

## **CITY OF GARDNER'S 2018 LEGISLATIVE AGENDA**

### **State Issues**

The following is the City of Gardner's legislative agenda for 2018:

1. **Home Rule and Local Control** – The governing of public affairs should remain accessible to citizens. Preservation of constitutionally granted home rule authority as it exists today is essential to effective and responsible local self-government. Locally elected officials are in the best position to make decisions of community concern and are most accountable for those decisions.

The City of Gardner supports legislation that maintains the ability to retain and enhance home rule authority.

- a. **State Revenue Sharing** – The City of Gardner maintains its position supporting continuing statutorily set state-local revenue pass through programs, and oppose further reduction in revenues to local governments. These should be fully remitted to local units of government, including Special City/County Highway Funds and Special Drug and Alcohol. These funds are partnerships between local governments and the State, and are generated via economic activity at the local level and should not be withheld from local governments and placed solely into the State General Fund. Local governments should not be asked to further aid in balancing the State's budget. *(Joint with Johnson County)*
  - b. **Unfunded Mandates** – The Gardner City Council maintains its position on unfunded mandates. The imposition of State mandates and programs on local governments without accompanying State funding is contrary to the spirit of constitutional home rule. Any function or activity mandated by the State upon local governments, without any alternatives to avoid the additional costs, should be fully and continuously funded by the State. *(Joint with Johnson County)*
  - c. **Local Control of Revenue** – The City of Gardner opposes any State regulations that would limit the amount of revenue a local government can raise or spend on a year-to-year basis. *(Joint with Johnson County)*
2. **Tax Policy** – The City maintains the following position on taxes:
    - a. **General Tax Policy** – We support stable revenue sources and urge the Kansas Legislature to avoid applying any further exemptions to the ad valorem property tax base, including exceptions for specific business entities or the state/local sales tax base, as well as industry-specific special tax treatment through exemptions of property classification. The local tax burden has shifted too far to residential property taxes due to state policy changes. We do not support changes in State taxation policy that would narrow the tax base or significantly reduce available funding for key programs. *(Joint with Johnson County)*

- b. Local Option Sales Taxes – The City of Gardner maintains that local officials and their residents should determine local sales tax and use rates and opposes any legislation that would preempt local authority to set these rates. Gardner supports existing authority of local governments to impose local sales taxes for special uses.
        - c. Sales Tax Exemption – Gardner supports the current law that exempts local government and public construction projects from sales tax. State imposed sales tax on government purchases and projects will increase costs and lead to a reduction in services. Purchases have to be made and construction must occur; imposition of a sales tax would increase the local tax burden to cover those added costs. This sales tax revenue does not help local government, but in fact hurts our local economy and our residents who have to pay higher property taxes. (Joint with Johnson County)
        - d. Property Tax Lid – Gardner supports the current exemptions to the property tax lid. Removal of the exemptions could prevent the City from investing in critical infrastructure and increase the cost of debt. Gardner supports modifying current legislation so that a public vote is based on a protest petition provision.
        - e. Delinquent Special Assessments – Gardner supports legislation that would expedite the process of collecting delinquent special assessments.
3. **KPERS Funding** – The local KPERS system should be fully funded and remain separate from State and school retirement systems. The State should make its 2016 and 2017 repayment as soon as possible and with interest. The Fiscal Year (FY) 2019 payment is scheduled to be delayed until 2020 and should be made in 2019. The system should accumulate sufficient assets during members' working lifetimes to pay all promised benefits when members retire. The actuarial levels of the local government assets need to be protected from the state shortfall. (Joint with Johnson County)
4. **Transportation Issues** – The City of Gardner appreciates the State efforts on the transportation studies for Johnson County. The City opposes any reallocation of funds from transportation projects. An improved network is critical for the success of the City of Gardner. (Joint with Johnson County)
  - The Legislature should see that Special Highway revenues continue to be handed down to municipalities to ensure that local roadways as well as state roadways are receiving adequate dollars for ongoing maintenance and repair. The City of Gardner opposes legislation that would reduce the sharing of motor fuel tax revenue with local units of government.
  - Capacity improvements are needed at I-35 and 175<sup>th</sup> Street (Exit 210) to service expanding business at both the New Century Air Center and the Midwest Commerce Center located just west of the interchange. The 1.1 million square foot Coleman Building, which was opened in late 2009, is the first phase of the 2 million square foot of warehousing approved for the site. In

addition, industrial, retail and residential development is beginning to occur along the 175<sup>th</sup> Street corridor between the interchange and US169. Development from New Century Air Center, Midwest Commerce Center and points east will significantly increase traffic along this corridor and will further accelerate the need for capacity improvements at this interchange.

