

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

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May 4, 2020

The City Council of the City of Gardner, Kansas met in regular session on May 4, 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; Business & Economic Development Director Larry Powell; Police Chief James Belcher; Utilities Director Gonzalo Garcia; Public Works Director Michael Kramer; Finance Director Matthew Wolff; Parks and Recreation Director Jason Bruce; Human Resources Manager Alan Abramovitz; City Attorney Ryan Denk; and City Clerk Sharon Rose. Others present included those listed on the attached sign-in sheet and others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Shute at 7:02 p.m.

PLEDGE OF ALLEGIANCE

Mayor Shute led those present in the Pledge of Allegiance.

PRESENTATIONS

1. Mayor’s Commendation “Spirit of Gardner” Award recognizing Kerry Hamel

Mayor Shute presented Kerry Hamel with a “Spirit of Gardner” award for her efforts in community positivity in organizing parades to celebrate birthdays and other important events during this difficult time.

2. Proclaim May 3-9, 2020 as “Drinking Water Week” in the City of Gardner

Mayor Shute read into record a proclamation for May 3-9, 2020 to be “Drinking Water Week” in the City of Gardner, Kansas

Mayor Shute called for a recess, for a community parade taking place in front of City Hall in honor of Kerry Hamel, at 7:07pm for 10 minutes. Councilmember Gregorcyk made a motion to recess until 7:17pm.

Councilmember Baldwin Seconded.

Mayor Shute called the meeting back to order at 7:17pm.

3. Proclaim May 10-16, 2020 as “Police Week” in the City of Gardner

Mayor Shute read into record a proclamation for May 10-16, 2020 to be “Police Week” in the City of Gardner, Kansas.

Chief Belcher is honored to have the support of community and governing body. Thoughts and prayers are with Overland Park PD for the loss of an officer in the line of duty. Gardner PD is providing officer support to them during this time.

4. Gardner Destination Downtown Plan ([video here](#))

Business and Economic Director Larry Powell presented a culmination of the second grant received for the Gardner Main Street Corridor Plan. This is the beginning of the implementation phase, if council later approves the Planning Commission recommendation to adopt it as part of the comprehensive plan. The next steps would be to take the findings from the first and second plans and put them into the CIP and CIE plans so they can become long term funding designated items. In April of 2018, the governing body approved the Comprehensive Plan amendments to incorporate the Gardner Main Street Corridor plan and Gardner Main Street Market Analysis. This was largely funded through a grant from Mid-America Regional Council (MARC). The plan provides specific policy guidance for the entire Main Street Corridor. Powell shared a video recapping what was done in the first grant. The Main Street Corridor Plan focuses on the big picture and crafting a vision that integrates transportation, land use, and the environment while engaging the community in a collaborative dialogue. The *Gardner Destination Downtown Plan* is the second level of planning in the Planning Sustainable Places program, and was largely funded through that program. It focuses on project development and implementation activities for an 8-block area of Downtown, including Cornerstone Park. This plan ensures that implementation projects can move closer to readiness for

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preliminary engineering. The premise behind both projects is to build on the role of the corridor as a major vehicular transportation thoroughfare and facilitate its evolution to support multi-modal transportation options and vibrant public spaces that are attractive for redevelopment and revitalization efforts. Public engagement began with an all-day tour of civic spaces and market facilities in six locations around the metro. The project team spoke with residents at events in town. Residents were engaged through an online survey. Two public meetings were held. The steering committee from the Main Street Corridor Plan stayed on to lead the Downtown Destination Plan. Committee members and city staff participated in a Walk 'n Roll to identify barriers to access and mobility and discuss opportunities for improvement. The consulting team of both of these plans was led by architectural firm, Confluence. They were assisted by Collins Noteis & Associates, who specialize in planning, economic development and governmental affairs, and Wilson & Co., who specialize in transportation and engineering. The MARC grants were transportation grant funds, so the plans centered on transportation; i.e. busing, bike paths, walking paths, alternate forms of transportation besides using a car. Director Powell then turned the presentation over.

