

CITY OF SPRING HILL  
CITY COUNCIL MEETING  
**MINUTES**  
March 12, 2020  
7:00 P.M.

**Councilmembers in Attendance**      **Chris Leaton**  
**Steve Owen**  
**Tyler Graves**  
**Chad Eckert**  
**Andrea Hughes**

**Staff in Attendance:**                      **Jim Hendershot, City Administrator**  
**Melanie Landis, Assistant City Administrator**  
**Glenda Gerrity, City Clerk**  
**Cindy Henson, Chief of Police**  
**Jim Boyer, Public Works Director**  
**Patrick Burton, Community Development Director**  
**Police Lt. Hogue**  
**Antwone Smoot, Accountant/IT**

**Consultants in Attendance:**              **Frank Jenkins, City Attorney**  
**Dan Miller, City Engineer**

(Spring Hill City Council Meeting Called to Order)

**CALL TO ORDER**

**MR. OWEN:** Before we call the meeting to order I'm going to ask Mr. Hendershot to come up and give us a statement.

**MR. HENDERSHOT:** Good evening, Mayor and Council and everyone in the audience. I was contacted by Mayor Ellis and he asked that I explain that he will be absent tonight. And the reason why is tonight is the eighth-grade high school pre-enrollment meeting for next year's high school students. It's an opportunity for parents and students to attend an activities fair and have opportunities to meet with instructors and coaches on a variety of subjects and activities, and he will be attending that with his son this evening. He sends his apologies for last-minute not being here. Thank you.

**MR. OWEN:** At this time I'd call the meeting to order.

**INVOCATION**

**MR. OWEN:** And we have the Invocation if we have somebody that would like to do the Invocation.

**MR. LEATON:** The pastor is not here?

**MR. OWEN:** No. Would you like to do it?

**MR. LEATON:** I'll do it.

**MR. OWEN:** All right.

**MR. LEATON:** If you so choose, bow your head. Dear Lord, thank you we can come together now as a community. Help us to make wise decisions, good decisions on behalf of everybody from all classes, all races, all creeds. Help us to just be thoughtful and kind to one another as we make good decisions. And in Your Name we pray, Amen.

**COUNCIL:** Amen.

#### **PLEDGE OF ALLEGIANCE**

**MR. OWEN:** If you'd remain standing for the Pledge of Allegiance.

(Pledge of Allegiance)

#### **ROLL CALL**

**MR. OWEN:** Madam Clerk, can you call the roll, please?

**MS. GERRITY:** Mr. President, just to verify, this is the March 12<sup>th</sup>, 2020 Council meeting.

**MR. OWEN:** Yes, sorry.

**MS. GERRITY:** No. Thank you. Mr. Leaton.

**MR. LEATON:** Here.

**MS. GERRITY:** Mr. Owen.

**MR. OWEN:** Yes.

**MS. GERRITY:** Mr. Graves.

**MR. GRAVES:** Here.

**MS. GERRITY:** Mr. Eckert.

**MR. ECKERT:** Here.

**MS. GERRITY:** Mrs. Hughes.

**MS. HUGHES:** Here.

**MS. GERRITY:** We have a quorum present.

**MR. OWEN:** Thank you.

#### APPROVAL OF AGENDA

**MR. OWEN:** Approval of the Agenda. I have one item, Item Number 4 on the Consent Agenda, I'd like to have it moved to Formal.

**MR. LEATON:** Are there any other requests or changes by anyone? None.

**MR. OWEN:** Do you have anything? No. And can I have a motion?

**MR. LEATON:** I move that we approve the Agenda as revised.

**MR. OWEN:** Second?

**MS. HUGHES:** Second.

**MR. OWEN:** Seconded. All in favor?

**COUNCILMEMBERS:** Aye.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Hughes to approve the Agenda as amended, moving Item 4 to Formal Council Action. The motion carried 5-0.]*

#### CITIZEN PARTICIPATION

**MR. OWEN:** At this time, it's Citizen Participation. Anybody that wishes to speak on an item that's not on the Agenda can speak now. And we have -- first up is Dan Huntington. If you could please state your name and address for the record.

**MR. HUNTINGTON:** Good evening. My name is Dan Huntington. I live at 20449 Red Bird Street in Spring Hill. I wanted to address the incident that occurred the evening of Sunday March 1<sup>st</sup> where a vehicle was struck by a stray bullet out on Highway 169. Ms. Lingner is here and she's I think going to give you kind of a more detailed description of the actual events that occurred.

But to give you a little bit of background, I coach a girls U-12 soccer team. Two of the girls that I coach were in the vehicle. One was my daughter, so this is a personal issue to me. That day we had had a game up near the Legend's and I had stayed behind to coach my boys' team, which in full disclosure Councilman Eckert's son is on my team. He's an excellent soccer.

**MR. ECKERT:** My son, not me.

**MR. HUNTINGTON:** Noted.

So, I had sent my daughter home with the Lingners. And it was on their way home that this incident occurred. I had no idea how dangerous of an intersection that we have at 169 and 199<sup>th</sup> Street until this event happened. The property where this bullet came from is well known to law enforcement, both to the Johnson County Sheriff and to the Spring Hill PD. I know, in particular, the Spring Hill PD has made many visits to that property. They've turned over multiple incident reports to the Johnson County Sheriff's Office as part of this investigation. According to the report there were 20 to 25 people shooting guns that day on that property. The incident report listed alcohol being present. And I've talked to people that live or have lived in that neighborhood across on the east side of Webster and they say that that's not an uncommon occurrence to have that many people out there shooting guns. And since this incident occurred I've learned of other cars that have been hit by stray bullets going through that same area. I know Sycamore Ridge has dealt with bullet holes in their buildings. I've talked to people who have been on the ground and they've heard bullets whiz by their head. So, it's a dangerous part of town, which was news to me on March 1<sup>st</sup>. I had no idea. And so some of you may not be aware of that either. But that's part of why I'm here and we've got a few folks back there as well.

Captain Campbell from the Johnson County Sheriff's Office in the days following this said he stopped at the house. He talked to the lady that lives there. She was adamant about there would be no more shooting. The day that occurred there were reports of more shooting. So, we're dealing with people that are not gun safety people. They don't care for the protection of the general public. If you stand on that property -- that property is located between 169 and Webster Street. So, if you stand on that property, anybody that's taken a day of hunter safety or has a little bit of common sense would know there is no safe direction to shoot gun. Because if you're facing west you have the highway and the golf course. If you're facing north you have the intersection of 169, 199<sup>th</sup>, Webster. If you're facing east you have the glass factory, the houses. If you're facing south you have more houses and you have Bull Creek. So, there is really nowhere safe to shoot a gun and to put somebody's life in danger. And that was evident on March 1<sup>st</sup>.

The *Shawnee Mission Post* did a story on the Johnson County Commission meeting last week. I checked today and there were 30 shares and that was just from the original post. I know friends of friends have re-shared it. And so as this story gets more and more traction there is the safety side. Obviously people's safety is paramount but there is also a financial side that I think the City should be concerned about which is, you know, how many golfers are going to want to come and play Sycamore Ridge when they know there's a shooting range right across a highway with gun pointed in their direction. I drove by there today and I looked, and it's one of my favorite golf courses, always has been before I moved to Spring Hill. But I can't fathom playing those holes along the highway knowing there is high-powered rifles aimed right at me. I don't know how many weddings feel comfortable with the Bowery with a shooting range right down the street. You know, I know people that are -- have started to just avoid that area altogether. How many people are not coming into town to fill up at Casey's or stop at Sonic for a burger? So, I think as this story gets bigger there will be some financial impacts to the City even if we're not feeling them yet.

I'm not an expert on city government so I don't know all the solutions that are out there. I know the first thing that popped into my mind was annexation. In talking to President Owen, it sounds like this is pretty much a voluntary thing where the landowner has to request to be annexed. Under the circumstances I don't

see that happening, so I don't know if there is a forced annexation statute or a condemnation statute, something that the City can be proactive in.

The other thing I thought of was, you know, requiring the landowner to put up a giant berm or retaining wall to shield the highway, to shield the golf course, to shield Bull Creek from any errant bullets. But the point is we need to -- we need to seriously look at this because it is a safety hazard. This is not the first time. It's not the third time. It's happened multiple times and we got really, really close to having a real tragedy. Because if that had not been a .9mm bullet, if it had been a bullet from a high-powered rifle, you know, these are not big girls that are in the car so that could have been a really tragic thing that we could be dealing with today. So, I'd just ask that you start looking into this for solutions quickly. I know Steve Owen has, or President Owen, has been very helpful and he's been present at the Commission meetings, the Johnson County Commission meetings, so I appreciate that. But every day that goes by is an opportunity for someone else to get hurt. And, you know, it could have been any of you guys. It could have been me. It could have been anybody out here that could have been riding in that car. And couple of inches one way or the other and it could have been a different story.

So, I just wanted to wrap up and I wanted to say a little bit of thanks to -- there have been a number of people that I didn't know before this. Some people I've known for a long time. Some people I've never met that have really picked up this cause and adopted it as their own and they've made phone calls. They've sent e-mails. They've contacted people on social media. They've done just everything that a small town -- you want to have a small town that's helping your neighbor and kind of picking up that. So, I know my family appreciates that. It hasn't gone unnoticed. It hasn't gone unappreciated. So, I wanted to thank everybody for that. So, I appreciate your time.

**MR. OWEN:** Well, Mr. Huntington, I know we've talked about it a number of times and I know it's one of those unique situations because it's county property surrounded by City. I plan on staying on top of it with the county. And maybe Mr. Hendershot and Mr. Jenkins, if you guys maybe put your heads together and think is there anything we can do as a city to help out with it knowing that it's county property. And, Chief, if there is anything you can think of, you know, I know we're kind of in that limbo between two different agencies. I know you guys have done very good. And at the meeting you talked about at the county, the under-sheriff was very positive about the response he got from Spring Hill and, you know, the lieutenant, you know, bringing him the information they needed. So, they appreciated that. So, if there's anything we can do to help them out and maybe you can, you know, give me some information that I can pass on to them of options or options we can do as a Council or as a City.

**MS. HUGHES:** Mr. Jenkins, isn't there a unilateral annexation process the City can go through as the land is actually surrounded by the City? Isn't it K.S.A. 12-520?

**MR. JENKINS:** That would be the statute. It's got several different instances where we can take action. This property, I think I know which property you're talking about, but it is encircled by the City right now at the intersection.

**MS. HUGHES:** I believe we could look into doing that unilaterally or we can ask the County Board to set the boundary under 12-521.

**MR. LEATON:** I think she's accurate with the fact that you can request that the county put pressure on to do that.

**MS. HUGHES:** The County Board can sit as a City boundary setter. They can sit as a special board for that. Let's talk to them.

**MR. OWEN:** I know they've got their attorney, their county attorney and their managers are involved in all this with their zoning also to help out with that. And maybe there's something we can do as a city to help ease it along.

**MR. LEATON:** Chief, were you planning on doing a report on that possibly this evening or not?

**CHIEF HENSON:** Well, I was just going to comment. I did speak to Captain Campbell today to see what else had come about since the meeting last Thursday. They do have a meeting set, the county and the county legal to discuss these code changes because this is not just here. It's a lot of places where the cities are starting to encroach on what once was unincorporated Johnson County. And so they're looking at it more broadly. But they do have a meeting set in the near future. He did not give me a date. But we are continuing to work closely with the county on ensuring that any reports we do get they get, and so that the uninformed aspect of both agencies won't occur again because that did occur. And regarding the call for service on the shots fired from that evening, we checked. Johnson County checked. None of us got any phone calls for that. So, we're encouraging anybody who does get shots fired calls or they suspect that that's what's happening there to please call 911 so we can respond. Because we can't do it if we hear about it two days later or through word of mouth.

**MR. OWEN:** Okay.

**MR. GRAVES:** I would just add I'm completely empathetic to your situation. I've talked to a lot of people and like as a parent myself like it just goes out to you. And I think as a whole we're all very -- we've all heard about it. Talked to a lot of people about it. There's a lot of concern in the City. So, you know, just know like I think we've got a great group here that can hopefully get some solution.

**MR. OWEN:** All right. Thank you.

**MR. LEATON:** There's one thing that you should know is I don't think that the Council takes it lightly, past or present. At least ten years ago, I'd have to look back at the date, the City used to maintain its own firing range, years ago. And we never ever had an issue with a bullet really ricocheting and flying anywhere. But out of concern we took the diligence of going ahead and shutting that down at the time, years ago. So, you and I have not personally talked. I am empathetic. And, you know, I would definitely support, you know, with what we need to do to take action to keep the community, not just the City, but also the surrounding community safe from people who take irrational actions and irresponsible actions. So, I just wanted to give you that tidbit that in the past we did have a firing range and we have been active in trying to take these things on. So, hopefully we can move forward with you on that.

**MS. HUGHES:** Mr. Jenkins, it appears I believe that if we were to ask the County Board to annex the land to us if they were to sit as a city boundary setter, we have to file a petition. Can you let us know about that process in the next couple of meetings -- quickly?

**MR. JENKINS:** Yes. I will do that.

**MS. HUGHES:** Thank you.

**MR. OWEN:** Okay.

**MR. HUNTINGTON:** Thank you.

**MR. OWEN:** I'm going to call the next ones out of order. Jamie Lingner. I know I messed up your last name.

**MS. LINGNER:** That's okay.

**MR. OWEN:** And can you state your address -- name and address for the record?

**MS. LINGNER:** Yes. My name is Jamie Lingner. It's 24094 Hospital Drive, Paola, Kansas.

**MR. OWEN:** Okay.

**MS. LINGNER:** So, I was the one driving the vehicle on March 1<sup>st</sup> with my daughter and her friend in the car. I can't let my brain think about what could have happened. But it's shaken up something in me to where I have -- I've been pretty quiet on this just because I'm -- the first few days I was just overwhelmed with thankfulness and now I'm just angry. I'm just really angry that in the middle of our community we can have a property like this. And all I've heard about from that side of things is, first of all, that we didn't know it was them. Second of all that they're shooting legally which just is infuriating. How can they be shooting legally when it can go to a highway? So, I'm struggling with the laws. I'm struggling with how all of that can work.

Whenever I ask somebody about, you know, annexing a property or something like that everybody says that's just so hard. But I don't care if it's hard. Something has to be done. I just don't feel safe anymore in that area of town. I've avoided it. My daughter is going to school with kids that know about it and she's getting trouble from it. And it's causing a lot of problems. And the hardest part of all just has been the no remorse from the owners of the property. No phone calls. No, this was an accident. I've never been told it was an accident by anybody. It's really hard for me to believe that it was an accident. I understand we can't protect our kids from everything, I really do, but this is something we can. So, I really would like to see some kind of forced annex. It's just -- they're not being smart and they're not responsible gun owners. We are gun owners as well and that's the biggest -- that's the biggest voice of concern I've heard is from people who shoot guns. They don't get it. Nobody gets it how it happened. So, that's my issue. I just think there should be no guns in that area.

**MR. OWEN:** Well, I think it's something you've seen -- there's a number of people here that want to do something. Some ideas have come up --

**MS. LINGNER:** Yep.

**MR. OWEN:** -- from Ms. Hughes, and get something from the attorney. I'm willing to go talk to our Commissioner and even the Chairman. I know them both. I've met them both. And I'll go talk to them myself and see what we can do and we can try and move this ball forward and get something done.

**MS. LINGNER:** Do you not believe that?

**MR. LEATON:** I was thinking that was something else. It wasn't about you.

**MS. LINGNER:** Okay.

**MR. OWEN:** So, all right?

**MS. LINGNER:** All right. Thank you.

**MR. OWEN:** All right. Thank you. Is it Jenni Koch?

**MS. KOCH:** Koch.

**MR. OWEN:** Can you state your name and your address for the record?

**MS. KOCH:** Yep. Jenni Koch and 27449 West 215<sup>th</sup> Street, Spring Hill. So, also speaking on this issue, I'm really encouraged with what the Police Chief said. And I feel like from the meeting that we went to, the Commissioners meeting, they took it really seriously and I feel like the response has been really positive. And I feel like everyone is on the same page. My husband and I are also gun owners and I think it's just the concern from us and just it is county, but as a gun owner and we shoot on our property, the fact that there is a berm there they obviously weren't shooting into it. And I think that lack of regard for others continues to be apparent from that property. And it's just kind of disheartening that no charges have been filed and nothing moving forward. So, I think just as a community just keeping the issue, you know, front and center so we can get something moving --

**MR. OWEN:** All right.

**MS. KOCH:** -- is all we're looking for. But it sounds like [inaudible].

**MR. OWEN:** We're going to work on it. And keep reminding us.

**MR. GRAVES:** And, Jenni, I would share, like, I mean you're the first person that like instantly like brought this issue just to my awareness. And like I think your ability online to just like share things that have been like rational and like very, you know, thoughtful and brought up a lot of good points. So, from your perspective I think this is how a small community like this works. I mean we all want to protect each other and help each other, so the awareness you're bringing to the issue is really important as well. So, thank you for that.

**MS. KOCH:** Thank you, guys.

**MR. OWEN:** Did we have somebody else that wanted to speak on the shooting? Anybody? Okay.

**MR. LEATON:** I just have a question --

**MR. OWEN:** Sure.



**MR. LEATON:** -- for staff. I know that it's county property. One of the things I'd like to have us look at is I don't know what the state gun laws are. But as we work with the county, it's not underneath our jurisdiction, but it is under the county's jurisdiction to possibly home rule out if there's a possibility. If there is anything that we have them home rule out from the state statutes if it's not, you know, covered by that similar to what we have done as a local. So, you know, there might be a state statute, but if it's not governed by the Constitution there might be an ability to home rule out and have them do some things with that too.

