

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

Page No. 2019 – 64

May 20, 2019

The City Council of the City of Gardner, Kansas met in regular session on May 20, 2019, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Council President Lee Moore presiding. Present were Councilmembers Mark Baldwin, Randy Gregorcyk, Rich Melton, and Todd Winters. 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; Interim Police Chief James Belcher; Deputy City Clerk Sharon Rose; and City Attorney Ryan Denk. Others present included those listed on the attached sign-in sheet and others who did not sign in. Mayor Steve Shute was absent.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Council President Lee Moore at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Council President Moore led those present in the Pledge of Allegiance.

PRESENTATIONS

1. Proclamation and certificates of recognition to Girl Scouts

Girl Scouts from Troop 539 earned the Silver award. They found a need to help foster kids in the area. The girls set up a bake sale to raise money for supplies to make blankets and fill backpacks. They raised \$400 at the bake sale, but they wanted to do more. They teamed up with a missions board at a local church. They collected blanket sheet sets and waterproof mattress pads. The girls found that they learned a lot about public speaking and they got to meet some of the kids they were helping. They made 135 blankets, collected 105 sheet sets, 100 waterproof mattress pads, 85 packages of underwear, and 15 backpacks with supplies. Not only did they collect for foster kids, but the church set up a "caring for kids" mission. Every April, they will be collection for the foster kids. This year, the girls are collecting hygiene kits between several troops within Gardner and Edgerton. So far, they have put together 40 hygiene kits.

Samantha Marcotte earned the Gold award. For her award, she redesigned the tech booth and projector shelf at her church. She started by going around the community to see what problems would be sustainable to solve and discovered that the tech booth needed to be redone because it was ineffective and an eyesore. It was a temporary solution that then became permanent over time. She met with the building & grounds committee at the church to discuss different solutions, then created a presentation for the church session. Once she received their approval, she began following her plan. She redesigned the projector shelf to make it parallel to the ground and supportive of two projectors. Then she used recycled materials to create a unique and minimalistic tech booth that would be easy to take apart and reassemble. It was also raised so it would add leg room. She added monitor stands and an equipment rack. After completing her project, she met again with the building & grounds committee and the users of the tech room and asked them if it met all of their needs and it did. She learned many skills throughout this project that she will be able to use throughout her future.

2. Census 2020

Steve Hale, 30000 W. 159th Street, Mr. Hale gave a brief overview of the census and what it means to Gardner and what his role is with the state of Kansas. The census is mandated by the constitution. It started in 1790. The constitution requires that they count every person living in the US. That count is used in a variety of ways. It determines districting lines for representatives and the Electoral College. The number one reason the census is so important for so many communities is money. There's \$800 billion the government gives out for 55 state oriented programs, and about \$8 billion comes back to Kansas. Those dollars go to the highway

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funds, headstart programs, social programs, Medicare/Medicaid. This census will be different than previous census for many reasons. In the past, it's been pencil and paper process, but this year, 95% of the households in the country will be invited via a mailing to fill out their census data online. This is cost efficient. The Census Bureau, part of the Department of Commerce, has had the budget depleted. This allows the Census Bureau to track how cities and communities are responding in real-time, so they'll know if there are areas where people aren't turning out and they can make a push in those areas. But the online aspect does come with concerns. We are in the age of social media and there's concern about confidentiality and security. The census responses are encrypted and tested and retested. The bureau is assured that they are completely safe and all of the information that goes to the Census Bureau is kept strictly confidential. It's not distributed to any other agencies. Because of those concerns and a distrust for government, the bureau has challenges ahead.

Mr. Hale's role as a Partnership Specialist with Kansas, right now there are four, is to talk to communities about forming Complete Count committees or becoming partners in the census. This way, the word about the census and getting the communities to respond comes from the trusted voices of the community instead of the government agency. He has traveled to several communities in Kansas, and in each of these communities, he's been embraced to help count because they understand that this is all about getting funding for a lot of programs. There's also an economic development aspect to the census numbers. Restaurant franchises and chains look at census numbers before they come into a community.

