00 12/20/2019	403-9100-491.75-00	2019C&D COI	EFT:	2,500.00
11382308	000475			00 12/20/2019	403-9100-491.75-00	2019C&D COI	EFT:	2,500.00
0004785	00	SUMNERONE, INC				VENDOR TOTAL *	.00	15,350.00
2378339	000475			00 12/20/2019	602-1340-413.40-03	MONTHLY BILLING	EFT:	337.66
0004943	00	SWALLOW TAIL, LLC				VENDOR TOTAL *	.00	337.66
4650	PI0529 007213			00 12/03/2019	130-3130-431.62-04	MITIGATION	EFT:	20,000.00
0004703	00	TIGERSTROM-KELLEY, JAMIE				VENDOR TOTAL *	.00	20,000.00
12132019	000471			00 12/20/2019	001-1120-411.46-01	MILEAGE REIMBURSEMENT	32.29	20,000.00
0000176	00	TIME WARNER CABLE				VENDOR TOTAL *	32.29	20,000.00
25056001120519	000475			00 12/20/2019	602-1340-413.47-05	MONTHLY BILLING	44.37	
0003958	00	TREANOR HL, P.A.				VENDOR TOTAL *	44.37	6,547.50
44444	PI0522 007093			00 11/30/2019	603-3150-431.31-15	SPACE NEEDS STUDY	EFT:	6,547.50
0002811	00	UNITED STATES POSTAL SERVICE				VENDOR TOTAL *	.00	6,547.50
7267341	000534			00 12/20/2019	001-1120-411.47-04	FALL '19 NEWSLETTER	CHECK #:	1,514.69
0000366	00	WARDROBE CLEANERS INC.				VENDOR TOTAL *	.00	1,514.69
12142019	000528			00 12/20/2019	001-2120-421.42-02	DRY CLEANING	409.00	
0003221	00	WEX BANK				VENDOR TOTAL *	409.00	193.23
62799599	000476			00 12/20/2019	501-4120-441.52-09	MONTHLY BILLING	EFT:	1,310.85
62799599	000476			00 12/20/2019	501-4130-441.52-09	MONTHLY BILLING	EFT:	302.95
62799599	000476			00 12/20/2019	521-4230-442.52-09	MONTHLY BILLING	EFT:	324.67
62799599	000476			00 12/20/2019	521-4230-442.52-09	MONTHLY BILLING	EFT:	2,190.13

VEND NO	SEC#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0003221	00	WEX BANK	00	12/20/2019	531-4330-443.52-09	MONTHLY BILLING		572.74
62799599		000476						
0004788	00	ZIERMANN, JAMES	00	12/20/2019	001-6110-461.54-51	SANTA CLAUS FOR BREAKFAST	100.00	4,894.57
12162019		000469					100.00	
VENDOR TOTAL *								
VENDOR TOTAL *								
HAND ISSUED TOTAL ***								
EFT/EPAY TOTAL ***								
TOTAL EXPENDITURES ****							55,674.89	
GRAND TOTAL *****								120,535.04
								747,355.86
								867,890.90
								923,565.79

VEND NO	SEQ#	VENDOR NAME	BK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0002488	00	PETTY CASH - UTILITIES	00	12/31/2019	501-4120-441.46-01	PETTY CASH REIMBURSEMENT	15.99	
12202019		000540	00	12/31/2019	501-4120-441.52-20	PETTY CASH REIMBURSEMENT	5.24	
12202019		000541	00	12/31/2019	501-4130-441.46-01	PETTY CASH REIMBURSEMENT	30.00	
12202019		000542	00	12/31/2019	521-4230-442.46-02	PETTY CASH REIMBURSEMENT	26.75	
12202019		000543	00	12/31/2019	521-4230-442.52-20	PETTY CASH REIMBURSEMENT	2.00	
12202019		000544	00	12/31/2019	531-4320-443.46-02	PETTY CASH REIMBURSEMENT	45.75	
12202019		000539	00	12/31/2019				
0004484	00	RYAN PAINTING	00	12/03/2019	001-6120-461.52-01	SHELTER STAINING	125.73	6,750.00
226262		PI0536 007211	00	12/03/2019				
0099999	00	SMITH, ASHLEY	00	12/23/2019	501-0000-229.00-00	FINAL BILL REFUND	16.56	
000061457		UT	00	12/23/2019				
0099999	00	SO, PHILIP	00	12/23/2019	501-0000-229.00-00	FINAL BILL REFUND	16.56	
000062497		UT	00	12/23/2019				
0000169	00	STANDARD INSURANCE CO.	00	12/31/2019	001-1120-411.21-02	MONTHLY BILLING	34.44	
639496-12/2019		000559	00	12/31/2019	001-1140-411.21-02	MONTHLY BILLING	18.60	
639496-12/2019		000560	00	12/31/2019	001-1150-411.21-02	MONTHLY BILLING	11.63	
639496-12/2019		000561	00	12/31/2019	001-1305-413.21-02	MONTHLY BILLING	4.65	
639496-12/2019		000563	00	12/31/2019	001-1310-413.21-02	MONTHLY BILLING	9.30	
639496-12/2019		000564	00	12/31/2019	001-1330-413.21-02	MONTHLY BILLING	21.63	
639496-12/2019		000566	00	12/31/2019	001-2110-421.21-02	MONTHLY BILLING	13.95	
639496-12/2019		000569	00	12/31/2019	001-2120-421.21-02	MONTHLY BILLING	32.55	
639496-12/2019		000570	00	12/31/2019	001-2130-421.21-02	MONTHLY BILLING	139.50	
639496-12/2019		000571	00	12/31/2019	001-3110-431.21-02	MONTHLY BILLING	4.65	
639496-12/2019		000572	00	12/31/2019	001-3116-431.21-02	MONTHLY BILLING	9.30	
639496-12/2019		000573	00	12/31/2019	001-3120-431.21-02	MONTHLY BILLING	4.65	
639496-12/2019		000574	00	12/31/2019	001-3130-431.21-02	MONTHLY BILLING	37.20	
639496-12/2019		000582	00	12/31/2019	001-6105-461.21-02	MONTHLY BILLING	23.25	
639496-12/2019		000583	00	12/31/2019	001-6120-461.21-02	MONTHLY BILLING	32.55	
639496-12/2019		000584	00	12/31/2019	001-7110-471.21-02	MONTHLY BILLING	27.90	
639496-12/2019		000585	00	12/31/2019	001-7120-471.21-02	MONTHLY BILLING	20.93	
639496-12/2019		000576	00	12/31/2019	501-4110-441.21-02	MONTHLY BILLING	12.33	
639496-12/2019		000577	00	12/31/2019	501-4120-441.21-02	MONTHLY BILLING	18.60	
639496-12/2019		000578	00	12/31/2019	501-4130-441.21-02	MONTHLY BILLING	41.85	
639496-12/2019		000579	00	12/31/2019	521-4220-442.21-02	MONTHLY BILLING	27.90	
639496-12/2019		000580	00	12/31/2019	521-4230-442.21-02	MONTHLY BILLING	38.82	
639496-12/2019		000581	00	12/31/2019	531-4320-443.21-02	MONTHLY BILLING	27.90	
639496-12/2019		000562	00	12/31/2019	601-1230-412.21-02	MONTHLY BILLING	4.65	
639496-12/2019		000567	00	12/31/2019	602-1340-413.21-02	MONTHLY BILLING	13.95	
639496-12/2019		000575	00	12/31/2019	603-3150-431.21-02	MONTHLY BILLING	4.65	
639496-12/2019		000565	00	12/31/2019	604-1320-413.21-02	MONTHLY BILLING	41.85	
639496-12/2019		000586	00	12/31/2019	721-0000-202.03-06	MONTHLY BILLING	84.24	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000169	00	STANDARD INSURANCE CO.				
0099999	00	STAUFFER PROPERTIES, LLC	501-0000-229.00-00	VENDOR TOTAL *	747.58	
000062815	UT	00 12/26/2019		FINAL BILL REFUND	41.14	
0004482	00	SUPERION, LLC	602-1340-413.47-05	VENDOR TOTAL *	41.14	
262569	00	000587		MONTHLY BILLING	EFT:	108.34
0002055	00	TG TECHNICAL SERVICES	531-4330-443.43-02	VENDOR TOTAL *	.00	108.34
18278	00	000588		GAS MONITOR	EFT:	220.54
				VENDOR TOTAL *	.00	220.54
				EFT/EPAY TOTAL ***	.00	306,755.09
				TOTAL EXPENDITURES ****	3,914.48	306,755.09
				*****		310,669.57
				GRAND TOTAL		

VEND NO	SEC#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004947	00	THE BRISTOL GROUPE	00	12/27/2019	403-3130-431.62-04	WAVERLY PLAZA EASEMENT	747,603.99	
12272019								
GRAND TOTAL							747,603.99	747,603.99
VENDOR TOTAL *							747,603.99	
TOTAL EXPENDITURES ****							747,603.99	

COUNCIL ACTION FORM

NEW BUSINESS ITEM No. 1

MEETING DATE: JANUARY 6, 2020

STAFF CONTACT: LARRY POWELL, BUSINESS & ECO DEV DIRECTOR

Agenda Item: Consider accepting annexation with Landowner Consent

Strategic Priority: Promote Economic Development; Fiscal Responsibility

Department: Business and Economic Development

Staff Recommendation:

Staff recommends the City Council adopt an ordinance annexing land commonly known as a unincorporated tract in Johnson County Kansas owned by Anita A. Carpenter, 27010 W 199th Gardner, Kansas 66030, containing approximately 1.87 acres more or less,

27010 W. 199th St., Gardner, Kansas, legally described as:

"The West 200.53 feet of the East 213.53 feet of the West 640.59 feet of the South 446 feet of the Southeast 1/4, Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas."

This property is located along the north side of 199th street, adjacent to the city limits of Gardner, in Johnson County, Kansas.,

Background/Description of Item:

A request to voluntarily annex the above tract was received by the City on December 13, 2019. The property adjoins land already in the City of Gardner and therefore can be annexed upon receipt of a voluntary annexation request from the property owners.

The attached Voluntary Consent Annexation Agreement outlines the terms agreed upon by the City and the property owners as conditions for this consent annexation. The terms are consistent with the direction of the governing body regarding annexation of rural properties in the City's planning and growth area east of Interstate 35.

Consent annexations are not subject to resolution, notice, public hearing, and extension of services plan requirements that may apply to other annexations.

Financial Impact:

None

Other Impacts:

None

Attachments included:

- Voluntary Consent Annexation Agreement & Consent for Annexation Form
- Deed
- Map of Property
- Ordinance No. 2644

Suggested Motion:

Accept the Voluntary Consent Annexation Agreement and Consent Annexation Request of Anita A. Carpenter and approve Ordinance No. 2644, an ordinance annexing land to the City of Gardner, Kansas.

VOLUNTARY CONSENT ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made and entered into this 13 day of December, 2019, between the City of Gardner, Kansas, a municipal corporation, (the City) and Anita A. Carpenter Property Owner(s).