**MR. JENKINS:** We'll take a look at it.

**MR. OWEN:** Anything else on that subject?

**MR. GRAVES:** Chief, are you able to share like how many reports on this issue you've had or, I mean I know you mentioned like you had heard like shots fired but no calls on it. Like are we getting a number --

**CHIEF HENSON:** From the other night.

**MR. GRAVES:** Yeah. But I mean in general, like have you had a lot of reports on it?

**CHIEF HENSON:** From that particular house looking back we had three incidents in 2017, three incidents in 2018, and one in 2020, which is the one that we're talking about right now. In the one in 2017, there was another vehicle that was struck by a bullet. It did not penetrate the vehicle. That case we have re-contacted the driver, the victim in that case and reopened that and we are prepared to be sending that to the DA to look for charges just as the case that the Johnson County Sheriff's Department took on the 1<sup>st</sup>, that has been sent to the DA. I don't know the status. I don't know which DA has it at this point. But I know that the county's case has been sent and ours is going to be sent. We're waiting for the DA to be identified so we can make sure it goes directly to that particular DA so they have both.

**MR. GRAVES:** Right.

**CHIEF HENSON:** We will also send the additional ones as information, but we do not have a lot to go on on those. Those were information reported without suspects or anything of -- other than the home itself to know who might have been there on that property on that day. So, we are going to use that information as additional for the DA to look at.

**MR. GRAVES:** Cool. Thank you.

**MR. LEATON:** And another thing that I thought of as we talked with the County Commissioners on this and county staff, this property has not only been an issue with this activity, but they have also done other activities that have been -- what I would consider a nuisance, four-wheelers on the street, other things that I've seen. So, what we need to communicate to the county is it's not just about these activities it's other activities that they don't think that they have to follow the rules like the rest of us that live in a community. So, we need to convey that to the County Commissioners and our county staff too on that.

**MR. OWEN:** Anything else?

**MR. LEATON:** No. That's a little [inaudible] stuff.

**MR. OWEN:** Yeah. Oh, no. The next one is going to be Stacy Crist. If you can state your name and address.

**MS. CRIST:** Stacy Crist, 20855 West 227<sup>th</sup> Street, Spring Hill, Kansas.

**MR. OWEN:** Okay.

**MS. CRIST:** I just wanted to come up and talk about the internet issue. Honestly I'm embarrassed by this. I'm embarrassed that I can't call my doctor's office because the phone lines are down, or that when I go get my nails done I can't use a credit card because their system is down, or when I go to yoga at Lee's Loft they can't check me in because their system is down because there no internet, or we can't call our school because the phone line is down. And that should never be okay for this city. It is unacceptable. I feel like you guys should be outraged that a parent can get in an accident and not be able to call their school and tell them that I'm going to be late, you know, getting my child. I feel like we've gotten a lot of lip service. I feel like I was here the last time and, oh, yes, we're going to do something in this investigation and then it turns out that it didn't really happen like that. It's unfortunate that the Mayor is not here tonight to address those concerns, which I believe looks poorly upon him.

You sent out an ROI that, you know, has the speeds of your guys' internet, which for the City building here that is about ten times faster than the citizens of Spring Hill. We are demanding that you guys do something not for the City of Spring Hill, not for your buildings, not for the Parks building. I don't even know why they need internet. What is that building? What do they do there? Or is that internet for the golf course? Why does Veterans Park need internet? We are not getting the answers. We're just getting lip service. What if our schools closed down because of the Coronavirus? I mean I hope they do not. And all of our students are on the internet, online classes, and parents are stuck at home and have to work from home, this internet cannot handle it. It will shut down. It's unacceptable. And I feel like you guys as a City Council, as the Mayor -- has anyone filed an FCC complaint? I have. And when I filed it I had a response from CenturyLink in less than 24 hours and they were at my house in less than 24 hours after that. But I feel like you guys are just -- that nobody is doing anything. So, has anything been done since the last City Council meeting in regard to CenturyLink and SuddenLink?

**MR. OWEN:** I've talked to SuddenLink myself personally. I know, Mr. Graves, you were going to work with the Mayor. I don't know if you guys have been --

**MR. GRAVES:** We have a call for next week tentatively.

**MR. LEATON:** Tuesday.

**MR. GRAVES:** Yeah. Tuesday evening with SuddenLink. I would just stress your frustration is not just shared by you or, like it's shared by all of us. I mean it is a high priority. I own a business in town. I see the people that come into my business because of these internet issues. I live in a subdivision where we get terrible speeds. So, to say it's not a priority I don't think is fair. I think it is a huge priority. Obviously things aren't moving as quickly as we would like for a number of reasons including this investigation that's going on right now, which I support because I think to show transparency and say this is what's going on. But unfortunately I'm frustrated too for the fact we can't just say let's go fix it tomorrow. But to say that nothing is being done,

even from SuddenLink and CenturyLink, I know they're making upgrades. It's not acceptable for -- I'll never see those upgrades in my subdivision. They've told me I won't.

**MS. CRIST:** I can't even get SuddenLink in mine. It's 2020, I cannot get cable TV if I wanted it.

**MR. GRAVES:** I would just stress the frustration is shared and heard. I feel like we're kind of just in the lull at the moment while we wait for this investigation. But I mean it's a high priority for me. Again, I feel it every day. I see people that feel it every day. I talk to people every day that they feel it. So, I don't want you to feel like no one cares or we're just --

**MS. CRIST:** I think the problem is is that even if we wait for this investigation, you know, they're saying 18 to 24 months of ALLO doing a build-out for the City, and then the citizens and the businesses --

**MR. GRAVES:** No.

**MS. CRIST:** -- are coming after that or --

**MR. GRAVES:** That's not correct.

**MS. HUGHES:** I just spoke to ALLO on the phone this week and it's a ubiquitous bill if -- if we negotiate with them and it comes back and it's agreed to, because that was not a bid, it was a proposal. So, this Council still has to see a contract and be okay with it. They build out ubiquitously throughout the City. They don't just start in one spot. They will start at the places that are under their -- what did they call it? They called it a --

**MR. LEATON:** Their design.

**MS. HUGHES:** Design plan. They had a special term for it but it was the design plan, the way that you move through a city to make it quick and expense the least as they build it in. They made that clear to us.

**MS. CRIST:** And so if ALLO is approved what is their time frame?

**MR. HENDERSHOT:** Eighteen (18) to twenty-four (24) months, complete build-out to the City.

**MS. CRIST:** Okay. And say we're six months down the road from an investigation being complete and then 18 to 24 months after that. What are we doing right now for the citizens and the businesses of Spring Hill, Kansas?

**MS. HUGHES:** Jim.

**MR. OWEN:** Mr. Hendershot.

**MR. HENDERSHOT:** I will add that in the meantime we continue talks with other providers, other ISP providers. We've met with two this week. We have another one scheduled I believe for next week for others to come into town and provide that competition level outside and away from the RFP. Some submitted RFPs and still have an interest in Spring Hill. Others are companies that are reaching out and saying we have an interest in Spring Hill, can we come talk to you. So, we still -- we are generating a great deal of interest

amongst other ISP providers other than just those that submitted the RFP. As the Mayor has said many times, we're open for business. We're not going to turn anybody away. The competition, the free market comes into town that's what will keep the prices down for residents and I think make others stand up and take notice and improve their service that are already here.

**MS. CRIST:** Okay.

**MR. GRAVES:** And I would just add, you said what are businesses supposed to do. And I will tell you as part of the Chamber, we've started conversations about ways that businesses are working through this issue. For example, this is what's worked for our business and this is what's worked for mine. There's a lot of good collaboration that was started by the Chamber. So, those talks are ongoing as well. So, just from a business perspective that's the conversations that are happening.

**MR. ECKERT:** I echo your concern about -- originally when it was designed, this committee or task force was for the citizens, then it morphed into what's best for the City. And that really irked me that that got misconstrued because that was not the original intent as what the Mayor headed out to do.

**MS. CRIST:** And I think that --

**MR. ECKERT:** So, I'd echo that and I stay focused on that point that it's for the citizens and the community, not just the City. I think that's a little arrogant and obtuse to take that stance. And I would continue to fight for those points.

**MS. CRIST:** Okay.

**MS. HUGHES:** I don't think it was --

**MR. LEATON:** The one thing -- I disagree with you.

**MS. HUGHES:** The task force --

**MR. ECKERT:** Well, you can disagree with my -- it's my opinion.

**MR. LEATON:** I disagree with that you mischaracterized some of the things and the actions. And, in fact, you actually voted for the RFP.

**MR. OWEN:** You know what? We don't need an argument.

**MR. ECKERT:** I voted to continue negotiations with that.

**MS. HUGHES:** Right.

**MR. ECKERT:** But that's my opinion. You can tell me I'm wrong.

**MS. CRIST:** You can. And that is how it looks to the citizens of this City. That it was -- it was said that it was going to be for the citizens and the businesses and it has morphed into how can we get a dark fiber network to the City buildings and that's it.

**MR. LEATON:** I don't think that's really still the intent.

**MS. CRIST:** Okay. That may not be the intent, but that is how it is perceived.

**MR. LEATON:** [Inaudible.] I see what you're saying and I'm not just [inaudible], but I don't think that that is the intent. Let's also talk about the RFP real quick. One of the reasons why we moved with the -- just on the broadband is we were getting no movement from private companies to come in. So, we were trying to push that into the City, to try to find some way. Now, that we actually started the RFP it seems like now we've got some private companies who say, oh, you know what, we want to jump into the market because we're forcing competition to start to come in. So, all I'm [inaudible].

**MS. CRIST:** I'm not disagreeing with the RFP in general. I mean I don't know. Do I think you guys did anything wrong? Probably not. I just --

**MR. LEATON:** I'm just kind of giving the background.

**MS. CRIST:** Right. But it's just we need something. I've lived here for 18 years. When I moved here I was from Olathe. I was back to dial-up. And we are taking a step -- we are taking just steps back, it is not okay. And I get, I mean, and all we can do is come and just complain every couple weeks to the City Council and hope that something gets done.

**MR. ECKERT:** It's not laying on deaf ears with me.

**MS. CRIST:** Okay.

**MR. GRAVES:** Yeah. I don't think with anyone.

**MR. LEATON:** I've lived here 17 years. I had DSL when I first moved here. It's one of the reasons why we supported pushing for the broadband --

**MS. CRIST:** Sure.

**MR. LEATON:** -- to get moving forward with it. And, you know, like other Councilmembers have said is we live here too. I deal with it too.

**MS. CRIST:** Sure.

**MR. LEATON:** You know, we all deal with it. I work from home. I have to deal with slow internet. So, the one thing I want people to understand is it's not us up here against you.

**MS. CRIST:** Sure.

**MR. LEATON:** We really aren't that way. I don't think anybody up here really has that attitude. We're just trying to figure out the best, the most efficient avenue to get where we need to get. And sometimes it's just not going as fast as what we want it to.

**MS. CRIST:** Sure.

**MR. LEATON:** A lot of us want it to go a lot faster, but there are just some things that we're having to deal with too.

**MS. HUGHES:** Yeah. I didn't want to spend three years going to meetings and having to do task force for that long. I really -- we all wanted it to move so much faster. We all wanted people to just raise their hands and say we want to come to Spring Hill.

**MS. CRIST:** Right.

**MS. HUGHES:** And just are working so hard. We really are working so hard to try to bring that to you, to us, to our houses, to your houses, to everybody's houses. There is no ill intent up here at all.

**MS. CRIST:** And I don't think so. I mean I think we appreciate it. It's just some of the information is not relayed in a manner that is -- that either -- you can't just spring it on us. You know, it's like, oh, here ALLO Communications, bam, in your face and everybody is going what are you talking about. And it's just, you know, the ROI, you know, \$2,000 for this, this and this and, oh, it's a living document. We need to see what's happening. We need to see how these, you know, how the money is being spent and what we're going to get out of it. And we're going to have questions, you know. I mean --

**MR. GRAVES:** And I think they're fair questions.

**MS. CRIST:** I suppose we could be a sleepy little town and just, you know, you guys could just pass whatever and do whatever and, you know.

**MR. GRAVES:** I don't think that benefits anyone to be honest.

**MS. CRIST:** Right.

**MR. LEATON:** That's not the intent.

**MS. HUGHES:** Mr. Hendershot has actually put together a really good Frequently Asked Questions that he's expecting to get up on -- it's had to have been tailored for the internet, but he's got it ready and I think they're putting it up tomorrow.

**MR. HENDERSHOT:** I'm hoping to get that up tomorrow if not by Monday.

**MS. HUGHES:** Or Monday. And so it answers a lot of the questions that we've heard a lot of. But if you have more questions, please, you know, e-mail and we'll put them on there so everybody won't have to ask the same question five times.

**MS. CRIST:** Sure. We appreciate that. Great. Thank you.

**MR. OWEN:** Roger Welsh.

**MR. WELSH:** My name is Roger Welsh, 21914, Spring Hill right across the way from the highway. Thank you again for letting me come speak with you. I try to keep my statements up here to the fact and make sure that I get my point across the best way I know how.

So, I'd like to start by saying thank you for posting the ROI statement for the RFP fiber project. I was able to review the document and it was quite alarming. As mentioned in my last speech to this Council I asked for that ROI breakdown and I was told it existed. But I had my doubts and I hoped I was wrong and I hope it was presented. And I hoped that there was a cost analysis that showed what happened when something broke, when Mother Nature had her way, how many staff was going to be needed, the equipment needed, the insurance cost, but we went to a vote anyway. But unfortunately, I was right. It wasn't done at all. Well, not until we started asking questions.

The analysis that was provided to us doesn't tell us the whole story. Council Lady Hughes, you stated in the Council meeting on January 23<sup>rd</sup> that if we didn't vote right now we would lose three years of work. And I'm sorry, but I don't understand how this is three years of work.

I'm going mention RG Fiber again, and not because I represent their company because I don't, but with a little bit of investigation work I was able to find out that we could save the City \$350,000 right now. Save them \$46,512 annually right now. Save on all the equipment costs, the maintenance and the insurance. And I'm using them as just an example because we had a welcoming party for that company. They were going to solve our problem that the broadband task force was trying to solve for the last three years. They could have come into our town, built out the City like any normal provider, offered one gig service to all City buildings and would have charged \$130 per site plus taxes and fees.

And you can correct me if I'm wrong here, but the City will collect some different fees. I think they're kind of franchise fees for these companies that are being here. I don't know where those taxes go, but ultimately it goes into the same public funding. We could save a ton of money and not have to worry about a fiber network, the burden of maintaining it, the burden of repairing it, and provide a service to this city and its residents that we've needed for a long time.

So, it's unfortunate the Mayor is not here because we talked about the investigation in the past, and somebody else has already mentioned it. So, I'm kind of really sad that he's not here because I would love to hear his statement on why we're hearing such conflicting stories between the Johnson County DA's office and what he has said in these meetings in the past.

We don't have to wait for the investigation. We could do something right now. My question to this Council, are you guys willing to just have a motion to stop negotiation with Allo, get out of the way of the RFP, get out of the way of these providers coming in that already said they wanted to be here but are afraid of our city and the partnership that we're going to create with them and let them come in and build out our city, save the City a bunch of money and be able to move forward?

**MS. HUGHES:** We're not stopping anyone from coming to the City.

**MR. WELSH:** How many people do you have -- how many companies do you guys think you're going to get to build out this city? I'm asking you an honest question.

**MS. HUGHES:** We haven't been able to -- if we stop negotiations, first off, about your comment earlier about the vote. I was frustrated that it's been three years that we've been trying to get to the point where we can even try to partner with someone, that we had an idea of who to partner with that more delays were just going to keep people from getting internet. That was my comment. And I still believe that. I believe that all of the delays will continue to keep us from getting internet to the people. If we stop looking at a contractor or even talking about that, I believe we've gone backwards not forwards in our progress because we went through all this process to pick someone who proposed something. Didn't bid. It's not a bid process, it's a proposal. They proposed something that we could see the citizens getting a benefit from in a reasonable amount of time. And I want to move forward with that. I want the City to see what those negotiations can be instead of guessing about what they could be and when do we get there.

**MR. WELSH:** Well, we can do it without that money. We can do it without spending \$350,000.

**MS. HUGHES:** It doesn't say anywhere that we have to spend the \$350,000.

**MR. WELSH:** We don't have to spend any money.

**MS. HUGHES:** For no money nobody was coming. We've been asking people to come for three years. I couldn't get for no money --

**MR. WELSH:** You had somebody here -- that was here that was willing to come and then -- you have to look at it from an economics business perspective. This city -- this city represent -- came to a welcoming party. We welcomed them in. We're like, yes, finally somebody here to do something with us, somebody that was willing to create contracts with citizens and open up lines and do things that no other major contributor would ever come --

**MR. LEATON:** No.

**MR. WELSH:** Hold on. That would ever come in and do. I keep on hearing these things that we're going to have all the ISPs coming in here. I'm going to give you an example of why I think, no, you're not going to have 15 different ISPs coming here. Cox Communications. I was a customer of theirs in Arizona. They are a fantastic company. They are an amazing company. They offer a service that is unmatched that I have ever seen. They're right there in Wichita and they won't come here. You want to know why? They won't come to Kansas City because it's already overbuilt. There's no ROI here. There's no ROI in Spring Hill for ten different ISPs.

I'm trying to -- I keep on saying the same thing again. We're going to spend a bunch of money. We're never going to get our money back. We're going into negotiations into a contract that we have no idea what the other side of it is. Why do we continue doing that?

**MR. LEATON:** Two things. One is my position on this, if RG Fiber wants to come in I'm not going to stop them. And there's nothing stopping them right now. If they said they were going to come in, I'd say fine. You know, show us they're going to do it, we could back off on negotiations with Allo in a heartbeat. But I don't know that --



**MR. WELSH:** Is that your official statement if you were -- if they were to come in here right now and say they would come in and build out the City that you would stop negotiations?

**MS. HUGHES:** They've said that for years.

**MR. LEATON:** But they [inaudible].

**MR. WELSH:** Do you know why they didn't come in three years ago? They didn't come in three years ago because you guys wanted to build a huge \$10 million dark fiber municipal sector and they said, no, we don't want to do that.

