

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

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June 19, 2020

The City Council of the City of Gardner, Kansas met in special session on June 19, 2020, at 6:00 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; Finance Director Matthew Wolff; Utilities Director Gonzalo Garcia; and Sr. Management Analyst Amy Nasta. 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 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Shute led those present in the Pledge of Allegiance.

**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 beginning at 6:01 pm; returning to regular session at 6:31 pm.

Councilmember Melton made a motion to recess into executive session pursuant to K.S.A. 75-4319 (b) (2), to discuss matters of attorney-client privilege beginning at 6:01 p.m.; and returning to regular session at 6:31 p.m.

Councilmember Baldwin seconded.

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

Councilmember Winters attended the executive session, but did not return for the regular session and was absent for the remainder of the meeting..

Councilmember Gregorcyk made a motion to resume regular session at 6:31 p.m.;

Councilmember Melton seconded.

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

**NEW BUSINESS**

**1. Consider adopting a resolution declaring a water watch for the City of Gardner, Kansas**

Utilities Director Gonzalo Garcia provided a presentation about the conditions necessary to trigger a water watch. He stated that since June 14, the water demand has gone above the water watch level on three occasions and had been above that level for five days consecutive days as of today. He said the Gardner Municipal Code states the governing body is empowered to declare by resolution that a water watch exists and ask for water conservation. He said high temperatures and scarce precipitation have contributed to water demand, adding that so far in June, there has been less than one inch of rain. He said the next steps after the issuance of the water watch are continuing to monitor daily usage, temperature, and rainfall, and updating the governing body as needed.

Councilmember Gregorcyk stated the next City Council meeting was scheduled for July 6, 2020 and that this was over two weeks away. He asked if staff was guesstimating the watch would last that long or if a special session would be needed to exit the watch. Director Garcia stated he hoped to stay at the watch level. Councilmember

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Gregorcyk stated he hoped the investment the community was making in Hillsdale meant this should not be an issue in the future, once Hillsdale was up and running. Director Garcia stated that, based on current construction, Hillsdale should be up and running by October. Councilmember Gregorcyk asked if this would be an issue next year. Director Garcia stated it shouldn't be.

Councilmember Roberts stated she wondered if usage was higher because of people filling backyard pools. Councilmember Melton stated usage could also be up because of people staying at home gardening, flushing toilets, and doing dishes. Councilmember Roberts added people were washing their hands more often.

Councilmember Melton asked if the water watch would limit the sale of bulk water. Mr. Garcia stated there should be no impact on bulk water sales as the watch was a preliminary phase. Mayor Shute stated there were not restrictions on bulk water sales until the water warning phase.

Director Garcia stated a study on interconnection had been performed in 2019, and two potential locations on 183<sup>rd</sup> Street had been identified. He said there were two interconnection options: a valve with a master meter for \$181,000 or a booster station that would also help Water Seven for \$326,000. He said he met with Water Seven District Manager Allan Soetaert about implementing the valve and master meter, continuing that Water Seven had originally offered to split the cost but now Mr. Soetaert felt there was no benefit to the connection, and all costs would need to be fully paid by Gardner.

Mayor Shute stated this connection was for if the water transmission line went down. Director Garcia stated it will need to be done in the future. Councilmember Gregorcyk asked if the city should wait until the new system is online and say that we will be able to help if Water Seven will split the cost. Councilmember Baldwin stated most of the conversation on cost splitting had been if the booster pump was selected, continuing that the question now was if a second connection was still necessary and if it was needed now. Councilmember Gregorcyk asked how much water a second connection would provide. Director Garcia stated up to one million gallons. Councilmember Gregorcyk suggested holding off knowing a new system was coming online in October, getting through the current financial challenges, and looking again at a later time.

Mayor Shute asked if the interconnection had been budgeted and stated it may make more sense to hold off until it can be budgeted as a CIP project of 2021 or 2022. Councilmember Baldwin stated it would need to be budgeted for 2023 or 2024 at this point. Mayor Shute stated a budget would not be passed until the end of July and asked if direction should be given to include the interconnection in the 2021-2022 budget. Finance Director Matthew Wolff stated even the biennial budget is revised every year and could be revised for capital projects.

Councilmember Gregorcyk asked if the interconnection would have any chemical cost. Director Garcia stated it would not.

Councilmember Baldwin stated the governing body should provide direction to look at when this project could be prioritized. Director Wolff stated council could provide a final decision on July 6, 2020. Director Garcia stated the CIP included a budget to do a preliminary design on a second transmission line in 2021 or 2022.

Councilmember Gregorcyk asked why Water Seven's appetite for paying for part of the interconnection had changed. Director Garcia stated it was because there is no benefit to Water Seven without the booster pump, but that Water Seven would pay for part of the booster pump. Councilmember Gregorcyk asked if staff should explore the vault option or the booster option. Director Garcia stated the booster pump had been acceptable to staff at one point, but the situation was now more complex.

Councilmember Baldwin made a motion to adopt a resolution declaring a Stage 1: Water Watch for the City of Gardner, Kansas, in accordance with Section 13.10.140 of the Gardner Municipal Code.

Councilmember Gregorcyk Seconded.

Councilman Gregorcyk called for a Point of Order during the vote to ask what period of time the water watch is in effect. Mayor Shute said until it's rescinded or repealed.

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With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2055.

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

**ADJOURNMENT**

There being no further business to come before the Council, on a motion duly made by Councilmember Baldwin and seconded by Councilmember Gregorcyk the meeting adjourned at 6:50 p.m.

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City Clerk