



AGENDA GARDNER CITY COUNCIL

City Hall – 120 East Main Street -- Gardner, Kansas
Monday, September 21, 2020
7:00 p.m.

***If you wish to provide written public comment regarding any items below by email, please provide them by noon on September 21 2020 to cityclerk@gardnerkansas.gov. The meeting will be open to the public ***

***Watch this meeting live on the City's YouTube channel at <https://www.youtube.com/user/CityofGardnerKS> ***

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Presentation on the Waverly Road Project, 175th to Madison

PUBLIC HEARINGS

1. Consider holding a public hearing for the purpose of receiving comments on the design and reconstruction of the intersection at Waverly Road and W. Madison Street

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 September 8, 2020
2. Standing approval of City expenditures prepared September 2, 2020 in the amount of \$130,084.43; and September 11, 2020 in the amount of \$2,109,670.56
3. Consider an amendment to the South Wastewater Treatment Plant preliminary design contract with George Butler & Associates for an addendum to the Anti-Degradation report
4. Consider approving the renewal of a Cereal Malt Beverage (CMB) license for the remainder of calendar year 2020

PLANNING AND ZONING CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

COUNCIL UPDATES – 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.

COUNCIL DISCUSSION FORM

PRESENTATION ITEM NO. 1

MEETING DATE: SEPTEMBER 21, 2020

STAFF CONTACT: TIM McELDOWNEY, CITY ENGINEER

Agenda Item: Presentation on the Waverly Road Project, 175th to Madison

Strategic Priority: Fiscal Stewardship
Infrastructure and Asset Management

Department: Public Works

Background/Description of Item:

At the December 2019 Pavement Management Work Session, staff briefed council regarding the Waverly Road Project, including widening of Waverly to three lanes, open ditch sections, lighting, trail and sidewalk. Staff presented that a round-about may be a viable alternative for the intersection of Waverly and Madison, and that additional investigation would be needed to fully review this alternative.

Affinis Corporation, our professional engineering design consultant for the project, has further investigated and developed the intersection concepts and analyzed levels of service (LOS) for several different scenarios and design alternatives including;

1. Existing Conditions
2. Existing Conditions + additional traffic projected from the Breckenwood Creek Traffic Impact Study (Even with the added traffic, warrants are still not met)
3. 3-Lane Section for Waverly Road, intersection remains 2-way stop controlled
4. 3-Lane Section for Waverly Road, intersection is changed to All-way stop controlled.
5. Roundabout

Affinis project representatives presented a summary of their findings and discussed the next steps for the project at the July 20, 2020 City Council meeting. Based on feedback received from the first presentation, staff was instructed to bring the matter forward for public input. As such, staff worked with the consultant to update their presentation to be shared prior to the public hearing.

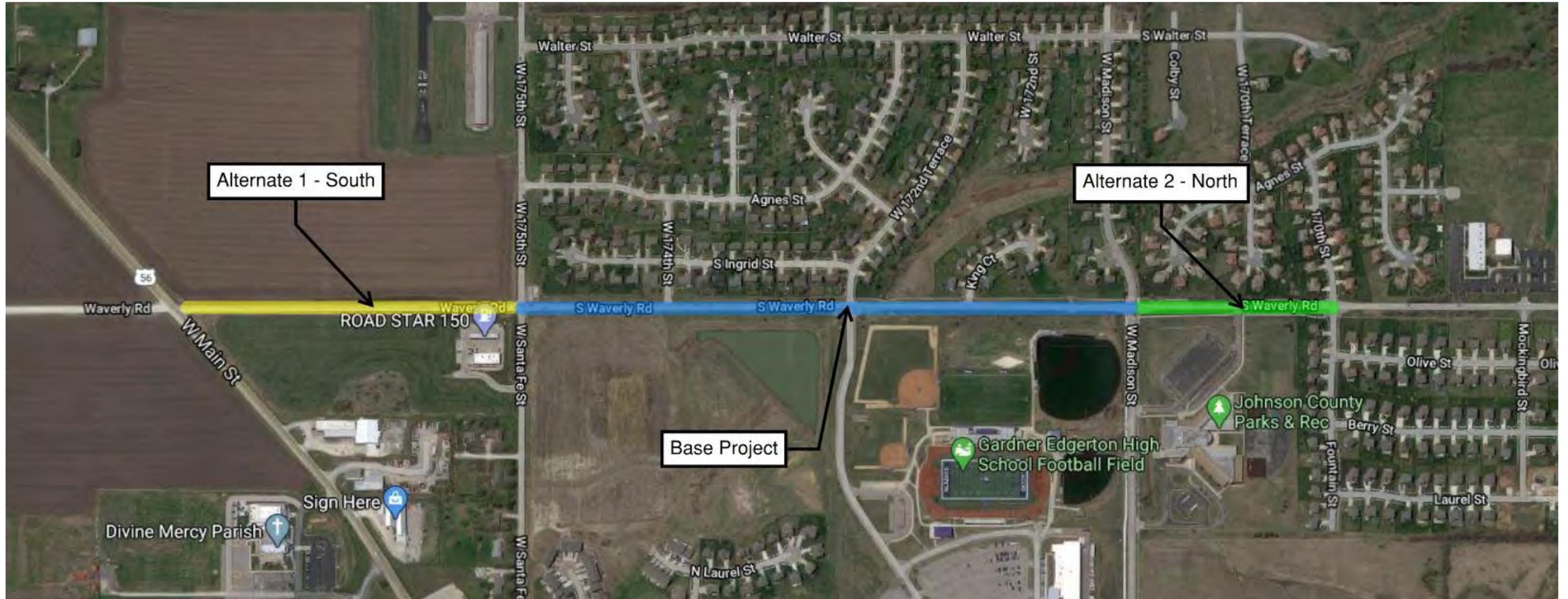


Waverly Road and Madison Street Intersection

**Gardner City Council
Meeting**

September 21, 2020

Waverly Road



Traffic Signal Warrants

A warrant is a condition that an intersection must meet to justify a signal installation. The Manual on Uniform Traffic Control Devices (MUTCD) specifies eight "traffic control signal needs studies", known as warrants. However, "The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal." (MUTCD, 4C.01) The final decision is made based upon the traffic engineer's judgment.

- Warrant 1, Eight-Hour Vehicular Volume **Not Met**
- Warrant 2, Four-Hour Vehicular Volume **Not Met**
- Warrant 3, Peak Hour **Not Met**
- Warrant 4, Pedestrian Volume **Not Met**
- Warrant 5, School Crossing Not Evaluated
- Warrant 6, Coordinated Signal System Not Evaluated
- Warrant 7, Crash Experience Not Evaluated
- Warrant 8, Roadway Network Not Evaluated

Traffic Signal Warrants

Why is this important?

Unwarranted signals do more harm than good:

1. Increase rear-end accidents
2. Increase delay at intersections
3. Cost money to install and maintain
4. Increase the risk of drivers ignoring the signal at this intersection and other locations

Level of Service Classifications

Level of service	Stop Signs/ Roundabout
	Delays (s/veh)
A	0-10
B	10-15
C	16-25
D	26-35
E	36-50
F	>50