In southwest Kansas, there are very rich and deep ethnic communities. There's concern about getting those people counted, but that's where there is a lot of suspicion taking place.

Kansas has formed a statewide Complete Count committee. Other states have put a lot of budget monies toward the census count, but Kansas has no budget for the census. Gov. Kelly is dispatching various department heads to be a part of this committee, and has appointed co-chairs. They will bring other people into the group so there's a statewide effort. The League of Kansas Municipalities is also very engaged in this process. They received a \$519,000 grant from the Kansas Health Foundation to be distributed to cities who request that money. They are in the process of determining what the parameters are, where the money will be going, and how cities will qualify for those funds.

There is a Complete Count committee in Johnson County, and the City of Gardner would be very welcome to attend. But the city may consider starting their own Complete Count committee where they bring people together that would have an interest in this census and are trusted voices in Gardner. They could go out and spread the word about the census and how important it is. Gardner has two hard-to-count tracts, which is rare in Johnson County. Both tracts are south of 56 Highway and are on both sides of Gardner Rd. These are considered hard-to-count based on how they performed in 2010 and other demographics based on income and education levels and other criteria the Census Bureau has surveyed over the years.

Mr. Hale is our local representative if the city wants to start on such an effort of a complete count. As a resident and wants to make sure Gardner gets a complete count. The Census Bureau wants to ensure our citizens that the census is safe, easy, and important. Mr. Hale requests that the city consider a partnership role to help get out the message.

Councilman Moore - I live in hard-to-count tract. Is there more specific information on what makes it hard to count? Mr. Hale referenced the census website and a Response Outreach Area Map (ROAM). He didn't find any reason why they were hard to count, as they don't fit the mold. Most hard-to-count areas have a higher minority group, fewer high school educated people, but these tracts don't. 22 and 23 percent were non responsive in the census, and expectations are that they will remain hard to count. South of 56 Highway there is the mobile home park and duplexes, maybe that's why it's hard to count.

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There are a lot of job opportunities with the census. They will be hiring census address canvassers to ensure that every address is confirmed. They will hire census takers who will go to the houses of those addresses who do not respond online or by phone. They are hiring several hundred in Johnson County.

PUBLIC COMMENTS

CONSENT AGENDA

1. **Standing approval of the minutes as written for the regular meeting on May 6, 2019**
2. **Standing approval of City expenditures prepared May 3, 2019, in the amount of \$250,000.16; May 8, 2019, in the amount of 1,222,234.31; May 10, 2019, in the amount of \$189,454.70.**
3. **Consider authorizing the execution of a Pole Attachment Agreement with Charter Communications**
4. **Consider authorizing an agreement for professional engineering services for the Design and Preparation of Construction Plans and Specifications for the Gardner Lake Dam Spillway**
5. **Consider Position Title Changes in the Utilities Department**
6. **Consider Extending the outgoing Planning Commission members' terms of office for 60 days**

Councilmember Gregorcyk made a motion to approve Consent Agenda item

Councilmember Melton Seconded.

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

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

1. **Consider appointing Sharon Rose as City of Gardner Interim City Clerk and administer the Oath of Office**

Councilmember Melton made a motion to appoint Sharon Rose as City of Gardner Interim City Clerk.

Councilmember Gregorcyk Seconded.

Council President Moore administered the Oath of Office

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

2. **Consider adopting a resolution authorizing the issuance and delivery of \$3,725,000 principal amount of General Obligation Temporary Notes, Series 2019A, of the City of Gardner, Kansas, for the purpose of temporarily financing the cost of certain internal improvements of the City**

Bruce Kimmel, Elhers, and Tyler Ellsworth from Kutak Rock presented information regarding the bond sale. Mr. Kimmel shared the Sale Day reports for the issue of notes and the issue of bonds, as well as updated the council on the city's credit rating report. The city is issuing this series of 2019A temporary notes to finance