The city's consultant team, represented by Terry Berkbuegler with Confluence, shared the Gardner Destination Downtown Plan. The project focuses on two areas; the streetscape design and the creation of public green spaces. A key goal that came from the original Main Street Corridor Plan was to create a heart of the city. Berkbuegler continued, sharing renderings for the 8-block streetscape, from Center Street to Sycamore and north to Washington and south to Warren. The plan has been divided into three categories: primary streets, secondary, and tertiary streets. Based on the Walk 'n Roll, their concept replaces all the sidewalks along Main to address the non-accessible entries to the shops. Main Street doesn't feel comfortable as a pedestrian because of the traffic, large trucks and noise. In the 2014 comprehensive plan, the idea of a median on Main Street was introduced. That carried forward to the plan. Wilson & Co is translating with KDOT about that as an acceptable solution. Visually narrowing a corridor inherently slows the traffic better than speed limits or stop signs. Berkbuegler showed a rendering of Shawnee Street, as a secondary street. They illustrated a yellow roof market structure behind City Hall, with a road table for pedestrians to cross from the market over to new green space to the north. He then showed a rendering of a tertiary street, Sycamore, calling out 5-foot sidewalks, a turf strip in between the curb and sidewalk for trees for buffer.

Berkbuegler continued, stating they had concepts early on they asked for input on an appropriate design motif for the area, and a majority chose a square design aesthetic with brick accents at the corners, medians, bulb-outs all accented with brick pavers. The vertical monuments, also brick, are placed on two corners to identify the area. Brick was chosen because it's a predominant element of the architecture of the area. The city could incorporate limestone as well.

Berkbuegler communicated an illustration of a mobility hub, a place where multiple modes of transportation can be served. If the city had a bike/scooter share program, that could be housed here. ATA Ride KC has announced it will no longer go south from the Gardner stop, so this would be a good place for a turn-around as a terminus for their line. Their input led to placing this at the corner of Park and Center. They will need to partnership with the property owner, but much can be accommodated within the right-of-way. The city could brand the shelter for the stop.

Berkbuegler shared the downtown master plan, stating it will be market-driven. There will need to be adequate parking, as this is a car-centric community. West of City Hall, there's a residential/mixed-use infill opportunity. Then the public market just behind City Hall to the north. There is green space between the church and restaurant. There was discussion on redesigning Cornerstone Park. The public market is similar to Overland Park or Independence. During the day, it's parking for City Hall and the library, but when the market is open, shoppers walk down the center. This would require a relocation and partnership of the group home behind City Hall, in order to allow for the same amount of parking that is current today, by shifting it to the west to make room for the market. This would provide a plaza space near the library. The library is interested in a partnership. It would allow more space for them to enhance their outdoor programming opportunities. There can be a two-story mixed-use office infill at old bank building on the corner of Center & Main, then moving north along Center, a residential multi-tenant building. Councilmember Melton asked about the residential, and noted there was no parking illustrated for that or the office space. Berkbuegler said there would be street parking and potential for stacked parking or podium construction with the residential building with parking on the first level and units built above. Councilmember Baldwin asked about the outdoor area on the west side of City Hall to the mixed-use infill. How much sunlight would be available

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throughout the day? Berkbuegler hasn't done a shade study, but believes it to be a sunny area. There won't be a lot of shade coming off City Hall late in the day, and whatever goes on that corner will take that into account. He continued with a view of the other side of City Hall, discussing that they could choose more paving and less landscape. The concept is there, but the design needs to balance it. Their concept leaves room for more landscape or tree shade. He illustrated the next slide, showing a spine or connector. There is a diagonal connector that leads from Main/Plaza area (alley east of City Hall) towards Cornerstone Park. There's also a concept that creates a north-south axis coming out of City Hall, through the Market, then north through the green space. The two are merged together. There is a garden space near the library that can be used for learning opportunities as well as shade for people. Councilmember Melton asked how many parking spaces are lost behind city hall/library? Berkbuegler said none were lost, they were shifted to the west, repositioning the parking. It's been the goal to not lose any parking with improvements downtown.