Current Intersection Pavement Configuration (am) [pm] Level of Service

Year 2020 Level of Service



Year 2020 + New Development Level of Service

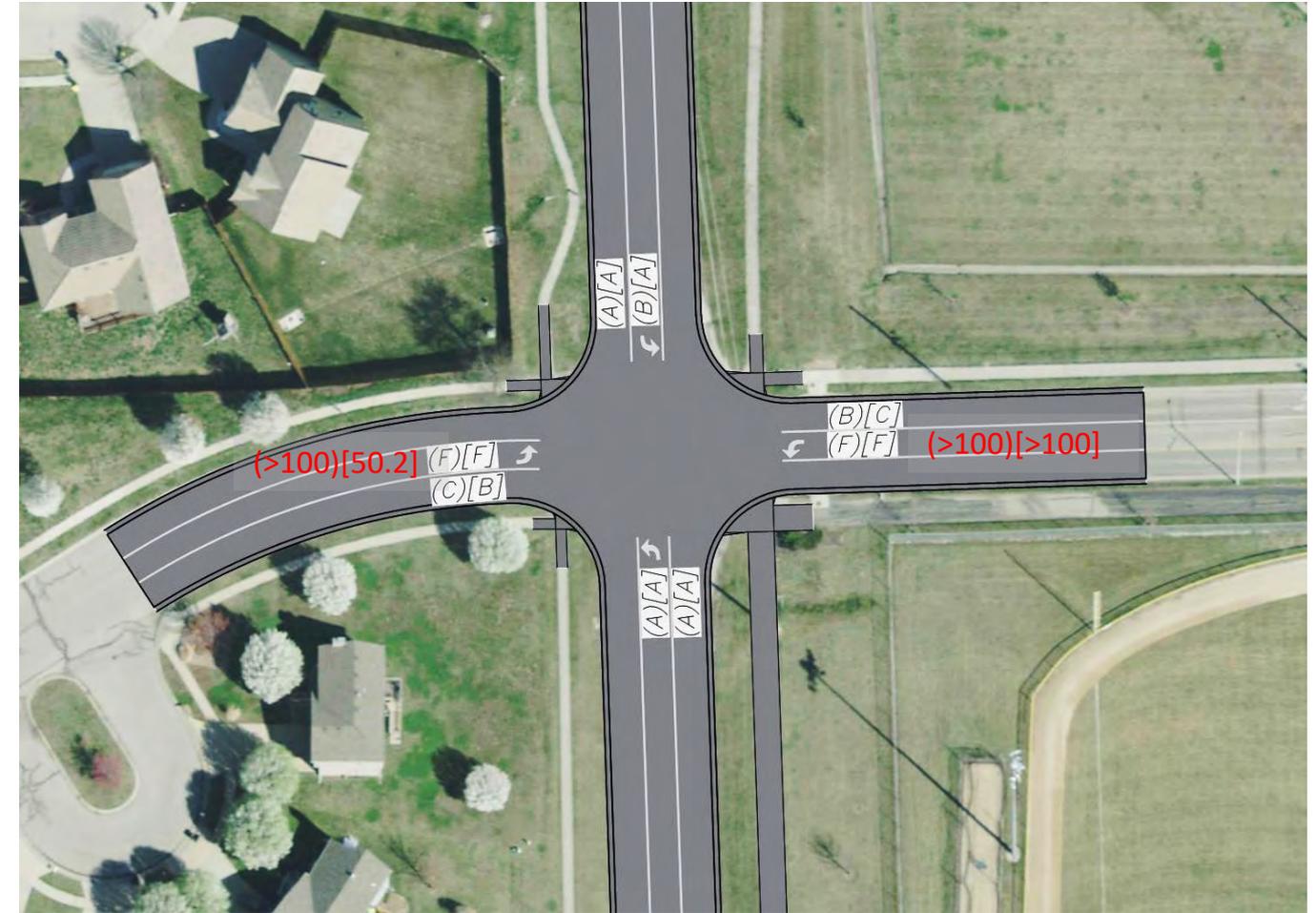


3-Lanes, Stop Signs on Madison (am) [pm] Level of Service

Year 2020 Level of Service



Year 2040 Level of Service



3-Lanes, Stop Signs on Madison and Waverly (am) [pm] Level of Service

Year 2020 Level of Service



Year 2040 Level of Service

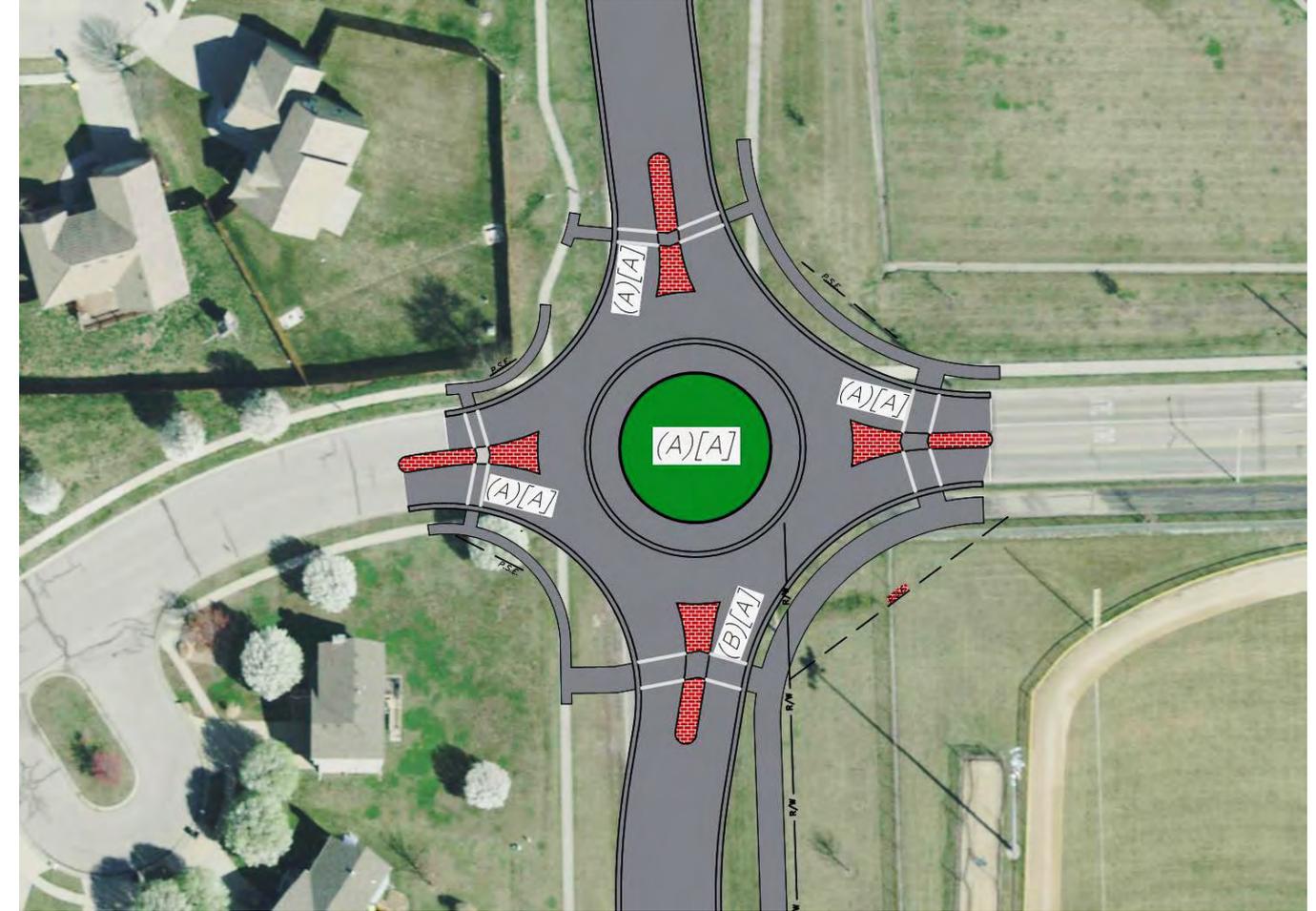


Roundabout (am) [pm] Level of Service

Year 2020 Level of Service

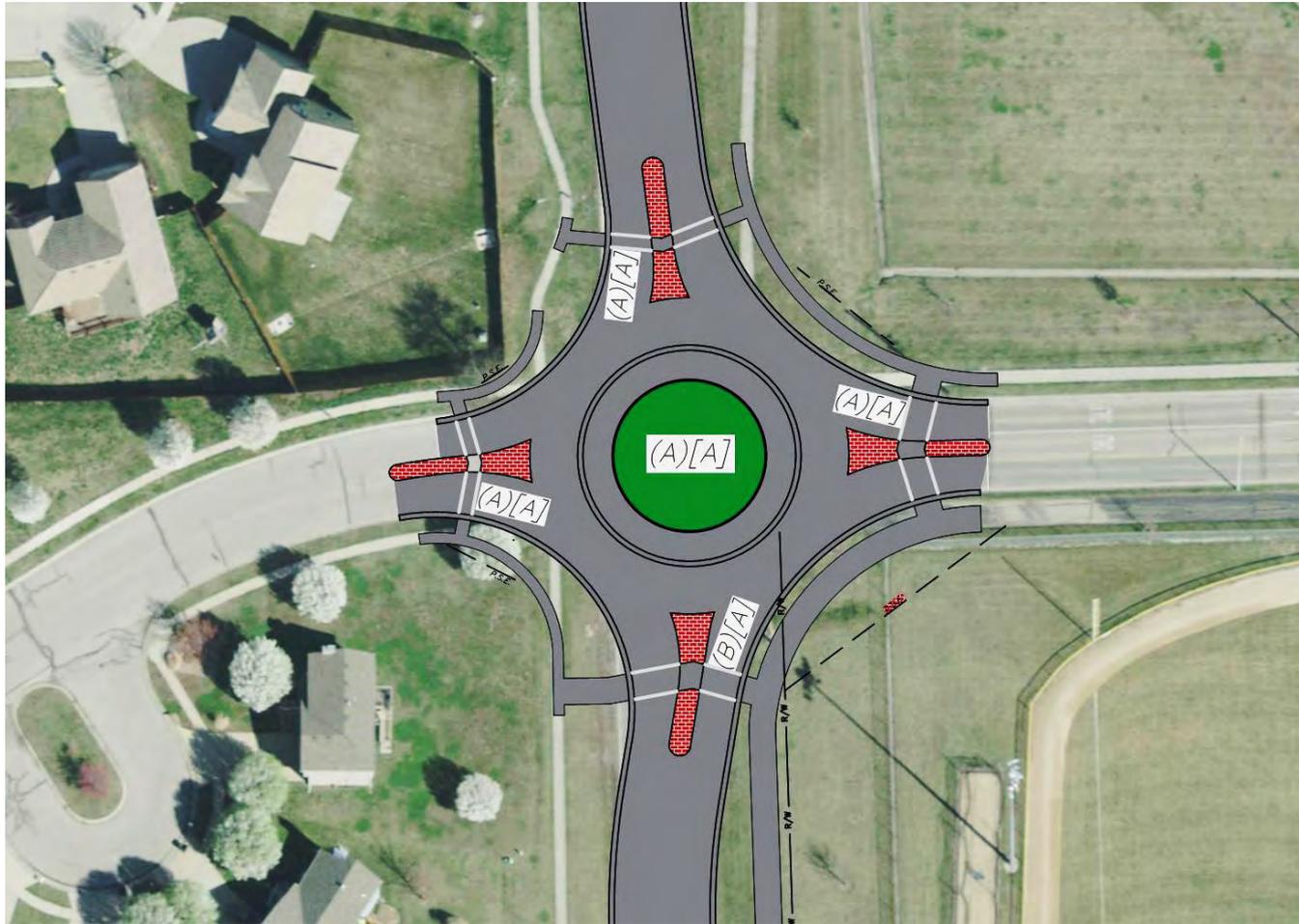


Year 2040 Level of Service



Roundabout Improved Operations

Year 2040 Level of Service

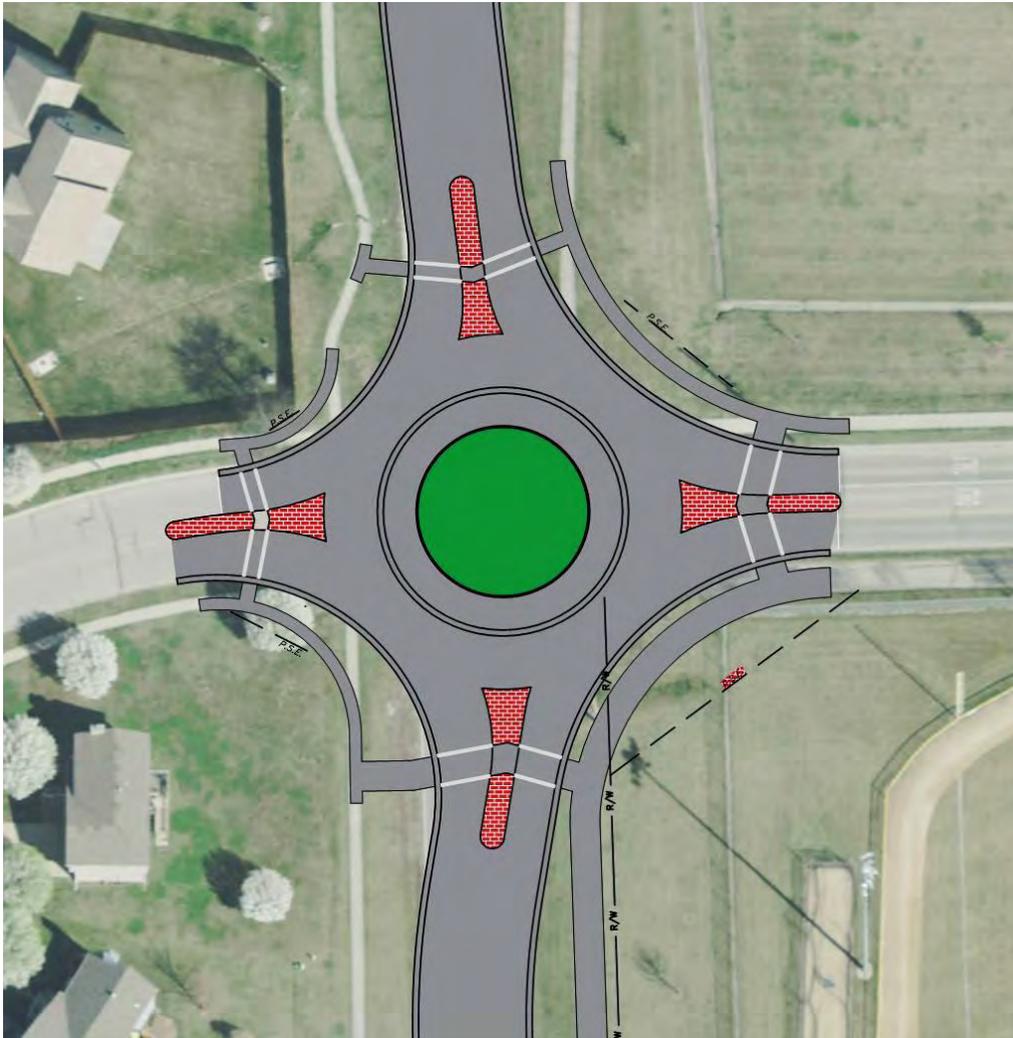


- ✓ Improves operations and decreases delay compared to stop control alternatives

Proven Safety Countermeasure

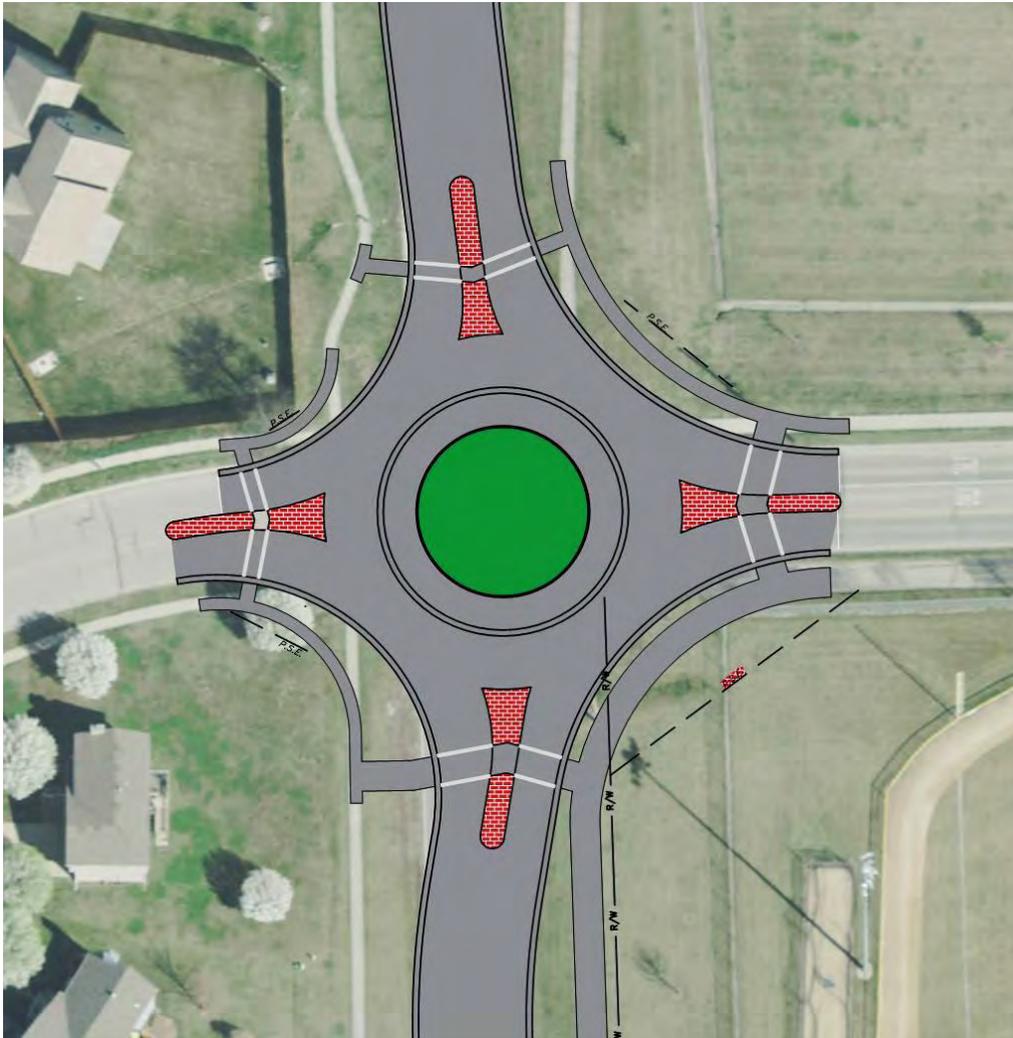
The Federal Highway Administration (FHWA) Office of Safety identified roundabouts as a Proven Safety Countermeasure.

Roundabouts Improve safety for all users, including pedestrians and bicycles.



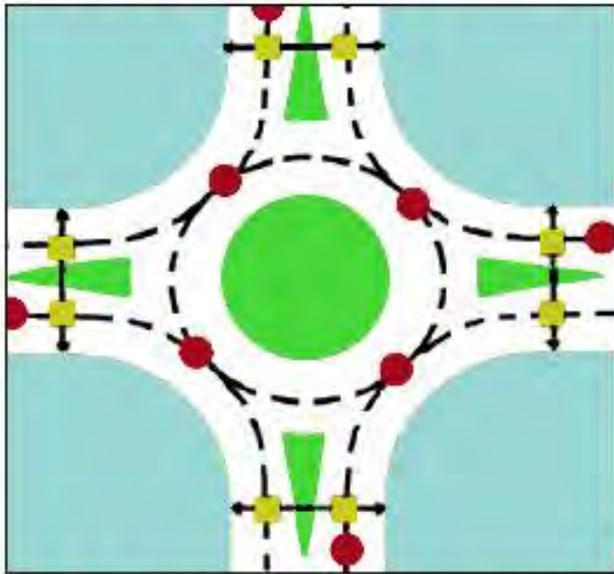
Proven Safety Countermeasure

- ✓ Significantly Reduce the types of crashes that result in injury or loss of life (78-82% when compared to stop-controlled and signalized intersections)
- ✓ Fewer Conflict Points
- ✓ Promotes Slower Speeds
- ✓ Keeps Traffic Moving / Reduced Delays
- ✓ Refuge Island for Crossing Pedestrians
- ✓ Accommodate Buses and Emergency Vehicles