**MR. LEATON:** But back to what I was saying real quick.

**MS. HUGHES:** We didn't say any --

**MR. LEATON:** Is that is my position with it. But we've been getting a lot of mixed messages over the years from RG Fiber. Now, the other thing about the \$350,000 in looking at the proposals, and if I start getting into information that is not allowed to talk in public, staff, please stop me. But RG Fiber, when I reviewed their information, they had a lot of hidden costs. And if we were going to be doing infrastructure as we were talking about it for the municipality, for -- between each other, there was hidden cost in there, in that proposal that they would charge us for. Am I correct on that, Ms. Landis? That could run up as much as \$350,000. So, the point is, is that amount is going to be -- we're negotiating either on the front end with Allo on that, or then you have these other providers that if we decide to provide that infrastructure for the City, we may or may not decide to do that, in the contract negotiations. RG Fiber had it in it where it was a back loaded cost that we wouldn't see. So, that's one of the reasons why, you know, we have to talk about this because it's not apples to apples. And the 350,000 is not necessarily something that we have to decide to spend based on the negotiations. It was something that we put in the proposal said that if we decide to do this what would that cost be. So, that's how that number came about. It's not saying that that will occur. What we're saying is that in the RFP we wanted to have an idea of what that cost would be. Other providers said, you know, there's really not a cost there, but we'll back-charge you or we'll put back-loading into it that could get up as much or more than what that 350 is. So, we really need to have a talk about what that 350 is. And to sit there and say that we're definitely going to spend that amount that is not a given. That's just if we were to do that infrastructure. So, that infrastructure there could be outside of the other stuff we negotiated with Allo.

**MR. OWEN:** Well, I'm hearing new information today from you that I've never heard. So, it sounds like --

**MR. LEATON:** I don't know -- I sat down with staff for two hours one day and went through it in detail.

**MR. OWEN:** Well, we're hearing new information. So, to me it sounds like we need to probably think about talking to the Mayor about having a meeting that we discuss all of this and get it all out in the open for the citizens to hear it, for everybody else to hear.

**MR. LEATON:** Well, it was pretty straightforward in the two hours that I went [inaudible]

**MR. OWEN:** Well, they weren't there though.

**MR. ECKERT:** Yeah. The citizens weren't there.

**MR. OWEN:** The citizens aren't there.

**MR. LEATON:** Are you saying [inaudible]

**MR. OWEN:** I'm talking about getting them involved in the meeting so they know what's going on too.

**MR. LEATON:** No, that's fine. I'm just saying --

**MR. OWEN:** You know.

**MR. LEATON:** You're saying it's new information to you.

**MR. OWEN:** Yeah. It is.

**MR. LEATON:** I read through all the proposals, so.

**MR. ECKERT:** As did I.

**MR. OWEN:** Yeah. We did too.

**MR. LEATON:** And I caught it.

**MR. ECKERT:** Well, I don't go in looking for hidden cost. When I read a document, I read top to bottom, left to right. That's how I read it. Loaded or hidden charges that certainly happens in contracts. There's no doubt about that. But I think the bigger picture is, and you kind of alluded to it in your statements, is the City wants -- the City needs this infrastructure built. Well, if the City didn't need that what would that mean? Would that mean everyone would fly away and it wouldn't happen? I mean are we stepping ourselves? Are we stepping on our feet trying to get this to happen because we need this dark fiber that's going, I don't know, be the alpha and the omega of all internet services? I don't know. I don't know.

**MR. LEATON:** That's not how the RFP actually process works. So, a better understanding of it is what we do is set out in the RFP and what we would like to potentially see.

**MR. ECKERT:** I understand RFPs.

**MR. LEATON:** Off of those [inaudible].

**MR. ECKERT:** I [inaudible] contracts every day. I understand all that.

**MR. LEATON:** Well, okay. Then how do you not understand an RFP and not understand all -- how you can read through all of that?

**MR. ECKERT:** I did read them. I did review them.

**MR. LEATON:** But how did you not catch all that information?

**MR. ECKERT:** I did.

**MR. LEATON:** Really? Because people are saying it's new information after reviewing all 10 or 15 --

**MR. OWEN:** Yeah. You know what? We're not going to get into an argument up here, Mr. Leaton.

**MR. LEATON:** Well, okay.

**MR. OWEN:** Okay. So, we're not going to do that. We can have a discussion.

**MR. LEATON:** I'm just trying to understand how you're saying it's new information.

**MS. HUGHES:** We are not as a City -- I think I can say this for you and you and me, we're not trying to stop anyone, including RG Fiber from coming to the City. It's just they weren't offered the package of the RFP. They just weren't the winning bid. That doesn't mean they can't keep doing what they said they were going to do. And if they do it before this all gets settled with Allo, before a contract is voted on, then the citizens just come up here and they say you don't need to vote on that contract now because RG is in the City. But there are mixed messages there. And I want to see some citizens getting that benefit first. I don't want to give up on Allo when there is only a promise of a benefit.

**MR. WELSH:** But you're asking you're asking RG for -- you're asking them to go out on a limb too, right? You're asking them to partner with you as a City and say, yeah, come on in. Come on in. We may or may not stop our negotiations, but come on in, we might create a --

**MS. HUGHES:** We're not asking them --

**MR. WELSH:** Hold on. We might create a contract in a negotiation that's going to come in and overbuild over you to cut your ROI. I know you're going to spend \$5-10 million building out our City, RG. I know that's going to happen. It's going to happen. That's how much money they're going to spend. You know it because we've had the \$60,000 spent to get that, right? We know how much it's going to cost them to do it. But do I want a city to come in and overbuild over me because they decided they wanted to bring in another ISP?

**MS. HUGHES:** So, we should award that -- we should stop everything and award it to them even though they didn't win the RFP?

**MR. WELSH:** It's not an award. I don't think we should spend any money, Ms. Hughes. I think we should get out of the way. RG Fiber has already told me point blank, if the City gets out of the business of trying to do fiber, and they'll come back and do what they said they were going to do. But because they are unsure with the City and what they're doing and the negotiations they want to fall into with these investigations that may or may not be happening, why would they want to?

**MS. HUGHES:** And as a person who sits on this Council, I can't say to the citizens I'm going to stop in my tracks because someone has said they might come into the City, but they haven't yet. And so I just can't -- I

can't make that commitment to people. I can't say I'm going to wait another year to see if this happens when I'm already down the road of someone who wants to come Spring Hill.

**MR. WELSH:** Ms. Hughes, we can agree to disagree.

**MS. HUGHES:** We totally can, and I respect that.

**MR. WELSH:** Because I mean I've ran businesses. I've ran departments.

**MS. HUGHES:** I just want to --

**MR. WELSH:** I've ran multi-million dollar things. I understand what it takes to come and do something. And that uncertainty, that risk of having somebody that you thought was going to be a partner in something when you welcomed them in, to turn around and say, no, we're going to start negotiations over here to overbuild you after you come in just doesn't sound very good.

**MR. LEATON:** My question would be to the Council is, we can talk with staff, but would we entertain a potential work session of like 6 p.m. before a Council meeting where would go through, and as we go through towards moving the RFP process, either at the next meeting or the meeting after that where we could have a work session so we could discuss certain things about it that we might be able to release now that we couldn't before? And this information that you're saying that it's new to you, I'm not arguing with you, but we can work through any of that. Would that be something that the Council would entertain?

**MS. HUGHES:** Absolutely.

**MR. GRAVES:** Sure.

**MR. LEATON:** [Inaudible.]

**MR. OWEN:** No. I think we need to -- I want to --

**MR. ECKERT:** A question for Mr. Jenkins. We have that non-disclosure. Is that still applicable or has that since expired?

**MR. JENKINS:** It's expired from the standpoint that we had to release [inaudible] KORA, the Open Records Act --

**MR. ECKERT:** Okay.

**MR. JENKINS:** -- has now opened that, all the bids, the associated documents as public.

**MR. ECKERT:** Thank you.

**MR. OWEN:** So, Mr. Hendershot, may I ask, can we get in touch with the Mayor [inaudible] and seeing about working out a work session at this meeting -- or next meeting or something.

**MR. HENDERSHOT:** Yes.

**MR. OWEN:** That we're going to talk about as absolutely as much as possible about the RFPs, what we got, contracts and what the plan is for the City?

**MR. HENDERSHOT:** Is the intent then that that would be prior to the meeting of the 26<sup>th</sup> or on a different date?

**MR. OWEN:** I'm willing to turn it over to somewhat to the Mayor to let him pick a date.

**MR. HENDERSHOT:** All right.

**MR. OWEN:** Okay. If he wants to.

**MR. HENDERSHOT:** Okay.

**MR. WELSH:** Is this Council willing to have a motion to put it on the agenda, the formal agenda to possibly stop negotiations with Allo?

**MR. OWEN:** Well, let's have our meeting.

**MR. WELSH:** Yeah. I think the meeting.

**MR. ECKERT:** I think [inaudible] work session would give us more direction.

**MR. WELSH:** Right. A hundred percent.

**MR. ECKERT:** And I would certainly like to see you and others there.

**MR. OWEN:** Yeah.

**MR. LEATON:** I think what would happen is if we have a work session and if it seems like a due diligence to proceed possibly that way - I got tongue-tied.

**MR. WELSH:** Yeah. No problem. I talk in front of people all the time and I get up here and get tongue-tied, so.

**MR. ECKERT:** I fully understand.

**MR. LEATON:** I've been doing this for 15 years and I still do it. But then we can look at possibly then. The concern I would have is, is that if we do decide to keep going that direction, and it is something that we want to do, and then we do make a motion to stop it, now we've got to get it started again. So, let's not just necessarily stop that process right yet. The other thing is we've been asking RG Fiber to come in. So, you know, I hear what you're saying. But, you know, it wasn't started until we started really pushing this broadband process that they really start possibly changing their tune, so.

**MR. OWEN:** So, I'm thinking with, you know, we'll have the work session. That gets everybody up to speed, citizens, Council, we're all on the same page when we're dealing with this.

**MS. HUGHES:** Mr. Owen --

**MR. OWEN:** And then we can go from there.

**MS. HUGHES:** I think --

**UNIDENTIFIED SPEAKER:** Is it true RG Fiber has \$300,000 worth of materials sitting in Spring Hill right now?

**MR. OWEN:** I would not be able to give you any information on that myself personally.

**MR. WELSH:** I can give you the total of cost of those materials but, yes, there is materials here.

**UNIDENTIFIED SPEAKER:** That's the estimate I heard.

**MR. OWEN:** Anything else, Mr. Welsh?

**MR. WELSH:** Nope. That's it.

**MR. OWEN:** Thank you, sir.

**MR. WELSH:** Thank you very much.

**MR. LEATON:** You have another speaker in the back.

**MS. FISHER:** Kari Fisher, 701 West Spring Street.

**MR. OWEN:** Why don't you come on up because you're next in line.

**MR. LEATON:** Are you going to be talking on this issue?

**MS. FISHER:** No. I have a separate issue, but I just had a question that this kind of raised my hair about. Now, that we're into open discussion here, is there an amount of money that's earmarked to invest into City infrastructure for the City government?

**MR. OWEN:** As far as --

**MR. GRAVES:** For the internet?

**MR. LEATON:** Are you asking as a line item, a budgeted item for this? Is that what you're asking?

**MS. FISHER:** No. Just to state it more clearly, are we spending \$350,000 in order to upgrade services for Spring Hill as a government facility? Is that earmarked? If we don't spend \$350,000 or \$300,000, or however much it ends up being, is that still earmarked for government infrastructure?

**MS. HUGHES:** Ms. Landis, the budgeted item.

**MS. LANDIS:** It's in the CIP. It's in the document as a debt-financed project.

**MR. LEATON:** And it's in the General Fund, correct?

**MS. LANDIS:** No. It would be debt-financed.

**MR. OWEN:** It would be debt-financed.

**MS. LANDIS:** So, we would [inaudible].

**MR. LEATON:** So, then we would be limited, well, I don't know. It depends on the roles of that are. Can we move that over to a General Fund if we wanted to at that point or not?

**MS. LANDIS:** I don't understand that question.

**MR. LEATON:** Oh. I'd have to think through [inaudible].

**MR. OWEN:** Yeah.

**MR. LEATON:** But anyways, it is a capital budgeted item that is going to be in the Debt Service Fund instead.

**MS. LANDIS:** It is in the CIP that was approved by the City Council last year, yes.

**MR. LEATON:** Yeah. Okay.

**MR. OWEN:** All right.

**MR. LEATON:** I'm just trying to remember how we [inaudible]. I don't know if we can necessarily do transfers on it, so.

**MR. OWEN:** Hang on a second. Mr. Welsh.

**MR. WELSH:** So, are we saying that we actually don't have that money, that we're going to be getting that money over time and we're going to pay interest and that it actually could cost more if you're going to spend all that money?

**MR. OWEN:** Ms. Landis.

**MS. LANDIS:** The idea was that it would pay for itself over time, and after a certain period of time it would start to put money back into the General Fund reducing our overall operating cost. So, you would save not only in your operating costs annually, which has a direct impact on your mill levy or property taxes needed in your General Fund because that's where those communication payments are made from, but then also after the certain period of time you would save all of those dollars going forward.

**MR. OWEN:** So, we would be financing it?

**MS. LANDIS:** Right.

**MR. OWEN:** Right. Okay.

**MS. LANDIS:** Yes. And that's how it's listed in the CIP.

**MR. OWEN:** Okay. Yeah.

**MR. LEATON:** Mr. Hendershot.

**MR. HENDERSHOT:** Yes.

**MR. LEATON:** I would ask that -- are there any of the items that we've talked about tonight they could possibly put onto your -- extending on your frequently asked questions for tomorrow, please?

**MR. HENDERSHOT:** Yes, there are. And I actually have an update --

**MR. LEATON:** Thank you.

**MR. HENDERSHOT:** -- on a statement that was put out on our website today that went out on social media, and I also have an update to the ROI as well for tonight, so.

**MR. LEATON:** Good.

**MR. OWEN:** Okay. Ms. Fisher, go ahead and --

**MS. FISHER:** Okay. So, my original topic actually I just wanted to kind of spotlight on that because I think it is touchy because as citizens we see these great improvements happening, but we're still, you know, not happy as citizens and what is deterring the success of this community if people are moving away. And from what I'm hearing here it's a lot of discussion about things of a growing city. And, you know, those growing pains are something that I think you guys are handling well. But also I wanted to touch base with the previous discussion that was on February 27<sup>th</sup>, and that was what is the life cycle of our water lines, and I believe it was 50 years that was mentioned. And what was the follow-up to that meeting and mention of consideration of any anticipated amount to replace lines, a timeline, or location to clarify the timeline. Is that a continual construction and design year by year?

**MR. OWEN:** Mr. Boyer, would you have the answer for her?

**MR. BOYER:** Well, real briefly, the life cycle of water mains, we have pretty much -- the entire system is built out of PVC pipe. Estimated year life cycles are anywhere from 50 to 100 years. We don't, you know, the PVC pipe has been in the ground for a long time. And so, you know, a life cycle is depending on a lot of things. But we are actively or we will have additional information on that probably later on in the season when we're looking at utility rates and that sort of thing. We will try to get something together for Council and citizens.



**MR. OWEN:** Ms. Fisher, does that help you out there?

**MS. FISHER:** No. I think that only just touched base, just breezed by.

**MR. LEATON:** Can I take a shot at seeing --

**MR. OWEN:** Sure.

**MR. LEATON:** -- how I think I want to answer your question. And if I'm off base, then you can correct me if I'm going the wrong way. I think what you're asking is, is are we taking into consideration long-term investment for what we're like on the water and sewer lines in the City?

**MS. FISHER:** Yes. That would be accurate.

**MR. LEATON:** The thing is, is that over the years it's been a balance on balancing of what do we want to charge on water rates for the customers in the district and also long-term build-out. So, the investment that you make is hedging investment on whether or not you really need to do it, right? So, you have to look and do condition assessment of what the lines and the condition are in. We have some lines that were, like were doing the CDBG funding where we used to have a lot of clay, vitrified clay pipe, asbestos pipe type things where we're replacing it. That's what we're doing with the CDBG funds. There was a couple years --

**MS. FISHER:** And that's sewer-related, is that correct?

**MR. LEATON:** Isn't it the CDBG that we're doing that this year?

**MR. BOYER:** The sewer lines, yes.

(Inaudible; talking over one another)

**MR. LEATON:** I'm crossing on two funds here, so sewer and water. But they're both the utilities and rates. So, my point is, is that you have to balance out what we want to spend in capital cost and also the rates that we're going to have to charge people. And over the last five to ten years there's a little bit of a reluctance of the Council just to go out and just raise rates just for the purpose of putting money in the bank for the potential of that right away. Because when I first came on Council both the water and the sewer were in pretty dire condition. In fact, I think it was the Water Fund made a 100,000 or a \$1 million changeover loan, that we made a loan to the sewer --

**MS. LANDIS:** Yes.

**MR. LEATON:** -- because it was in such bad condition. Over the years we've been able to try to stabilize rates, raise -- increasing and also trying to make it so that we can do the capital improvements that we need to do. So, are we looking at what we need to do for long-term? The answer is yes. But the most --

**MS. FISHER:** May I interrupt? What factors --

**MR. LEATON:** So, I mean --

**MS. FISHER:** Yes. You're on track. I'm following you. I'm having a hard understanding what factors are being used to determine which lines will be replaced and more specifically that life cycle. Is there a goal to replace water lines based on the probability of failure or consequences of failure? It is a continual life cycle considering each year without stopping construction and design? Referring back to KC Water, I know that they have a bigger investment pool, but they serve hundreds of thousands of people and they're replacing 28 miles a year, which is one percent of their lines. I believe that's water supply. And it has reduced their water main breaks by 60 percent.

**MR. LEATON:** Where I'm at with that, I had -- Mr. Boyer, you and I talked about this. What we're first trying to get a handle on is the streets and working with our engineering consultant to get the same process of what you're asking on streets with the engineering. And then when we get that, then moving on to the other utilities. It's a big process for -- especially a community like ours that's not done anything like that before. So, the first one, if you see the streets like Webster, other ones that we're running into, we're trying to bite off that one I think first and then the other ones because it is a big bite. Because what you're really talking about is infrastructure asset management, right? And the other problem with it is do we really want to do total cost accounting of what the cost of infrastructure investment we're talking about. Because if we did the water and sewer rates would be so high this room would be flooding over. So --

**MS. FISHER:** I think that we're already paying such a high price that people are not satisfied when we have brown and green and yellow water.