Berkbuegler shared an image illustrating a multi-purpose community building in Cornerstone Park. It's modeled off the uptown market area in Independence. They have two shed structures adjacent to each other, but one has garage doors so it's flexible. The idea was popular with citizens involved. It's been an on-going discussion that there needs to be more rentable space in Gardner. This would be a free-span structure with garage doors that could open. The fair could use it in partnership. It rethinks how the park is designed, creating park lawn space as well the city can expand on activities that have yet to be programmed, but also have an indoor rentable space that people can spill onto the lawn outside. An image illustrating a different angle shows a large untouched green space south of Washington Street, the church property. They have been included and on-board with this process, only requesting that the design stay west of power poles on the property. The sidewalk lands just west of those poles. There's amphitheater lawn space illustrated west of that and upgraded playground water features for kids, taking the amphitheater component and turning Cornerstone into a multi-purpose building and accenting the aquatic facility. The amphitheater lawn area holds hundreds of people for events. The final programming will drive the final design. It's very flexible. He then showed illustrations of Cornerstone Park with a water feature and redesigned playground and additional pavilions for rental and finally the multi-purpose building.

Berkbuegler wrapped up with some discussion about implementation broken down in three key areas. They can be done in any order and are interchangeable. The consultants did not put a timeline or prioritize which one should be first. MOUs and property acquisition will take place first. Implementing one piece could drive developers' interests more than another, because this is going to be market-driven. The streetscape element has been broken down into the nine blocks as project parts. People that bring businesses here are looking for experiential space, a place they fit and that has a higher purpose. That's what this space can be. They also look for what the city is doing to invest in that property.

Berkbuegler closed out with examples of funding opportunities. He said the community is engaged, and he enjoyed working with them. Councilmember Baldwin asked about the downtown brick accents. Where the sidewalk transitions brick and down into the roadway, will that be an ongoing concern for mobility? As the brick settles, freeze/thaw, will there be an issue with it not being a solid surface? Berkbuegler said it's a small area and not an issue. It would be a concern if it was the entire sidewalk. That's where there are settling issues. In his experience, the accent is a better, more durable approach. He thanked the council for their time.

5. 2021-2022 Budget Requests

Finance Director Matthew Wolff said this is for 2021-2022 budget requests from the Chamber of Commerce and the SWJCEDC. Earlier this year, council approved funding of \$40,000 for the Chamber and \$90,000 for the EDC. Staff had concerns about transient guest tax trending well below projections. Staff has continued to monitor and they continue to come in below expectations. Transient guest tax revenues lag; what the city received in March was actually for receipts that happened two months prior. The city is well behind in projections and that doesn't take COVID-19 into account. Wolff does not expect to receive much revenue for the rest of the year. He communicated with both entities to help frame their budget requests going forward. For 2021-2022, the Chamber has held their funding request steady at \$40,000 each year for core services, they are not asking for any CVB. The EDC is similarly asking for continued funding at \$90,000 each year. With the health of the Economic Development fund, staff believes they can accommodate the requests.

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Councilmember Winters clarified they are forgoing CVB at this time. Director Wolff confirmed for now, they can review again for 2022 and review revenues. Winters said it's important to support the entities as much as we can. They are struggling with membership and the current events. They are important in rebuilding. Councilmember Melton said there would be opportunities presented that they will be at the forefront of that other cities aren't going to see. Shute noted that transient guest tax will take a hit, but sales tax and property tax should hold steady. Gardner is not seeing the same devastation as other communities. Wolff said they haven't seen any data for that yet, as it lags as well. They won't know the impact on sales tax until June. City sales tax is somewhat insulated, much of it comes from Price Chopper and Walmart. There is revenue from the county sales tax that would be more impacted. Shute said the biggest hit would come from county and state portions of tax revenue, including the courthouse public safety tax, of which a portion is funding part of the Justice Center. Director Wolff confirmed that they are expecting a shortfall in the public safety sales tax that would go into a bond and interest fund. The bond and interest fund has a fund balance that can help accommodate that shortfall. County sales tax also goes to special highway and general fund.