Proven Safety Countermeasure

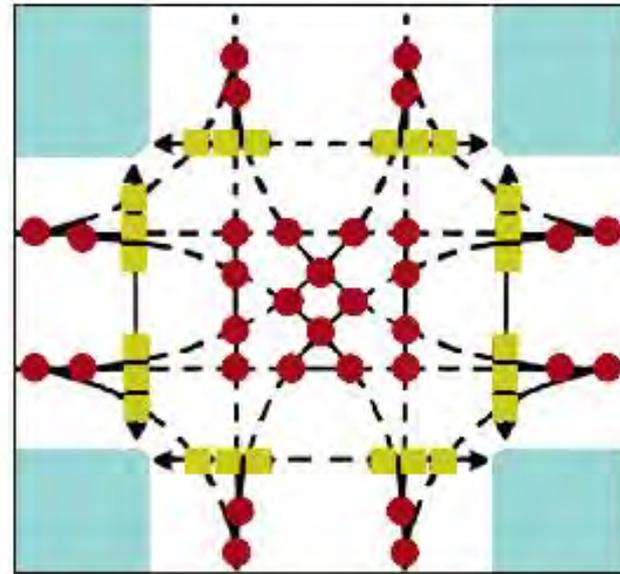
Roundabout



● 8 Vehicle conflicts

■ 8 Pedestrian conflicts

Intersection



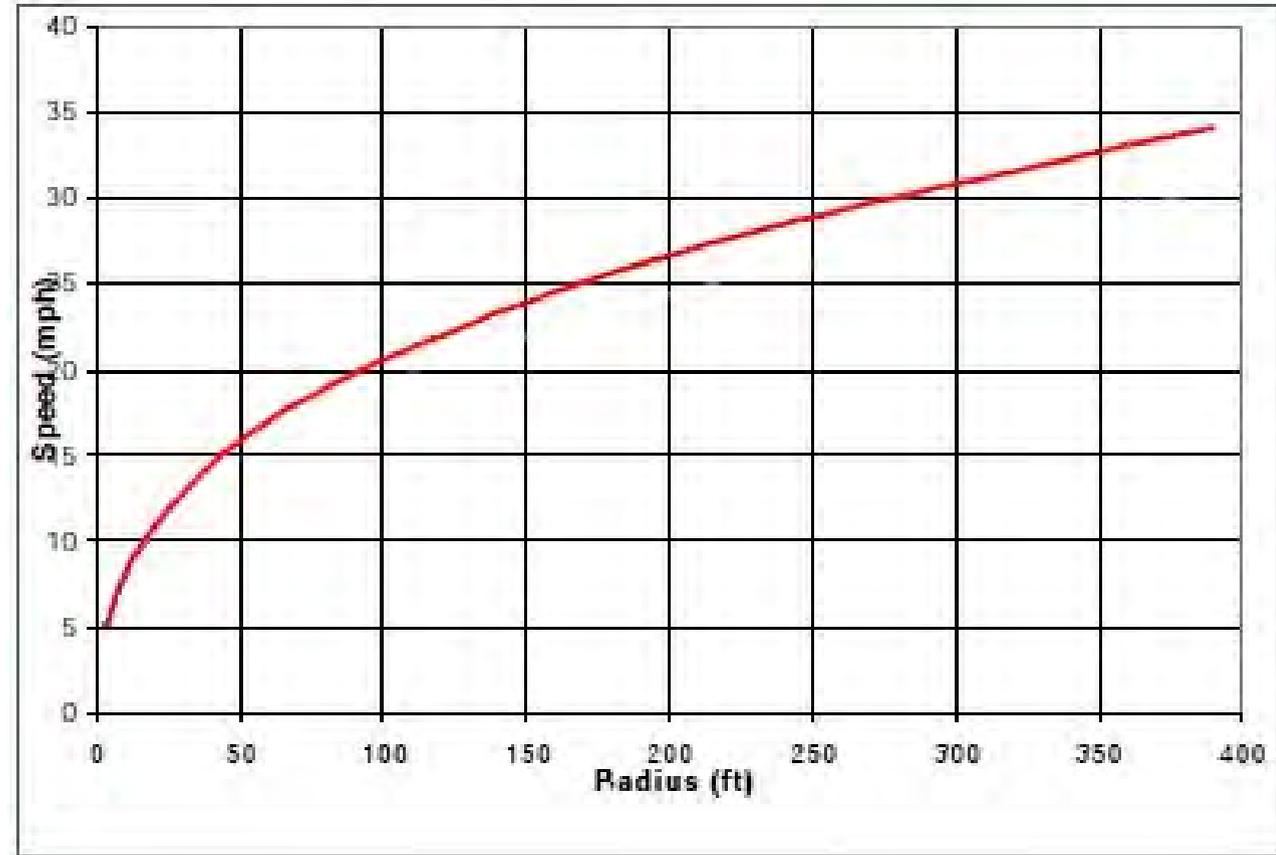
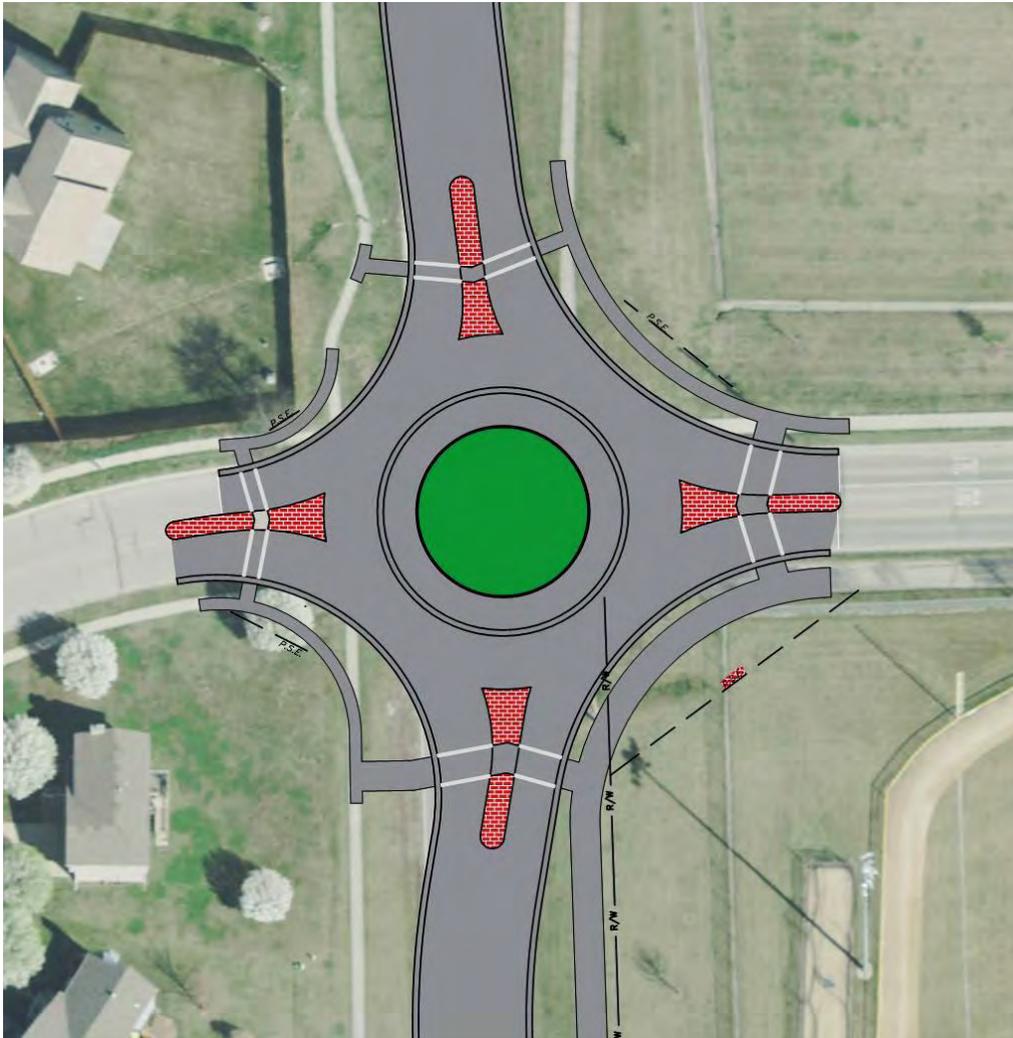
● 32 Vehicle conflicts

■ 24 Pedestrian conflicts

- ✓ Fewer Conflict Points
- ✓ Not only are conflict points decreased with the roundabout, the type of conflicts that remain are the same-direction variety, which result in substantially less severity, and as a result, less likelihood of injury.
- ✓ The reduction of conflict points and their severity is also true for pedestrians
- ✓ Refuge Island for Crossing Pedestrians

Proven Safety Countermeasure

- ✓ Promotes Slower Speeds / Traffic Calming

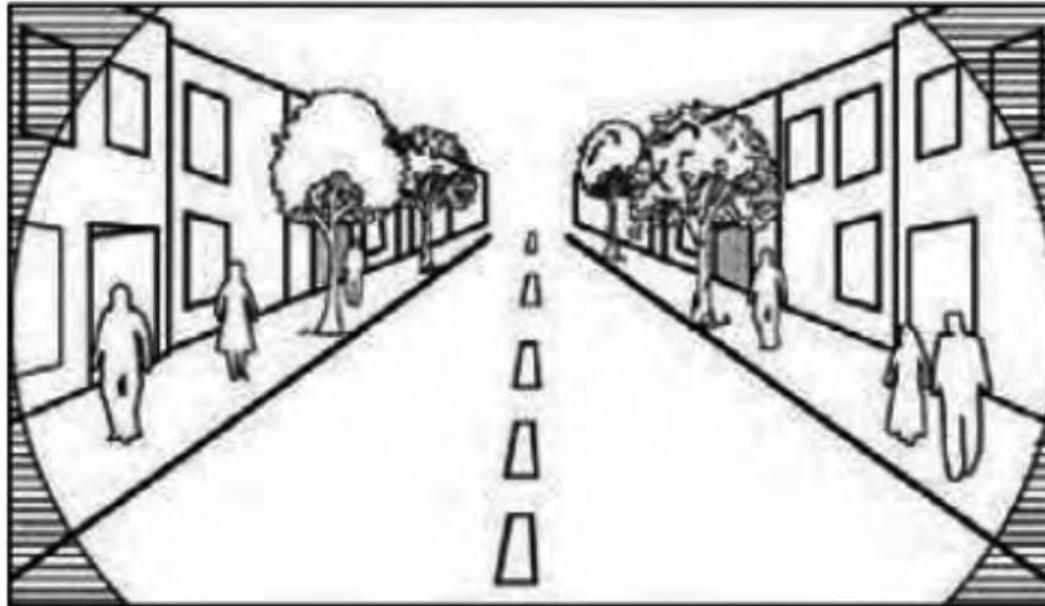


Proven Safety Countermeasure

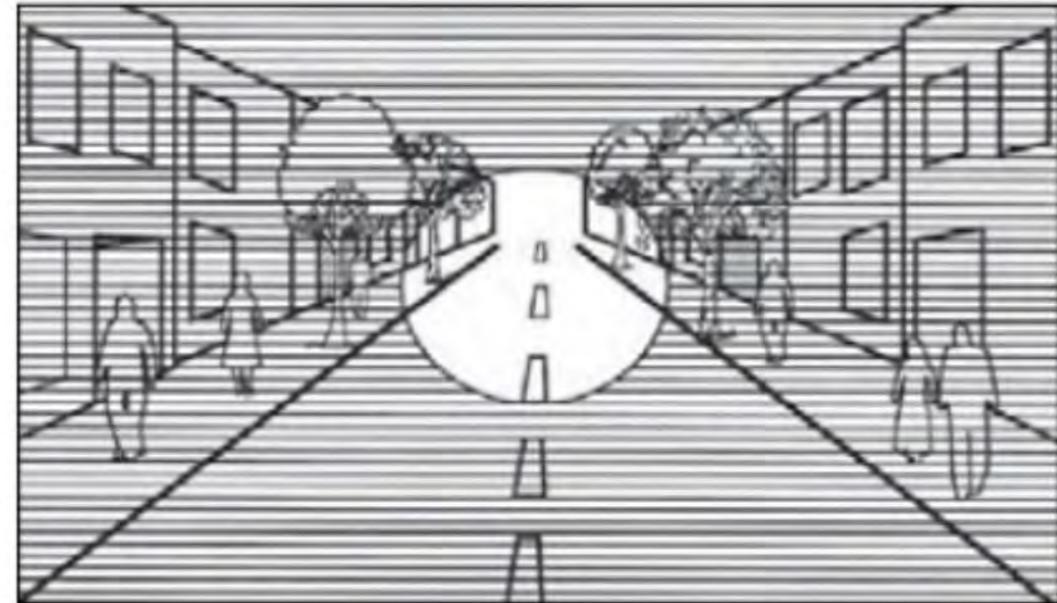
✓ Promotes Slower Speeds

✓ Improved Field of Vision

Field of vision at 15 MPH



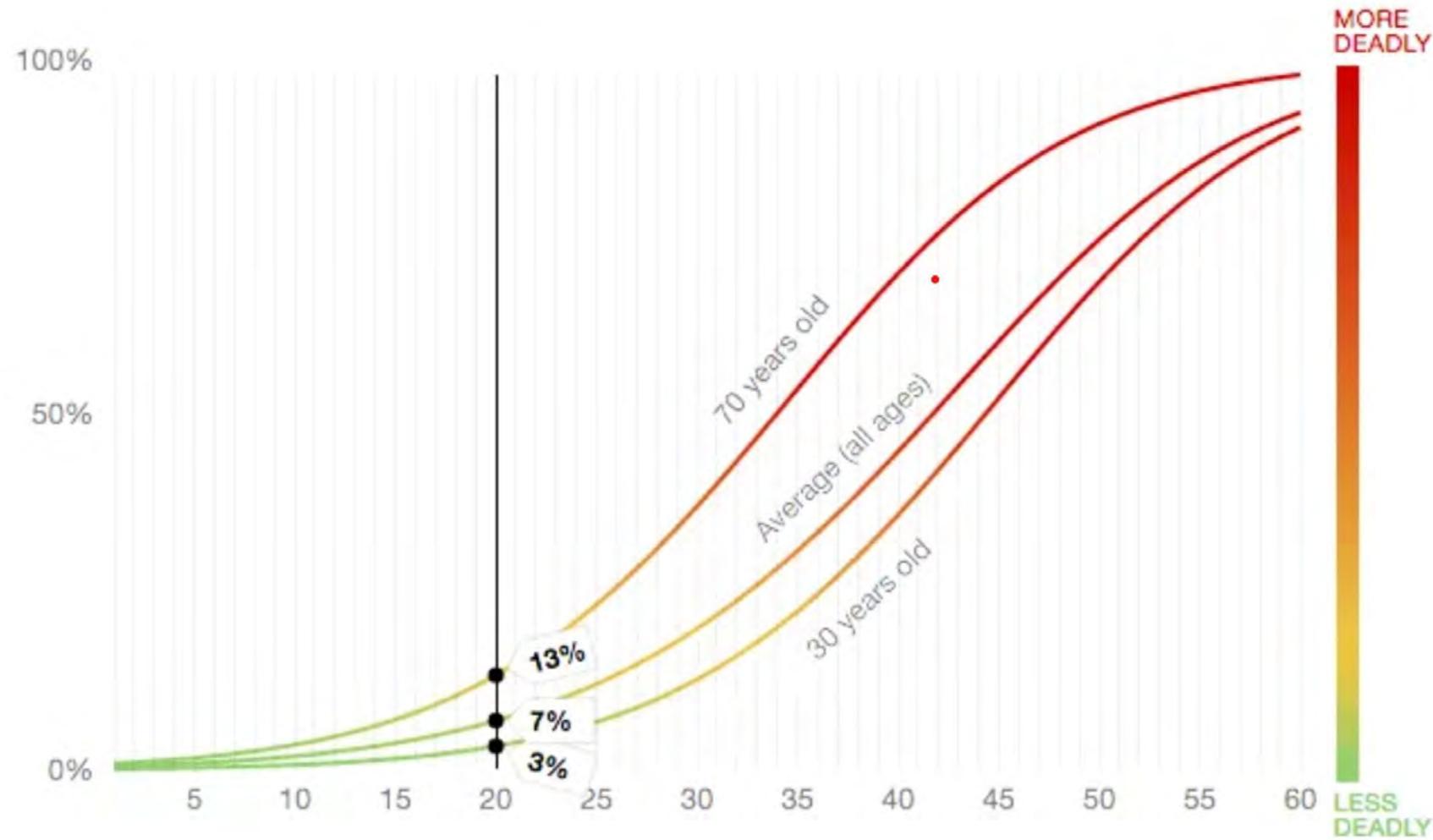
Field of vision at 30 to 40 MPH



A driver's field of vision increases as speed decreases. At lower speeds, drivers can see more of their surroundings and have more time to see and react to potential hazards.

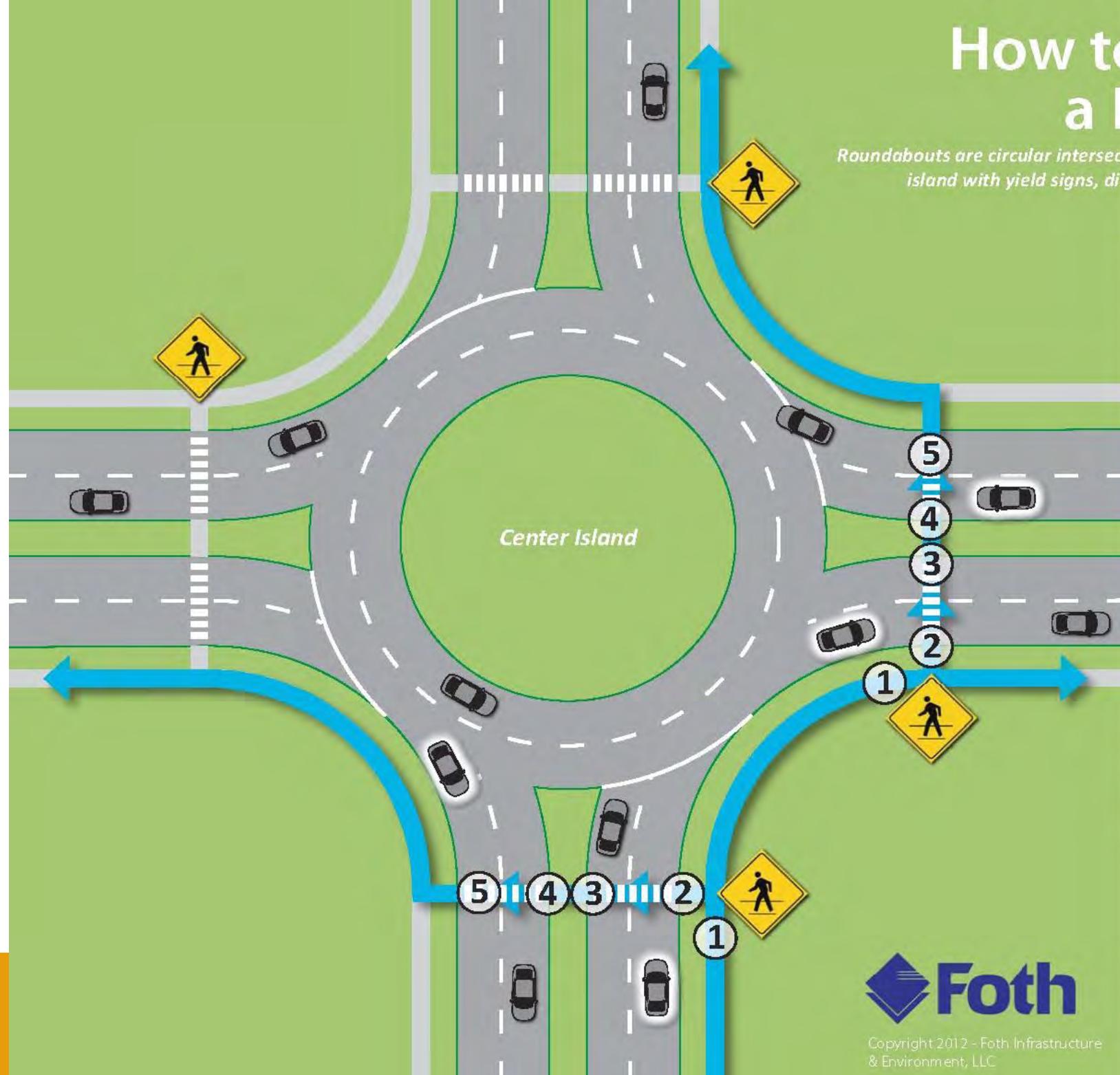
Proven Safety Countermeasure

✓ Promotes Slower Speeds



How to **WALK** a Roundabout

Roundabouts are circular intersections that direct traffic around a central island with yield signs, directional signs, and pavement markings



- 1 Pedestrians should stay on the sidewalks and cross only at the designated crosswalks.
Pedestrians should never cross to the circular center island.
- 2 Pedestrians should look for traffic from the left before entering the crosswalk.
- 3 When there is a sufficient gap in traffic and it is safe to cross, walk through the crosswalk to the splitter island.
- 4 Before continuing, look for traffic from the right.
- 5 When there is a sufficient gap in traffic and it is safe, continue through the crosswalk to the other side of the road.