**MR. LEATON:** And I understand that.

**MS. FISHER:** And water main breaks happening pretty --

**MR. LEATON:** And I understand.

**MS. FISHER:** -- often.

**MR. LEATON:** But to get to some of that, I mean if we were to really try to do that we're talking that water and sewer rates would not even be competitive with the surrounding communities.

**MS. FISHER:** If that discussion hasn't happened yet, how are you assuming that?

**MR. LEATON:** No. We've had discussions in the past as a City Council about this when we've done the water and sewer rate studies.

**MS. FISHER:** Is that utility maintenance something that could be managed by the utility provider?

**MR. LEATON:** We own the water utility provider --

**MR. OWEN:** Yes.

**MR. LEATON:** -- for our water and sewer. There are three districts that represent our city. So, we can't force WaterOne and the Rural Water District and how some of the things -- how they [inaudible] their infrastructure.

**MS. FISHER:** I just have a -- I can't accept that answer. I drive roads that are flooding with water that are constantly deteriorating. There's not much being done about the watershed situations. And then I'm still having brown water, tasting nasty -- taste water like fish from a lake. There's something that needs to be done and it needs to be emphasized as a priority. Thank you.

**MR. LEATON:** And we are working on it.

**MS. FISHER:** I don't see how any of that. How is that updated to the public?

**MR. LEATON:** I'll get with staff and see what we can communicate out. But we are working on it.

**MS. FISHER:** Thank you.

**MR. OWEN:** Sharon Mitchell.

**MS. MITCHELL:** Good evening, President Owen and Councilman Eckert, Councilman Leaton, Councilman Graves, Councilwoman Hughes. Thank you for allowing me to just speak briefly. I want to respect everybody's time. I wanted to talk real briefly on just a couple of things. One, oh, my address. 107 South Madison Street, Spring Hill, Kansas.

One as a citizen and one as my role as the President of the Chamber of Commerce.

So, just real briefly from a business perspective, I would just like to encourage the City and the citizens to be aware that during this Coronavirus frenzy that we're having, some of it is very warranted, some of it is maybe a little over the top, but there are a lot of small business owners in this town that rely on people to walk in and buy things from them daily, to go to the restaurant, to go to their coffee shop, to go to their store and buy things. So, I would like us to all be mindful of that and to be encouraging to them. I think whenever there is any kind of a national crisis, how real or perceived it is by the public it affects business and that's kind of the backbone of who we are as a community. So, that's the first thing.

The second thing, as a member of this community I've been really embarrassed the last probably six months, and maybe a little bit longer. I've lived here for 23½ years, my whole married life in the same house just down the street from here and I love this community. Because of that I have chosen to take a job working every day to make this community a better place and I choose to focus on positive things and collaborative things that help us be better as people, as businesses, as a community in general. And I would just like to voice my support for people that sit up here, take time away from your family, and that the Mayor is with his son tonight, congratulations to him. Because I've sat on a similar council and missed my kids' activities or decided to go ahead and miss a meeting to go to their activities and we're people too. So, for you as elected officials, I want you to recognize that there are lots of citizens that know that you are people to and you have a life and you have feelings and you have your -- you're people. You're fallible people and so sometimes you make mistakes. Our staff works tirelessly. They come in here every day and it's not a hobby to them. It's not a spectator sport, but it's their job. And for me my job is also my passion.

And so I've just been very embarrassed of how people have acted and have represented our community because it's not who we are. We're a community of strong people that care about each other. And all it takes is for you to walk down to Gambino's and see a fundraiser going on for a little girl who needs a lung transplant. And you're seeing people line up at the door to buy pizza. So, thank you for what you do. I know things never happen as quick as they want to and nobody -- nobody can know all the behind the scene things that people do. And so I just wanted to voice my support of the effort and the processes that you guys are doing to make this a better place. So, thank you.

**MR. GRAVES:** Well, I would add, Sharon, real quick like when I started the first person I was connected with when we started our business was you. And there was no bigger advocate for this City and everything that you do with the school board. And I think you say you appreciate us, but you are so appreciated as well. There is seriously nobody that knows the work that you do, the time that you do to drive up for every ribbon cutting, for every -- you're there as a resource for questions, answers, starting those communications on, okay, this is an issue with the internet, how do we solve this. And your positivity really rubs off as a business owner to say we have this person in our corner and it's great to have someone like you in our corner for that. So, thank you for what you do.

**MS. MITCHELL:** Okay. You're welcome. I love what I do and I'll continue to do it.

**MR. GRAVES:** And it shows.

**MS. MITCHELL:** So, thank you.

**MR. LEATON:** What I was going to say is I've known you for -- I can't even count the years. I'm just thankful that you have chosen to live in Spring Hill. And what you're saying to us and how you appreciate us, I want to just convey that to you this is how much I appreciate you and the things that you have done in the community, be it anywhere from the school board, the chamber. But people don't even know the activities that you used to do before [inaudible] and the things that you did there. So, I think the statement that needs to go is that we're community. We need to remember we're a community. It's not this fashion or that fashion that needs to dictate one thing or the other. We need to work together, you know, and to look to try to get the best things for everybody as a whole. Sometimes there are going to be things that some people like that. That's just how it is. But we just need to work together. But thank you.

**MS. MITCHELL:** You're welcome. Thank you.

**MR. OWEN:** Thank you, Sharon.

**MR. GRAVES:** Thank you.

**MR. OWEN:** Mr. Riffel.

**MR. RIFFEL:** I brought some props.

**MR. OWEN:** All right.

**MR. RIFFEL:** I'll get to those in a second. Roy Riffel, 20024 Barker Street.

First off, a couple of things I added. First off, my heart goes out to the people that were impacted by that bullet. I did watch a lot of that on social media. Probably the first time I never commented on something on social media because there was so much going on and things are getting posted and everybody is an internet expert in this town now and everybody is a gun safety expert in this town now. But one thing I will say, I grew up with guns and hunting. I have a lifetime hunting license. I am an avid gun collector. For 15 years now I've had my concealed carry. And if you see me I'm more than likely carrying a gun. And taken a lot of training on shooting, taken a lot of training on safety. And when I went to K State I actually started the K State shooting team during a time of a lot of controversy of bringing guns into the schools and into the school districts because of all the school shootings. And was on the team, went to nationals and got the school or the collegiate to get -- recognized it so much that I became an admin side because I sucked at shooting compared to the talent that we were bringing in. So, the thing that just blows my mind is anytime I've ever talked or been at a class you're responsible for that bullet regardless of what you're shooting at, whether it's a deer, whether it's a target, or the craziness on New Year's Eve. So, to me that was just very concerning.

I did tell myself that I wasn't going to say anything about internet today, but a few comments rolled out that I did want to acknowledge. First off, Councilman Eckert is right in what he said about it being for the citizens and then it rolled into the City. I'm not up here to debate that. But that maybe you all knew that, but we did not know that. And the way that Leaton treated him on that comment is the way I feel as a citizen from some of you when we bring up those same comments.

And to say that we've never stopped other companies from coming in that is a flat out lie. RG Fiber was here in 2017 wanting to do something and they were told that we wanted a municipally funded internet and, therefore, he didn't want to come in. And he's gone on record stating that. And to kind of help with what the other gentleman was saying, I look at it this way. Let's say, oh, I was looking at building a coffee shop here in Spring Hill.

**MR. GRAVES:** Really.

**MR. RIFFEL:** I thought maybe you'd relate. And I'm looking at it and here is a competitor that's wanting to come in as well. And the City says, you know what, I want my own private blend of coffee at all of our City buildings and the City decides to give them \$350,000 for their costs if they give a private blend to the City buildings. Well, if I was a coffee shop owner I don't know if I'd invest in Spring Hill when I know that all the costs of operating a business and the City is offsetting those costs. And so I just -- I give that little bit of analogy for you.

But to get to my props, I brought a couple of things here. And one is just your standard brick. I'll set it right there very carefully because I know that was an expensive podium.

**MR. ECKERT:** That looks more like a paver than a brick.

**MR. RIFFEL:** It said brick at Home Depot, so. And then one is a glass block. So, for the last couple of weeks I've been thinking about bricks. Weird, I know, but it made me start thinking. Before you I have two bricks. One is your standard everyday brick, much like the one Councilman Leaton brought with him at the last meeting. Mine is nothing special. It's a cheap, old, 50-cent brick from Home Depot. They had pallets of them. The second one is a glass brick. Now, glass bricks they cost more. I paid \$5 for that one. They had

less available and I had to go to a few stores as most places don't even stock them. They're a little harder to find. As you can see before you they are two very different bricks.

I started to look at these two bricks after I purchased them and I asked myself of all things, if I could be a brick which one would I want to be. Do I want to be a hard to find glass brick or do I want to be your easy to find standard brick. To decide, I had to compare them. First, I looked at this glass brick. How would it be used or why? Well, it can be used in applications to allow light to shine through, lighting the room and providing warmth. It works with other resources such as the sun to light up those areas that people may find dark. Your standard brick doesn't allow light to shine through and it makes the areas cold. It won't work with others. It makes rooms dark and cold. The glass brick doesn't oppose resistance or opposition. They will allow you to go through them with very little force and not be a roadblock. One time I watched a guy replace some bricks. It was amazing watching this guy replace them. One little hit of the hammer (clucking noise) and he was able to get through the other side of that glass brick.

Now, a brick on the other hand is much more stubborn. On the same day I watched a guy replace some old bricks that just needed to be replaced because they needed updated and, honestly, were just set in their old ways and not up to date with today's current standards. That big strong man took a heavy sledgehammer and just kept hitting those bricks. Those bricks stood their ground, wouldn't adopt to the change and, honestly, wouldn't see the whole picture, but they needed to come down. Eventually after ten times more time than that glass brick the guy was able to replace them.

Transparency. I've stood here several times and I've talked about transparency. Recently I heard a speech that one could draw a conclusion I and the rest of the people sitting on this side of the room shouldn't ask for transparency. We shouldn't ask questions of our leaders as it slows down the process.

When I look at the two bricks before me I hold them in a way -- I hold them in a way that it stands between me and the goal. I don't have as many questions as I do -- or I don't have as many questions of what is beyond the glass brick as I do the standard brick. As you can see that glass brick is transparent. Heck, we've already determined it allows light to go through it. I can see through it. I can see the road and what is being done to get to our goal. Your standard brick, well, I have a lot of questions of that brick. What's inside that brick? I can see the outside but I can't see what's on the inside. What is that brick blocking me from seeing? The standard brick resists and promotes lack of transparency causing others to have to come to their own conclusions to their questions.

White elephant in the room. We've all read the two articles in the *Kansas City Star*. Some are noticing a new online media out there in our City who is reporting on some of the same issues. Honestly, they're scary. But they do raise questions. We've asked questions and each time you ask them you get a different answer if any.

Most of us have been and read on related items on social media. Yeah, I get it. It's social media. Some wish it would go away. Some wonder what participants' agendas are. It is hard telling what is the facts, rumor, and just completely false.

How can you ask us to trust you since you took an oath of office when many at several different levels of government and public offices have taken that exact same oath and have been found to commit wrongdoing? Trust. How do you ask us to trust you when questions go unanswered, we are promised an investigation, and

yet the DA has no idea what we are talking about when the Mayor states he has been in direct contact with the DA?

We reap what we sow. When you build a City Hall and you use this standard brick it creates a culture of not working with others to bring light and warmth to a dark cold area. It gives resistance and creates the need for force to get through to the same goal that, honestly, we all want. It promotes a culture of no transparency even so much to where one would ask for an end to the call of transparency.

Ask yourselves, Councilman Leaton, Councilman Graves, Councilwoman Hughes, Councilman Eckert, President Council Owens, what brick are you. Do you want to bring light and warmth to a dark cold place? Do you want to allow others through for the good of change? Or do you want to require a wrecking ball to get to that goal? Do you want to be transparent to avoid the own conclusions or do you want to be like this standard brick that will promote lies and deception? The choice is yours and one we can't make for you. But I can assure you with the right decision the citizens will begin to stand beside you, trust you, and things will just get done.

Thank you. And that's all I have.

**MR. OWEN:** Thank you. Well, that ends our Citizens Participation.

## **PRESENTATION**

### **AAA Insurance Platinum Award, Bob Hamilton**

**MR. OWEN:** We can go to Presentations. We have AAA Insurance.

**MR. HAMILTON:** Good evening, City Council. My name is Bob Hamilton. I'm what's called a Law Enforcement Liaison through the state of Kansas. There are four of us across the state. And my area is from the Missouri border through Miami County to Saline County and back north to Nebraska. So, I am responsible for about 110 agencies across our state. I work with the Kansas Department of Transportation in the Traffic Safety and Technology Division. And we partner with AAA to find law enforcement agencies across our state that we feel have done an exceptional job for traffic safety.

And being a retired law enforcement officer from the sheriff's office, I know how deadly 169 Highway used to be when it used to be a two-lane and it's a four-lane now. And because of people like your Police Department, the Sheriff's Office and Highway Patrol, those fatality numbers have dropped down a lot. Unfortunately, in the state of Kansas, we've had 70 fatalities already this year since the 9<sup>th</sup> of -- or up through the 9<sup>th</sup> of March. That's 21.4 percent higher than it's ever been in the state at this same time last year. And we're just getting ready to go into the 100<sup>th</sup> most deadliest day in the state of Kansas for traffic fatalities because our kids will be out of school. With this virus that's going around it might be sooner than that. So, working for KDOT we depend on law enforcement agencies to help us keep those numbers down.

Your Police Department is one of 38 in the state of Kansas that's receiving this award this year. This will be their 5<sup>th</sup> year and this year they're receiving the top award again, fourth year in a row, which is the Platinum Award. Some of the things that they have done to gain this award is having a departmental policy requiring seatbelt use by employees, having a monthly traffic safety committee meeting that identifies issues and

formulates solutions, participating in the highly successful Kansas seatbelt usage program called "Seatbelts are for Everyone." It's referred to as SAFE if you've heard that. It's one that we have in the high schools. Providing childcare seat inspections and installations, working on a teen car maintenance and traffic safety event, conducting Click It or Ticket seatbelt, working against speed, aggressive driving, and DUI enforcement campaigns as well as a Thanksgiving Safe Arrival campaign, conducting commercial vehicle safety inspections, and notifying the street department when illuminated school zones and crosswalk signs and streetlights were not functioning to those -- so those could be repaired. Now, that may not sound real important to people, but if you remember here a couple of weeks ago we had a crossing guard in Kansas City, Kansas that was killed. That man has been accredited with saving two kids' lives by shoving them out of the road. So, those crosswalks are very important. And then finally for sending to two officers to special DUI impaired driving investigations training.

City Council, without your support the Police Department couldn't do what they need to do out here to do their job and keep everyone in your City safe. So, I want to thank you folks for that.

So, at this time it's my honor to present Chief Henson, all the men and women of the Spring Hill Police Department the Platinum Award.

(Applause)

**MR. OWEN:** Mr. Hamilton, thank you very much. We are partial to our Police Department. We like them very much, but we appreciate your work in what you do to recognize them. Thank you very much.

**MR. HAMILTON:** Thank you for us.

**CHIEF HENSON:** I do want to say that Sgt. Vencil is key in organizing and making sure that we have everyone out on the street doing these grand endorsements and making sure that we meet the expectations of AAA, so.

**MR. OWEN:** That's great. Thank you both.

(Applause)

#### **Property/Casualty Liability Insurance, The Reilly Company, Mr. Kevin O'Brien**

**MR. OWEN:** Okay. The next one is Property Casualty Liability Insurance. How are you, sir?

**MR. O'BRIEN:** Good evening. Thank you, Council, for having me. Before I get into the insurance program, I do want to publicly thank the City staff who works very hard to gather a lot of information that I need to put together for underwriters, and specifically Monakisha Jones who spearheads the effort to gather that information. So, it's always a great pleasure to work with the City staff.

In general, before I get into the specific coverage and any questions about -- that you might have about that coverage, just kind of a state of the union about the insurance industry and especially, specifically related to the municipal insurance. Fortunately a lot of the things that are happening in the world have not adversely affected the municipal insurance market. There aren't as many insurance companies that deal with municipal



insurance. We always look at A-rated insurance companies. And fortunately, even though there are things happening throughout the world and especially in the U.S. with storms, and in my comments you probably saw in my overview \$10 billion events each year for the last five years, there were some serious things happening. And fortunately those have not come to play in your program.

Most of the changes that we are making this year are due to increases in exposure. So, I'll start with the property coverage. The underwriter had requested that we increase the values five percent because they hadn't been increased in two years. And that's the only change. The rates did not go up. In terms of the inland marine, which is the equipment coverage that goes outside of buildings, so this is the Public Works equipment, wastewater, all of those kinds of things, or it's equipment that goes out to job sites. We call that inland marine coverage. And those values did go up. A couple of large pieces of equipment were purchased in the past year and also some Police equipment, emergency equipment. So again, rates did not go up. It's a mere reflection of the increase in the values of that equipment is what the premium is.

In terms of general liability, again, because the City is growing the basis of the premium there is expenditures. We did have a pretty healthy increase in expenditures this year. And as a result that's reflected here as well as some claims that we've had in the past couple of years that really kind of eat away at some of the discounts that we had. So, there is a rate increase, slight rate increase there. But most of that increase is due to the increase in expenditures.

Going on to some of the professional coverages covering the law enforcement, Police Department, the increase there is primarily due to an additional officer this year. Public official liability and employment practices liability, two areas where we have seen increases across the private sector, we have not seen increases. Your rates did not go up there. It's merely a reflection of the additional number of employees that the City has.

In terms of the auto coverage, auto is a bit unique. We are seeing increases across personal auto and commercial auto insurance primarily due to a perfect storm of distracted driving claims and the cost of repairs of vehicles with the technology that has been put into vehicles, sensors, cameras, things like that. So, a mirror on a vehicle that used to cost a couple hundred dollars to replace now has a sensor in it and it's ten times that. But again, I think we're talking about a five percent increase. It's a very moderate increase.

Excess liability. This is the coverage that provides additional coverage over and above the general liability, the law enforcement liability, the public official liability, and employment practices liability, a very important coverage. Again, that only went up because it's reflecting the increases in the policies over which it covers. So again, no real increase in rates there.