Councilmember Gregorcyk asked what is the dollar amount of the shortfall mentioned earlier? Wolff said original estimates developed in 2018 for the 2020 budget were \$291,000. They received half of their annual distributions for 2020 and are at \$101,000. Staff has made budget adjustments, council has too with the Chamber's budget for this year, and other changes in that fund, staff believes they will be okay based on current projections, and are spending down the small fund balance it has, but expect things to normalize. Councilmember Baldwin asked how long did staff project that they would have the downturn with Covid? If this extends further, how far is that window anticipated? Director Wolff said they had \$20,000-\$30,000 fund balance, it wasn't much. They plan to use most of it this year. It's hard to project what the Covid impact will be; they have \$100,000 in revenues so far, he expects not more than \$120,000-\$135,000 by the end of the year. They are lowering projections for 2021-2022, basing on the first two quarters of this year. Staff will continue to monitor and see what the actual impact of Covid-19 is. Wolff confirmed that everyone is supportive of the current funding plan, so staff will build those into the budget. Mayor Shute said it was good work by Finance for keeping on top of this.

PUBLIC COMMENTS

CONSENT AGENDA

1. **Standing approval of the minutes as written for the regular meeting on April 20, 2020.**
2. **Standing approval of City expenditures prepared April 15, 2020 in the amount of \$13,250.00; and April 17, 2020 in the amount of \$448,506.64; and April 24, 2020 in the amount of \$1,695,791.73.**
3. **Consider authorizing the execution of a construction contract for the Tuscan Farms Sanitary Sewer Lift Station**
4. **Consider authorizing a task order agreement for construction services for internal improvements in the City of Gardner**
5. **Consider accepting and authorizing payment for permanent and temporary construction easements for the new raw water main as part of the Hillsdale Expansion Project**

Councilmember Melton made a motion to approve Consent Agenda.

Councilmember Winters Seconded.

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

COMMITTEE RECOMMENDATIONS

1. **Consider adopting an ordinance approving amendments to the Cover and Chapters 1, 3, 4, 5, 9, 10, and 11 of the *City of Gardner Comprehensive Plan*, and adopting the *Gardner Destination Downtown: A Placemaking and Mobility Enhancement Project plan***

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Business & Economic Development Director Larry Powell said the Planning Commission adopted Resolution No. PC-20-01 to amend the following portions of the *City of Gardner Comprehensive Plan*: Cover Page, Chapter 1 Introduction, Chapter 3 Public Participation, Chapter 4 Vision, Goals & Objectives, Chapter 5 Land Use & Development, Chapter 9 Image & Identity, Chapter 10 Sustainability Framework, and Chapter 11 Implementation and adopt and incorporating by reference the *Gardner Destination Downtown: A Placemaking and Mobility Enhancement Project* plan, and recommends the Governing Body approve the amendments to the *City of Gardner Comprehensive Plan*, and adopt and incorporate by reference the *Gardner Destination Downtown: A Placemaking and Mobility Enhancement Project* plan.

Pamela Harkins, 129 N. Sycamore St. – She didn't come to speak on this tonight, but Gardner needs to get beautiful, get all of these beautiful things, but she worries. She moved here in 1995 and there were 4,800 people. She loved the country setting. She saw Overland Park and watched city people come here, because they wanted out. They wanted the country setting. What she heard is that Gardner is trying to become like Overland Park, Shawnee. She doesn't want to lose the country setting, because when this town gets like Overland Park or Shawnee, they will keep moving out for more country. Gardner needs improvements, but she doesn't want it to lose the country feeling

Mayor Shute appreciated the comment. The goal of the comprehensive plan and the downtown plan is to enhance community character, not replace it. Director Powell confirmed, they want to take the good they already have that people appreciate, the open space, visibility, quality of community, and enhance those things. They want local businesses to grow and expand and continue to provide products and services are already in the community. They don't want to be just like neighbors to the north, but the city is growing. They need additional services, such as quality of life services, medical services, retail. They looked at empty spaces and see how they could be suited to something to enhance the city. Powell encouraged continued involvement from the community. This ordinance sets a broad plan concept of where the city is now and how it can be in 10-15-20 years. Their next project slated for 2021 is a pedestrian improvement to the bridge on Center over railroad tracks. They hope to fit guidelines of what the residents want. Shute said he doesn't want to be another city like neighbors. They are not Gardner; Gardner wants to remain Gardner.