Bicyclists can navigate a roundabout in the same manner as a pedestrian or a vehicle.



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Pedestrians at Roundabout



First Responders at Roundabout

Shared Mission – Shared Benefits

Saving lives and preventing serious injuries are the highest priority of both first responders and highway agencies. Roundabouts are safer intersections that result in fewer severe crashes requiring emergency response.

Safer intersections are important for first responder occupational safety and health, too. Studies show that most fatalities resulting from a crash involving a fire truck occur at, or are related to, an intersection. Further, angle crashes are the most common fatal crash type involving fire trucks. The International Association of Fire Fighters (IAFF) and others cite intersections as high risk locations for all emergency response disciplines.

Q: What about emergency response times?

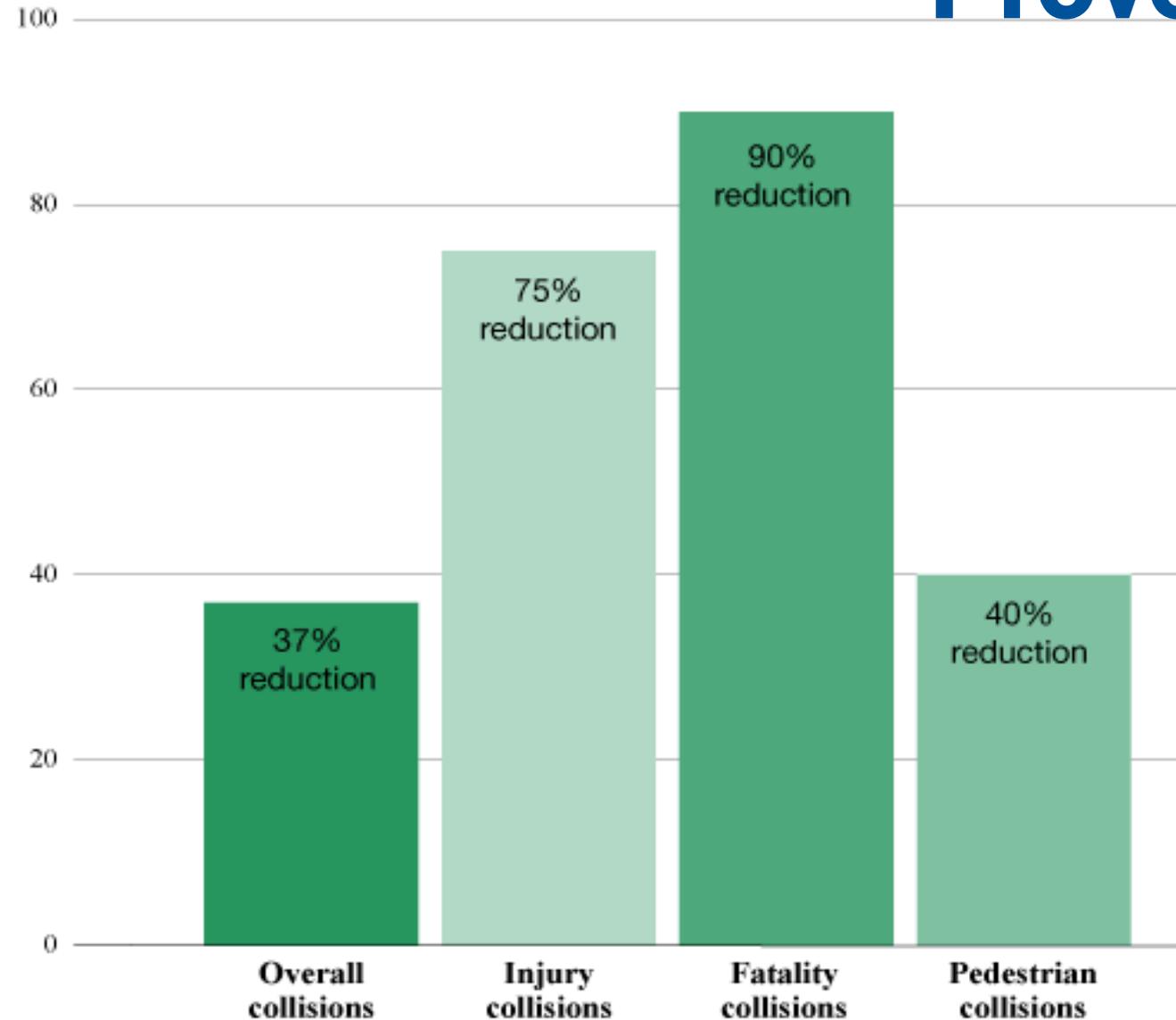
A: At any intersection, traffic conditions vary throughout the day. Roundabouts can actually improve travel times by eliminating unnecessary stops and delays.

Q: How will drivers in our community know how to react to approaching emergency vehicles?

A: In this way, roundabouts are no different from other intersections – drivers must clear the intersection, pull off to the right, and let the emergency vehicle pass. To help educate drivers, there are many excellent resources available from states and cities where roundabouts are common. First responders can contribute to general roundabout education and outreach in a community by helping explain to the public how to react when an emergency vehicle approaches.

Reduction in collisions

percent



Source: Federal Highway Administration and Insurance Institute for Highway Safety (FHWA and IHS)

Proven Safety Countermeasure

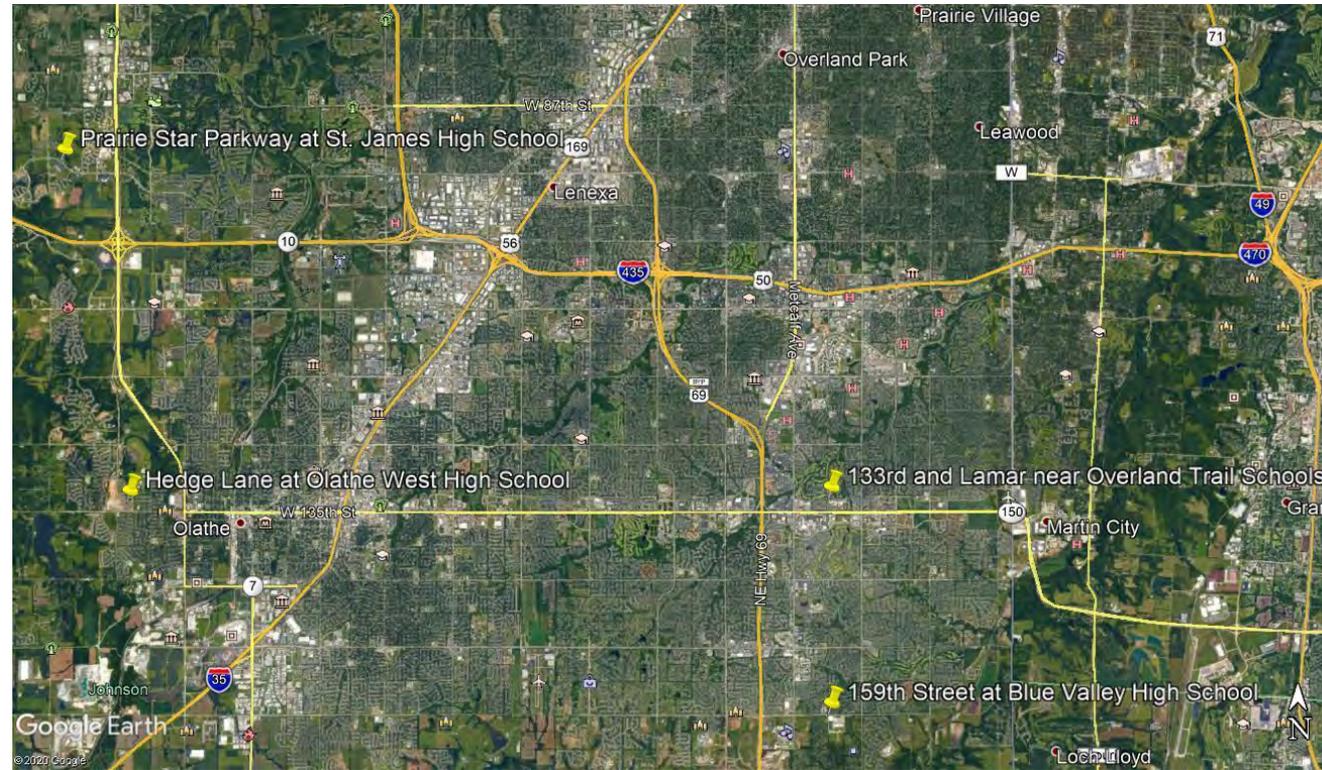
- ✓ Significantly Reduces the Chance of an Injury Accident
- ✓ Roundabouts Improve safety for all users, including pedestrians and bicycles.

Examples of Similar Projects

Prairie Star Parkway at St. James High School (west of K-7)



Hedge Lane at Olathe West High School



133rd and Lamar near Overland Trail Middle and Elementary Schools



159th Street at Blue Valley High School



Roundabout at Clear Creek Parkway and Monticello



159th Street Roundabout



Large Vehicles at Roundabout



COUNCIL ACTION FORM

PUBLIC HEARING ITEM NO. 1

MEETING DATE: SEPTEMBER 21, 2020

STAFF CONTACT: MICHAEL KRAMER, PUBLIC WORKS DIRECTOR

Agenda Item: Consider holding a public hearing for the purpose of receiving comments on the design and reconstruction of the intersection at Waverly Road and W. Madison Street

Strategic Priority: Quality of Life

Department: Administration

Background/Description of Item:

The purpose of this public hearing is to receive comments on the design and reconstruction of the intersection at Waverly Road and W. Madison Street.

At the December 2019 Pavement Management Work Session, staff briefed council regarding the Waverly Road Project, including widening of Waverly to three lanes, open ditch sections, lighting, trail and sidewalk. Staff presented that a round-about may be a viable alternative for the intersection of Waverly and Madison, and that additional investigation would be needed to fully review this alternative.

Affinis Corporation, our professional engineering design consultant for the project, further investigated and developed the intersection concepts and analyzed levels of service (LOS) for several different scenarios and design alternatives including;

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3. 3-Lane Section for Waverly Road, intersection remains 2-way stop controlled
4. 3-Lane Section for Waverly Road, intersection is changed to All-way stop controlled.
5. Roundabout

Affinis project representatives presented a summary of their findings and discussed the next steps for the project at the July 20, 2020 council meeting. A Notice of Public Hearing was published in the *Legal Record* on September 8 and September 15, 2020 and published on the city's website and shared on the city's social media platforms.

Suggested Motion:

Hold a public hearing for the purpose of receiving comments on the design and reconstruction of the intersection at Waverly Road and W. Madison Street

RECORD OF PROCEEDINGS
**OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 – 139
September 8, 2020

The City Council of the City of Gardner, Kansas met in regular session on September 8, 2020, 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; Police Captain Lee Krout; Utilities Director Gonzalo Garcia; Public Works Director Michael Kramer; Finance Director Matthew Wolff; Parks and Recreation Director Jason Bruce; 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, Mayor Shute called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Shute led those present in the Pledge of Allegiance.

PRESENTATIONS

1. Proclaim the week of September 17-23, 2020 as Constitution Week in the City of Gardner, Kansas

Mayor Shute read into record a proclamation that the week of September 17-23, 2020 be known as Constitution Week in the City of Gardner, Kansas.

PUBLIC HEARING

PUBLIC COMMENTS

Adrianna Meder, 32604 W. 171st Ct, shared backgrounds, timeframe and other information to date. On July 30, she spoke with mayor via phone who said he would accept her resignation from the Planning Commission. She said she would not resign. At the August 3rd city council meeting, during council updates, Councilmember Melton expressed his concern regarding three things and wanted to review having her removed from her position. Those items were: postings made via her personal facebook page which is her right to freedom of speech; that she shut down a developer during the April 28th Planning Commission meeting which is an inaccurate accusation, the meeting minutes and video do not reflect that; and that she interfered with city personnel decisions, which is factless and an inaccurate accusation as her citizen opinion has nothing to do with hiring or firing employees. On August 27, she met in-person with City Administrator Pruetting who invited her to an executive session during the upcoming meeting to air her side of the allegations. She declined the invitation, saying that any questions she needed to answer could be done during public comment. On August 30, she received an email from City Administrator Pruetting as read into record: "The Gardner City Council is inviting you to participate in an executive session during the September 8 city council meeting to provide you the opportunity to respond to allegations of misconduct that may result in a volte by the council to remove you from the Planning Commission for cause. This matter is being conducted in executive session due to the nature of the discussion be directly related to a personnel matter. If you have any questions or concerns about your participation in this matter, please don't hesitate to contact me." She did not respond to the email. She respectfully declines to participate in this evening's executive session. She believes the city is organized in that the employees work for the City Administrator, who works for the Mayor, so why does the council want to call her into a closed meeting? There is no apparent reason for it. She is here to answer questions in the open public session and will not attend an executive session behind closed doors.

Mayor Shute read into record an email from Jan Pringle, 15271 Lake Road 1, who is not a constituent, as she lives outside the city limits: I am writing in lieu of attending the council meeting out of an abundance of caution for not mingling with other people during this time of Coronavirus spread. An old adage common in many cultures says, "A fish rots from the head down." I think this is an appropriate description for what is happening in Gardner right now. While city growth is exciting, there is a lack of moral and ethical leadership at the top and it's filtered down to infect a growing segment of the population. For example: I saw a middle schooler's video mocking the murder of a man from police brutality while many respondents dismissed it as merely "kids will be kids." I saw a City Council member who "liked" a Facebook meme mocking Black Lives Matter and shockingly showing

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 140
September 8, 2020

appreciation of a teenager who murdered two people in Wisconsin. I saw a black woman called a racist for wishing to see diversity on the city council. I see residents on social media constantly issuing racist and sexist comments while bullying the science-minded people. I saw a City Council member mocking a peaceful demonstration by dressing up with guns and attack gear. I saw several graduation parties and residential cookouts with 40 to 50 people gathered in close proximity to each other in total disregard for the advice from health experts. I see several businesses defying the facemask mandate, which has resulted in many shoppers I know electing to take their business out of Gardner. Can there be any question where fodder for these negative and racist attitudes originate? When I see City Council members themselves defying a government mandate to wear a simple facemask one can only blame the head of the fish for much of it. Of course, the City Council members can't be held responsible for the actions of everyone, but they can and should be a model of what is right. I have friends in other parts of the metro area who make derogatory remarks about Gardner. The city is gaining a poor reputation with our neighbors and this will ultimately hinder future growth. As a Realtor of over 40 years, I know that businesses these days often analyze the social media and public sentiment in a city before deciding on where to relocate. I believe the City Council needs to reflect a better example than what we've witnessed thus far; both in words well as deeds. There should be an official statement issued declaring the city stands fast for ensuring the health, safety and dignity of every single person, including the aspects of encouraging face masks and social distancing. As for deeds, everyone in government positions should be wearing facemasks. Additionally I believe they should refrain from discussing controversial topics on social media, which are unrelated to city business. In the middle of this pandemic and time of economic uncertainty, the City Council needs to blaze new trails in establishing unity, respect and concern for its citizens now more than ever before. United we stand; divided we fall. City leadership should lead. They should not be sowing discord.