- Capacity improvements are needed at the intersection of US-56 (175<sup>th</sup>/Main St.) and Cedar Niles to service expanding business at New Century Air Center, and Midwest Commerce Center, as well as areas south and west of the intersection. The level of service of the intersection is adversely affected by proximity to I-35 and 175<sup>th</sup> Street Interchange, and the E. Santa Fe and Cedar Niles Intersection located immediately to the south. Increased traffic due to expanding business at both the New Century Air Center and the Midwest Commerce Center, and the development located just south of the intersection including; Wal-Mart, Hotel development, retail, fast-food, and service development. The development has accelerated the need for level of service improvements at this intersection.
  - Capacity improvements are needed at I-35 and Gardner Road (Exit 207) interchange to address a functionally obsolete narrow two-lane overpass that prohibits pedestrian traffic to Nike Elementary School and helps contribute to substantial delays at the ramps during peak periods. The exit is used to a large extent during peak hours by traffic to the BNSF Intermodal Facility, which has put a tremendous stress on the interchange. The termini are too close to 191<sup>st</sup> Street and improvements are needed to address safety concerns.
  - Additionally, capacity improvements are needed on I-35 south of the new Lone Elm interchange to at least the Johnson County line. This includes adding a third lane.
5. **Real Property Appraisal Classification (Agriculture)** – The City of Gardner supports legislation that would modify the statutes to prevent improper agricultural designation and establish remedies to be administered by the County Appraiser.
  6. **K-12 Education Financing** – Gardner is supportive of the Kansas Legislature adequately and equitably funding primary and secondary education to a level that places Kansas among the leading states in support of a “world class” education. We support Johnson County schools in their efforts to craft a new school finance formula that supports local components and treats local property tax contributions fairly for local property taxpayers and schools. (Joint with Johnson County)
  7. **Water Supply Restoration Program** – Gardner supports continued funding for the Kansas Department of Agriculture – Division of Conservation’s Water Supply Restoration Program. This program provides funding assistance for local water supply projects such as dredging Gardner Lake.

8. **Local Control of Right of Way** – 2016 Legislation Granting the automatic placement of cell towers in city and county owned right of way, should be repealed. Regulation of the placement of cell towers should be subject to reasonable local zoning processes which review important community values. (Joint with Johnson County)
  
9. **Development of a Comprehensive Economic Development Plan for the State of Kansas**  
We strongly encourage the State of Kansas to develop a comprehensive plan to foster and enhance the State's economy. Toward this end and in the absence of a statewide effort, the County pledges support to bring proven statewide organizations and educational institutions together to create such a plan. (Joint with Johnson County)
  
10. **Statewide Expansion of Medicaid** – Gardner supports Medicaid expansion through KanCare in Kansas. Providing Medicaid is the responsibility of the state and federal government. Counties are required to have a public health department and provide mental health services and the decision to limit Medicaid expansion has an impact on the citizens of Johnson County. Absent the state's participation in Medicaid expansion, county taxpayers are required to pay for these services that would otherwise be covered by Medicaid. Through local tax revenue, Johnson County provides approximately \$6.4 million in charitable care for mental health services and over \$2.2 million in uncompensated care for emergency medical care through Medical Action (Med-Act) (approximately 1 mill) that could be significantly reduced by Medicaid expansion. (Joint with Johnson County)
  
11. **Dark Store Theory** – Gardner opposes any legislation based on the dark store theory, which suggests that occupied big-box stores should be valued as-if-vacant and available for sale or rent to a future hypothetical user rather than in the current use, which is often a functioning, occupied store. This would be unconstitutional since all properties are required to be assessed at fair market value. (Joint with Johnson County)