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public improvements for Tuscan Farms special benefit district. The city went to market with an offering of \$3,820,000 today, and as seen in the Sale Day report, they were able to reduce the final amount of this note issue by \$95,000 down to \$3,725,000. This is what the actual resolution before council reflects. Mr. Kimmel received four bids on behalf of the City of Gardner with Country Club Bank winning. All the bids were relatively close, although there is a nice gap between Country Club and Oppenheimer. One item of note, the true interest cost was 1.83%, but advisors estimated 2.8%. They estimate high to avoid unpleasant surprises but this was a great result beyond what they expected. The market has improved since council authorized this bond issue in April. Whenever there's volatility or turmoil or uncertainty about economics, people flee to safety of municipal bonds. With the City of Gardner's strong track record in the market, even with this short-term issue only going out a little over three years, it worked out very well. Mr. Kimmel notes the reason they were able to reduce this amount by \$95,000 was because of with this much better interest rate, the city needs a lot less capitalized interest to pay the interest payments during construction of the public infrastructure. The cost of issuance and the underwriters discount also came in much lower than expected. It was a very strong result on 'A' notes.

Mr. Kimmel moved on to the 2019 B bonds for definitive or permanent financing for improvements to the city's wastewater system, specifically to a lift station and storage tank. Advisors went to market with \$2,020,000 and were able to reduce it by \$50,000 to a final amount of \$1,970,000. This bond issue attracted bids. Country Club Bank won this as well. Mr. Kimmel guess that Country Club Bank has community banks in its networks that were attracted to this because of the bank qualified status of the bonds. Referencing the bid tabulation, Country Club had a winning rate of 1.9958% for nine year bonds. The worst bid was 2.17%, which is still very good. This was very aggressive bidding. As the council has had in other bond issues, the national scope of bidding, or at least the Midwestern scope of bidding, there are a lot of banks that are interested in buying Kansas paper, especially highly rated paper like Gardner's. Mr. Kimmel also notes that the city is paying bond back with utility revenues. Because of the better interest rates, the city's overall debt service on this will be about \$100,000 less over the nine-year period than what was projected.

With no questions, Mr. Kimmel continued to share an update on the city's credit rating. He wanted the council to know that Matt Wolff and Nancy Torneden are fantastic at preparing for ratings calls, pulling together all the materials necessary to be fully informed, and making sure the rating analyst in Texas had everything she needed. They followed up with question and helped in clarifying things in the report. They make Mr. Kimmel's job as the city's representative and advocate very easy. This rating affirmation of your AA- rating was a slam dunk from the beginning.

Mr. Kimmel has talked about how the S&P uses standard adjectives like very strong, strong, adequate, weak, and very weak. They fit in these small boxes. Because of the growth in the city's tax base from last year to this year, the city's debt load has improved from very weak to weak. With the rating criteria, the things that staff can really control are the ones that make the out-sized difference. Kimmel showed how S&P puts these reports together to give the council a sense of what really matters. How they measure the economy accounts for 30% of the rating, and they say 'adequate' economy. Adequate is a good stable base to work from. Financial management is a full 20% of the rating. The policies, procedures, the good financial practices the city has accounts for 20% of the rating and they call the city's financial management 'strong'. They say 'weak' budgetary performance, but that solely because the city budgets for deficits to keep its fund balances at reasonable levels. The city always outperforms that because it budgets conservatively. The city under budgets for revenues and over budgets for expenditures, so they technically say that's 'weak', but the report also states this is intentional, not because of any misstates or unforeseen circumstances. So budgetary performance is 10%. Right after that, the report shows 'very strong' budget flexibility, which is also 10%. Those budget items cancel each other out and when there's a tie-breaker, budgetary flexibility – having a fund balance that accessible in case of emergency – is more powerful for rating purposes. The report shows 'very strong' liquidity, which is also 10% and debt profile is also 10%. They give credit for how quickly the city pays off debt. The city pays off over 72% within 10 years, so it does have a fair amount of debt but the city is paying it off. This bond issue is an example of that. The last 10% is institutional framework. This looks at the overall Midwestern economy, the state of Kansas' financial performance, etc.

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Mr. Kimmel spent more time on that than normal because he believes a lot of credit goes to the council and staff for financial management, keeping these strong fund balances, having liquidity on hand, these are all the things that drive the majority of your rating. Being in the AA category is very important. It gets the city a whole other class of investors willing and able to buy AA paper as opposed to A-rated paper. The advisors make sure if there's anything that could potentially threaten that rating, they will work with city staff to address it.