Chris Ward, 425 Stone Creek Drive, sent email to everyone regarding crosswalk situation at that park. He appreciated the fast response. His ideas were similar to what City Administrator Pruetting sent. The police department did a speed survey there, and the results are an average speed of 28 mph, but there was a police presence out there and everyone slows down when they see a cop. The numbers aren't reflective of what the residents who live out there experience. With the signage that will go up and the crosswalks that will be painted, is it viable to have speed bumps in that area. There's a park, a trail system, two crosswalks, and a bus stop. It's a bottleneck. The week of the speed survey wasn't an accurate reflection of what they see out there on a consistent basis. It's like taking a car to the mechanic and say it's making a sound, but the mechanic doesn't hear the sound. They don't feel like the city has a good picture of what they experience with speed and crazy drivers.

CONSENT AGENDA

- 1. Standing approval of the minutes as written for the regular meeting on August 17, 2020**
- 2. Standing approval of City expenditures prepared August 14, 2020 in the amount of \$914,186.40; and August 21, 2020 in the amount of \$3,530,962.82; and August 28, 2020 in the amount of \$4,737,098.87**
- 3. Consider the appointment of Mia Ham to the Planning Commission**

Councilmember Melton made a motion to approve the Consent Agenda.

Councilmember Baldwin Seconded.

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

PLANNING & ZONING CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

1. Consider appointment of Community Development Director

City Administrator Jim Pruetting shared the personnel policy regarding director appointments. Section 3-106 of the City of Gardner, Kansas Personnel Policies, 2018 Edition states: "Applicants for Department Director level positions and above shall be appointed by the City Council upon recommendation of the City Administrator." City staff advertised for resumes and completed thorough resume reviews. Pruetting reviewed the resumes and selected two candidates for interview. The selection committee consisted of the City Administrator, the Finance Director, the Public Works Director, the acting Chief Planner, and the Human Resources Manager. After the interviews were completed, the unanimous choice was David Knopick. He brings a wealth of planning knowledge and experience from both the private and public sectors. He will be a great addition to our staff and will help foster the unprecedented growth the city is experiencing.

Councilmember Melton asked when Mr. Knopick will start if they approve him. Pruetting said next week. Councilmember Gregorcyk asked about vendor that they have to fill the staffing gap, that's pay as they go? They won't incur any more costs? Pruetting clarified the vendor they are using is as a planner, so they will use the vendor until the last planner position is filled. There are applicants for that position, once the director comes on board, they'll begin interviews to fill that position.

Resident asked how long it normally takes, this process of filling a director position. Was this process longer, shorter, or normal? Pruetting said it was a normal process.

Councilmember Gregorcyk made a motion to appoint David Knopick as Community Development Director.

Councilmember Melton Seconded.

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

2. Consider adopting an ordinance amending sections of the Gardner Municipal Code relating to the change in name from "Business and Economic Development" Department and Director to "Community Development" Department and Director

Senior Management Analyst Amy Nasta stated this item is a housekeeping item. At the August 17, 2020, City Council meeting, the Governing Body approved Ordinance 2670 adopting a revised salary structure, which renamed the position of "Business and Economic Development Director" to "Community Development Director". Staff recommends updating sections of Titles, 5, 14, and 17 of the GMC to reflect the change in nomenclature from "Business and Economic Development" Department and Director to "Community Development" Department and Director. These changes are in nomenclature only and do not provide any contextual or substantive changes to any part of the GMC. Nasta noted that additional instances of "Business and Economic Development" Department or Director found in GMC 9.05.030 – Uniform Offense Code (UPOC). As the UPOC is scheduled for update in the near future, staff, after consultation with legal counsel, recommends nomenclature changes in GMC 9.05.030 take place in the context of the UPOC rather than in this proposed ordinance.

Councilmember Winters made a motion to adopt an ordinance amending multiple sections of Titles 5, 14, and 17 of the Gardner Municipal Code relating to the change in name from "Business and Economic Development" Department and Director to "Community Development" Department and Director.

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2673.

Melton: Yes
Baldwin: Yes

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 142
September 8, 2020

Roberts: Yes
Winters: Yes
Gregorcyk: Yes

3. Consider adopting an ordinance declaring, establishing, amending, and creating codes, procedures, and policies for construction; amending multiple chapters of Title 15 – Buildings and Construction of the Code of the City of Gardner, Kansas, and amending or repealing all ordinances or regulations not in conformity

Senior Management Analyst Amy Nasta said Gardner Municipal Code (GMC) Title 15, Buildings and Construction, provides guidelines for the safe construction of buildings in the City of Gardner. These guidelines are based on national and international standards, which are adopted into the code by reference. Also included are various edits to these standards that are incorporated to customize certain portions of these codes to better fit the needs of the City. This practice is consistent with that of other public entities and municipalities throughout the country, including others in Johnson County. GMC Title 15 was last updated on March 18, 2013, with the passage of Ordinance 2423. This update incorporated editions of the national and international standards referenced above from 2012 or earlier. Updates to several items important to life, health, and safety make it important to update the code to incorporate newer editions of these standards, as well as accompanying edits pertinent to Gardner's current needs. If this passes, it will become effective on November 1.

Mayor Shute asked Ms. Nasta to highlight some of the changes. Some are to come into conformance with international standards, but there are others with regards to nomenclature and procedures. Nasta said most are to conform with the code. There are some changes that do allow for the governing body to establish fees for certain items, which will be coming up as part of a resolution later in the meeting. These items don't establish the fees themselves, but allow the governing body the power to establish the fees and allow for permits for certain items. The previous Business and Economic Development director and Nasta herself sent a very extensive survey detailing these items to several builders that regularly work in Gardner. The responses they received were positive, but they did remove one item based on those responses. This was the addition of mandatory storm shelters, as this was felt to be too expensive and more restrictive than other communities in the area. Councilmember Melton noted that the builders he spoke with were concerned about the storm shelter requirement.

Councilmember Melton made a motion to adopt an ordinance declaring, establishing, amending and creating codes, procedures and policies for construction, including the Building, Electric, Fire, Fuel Gas, Housing, Mechanical, Plumbing, and Residential Codes, amending Chapters 15.05, 15.15, 15.25, 15.30, 15.35, 15.40, 15.45 and 15.50, Buildings and Construction of the Code of the City of Gardner, Kansas, and amending or repealing all ordinances or regulations not in conformity herewith.

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2674.

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

4. Consider adopting an ordinance amending sections of the Gardner Municipal Code relating to the Building Code Board of Appeals

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 143
September 8, 2020

Senior Management Analyst Amy Nasta stated this is a housekeeping item tied to title 15 that was just passed. After adopting that ordinance, staff recommends updating four (4) sections of GMC Chapter 2.60, Board of Building Code Appeals, to provide consistency between the provisions for the BCBA in both GMC Title 15 and GMC Chapter 2.60. The sections of code to be amended are as follows. The first two were recommended by Johnson County Fire Department. GMC 2.60.010 establishes a preference for an individual on the board with knowledge of "fire engineering, fire design, or fire protection" among applicants for one (1) of the two (2) member spots that are not designated for those with experience in a particular trade. Nasta noted this is a preference, not a mandate. GMC 2.60.020(M) adds a section regarding the role of the Fire Code Official at BCBA meetings as an ex-officio. The final two, GMC 2.60.050 and GMC 2.60.060 outline the duties of the BCBA and details of the applications for appeal to the BCBA to be inclusive and reflective of all the chapters within GMC Title 15 that refer back to the BCBA.

Mayor Shute noted that the BCBA was established as part of the changes to the building codes that took place in 2019. These are clarifying the relationship back to the building code.

Councilmember Gregorcyk made a motion to adopt an ordinance amending sections 2.60.010, 2.60.020(M), 2.60.050, and 2.60.060 of the Gardner Municipal Code concerning the Building Code Board of Appeals.

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2675.

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

5. Consider adopting an ordinance amending section 13.10.100 of the Gardner Municipal Code levying certain fees to be established by the Governing Body by resolution

Senior Management Analyst Amy Nasta stated this is a housekeeping item. For New Business Item 6, the Governing Body will consider adopting a resolution establishing fees. Staff recommends updating GMC Chapter 13.10.100 to allow the Governing Body to levy fees for the inspection of backflow prevention devices. The intent of this ordinance and the subsequent fee resolution to be considered is to provide consistency and/or clarity with regard to how fees and charges for certain items shall be established, to ensure that administrative costs associated with each item are accounted for and charged accordingly so that only those wishing to obtain a service pay for said service, and to ensure that citizens and staff have access to the same list of fees. Nasta noted that the proposed ordinance in and of itself does not set any fees. The ordinance gives the Governing Body the ability to set these fees by resolution as it sees fit.

Councilmember Gregorcyk made a motion to adopt an ordinance amending section 13.10.100 of the Gardner Municipal Code levying certain fees to be established by the Governing Body by resolution.

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2676.

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

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 144
September 8, 2020

5. Consider adopting a resolution establishing a schedule of fees and charges for Titles 2, 5, 8, 11, 12, 13, 14, 15 and 17 of the Gardner Municipal Code

Senior Management Analyst Amy Nasta stated the most recent large-scale fee resolution passed by the Governing Body was Resolution 1956, passed November 7, 2016. Staff performed an extensive review of the schedule of fees and charges and recommends the revision of several fees and charges included in this resolution. Additionally, the Governing Body passed ordinances 2652 and 2653 at the March 2, 2020 City Council meeting. These ordinances were housekeeping ordinances designed to codify the Governing Body's ability to set various fees by resolution. The City Council just considered and passed ordinances for Titles 13 and 15 at this meeting, which have items including that as well. The purpose of these changes and updates is to ensure that administrative costs associated with each item are accounted for and charged accordingly so that only those wishing to obtain a service pay for said service, rather than subsidizing specific services due to potential inconsistencies in fee assessment; and to ensure that all staff, citizens, and others all have access to the same list of fees so there is transparency for everyone, and so staff are better empowered to assess and collect fees appropriately. Nasta noted that the list of fees included in this resolution is not comprehensive. The following fees have not been included: fees unchanged from previous resolutions, fees established by ordinance, and fees set by staff. In order to ensure the same level of transparency and accessibility with all fees as with those included in this resolution, Staff's intention is to create a comprehensive fee document inclusive of all city fees as a long-term next step following the passage of this resolution.

Councilmember Baldwin noted a typo in 8.60.020J, structure maintenance should be fences and not roof at the beginning of the paragraph, per the header. Councilmember Melton asked if they can pass it with that amended. Mayor Shute confirmed.

Winters asked how the fees were set. What basis was used to set them, or was it a combination of things. Nasta said it was a combination of needing to update them because they had not been updated for 4 years. Some were inconsistent in the case of some of the permitting fees. Some were off by \$5 or \$10 and needed to be consistent. The Business & Economic Development found that sometimes the amount of labor wasn't being covered by the amount of the permit fee. There isn't an exact log of how much time for each item, but an overall estimation showed that some of the fees weren't covering it. There was a need to cover basic expenses. Mayor Shute asked if she was referring to inspection fees. Nasta confirmed.

Mayor Shute said he'd received concern that extra fees had been added. He went through the list and found very few fees added. Most were fees that had been codified elsewhere that they are now putting into a single resolution. Nasta confirmed, stating that most have been in other areas or set by staff. For example, fees for Open Records requests were previously allowed to be set by staff, which could result in inconsistency. Since that was passed, there haven't been charges for open records requests, but they should be charging for certain requests over 15 minutes. It's not a new fee, it's a fee that wasn't being charged and was previously authorized.

Councilmember Gregorcyk had questions regarding KORA. If someone calls for a request, will they be informed of what the bill is in advance? Nasta confirmed, stating that if a request will take more than 15 minutes, staff will provide a time estimation and what the charge will be. If a records box is pulled from storage, that fee will be included as well. Gregorcyk clarified that the requestor would receive the estimate and be able to decide if they wish to proceed or not. Nasta confirmed. Gregorcyk also clarified that if it's less than 15 minutes, it's free? Nasta confirmed.

Mayor Shute noted that most requests are short, but is more for large volumes of email or documents that are kept in storage that will be delivered to the city. Nasta confirmed and said this is also very similar with what other municipalities do, which is to charge for time after a certain amount of time. Shute noted some charge by the page, but an email could be considered a page of information, and the city doesn't want to do that.

Councilmember Baldwin asked if the city brings in a box from storage, is staff digitizing that so they can run a query and not order the box again? Nasta said where staff are able, they are, however there is a large amount of

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 145
September 8, 2020

boxes in storage. The process for digitizing can be time consuming. Shute noted digitizing can be expensive. Nasta said some documents are quite old and could be damaged by scanning.

Councilmember Melton made a motion to adopt a resolution establishing a schedule of fees and charges for Titles 2, 5, 6, 8, 11, 12, 13, 14, 15 and 17 of the Gardner Municipal Code.

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2059.

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

COUNCIL UPDATES

Mayor Shute asked Finance Director Wolff about budget versus actual currently. Wolff said sales tax continues to surprise them. Staff will have an update when they hit the 3rd quarter. Wolff noted it's surpassing expectations in use tax and city sales tax. Shute appreciates the finance staff's diligence. City Administrator Pruetting noted they are being cautious in their projections, as they don't know what the impact of the extra \$600 per week in unemployment has had on the economy and spending in town and the county. They are not claiming to be out of the woods while they wait for that information.

Mayor Shute noted that they appointed Mia Ham to Planning Commission. He asked City Clerk Rose about other boards and committees. Rose said there are still openings on the Economic Development Advisory Committee and the Public Works and Accessibility Committee. Shute put out the call to serve for anyone interested. He noted they had 8 applicants for the Planning Commission and will ask them to serve in other capacities, but he would like to see additional people come in and serve the community.

Parks Director Bruce said the Smoke on the Trails BBQ competition is this weekend. There's been a lot of planning going into that. Fall sports in full swing. Bruce recognized his staff, saying they've spent hours and hours planning and meeting with city, state, and other entities in order to return to play. He appreciates their efforts and looking forward to fall sports. Mayor Shute said they've been working hard, not only on fall sports, but also events like the BBQ competition. He thanked Bruce and his staff.

City Administrator Pruetting noted that there is a planning portal where they can submit project costs for projects they would like to do if the funds are approved and available through the CARES Act. One project they are working on is upgrading equipment for video meeting, so that council can see/hear members on zoom, and upgrade the sound so people watching remotely can listen to the meetings. Pruetting said every city had to submit their primary projects to date last week. Gardner's projects that were submitted were approved as low risk for audit by the federal government and were approved to move forward. Mayor Shute asked what's the total on projects submitted? Pruetting said \$132,000. Shute said that was low in comparison to other communities. Pruetting said they did have a per capita cap. Shute noted they were more proactive than many communities, and were able to get PPE early. Pruetting noted they needed to add an executive session for attorney/client privilege.