Councilmember Roberts said it's a great community and why she moved here. Mayor Shute said Roberts wanted to keep the character of the community, which was a reason she served on the Planning Commission and got involved in the community. Roberts said the small town charm brought her here and they should embrace that, but they need to incorporate some new ideas. Gardner is unique and a great place to live.

Councilmember Gregorcyk made a motion to adopt an ordinance adopting amendments to the Comprehensive Plan for the City of Gardner, Kansas, amending the Cover Page, Chapter 1 Introduction, Chapter 3 Public Participation, Chapter 4 Vision, Goals & Objectives, Chapter 5 Land Use & Development, Chapter 9 Image & Identity, Chapter 10 Sustainability Framework, and Chapter 11 Implementation; and incorporating by reference the *Gardner Destination Downtown: A Placemaking and Mobility Enhancement Project* plan

Councilmember Melton Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2661.

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

NEW BUSINESS

1. Consider adopting an ordinance authorizing the issuance and delivery of \$27,450,000 principal amount of General Obligation Bonds, Series 2020A, of the City of Gardner, Kansas; and providing for the levy and

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collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due

Finance Director Matt Wolff said at the April 6, 2020 meeting, council approved the sale of Series 2020A general obligation bonds. The purpose of these bonds is to fund the water treatment plant expansion project and the smart meters project. Municipal Advisor Bruce Kimmel is on the phone with a presentation.

Mr. Kimmel, Ehlers, presented bond sale proposals; bids came in this morning. The Baker Group out of Oklahoma City, OK was the winning bid with true interest cost of 2.34%. It was estimated to be about 2.77%. The lower interest results in about \$800,000 dollars total reduction of debt service for the 20-year life. When it's a \$27 million dollar bond issue, a lower rate makes a big difference over the 20 years of service. The interest rates range around 3.5% and are varied, but the yields on the bond are what matter. They range just over 1% to 2.7%. That's what's known as a premium descriptor, where they want a higher coupon than the actual yield, and it generated the ability to reduce the bond amount by \$1.7 million dollars to about \$27,450,000. There was a bigger spread across the offers than is normally seen, and that is part of the pandemic situation. Regarding the rate report, Director Wolff and Fiscal Services Manager Nancy Torneden did a great job of preparing for the rating call, presentation and discussion in terms of providing material to the analysts. They made the process go smoothly. This affirms the city's AA- rating with stable output. The city has a strong economy, strong financial management, and strong budgetary flexibility are the criteria that drive the rating the most. Mayor Shute thanked Mr. Kimmel.

Councilmember Gregorcyk asked for clarification on a note in the sale day report, under the heading Weak Debt. "Total governmental fund debt service is 27% of total governmental fund expenditures, and net direct debt is 441.1% of total governmental revenue." Is the 441% correct? Mr. Kimmel confirmed, explaining that it's a metric that S & P puts in every report, and he has never gotten a good explanation. They add up all debt and divide by total governmental revenues. It's not as meaningful because the city pays off debt over 10-15, 20 years, but they measure it against a single year's revenue. It's not a typo; it's a correct number. Mayor Shute said Gardner is a growing city, and that impacts the level of indebtedness relative to funds. Kimmel said they understand a lot of the debt is paid from electric and water/sewer utility revenues, and not property taxes. They are not concerned with the city's debt service obligation, and debt makes up 10% of the credit profile.

Councilmember Melton made a motion to adopt an ordinance authorizing the issuance and delivery of \$27,450,000 principal amount of General Obligation Bonds, Series 2020A, 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 Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2662.

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

2. Consider adopting a resolution prescribing the form and details of and authorizing the delivery of \$27,450,000 principal amount of General Obligation Bonds, Series 2020A, of the City of Gardner, Kansas, previously authorized by an ordinance of the City

Director Wolff stated this resolution is the second step to complete the transactions for the sale of the bonds. The resolution authorizes all preparations to facility the sale and issuance of the bonds.

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Councilmember Gregorcyk made a motion to adopt a resolution prescribing the form and details of and authorizing the delivery of \$27,450,000 principal amount of General Obligation Bonds, Series 2020A, of the City of Gardner, Kansas, previously authorized by an ordinance 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 2053.