RECITALS

- A. The Property Owner(s) are the owners of record of the following described real property ("Property") located in unincorporated areas of Johnson County, Kansas adjacent to or within a platted subdivision adjacent to the City of Gardner, Kansas.

Legal Description:

27010 W. 199th St., Gardner, Kansas, legally described as:

"The West 200.53 feet of the East 213.53 feet of the West 640.59 feet of the South 446 feet of the Southeast 1/4, Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas."

- B. The Owner has evinced an intent that the Property be annexed by the City and has, to that effect, signed a Consent to Annexation, dated December 13, 2019, and will be filed by the City with the Office of Register of deeds for Johnson County, Kansas. (A copy of the executed and filed Consent to Annexation is affixed hereto as Exhibit B).

NOW, THEREFORE, in consideration of the mutual promises and obligations contained herein, and in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

1. **Consent to Annexation.** Property Owner(s) consents to annexation of the Property into the City of Gardner, Kansas. In the event of a default of any of the City's obligations under this Agreement, the Property Owner(s) sole recourse shall be to petition the City for de-annexation.
2. **Property Tax Abatement.** Prior to the Key Development Point, for a period not to exceed twenty (20) years, the City agrees to rebate the City's portion of the Property Owner's ad valorem taxes on the Property to the Property Owner(s) in accordance with the City's rebate policy. For purposes of this paragraph the Key Development Point is defined as the earlier of: (1) rezoning of the property to a use other than A (Agriculture), RUR (Rural) or RLD (Residential Low Density); or (2) sale of the property to subsequent property owner who commits the use of the property to a use other than the present agricultural or

residential low density use. City also agrees that Property Owner shall not be required to make other payments for City services that Property Owner does not use.

3. **Extension of City Services.** The parties agree that the Property is currently adequately served by existing utilities. Accordingly, public Infrastructure will not be improved until such time when the Governing Body shall determine that such improvements are necessary, prudent and feasible for the betterment of the City. Nothing in this agreement shall require the Governing Body to approve or establish any benefit district for the financing of public infrastructure except where required by Law.
4. **Zoning.** The Property is currently zoned Rural (RUR) by the County. A copy of the County zoning regulations application to the RUR zoning district at the time of annexation are attached hereto as Exhibit C. Pursuant to Kansas law, following annexation, the Property shall retain its County zoning until such time that a rezoning of the property may be approved. Similarly, again pursuant to Kansas law, any legal, non-conforming uses existing on the Property immediately preceding annexation may continue until such time as any such use loses its legal, non-conforming use status under the laws of this State.
5. **Acceptance of Annexation.** The annexation will not become effective until after the City Council formally approves and adopts the necessary Annexation Ordinance as required by Kansas Statutes and said ordinance is published once in the official City newspaper.
6. **Savings Clause.** In case any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, nor shall such invalidity, illegality or unenforceability affect the validity, legality or enforceability of the remainder of the Agreement. Furthermore, the parties agree that such invalid, illegal or unenforceable provision may be reformed to the greatest extent permitted by law to most closely meet the intent of the parties in effecting the purpose expressed by the contractual provision deemed invalid, illegal or unenforceable.
7. This document shall constitute the entire Agreement between the undersigned landowner(s) and the City of Gardner, Kansas.

Now, therefore, in consideration of the City of Gardner's agreeing to the above conditions for the above described property, the undersigned does give full and complete consent to the City of Gardner to annex the above described property in accordance with the laws of the state of Kansas at any time after the date of this agreement.

This agreement shall run with the land described and shall be binding upon the heirs, grantees successors and assigns of the undersigned.

ADOPTED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR OF GARDNER, KANSAS ON THE _____ DAY OF _____, 20____.

CITY OF GARDNER, KANSAS

BY: _____
Steve Shute, Mayor

ATTEST:

Sharon Rose, City Clerk

Approved as to form:

Ryan Denk, City Attorney

In Witness thereof, the undersigned have caused this agreement to be executed on 13th day of DECEMBER, 2019.

Owners of Record:

By: Anita A. Carpenter
Anita A. Carpenter

State of Kansas

County of Johnson

The foregoing instrument was acknowledged before me this 13th day of DECEMBER, 2019 by Anita A. Carpenter, who is (are) personally known to me to be the same person(s) who executed the within foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS THEREOF, I have hereunto set my hand and official seal and the day and year last above written.

Kristie Hatley
Notary Public

Seal

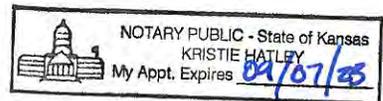


Exhibit B

CONSENT FOR ANNEXATION

(Adjoining property by request)

To: The Governing Body of the City of Gardner, Kansas.

The undersigned owners of record of the following described land hereby petition the Governing Body of the City of Gardner, Kansas to annex such land to the city.

27010 W. 199th St., Gardner, Kansas, legally described as:

"The West 200.53 feet of the East 213.53 feet of the West 640.59 feet of the South 446 feet of the Southeast 1/4, Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas."

Such land lies upon or touches the city boundary line.

The undersigned further warrant and guarantee that they are the only owners of record of the land. Signed this 13 day of December, 2019.


Anita A. Carpenter; Owner

2200684

Kansas Quit-Claim Deed

This Indenture, Made on the 8th day of December

A. D. One Thousand Nine Hundred and Ninety-Two, by and between WAYNE

CARPENTER, (a single person),

of the County of Johnson, State of Kansas, part y of the first,

part, and ANITA CARPENTER, (a single person),

of the County of Johnson, State of Kansas, part y of the second part:

WITNESSETH, THAT SAID PARTY OF THE FIRST PART, in consideration of the sum of One Dollar and other valuable consideration DOLLARS,

to be paid by said part y of the second part (the receipt of which is hereby acknowledged),

do by these presents Remise, Release and forever Quit-Claim unto the said part y of the

second part the following described lots, tracts or parcels of land, lying, being and situate in the County

of Johnson and State of Kansas, to-wit:

27010 W. 199th St., Gardner, Kansas, legally described as:

"The West 200.53 feet of the East 213.53 feet of the West 640.59 feet of the South 446 feet of the Southeast 1/4, Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas."

"DUE TO DIVORCE"

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1992 DEC 22 P 12:36.8

REGISTER OF DEEDS

Entered in Transfer Record

Date December 22 1992

Beverly L. Baker, County Clerk
Johnson County, Kansas

RE# DE 23 506-4006

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances thereto belonging, unto said part y of the second part and unto her heirs and assigns forever, so that neither the said part y of the first part nor his heirs, nor any other person or persons for him or in his name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, The said part y of the first part ha^s hereunto set his hand and seal the day and year above written.

Signed, sealed and delivered in the presence of us:

X Wayne Carpenter
WAYNE CARPENTER

_____(SEAL)
_____(SEAL)
_____(SEAL)
VOL 3804 PAGE 606
_____(SEAL)

800
Carter

KANSAS ACKNOWLEDGMENT

STATE OF Kansas
County of Johnson } ss.

BE IT REMEMBERED, That on this 8th day of December A. D. 1992
before me, the undersigned, a Notary Public in and for said County and State, came WAYNE CARPENTER

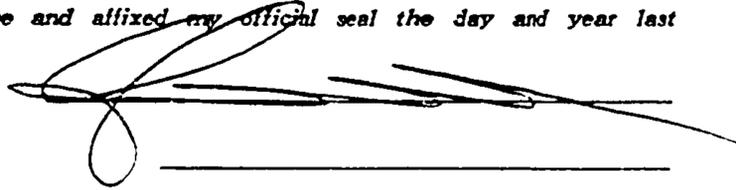
who 15 personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

CLARK H. DAVIS
NOTARY PUBLIC
STATE OF KANSAS

My Appt. Exp. 3-31-93

My commission expires _____ 19____



KANSAS ACKNOWLEDGMENT

STATE OF _____ }
County of _____ } ss.

BE IT REMEMBERED, That on this _____ day of _____ A. D. 19____
before me, the undersigned, a Notary Public in and for said County and State, came _____

who _____ personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

My commission expires _____ 19____

Quit-Claim Deed

FROM

TO

Entered in Transfer Record in my
office this _____
day of _____ 19____

County Clerk.

STATE OF KANSAS }
County } ss.

Received for Record on the
day of _____ 19____, at _____ o'clock
M., and duly Recorded in Book
of _____ at Page _____

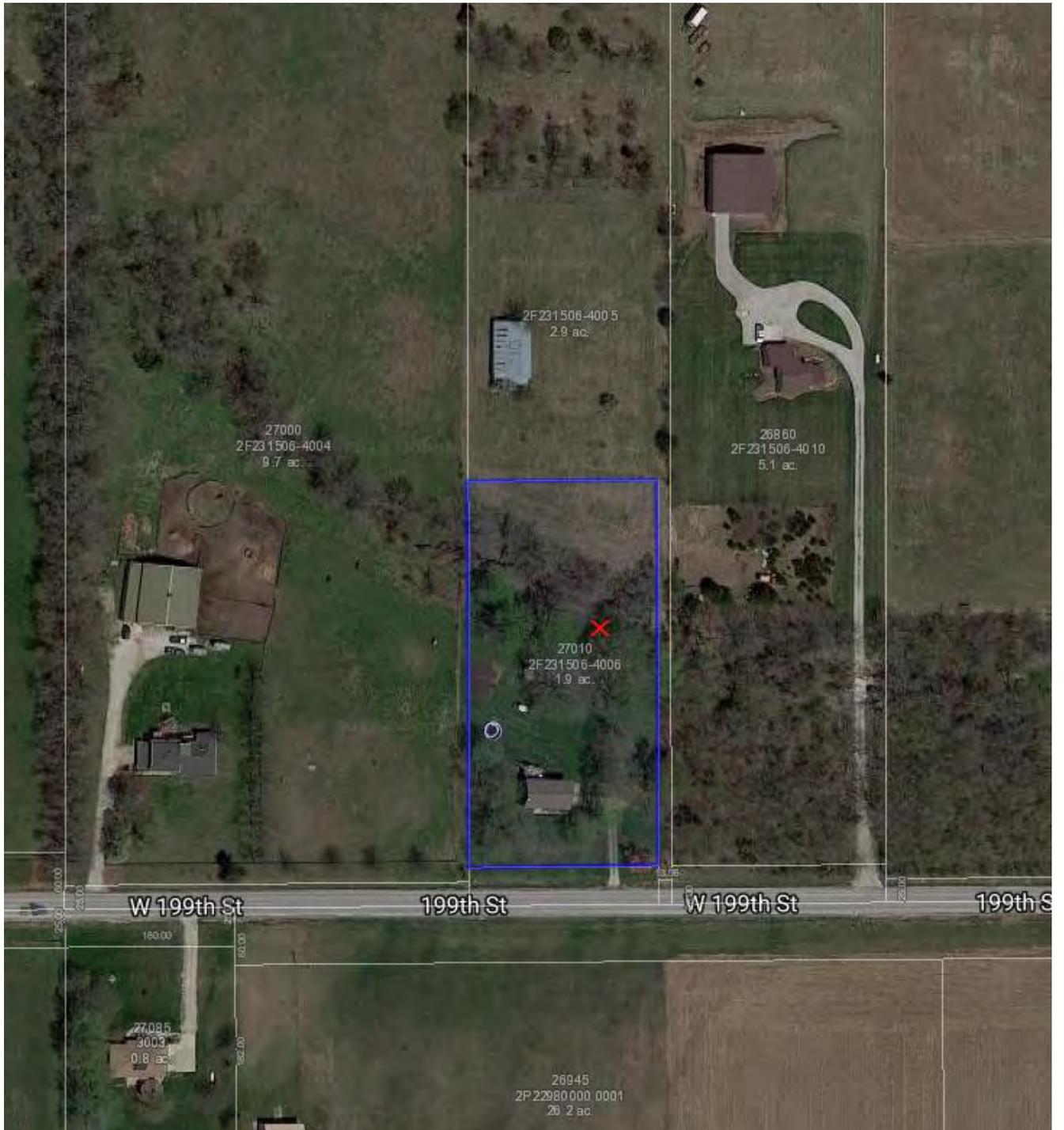
Register of Deeds.