Public Works Director Kramer said they would like to return to the crosswalk and speed enforcement in 4-6 months. They can gather speed data again. He noted the issue with speed bumps or tables is that it slows traffic when there's not a need, so complaints will go the other way as well. The city doesn't use speed bumps or tables anywhere. They can lead to increased speed, cars slow to pass the speed bump and then speed up even more after. Kramer said the contractor is on site at Plaza South and beginning construction of 188th Street east of Gardner Rd. They will see a lot of equipment in that area. Shute noted there are a lot of people looking forward to seeing that built out. Councilmember Gregorcyk asked why do a speed evaluation in 4-6 months and not sooner? Kramer said they can do it sooner, but they do need some amount of time between existing data. Gregorcyk

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 146
September 8, 2020

noted that school is beginning, there are new drivers, park, greenway space, he recommends sooner rather than later. Pruetting noted the city owns the armadillo, so they can do it any time. Councilmember Winters agreed with Gregorcyk; if the city owns it and there's minimal effort. Shute said if there's no expense, why wait 6 months.

Councilmember Gregorcyk followed up with City Administrator Pruetting and Director Kramer. They received an email on July 17 regarding lighting along 183rd street, travel along Grand and Plum, and on Cedar. Her concerns are with lighting and residential trees that are low over sidewalk. Shute clarified that these are trees over sidewalk, and is that the responsibility of homeowner? City Attorney Denk said if it overgrows city property, the city has a right to trim it back. The homeowner does not have an obligation to trim it back city standards. If the tree dies and is at risk of falling onto city property or neighboring property and the owner doesn't remove it, then they stand some amount of exposure. Shute clarified there's no requirement to trim them back. If the city wants to clear the sidewalks, they would have to do it themselves. Gregorcyk said they could send a letter to the owners asking them to trim. Denk said assuming the path is in the city ROW, when they acquire ROW they can acquire the rights to trim back any vegetation, but staff can make that ask. Kramer said he has communicated with Codes Enforcement and other departments on that email. Codes Officer is working on some issues, others will need follow up.

EXECUTIVE SESSION

1. Consider entering into executive session to discuss matters of attorney/client privilege.

Recess into executive session pursuant to K.S.A. 75-4319 (b) (2), to discuss matters of attorney/client privilege.

Councilmember Melton made a motion to recess into executive session pursuant to K.S.A. 75-4319 (b) (2), to discuss personnel matters related to non-elected personnel beginning at 7:54 pm; returning to regular session at 8:09 pm.

Councilmember Baldwin Seconded.

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

Councilmember Melton made a motion to resume regular session at 8:09 p.m.;

Councilmember Winters seconded.

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

2. Consider entering into executive session to discuss personnel matters of non-elected personnel

Recess into executive session pursuant to K.S.A. 75-4319 (b) (1), to discuss personnel matters related to non-elected personnel.

Councilmember Gregorcyk called point of order, he wished to strike this executive session, as he did not agree with it. Mayor Shute asked for consensus. Winters, Melton, Baldwin provided consensus to recess to executive session.

Councilmember Melton made a motion to recess into executive session pursuant to K.S.A. 75-4319 (b) (1), to discuss personnel matters related to non-elected personnel beginning at 8:10 pm; returning to regular session at 8:30 pm.

Councilmember Baldwin Seconded.

With a majority of the Councilmembers voting in favor of the motion, the motion carried.

3 – Aye (Winters, Melton, Baldwin)
2 – Nay (Gregorcyk, Roberts)

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2020 - 147
September 8, 2020

Councilmember Melton made a motion to resume regular session at 8:30 p.m.;

Councilmember Baldwin seconded.

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

Councilmember Melton made a motion to recess into executive session pursuant to K.S.A. 75-4319 (b) (1), to discuss personnel matters related to non-elected personnel beginning at 8:30 pm; returning to regular session at 8:45 pm.

Councilmember Baldwin Seconded.

With a majority of the Councilmembers voting in favor of the motion, the motion carried.

Councilmember Gregorcyk made a motion to resume regular session at 8:45 p.m.;

Councilmember Melton seconded.

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

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 8:46 p.m.

City Clerk

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0001201	00	COMMERCIAL AQUATIC SERVICES, INC						
36943-1	004224		00	09/02/2020	001-6130-461.31-15	POOL LEAK	EFT:	544.16
38090-1	004225		00	09/02/2020	001-6130-461.31-15	POOL LEAK	EFT:	95.00
VENDOR TOTAL *							.00	639.16
0000517	00	DELL MARKETING L.P.						
10420580924	PI0382	007380	00	09/01/2020	602-1340-413.47-05	OFFICE 365 SUBSCRIPTION	24,562.45	
5201395196	PI0387	007414	00	08/31/2020	602-1340-413.47-05	SOFTWARE SUPPORT	12,942.86	
VENDOR TOTAL *							37,505.31	
0004998	00	DELTA DENTAL OF KANSAS						
1005114202009	004316		00	09/02/2020	001-1120-411.21-01	MONTHLY BILLING	EFT:	46.26
1005114202009	004317		00	09/02/2020	001-1140-411.21-01	MONTHLY BILLING	EFT:	111.10
1005114202009	004318		00	09/02/2020	001-1150-411.21-01	MONTHLY BILLING	EFT:	18.58
1005114202009	004320		00	09/02/2020	001-1305-413.21-01	MONTHLY BILLING	EFT:	64.84
1005114202009	004321		00	09/02/2020	001-1310-413.21-01	MONTHLY BILLING	EFT:	203.62
1005114202009	004323		00	09/02/2020	001-1330-413.21-01	MONTHLY BILLING	EFT:	92.52
1005114202009	004325		00	09/02/2020	001-2110-421.21-01	MONTHLY BILLING	EFT:	296.14
1005114202009	004326		00	09/02/2020	001-2120-421.21-01	MONTHLY BILLING	EFT:	821.43
1005114202009	004327		00	09/02/2020	001-2130-421.21-01	MONTHLY BILLING	EFT:	18.58
1005114202009	004328		00	09/02/2020	001-3120-431.21-01	MONTHLY BILLING	EFT:	240.78
1005114202009	004329		00	09/02/2020	001-3130-431.21-01	MONTHLY BILLING	EFT:	83.42
1005114202009	004336		00	09/02/2020	001-6105-461.21-01	MONTHLY BILLING	EFT:	148.26
1005114202009	004337		00	09/02/2020	001-6120-461.21-01	MONTHLY BILLING	EFT:	175.94
1005114202009	004338		00	09/02/2020	001-7110-471.21-01	MONTHLY BILLING	EFT:	83.42
1005114202009	004339		00	09/02/2020	001-7120-471.21-01	MONTHLY BILLING	EFT:	64.84
1005114202009	004330		00	09/02/2020	501-4110-441.21-01	MONTHLY BILLING	EFT:	111.10
1005114202009	004331		00	09/02/2020	501-4120-441.21-01	MONTHLY BILLING	EFT:	129.68
1005114202009	004332		00	09/02/2020	501-4130-441.21-01	MONTHLY BILLING	EFT:	314.72
1005114202009	004333		00	09/02/2020	521-4220-442.21-01	MONTHLY BILLING	EFT:	194.52
1005114202009	004334		00	09/02/2020	521-4230-442.21-01	MONTHLY BILLING	EFT:	213.10
1005114202009	004335		00	09/02/2020	531-4320-443.21-01	MONTHLY BILLING	EFT:	129.68
1005114202009	004319		00	09/02/2020	601-1230-412.21-01	MONTHLY BILLING	EFT:	18.58
1005114202009	004324		00	09/02/2020	602-1340-413.21-01	MONTHLY BILLING	EFT:	111.10
1005114202009	004322		00	09/02/2020	604-1320-413.21-01	MONTHLY BILLING	EFT:	166.84
1005114202009	004315		00	09/02/2020	721-0000-202.03-08	MONTHLY BILLING	EFT:	3,899.10
VENDOR TOTAL *							.00	7,758.15
0000855	00	EWING IRRIGATION PRODUCTS, INC						
12298279	004226		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	542.12	
12355214	004227		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	354.26	
12402926	004228		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	2,675.84	
12414052	004229		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	178.37	
12418886	004230		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	579.86	
VENDOR TOTAL *							4,330.45	
0002956	00	FASTENAL CO.						
KSKA3140753	004231		00	09/02/2020	521-4230-442.52-12	PLUGS FOR FIRE HYDRANTS	EFT:	30.78
VENDOR TOTAL *							.00	30.78
0000181	00	GRAINGER						

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND- ISSUED
NO	NO	NO						AMOUNT
0000181	00	GRAINGER						
9620836172	004232		00	09/02/2020	521-4220-442.52-20	GEAR OIL	EFT:	273.00
VENDOR TOTAL *							.00	273.00
0004993	00	HARTFORD, THE						
367971823853	004233		00	09/02/2020	001-1120-411.21-02	MONTHLY BILLING	EFT:	18.32
367971823853	004234		00	09/02/2020	001-1140-411.21-02	MONTHLY BILLING	EFT:	12.20
367971823853	004235		00	09/02/2020	001-1150-411.21-02	MONTHLY BILLING	EFT:	3.08
367971823853	004237		00	09/02/2020	001-1305-413.21-02	MONTHLY BILLING	EFT:	9.16
367971823853	004238		00	09/02/2020	001-1310-413.21-02	MONTHLY BILLING	EFT:	20.37
367971823853	004240		00	09/02/2020	001-1330-413.21-02	MONTHLY BILLING	EFT:	13.74
367971823853	004242		00	09/02/2020	001-2110-421.21-02	MONTHLY BILLING	EFT:	33.56
367971823853	004243		00	09/02/2020	001-2120-421.21-02	MONTHLY BILLING	EFT:	152.80
367971823853	004244		00	09/02/2020	001-2130-421.21-02	MONTHLY BILLING	EFT:	4.58
367971823853	004245		00	09/02/2020	001-3110-431.21-02	MONTHLY BILLING	EFT:	9.16
367971823853	004246		00	09/02/2020	001-3116-431.21-02	MONTHLY BILLING	EFT:	4.58
367971823853	004247		00	09/02/2020	001-3120-431.21-02	MONTHLY BILLING	EFT:	35.14
367971823853	004248		00	09/02/2020	001-3130-431.21-02	MONTHLY BILLING	EFT:	18.32
367971823853	004256		00	09/02/2020	001-6105-461.21-02	MONTHLY BILLING	EFT:	30.56
367971823853	004257		00	09/02/2020	001-6120-461.21-02	MONTHLY BILLING	EFT:	25.98
367971823853	004258		00	09/02/2020	001-7110-471.21-02	MONTHLY BILLING	EFT:	3.04
367971823853	004259		00	09/02/2020	001-7120-471.21-02	MONTHLY BILLING	EFT:	3.55
367971823853	004250		00	09/02/2020	501-4110-441.21-02	MONTHLY BILLING	EFT:	16.82
367971823853	004251		00	09/02/2020	501-4120-441.21-02	MONTHLY BILLING	EFT:	16.82
367971823853	004252		00	09/02/2020	501-4130-441.21-02	MONTHLY BILLING	EFT:	39.72
367971823853	004253		00	09/02/2020	521-4220-442.21-02	MONTHLY BILLING	EFT:	24.48
367971823853	004254		00	09/02/2020	521-4230-442.21-02	MONTHLY BILLING	EFT:	50.46
367971823853	004255		00	09/02/2020	531-4320-443.21-02	MONTHLY BILLING	EFT:	30.48
367971823853	004236		00	09/02/2020	601-1230-412.21-02	MONTHLY BILLING	EFT:	4.58
367971823853	004241		00	09/02/2020	602-1340-413.21-02	MONTHLY BILLING	EFT:	13.74
367971823853	004249		00	09/02/2020	603-3150-431.21-02	MONTHLY BILLING	EFT:	4.58
367971823853	004239		00	09/02/2020	604-1320-413.21-02	MONTHLY BILLING	EFT:	36.72
VENDOR TOTAL *							.00	630.46
0000337	00	HERITAGE TRACTOR, INC.						
10664133	004260		00	09/02/2020	001-6120-461.52-01	TURF SERVICE PROGRAM	3,476.98	
VENDOR TOTAL *							3,476.98	
0000107	00	JOHNSON COUNTY RECORDS & TAX ADMIN						
T20200059453	004341		00	09/02/2020	001-3110-431.31-15	LAND PURCHASE	140.00	
T20200059453	004340		00	09/02/2020	130-3130-431.62-04	EASEMENTS	178.00	
VENDOR TOTAL *							318.00	
0002760	00	KA-COMM, INC						
175471	004261		00	09/02/2020	001-2120-421.43-05	VEHICLE CONVERSION	EFT:	111.00
VENDOR TOTAL *							.00	111.00
0002671	00	KANSAS GAS SERVICE						
105962227	0820	004262	00	09/02/2020	001-6120-461.40-04	MONTHLY BILLING	56.56	
VENDOR TOTAL *							56.56	
0004413	00	LASER EQUIPMENT						

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004413 696710	00	LASER EQUIPMENT 004263	00	09/02/2020	001-2110-421.52-20	PRINTER CARTRIDGES	EFT:	516.00
						VENDOR TOTAL *	.00	516.00
0003700 849961	00	MCANANY VAN CLEAVE & PHILLIPS PA PI0388 007420	00	08/19/2020	001-1120-411.31-02	LEGAL SERVICES	EFT:	11,000.00
						VENDOR TOTAL *	.00	11,000.00
0004464 109566-2	00	MID-STATE RENTAL 004264	00	09/02/2020	501-4130-441.52-02	SAW BLADES	EFT:	98.53
						VENDOR TOTAL *	.00	98.53
0003579 96352	00	MID-STATES MATERIALS LLC 004265	00	09/02/2020	521-4230-442.52-12	WASHED CHIP	112.79	
						VENDOR TOTAL *	112.79	
0000122 1440859	00	MURPHY TRACTOR & EQUIP CO. 004266	00	09/02/2020	001-3120-431.43-02	EQUIPMENT REPAIR	45.68	
						VENDOR TOTAL *	45.68	
0004589 50280	00	NEXTPAGE, INC. 004267	00	09/02/2020	001-1120-411.47-02	SUMMER NEWSLETTER 2020	EFT:	1,961.00
						VENDOR TOTAL *	.00	1,961.00
0000142 152690 00	00	OLATHE WINWATER WORKS 004270	00	09/02/2020	521-4230-442.52-12	WATER REPAIR PARTS	EFT:	484.31
152822 00		004271	00	09/02/2020	521-4230-442.52-31	METER PIT CHANGE OUT	EFT:	1,200.00
152457 00		004268	00	09/02/2020	531-4320-443.52-12	COUPLINGS	EFT:	170.00
152690 00		004269	00	09/02/2020	531-4330-443.52-12	SEWER REPAIR PARTS	EFT:	612.00
						VENDOR TOTAL *	.00	2,466.31
0000393 364898	00	OLSSON, INC. PI0389 007285	00	08/19/2020	001-3130-431.31-10	TRAFFIC REVIEW ON CALL	EFT:	1,270.10
						VENDOR TOTAL *	.00	1,270.10
0000149 98440638	00	PRAXAIR DISTRIBUTION INC 004342	00	09/02/2020	001-3116-431.44-02	CYLINDER RENTAL	EFT:	43.45
						VENDOR TOTAL *	.00	43.45
0004072 522859	00	PROFESSIONAL ENGINEERING CONSULTANT PI0386 007240	00	08/27/2020	551-4540-445.62-10	PROFESSIONAL SERVICES	EFT:	367.50
						VENDOR TOTAL *	.00	367.50
0004932 N8455074	00	QUADIENNT LEASING USA, INC. 004343	00	09/02/2020	602-1340-413.44-02	MONTHLY BILLING	EFT:	372.06
						VENDOR TOTAL *	.00	372.06
0003110 444324	00	REJIS COMMISSION 004272	00	09/02/2020	001-2110-421.31-15	REJIS TRANSACTIONS	EFT:	81.25
						VENDOR TOTAL *	.00	81.25
0003305	00	RICOH USA INC						