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

3. Consider adopting an Ordinance authorizing the City of Gardner, Kansas, to issue its Industrial Revenue Bonds (taxable under federal law), Series 2020 (Main Street Market Place), in the principal amount of not to exceed \$9,500,000 for the purpose of financing the acquisition, construction and equipping of a commercial facility, and authorizing the execution of certain documents in connection with the issuance of the bonds

Finance Director Matt Wolff stated at the February 18, 2019 meeting, Council adopted Resolution No. 2010 stating the City's intent to issue future IRBs in the principal amount of approximately \$19,390,000 for the Main Street Market Place project, commonly referred to as the "Price Chopper" project to finance a portion of the costs of acquiring, constructing and equipping an approximately 60,000 sq. ft. grocery store, the redevelopment of an existing grocery store, and the development of two pad sites. The developer of the project has indicated that construction of the new grocery store is nearly complete, but redevelopment of the existing grocery store will be deferred. The developer has requested that one series of IRBs in an amount not to exceed \$9,500,000 be issued now to finance a portion of the cost of the new grocery store. When redevelopment of the existing grocery store moves forward, Council will be asked to consider a resolution of intent to issue a second series of IRBs to finance this portion of the project. Wolff noted this is conduit debt. The Bonds shall not be general obligations of the City, nor constitute a pledge of the full faith and credit of the City and shall not be payable in any manner by taxation.

Mayor Shute asked about the redevelopment, clarifying they are not issuing IRBs for that at this time, but that is part of their budget amount through the project plan. Is there any other activity beyond a second ordinance? Director Wolff said no. There is the CID that will be delayed, but only one other ordinance will be issued for the IRBs.

Councilmember Melton made a motion to adopt an ordinance authorizing the City of Gardner, Kansas, to issue its Industrial Revenue Bonds (taxable under federal law), Series 2020 (Main Street Market Place), in the principal amount of not to exceed \$9,500,000 for the purpose of financing a portion of the costs of the acquisition, construction and equipping of a commercial facility, and authorizing the execution of certain documents in connection with the issuance of bonds.

Councilmember Gregorcyk Seconded

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2663.

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

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4. Consider adopting a resolution authorizing the adoption and execution of an amended and restated benefit plan of the City of Gardner

Human Resources Manager Alan Abramovitz said this is a housekeeping item. Aside from this issue, Abramovitz shared that this past week, the city had open enrollment for insurance that goes into effect July 1. HDHP received 87% of enrollment. PPO had 13%, almost identical to the numbers with the previous carrier. There are 118 employees enrolled in dental, and 130 in vision. It was a successful enrollment process. Abramovitz continued with this business item, stating at the March 16, 2020 City Council meeting, items authorizing the adoption of health insurance plans from Humana and the adoption of a resolution authorizing the City of Gardner to withdraw participation from MPR were presented and approved. As part of the transition away from MPR, the City needs to obtain the services of a provider for Flexible Spending Account (FSA) services as part of the City's benefits administration. City staff, in conjunction with CBIZ, determined that Flex Made Easy provided the best options and price for this service, as their service is not tied to a particular health insurance provider and can be continued regardless of any insurance provider changes in the future. Flex Made Easy requires that the Governing Body pass a resolution authorizing staff to execute and implement the administration of these FSA services, referred to as a "welfare benefit plan". This is the name of the plan only and is not to be confused with any state or federal social programs.

Councilmember Gregorcyk asked if this will be a year over year function, or will it provide longevity and consistency? Abramovitz said it will provide longevity.

Councilmember Gregorcyk made a motion to adopt a resolution authorizing the adoption and execution of an amended and restated welfare benefit plan of the City of Gardner, Kansas.

Councilmember Melton Seconded

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2054.

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

COUNCIL UPDATES

Mayor Shute asked City Attorney Denk about orders from the Johnson County health director. What is the update and what can they expect? Denk said the county health officer extended the stay home order to May 11. County Commission brought forth their proposal. One statutory provision allows the county health director authority to issue emergency directives. Another statutory authority the county was entertaining to implement its phase back to work. The governor released Ad Astra plan, which is very similar. Shute said there is confusion with what will happen when the order expires. Where will Johnson County gate into, on May 11 will they gate into week one or week two? City Administrator Pruetting said when the county order expires, they will merge into the state order where it is, not a week behind.