Councilman Winters stated that in the past, the city has refinanced some bonds. Are there any in the future that they might be looking at? Mr. Kimmel stated that yes, he's been talking with Finance Director Matthew Wolff about bonds that are currently cullable and some that will be this fall. Most likely, they will be teeing up a couple of small refinancings, not huge dollars, but every bit helps. Those do look like they are in the money for refinancing savings, and it makes sense to bundle those with the new projects the city will have at the end of the construction season. Mr. Kimmel thanked the council members for the opportunity to work with the city.

Tyler Ellsworth stated the three agenda items the council is considering tonight are fairly straightforward. Each item requires a separate motion and separate vote. Agenda item 2 is the resolution authorizing \$3,725,000 in temporary notes. Agenda items 3 and 4 have to do with the bond issue and that's the issuance of what is now \$1,970,000 in geo bonds. The reason that notes only requires resolution and bonds requires an ordinance and a resolution is just differences in the statutes authorizing each of those different types of debt.

Councilmember Moore offered his thanks to Mr. Kimmel and Mr. Ellsworth on their work on these issues.

Councilmember Winters made a motion to adopt Resolution No. 2022 authorizing the issuance and delivery the form and details of and authorizing the delivery of \$3,725,000 principal amount of General Obligation Temporary Notes, Series 2019A, of the City of Gardner, Kansas, for the purpose of temporarily financing the cost of certain internal improvements of the City

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2022

Moore:	Yes
Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes

3. Consider adopting an ordinance authorizing the issuance and delivery of \$1,970,000 principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due

Councilmember Gregorcyk made a motion to adopt Ordinance No. 2615 authorizing the issuance and delivery of \$1,970,000 principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2615

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Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes
Moore:	Yes

4. Consider adopting a resolution prescribing the form and details of and authorizing the delivery of \$1,970,000 principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas, previously authorized by an ordinance of the City

Councilmember Winters made a motion to adopt Resolution No. 2023 prescribing the form and details of and authorizing the delivery of \$1,970,000 principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas, previously authorized by an ordinance of the City.

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2023

Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes
Moore:	Yes
Winters:	Yes

5. Consider adopting a resolution revising a section of the Personnel Policy Manual, 2018 Edition

Human Resources Manager Alan Abramovitz was approached by then-interim City Administrator Laura Gourley who said she had a question from one of the council members about the rules for a city employee to allow or not allow them to have a political sign in their supporting someone running for City Council. It was suggested that staff contact the city's employee relations attorney, Karen Glickstein, for input. If the governing body would allow employees to display signs in their yards, they would have to amend personnel policy. To clarify, employees could not wear any kind of pins or anything while on duty, and could not have bumper stickers on their car and parked in the city's parking lot, but if they want to display a sign in their yard it would be acceptable.

Councilman Baldwin asked if anyone brought up clothing. This doesn't say clothing specifically, so what if they have a campaign shirt – the policy change talks about badges or buttons, but not a shirt. Baldwin thinks this would fall under the same vein and would encourage putting clothing into the revised policy. City Attorney Denk believes the clarification is okay to add. Councilman Baldwin thinks someone could get into the wordings and think displaying badges or signs is okay, if they don't have it on something. Councilman Moore believes the policy covers it, "wearing or displaying". Councilman Baldwin responded that it's wearing or displaying the rest of it, the badges or buttons or signs. Councilman Moore said the sign on a t-shirt is still a sign on a t-shirt, or an emblem or a badge on a shirt is the same thing. Councilman Baldwin said since the policy specifically spells out a badge and a button then a shirt isn't covered. Councilman Melton said it doesn't hurt to put it in the policy; it won't cost the city anything. Councilman Moore doesn't believe it's necessary, but will go with it. He believes it's covered already, because if an employee wears a shirt with a political message on it, that's covered under signs.

Mr. Abramovitz asked what would be the consensus. Councilman Melton said “apparel” because that covers everything.