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0003305	00	RICOH USA INC						
5060247421	004344		00	09/02/2020	602-1340-413.43-02	MONTHLY BILLING	EFT:	227.74
						VENDOR TOTAL *	.00	227.74
0004650	00	RYAN LAWN AND TREE INC						
339547	004273		00	09/02/2020	001-6120-461.31-15	PEST CONTROL	120.00	
						VENDOR TOTAL *	120.00	
0004316	00	SITEIMPROVE, INC						
67822	004345		00	09/02/2020	602-1340-413.47-05	YEARLY CONTRACT	EFT:	4,242.59
						VENDOR TOTAL *	.00	4,242.59
0001786	00	SMITTY'S LAWN & GARDEN EQUIPMENT						
9923	004274		00	09/02/2020	001-6120-461.43-02	TRIMMER REPAIR	1,139.31	
10543	004275		00	09/02/2020	001-6120-461.43-02	TRIMMER REPAIR	81.77	
13640	004277		00	09/02/2020	001-6120-461.43-02	TRIMMER REPAIR	96.90	
11423	004276		00	09/02/2020	521-4220-442.43-02	MOTOR STARTER REPAIR	279.72	
						VENDOR TOTAL *	1,597.70	
0001566	00	STAPLES BUSINESS ADVANTAGE						
8059265967	004278		00	09/02/2020	001-2110-421.52-20	OFFICE SUPPLIES	EFT:	89.81
						VENDOR TOTAL *	.00	89.81
0004418	00	STEEL IMAGES, INC.						
01282020	000169		00	01/31/2020	001-6110-461.54-51	CREDIT FOR DBL PYMT	EFT:	846.00-
						VENDOR TOTAL *	.00	846.00-
0000203	00	SUPERIOR BOWEN ASPHALT, L.L.C.						
25633	004346		00	09/02/2020	117-3120-431.43-06	PATCHING	EFT:	558.75
25704	004347		00	09/02/2020	117-3120-431.43-06	PATCHING	EFT:	296.99
						VENDOR TOTAL *	.00	855.74
0004078	00	TEXTCASTER						
25323	004348		00	09/02/2020	602-1340-413.47-05	ANNUAL SERVICE	EFT:	2,000.00
						VENDOR TOTAL *	.00	2,000.00
0000105	00	TYLER TECHNOLOGIES, INC						
025-306708	PI0383	007415	00	09/01/2020	602-1340-413.47-05	COURT CASE MANAGEMENT	EFT:	8,918.83
025-304557	004349		00	09/02/2020	602-1340-413.47-05	MONTHLY BILLING	EFT:	200.00
025-307596	004350		00	09/02/2020	602-1340-413.47-05	MONTHLY BILLING	EFT:	200.00
						VENDOR TOTAL *	.00	9,318.83
0002811	00	UNITED STATES POSTAL SERVICE						
516586	004283		00	08/26/2020	001-1120-411.47-02	NEWSLETTER POSTAGE	CHECK #: 114	1,539.86
						VENDOR TOTAL *	.00	1,539.86
0002587	00	VICKI'S PLAYGROUND SERVICES						
VPS818	004279		00	09/02/2020	001-6120-461.52-01	PLAYGROUND MULCH	EFT:	3,922.91
						VENDOR TOTAL *	.00	3,922.91
0004599	00	WATER RESOURCES SOLUTIONS, LLC						

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004599 20-1356	00	WATER RESOURCES SOLUTIONS, LLC PI0385 007227	00 08/31/2020	001-3130-431.31-10	STORM WATER ON CALL	EFT:	1,500.00
					VENDOR TOTAL *	.00	1,500.00
0003878 2529	00	YATES ELECTRIC CO. INC. 004280	00 09/02/2020	001-6120-461.31-15	ELECTRICAL REPAIR	EFT:	395.26
					VENDOR TOTAL *	.00	395.26
					HAND ISSUED TOTAL ***		1,539.86
					EFT/EPAY TOTAL ***		78,600.08
					TOTAL EXPENDITURES ****	49,098.49	80,139.94
				GRAND TOTAL *****			129,238.43

VENDOR NUMBER	VENDOR NAME	AMOUNT
4418	STEEL IMAGES, INC.	846.00-

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004265 8327326	00	ACCESS INFORMATION PROTECTED 004354	00	09/11/2020	001-1150-411.31-15	OFF-SITE STORAGE	1,435.09	
						VENDOR TOTAL *	1,435.09	
0002636 01111550	00	ALTEC CAPITAL SERVICES, LLC 004355	00	09/11/2020	501-4130-441.44-02	LEASE PAYMENT #432	EFT:	3,440.80
						VENDOR TOTAL *	.00	3,440.80
0003954 25542	00	AMERICAN PAYMENT CENTERS, LLC 004356	00	09/11/2020	604-1320-413.44-02	DROP BOX RENTAL	EFT:	312.00
						VENDOR TOTAL *	.00	312.00
0000566 136146	00	AMERICAN TOPSOIL, INC. 004357	00	09/11/2020	001-3120-431.52-08	SOIL	EFT:	128.00
136166		004358	00	09/11/2020	521-4230-442.52-12	DIRT	EFT:	96.00
136167		004360	00	09/11/2020	521-4230-442.52-12	DIRT	EFT:	96.00
136166		004359	00	09/11/2020	531-4330-443.52-12	DIRT	EFT:	96.00
136167		004361	00	09/11/2020	531-4330-443.52-12	DIRT	EFT:	96.00
						VENDOR TOTAL *	.00	512.00
0001986 4692242-00	00	ANIXTER, INC. 004362	00	09/11/2020	403-4130-441.62-15	PEDESTALS	EFT:	4,462.96
4694393-00		004363	00	09/11/2020	403-4130-441.62-15	PARTS	EFT:	2,312.07
4683581-00		PI0397 007422	00	08/21/2020	501-4130-441.52-25	LED STREET LIGHTS	EFT:	5,465.98
						VENDOR TOTAL *	.00	12,241.01
0005014 12573	00	ATTIC STORAGE OF GARDNER 004383	00	09/11/2020	001-6110-461.44-02	MONTHLY BILLING	EFT:	845.00
						VENDOR TOTAL *	.00	845.00
0001773 37492	00	BHC RHODES PI0400 007293	00	09/02/2020	001-3130-431.31-10	PROFESSIONAL SERVICES	EFT:	2,340.00
37331		PI0395 007372	00	08/07/2020	130-3130-431.62-04	STREET RESTORATION	EFT:	5,527.65
37512		PI0402 007372	00	09/03/2020	130-3130-431.62-04	STREET RESTORATION	EFT:	35,613.60
						VENDOR TOTAL *	.00	43,481.25
0001199 15095	00	BLUE VALLEY PUBLIC SAFETY, INC 004384	00	09/11/2020	001-2110-421.43-02	REPAIR #05-65 ANTENNA	EFT:	714.50
						VENDOR TOTAL *	.00	714.50
0002420 BMS665851	00	BRENNTAG MID-SOUTH, INC 004364	00	09/11/2020	521-4220-442.52-13	CHEMICALS	EFT:	4,505.00
BMS665851		PI0392 007234	00	08/26/2020	521-4220-442.52-13	CHEMICALS	EFT:	2,953.75
						VENDOR TOTAL *	.00	7,458.75
0004934 6-WA-2002	00	BURNS & MCDONNELL/CAS CONSTRUCTORS PI0390 007425	00	07/31/2020	521-4240-442.61-03	HILLSDALE EXPANSION	EFT:	49,055.00
12-WA-2002		PI0391 007179	00	08/31/2020	521-4240-442.61-03	HILLSDALE WTP	EFT:	1,524,409.75
						VENDOR TOTAL *	.00	1,573,464.75
0001834	00	C & C GROUP						

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001834 35651	00	C & C GROUP 004365	00	09/11/2020	603-3150-431.31-15	IP SECURITY MONITORING	EFT:	480.00
						VENDOR TOTAL *	.00	480.00
0004628 90106713 90106713	00	CALGON CARBON CORPORATION 004366 PI0394 007367	00	09/11/2020 08/25/2020	521-4220-442.52-13 521-4220-442.52-13	CHEMICALS CHEMICALS	EFT: EFT:	1,770.00 3,090.00
						VENDOR TOTAL *	.00	4,860.00
0000429 5028136368	00	CINTAS FIRE PROTECTION 004367	00	09/11/2020	521-4220-442.31-15	MONTHLY BILLING	EFT:	54.34
						VENDOR TOTAL *	.00	54.34
0002621 47490	00	CLAYCO ELECTRIC CO, INC. 004368	00	09/11/2020	521-4220-442.43-02	REPAIRS	EFT:	1,956.00
						VENDOR TOTAL *	.00	1,956.00
0003716 3P49300	00	DATAPROSE 004369	00	09/11/2020	501-4140-441.63-73	SMART METER INSTALLATION	EFT:	680.00
						VENDOR TOTAL *	.00	680.00
0001557 198884	00	DATCO, INC 004385	00	09/11/2020	001-2120-421.53-02	SHIRT - BRENEMAN	25.35	
						VENDOR TOTAL *	25.35	
0099999 72008	00	DAVID D HENSON 004353	00	09/11/2020	001-0000-228.30-00	CASH BOND REFUND	200.00	
						VENDOR TOTAL *	200.00	
0003481 817001811-20	00	DPC INDUSTRIES INC PI0393 007320	00	08/18/2020	521-4220-442.52-13	CHLORINE	EFT:	643.00
						VENDOR TOTAL *	.00	643.00
0003960 157837	00	ELLIOTT EQUIPMENT COMPANY 004370	00	09/11/2020	531-4330-443.52-12	PARTS FOR SEWER CAMERA	EFT:	276.31
						VENDOR TOTAL *	.00	276.31
0002511 23779 23780	00	ENRIGHT LAWNS, INC 004386 004387	00	09/11/2020 09/11/2020	001-2110-421.47-56 001-2110-421.47-56	ABATEMENT MOWING ABATEMENT MOWING	EFT: EFT:	255.00 200.00
						VENDOR TOTAL *	.00	455.00
0004946 4469208877 2424383255 9279570154 6466308678	00	EVERGY 0820004372 0920004372 0920004372 0820004371	00	09/11/2020 09/11/2020 09/11/2020 09/11/2020	521-4220-442.40-05 521-4220-442.40-05 521-4220-442.40-05 531-4320-443.40-05	MONTHLY BILLING MONTHLY BILLING MONTHLY BILLING MONTHLY BILLING	47.15 26,527.90 8,787.97 142.70	
						VENDOR TOTAL *	35,505.72	
0002956	00	FASTENAL CO.						

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0002956	00	FASTENAL CO.						
KSKA3140767	004372		00	09/11/2020	501-4130-441.52-02	SAW BLADES	EFT:	68.89
						VENDOR TOTAL *	.00	68.89
0000086	00	GALLS, LLC						
016381398	004388		00	09/11/2020	001-2120-421.53-02	PATROL BOOTS - DAVIDSON	EFT:	99.99
						VENDOR TOTAL *	.00	99.99
0005016	00	GORDON, LIZ						
09102020	004389		00	09/11/2020	001-6105-461.46-01	MILEAGE REIMBURSEMENT	109.25	
						VENDOR TOTAL *	109.25	
0000181	00	GRAINGER						
9625813036	004372		00	09/11/2020	521-4220-442.52-12	BULBS	EFT:	26.02
9641016598	004372		00	09/11/2020	604-1320-413.52-20	PHONE CASES & SCREEN PROT	EFT:	141.80
						VENDOR TOTAL *	.00	167.82
0000097	00	HAMPEL OIL, INC.						
91336608	PI0396 007421		00	08/25/2020	551-4520-445.52-09	AIRPORT FUEL	EFT:	5,923.52
						VENDOR TOTAL *	.00	5,923.52
0005013	00	HSA BANK						
W251023	004375		00	09/01/2020	001-1140-411.31-15	HSA SERVICE FEE	CHECK #: 131	82.25
						VENDOR TOTAL *	.00	82.25
0000102	00	ICMA RETIREMENT TRUST - 457						
397684	004376		00	09/08/2020	721-0000-202.03-04	CONTRIBUTIONS	CHECK #: 101	7,754.00
						VENDOR TOTAL *	.00	7,754.00
0004271	00	IRON MOUNTAIN INC						
CXBX301	004390		00	09/11/2020	001-1150-411.31-15	MONTHLY BILLING	EFT:	63.50
						VENDOR TOTAL *	.00	63.50
0000107	00	JOHNSON COUNTY RECORDS & TAX ADMIN						
T20200044057	004391		00	09/11/2020	001-7110-471.31-15	NRP RECORDING	123.00	
						VENDOR TOTAL *	123.00	
0002671	00	KANSAS GAS SERVICE						
161419073	0820 004372		00	09/11/2020	501-4130-441.40-04	MONTHLY BILLING	54.61	
						VENDOR TOTAL *	54.61	
0000112	00	KANSAS ONE-CALL SYSTEM, INC.						
80247	004372		00	09/11/2020	001-3120-431.31-15	STORMWATER LOCATING SVC	EFT:	111.60
80247	004372		00	09/11/2020	501-4130-441.40-06	ELECTRIC LOCATING SERVICE	EFT:	111.60
80651	004372		00	09/11/2020	501-4130-441.40-06	LOCATES	EFT:	38.40
80247	004372		00	09/11/2020	521-4230-442.40-06	WATERLINE LOCATING SVC	EFT:	111.60
80249	004372		00	09/11/2020	531-4320-443.31-15	LOCATES	EFT:	37.20
80247	004372		00	09/11/2020	531-4330-443.40-06	SEWERLINE LOCATING SVC	EFT:	111.60
						VENDOR TOTAL *	.00	522.00
0001626	00	KMEA GRDA OPERATING ACCT						

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0001626	00	KMEA GRDA OPERATING ACCT						
GRDA-GD-20-10	004372		00	09/11/2020	501-4120-441.41-01	MONTHLY BILLING	EFT:	205,291.36
						VENDOR TOTAL *	.00	205,291.36
0003399	00	KMEA WAPA OPERATING FUND						
WAPA-GA-20-09	004372		00	09/11/2020	501-4120-441.41-01	MONTHLY BILLING	EFT:	5,919.62
						VENDOR TOTAL *	.00	5,919.62
0002489	00	KPERS						
1558728	004377		00	09/10/2020	721-0000-202.03-01	091020 PAY PERIOD	CHECK #:	112
						VENDOR TOTAL *	.00	38,738.24
0003568	00	KPERS RETIREMENT						
1558733	004379		00	09/10/2020	721-0000-202.03-03	091020 PAY PERIOD	CHECK #:	118
						VENDOR TOTAL *	.00	766.68
0002490	00	KPF						
1558731	004378		00	09/10/2020	721-0000-202.03-02	091020 PAY PERIOD	CHECK #:	113
						VENDOR TOTAL *	.00	26,762.18
0004789	00	LAW OFFICE OF DAVID J. GRUMMON						
725	004372		00	09/11/2020	001-1330-413.31-02	COURT APPT ATTY FEES	EFT:	354.60
						VENDOR TOTAL *	.00	354.60
0004949	00	LEGAL RECORD, THE						
L87358	004372		00	09/11/2020	001-1150-411.47-01	ORD. SUMMARY	EFT:	5.90
L87359	004372		00	09/11/2020	001-1150-411.47-01	ORD. SUMMARY	EFT:	5.90
L87360	004372		00	09/11/2020	001-1150-411.47-01	ORD. SUMMARY	EFT:	5.90
L87295	004372		00	09/11/2020	531-4310-443.47-01	LEGAL NOTICE	EFT:	18.54
						VENDOR TOTAL *	.00	36.24
0099999	00	LEROY, JEFF						
000037937	UT		00	09/04/2020	501-0000-229.00-00	MANUAL CHECK		200.00
						VENDOR TOTAL *		200.00
0099999	00	LINDA BAIRD						
090872	004352		00	09/11/2020	001-0000-228.30-00	CASH BOND REFUND		500.00
						VENDOR TOTAL *		500.00
0002354	00	LOGAN CONTRACTORS SUPPLY, INC						
P76984	004372		00	09/11/2020	117-3120-431.43-06	CONCRETE PATCH		3,600.00
						VENDOR TOTAL *		3,600.00
0099999	00	MATT AMBROSE						
23261373	004382		00	09/11/2020	001-0000-347.05-00	BBQ REFUND		185.00
						VENDOR TOTAL *		185.00
0000233	00	MAXIMUM LAWN CARE						
15192	004392		00	09/11/2020	001-2110-421.31-15	MOWING	EFT:	1,175.00
15193	PI0401 007297		00	09/01/2020	001-3120-431.31-15	MOWING RIGHT OF WAYS	EFT:	3,040.00