Workers compensation. We did see an increase there. But again, most of that increase is due to the increase in payroll. Workers compensation is a premium that's developed based upon a rate for a particular type of work that's done and payroll is used -- applied against that rate to determine the premium. Also because of the claims that we've had last year there was something called an experience mod factor, which is a just a reflection. It's a rolling three-year average of claims that goes back four years and from there up three years. So, it doesn't take into consideration the most recent year. So, because of some of those claims, and that is a factor that affects not just municipalities, it affects every business. So, that's something that is not arbitrary. It's actually a very specific calculation that is made and it's made not by the insurance company, but it's made by the National Compensation Council which calculates that for all businesses and municipalities. So, it's out

of our control. It's something that a business or a city earns either a discount or pays a bit of a surcharge based on that claims experience.

Cyber-liability coverage, no change in premium there. And the same with the last item, the identity theft.

I'd be happy to answer any questions.

**MR. OWEN:** All right. Thank you very much, sir. Appreciate it.

**MR. O'BRIEN:** Thank you.

### 2019 Year End Report, Pat Burton

**MR. OWEN:** Mr. Burton.

**MR. BURTON:** Well, thank you and good evening, Council.

(Off Record Talking)

**MR. BURTON:** This evening I have the annual report for the Community Development Department. And the Community Development Department continues to see growth. There is potentially more growth for commercial coming up this year. We continue to see that the stimulus packages, the stimulus program, the builders still like it. For you that's not -- that you don't know what it is it's we defer the sewer or water charge until the final. So, they still take advantage of it. There's like 100 percent of the water and 98 percent of the sewer permits, sewer system development charges were under the deferred option.

I'll just go through some quick highlights for the permits and all through the year. Had 125 new single-family permits, \$32 million of valuation. We had three multi-family buildings, finishing out Blackhawk, 108 units. It's about a \$6.1 million project. And then a 451 other permits, fences, sheds, maybe just a plumbing permit, an electric permit, HVAC. And under that valuation about a \$23 million valuation.

The total fees that were assessed was \$1.2 million. The reason we used the assessment amount is under the economic stimulus program there is some outstanding that are carried into the next year. But it was overall a really good year. There were -- actually we're down in new single families from -- in 2018, there was 148 new single families.

Highlights on the development side of it and planning. Nine rezonings, six preliminary plats, eight final plats, and eleven land disturbance permits. And in that there was \$283,000 collected in excise tax.

The highlights on code enforcement, I grouped some of these together as 62 vehicles. This is 135 grass, trash, trees, those types of abatements. Twelve (12) vehicle, parking, 3 right-of-way, 4 fence, 17 citations that were issued and taken to court, and 2 chicken complaints.

A lot changed last year in the Community Development Department. New director, new building official. The growth in the department will allow to make positive changes in the direction of rules, regulations and accountability. The department started implementation of the inter-Government program with great

success. More of it was this year than last, but it's been in the works. When they rolled it out we really had very little problems with it. We're using the iPads and -- the ones that we have and it seems to be working well for that. We'll be completing the implementation of it, of inter-Government to go with fully online permitting. You can pay online and submit everything, pay online. And then also all the inspections, and most of them are sent now, do the inspections sent by e-mail to the builder or developer and it's working really well. It gives a good tracking record where, you know, they -- a lot of times the paperwork couldn't be found on the job site or something like that. And it's quick. That's what everybody wants anymore. Some of the training and testing will be some of the top priorities.

These are just the highlights. I had presented you also with the building permit summary report. And that goes through all the calculations. And then also down below has a track record for several multiple years.

Any questions?

**MR. OWEN:** How is that new director working out?

**MR. BURTON:** You know, sometimes I have a lot of trouble with him. But most of the time the arguments get won by him.

**MR. OWEN:** Okay. Just checking.

**MR. BURTON:** No, it's good.

**MR. LEATON:** What was the number of rates that [inaudible] estimate for when we're doing our water and sewer rates? Doesn't that play into it?

**MR. BURTON:** As far as --

**MR. LEATON:** What was the number that we used and what did we actually last year? And what was the number this year and what [inaudible] for the budget that impacts this? Do we remember that number?

**MR. BURTON:** We do.

**MR. LEATON:** You don't remember that?

**MS. LANDIS:** I can bring that back to you. I don't have it in front of me right now.

**MR. LEATON:** I just would like to kind of see how we're tracking on what we estimated and what we're hitting, what we did last year, and the last few years.

**MS. LANDIS:** Sure. So, like Mr. Burton mentioned, the impact of the revenues are somewhat split between the year that the permits happened because of the deferred system development fees. So, even though you may have had 125 last year, you may have gotten a few payments from the previous year and some from the current year if they started the process early and the payments came in towards the end of the year and then some that may not pay until next year. So, it'll be a little difficult to tie it back, but we can certainly try and see if we're fairly close to what we estimated.

**MR. LEATON:** And that's what one of my concerns is, is that are were really collecting the revenue that we need to be collecting based off of that deferment, or is it impacting us [inaudible] would be, so.

**MR. BURTON:** So, if you're looking at --

**MR. LEATON:** From a finance standpoint.

**MR. BURTON:** Right.

**MR. LEATON:** Not being in your department [inaudible].

**MR. BURTON:** Right. Increasing the cost of --

**MR. LEATON:** Well, I'm not saying anything.

**MR. BURTON:** Increasing the permit cost.

**MR. LEATON:** What I'm saying is, is let -- I'd like to have us look at that and make sure we're not by deferring things costing us more than what we should. I just want to make sure.

**MS. LANDIS:** When I -- some of those conversations that Mr. Burton and I have had in the past have been how are we making sure that those payments are made even if maybe the property doesn't become or go on to the market so those aren't being caught up. And his department is doing a great job of collecting those after a certain period of time whether or not the house is ready to be sold. And a lot of times they'll want to hold off on payment until that happens. But they've done a great job of making sure things are collected timely.

**MR. BURTON:** To follow up on that, if there is -- if the house is dragging on, you know, nine months, and then it goes on our radar. And after a year we demand payment on any deferred fees whether they're ready for a final or not.

**MR. ECKERT:** And for single-family homes is what you're referring to?

**MR. BURTON:** Yes.

**MR. ECKERT:** Yeah.

**MR. BURTON:** Yes.

**MR. LEATON:** I'd ask that you might address the affidavit pending for the action that we file on that as well to protect us.

**MR. BURTON:** Right. So, also there is a protection measure on any of the deferments we file an affidavit with the respective county for. And what it is is if someone does go to try and close, the title company looks at it

and says, wait a minute, there's an action here and so we do get collected. I think really over all the years I can think of we've only been burned on one and it was a bad check.

**MS. LANDIS:** For a company that went out of business.

**MR. BURTON:** Right.

**MS. LANDIS:** So, we were unable to collect.

**MR. BURTON:** We're looking forward to this year. We're looking forward to some more positive commercial growth. Any other questions? Thank you.

**MR. OWEN:** Thank you.

#### CONSENT AGENDA

1. **Appropriation Order 2020-03-12.**
2. **Consider Approval of Agreement: Swimming Lessons, YMCA**
3. **Consider Approval of 2020 Aquatic Center Rates (Group Swim Lessons)**
4. ~~**Consider Approval of Contract: Commenco, LLC (Tower Climbers)**~~  
*(This item was moved to Formal Council Action)*

**MR. OWEN:** That brings us to the Consent Agenda.

**MR. LEATON:** I move that we approve the Consent Agenda.

**MR. ECKERT:** Second. Oh, I'm sorry.

**MR. OWEN:** Any discussion? All in favor.

**COUNCILMEMBERS:** Aye.

**MR. OWEN:** We're moving right along.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the Consent Agenda as amended. The motion carried 5-0.]*

#### FORMAL COUNCIL ACTION

4. **Consider Approval of Contract: Commenco, LLC (Tower Climbers)**

**MR. OWEN:** Mr. Hendershot, I think we have Item 4.

**MR. HENDERSHOT:** Okay. I wasn't quite sure where that moved to, but I am ready.

**MR. OWEN:** Right now. How is that?

**MR. HENDERSHOT:** Perfect.

Okay. This is a consideration of a contract with a company called Commenco, LLC. It is for services to install equipment on the City Hall communications tower, which is located behind the building here, and also some equipment on Rural Fire District No. 2 tower, which basically they amount to microwave dishes if you will.

The City of Spring Hill has been coordinating with Johnson County for several months to develop a direct connection to the Johnson County JIMS, which is Johnson County Justice Information Management System. This direct connection is required for a secure link to provide opportunities for video arraignment between the Johnson County Jail and the Spring Hill Municipal Court. The equipment will be installed on both the City Hall tower and the tower at Fire District No. 2. The City currently has an agreement with Johnson County for the use of Fire District No. 2 tower. The proposed contract is in the amount of \$6,454. Any equipment to be supplied by the City has been previously purchased.

Currently inmates are transported to and from the Johnson County Jail to Spring Hill Municipal Court by Spring Hill officers. The installation of this equipment and the resulting video arraignment is beneficial by reducing or eliminating transport of inmates from county jail to Spring Hill Municipal Court, which in turn then results us in increased availability of officers in Spring Hill, increased safety for officers and inmates, reduction in opportunities for escape and reduction in officer overtime.

The options before you this evening is approval, denial, or to table. Mr. Jenkins has reviewed the proposed contract. Under budgetary and, Councilman Owen, if I can forward the question that you gave to me, it was based on this statement here I believe.

**MR. OWEN:** Right.

**MR. HENDERSHOT:** Okay. Equipment Reserve Fund is where this is budgeted out of. Funds that were budgeted in 2018 in the amount of \$10,000. Well, obviously this contract is less than that amount. So, any balance that would remain would be then used for a live streaming project. The reason why it was originally budgeted in 2018, at that time was when we were undertaking the project of remodeling this building. So, a decision was made to wait. It made no sense to spend the money to install video arraignment equipment in the old building only to tear it out and have to do it again and double our cost. So, we did that. When this building was then finished, reaching back out to the county, they had had several staff changeover, et cetera, that weren't familiar with the project. So, just getting everybody back up to speed is why that's been delayed until today.

**MR. OWEN:** Okay.

**MR. HENDERSHOT:** But we are ready to move forward. The funds have been allocated from year to year from that 2018 budget. And it is staff's recommendation to recommend approval of the contract with Commenco in the amount of \$6,454 and authorizing the Mayor to sign the related documents.

**MR. LEATON:** So moved as stated.

**MR. OWEN:** Okay.

**MR. ECKERT:** Second.

**MR. OWEN:** Any discussion? All in favor?

**COUNCILMEMBERS:** Aye.

**MR. HENDERSHOT:** Thank you.

**MR. OWEN:** All opposed?

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the contract with Commenco, LLC in the amount of \$6,454 authorizing the Mayor to sign related documents. The motion carried 5-0.]*

#### **5. Consider Approval of Agreement for Cemetery Tree Services: Downey Lawn Care, LLC**

**MR. OWEN:** All right. That brings us to Item 5.

**MS. LANDIS:** Thank you. This is in relation to the first amendment to the contract with Downey Lawn Care for mowing services at the Spring Hill Cemetery. In December of 2018, we did an RFP seeking mowing services for the cemetery. And subsequently, a contract was approved with Downey Lawn Care for 2019. The Cemetery Board was notified by Downey Lawn Care this year that the cost of the pre-emergent that's listed in the agreement has increased by approximately five percent, and has requested an amendment to the existing contract to reflect the cost increase. Downey Lawn Care has another company treat with the chemicals once in the spring and is a pass-through cost for the one application. The agreement for 2019 included a cost of 1,350 and the increase cost will be \$1,425. So, less than \$100.

I want to make sure that we understand how the -- why the contract is with the City instead of with the Cemetery Board. So, the Cemetery Board exists underneath of the City and they manage and take care of everything at the cemetery as well as have their own set of financials for the cemetery. They do request funds from the City every year to help operate the cemetery. But the cemetery ground itself is owned by the City of Spring Hill and so we -- any contract where someone might be doing any type of professional service where they could get hurt, where there might be damage to our property, we want to make sure that that contract sits with the City of Spring Hill. So, it does create some a back and forth between City staff and the Cemetery Board and trying to get their business done for them. But it's important that we're able to include our insurance requirements in those contracts for those services.

So, the cost of the mowing services are completely paid by the Cemetery Board and this increase in the agreement is not for the mowing part. So, they currently mow as needed I think based on their contract, and the Cemetery Board themselves go out and review the work. That's not \$900 per mowing and that did not change. This is only the one time pretreatment -- or pre-emergent application.

So, the options this evening are to approve the first amendment to the contract with Downey Lawn Care. If you have questions and deny or table the issue, it may cause them to have to move back the application, but

we certainly want to make sure that we answer those questions for you. And staff would recommend that the City Council approve the first amendment to the contract with Downey Lawn Care for mowing services for the Spring Hill Cemetery.

**MR. LEATON:** So moved.

**MR. OWEN:** Ms. Landis, I do have a question for you.

**MS. LANDIS:** Sure.

**MR. OWEN:** And --

**MR. ECKERT:** No. There's a motion.

**MR. OWEN:** Oh. Do we have a second?

**MR. ECKERT:** Second.

**MR. OWEN:** Second. Okay. Discussion.

**MR. ECKERT:** Now, you can have discussion. On the -- is there a reason we use Downey as opposed to having our own Parks do the mowing?

**MS. LANDIS:** We considered that. At the time we -- our conversations internally were, one, we didn't necessarily have the equipment and/or the staff and the time needed and necessary through the summertime when it's the busiest time in the City anyway to be out there doing the work ourselves. We did look into that. We talked about it with the Cemetery Board. They asked the same question when we went out for RFP. And the work that's done out there is very --

**MR. ECKERT:** Tedious.

**MS. LANDIS:** -- tedious. That's a great word. So, it's everything from around every headstone. It's not just mowing, it's trimming and it's making sure that it looks great. And from that perspective having a company do it who is dedicated to that and is on a regular schedule that cemetery looks amazing and they've done a really great job.

**MR. OWEN:** Okay. So, more cost effective for us to do it this way probably than --

**MS. LANDIS:** Yes. Absolutely.

**MR. OWEN:** Okay. That's all I had. Any other questions? All in favor.

**COUNCILMEMBERS:** Aye.

**MR. LEATON:** Did you second?



**MR. OWEN:** Yes, he did.

**MR. LEATON:** I didn't hear.

**MR. OWEN:** Yeah.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the contract amendment with Downey Lawn Care. The motion carried 5-0.]*

## 6. Resolution of Intent to Finance Certain Equipment

**MR. OWEN:** And I think the next one is you too.

**MS. LANDIS:** It is. And if you'll allow me I'd like to have Lt. Hogue come up because the next two items really kind of go together since we're asking for the authorization to purchase as a follow-up to the resolution of intent to finance.

**MR. OWEN:** Yeah.

**MS. LANDIS:** So, I'll start with the reason why we have a resolution in place first. So, when purchasing equipment leasing is a viable option when cash is not readily available. And during the 2020 budget process it was determined that three vehicles would be purchased for the Police Department and financed through a lease purchase. The proposed resolution that's in your packet would allow the City to purchase the vehicles now before having the actual lease in place or the documents ready to go. It actually is a benefit to the City to have a document and know exactly what we're going to spend on those, purchase ahead of time. That way we're not loaning too much money in that given year. So, the City has used a lease process with local banks the last several years and we've had great success with low interest rates. Out of the four banks we have two that are actively winning those bids, three that are actively bidding, which has been fantastic for us and our community. And so we would expect nothing less with this 2020 process. And the amounts included in the resolution are intended to be all inclusive and they represent a not to exceed cost of the purchases, which -- so the numbers that are in here under the resolution are slightly different than what you'll see for the purchase cost. The amounts included for these vehicles and related outfitting to be funded include a 2020 Ford F150 Police Responder Supercrew truck with a not to exceed amount of \$43,000, a 2020 Ford Police Interceptor Utility Vehicle not to exceed \$48,000. And there's actually two, but the second one is listed separately because it is -- we are anticipating trading in one of our existing vehicles towards that and that trade-in price would be \$4,500, which is what we've recently had them view the vehicle and give us that amount. And that would be our current K-9 vehicle that we're trading out.

So, under this resolution the principal and interest payments will be paid from the Equipment Replacement Reserve Fund in the instance of these three vehicles. Oftentimes, those principal and interest payments might be paid from their respective funding which we're purchasing the equipment. That's all pretty much put in place during the budget process in the previous year. So, our recommendation would be approval of the resolution of intent to finance certain equipment with the issuance of federally tax-exempt debt. And once you've considered that we can move to the request to purchase the items. If you have questions about those vehicles though before we approve the resolution, Lt. Hogue would be able to answer those.

**MR. OWEN:** Any questions?

**MR. LEATON:** What's the resolution number?

**MS. LANDIS:** Dash 03.

**MR. OWEN:** You got that?

**MR. LEATON:** Yeah. I move that we approve Resolution No. 2020-R-03, please.

**MR. OWEN:** Do we have a second?

**MR. ECKERT:** Second.

**MR. OWEN:** Any discussion? All in favor.

**COUNCILMEMBERS:** Aye.

**MS. LANDIS:** Thank you.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve Resolution No. 2020-R-03. The motion carried 5-0.]*

## 7. Consider Authorization to Purchase Police Department Vehicles

**MR. OWEN:** Number 7.

**LT. HOGUE:** Members of the Council, thank you for your time this evening. So, I'm going to give you some insight into how we want to utilize those funds. We have three marked patrol units that need to be replaced with the -- that were approved with the 2020 budget allocation. It includes two Chevy Tahoes, one with over 125,000 miles on it. That's our K-9 unit. One with over 110,000 units. That's a -- or 110,000 miles. That is a patrol unit. And the third vehicle is a 2005 Ford 150 which was previously used as an Animal Control unit and was transferred to the Public Works Department in October of 2019. Did research, found new vehicles and have identified ones that we believe are suitable replacements which would meet our needs. The vehicles were identified through both regional and statewide bidding processes. Shawnee Mission Ford was awarded the state contract through the Kansas Department of Administration and provided the lowest bid through the Mid-America Regional Council. The prices that we have listed below are from the State Contract ID 46061. In addition to the cost of the vehicles there is an expense for outfitting each of the vehicles and that ranges 10,000 to 15,000 depending on how they are outfitted. Additionally, the cut-off date for a price protected purchase is April 3<sup>rd</sup> of this year.