Councilmember Baldwin made a motion to adopt Resolution No. 2024 revising Section 2-104.8 of Personnel Policy Manual, 2018 Edition, with added wording.

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2024

Gregorcyk:	Yes
Melton:	Yes
Moore:	Yes
Winters:	Yes
Baldwin	Yes

6. Consider adopting a resolution revising the Municipal Water Conservation Plan for the City of Gardner.

Utilities Director Gonzalo Garcia said the next two items are related, but any changes to the Water Conservation Plan has to be approved through a resolution and changes to the Water Conservation Policy has to be approved through an ordinance. While they are two separate items, one is incorporating the other. Last year, the city had some water restrictions implemented and staff was directed to review the water conservation policy. Director Garcia presented some history on the policy and proposed new changes to the city’s Municipal Code 13.10.140. Director Garcia proposed a change that would remove the Mayor and Public Works Director and would add the City Administrator and Utilities Director as those personnel who can declare a voluntary “water watch”. The reason for this is to empower the City Administrator and Utilities Director to take immediate actions to comply with the resolution. Another proposed change would remove the Mayor and Public Works Director and would add the City Administrator and Utilities Director as those personnel who can declare a mandatory “water supply warning”. And the third change proposed would remove the Mayor and Public Works Director and would add the City Administrator and Utilities Director as those personnel charged with implementation and enforcement of a water emergency with regard to violations, disconnections, and penalties.

Councilman Gregorcyk asked if this policy change aligns with other cities similar in size with respect to the mayor taken out of the equation. Director Garcia said most cities have the mayor OR city administrator, so his change is more than what’s needed.

Councilman Baldwin referenced paragraph K where right after the proposed change, the text reads “or other city official”. Who is that referring to specifically? City Attorney Denk reviewed the text. Councilman Moore asked if that might be an interim. Denk said yes, but the language he’d rather see is “or their designees” rather than other city official. That way there is a specific designation or delegation if they are unavailable. Director Garcia said the intent is a city official, but the suggestion of a designee makes sense and would make it clear. Councilman Moore asked if the designee is added, is the other text after that needed, because “city official or officials charged with implementation or enforcement is given if you say “designee”. Councilman Baldwin said at least this way, the designee has restrictions as to who that designee can be and what they can do. Councilman Gregorcyk suggested removing “other city official” and adding “designee” and leaving the other text as is. Denk offered instead of “other city official”, replace with “City Administrator or Utilities Director or their designee”. Councilman Moore asked if everyone was in agreement with those amendments.

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Director Garcia reminded council that the water conservation plan is what goes into the water conservation policy, and that one requires an ordinance and one requires a resolution. Garcia summarized the changes to the Water Conservation Plan. The proposed target per capita water use is 100 gallons per day, based on the City's 2018 per capita day water use of 81 gallons as derived from Kansas Water Office data. The plan also establishes water conservation practices which include an educational component, management component, and a regulatory component. The educational component includes outreach through the city's newsletter, website and various social media platforms, and displays at City Hall. The management component includes the residential water rates that go into effect January 1, 2020, the implementation of a smart-meter system to measure real-time water usage, and the evaluation of drought-tolerant landscapes in future development projects. On the plan establishing a drought emergency contingency, the management actions and regulations remained the same except for lawn water restrictions are based on two zones: north and south of Main St. Previously the plan was even and odd address numbers. The plan also allows that violators may be prosecuted in Municipal Court. This is part of the policy, but was not previously included in the plan. Now if someone reads the plan they will have that information.

Councilmember Gregorcyk inquired about Ordinance 2616, section B under Classes of Uses of Water shall be established as follows, Section 2. Is New Century under Class 2? Class 2 is used for any commercial or industrial, including agricultural purposes. Garcia confirmed that New Century is considered Class 2.