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0000233	00	MAXIMUM LAWN CARE						
						VENDOR TOTAL *	.00	4,215.00
0003700	00	MCANANY VAN CLEAVE & PHILLIPS PA						
834355	004400		00	09/11/2020	001-1120-411.31-02	LEGAL SERVICES	EFT:	184.50
834356	004400		00	09/11/2020	001-1120-411.31-02	LEGAL SERVICES	EFT:	1,085.50
834357	004400		00	09/11/2020	001-1120-411.31-02	LEGAL SERVICES	EFT:	1,009.50
834358	004400		00	09/11/2020	001-1120-411.31-02	LEGAL SERVICES	EFT:	1,019.00
						VENDOR TOTAL *	.00	3,298.50
0003833	00	METRO POLYGRAPH LLC						
INV08-2020-GPD	004393		00	09/11/2020	001-2110-421.31-15	POLYGRAPH-CARTMILL	EFT:	225.00
						VENDOR TOTAL *	.00	225.00
0000498	00	MID-AMERICA PUMP						
14904	004372		00	09/11/2020	521-4220-442.43-02	MOTOR REPAIR	EFT:	2,249.92
						VENDOR TOTAL *	.00	2,249.92
0003440	00	MIDWEST PUBLIC RISK- PL DEDUCTIBLES						
MPR180805	004394		00	09/11/2020	001-6120-461.45-02	LEGAL FEES	EFT:	2,500.00
						VENDOR TOTAL *	.00	2,500.00
0000130	00	MOBILFONE						
6095482	004372		00	09/11/2020	001-3120-431.40-03	MONTHLY BILLING	EFT:	8.24
6095482	004372		00	09/11/2020	521-4220-442.40-03	MONTHLY BILLING	EFT:	36.32
6095482	004372		00	09/11/2020	521-4230-442.40-03	MONTHLY BILLING	EFT:	16.62
6095482	004372		00	09/11/2020	531-4320-443.40-03	MONTHLY BILLING	EFT:	49.76
6095482	004372		00	09/11/2020	531-4330-443.40-03	MONTHLY BILLING	EFT:	16.62
						VENDOR TOTAL *	.00	127.56
0003872	00	MOZINGO LAW FIRM, LLC						
094990	004372		00	09/11/2020	001-1330-413.31-02	COURT APPT ATTY FEES	EFT:	384.00
73084	004372		00	09/11/2020	001-1330-413.31-02	COURT APPT ATTY FEES	EFT:	270.00
094069	004372		00	09/11/2020	001-1330-413.31-02	COURT APPT ATTY FEES	EFT:	336.00
095918	004372		00	09/11/2020	001-1330-413.31-02	COURT APPT ATTY FEES	EFT:	66.00
						VENDOR TOTAL *	.00	1,056.00
0004890	00	NUTRI-JECT SYSTEMS, INC.						
7307	PI0398 007423		00	08/28/2020	521-4220-442.31-15	WEST POND CLEANOUT	EFT:	76,400.00
						VENDOR TOTAL *	.00	76,400.00
0000144	00	O'REILLY AUTOMOTIVE, INC.						
0354-180445	004372		00	09/11/2020	001-6120-461.43-05	TRUCK PARTS	EFT:	14.32
						VENDOR TOTAL *	.00	14.32
0001569	00	PAYCOR, INC						
INV01318712	004380		00	09/09/2020	001-1310-413.31-15	PAYROLL SERVICES	CHECK #: 107	524.21
						VENDOR TOTAL *	.00	524.21
0000590	00	PETTY CASH - PARKS AND RECREATION						

VEND NO INVOICE NO	SEQ#	VENDOR NAME VOUCHER P.O. NO NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004137 262132	00	WINPRO SOLUTIONS, INC 004373	00	09/11/2020	601-1230-412.31-15	TOWEL DISPENSER-PPE	EFT:	159.34
						VENDOR TOTAL *	.00	159.34
0099999 000062883	00	WOODWORTH, KYLE UT	00	09/03/2020	501-0000-229.00-00	FINAL BILL REFUND	25.35	
						VENDOR TOTAL *	25.35	
						HAND ISSUED TOTAL ***		74,627.56
						EFT/EPAY TOTAL ***		1,981,080.81
						TOTAL EXPENDITURES ****	53,116.19	2,055,708.37
					GRAND TOTAL *****			2,108,824.56

VENDOR NUMBER	VENDOR NAME	AMOUNT
4418	STEEL IMAGES, INC.	846.00-

COUNCIL ACTION FORM

CONSENT AGENDA ITEM NO. 3

MEETING DATE: SEPTEMBER 21, 2020

STAFF CONTACT: GONZ GARCIA, UTILITIES DIRECTOR

Agenda Item: Consider an amendment to the South Wastewater Treatment Plant preliminary design contract with George Butler & Associates for an addendum to the Anti-Degradation report

Strategic Priority: Infrastructure and Asset Management

Department: Utility Department – Wastewater Division

Staff Recommendation:

Staff recommends authorizing an amendment to the South Wastewater Treatment Plant preliminary design contract with George Butler & Associates for an addendum to the Anti-Degradation report, in the amount of \$19,884.

Background/Description of Item:

The Anti-Degradation Study is required for any new or expanded discharges from National Pollutant Discharge Elimination System (NPDES) facilities that results in lower water quality. The city retained the services of HDR Engineering, Inc. to complete an Anti-Degradation Review to obtain regulatory approval for constructing a new wastewater treatment plant to serve the projected growth south of I-35 and 175th Street. The report was submitted to Kansas Department of Health & Environment (KDHE) in March 2020.

On August 3, 2020, the City Council approved a contract for the South Wastewater Treatment Plant (SWWTP) preliminary design to GBA for \$388,172.

On August 12, 2020, a conference call was held with KDHE, GBA and the City to discuss the status of the anti-degradation review; anti-degradation review is still underway and not ready for approval. KDHE has requested an addendum to the Anti-Degradation Review for the SWWTP to be discharged to a stream that is not tributary to Hillsdale like Sweetwater Creek or Wolf Creek as discharge alternatives.

Due to the lack of response from HDR, city staff requested GBA provide a proposal for the addendum.

Financial Impact:

The Anti-Degradation Report Addendum expense will be funded from Wastewater Fund, South Wastewater Treatment Plant Project, CIP WW2005.

Attachments included:

- Amendment # 1

Suggested Motion:

Authorize the City Administrator to execute Amendment 1 to South Wastewater Treatment Plant preliminary design contract with George Butler & Associates for an addendum to the Anti-Degradation Report, in the amount of \$19,884.

**AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE
CITY OF GARDNER, KANSAS AND GEORGE BUTLER ASSOCIATES, INC.**

AMENDMENT No. 1

Date: September 16, 2020

THIS AMENDMENT modifies the Agreement dated August 3, 2020 made by and between **George Butler Associates, Inc.** (hereinafter called Consultant), and The City of Gardner Kansas (hereinafter called OWNER) for the following Project: **Preliminary Planning and Design for a New South Wastewater Treatment Plant, Project No. WW-2005.** For good and valuable consideration, the sufficiency of which is acknowledged, the parties agree to make the following changes to their Agreement.

1. The parties agree that the Consultant's Scope of Services is amended to add the following:

Consultant will assist the City with a response to the Kansas Department of Health and Environment (KDHE) which has requested an evaluation of two (2) additional alternatives evaluating the discharge of plant effluent flow to streams that do not flow to Hillsdale Lake. The response will be in the form of an addendum to the March 3, 2020 Antidegradation Review completed by HDR. The detailed scopes of services is included as Attachment A.

2. The following adjustments are made to the Consultant's compensation:

For the Scope of services, the Consultant's compensation shall be increased by \$19,884 to a total contract value of \$408,056.

3. Other changes to the Agreement, if any, are stated below:

None

4. The terms of this AMENDMENT supersede any contrary terms of the Agreement. This AMENDMENT will be deemed a part of, and be subject to, all other terms and conditions of the Agreement. Except as modified above, the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT the day and year first written above.

OWNER: City of Gardner, Kansas

Consultant: George Butler Associates, Inc.

By: _____

By: Gary S. Beck

Name: _____

Name: Gary S. Beck

Title: _____

Title: Vice President

Attest: _____

City Clerk:

Approved as to Form: _____

City Attorney:

Amendment No. 1

Scope of Services for Addendum to Antidegradation Review

The purpose of the proposed addendum is to add two (2) alternatives to those reviewed in the March 2020 Antidegradation Review completed by HDR. The alternatives were proposed by the Kansas Department of Health and Environment (KDHE) based on their review of the March 2020 Antidegradation Review and are necessary for KHDE approval of the document.

- A. The Engineer will evaluate force main alignments for pumping treated effluent from the proposed South Wastewater Treatment Plant (SWWTP) to Sweetwater Creek (considered Alternative 6) and to Wolf Creek (Alternative 7). The evaluation will consider conceptual crossings of Kansas Route 169, railroad crossing, length of force main, high points along the alignment, and the approximate final location of the outfall on Sweetwater Creek (which appears to be north of 215th Street) and on Wolf Creek (which appears to be at Renner Road). The review will use AIMS data as well as AIMS imagery.
- B. The Engineer will evaluate the required pumping capacity for the two alternatives using spreadsheets. The flow rate used for the evaluation will be based on updated intermediate phase and ultimate flow as determined for the Facility Plan.
- C. The Engineer will evaluate the conceptual design of an effluent pump station at the downstream end of the wastewater treatment plant. This will include an assumption of the number of pumps, sizing of the clear well, piping, valving, controls, backup power, etc. for the purposes of developing costs.
- D. The Engineer will develop opinions of probable project cost (OPPC) for the capital improvements associated with the conceptual layout of the pump station and each of the two alternative force main alignments. The OPPCs will include costs for land acquisition, engineering, and legal (as percentages), and the present worth cost of a 20-year bond.
- E. The Engineer will develop 20-year operation and maintenance (O&M) costs associated with the two alternatives including assumed power consumption based on flow rates based on growth projections.
- F. The Engineer will evaluate the capital cost savings for the wastewater treatment plant associated with the assumed less restrictive limits (Total Nitrogen of 8 mg/l and Total Phosphorus of 1 mg/l). The Engineer will assume a facility similar to the Kill Creek Water Resource Recovery Facility (WRRF) for the discharge to either Sweetwater Creek or Wolf Creek in lieu of more restrictive limits (Total Nitrogen of 3 mg/l and Total Phosphorus of 0.3 mg/l) as necessary for discharge to a tributary stream to Hillsdale Reservoir as described in HDR's Antidegradation Review.
- G. The Engineer will evaluate the O&M costs/savings for the wastewater treatment plant with less restrictive limits. O&M costs/savings will be based on flow rates based on growth projections and based on the O&M costs at the Kill Creek WRRF.

- H. The Engineer will develop draft addendum to the HDR Antidegradation Review. The draft will briefly include updates to Chapter 1 – Executive Summary; Chapter 2 – Background; Chapter 3 – Receiving Water Characterization; Chapter 4 – Analysis of Alternatives including Table 4-1; and potentially Chapter 6 – Conclusion.
- I. The Engineer will submit draft Addendum to City staff for review. Meet with City staff to discuss comments.
- J. The Engineer will update the Addendum and submit to KDHE for review and comment.
- K. The Engineer will meet with KDHE to discuss their comments on the Addendum. Develop meeting minutes and distribute to all attendees.
- L. The Engineer will revise and resubmit Final Addendum to City and KDHE.

Assumptions:

- This project will not require modeling of streams with respect to biology, eutrophication, total suspended solids, pH, TMDLs, nutrients, DO, E. coli, metals, salts, hazardous materials, etc.
- The addendum will not provide detail on the steps taken to develop Alternatives 6 and 7. Any detailed data required by KDHE will be additional services.
- Hydraulic modeling of the Alternative 6 and 7 force main alignments will not be performed as part of the spreadsheet analysis. Pump station and force main costs will be based on assumed capacities derived from the project area evaluation and linear feet of pipe required.
- The City will provide O&M cost data for the Kill Creek WRRF.
- The addendum will add to the HDR Antidegradation Review, but will not modify it. This includes the 5-MGD flow rates assumed for evaluating alternatives.
- The capital cost and O&M cost data in the HDR Antidegradation Review does not require validation.

Amendment 1
Antidegradation Review Addendum
Table 1 - Estimate of Engineering Fees

CLASSIFICATION	Water Environment Group										Struct. Assistance		Electr. Assistance		Arch. Assistance		Admin. Assistant	TOTAL HOURS	LABOR COST	VEHICLE MILEAGE	PROJECT EXPENSES	TOTAL COST
	Principal	Director of AES	Associate	Project Leader	Senior AES	Project AES	Staff AES	Specialist	Senior Technician	Senior Associate	Senior AES	Lead AES	Design AES	Principal	Project Leader							
HOURLY CHARGEOUT RATE	\$276	\$232	\$200	\$175	\$164	\$140	\$114	\$150	\$140	\$232	\$164	\$175	\$126	\$276	\$175	\$85						
XII. Addendum to HDR Antidegradation Review																						
A.	Evaluate alignment for pumping to Sweetwater Creek and Wolf Creek (Alternatives 6 and 7)				1	2		8										11	\$1,644		\$1,644	
B.	Evaluate force main profile for each alternative				1			4										9	\$1,392		\$1,392	
C.	Evaluate pump station concepts for each alternative				1		1	4										6	\$956		\$956	
D.	Evaluate pump station and force main construction costs				1		2	4										7	\$1,120		\$1,120	
E.	Evaluate long-term O&M costs associated with pump station						2	2										4	\$608		\$608	
F.	Evaluate treatment capital cost savings associated with lower limits				2		4	6										12	\$1,960		\$1,960	
G.	Evaluate treatment O&M costs savings associated with lower limits				2		6	6										14	\$2,288		\$2,288	
H.	Develop draft Addendum to Antidegradation Review			1	2	3	6	16		8								36	\$5,764		\$5,764	
I.	Submit draft Addendum to City and meet to discuss comments				1		1	4										6	\$956		\$956	
J.	Update Addendum and submit to KDHE				1		2	4										7	\$1,120		\$1,120	
K.	Meet with KDHE to discuss KDHE's comments				1		2	4										7	\$1,120		\$1,120	
L.	Revise and resubmit Addendum				1		1	4										6	\$956		\$956	
SUBTOTAL	1	13	3	0	28	60	0	20	0	0	0	0	0	0	0	0	0	125	\$19,884	0	\$0	\$19,884

COUNCIL ACTION FORM

CONSENT AGENDA ITEM NO. 4

MEETING DATE: SEPTEMBER 21, 2020

STAFF CONTACT: SHARON ROSE, CITY CLERK

Agenda Item: Consider approving the renewal of a Cereal Malt Beverage (CMB) license for the remainder of calendar year 2020

Strategic Priority: Business & Economic Development

Department: Administration

Staff Recommendation:

Approve the renewal of a Cereal Malt Beverage (CMB) license for the remainder of calendar year 2020.

Background/Description of Item:

The following business holds an expired CMB license, and has applied to renew their license to sell cereal malt beverages (CMB) in 2020:

Applicants requesting to renew their "General Retailer" license to sell cereal malt beverages for consumption on the premises:

- Planet Sub, 921 E. Lincoln Lane

The above applicant holds an expired CMB license.

Suggested Motion:

Approve the renewal of a Cereal Malt Beverage (CMB) license for the listed entity for the remainder of calendar year 2020.