So, the first vehicle is a 2020 Ford Police Interceptor. It's going to be used as a patrol unit. The base price is \$31,500. As you can see on the agenda review sheet I've itemized the options. The total for that vehicle is \$32,994. The second one is a 2020 Ford Police Interceptor Utility and that will be the K-9. Again, there's a base price of \$31,500. I've itemized the options for that vehicle. Also that's the one that we will be trading in the current vehicle on and so the final purchase total for that is \$27,687. The third vehicle is the F150, a

2020 F150 Police Responder Supercrew. That one is going to be the Animal Control unit and we will also use it for patrol duties as well. You can see the base price is \$31,778. After the options it's \$32,300.

Your alternatives are to authorize the Mayor to execute the purchase orders for the two police interceptors and the one Ford F150 Police Responder. You can deny the purchases or we can table the issue for further research.

The purchase to replace the three marked patrol units are again were allocated in the 2020 budget and will be made from the Equipment Replacement Fund. The staff recommends the Council authorize the Mayor to execute purchase for the three vehicles and then authorize the Mayor to sign any paperwork that may go with those purchases.

**MR. OWEN:** Any questions? I'll entertain a motion.

**MR. LEATON:** I move that we authorize the Mayor to enter an agreement for the purchase of two interceptors and one F150.

**MR. OWEN:** Second?

**MR. ECKERT:** Second.

**MR. OWEN:** All in favor.

**COUNCILMEMBERS:** Aye.

**LT. HOGUE:** Thank you.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the purchase of three Police vehicles as outlined in the staff report and authorize the Mayor to sign the related purchase documents. The motion carried 5-0.]*

#### **8. Request for Additional Funds for Professional Services for Design of Veterans Park Memorial/Pavilion**

**MR. OWEN:** And Mr. Boyer.

**MR. BOYER:** Thank you members of the Council. This report or this -- this is a formal Council action request for additional funds for professional services for the design of Veterans Park, a memorial and pavilion. Design work was needed -- or design work needed to proceed with alternative items for the Veterans Park. Designs would include veterans' memorial space, park site lighting, pavilion area adjacent to the memorial site, fishing jetties. And these items were not included within the current contract listed as these were alternative items.

Considering the recent donations, financial backing and endorsements from public and private citizens, progressed the need for alternative items and design with accurate costs. Key components and essential safety items would be included in these designs. These things would include a Veterans Memorial, pavilion area, site lighting, and fishing jetties. Receiving overwhelming support from Parks Advisory Board members, Spring Hill citizens, through surveys and questionnaires, local American Legion and local business alike has

prompted this request. Giving all involved parties design with cost association is essential to further progress the ultimate installation of these Veterans Park amenities. The total lump sum for these costs, for the design costs for engineering services is \$24,000. This request would be to use the -- our existing engineering that's on this project. So, we are -- staff is requesting a motion to authorize approval for the additional engineering work by Verio as listed in the supplemental agreement contract for \$24,000.

**MR. OWEN:** Any questions? Do you have something?

**MR. LEATON:** The only thing would be is with the current construction, is this going to impact the curb construction at this time?

**MR. BOYER:** It would not impact the current construction right now.

**MR. LEATON:** Okay.

**MR. BOYER:** This would give us a more detailed -- they had I think originally maybe a conceptual idea that this would give us a better understanding of what this would -- what the pavilion, what the memorial would actually look like. That's somewhat of a separate situation than as what they're doing right now out there, so.

**MR. LEATON:** I just want to make sure that this is interdependent of the other design --

**MR. BOYER:** I see.

**MR. LEATON:** -- and that we would have something that would [inaudible] this.

**MR. BOYER:** Yeah. Yeah. It would -- they are working with the original conceptual idea, so it'll kind of fall in place hopefully, so.

**MR. ECKERT:** Have they established any kind of timeline for completion?

**MR. BOYER:** On the design?

**MR. ECKERT:** Of this project? Yeah. Uh-huh.

**MR. BOYER:** No.

**MR. ECKERT:** Okay.

**MR. BOYER:** Let me see here. I'll see if they've got that in the -- I don't think that -- I don't see that covered in the agreement, a timeline. But I believe that as soon as this is considered and approved they would get right to it. They have a pretty good understanding of kind of what our ideas are and so I think they would move forward pretty quickly on this.

**MR. OWEN:** Anything else? A motion?

**MR. LEATON:** Move to approve the agreement with Vireo, the supplemental agreement in the amount of \$24,000 for additional services.

**MR. OWEN:** Second?

**MR. ECKERT:** Second.

**MR. OWEN:** Any discussion? All in favor.

**COUNCILMEMBERS:** Aye.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the request for \$24,000 for design services from Vireo for Veterans Park Memorial/Pavilion. The motion carried 5-0.]*

**MR. OWEN:** All right. Since I have a tendency to run long meetings somebody has requested a break for a few minutes. So, how about we make it till quarter after? Could I get a motion to --

**MR. LEATON:** I don't think we need [inaudible].

**MR. OWEN:** Just recess.

(Off Record Talking)

**MR. OWEN:** We're in recess for seven minutes.

(Spring Hill City Council in Recess)

## DISCUSSION

(Item 11 was the next item discussed)

### 9. 2019 Budget Review

**MR. ECKERT:** We're ready for Item Number --

**MR. OWEN:** Nine. Number 9.

**MS. LANDIS:** All right. I tend to talk fast especially when it's later in the evening, but this is my favorite topic. So, feel free to give me signs. Just to get this started this is the first presentation in our budget process. As we discussed in a previous meeting our budget process for -- it will be for next two years, so for the 2021-2022 budget. This is just an overview of where we ended the 2019 year and also maybe just some information that I felt like was good for you to know so that we can be thinking about that as you requests for the upcoming years and thinking about new projects, you're thinking about where you want to see those priorities, where those funds go.

And so the operating budget is one of your base documents and processes that you can participate in. One, it gives you the freedom to do the projects that are necessary in your community. Because if you didn't levy for the money needed to those projects you are not going to get the money to do those projects unless you go a different route. You have to have planned ahead for the principal and interest, for the expected revenues, for your expected expenditures, and you have to also plan for those things that come up that you didn't expect. And so we can talk a little bit about that and why we have the reserves that we have and how we've come to identify the importance of those.

I feel that the good decisions made during the budget process come from you being educated, from the staff being educated so that you understand everything from how the assessed valuation comes to us to what the mill levy means and the impact on a homeowner, and then coming back to restricted assets, revenues, the things that have to be used in certain funds, the way that you can use them. And not every revenue source is just up for grabs. And the City can weigh that against the needs of the community and the cost impact to those residents.

I did provide business cards in the back and on the table if you have questions. If the community has questions about the budget process in general, anything that's in the reports that are being distributed, I'm happy to answer those questions. And I would encourage you as Councilmembers to let me know if you have some time and you want to sit down and talk about the process in more depth than what we're talking about here, if you want to see the numbers where they came from and how we get there, I'm happy to sit down with you.

The copies of the report, the PowerPoint as well as the detailed listings that we put out will be available. We'll put them on the website. We'll e-mail them out to the Council and make hard copies available at the front counter as well as list the links on our social media pages so that we can make sure that everybody has got them in their hands. And to basically give you the basis of how we came up with these numbers, we have taken, there are different approaches to the way that you budget, we have taken the conservative approach. We have found that in a small city with limited resources and larger expenditures, especially as a growing community, you tend to be on the back side of the growth, the revenue that comes from growth. And so we generally try to adequately budget for revenues and expenditures, but we definitely want to err on the side of conservative in our revenue estimates and adequately estimate those expenditures maybe even to the what happens if side of those expenditures so that we don't get caught in a situation where you have to come back and cut other projects that you cut from other projects that you wanted to have happen.

This table is just an overview, and I know it's a lot of numbers. I really just wanted to bring a couple of points to your attention. One of the comments that has come recently was, well, how come your ending fund balance doesn't match what you've budgeted for the next year, or why doesn't -- why don't you know exactly what you're going to have at the end of the year. The process for budget comes six months in advance of the beginning of the year that you're budgeting for. So, technically it's 18 months before the end of the year that you're going to complete. And so when we're looking ahead we have to look at the types of revenues and expenditures that we know and that are fairly stable for us to be able to forecast and the types of revenues and expenditures that you don't have any control over that are going to be either the revenues that are going to come in as one-time revenue sources or the expenditures that are going to come to you as a result of any type of activity within your community.

So, in the General Fund we did end, now these are fund balances. We did end 2019 with an amount higher than what we budgeted for the beginning. I do want to make very clear here that those numbers include the \$750,000 that we have as a reserve in the General Fund. That reserve is there on purpose. It was a vote by the Council a couple of years ago in 2017 to move those funds from the Excise Tax Fund into the General Fund so that we could be prepared for lost revenue from appraised values going down for businesses, a large business with a large appraised value leaving the community, for those -- any type of revenue, like sales tax which -- it fluctuates from month to month quite frankly. It all depends on how you spend your money in the community. It depends on how you spend the money in both Johnson and Miami Counties. If you want to just take the current situation as an example, people may tend to stop going to large box stores as much. They may order online. They may do other things. They may just slow down their activity in the community until things settle down. They may not go out to eat dinner as much. Those are sales tax dollars and they impact us directly. Not just our businesses in town, but also the businesses in both Johnson County and Miami County. All of those have an impact on this.

During a rating for a previous bond issue the rating agency that we use, Standard & Poor's, they made the recommendation that was part of the need for us to increase that reserve for the General Fund in order for us to bump our -- or to get an increased rating from them. And so we did -- we were able to increase our rating with them saving us interest dollars on all of our future financing in our Debt Service Fund. So, the purpose for that is that. That's why we bumped it to that amount. That's an adequate amount for now. As we continue to grow or our expenditure base continues to grow we'll want to take another look at that.

In the Debt Service Fund, I will talk a little bit later about the property taxes and the delinquencies and when those came. We had a short discussion on that at one of the previous meetings about when those funds came in from previous payment on some very delinquent taxes and assessments on a large piece of property here in Spring Hill. And so that impacted the beginning fund balance and the rollover in that fund.

The Fire Fund, there is a slight difference there. It does look like, you know, 40,000. But those came from excess other taxes that we -- what I consider to be other property taxes, things that we don't control like motor vehicle taxes. It depends on how many registered vehicles you have in the county, those come to us, but we have zero control over how -- those, who or how they buy, or what vehicles they register. We do get estimates. They're based off of the mill levy from the previous year dedicated to each one of those funds. And so there is a calculation involved with that.

The Special Highway Fund, that has a dedicated revenue source. And in the last couple of years we have not been able to -- we've been able to roll over more money. One, because we're getting more in gas or fuel tax from the state that gets deposited directly into this fund as well as some reduced expenditures as we prepared for the future maintenance and street improvements in our community.

The Excise Tax Fund, this is a fund where the excise tax is just deposited to -- those revenue streams come in there based on when developers are ready to plot the next phase in their development. We have little control over that. We can estimate to our best efforts based on conversations we've had with the developers prior to that time when we're establishing the budget. But those excise tax dollars are something that we can use for improvements like street improvements. We do have some already -- some expenditures are already earmarked in that fund. We'll talk more about that during the budget process and what available funds might be in there for future projects.

The Water Fund and the Sewer Fund, they have separate revenue sources. They have separate expenditure tracking. They are required as enterprise funds, as separate utilities in order to user fees are what drives the -- or can be used for the expenditures for each of those utilities. And so if you'll notice that we did end 2019 a little bit lower than what we were expecting for 2020. Part of the reason is because we were able to fund the ground storage tank repairs with cash as opposed to long-term financing it. Our estimate was somewhere around 370 early on in the project. And when we actually got in there and looked at what needed to happen we were able to come in, I think it was around 180,000 giving us the opportunity to pay cash for that project as opposed to long-term financing it and incurring interest.

And in our Sewer Fund, Mr. Burton talked earlier about the number of building permits. The number of new single-family homes is really -- over the last several years has really driven -- the system development fees have driven the fund balance availability here in this fund and we can talk more about those two funds and what those are used for.

**MR. LEATON:** Can we back up to that slide real quick?

**MS. LANDIS:** Sure.

**MR. LEATON:** So, excise tax we can use for roads, right?

**MS. LANDIS:** Yes.

**MR. LEATON:** And we also have the Special Highway Fund. The reason why I'm asking is, is I would like us to have an idea of what we're looking at in the next three to five years for anticipated road improvements because we have, what, the two CARS that we've already got on the commitment. We're looking at committing to possibly something on Webster for another CARS program and how we're going to be doing funding and what we want to allocate out of -- for that or any other projects that are in the Capital Improvement Plan, those two funds.

**MS. LANDIS:** Uh-huh. I forecast these two funds. And the only thing that we're waiting on to update both of those forecasts are the five-year maintenance plan which would be included in the CIP. And so once we get all of those parts and pieces together those forecasts will come back to you all.

**MR. LEATON:** The reason why I'm asking is, is that it's the Capital Improvement Plan, but we can change our priorities if we have to or if we decide we have to.

**MS. LANDIS:** Sure.

**MR. LEATON:** It's not like it's something we absolutely have to follow. And that's why I was asking is, is that way if we as a group decide that we want to re-prioritize something that is down and up and move and adjust we can have that discussion now since we are talking about a two-year. So, that's why I want to ask, you know, what we can do.

**MS. LANDIS:** Sure.



**MR. LEATON:** What projects are there. Not just those three but in the next two to three years, what are those projects and do we want to re-prioritize.

**MS. LANDIS:** Absolutely. And when we bring those options back to you, the payment options back for Webster Street, we can bring back those two forecasts. Just for your background information what's already being paid from there, what we think the available funds are going to be and what your options may be.

**MR. LEATON:** And why we wouldn't want to completely deplete the fund and --

**MS. LANDIS:** Sure.

**MR. LEATON:** -- and [inaudible] and all that, so.

**MS. LANDIS:** Yeah. So, for example, the Special Highway Fund funds things other than just street maintenance. It pays for salt and sand. It pays for -- there's a variety of things that are paid out of that fund for maintenance of our streets, not just for the actual repair. So, yeah. We can bring that back and you can kind of see what's paid out of there.

**MR. LEATON:** Just so everybody sees how it all fits together.

**MS. LANDIS:** Uh-huh. This is really just a summary graph. Out of all those funds that were just on the previous table they are budgeted funds. We do have other funds in which revenues and expenditures are made from and they all called Special Revenue Funds. And they are -- typically have a specific purpose and we use those to fund the projects that come up. It depends on the type. There's gift funds, there's other types of funds. But the budgeted ones, here just as a summary, we spent 76 percent of the total budgeted amount. This does not include the reserves. I took the reserves out of here so this is just to give you an idea. So, 12 million out of the 17 million budgeted.

This is property taxes collected and the impact on all funds, not just the General Fund. So, the first four funds that were in this table, the General Fund, the Debt Service Fund, Fire and Cemetery, they are tax levy funds, mill levy funds. They have an assigned mill levy to them. That is your, well, in the General Fund that's one of your sources. In the Debt Service Fund, Fire, and Cemetery that's your only source of revenue coming in there besides the other personal property type taxes.

So, we had this discussion not too long ago about property tax receipts, property tax delinquencies and the comparisons, what we budget for and what we don't budget for. So, I wanted to use 2012 as a base year because that came a few years into this last recession. It came as one of those times when we were starting to maybe see -- peak out on some of the delinquencies and maybe start our uphill climb. It's been a climb. We did not jump at all. So, that 2012, those were the total property taxes that we budgeted for, the 1.9 million. We received 1.8 million. As a reference point, the delinquency rate in those years were just over four percent or just nearing four percent. We are in 2019, down around one percent. And I can't tell you by fund just off the top of my head what that delinquency is, but it should be very similar across the board. But the need for additional revenues to offset those delinquencies are different every fund because of what they fund and the other revenue sources available.

So, that little table to the right, I know it's very small to see and probably especially in the audience, but it's really just meant to give you an idea of what we budgeted for delinquency and what the actual delinquency money brought in. Those are receipts. And so we tried to be -- I try to be very conservative when we budget for delinquencies because you just don't know who is going to go pay up their taxes this year. And I can show you in my next -- in this one is a good example on special assessments how you just don't know exactly when those revenues are going to come in.

Special Assessments, that revenue source does live in the Debt Service Fund. The reason for that is because it is -- special assessments are the collection of assessments from those property owners within special benefit districts and those dollars go to directly pay for the principal and interest on the bonds used to fund those benefit districts. So, we typically try to set up our payments in a manner in which we would be making our first P&I payment after we've collected the assessments at the back end of the previous year. And so if you can see over to the right, and even depicted in the graph, the green, the bright green two sections show in those years when we received large amounts of delinquencies, to the right you never really know who is going to pay up on delinquent taxes, right. So, in 2011 and '12, we had some rather large delinquency payments made. At that time it probably was because of foreclosures. That started to dwindle down to 2015. We had another large payment on some property in 2016, then we dropped to nothing in 2017. That got to 161,000, which was the amount that we were referencing in the previous meeting that we had some taxes and assessments come in that were helping with those fund balances in some areas. That happened in 2018. Of course, now we're back down to 2,200 in 2019. So, just to kind of depict for you there are some revenue sources that you may not ever know exactly what you're going to get in that year. Those do, however, go to offset the need for future principal or future property tax needs within that Debt Service Fund. So, what you'll see is a fluctuating mill levy in the Debt Service Fund based on when the money comes in for previous taxes. So, if the assessments are paid that result is that you have to budget more of your property taxes to cover the debt payments in the upcoming year, right? So, if you didn't receive all of your assessments this year that delinquency amount then has to be budgeted through the Debt Service Fund and property taxes. So, the idea being that that mill levy is then impacting your entire community. So, we want to see this level out some and that would be really helpful in that Debt Service Fund so you don't see it fluctuate like that.