Councilmember Melton made a motion to adopt Resolution No. 2025 adopting an updated Municipal Water Conservation Plan for the City of Gardner

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2025

Melton:	Yes
Moore:	Yes
Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes

7. Consider adopting an ordinance revising the Water Conservation Policy for the City of Gardner

Councilmember Gregorcyk made a motion to adopt Ordinance No. 2616 revising Title 13, Utilities, Chapter 10.140 Conservation Policy – Fee – Penalties of the Gardner Municipal Code

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2616

Moore:	Yes
Winters:	Yes
Baldwin	Yes
Gregorcyk:	Yes
Melton:	Yes

COUNCIL UPDATES

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Business & Economic Development Director Larry Powell – The ribbon cutting at Excelligence was held today, which some council members were able to attend. It's a great project that this and past administrations worked hard to obtain. Hampton Inn has been issued their completed CO. They still have some conditions to finalize, but those are landscaping items or are very minor, not health or safety issues. They should be open for business shortly. Back to Excelligence – Director Powell wanted to thank the fire department for being instrumental in the review process for that facility, as well as Hampton Inn. Without their assistance, it would have been a lot harder to have completed those two projects. Staff wishes extend their thanks to JoCo Fire Dist #1 for their participation and review of all of the city's commercial projects. The parklet is back in place and the shade is on it. It's available for the community to use. Staff has started the phase 2 process for the downtown renovations. There is a steering committee in place to review some items. There is a food truck event coming on Friday, hosted by the Gardner Edgerton Chamber of Commerce. Staff and its consultants will have a survey to help decide how some of the improvements to downtown can be made, both at the food truck event and at the parklet. Staff is hoping to move people between the two areas to participate, and encourage the public to attend.

City Administrator James Pruetting – Steve Hale mentioned a few things, is there interest from the council on a complete count committee? Is that something city staff should explore? It would mean putting it together and coordinating volunteers. If there's grand funding available, we could pursue. Is council supportive of the general idea of a count committee and whether staff would be in charge of putting that together? Councilmembers responded affirmatively. Councilman Gregorcyk asked to explore how they can incorporate the school district. They will see positive outcomes from those grants and allocations of funds. Councilman Melton agreed that staff should partner with superintendent. Councilman Baldwin would like to see if staff or community directors are spearheading it, and would appreciate if they got a lot of volunteers to be the manpower of it, not just the rest of city staff and school district staff unless they want to volunteer on their own time.

Councilman Moore – Reminder that Memorial Day weekend coming up. As a veteran, he sees every year people thank him for his service. Because of the opportunity with the microphone, he asks that people don't thank him for his service on Memorial Day. Don't thank any veteran for his service on Memorial Day. Memorial Day is for the fallen. Some veterans left people behind and carry some guilt around that. To be thanked on the day we're supposed to be remembering fallen comrades is painful. Moore shared that it's always nice to be thanked for his service except on Memorial Day. That day is all about those that didn't make it back. Memorial Day came to be as a result of the Civil War, where it was brother on brother killing each other. Families got together on certain days of the year in the wake of that war to remember their fallen. This is how it began. Three o'clock local time, no matter where you are in the world, that's the time to take a moment and remember. Remember that freedom is not absolutely free.

Councilman Baldwin – Thanks to the Girl Scouts for their presentation and their volunteer efforts. The star award projects are great in the sense that they aren't one-time events. There's a future benefit to others. State of the City address – a few of the things he requested staff look into made it into the Mayor's program, and we can make those projects go forward.

Councilman Winters – The Excelligence opening this morning was very nice. It made Gardner look great. There were a lot of dignitaries there. Rich did a fine job filling in for the mayor.

Councilman Gregorcyk – echo Winters comments. Rich did a fine job for the ribbon cutting. Excelligence employs over 200 people, and would say at least 15% of those live in Gardner. It's a top of the line technological savvy distribution center that supports from Kindergarten all the way through college. There were some great dignitaries and board members and investor. Well done. Then he wanted to follow up with the video shared at the intersection of Mulberry and 183rd. What is the status of a crosswalk from Mulberry and Sycamore intersecting 183rd St? Public Works Director Kramer said staff is working on a scope and fees with engineering firms. Staff hopes to wrap that up and either bring back to council or possibly move it forward under city administrator authority. Gregorcyk stated the sooner the better. It's now summer and kids are going to be crossing the

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intersection to go to the pool, the park, friends' houses. He wants to keep the whole community safe, but in particular the children, which is our greatest asset.