Fee, \$ _____

Wayne A. Carpenter
27010 W. 19th St.
Chandler, KS.

62030

Location of Anita A. Carpenter's Home



ORDINANCE NO. 2644

AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDNER, KANSAS.

WHEREAS, the following described land is located in Johnson County, Kansas;

WHEREAS, a written petition and/or consent for annexation of the following described land, signed by all of the owners thereof, have been filed with the City of Gardner, Kansas pursuant to K.S.A. 12-520(a)(7), as amended; and

WHEREAS, the governing body of the City of Gardner, Kansas, finds it advisable to annex such land.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

Section 1. That the following described land is hereby annexed and made a part of the City of Gardner, Kansas:

27010 W. 199th St., Gardner, Kansas, legally described as:

"The West 200.53 feet of the East 213.53 feet of the West 640.59 feet of the South 446 feet of the Southeast 1/4, Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas."

Also,

The entire width of the adjacent right of way immediately South of the above described real property, such right of way being 85 feet in width, such right of way being identified as 199th Street.

Section 2. That this ordinance shall be effective from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Gardner, Kansas this ____ day of _____, 2020.

Steve Shute, Mayor

ATTEST:

Sharon Rose, City Clerk

APPROVED AS TO FORM:

Ryan B. Denk, City Attorney

COUNCIL ACTION FORM
MEETING DATE: JANUARY 6, 2020

NEW BUSINESS ITEM NO. 2

STAFF CONTACT: LARRY POWELL, BUSINESS & ECO DEV DIRECTOR

Agenda Item: Consider revising the use provisions for Communications and Utilities, Public Utility Facility – Major in the *Gardner Land Development Code*

Strategic Priority: Promote Economic Development, Improve Quality of Life, Increase Infrastructure and Asset Management, Fiscal Stewardship

Department: Business & Economic Development

Staff Recommendation:

Staff recommends that Council direct the Planning Commission to consider revising the use provisions for Communications and Utilities to permit Public Utility Facility – Major as a Conditional Use subject to additional standards in additional zoning districts (including the agriculture district).

Background/Description of Item:

On August 21, 2017, the Governing Body adopted Ordinance 2550 amending the *Gardner Land Development Code* (LDC) to implement specific use standards for public utilities and airport uses, as these uses were not specifically provided for in the LDC when it was adopted in 2016. Utility uses were classified as either minor or major utility uses. Currently, minor public utility uses are **conditional** uses in all agriculture and residential districts, and **permitted** uses in all commercial and industrial districts. Major public utility uses are **conditional** uses ONLY in the commercial and industrial districts.

Public Utility Facility – Major is described as “Utility services of a regional nature, including generating plants, electrical switching facilities and primary substations, water and wastewater treatment plants, and similar facilities to provide the general public with electricity, natural gas, steam, water, sewage collection, or other similar service. May include General Office or Large Office where those uses are permitted as indicated in Table 5-2.”

As the community grows, there is a need to provide public utility services to outlying areas. Based on a comparison of the adopted utility plans and future land use maps, it may be advisable that some major public utility facilities be developed near areas planned for agriculture or residential zoning.

Currently, these essential major public utility facilities would have to be built on land that is rezoned to a commercial or industrial district, even though the facilities would perhaps be located adjacent to agriculture or residential uses. Then, if the facility were ever decommissioned or redeveloped, the site would potentially be opened up to various commercial and industrial uses that may not be compatible with the adjacent land uses unless the property was rezoned before redevelopment.

One example of this is the Hillsdale Lake Water Treatment facility, which is surrounded by a rural residential district in Miami County. If this facility, which was originally permitted as a conditional use in the Agriculture district of Miami County, was annexed into the City of Gardner, it would become a nonconforming use in the City. Expansion could then only be accommodated by rezoning to a commercial or industrial district (and approval of a conditional use permit). Maintaining the agriculture zoning designation for this facility would be more consistent with the land use intent of surrounding Miami County and ensure continued compatibility with the adjacent land uses. If the LDC was amended to permit major public utility facilities in the A (Agriculture) district, future expansions to this facility could be accommodated without the need to rezone. Additional expansions are planned for the year 2020 and again around 2027.

A new electric substation is planned south of I-35 near projected commercial areas, and could be accommodated in a commercial zoning district without an amendment to the LDC. However, this property is currently zoned A (Agriculture) District, and the contemplated amendment would allow this facility to be developed without a rezoning.

A new wastewater treatment plant is planned to be located somewhere south of I-35 and 191st street near Cedar Niles in the future, and it is anticipated that the most appropriate zoning district for that facility, considering the adjacent uses, would be the A (Agriculture) District.

Conditional uses, and their expansions, entail a public hearing and recommendation of the Planning Commission, with final approval of the Governing Body. There are ten review criteria for conditional uses which pertain to the furthering the intent of the zoning district and adjacent districts, having a positive impact on the public realm, ensuring adequate drainage and public utilities, and being found to be compatible with the character of the area in design and function. Additionally, all Public Utility Facility – Major uses are subject to additional specific use standards regulating setback from residential districts, height transitions, landscape buffers, and fencing. The use can be approved with additional conditions to address any other concerns arising from the context, thereby mitigating any potential community concerns while supporting essential public services in an efficient manner.

Financial Impact:

None

Other Impacts:

This action would simplify the process for approving major public utility facilities in growth areas of the community and ensure efficient provision of public utility services.

Attachments included:

None

Suggested Motion:

Direct the Planning Commission to consider revising the use provisions for Communications and Utilities to permit Public Utility Facility – Major as a Conditional Use subject to additional standards in additional zoning districts (including the agriculture district).

COUNCIL ACTION FORM

NEW BUSINESS ITEM No. 3

MEETING DATE: JANUARY 6, 2020

STAFF CONTACT: MICHAEL KRAMER, PUBLIC WORKS DIRECTOR

Agenda Item: Consider adopting a resolution describing the 2019 Corporate Limits and Boundaries of the City of Gardner.

Strategic Priority: Increase infrastructure and asset management

Department: Public Works

Staff Recommendation:

Staff recommends that the City Council adopt a resolution describing the updated corporate limits.

Background/Description of Item:

The Kansas State Statutes require that each city file a new/revised Corporate Limits Description and Official City Map at the end of each year that corporate limits have changed.

In 2019, the City Council passed Ordinances No. 2622, 2623, 2624, 2625, 2631, 2632, 2639, 2641, and 2642 that changed the City's corporate limits. The attached map shows the areas that were annexed into the city in 2019.

Financial Impact:

N/A

Attachments included:

- Resolution No. 2047
- Map of annexations

Suggested Motion:

Adopt Resolution No. 2047, a resolution describing the Corporate Limits and Boundaries of the City of Gardner, Johnson County, Kansas, a city of the second class.

RESOLUTION NO. 2047

A RESOLUTION DESCRIBING THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, A CITY OF THE SECOND CLASS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Corporate Boundaries. The corporate limits and boundaries of the City of Gardner, Kansas are described and declared to be as follows:

LEGAL DESCRIPTION OF THE CITY LIMITS
OF THE
CITY OF GARDNER, KANSAS
31 December 2019

The corporate limits and boundaries of the City of Gardner, Kansas are described and declared to be as follows:

Beginning at the Northeast corner of Section 13, Township 14 South, Range 22 East, Johnson County, Kansas; thence south along the east line of said Section 13 to the Northeast corner of the Southeast Quarter of said Section 13; thence West along the North line of said Southeast Quarter, a distance of 530 feet; thence South and parallel to the East line of the Southeast Quarter, a distance of 739.69 feet; thence east and parallel to the North line of said Southeast Quarter to the East line of said Section 13; thence South along the East line of said Southeast Quarter, to the Southeast corner of said Southeast Quarter of Section 13, Township 14 South, Range 22 East; thence South along the East line of the Northeast Quarter of Section 24, Township 14 South, Range 22 East to the Northwest Corner of the Southwest Quarter of Section 19, Township 14 South, Range 23 East; thence East along the North line of the Southwest Quarter of said Section 19, to a point 775.00 feet West of the Northeast corner of the Southwest Quarter of said Section 19; thence South and parallel to the East line of the Southwest Quarter of said Section 19 to a point 1,352.00 feet North and 1,887.00 feet East of the Southwest corner of said Section 19, said point being on the Northerly right-of-way line of U.S. 56 Highway; thence Northeasterly to a point being 1,622.00 feet North and 3,114.00 feet East of the Southwest corner of said Section 19, said point being on the Easterly right-of-way line of U.S. 56 Highway; thence South 65 degrees 53 minutes East along U.S. 56 Highway right-of-way 657.00 feet; thence South 15 degrees 07 minutes East and continuing along said Highway right-of-way to a point on the North right-of-way line of old U.S. Highway 56; thence Northeasterly along the North right-of-way of old U.S. Highway 56 to a point on said right-of-way, said point being 478.14 feet East of the West line of the Southwest Quarter of Section 20, Township 14 North, Range 23 of the Sixth Principal