These are just other property taxes. I mentioned this a couple of times already. Motor vehicle, recreation vehicle, commercial vehicle, 1620 and watercraft.

**MR. LEATON:** On that previous slide why did you go with 2011? You might have said it and I didn't hear when I was looking at this. Why did you go 2011, '17 and '18? Why did you do the six-year jump?

**MS. LANDIS:** Because I formulated this presentation on three years' worth of history. But I wanted to use 2011, and I think in the previous slide I used 2012, because those were some years when we were starting to see the larger delinquencies and then being -- making up some of those once the banks started selling, collecting on foreclosures and turning around and selling those properties. At closing on that home that's when you collect back taxes and assessments. I just used it as a point of reference that we've come, you know, a long way from where we were in those years.

**MR. LEATON:** So, it's just a point of reference?

**MS. LANDIS:** Uh-huh.

**MR. LEATON:** Okay.

**MS. LANDIS:** This one I, again, I just wanted to show you that there were the property taxes that come in, but we don't focus on them because we don't control them. We set the mill levy for property taxes but these property taxes come directly to us from the counties and those are on these types of vehicle ownership of these types of items here. I will note that in 2020 in the budget we did -- it looks like we've kind of under-budgeted based on those years. So, when we come back to more of the detailed budget I'll bring back to you where we think some of those fluctuations have happened and we can decide how we want to assign that in the current budget or roll it over to the future year to fund some either opportunity.

In sales tax, sales tax does support a couple of different areas. So, general sales tax for the City, Johnson County sales tax, and Miami County sales taxes, their general sales taxes come into our General Fund as well as two special taxes from Johnson County. We also benefit from those too. The most recent special sales tax that was put in place for -- in Johnson County, Johnson County is a sharing county. So, they do share with all of the cities in their county. And those deposits have been made to a special fund called Sales Tax. If you see it, Special Sales Tax - County, and then we can use that to fund whatever opportunities we see in those budget processes. In this last couple of years we have used it to help offset some of the vehicle and equipment replacement needs and then we've -- we can determine how we can best use that in our budgeting process to see what we need to offset the other revenue sources.

We do also have a special City sales tax. It is specific to recreation and parks. It does go to its own special fund. It is currently being used to fund both the Aquatic Center construction in which we are in year 11 of the Aquatic Center. So, it's paid for the first ten years. That's a 20-year bond. In addition to it is paying for the bond on Veterans Park construction as well. So, not the entire construction. There are other revenue sources in that project, but you will see those in other separate funds. You might see them on reports somewhere but that is specific -- it has a specific purpose and it is dedicated to specific projects.

The franchise fees are a revenue source. These are located in our General Fund. I heard mention earlier of franchise fees and not knowing that they're used for. So, this is perfect timing. These are the franchise fees that are out there. We use them for both electric and gas, and telephone and cable. And we do have those agreements with these companies that are listed. I really don't have anything significant to talk about numbers. I just wanted you to see how they impact your General Fund as far as numbers. The most obvious impact comes from the electric franchise, then gas, then cable and telephone.

**MR. LEATON:** But the one thing is, is that they go into the General Fund, but they're not earmarked for a specific use. They just go into the General Fund.

**MS. LANDIS:** Correct. They're there for general operating costs to support the expenditures that don't have a dedicated revenue source. So, a lot of your internal, your operating, your service, departments, all of the - - everything located in the General Fund.

**MR. LEATON:** Just so people can hear. It's not like --

**MS. LANDIS:** Yes.

**MR. LEATON:** -- you take these and we start using them to go to other things. I mean actually they go into the General Fund and that's how they've been historically used.

**MS. LANDIS:** Yes. Correct.

These are just some other revenues that came in in the year of 2019. Municipal court revenues go to the General Fund, facility rentals to the General Fund. The PD did get some overtime grant reimbursements. That goes into the General Fund to offset their overtime costs related to those programs. Some miscellaneous revenues. And these, I know it sounds miscellaneous is a terrible word, but there are revenues that come in. It can be for copies. It can be for a variety of things that come in. It could be miscellaneous reimbursement of some sort. Under state budget we cannot deposit a revenue that comes -- or reimbursement that comes in in January for an expenditure that happened in December. I can't just put it against the expenditure line item in this current year because it is -- it wasn't actually incurred in this current year so it has to go someplace. Miscellaneous revenue is where it goes.

The highway tax does go to the Special Highway Fund. We do get dollars from the Federal Funds Exchange. And that is a program, it's a federal grant program that's monitored or managed by the state of Kansas. We apply to them for funds. We're currently dedicating those funds to the Lincoln Street project.

The liquor tax comes in, and because we are a community of over 6,000, that has to be split in thirds. So, a third to the General Fund, a third to the Special Parks Fund, and a third to the Special Alcohol Fund. Our practice has been that the third that goes to the General Fund does get transferred to the Special Parks Fund. So, if you see those funds transferred at the end of the year, it typically happens at the end of the year because we want to make sure we know exactly what came in. It does go into Special Parks to help offset some of those park improvement projects.

The CARS grant reimbursement, this is, we've talked about it earlier, is the offset to whatever project we have it with allocated in our CARS for that year. The Build American bonds credit, this was a financing mechanism that was used in 2009 for a bond issue. We have since refinanced that in 2019. So, this will be the last year that you see a credit come in. It was intended under previous federal administration to offset some of the principal -- or the interest cost under those bonds and so that will go away.

And then wildlife and parks that's deposited into our Special Parks Fund.

This is the Aquatic Center performance for 2019. We do have a report that we will put out with all of this year-end stuff, that you can kind of see the specifics of what happens in those operational expenditure line items and revenue line items. But the point here is that we bring in about 143,000 in 2019 in revenue. We expended 337,000. We have known from, as a City, that the operations of the Aquatic Center would require a subsidy. And it has required a subsidy every year. We did see some increased costs for not just maintenance but replacement of some critical components in 2019. And we are working towards a maintenance plan for future years so that we can better estimate what those expenditure costs might be for improvements to the Aquatic Center.

I picked three of the revenue sources there from programs to membership to daily admissions. And truly it all depends on the weather. And that can mean it's too hot, it's too cold, or it's too rainy. That's why someone decides to come to the pool and then we have those dedicated individuals that come every day. So, you can see how it does fluctuate from year to year slightly for each type of revenue source there.

This is just a general graph for budget performance in the General Fund. If you look, the largest expense that we have in the General Fund in our personnel services. This is not just the salaries of staff. Personnel services encompasses not just the salaries but the payroll taxes, the retirement contributions, the health insurance costs, the training, professional development costs, the uniform costs, all of those are included in these numbers. And I did want to note because I know this will probably be a question is that the -- we did under-spend the budget slightly. That is an amended budget for personnel.

And in the next slide I do show that the 2019 expenditures, I'm sorry, those words are very small on the bottom. But the far left pillars are personnel services. And that we did spend more in personnel services in 2019 than 2018. But the reason for that is that in 2018, we had a lot of unfilled positions. And so while we had budgeted for full staffing across our City, we did not fill all of those positions. So, you had savings in those dollars. In 2019, we had a dedicated effort to getting those positions filled. We had some key positions filled in the upper end of our organization. So, you see the related costs. They're not, again, not just for salary but also for the payroll taxes associated with that and the retirement contributions. In addition to we saw an increase in health insurance costs in 2019 and had elected to cover the majority of that increase in 2019. And so that actually rolls over to 2020. But that's the reason for those two -- that comparison.

The last two slides I believe is the water utility. I wanted to just give you a few points here. We did just talk about the water and sewer utility in November or December of last year, so I don't want to go into great detail. You can see that the budget -- the red line is the budget. In the Water Fund, this is the fund where we decided that we going to put a dedicated effort into deciding what the next steps were, this water utility would be. And we did pause any infrastructure improvements in the water utility until we knew what direction we were going to head. Whether that means a merger with another company, whether it means we're going to full, you know, move ahead full steam and start replacing meters and all of those things. But we do in the City limits, we do have three water service providers. One being WaterOne to the north, Water Seven to the south. The City does purchase our water from Water Two which travels here to us through Water Seven lines. We do have a master meter towards the end -- the south end of Spring Hill. From there our lines are through the middle of Spring Hill. And we have 1,775 customers in our water district. That's up 70 customers over 2018. When you see the next slide you'll see what the difference is between our water district and the sewer district.

We do have accounts receivable or outstanding receives of 18,250 approximately. When I say that is moving target daily and monthly, in the water utility you have the opportunity for cut-offs. And when they have to pay that they are paying anything that's in arrears as well in order to be -- have their service reconnected. In this fund we do have -- did bring in development fees. You see that they went up slightly in 2018, dropped back down slightly in 2019, and this is all based on those estimates that Mr. Burton and I talk about in these funds as to what we're expecting. Again, we don't have any control over what actually happens in those years. But we certainly do depend on that as a revenue source for future infrastructure in the water utility. The expenditures, I already noted this earlier, they're a little bit higher because we ended up paying cash for the ground storage tank as opposed to long-term financing. That was 180,000 as opposed to the 370 that we had estimated.

This is the wastewater utility. In comparison to those 1,700 customers in our water service area, we have 2,500 customers in our sewer area. The Sewer Fund or utility itself does cover the entire City limits of Spring Hill, which is drastically different than our water area. So, all of the building, a lot of building, if it's to the

north in Spring Hill that's in the WaterOne district, you don't get those system development fees in your water fund. But you do see them in your development fees for your sewer fund. And so we do use those development fees to fund future infrastructure costs for your sewer lines that we do have and also plant upgrades and necessary maintenance and repairs to the plant as well. So, here you do see that our receipts were up over the budget. It does not include the cash reserves of approximately \$1.6 million. Our expenditures were just under budget so this is a good place to be in our wastewater fund. If you recall, we did not increase the rates for that very reason and I think [inaudible] December for this year.

**MR. LEATON:** What percentage are we at right now for the reserve and what we've been trying to build up in those two funds?

**MS. LANDIS:** So, we didn't attach a target in the Water and Utility Fund. We can do that. We talked about that several years ago, maybe seven or eight years --

**MR. LEATON:** I understand. Where are we at approximately, percentage-wise, in the reserve total cost?

**MS. LANDIS:** I don't have that off the top of my head but I can bring that -- I can send that back to you. I can send it out tomorrow. We can put something out --

**MR. LEATON:** And, you know, the reason is, is the better we do on the reserve the better we get on the rates of when we go out and we lend -- get lending, so.

**MS. LANDIS:** Uh-huh. Yeah. Absolutely. And this is one of those funds --

**MR. LEATON:** It's got a balance to it.

**MS. LANDIS:** -- that because we have a plant, Mr. Boyer and his -- they've done a really great job of putting together both an estimated replacement, repair and replacement costs for future of both the vertical and --

**MR. BOYER:** Linear.

**MS. LANDIS:** -- linear. Linear. Thank you. So, that we do work towards that ten-year forecast. And I should mention that in both water and wastewater we have a ten-year forecast that we operate off of. And so we do have planned out ten years' worth of work. We estimate out ten years' worth of expenditures and revenues in both of those funds.

**MR. LEATON:** The only thing is, is we just have to be careful that we've been doing a good job of building up that reserve to help us when we go out to the market to get bond rates, that we don't just get ourselves into a pickle where we don't keep at least something with the reserves and then they start giving us worse rates.

**MS. LANDIS:** Sure.

**MR. LEATON:** So, that's why I'm asking where we're at and how we're doing on it.

**MS. LANDIS:** I can get that for you. All right. That's all I had. I know that was long. I'm very sorry. Other than I do believe that this is important information. I think you need to know where we're starting from in

order to get a good grasp on where we're headed. And so if you have questions, I'm happy to answer them now. Or as you process all of this, certainly reach out and ask. All right.

**MR. OWEN:** When might we get a budget, a completed budget for the year?

**MS. LANDIS:** A completed budget --

**MR. OWEN:** For '19.

**MS. LANDIS:** For '19. That's what I was talking about at the beginning presentation is I'll have them out tomorrow morning there on the website. There will be a link that goes out on social media. We'll have hard copies at the front counter.

**MR. OWEN:** Perfect.

**MS. LANDIS:** They can be e-mailed out.

**MR. OWEN:** Thank you much.

**MS. LANDIS:** Uh-huh. You're welcome.

#### 10. Taxes & Fees (Permits)

**MR. OWEN:** And you're up again.

**MS. LANDIS:** I'm up again. All right. Well, let's talk about -- this is a very brief conversation. This was a request that came to staff early in -- it might have come towards the end of last year, early this year where we talked about the need to evaluate what could we do in order to make sure that we are collecting taxes and fees. Fees is probably not the right word. Assessments for special benefit districts is probably the more correct word there. So, we have had a conversation internally. Mrs. Hughes and I talked and we've spoken with Frank Jenkins and also our internal staff to talk about what would be a great process that we could put in place to at least get us started in the right direction.

So, where we're at right now that we wanted to kind of share with you was that four new single-family home permits as a starting place that we would suggest that we start asking for a listing of the members of a company to be listed when they come into to do a new single-family home and to sign an affidavit that says that none of those members of that company actually owe taxes and/or assessments on properties in the Spring Hill City limits. And the reason that we are looking at that approach is those builders own those lots. Developers may own those lots. Homeowners may own those lots. But we're looking at are you paid up through taxes through the end of last year. So, in this case it would be through the '18 tax bill, which was due in December of '18 and May or '19. And the reason for that is the tax bill in '19 isn't fully due yet. So, depending on your timing during the year, and we don't want to cause a lot of confusion it would be for the previous year. And that by them doing that this helps to eliminate the idea of, well, this person that came in might be doing business on this lot under this company. And but now they're coming in and they're asking to do business on this lot under this company. And so we're asking that if they list all the members on those companies that we can ensure that they don't actually owe taxes and assessments on any properties in Spring

Hill. And our idea there being that if they do and they say, no, I do actually owe and we're going to follow-up behind it, then if they do owe, then we're going to ask that they go bring those up to date through the previous year and bring us that receipt so that we can move ahead with their request for a new building permit.

We did talk about the other places that we could implement something like this. We talked about right-of-way permitting. We talked about all building permits not just new single-family homes and commercial build permits, but also licensing. And it doesn't seem very feasible based on the types of companies or individuals that would be requesting the right-of-way permits, the other building permits and licensing, that it makes a lot of sense to move in that direction as a first step. So, we like to -- that's why we're kind of putting this out there to you to get your thoughts, let you think about it a little bit. Our idea would be that the next step we think is to write this into either a code, through an ordinance, or there is going to be a regulation of some sort probably that's put in place. So, basically looking for next steps and to see if you had any comments on what we're proposing.

**MR. ECKERT:** What are other cities doing around the area?

**MS. LANDIS:** I am not aware of what they're doing in the other areas. I don't know of any other cities what they're doing in regards to this.

**MS. HUGHES:** It's novel to us to require you to not be past due to get a permit in the City. You can't owe us taxes, past due.

**MR. OWEN:** It doesn't sound unreasonable.

**MS. HUGHES:** That's what I thought. And so when Melanie and I spoke about it, I thought the next step would be to ask Mr. Jenkins to look into how we can add it to our permitting ordinances.

**MS. LANDIS:** And to maybe just reference those charts that you saw earlier, if you remember, the '11 and '12, our delinquency rate was, you know, hovering much higher. It was actually up much higher for that for assessments. But for taxes because that's across the entire community it spread more evenly. Those taxes, that delinquency percentage was, you know, hovering around the 3 to 4 percent mark, whereas, now we're around 1 percent. But that doesn't mean that we can't be back in that same situation in the future. And this is just ensuring that we're prepared for that ahead of time.

**MS. HUGHES:** So, after Mr. Jenkins looks into the ordinance, the next step we thought would be to look at how we make that question available on the permitting process. You know, you have a company that five LLC members in it but you don't know who they are because they just list their LLC. So, we're maybe asking that they list their members and that each one of them says -- tells us I don't owe taxes. And then we can look it up, the staff can look it up during the permitting process. We have to have the question there to know. So, that would be the next step after we find out if it's feasible to do the permitting ordinance.

**MS. LANDIS:** Yes.

**MS. HUGHES:** That was our discussion. So, she said we should bring it and talk about it during Discussion Items.



**MS. LANDIS:** We want to make sure that it's not a terribly large task for the staff to have to follow-up behind these companies. And that's why asking for them to list it it's really getting us to the next step where we can easily go obtain the information to follow-up behind to make sure that there aren't any taxes owed on parcels they own in the community.

**MR. OWEN:** What do you think?

**MR. LEATON:** I think at a minimum you need to know the legal entities and the DBAs of what they're operating underneath. Because even with that you can go to the secretary of state's website, look up and find out who is in there. What we're doing is just reducing the staff time so that we don't have to go do that and research on it.

**MS. LANDIS:** Correct.

**MR. LEATON:** Okay. I'm just thinking through the process.

**MR. OWEN:** I like the idea.

**MR. LEATON:** I like the idea. I'm just thinking through it.

**MS. LANDIS:** Well, if you have questions I think you can forward them to any of us, Mrs. Hughes, myself. I think the next step would be to work with Mr. Jenkins on what that might look like exactly and then go from there.

**MR. JENKINS:** If I might comment, I sent a request -- I have done some preliminary legal research on this. There is precedent in other jurisdictions for the enactment of an ordinance that would empower the City to deny licenses on payment of other municipal charges such as taxes or fees. One in particular is in the state of Massachusetts. They have a state statute that enables their local jurisdictions to adopt ordinances to do that very thing. Like I say, this is preliminary research. I haven't found anything in Kansas where we've done that. Because Kansas is a home rule state meaning, you know, if in the absence of the state of Kansas, the legislature in enacting a statute that mandates what we can or can't do, if there's a void there, if they haven't addressed it, they haven't preempted us, then we have that power under our home rule power to enact that legislation. So, it appears to me that the state of Kansas hasn't enacted something that would preempt our right to do -- exercise our home rule power. But as I say this is all preliminary. And as Councilman Hughes pointed out, I think it's somewhat novel or unique for us to consider this, but it appears there appears to be precedent in other jurisdictions.