Director Bruce sent out notification that they are not taking registrations, reservations or memberships currently. Staff is in touch with local and national organizations to discuss the pool season. Staff is also meeting with local agencies regarding sports programs to discuss what that will look like going forward. Bruce has another meeting on Friday with metro area directors regarding pools.

Director Garcia said the Hillsdale expansion is moving through process, with no delays. Last two homeowners have signed easement agreements, moving forward with the raw water line.

Director Wolff reminded council that the Finance Department is busy. They are working on the audit, CAFR, budget book, and debt sale. Wolff will have the first budget presentation next meeting. It will be a rapid process

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for budget approval in August. Mayor Shute and Councilmember Winters commended the finance staff on all their hard work.

Director Powell noted that inspectors are still in the field. Planning Commission is busy; they are bringing more items up next meeting. The new QuikTrip development hasn't been kept quiet, but they have application in hand now. The new medical facility will bring an administrative plat for additional parking and signage. Roadwork is being completed on the intermediate road between the new Price Chopper and Walgreens. The new car wash is expected to be open in 15-20 days. Warren Place is mostly completed.

City Administrator Pruetting said staff continues to put together a communication plan to give everyone as much certainty as possible. Pruetting worked with Chamber on PPE, and created a system to make it available to businesses, once the equipment comes in. They want to be as prepared as possible to help businesses get open and get information to them. Mayor Shute they have procured bulk masks, disinfecting equipment, gloves. The chamber has procured other products like hand sanitizer. They used bulk purchasing power of Gardner to provide those items to businesses at its cost. That's how the city can support small businesses that don't have the purchasing power of larger companies. Pruetting said county is doing that for county wide, but individual cities are finding it difficult to procure. Shute said the city was ahead of the curve. He continued, stating there is a plan coming together for limited community testing, not testing all 24,000 people; it's a directional sample to be used by county. They are working with health partners and labs in the area. Pruetting noted a question regarding tests was – who is paying for them? He stated that Gardner is not, the tests will be billed through insurance, that one reason why they are partnering with a health care provider. Shute said 80% tests will be covered by insurance, and the rest through foundations or health supplements they are getting through Covid assistance.

Councilmember Roberts noted it's good that they are getting prepared to open the community. They need to make sure they are safe, and looking out for all citizens. There was some confusion last time that the city would open, no matter the rules. It got misconstrued. They are planning for opening, and need to be cautious. Roberts thanked them for their due diligence. Mayor Shute noted that no one intended to go rogue.

Councilmember Baldwin supported the idea of the city partnering with businesses, using the city's ability to help, but not paying for them. That's a good partnership and should be used more going forward.

Councilmember Winters said the phone calls are cracking, is there any way to fix that? CA Pruetting said that using Zoom last week caused a conflict with the livestream that interfered with an IP address, and that may be responsible for poor audio, as well. Staff will look into it.

Councilmember Melton asked about scheduling meetings with Edgerton about wastewater? Director Garcia has reached out to Edgerton; their availability and discussion was limited. Staff will follow up. Melton wants to schedule four meetings a year for 20 years out. The city owns a wastewater plant, and it doesn't matter who is on the council, they will know the meetings are planned.

Councilmember Gregorcyk referred to last meeting; the mayor's intentions were in the right place. The body should have had more detail as to what they were supporting, when supporting the mayor's action. Gregorcyk also took responsibility for not asking for those details. Social media posts got out of hand, as they were a product of the mayor's request. Gregorcyk thought it was about public/private partnership, PPE, etc. Moving forward, as electeds, they need more details for support. Mayor Shute noted he asked for consensus to start the multi-pronged preparation process, satisfying gating criteria for phase 1 - that initiated conversation. Otherwise, If there was to be a go-live on 4th, they wouldn't have been able to.

ADJOURNMENT

There being no further business to come before the Council, on a motion duly made by Councilmember Gregorcyk and seconded by Councilmember Melton the meeting adjourned at 9:17 p.m.

City Clerk