Meridian, Johnson County, Kansas; thence North 01 degree 40 minutes 48 seconds West, parallel with the West line of said Section 20, a distance of 3,708.71 feet, to a point on the North line of the Northwest Quarter of said Section 20; thence North 88 degrees 04 minutes 18 seconds East, along the North line of said Northwest Quarter, to the Northeast corner of the Northwest Quarter of said Section 20; thence South 01 degree 43 minutes 09 seconds East, along the East line of the Northwest Quarter of said Section 20, to the Southeast corner of said Section 20, said corner also being the Center of said Section 20; thence South along the East line of the Southwest Quarter of said Section 20, to a point on the Northerly right-of-way line of the Interstate Highway I-35 Interchange with 175th Street and U.S. 56 Highway, said point being in the Northwest Quadrant of said Interchange; thence Northeasterly along said I-35 Interchange right-of-way to a point on the Northerly right-of-way line of Interstate Highway I-35; thence continuing Northeasterly along the Northerly right-of-way line of said Highway to a point on the East line of the West Half of the West Half of the Southeast Quarter of said Section 20; thence South along said East line to a point on the Southerly right-of-way line of said I-35 Interchange, said point being in the Northeast Quadrant of said Interchange; thence North 23 degrees 20 minutes East along said Southerly right-of-way line to a point; thence continuing along said Southerly right-of-way line North 41 degrees 16 minutes East, 90.76 feet to a point 749.39 feet North and 763.00 feet East of the Southwest corner of the Southeast Quarter of said Section 20; thence Northeasterly along said Southerly right-of-way line to a point 128.00 feet Southwesterly from the East line of the Southeast Quarter of said Section 20; thence Southeasterly along the Interstate Highway I-35 right-of-way line a distance of 968.54 feet to a point 60 feet West of the East line of the Southeast Quarter of said Section 20; thence Southeasterly along said Highway right-of-way line a distance of 193.20 feet to a point 25.00 feet West of the East line of the Southeast Quarter of said Section 20; thence East a distance of 25.00 feet to a point on the East line of the Southeast Quarter of said Section 20; thence South along the East line of the Southeast Quarter of said Section 20 a distance of 755.00 feet to the Southeast Corner of the Southeast Quarter of said Section 20; thence West along the South line of the Southeast Quarter of said Section 20 a distance of 1946.80 feet to a point 763 feet East of the Southwest Corner of the Southeast Quarter of Said Section 20; thence North and parallel to the West line of said Southeast Quarter to a point on the North right-of-way line of 175th Street as now established by said Interstate Highway I-35/175th Street Interchange; thence South 87 degrees 57 minutes' West along said North right-of-way line to a point on the East line of said West Half, of the West Half, of the Southeast Quarter of said Section 20; thence South along said East line to a point on the South right-of-way line of said 175th Street; thence following a permanent road easement acquired by the Kansas Department of Transportation and filed with the register of deeds ((Vol. 3475, pg. 763-775) on October 30, 1991, South 83 degrees 24 minutes, a distance of 188.8 feet; thence South 11 degrees 50 Minutes West, a distance of 437.8 feet; thence South 34 degrees 50 minutes West, a distance of 225.0 feet; thence South 66 degrees 35 minutes West to a point on the East line of the Northwest Quarter of Section 29, Township 14 South, Range 23 East, said point being 840.9 feet South of the Northeast Corner of said Northwest quarter of said Section 29; thence South 87degrees 21 minutes West a distance of 327.3 feet; thence South 87 degrees 46 minutes West, a distance of 1460.4 feet; thence South 68 degrees 50 minutes West, a distance of 440.5 feet; thence South 56 degrees 31 minutes West, a distance of 534.8 to a point of intersection with the Southerly right of way line of Interstate Highway I-35, said point being on the West line of said Northwest Quarter; thence continuing Southwesterly, on one course, along said Southerly Right of Way line to the East line of the Southwest Quarter of Section 30; thence continuing Southwesterly along said Southerly right-of-way line, a distance of 629.32 feet; to a point on the Southerly right-of-way line of I-35; thence Southerly along said Right of Way and parallel to said I-35 a distance of

1552.46 feet to a point on the Southerly Right of Way line being 30 feet North of the South line of the Southwest Quarter of Section 30, Township 14 South, Range 23 East; thence Easterly parallel with the South line of said Southwest Quarter, a distance of 210.0 feet; thence South 30 feet to a point on the South line of said Southwest Quarter; thence Westerly along the said South Line a distance of 1109.50 feet to the Southwest corner of Section 30, Township T14 South, Range 23 East; thence continuing West along the South line of the Southeast Quarter of Section 25, Township 14 South, Range 22 East, to the Southwest corner of said Southeast Quarter; thence South along the West line of the Northeast Quarter of Section 36, Township 14 South, Range 22 East, 1318.69 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter, thence East along the South line of the North Half of the Northeast Quarter of Section 36, to a point on the Northerly Right of Way line of Interstate 35; thence Southwesterly along said North right-of-way of Interstate 35 to a point on the East line of the West Half of the Southwest Quarter of said Section 36; thence South along said East line to the Northeast Corner of the Northwest Quarter, of the Northwest Quarter of Section 1, Township 15 South, Range 22 East; thence continuing South on the same course to a point on the South line of the permanent street easement for 191st Street; thence West on a line parallel to the North line of said Section 1 to a point which intercepts the original south right of way for the realigned 191st Street for the reconstruction of I-35, thence Southwesterly along said right of way line to a point, thence diverging from the previous course, Southwesterly along said right of way to a point; thence South 35 degrees 15 minutes to a point where the existing right of way intersects a permanent roadway easement acquired by the Kansas Department of Transportation for the reconstruction of the I-35 and Gardner Road Interchange; thence South 35 degrees 15 minutes West, a distance of 540.6 feet, thence South 67 degrees 10 minutes West, a distance of 303.5 feet to a point on the existing right of way of South Gardner Road (Center Street), the above bearings are based on the North Section Line of said Section 1 having a base bearing of South 88 degrees 48 minutes East; thence continuing Southwesterly along said right of way to a point being 25 feet East and 1415 feet South of the Northwest Corner of said Section 1; thence West a distance of 25 feet to the East Line of Section 2, Township 15 South, Range 22 East: thence South along said East Line of Section 2 to the Northeast Corner of the Southeast Quarter of said Section 2; thence South 02 degrees 49 minutes 15 seconds East along the East line of the Southeast Quarter of said Section 2, a distance of 1321.88 feet to the Northeast corner of Friends & Neighbors II, a subdivision in the Johnson County, Kansas as now established; thence South 88 degrees 19 minutes 15 seconds West (measured) (South 88 degrees 15 minutes 53 seconds West, Plat), along the North line of Friends & Neighbors II and Friends & Neighbors, subdivision's in Johnson County, Kansas, a distance of 2655.23 feet (measured) {2655.26 Plat), to the Northwest corner of said Friends & Neighbors said point also being the Southwest corner of the North Half of the Southeast Quarter of said Section 2; thence North 02 degrees 22 minutes 48 second West, along the West line of the Southeast Quarter of said Section 2, to the Southwest corner of the Northeast Quarter of said Section 2; thence North along the West line of the Northeast Quarter of said Section 2 to the North line of said Section 2; thence East along said North line to a point on the South line of Section 35, Township 14 South, Range 22 East, said point being on the West line of Chandlor Farms, a subdivision in the City of Gardner, Kansas, Johnson County, Kansas; thence North along said West line 660 feet, to the Northwest corner of said subdivision and the South line of the North half of the Southwest Quarter of the Southeast Quarter of Section 35, thence West along the South line of said North half of the Southwest Quarter of the Southeast Quarter of Section 35 to a point on the Westerly line of the Southeast Quarter of Section 35; thence Northerly along the West line of the Southeast Quarter to the Northwest Corner of said Southeast Quarter; thence North along the West Line of the Northeast

Quarter, to the Southwest corner of the Southeast Quarter of Section 26, Township 14 South, Range 22 East, Johnson County, Kansas; thence North along the West line of the Southeast Quarter of said Section 26 to a point on the Northerly right-of-way line of the Atchison, Topeka and Santa Fe Railroad company; thence Northeasterly along said right-of-way to its intersection with the north line of said Southeast Quarter of Section 26, said intersection being 412.50 feet East of the center of said Section 26, thence North, parallel with the North/South Centerline of said Section 26 a distance of 810.00 feet; thence West to the intersection of the Southerly right-of-way line of the Northerly branch of the Atchison, Topeka, and Santa Fe Railroad; thence Southwesterly along said Southerly right-of-way line to a point on the West line of the Northeast Quarter of said Section 26; thence West a distance of 20.00 feet, to a point on the West right-of-way line of Poplar Street; thence North along said West right-of-way line, to a point on the Northerly right-of-way line of the Northerly branch of the Atchison, Topeka, and Santa Fe Railroad; thence Southwesterly along the Northerly right-of-way of said Railroad to a point on the West line of the East 1320.00 feet of the Northwest Quarter of said Section 26; thence North a distance of 526.93 feet to a point; said point being 1089.00 feet South of the South right-of-way line of Warren Street; thence Westerly a distance of 500.00 feet; thence Northerly and parallel to the East line of West Half of the Northwest Quarter of Section 26 a distance of 955.31 feet to a point on the Southerly right-of-way line of Highway 56; thence Northeasterly on a curve to the right with an initial tangent bearing of North 49 degrees 34 minutes 23 seconds East and a radius of 3779.80 feet, a distance of 221.75 feet; thence Westerly along a projected line of the Southerly right-of-way of Warren Street to its intersection with the Northerly right-of-way line of Highway 56, said point of intersection being 1792.42 feet West and 737.95 feet South of the Northeast corner of the Northwest Quarter of said Section 26; thence Southwesterly along the Northerly right-of-way of said U. S. Highway 56, to a point on the West line of said Section 26; thence North along the West line of said Section 26, to the Northwest Corner of said Section 26; thence West along the North line of Section 27, Township 14 South, Range 22 East, to the Northeast corner of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section 27; thence South along the East line of said Northwest Quarter, Northeast Quarter, Northeast Quarter, a distance of 660.00 feet, more or less, to the Southeast corner of said Northwest Quarter, Northeast Quarter, Northeast Quarter Section; thence West along a line 660.00 feet South of and parallel to the North line of said Section 27, a distance of 1320.00 feet; thence South 34 degrees West to the Northeast corner of the West Half of the Northeast Quarter of the Southwest Quarter of said Section 27; thence South along the East line of the West Half of said Northeast Quarter of the said Southwest Quarter to the Southeast corner of the West Half of said Northeast Quarter of the Southwest Quarter; thence Southeasterly to a point on the North right-of-way line of U.S. Highway No. 56, 351.00 feet Southwesterly from the point of intersection of said U.S. Highway No. 56 right-of-way line and North line of the Southeast Quarter of the Southwest Quarter of said Section 27, a distance of 289.60 feet; thence Southwesterly along the North right-of-way line of said U.S. Highway No. 56, a distance of 628.71 feet; thence Northwesterly at a right angle to said right-of-way line 208.71 feet; thence Southwesterly 68.02 feet; thence Southerly, parallel to the West line of the Southeast Quarter of the Southwest Quarter of Section 27, a distance of 307.66 feet to a point on the North right-of-way line of said U.S. Highway No. 56; thence Southwesterly along the North right-of-way line of said U.S. Highway No. 56, a distance of 233.11 feet to a point on the West line of the Southeast Quarter of the Southwest Quarter of Section 27; thence North along the West line of the Southeast Quarter of the Southwest Quarter to the North line of said Section 27; thence West along said North line of said Section 27 to the Northwest corner of said Section 27; thence North along the West line of Section 22, Township 14 South, Range 22 East, to the Northwest Corner of the Southwest Quarter of said Section 22; thence East along the North