Councilman Melton – thanks to Parks & Recreation Director Bruce for the update on the pool. Did staff send anything out citywide about the pool? Director Bruce stated that staff is going to send out information about the opening this weekend. Melton was glad they found the problem. The city lost a lot of water last year. Hopefully that was the last one. Melton thanks staff for their work on the State of the City. It was a fantastic presentation and it showcased the conference center as an amazing space. Melton got to speak at Excelligence today. He did not know much about it until today when he started talking to everyone there. There were 9 different facilities that were consolidated around the world into this one in Gardner. It's amazing what they do there. It was quite a tour just to see how they do things there. This was a project Gardner won against cities all over the country. It wasn't just going to be in KC, they were talking with a lot of other cities, cities that he is surprised didn't try harder, but Gardner is very fortunate to have Excelligence. Thank you for coming to town. Melton credited Director Powell and his staff. Melton understood that Powell and his team made it so easy, which is not what the council always hears.

Councilman Baldwin – In the consent agenda, council extended the Planning Commission member terms by two months, so he encourages anyone in town to apply if they would like to be on the Commission or any other committees. They need those positions filled sooner rather than later so they can keep business going. City Administrator Pruetting was going to address that tonight with the mayor. Staff needs to assemble the interview team and address the airport board and some other commissions. Staff will talk when the mayor returns and begin working on that.

Councilman Moore – Kudos to Finance Director Wolff and his hard work on bond sale. The city is very lucky to have talent like that working for the city. He's glad to see Laura Gourley's legacy is not lost. One last bit of Memorial Day trivia – the weather is not going to be good, and Moore shared something he learned in the military. It's a phrase that helps him all the time – “embrace the suck”. It's going to be wet and soggy, and oh well, we'll get by.

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 08:20 p.m.

City Clerk

City of Gardner, KS

Council Actions

May 20, 2019

The City Council took the following actions at the May 20, 2019, meeting:

1. Approved the minutes as written for the regular meeting on May 6, 2019 (Passed unanimously)
2. Approved City expenditures prepared May 3, 2019, in the amount of \$250,000.16; May 8, 2019, in the amount of 1,222,234.31; May 10, 2019, in the amount of \$189,454.70. (Passed unanimously)
3. Authorized the City Administrator to execute a Pole Attachment Agreement with Charter Communications (Passed unanimously)
4. Authorized an agreement for professional engineering services for the Design and Preparation of Construction Plans and Specifications for the Gardner Lake Dam Spillway (Passed unanimously)
5. Approved Position Title Changes in the Utilities Department (Passed unanimously)
6. Extended the outgoing Planning Commission members' terms of office for 60 days (Passed unanimously)
7. Appointed Sharon Rose as the City of Gardner Interim City Clerk and administered the Oath of Office (Passed unanimously)
8. Adopted Resolution No. 2022 authorizing the issuance and delivery the form and details of and authorizing the delivery of \$[3,725,000] principal amount of General Obligation Temporary Notes, Series 2019A, of the City of Gardner, Kansas, for the purpose of temporarily financing the cost of certain internal improvements of the City (Passed unanimously)
9. Adopted Ordinance No. 2615 authorizing the issuance and delivery of \$[2,020,189] principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due (Passed unanimously)
10. Adopt Resolution No. 2023 prescribing the form and details of and authorizing the delivery of \$[2,020,189] principal amount of General Obligation Bonds, Series 2019B, of the City of Gardner, Kansas, previously authorized by an ordinance of the City (Passed unanimously)
11. Adopted Resolution 2024 revising Section 2-104.8 of the Personnel Policy Manual, 2018 Edition (Passed unanimously)
12. Adopted Resolution No. 2025 adopting an updated Municipal Water Conservation Plan for the City of Gardner (Passed unanimously)
13. Adopted Ordinance No. 2616 revising Title 13, Utilities, Chapter 10.140 Conservation Policy – Fee – Penalties of the Gardner Municipal Code (Passed unanimously)