line of the Southwest Quarter of said Section 22 to the Southwest corner of the Northeast Quarter of said Section 22, thence North along the West line of the Northeast Quarter of said Section 22 to the Northwest corner of the Northeast Quarter of Section 22 which is the Southeast corner of the Southwest Quarter of Section 15, thence North along the East line of said Southwest Quarter; a distance of 330.00 feet; thence West and parallel the South line of said Section 15; a distance of 792.00 feet; thence South parallel to the East line of the Southwest Quarter of Section 15, a distance of 330.0 feet, to a point on the South line of the Southwest Quarter of said Section 15; thence West along the South line of said Southwest Quarter, a distance of 751.02 feet; thence North and parallel to the East line of the said Southwest Quarter; a distance of 313.4 feet; thence West and parallel to the South line of said Southwest Quarter of Section 15, a distance of 297.00 feet; thence South and parallel to the West line of said Southwest Quarter, a distance of 313.50 feet to a point on the South line of said Southwest Quarter, said point being 800.24 feet East of the Southwest corner of the Southwest Quarter; thence West along the South line of the Southwest Quarter 800.24 feet to the Southwest Corner of the Southwest Quarter; thence North along the West line of said Section 15, to a point 2323.85 feet South of the Northeast corner of the Northeast Quarter of Section 16, Township 14 South, Range 22 East; thence South 88 degrees 20 minutes 58 seconds West a distance of 230.00 feet; thence North 01 degrees 39 minutes 02 seconds West a distance of 493.88 feet; thence North 32 degrees 42 minutes 04 seconds West a distance of 265.40 feet; thence North 86 degrees 28 minutes 20 seconds West a distance of 139.45 feet; thence South 56 degrees 16 minutes 18 seconds West a distance of 531.22 feet to a point of curvature; thence along a curve to the right having an initial tangent bearing of North 31 degrees 52 minutes 12 seconds West and having a radius of 925.00 feet and an arc length of 487.87 feet; thence North 01 degrees 39 minutes 02 seconds west a distance of 315.65 feet to a point of curvature; thence along a curve to the right tangent to the last described course having a radius of 1475.00 feet and an arc length of 252.45 feet; thence North 08 degrees 09 minutes 20 seconds East a distance of 368.49 feet to a point of curvature; thence along a curve to the left tangent to the last described course having a radius of 1525.00 feet and an arc length of 261.00 feet; thence North 01 degrees 39 minutes 02 seconds West a distance of 213.21 feet to a point on the North section line of said Section 16 said point being 975.01 feet West of the Northeast corner of said Section 16; thence west along the North line of said Section 16, to the Southwest corner of the Southeast Quarter of said Section 9; thence North to the Northwest Corner of the Northeast Quarter of said Section 9; thence East along the North line of said Northeast Quarter to the Northeast Corner of said Section 9; thence South along the East line of said Northeast Quarter to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 10, Township 14 South, Range 22 East; thence East to the East line of the Northwest Quarter of said Section 10; thence South along the Center line of said Section 10 to the Northeast Corner of the Northwest Quarter of Section 15, Township 14 South, Range 22 East; thence South along the East line of said Northwest Quarter of Section 15, to the Northwest corner of the Southeast Quarter of said Section 15; thence East along the North line of said Southeast Quarter to the Northeast corner of said Southeast Quarter which is the Northwest corner of the Southwest Quarter of Section 14; thence East along the North line of the Southwest Quarter to the Northeast corner of the Southwest Quarter of said Section 14; thence east along the South line of the Northeast Quarter of Section 14, Township 14 South, Range 22 East to a point 1710.68 feet West of the Southeast corner of said Northeast Quarter, thence North 0 degrees 05 minutes 17 seconds West, parallel to the East line of the Northeast Quarter of said Section 14 a distance of 1070.60 feet; thence South 89 degrees 17 minutes 51 seconds East, parallel to the South line of the Northeast Quarter of said Section 14, a distance of 1666.46 feet to a point on the West right-of-way line of Gardner Road as now established; thence South 7 degrees 02 minutes 13 seconds

West, along said right-of-way line a distance of 167.56 feet; thence South 4 degrees 12 minutes 55 seconds West measured along said right-of-way, a distance of 399.82 feet; thence South 0 degrees 05 minutes 17 seconds East along said right-of-way and parallel to the East line of the Northeast Quarter of said Section 14, a distance of 505.00 feet to a point on the South line of said Northeast Quarter; thence South 89 degrees 17 minutes 51 seconds East along the South line of said Northeast Quarter, a distance of 95.01 feet to the Southeast corner of said Northeast Quarter, thence South along the East line of the Southeast Quarter of said Section 14 to a point 1444.22 feet North of the Southeast corner of the Southeast Quarter of said Section 14, thence North 88 degrees 26 minutes 39 seconds East, a distance of 33.00 feet to a point on the Easterly Right of Way of Center Street as now established, thence North 88 degrees 01 minutes 33 seconds East, 196.80 feet, thence South 21 degrees 56 minutes 26 seconds East, 199.63 feet, thence South 08 degrees 11 minutes 27 seconds East, 265.21 feet, thence South 04 degrees 41 minutes 37 seconds East, 129.08 feet thence South 07 degrees 43 minutes 05 seconds West, 274.91 feet, thence South 00 degrees 25 minutes 43 seconds East, 324.89 feet, thence South 26 degrees 11 minutes 34 seconds West, 192.22 feet, thence South 09 degrees 30 minutes 21 seconds East 4.84 feet, thence South 89 degrees 27 minutes 46 seconds East, 223.64 feet, thence North 88 degrees 26 minutes 43 seconds East, 294.31 feet to the East property line, thence South 01 degree 58 minutes 23 seconds East along the East property line, 86.95 feet to a point on the South line of the Southwest Quarter of Section 13, thence East along said South line, to the Southeast corner of the Southwest Quarter; thence North along the West line of the East half of said Section 13, to the Northwest corner of the Northeast Quarter of said Section 13; thence East along the North line of said Section 13, to the Northeast corner of said Section 13; being the POINT OF BEGINNING, also including the following four (4) tracts.

TRACT 1 – (Golf Course)

Commencing at the Southeast corner of Section 11, Township 14 South, Range 22 East, in Johnson County, Kansas; thence South 89 degrees 37 minutes 59 seconds West along the South line of said Section 90.00 feet to a TRUE POINT OF BEGINNING; thence North 00 degrees 30 minutes 00 seconds West along the West right-of-way of F.A.S. Highway No. 683 and parallel to the East line of said Section 86.20 feet; thence North 10 degrees 30 minutes 57 seconds East 183.17 feet; thence North 00 degrees 30 minutes 00 seconds West 440.55 feet to a point of curvature; thence along a curve to the left, tangent to the preceding course, having a radius of 779.02 feet, an arc distance of 247.00 feet; thence North 45 degrees 50 minutes 01 seconds West 97.25 feet; thence North 21 degrees 39 minutes 09 seconds West 20.93 feet; thence North 21 degrees 39 minutes 09 seconds West 172.26 feet; thence North 38 degrees 01 minutes 29 seconds West 306.06 feet to the South line of Block 23 of Gardner Lake Lots; thence North 39 degrees 03 minutes 38 seconds West, along said Westerly right-of-way a distance of 129.83 feet to the Northeast corner of Lot 7; thence continuing along said right-of-way a distance of 50.00 feet to the Northwest corner of Lot 7; thence Northwesterly along said right-of-way 212.96 feet; thence North 00 degrees 19 minutes 00 seconds West 60.00 feet to a point of curvature; thence along a curve to the right, not tangent to the preceding course, whose chord bears North 09 degrees 24 minutes 20 seconds West, having a radius of 613.69 feet, an arc distance of 217.00 feet; thence North 00 degrees 08 minutes 07 seconds West 347.70 feet to a point of curvature; thence along a curve to the left, not tangent to the preceding course, whose chord bears North 05 degrees 52 minutes 22 seconds West having a radius of 1096.28 feet, an arc distance of 282.60 feet; to a point on the North line of the Southeast Quarter of said Section 11; thence continuing along said curve, with a central angle of 51 degrees 17 minutes 24 seconds, an arc distance of 981.37 feet; thence North 64 degrees 32 minutes 51 seconds West 78.84 feet; thence departing said right-of-

way South 24 degrees 21 minutes 00 seconds East 289.94 feet; thence South 00 degrees 41 minutes 00 seconds East 510.80 feet to said North line; thence South 89 degrees 43 minutes 45 seconds West along said North line 1370.91 feet to the Northwest corner of the Southeast Quarter of said Section 11; thence South along the West line of the Southeast Quarter of said Section 11, to the South line of said Section 11; thence East along the South line of said Section 11 to the TRUE POINT OF BEGINNING.

TRACT 2 – (Gardner Lake Property)

A that part of the Northeast Quarter of Section 11, Township 14 South, Range 22 East, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeasterly corner of Lot 1, Block 21, GARDNER LAKE LOTS, a platted subdivision of land in Johnson County, Kansas; thence S 23°20'15" E, along the extension of the Easterly line of said Lot 1, a distance of 25.00 feet to the POINT OF BEGINNING; thence S 22°19'48" E, a distance of 17.25 feet; thence S 53°59'42" W, a distance of 104.57 feet; thence S 73°49'51" W, Southerly and parallel with the South line of said Lot 1 and Lot 14, Block 21 of said GARDNER LAKE LOTS, a distance of 276.33 feet to a point on the Easterly right-of-way of Gardner Road; thence Southeasterly along said Easterly right-of-way of said Gardner Road and on a curve to the right, said curve having an initial tangent bearing of S 39°34'24" E East and a radius of 1196.28 feet, an arc distance of 467.96 feet; thence N 72°49'49" E, a distance of 64.94 feet; thence S 84°16'52" E, a distance of 180.15 feet; thence N 2°58'28" E, a distance of 52.88 feet; thence N 88°48'00" E, a distance of 149.60 feet; thence N 11°39'37" E, a distance of 109.07 feet; thence N 10°46'54" W, a distance of 211.10 feet; thence N 45°37'00" W, a distance of 103.00 feet to the Northeast corner of Lot 1, Block 22 of said GARDNER LAKE LOTS; thence Northwesterly along the East Line of Lots 1, 2 and 3, Block 22 of said GARDNER LAKE LOTS to the Northerly corner of said Lot 3, Block 22; thence S 88°42'00" W, a distance of 54.13 feet to the POINT OF BEGINNING, containing 5.2321 acres, more or less.

TRACT 3 – (Gardner Lake Properties)

A part of the Northeast Quarter of Section 11, Township 14 South, Range 22 East, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwesterly corner of Lot 14, Block 21, GARDNER LAKE LOTS, a subdivision in Johnson County, Kansas; thence South 72 degrees 16 minutes 00 seconds West 82.00 feet; thence South 06 degrees 11 minutes 00 seconds West 4.88 feet to a point on the Easterly line of Parcel No. 6 road right-of-way as recorded in Miscellaneous Book 143 at Page 17 in the Office of Johnson County, Register of Deeds; thence North 49 degrees 15 minutes 16 seconds West along said Easterly line, 50.00 feet to the TRUE POINT OF BEGINNING; thence North 06 degrees 11 minutes 00 seconds East 118.00 feet; thence North 17 degrees 44 minutes 00 seconds West 310.00 feet; thence South 75 degrees 18 minutes 44 seconds West 258.41 feet; thence South 26 degrees 29 minutes 58 seconds East 120.10 feet; thence South 28 degrees 47 minutes 06 seconds West 58.87 feet to a point on the Easterly right-of-way line of Gardner Road; thence Southeasterly along said right-of-way line on a curve to the right having an initial tangent bearing of South 61 degrees 12 minutes 54 seconds East and a radius of 1196.28 feet, an arc distance of 353.66 feet; thence North 45 degrees 43 minutes 24 seconds East 36.27 feet to the POINT OF BEGINNING; containing 1.93 acres, more or less.

TRACT 4 – (Wetlands)

A tract of land in the Southwest Quarter of Section 26, Township 14 South, Range 22 East, Johnson County, Kansas, described as follows: Commencing at the Northeast corner of the

Southwest Quarter of Section 26, Township 14 South, Range 22 East, Johnson County, Kansas; thence West along the North line of said Quarter Section a distance of 280.50 feet to the True Point of Beginning; thence South parallel with the East line of said Quarter Section to the point of intersection with Northerly right-of-way line of the Atchison, Topeka, and Santa Fe Railroad Company as presently located; thence Southwesterly along said Railroad right-of-way to the West line of said Southwest Quarter; thence North along said West line of said Southwest Quarter to the point of intersection with the Southwesterly right-of-way of the B.N.S.F. Railroad (formerly the Atchison, Topeka, and Santa Fe Railroad Company), as presently located; thence Northeasterly along said Railroad right-of-way line to the North line of the Southwest Quarter of said Section 26; thence East along said North line of Southwest Quarter to the True Point of Beginning. And excluding the following four (4) tracts

TRACT 5 – (Gardner Junction Park)

A tract of land in Section 34, Township 14 South, Range 22 East, described as follows: Commencing at the intersection of the Northwesterly right-of-way line of the present highway and the North line of said Quarter Section; thence Southwesterly along said right-of-way line 645 feet; thence Northeasterly to a point on said North line 327.5 feet West of the place of beginning; thence East along said North line to the place of beginning, containing 1.38 acres, more or less.

TRACT 6 - (Waverly Lift Station)

A tract of land in the West One Quarter of the Southwest Quarter of the Southwest Quarter of Section 35, Township 14 South, Range 22 East of the 6th P.M. in Johnson County, Kansas, more particularly described as follows:

Beginning at a point 606.25 feet N1°56'08"W (being an assumed bearing) and 60.00 feet N88°03'52"E from the Southwest Corner of said Section 35; thence parallel to and 60.00 feet Easterly of (measured perpendicular to) the West Line of the Southwest Quarter of said Section 35 N1°56'08"W 100.00 feet; thence N88°09'56"E 54.77 feet; thence S1°50'04"E 100.00 feet; thence S88°10'30"W 9.55 feet; thence S43°09'40"W 16.30 feet; thence S88°09'47"W 15.00 feet; thence N1°50'13"W 11.53 feet; thence S88°10'04"W 18.52 feet to the point of beginning, containing 0.131 acres.

TRACT A - "EXCEPTION"

The Point of beginning being the Southeast corner of the West Half of the Northeast Quarter of Section 25, Township 14 South, Range 22 East; thence North along the East line of the West Half of the Northeast Quarter of said Section 25 to a point on the Southerly right-of-way of the Atchison, Topeka and Santa Fe Railway; thence Southwesterly along said right-of-way to a point on the East line of the West Half of the Northwest Quarter of said Section 25; thence South along the East line of the West Half of the Northwest Quarter of said Section 25, to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 25; thence West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 25, to a point 231.00 feet East of the West line of said Section 25; thence South along a line 231.00 feet East of and parallel to the West line of said Section 25, to a point 30 feet north of the South line of the Northwest Quarter of said Section 25; thence N 88 degrees 15 minutes 23 seconds E, along a line 30.00 feet North of and parallel with the South line of the NW ¼ of said Section 25, a distance of 530.59 feet, to a point of curvature; thence Easterly and Northeasterly, along a curve to the left having a radius of 570.00 feet and a central angle of 56 degrees 19 minutes 41 seconds, a

distance of 560.37 feet, to a point of tangency; thence N 31 degrees 55 minutes 42 seconds E, a distance of 293.39 feet, to a point of curvature; thence Northerly and Northeasterly, along a curve to the right having a radius of 630.00 feet and a central angle of 32 degrees 33 minutes 36 seconds, a distance of 358.02 feet, to a point of compound curvature; thence Northeasterly, Easterly and Southeasterly, along a curve to the right having a radius of 1,454.00 feet, a central angle of 61 degrees 47 minutes 11 seconds and whose initial tangent bearing is N 64 degrees 29 minutes 18 seconds E, a distance of 1,567.96 feet, to a point of tangency; thence S 53 degrees 43 minutes 31 seconds E, a distance of 536.01 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 86.00 feet and a central angle of 50 degrees 08 minutes 32 seconds, a distance of 75.26 feet, to a point of reverse curvature; thence Easterly, Southeasterly and Southerly, along a curve to the right having a radius of 95.00 feet, a central angle of 94 degrees 23 minutes 05 seconds and whose initial tangent bearing is N 76 degrees 07 minutes 57 seconds E, a distance of 156.50 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left having a radius of 86.00 feet, a central angle of 57 degrees 53 minutes 27 seconds and whose initial tangent bearing is S 9 degrees 28 minutes 58 seconds E, a distance of 86.89 feet, to a point of compound curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 570.00 feet, a central angle of 17 degrees 44 minutes 02 seconds and whose initial tangent bearing is S 67 degrees 22 minutes 25 seconds E, a distance of 176.42 feet, to a point on the West line of Lot 1, MOONLIGHT APARTMENTS IV, a subdivision of land in the City of Gardner, Johnson County, Kansas; thence S 2 degrees 04 minutes 40 seconds E, along the West line of said Lot 1, MOONLIGHT APARTMENTS IV, and its Southerly extension, a distance of 33.64 feet to the point of beginning.

TRACT B – “EXCEPTION”

The East 100 acres of the Northwest Quarter of Section 23, Township 14 South, Range 22 East.

TRACT C – “EXCEPTION”

A Tract of Land in the Southeast Quarter of Section 15, Township 14 South, Range 22 described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence West along said South line 682.95 feet of said Section 15 to the Point of Beginning; thence North and parallel to the East line of Section 15, a distance of 660.01 feet; thence West and parallel to the South line of said Section 15, a distance of 660.01 feet; thence South and parallel to the East line of said Section 15 to a point on the South line of said Section 15, said point being 1342.96 feet east of the Southeast corner of the Southeast Quarter of said Section 15; thence East 660.01 feet along the South line of Section 15 to the Point of Beginning, containing 10.0 acres, more or less.

TRACT D – “EXCEPTION”

A Tract of Land in the Northeast Quarter of Section 22, Township 14 South, Range 22 described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section; thence West along the Northeast Quarter 750.0 feet to the Point of Beginning; thence South parallel to the East line of Section 22, 1320 feet; thence West parallel to the North line of Section 22, 660 feet; thence North parallel to the East line of Section 22, 1320 feet to the North line of Section 22; thence East along the North line of Section 22, 660 feet to the Point of Beginning.

TRACT E – “EXCEPTION”

A tract of land in Section 26, Township 14 South, Range 22 East, Johnson County, Kansas, described as follows: Commencing at the center of said Section 26, thence South along the East line of the Southwest Quarter of said Section 26 to the intersection with the northerly right-of-way of B.N.S. F. Railroad (formerly the Atchison, Topeka and Santa Fe Railroad Company) as presently located; and the Point Of Beginning, thence Southwesterly along said Northerly right-of-way to a point 280.50 feet West of the East line of said Southwest Quarter; thence North along a line 280.50 feet West of and parallel to the East line of said Southwest quarter to a point on the North line of said Southwest Quarter and 280.50 feet West of the East line of said Southwest Quarter, thence West along the North line of said Southwest quarter to its intersection with the Southerly right-of-way of said B.N.S.F. Railroad; thence Northeasterly along said Southerly right-of-way to the East line of the Northwest Quarter of said Section 26; thence Northeasterly along said Southerly right-of-way of said B.N.S.F. Railroad to a point 810.00 feet North of the South line of the Northeast Quarter of said Section 26; thence East and parallel to the South line of said Northeast Quarter to a point 412.50 feet East of the West line of said Northeast Quarter; thence South and parallel to the West line of said Northeast Quarter to a point on the South line of said Northeast Quarter, said point being also on the Northerly right-of-way of the B.N.S.F Railroad (formerly the Atchison, Topeka, and Santa Fe Railroad Company) and 412.50 feet East of the West line of said Northeast Quarter; thence Southwesterly along said Northerly right-of-way to the West line of the Southeast Quarter of said Section 26; thence continuing Southwesterly along said Northerly right-of-way to the Point of Beginning.

Together with: (Ordinance No. 2622)

All that part of the Northwest Quarter of Section 29, Township 14 South, Range 23 East, lying South and East of Interstate Highway 35, described as follows:

BEGINNING at the Southwest corner of the Northwest Quarter of Section 29, Township 14 South, Range 23 East; thence North 2 degrees 17 minutes 30 seconds West along the West line of the Northwest Quarter of said Section 29 a distance of 1363.78 feet to a point on the Southeasterly right of way line of Interstate Highway 35 as established in Volume 3475, Page 774; thence in a Northeasterly direction along said right of way line and along a curve to the right whose initial tangent bears North 49 degrees 41 minutes 33 seconds East, having a radius of 11,309.16 feet, through a central angle of 0 degrees 10 minutes 52 seconds, an arc distance of 35.76 feet to a point; thence North 56 degrees 31 minutes 20 seconds East along said right of way line a distance of 543.85 feet to a point; thence North 68 degrees 50 minutes 34 seconds East along said right of way line a distance of 440.47 feet to a point; thence North 87 degrees 46 minutes 28 seconds East along said right of way line a distance of 1460.43 feet to a point; thence South 87 degrees 20 minutes 26 seconds East along said right of way line a distance of 327.30 feet to a point; thence North 66 degrees 35 minutes 54 seconds East along said right of way line a distance of 14.46 feet to a point on the East line of the Northwest Quarter of said Section 29; thence South 2 degrees 05 minutes 58 seconds East along the East line of the Northwest Quarter of said Section 29 a distance of 1830.10 feet to the Southeast corner thereof; thence South 88 degrees 39 minutes 43 seconds West along the South line of the Northwest Quarter of said Section 29 a distance of 2704.50 feet to the POINT OF BEGINNING, containing 4,780,096 Square Feet or 109.7359 Acres, more or less.

Also,

All that part of the Northeast Quarter of Section 29, Township 14 South, Range 23 East, lying South and East of Interstate Highway 35, described as follows:

BEGINNING at the Southwest corner of the Northeast Quarter of Section 29, Township 14 South, Range 23 East; thence North 2 degrees 05 minutes 58 seconds West along the West line of the Northeast Quarter of said Section 29 a distance of 1830.10 feet to a point on the Southeasterly right of way line of Interstate Highway 35 as established in Volume 3475, Page 762; thence North 66 degrees 35 minutes 54 seconds East along said right of way line a distance of 296.48 feet to a point; thence North 34 degrees 50 minutes 13 seconds East along said right of way line a distance of 225.00 feet to a point; thence North 11 degrees 50 minutes 40 seconds East along said right of way line a distance of 437.78 feet to a point; thence North 83 degrees 24 minutes 39 seconds East along said right of way line a distance of 188.84 feet to a point; thence North 87 degrees 58 minutes 01 seconds East along said right of way line a distance of 1050.00 feet to a point; thence North 73 degrees 02 minutes 08 seconds East along said right of way line a distance 155.24 feet to a point on the South right of way line of 175th Street as established in Volume 4458, Page 126; thence North 87 degrees 58 minutes 01 seconds East along the South right of way line of 175th Street a distance of 744.69 feet to a point on the West right of way line of Clare Road; thence South 18 degrees 44 minutes 58 seconds East along the West right of way line of Clare road a distance of 135.66 feet to a point; thence South 1 degree 50 minutes 26 seconds East along the West right of way line of Clare Road a distance of 2500.70 feet to a point on the South line of the Northeast Quarter of said Section 29; thence South 88 degrees 39 minutes 43 seconds West along the South line of the Northeast Quarter of said Section 29 a distance of 2677.73 feet to the POINT OF BEGINNING, containing 6,656,573 Square Feet or 152.9139 Acres, more or less.

Such lands being more specifically described on Exhibit A attached hereto.

Also,

That portion of the adjacent right of way immediately North of such lands which are not owned and maintained by the Kansas Department of Transportation, with the Eastern terminus of such right of way being the Clare Road right of way and extending to the West from such Eastern terminus 294.7 feet, such right of way being identified as 175th Street.

Also,

That portion of the adjacent right of way immediately East of such lands, such right of way being 40 feet in width, such right of way being identified as Clare Road.

Together with: (Ordinance No. 2623)

That the following described land is hereby annexed and made a part of the City of Gardner, Kansas:

A TRACT OF LAND DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 15, RANGE 22, IN JOHNSON COUNTY, KANSAS; THENCE SOUTH 89 DEGREES 36' 15" EAST, ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO A TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 36' 15" EAST, ALONG THE SOUTH LINE OF SAID SECTION, 2279.45 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE DUE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 2656.76 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY NO. 35; THENCE SOUTH 54 DEGREES 53' 18" WEST ALONG SAID RIGHT OF WAY LINE, 431.39 FEET; THENCE SOUTH 49 DEGREES 10' 40" WEST ALONG SAID RIGHT OF WAY LINE, 2038.08 FEET TO THE POINT OF CURVATURE; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET, AN ARC DISTANCE OF 497.53 FEET THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0 DEGREES 03' 55", 743 FEET TO THE TRUE POINT OF BEGINNING, IN JOHNSON COUNTY, KANSAS; EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2;

THENCE SOUTH 89 DEGREES 36' 15" EAST ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 36; 15" EAST ALONG SAID SOUTH LINE, 2556.84 FEET; THENCE NORTH 0 DEGREES 03' 55" EAST, 954.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 35; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET; AN ARC DISTANCE OF 331.67 FEET; THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0 DEGREES 03' 55" WEST, 743.43 FEET TO THE TRUE POINT OF BEGINNING, AND EXCEPT THAT PART IN ROADS AND HIGHWAYS OTHER THAN THOSE ROADS AND HIGHWAYS SPECIFICALLY ANNEXED AS PROVIDED BELOW;

(See the Deed conveying such property to the current property owner attached hereto at Exhibit A)

Also,

The entire width of the adjacent right of way immediately South of the above described real property, such right of way being 90 feet in width, such right of way being identified as 199th street.

Together with: (Ordinance No. 2624)

Lot 3 of the Friends & Neighbors Plat filed with the Johnson County Register of Deeds on March 7, 1996 at Book 94, Page 10, a true and correct copy being attached hereto as Exhibit A; and,

Lot 9 of the Friends & Neighbors Plat II, constituting a replat of Lots 1 and 2 of the Friends & Neighbors Plat, which re-plat was filed with the Johnson County Register of Deeds on October 8, 2008 at Book 200810, Page 002120, a true and correct copy being attached hereto as Exhibit B; and,

Lot 10 of the Friends & Neighbors Plat II, constituting a replat of Lots 1 and 2 of the Friends & Neighbors Plat, which re-plat was filed with the Johnson County Register of Deeds on October 8, 2008 at Book 200810, Page 002120, a true and correct copy being attached hereto as Exhibit B; and,

The entirety of the adjacent right of way immediately South of Lots 3-8 of the Friends & Neighbors Plat, such right of way being 105 feet in width, identified as 199th Street; and,

The entirety of the adjacent right of way immediately East of Lots 9-10 of the Friends & Neighbors Plat II, such right of way varying between 105 and 110 feet in width, identified as Gardner Road, and

The unplatted tract belonging to Douglas H and Daniel L. Freund described as the North 330 feet of the South 660 feet of the East 660 feet of the South one-half (S1/2) of the Southeast Quarter (SE1/4) of Section Two (2) Township Fifteenth (15) South Range Twenty-Two (22), all in Johnson County, Kansas except a life estate in the grantors and the survivor of them to one-half (1/2) of the oil, gas, and other minerals on, in, and under the property described herein, except a gas line easement ten (10) feet on each side of a line beginning at a point 330 feet North and 277 feet west of the Southwest corner of the Southeast quarter of Section Two (2), Township Fifteenth (15), Range Twenty-Two (22), North to North line of the property described herein, Subject to road easement over the east Forty (40) feet subject to easements, restrictions, and reservations of record. Found

in Volume 1329 Page 51, And of the entirety of the adjacent Right of way immediately east from the east property line to the east side of what is called Gardner Road; And,

The Unplatted tract belonging to Ronald H and Mary T Freund described as the South 330 feet of the east 660 feet of the South one-half (S1/2) of the Southeast Quarter (SE1/4) of Section Two (2) Township Fifteenth (15), Range Twenty-Two (22), all in Johnson County, Kansas, except a life estate in the grantors and the survivor of them to one-half (1/2) of the oil, gas, and other minerals on, in and under the property described herein: except a gas line easement ten (10) feet on each side of a line beginning at a point 300 feet north and 277 feet West of the Southeast corner of the Southeast Quarter of Section 2 (2) Township Fifteenth (15), Range Twenty-Two (22), thence North to North line of the property described herein; and excepting an easement for utilities in, on, and over the North 20 feet of the south 50 feet of the property described herein, found in Volume 955 page 825, And of the entirety of the adjacent Right of way immediately east from the east property line to the east side of what is called Gardner Road.

Together with: (Ordinance No. 2625)

Tract 1

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION I, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS, AND, BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION I, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, THENCE EAST 1,309.6 FEET, THENCE SOUTH 644.26 FEET; THENCE WEST 644.49 FEET, THENCE NORTH 311.61 FEET, THENCE WEST 660 FEET, THENCE NORTH 332 FEET TO THE BEGINNING, INCLUDING THE ENTIRETY OF THE WIDTH OF THE PUBLIC RIGHT OF WAY IMMEDIATELY TO THE WEST OF THE REFERENCED PROPERTY KNOWN AS GARDNER ROAD.

Tract 2

THE EAST 495 FEET OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, SAID EAST 495 FEET MEASURED ALONG THE NORTH LINE AND THE SOUTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 1, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, THENCE NORTH 1324.60 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 1, THENCE WEST 495 FEET ON THE NORTH LINE OF SAID SOUTH 1/2 THENCE SOUTH 1324.10 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, THENCE EAST 495 FEET TO THE POINT OF BEGINNING, INCLUDING THE ENTIRETY OF THE WIDTH OF THE PUBLIC RIGHT OF WAY IMMEDIATELY TO THE SOUTH OF THE REFERENCED PROPERTY KNOWN AS 199TH STREET.

Tract 3

Lot 1, Hadle Acres, a subdivision in Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on July 19, 2019 at Book 201907 and Page 006941, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 4

Lot 2, Hadle Acres, a subdivision in Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on July 19, 2019 at Book 201907 and Page

006941, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 5

Lots 3 & 4, Hadle Acres, a subdivision of Johnson County, Kansas, the plat for which filed with the Johnson County Register of Deeds on July 19, 2019 at Book 201907 and Page 006941, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 6

The East 1/2 of the NE 1/4 of Section 12, Township 15 South, Range 22 East of the 6th P.M., Johnson County, Kansas, including the entirety of the width of the public right of way immediately to the North of the referenced property known as 199th Street and also including the entirety of the width of the public right of way immediately to the East of the referenced property known as Moonlight Road.

Tract 7

Lot 2, Meyers Country Estates, a subdivision in Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on June 26, 1992 at Book 81 and Page 30, including the entirety of the width of the public right of way immediately to the East of the referenced property known as Moonlight Road.

Tract 8

Lot 3, Turner Acres, 2nd Plat, a subdivision of Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on January 7, 2005 at Book 200501 and Page 002412, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street and including the entirety of the width of the public right of way immediately to the West of the referenced property known as Moonlight Road.

Tract 9

Lot 4, Turner Acres, 2nd Plat, a subdivision of Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on January 7, 2005 at Book 200501 and Page 002412, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 10

Lot 1, Wilson Acres, a subdivision in Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on July 21, 1994 at Book 88 and Page 11, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 11

Lot 2, Wilson Acres, a subdivision in Johnson County, Kansas, the plat for which being filed with the Johnson County Register of Deeds on July 21, 1994 at Book 88 and Page 11, including the entirety of the width of the public right of way immediately to the South of the referenced property known as 199th Street.

Tract 12

Beginning at the Northwest (NW) corner of the Northeast Quarter (NE1/4) of Section 7, Township 15 South, Range 23 East, Johnson County, Kansas; thence East 180.0 feet and along the North line of the Quarter Section; thence South 242.0 feet and parallel to the West line of the Quarter Section; thence West 180.0 feet and parallel to the North line of the Quarter Section to a point on the West line of the Quarter Section; thence North 242.0 feet and along the West line of the Quarter Section to the point of beginning, containing 1.0 acres, more or less, being in the Northwest (NW) corner of the Northeast Quarter (NE1/4) of Section 7, Township 15 South, Range 23 East, Johnson County, Kansas; subject, however, to easements, restrictions and reservations of record, including

the entirety of the width of the public right of way immediately to the North of the referenced property known as 199th Street.

Tract 13

Lot 1, Herbert Estates, Book 201607, Page 4143, a subdivision in the City of Gardner, Johnson County, Kansas, according to the recorded plat thereof, the plat for which being filed with the Johnson County Register of Deeds on April 29, 2010 at Book 201004 and Page 007967 including the entirety of the width of the public right of way immediately to the North of the referenced property known as 199th Street.

Tract 14

Lot 2, Herbert Estates, a subdivision in the City of Gardner, Kansas, according to the recorded plat thereof, the plat for which being filed with the Johnson County Register of Deeds on April 29, 2010 at Book 201004 and Page 007967 including the entirety of the width of the public right of way immediately to the North of the referenced property known as 199th Street.

Tract 15

Lot 3, Herbert Estates, a subdivision in the City of Gardner, Johnson County, Kansas, according to the recorded plat thereof, the plat for which being filed with the Johnson County Register of Deeds on April 29, 2010 at Book 201004 and Page 007967 including the entirety of the public right of way immediately to the North of the referenced property known as 199th Street.

Together with: (Ordinance No. 2631)

All that part of the West Half of the Northwest Quarter of Section 22, Township 14 South, Range 22 East, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 22; thence North 88 degrees 16 minutes 55 seconds East, along the North line of the Northwest Quarter of said Section 22, a distance of 652.13 feet to the point of beginning; thence South 1 degree 43 minutes 05 seconds East, a distance of 142.44 feet; thence South 54 degrees 07 minutes 26 seconds West, a distance of 247.56 feet; thence South 17 degrees 40 minutes 26 seconds West, a distance of 899.98 feet; thence South 25 degrees 28 minutes 37 seconds West, a distance of 300.35 feet to a point on the West line of the Northwest Quarter of said Section 22; thence South 2 degrees 10 minutes 37 seconds East, along the West line of the Northwest Quarter of said Section 22, a distance of 1271.06 feet to the Southwest corner of the Northwest Quarter of said Section 22; thence North 88 degrees 16 minutes 13 seconds East, along the South line of the Northwest Quarter of said Section 22, a distance of 1329.32 feet to the Southeast corner of the West half of the Northwest Quarter of said Section 22; thence North 2 degrees 22 minutes 27 seconds West, along the East line of the West Half of the Northwest Quarter of said Section 22, a distance of 2668.43 feet to the Northeast corner of the West Half of the Northwest Quarter of said Section 22; thence South 88 degrees 16 minutes 55 seconds West, along the North line of the Northwest Quarter of said Section 22, a distance of 668.00 feet to the point of beginning, containing 71.15 acres, more or less.

The entire width of the adjacent right of way immediately North of the above described real property, such right of way being 50 to 90 feet in width, such right of way being identified as 167th street.

Together with: (Ordinance No. 2632)

The East 427.06 feet of the west 1,494.71 feet of the South 1,020 feet of the southeast Quarter of Section 6, Township 15, Range 23, Johnson County Kansas, except any part in roads or streets.

And

The East 200.00 feet of the West 1,067.65 feet on the South 1,020 feet of the Southeast Quarter of Section 6, Township 15, Range 23, Johnson County, Kansas, except any part in roads or streets.

Also,

The entire width of the adjacent right of way immediately South of the above described real property, such right of way being 75 to 90 feet in width, such right of way being identified as 199th street

Together with: (Ordinance No. 2639)

The South 610 feet of the Southeast Quarter of Section 6, Township 15, Range 23, Johnson County, Kansas, except the West 1,494.71 feet thereof; except the north 201.60 feet of the east 732.23 feet thereof; and except the South 408.40 feet of the East 533.30 feet thereof, subject to those parts taken for roads.

Also,

The entire width of the adjacent right of way immediately South of the above described real property, such right of way being 75 to 90 feet in width, such right of way being identified as 199th street.

Together with: (Ordinance No. 2641)

The North 363 feet of the West 1,320 feet of the Southwest Quarter of Section 28, Township 14, Range 23 Johnson County, Kansas.

Subject to any easement, restrictions, reservations and covenants, if any now of record and;

Also,

The entire width of the adjacent right of way immediately West of the above described real property, such right of way being 40 feet in width, such right of way being identified as S. Clare Road.

Together with: (Ordinance No. 2642)

That part of the North Half of the Northeast Quarter of Section 27, Township 14 South, Range 22 East of the sixth principal meridian, City of Gardner, Johnson County, Kansas being described as follows:

Beginning at the Northeast corner of said Section; thence S02°08'41"E (assumed bearing) along the East line of said Quarter a distance of 849.36 feet; thence S88°14'48"W parallel to the south line of the North Half of the North Half of said Quarter a distance of 2095.90 feet to the southeasterly line of a tract of land described in Deed Book 211 page 377 recorded in Office of the Recorder in said County; thence along said line N31°58'41"E a distance of 228.96 feet to the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Quarter; thence N88°14'48" along the south line of the North Half of the North Half of said Quarter a distance of 1311.64 feet to the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Quarter; thence N02°05'35"W along the west line of the Northeast Quarter of the Northeast Quarter said Quarter a distance of 658.56 feet to the Northwest corner of the Northeast Quarter of said Quarter; thence N88°12'49"E along the north line of the Northeast Quarter of said Section 27 a distance of 655.22 feet to the Point of Beginning.

The above described contains 18.79 acres, more or less.

SECTION TWO: The City Clerk, upon the passage of this resolution, shall forthwith file a certified copy of such resolution with the Johnson County Records and Tax Administration, the Election Commissioner of Johnson County, Kansas, and the State Highway Engineer.

SECTION THREE: This resolution shall take effect and be in force from and after its passage and approval as provided by law.

ADOPTED by the City Council on this 6th day of January, 2020.

CITY OF GARDNER, KANSAS

(SEAL)

Steve Shute, Mayor

Attest:

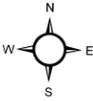
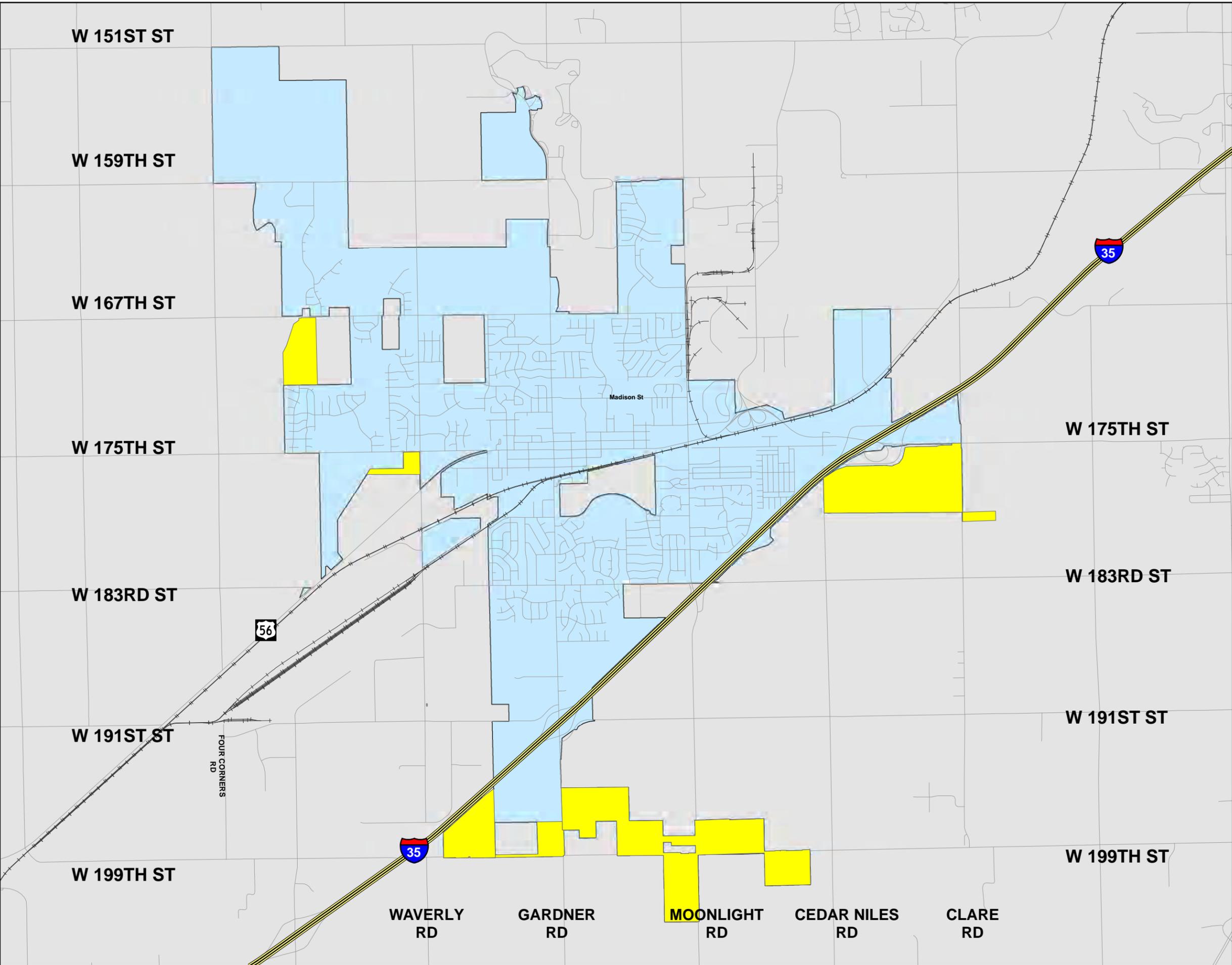
Sharon Rose, City Clerk

City of Gardner

2019 Annexations

**Approx. 873 Acres
Annexed in 2019**

-  Annexations 2019
-  City of Gardner



Disclaimer and Terms of User are being supplied to you with an approximation to represent our product and its potential. Any claims made of actual results can be verified upon request. Sources of Data; Johnson County AIMS, City of Gardner, Created 12/19/2019

City of Gardner, KS

Council Actions

January 6, 2020

The City Council took the following actions at the January 6, 2020, meeting:

1. Approved the minutes as written for the regular meeting held December 16, 2019. (Passed unanimously)
2. Approved City expenditures prepared December 13, 2019 in the amount of \$1,947,558.24; December 20, 2019 in the amount of \$924,335.79; and December 27, 2019 in the amount of \$1,058,273.56. (Passed unanimously)
3. Accepted the Voluntary Consent Annexation Agreement and Consent Annexation Request of Anita Carpenter and adopted Ordinance No. 2644, an ordinance annexing land to the City of Gardner, Kansas. (Passed unanimously)
4. Directed the Planning Commission to consider revising the use provisions for Communications and Utilities to permit Public Utility Facility – Major as a Conditional Use subject to additional standards in additional zoning districts (including the agriculture district). (Passed unanimously)
5. Adopted Resolution No. 2047, a resolution describing the Corporate Limits and Boundaries of the City of Gardner, Johnson County, Kansas, a city of the Second Class. (Passed unanimously)