**MR. LEATON:** I mean what I'd like to know is if there are any other communities nationally that do it for the permitting process and how that's working for them, what have they run into, what are the problems, just to have an idea and see if there's any other communities that have done, or is this just something completely new. And I just can't believe that we're reinventing a whole new wheel. I mean so, surely, somebody has thought of this and --

**MS. LANDIS:** That's not research that I've done, but we can certainly try and see if I can find some resources to get that information. And I think our, you know, feeling at the beginning of this and when it first came up

was if it's something that we can do we should be doing it in order to reduce that impact on other residents in the community.

**MR. LEATON:** It would just be nice to have something to start from and not completely write an ordinance from scratch.

**MS. LANDIS:** Sure. Absolutely. We'll look into that. Anything else?

**MR. OWEN:** Thank you.

**MS. LANDIS:** Thank you for allowing me the time.

(The discussion continued with Item Number 12.)

### 11. Webster Street Renovations

**MR. OWEN:** So, the meeting is back in session and we're up to Discussion Items. And the first one we're going to take out of order is Webster Street. And we'll do that right now, Mr. Boyer.

**MR. LEATON:** Just for a point -- do we need to do a motion to append -- to append --

**MR. ECKERT:** Amend.

**MR. LEATON:** -- the meeting?

**MR. GRAVES:** Amend.

**MR. OWEN:** If we're going to take something out of order?

**MR. JENKINS:** I think just a statement for the record. You don't have to do a formal [inaudible].

**MR. OWEN:** All right.

**MR. JENKINS:** The statement you made is fine.

**MR. OWEN:** Okay. Perfect.

**MR. LEATON:** I just wanted to makes sure.

**MR. OWEN:** Good. No.

**MR. BOYER:** All right. Thank you. Yes. This discussion item is about Webster Street improvement. This is an update. At the February 27<sup>th</sup> City Council meeting staff provided information regarding the structural condition of Webster Street and how we can move forward in conducting further assessments. Our consulting engineer Lamp Rynearson has recommended core sampling tests along fractures of Webster Street to validate and assess the internal street condition at several points. This action will provide us with a

better understanding of the crack failure mode, concrete condition and subgrade condition. This knowledge will help determine the best options for repairs along the fractures prior to making final surface treatment. We will then be able to provide a more accurate project cost estimate for a potential CARS funding application. We have scheduled the next step of core sampling and anticipate fieldwork to be completed this week. I think they were out there this week and got some work done on cores on Webster Street. Our City Engineer Dan Miller has more information regarding Webster Street renovations.

**MR. OWEN:** Mr. Miller, sorry I'm keeping you so late.

**MR. MILLER:** That's quite all right. Thank you, members of the Council. I was requested by the Council and by the Public Works staff to take a look at Webster Street as a possible candidate for a Johnson County CARS application. I'll give you a quick update on where we're at that. Currently we -- obviously the main problem with the roadway is the longitudinal cracks in it. It's been that way for a long time and the City has spent considerable effort working on that. We are currently coring those cracks with a six-inch core barrel to get a better idea of exactly what the City's repairs were and what the extent of the crack is. I don't have that information for you at that moment. We should get a report back from our geotechnical engineers next week.

I believe that this street would be an excellent candidate for a CARS program. It's on the CARS route list, so it's eligible. CARS gives, as you may recall or maybe some don't, it's a 50 percent matching funds program of eligible cost which are typically the construction costs up to a limit. That limit is typically established by your application of what you think 50 percent of the construction cost of the project will be. The annual CARS request probably will be out in March. I'm a little surprised. This is March. I'm a little surprised they weren't out in February. But usually around this time, so I think those requests will be here imminently probably with a late April/early May deadline. So, if the City were to decide to apply for CARS on Webster Street in 2021, we would need a pretty good idea of what it's going to cost and we have to submit to them some kind of a plan and a sealed engineer's estimate of cost. And then that's the real CARS year, is just the next year. Typically the cities provide a five-year program looking at it in the future of other potential CARS candidates to show the need. But those modifications, those plans can be modified in every year to change that first year, the next year's candidate which is the money that really counts. The board only assigns the very next year's funding.

CARS funding typically is known through the CARS TRC. By about July or August, the board will officially approve the CARS program sometime in September typically, maybe October. It seems to have gotten a little later recently. So, you could begin -- you would be reasonably assured of your funding and could begin, for example, if it were a 2021 CARS job you could begin design with the knowledge that it be a next year project.

The elements of a CARS program, and Jim has gone over a lot of this at the last meeting, I apologize I couldn't be here. Certainly the basic elements would be to repair the cracks that have occurred on about the north two-thirds longitudinal joint cracks, the north two-thirds or so of Webster. Replace really bad panels, panel replacement. We would apply or propose to apply a texturing and a UBAS application, which I know Jim has talked to you about. It's a bonded chip seal application that looks and rides like a mill and overlay but performs more like a chip seal. And typically we do a pretty fine mill job almost like a diamond mill just about a half inch thick. So, one of the advantages of this application is it doesn't take as much of the structure out of the roadway as a conventional two-inch mill and overlay for example. And then, of course, we'd put new pavement markings down on the roadway.

If you, the Council and the City so chose, you could, based on available funding, we could do things like, you know, repair kickers and ADA problems with the adjacent sidewalks and do other features that need a repair on the roadway. But the initial project that Jim brought to you and we talked about last week was really just emphasizing the wearing surface of the roadway. But again, if you had matching funding you may decide to do a little bit more there or something like 26 or so ADA ramps. Only two of them detectable warnings and don't come anywhere close to meeting current standards so that would be a likely suspect if you want to do wholesale improvements to the roadway.

There also were some drainage problems down at the south end. We probably would be putting in some under drains or something identifying those during the design process and adding drainage to keep that water from coming up through the roadway.

**MR. LEATON:** Is that down by the school?

**MR. MILLER:** Down where all the trees are. Not that far, but yeah. Somewhere right in there on the east side there is right north of, well, quite a ways north of Victory I guess, but I'd have to point at it on a map. But there are a couple places down there that the City's Public Works staff has had constant problems with water and icing in the winter I think maybe as well.

Some of the questions that were received real briefly. Of, you know, this -- I know UBAS sounds kind of like some new-fangled thing. It's really not. It's been around for at least 20 years. It was proprietary until about 2008. Currently pretty much all of the cities in Johnson County use it as a tool in their toolbox for street maintenance and surface treatments. Lenexa uses it extensively. I've specified several million dollars of it in my previous life. It's a very standard procedure. Really they have had for very -- use it for high level street maintenance surface treatments. You wouldn't use it on really bad streets because it is more expensive than a chip seal or some of the other tools in our toolbox for local residential streets that are not as in good condition. But Webster, if it's properly prepared, looks like a really good candidate for that type of a treatment. The advantage of it, it is probably my opinion and my view it's the best surface treatment we could put on Webster to try to minimize the reflective cracking of the concrete below it. And that's always a problem with any kind of a repair job that you're doing on a concrete roadway.

We use the design specifications that are promulgated by the Kansas Department of Transportation to generate our contract documents, our specifications around. It really hadn't needed much maintenance in the other cities. Chip seal, our standard chip seal tends to kind of wear off over time. And you can kind of tell after eight or ten or twelve years it's kind of not there as much anymore and you know it's time to do another treatment. UBAS seems to hold up pretty well. If you had any de-laminating problems you'd probably have to patch that like you would any other street. If there's base failures that come up through it, it would have to be patched like any other roadway. It is one of the great advantages of this material on Webster in particular as you know is no pavement marking lasts on Webster because it's a concrete street. The industry spent 50 years trying to find a pavement marking material that sticks to concrete and none of them do. When we put UBAS down then we can use hot thermal plastic and preformed thermal plastic pavement markings that look great and last probably till your next UBAS treatment. So, that's something that you just can't do out there right now.

In terms of the big elephant in the room which is this huge wandering crack that goes all the way up Webster in both lanes, we are coring, of course. Talked to our materials engineers and some of our contractors to take a look at what the cores represent and what we might do to that. The cost estimate is kind of built over doing essentially what I call a header mill, something on the order of a 16-inch wide header mill about three inches deep. Cleaning that out and filling that with a neat concrete or an epoxy concrete to try to seal that off. It is going to reflect through it again. There's no question about that and the transfer joints will as well. But you try to minimize that and then you UBAS over that to reduce those reflective cracks. We may do something a little bit different but this is typical of cracking. I call it a half soul bridge deck repair. We do it a lot on bridge decks when you have cracks on the decks. You go down so far -- far enough to get the crack, try to seal it, but not so far that you materially affect the structure of the concrete roadway or the bridge deck itself.

The UBAS, if you've driven up in most of northeast Johnson County and even some of the KDOT routes you've driven on it and probably don't know it. It looks like an overlay. If you're sitting at a stop sign in Overland Park somewhere or Lenexa and you look over and it looks a little bit open-graded instead of a nice slick surface, you know, it's still black that's probably UBAS instead of a mill and overlay. But otherwise, the laymen can't really tell the difference. It is, you know, a fair amount cheaper, of course, so it's a much -- and better with the reflective cracking.

So, with that, and just a real quick overview of that and where we currently stand and we're going to have to get something worked out here probably in the next month or six weeks and make a decision on that CARS and I'm sure that'll be recommended by Mr. Hendershot and Mr. Boyer in terms of where we think we want to head with it. I'll be happy to answer any questions you might have.

**MR. LEATON:** I think what might be useful for people up here to hear is why not a standard mill and overlay, what the issues would be versus that, and why the UBAS over that cost. And also because you used the word "replacing panels" versus a header mill and what the difference is between going through and completely replacing an entire panel full depth and a header mill, so -- just so that --

**MR. MILLER:** So --

**MR. LEATON:** -- because there's some nuances there.

**MR. MILLER:** So, a mill and overlay is about 33 percent more expensive is one reason UBAS in this particular case is -- I feel is advantageous. The second thing is a mill and overlay goes down two inches. The Superpave asphalt we use needs at least two inches. And that takes -- the pavement is only nine inches deep, so you're taking two inches of your concrete structure off when you do that. Whereas, a UBAS just takes a half-inch of that structure off. So, it's less structurally demanding on the remaining roadway. The third, and really probably, in this particular case, the biggest issue, aside from the money, is that the UBAS I think will last a lot longer. A two-inch mill and overlay it's shown by years and years of studies does not prevent any reflective cracking. All of the reflective cracking will come right back up on that mill and overlay in three years. You have to get at least four inches of asphalt down to have any prayer of stopping reflective cracking. So, the mill and overlay won't stop any of the cracking. The UBAS is a procedure where there is a thick emulsion shot below the material that's placed. So, that emulsion, polymer asphalt emulsion is what helps reduce reflective cracking, and it does a pretty effective job of it, very much like a standard chip seal. It's just a bonded chip seal. So, those are my main reasons for recommending UBAS.

In terms of panel replacement versus half soul or header milling, you know, where the crack just goes down the road we would use some kind of a joint repair. But there are several places where partial panels have been replaced or there's some panels that are displaced or just cracked all over the place. In that case we would saw those out and go the full nine inches and put a new panel in there in preparation for the surface treatment. We would then have to dowel those in to the existing panels as well and that's very expensive so you don't want to do it unless you just absolutely have to. In many of these types of projects the cost of the base repairs is whatever they happen to be, panel replacements, crack repair. So, they can by far exceed the cost of the actual surface treatment. So, the base repair is getting the road ready for new wearing surfaces where your money really needs to go and it's what's really, really important to the long-term performance of whatever surface treatment you put on top of it.

**MR. OWEN:** Ms. Fisher.

**MS. FISHER:** I was wondering if any consideration has been made for the long-term effect of these cracks that happened and what has caused them and if it's related to anything that's ground related underneath or the amount of water that just runs and runs without having a place to go.

**MR. MILLER:** We have a lot of theories. It does not appear as though it's -- I would not say they have -- they relate to any kind of subsurface drainage. There is aggregate underneath that concrete. I'm thinking they even treat the base under that. So, it's kind of built like a state highway. It's a pretty good structure overall. So, I don't believe it's subsurface water. It's some kind of a construction issue. They only put one joint. It's a 36-foot wide street monolithic, so it's 18-foot wide panels. They only put a joint at the center line. That's for nine-inch pavement. That's right at the edge. So, I think the concrete just decided where it was going to crack where it wanted to crack like concrete does. Instead of one crack at the center you have two cracks right down the lane lines. And it's surprisingly consistent. So, that's my theory. I did see getting ahead of the geotech engineers. I did see one of the cores this morning which did show a surprising amount of opening up at the bottom. It almost leads me to believe that this cracking problem was exacerbated when they built it. I'm guessing they poured those lanes maybe when it was really hot and they didn't wet the rock down really good and so it sucked all the moisture out of the bottom of that concrete. And that very commonly can cause a lot of premature stress and cracking in the concrete. That's just my guess. But from what I saw it looked a pretty -- so, some kind of construction issue more so than a long-term issue.

**MS. FISHER:** [Inaudible.] Thank you for your time.

**MR. MILLER:** That's my engineering judgment.

**MR. LEATON:** I didn't know that you were -- I just rode by today and saw that you were out -- not you, but we were having them cored today.

**MR. MILLER:** Right.

**MR. LEATON:** So, I was wondering if you hadn't had an opportunity to get a visual on any of them.

**MR. MILLER:** Just on the first one.

**MR. LEATON:** Just on the first.

**MR. MILLER:** But I'll be real interested to see the rest of them. It doesn't necessarily change a lot about what we -- how we repair it, but it certainly can influence what we decide to do about it as Councilmember Leaton and I have discussed previously.

**MR. OWEN:** Okay.

**MR. LEATON:** I think the question would be is what are looking at, Ms. Landis, of what cost? Because I think what can we, you know, afford? The engineer needs to have an idea of where he's going to put that cost, I mean, what that scope of work is going to be, right?

**MR. MILLER:** Correct. So, that's going to be dependent upon what our threshold or willingness to bear on cost is and what we have for available funds. So, I'd like to have that kind of a quick discussion now as I work with the engineer so we have an idea and we don't get at the end and go why are we -- why are we spending 2 million with a 1 million, 50 percent on our side when I thought it was 500,000? I'd kind of like to have an idea of what the threshold is of the Council of what they would like to spend so we can kind of work towards that and we don't spend a lot of effort on something we don't want to do. Well, we're not going to do ramps because we can't afford the 250 or whatever that is. So, the first question is, is where is the funding coming from? How much funding do we have? And then what is the threshold with the Council, you know?

**MR. MILLER:** I have not had detailed discussion with City staff about the [inaudible].

**MR. LEATON:** Well, we've got Ms. Landis who -- do you have an idea in general?

**MS. LANDIS:** One second. I am pulling up the CIP just to make sure. So, we had the Webster Street rehabilitation listed in the CIP as designed for 2020 and construction in 2021. This was one of those items that we had had it listed later in the CIP prior to bringing it to the Council and the Council wanted to see it moved up as a priority. And so it remains unfunded in the term of the type of project. And the amount, the cost of the project will be a debt service project. So, we will debt finance it, long-term finance the project and that would come out of principal and interest payments in the Debt Service Fund of which there would be a mill levy attached, an impact attached.

**MR. LEATON:** So, then the question would be is, is what is the, I mean, we were talking about, when we were sitting down, I think upwards it could be around, what, 1.2 million, something like that? Total cost 1.5, in that range.

**MR. MILLER:** Yeah. We were talking construction costs that might be in that range.

**MR. LEATON:** Yeah. So, I guess I'm just trying to get a feeling from the Council if we had a 50 percent level of that do we have, I mean, we're not making a motion tonight, do we have a general consensus or a feeling that we would support anywhere from around, what, 600,000 to 750,000 on our part towards this or --

**MS. LANDIS:** Mr. Leaton, I think that the intent tonight was to bring back the information that you had requested and --

**MR. LEATON:** It is. But I'm expanding a little bit just so we have an idea when I'm talking with him --

**MS. LANDIS:** Uh-huh.

**MR. LEATON:** -- that we don't come back with something where the Council says, oh, I don't want to do that. So, that's what I'm asking is, is --

**MR. OWEN:** It sounds like -- I'm thinking -- sounds like we have to have more discussion on the budget issue of figuring where we're at.

**MR. LEATON:** But I want to get a general feeling --

**MR. OWEN:** Yeah.

**MR. LEATON:** -- because he's got to put something in --

**MR. OWEN:** Right.

**MR. LEATON:** -- to meet the CARS application. And I don't want to spend time wasted either that we don't get in for the CARS and get that 50 percent either. So --

**MS. HUGHES:** Didn't Melanie have some UBAS numbers? Did you have something around 775?

**MR. LEATON:** Yeah. I'd like to see those again.

**MS. HUGHES:** For some reason that number is sticking in my head.

**MS. LANDIS:** Those numbers were provided in Mr. Boyer's presentation.

**MR. LEATON:** They were significantly lower because the problem is in the discussion with the engineer is that we'll probably have more panel replacements than what we were expecting based off of that. So, we're probably expecting to exceed the amount that was in that previous presentation significantly.

**MS. HUGHES:** What do you think the number, our portion of the number? Because I thought ours --

**MR. LEATON:** No. I first [inaudible] in the meeting and said, you know, we're probably -- if we really do the panel replacements the way that we might have to based off of, depending on the cores, we're probably going to be sitting closer to the 1.2 or 1.5 million possibly.

**MS. HUGHES:** As our portion?

**MR. LEATON:** No. Total cost.

**MR. OWEN:** Total cost.



**MR. LEATON:** So, our half would be probably -- I just want a general feel. You know, I'm not saying we have to make a decision tonight, I just want to make sure that when we go we come back that's within a range or magnitude that we kind of feel comfortable with. If our magnitude is only this 750,000 and that previous one, then we'll just kind of work around that. I just need to kind of have a feeling is, is --

**MR. GRAVES:** I'd want to see again options and then all those real numbers like Option A, Option B, [inaudible].

**MR. LEATON:** Well, that's kind of what the UBAS and the --

**MR. ECKERT:** Overlay --

**MR. OWEN:** Yeah. We kind of lean towards that to do --

**MR. LEATON:** That was the mill and overlay and the UBAS and the chip seal. Those are kind of those options. Okay. So, backing up then, I mean, is the Council comfortable with moving forward towards evaluating the UBAS or do we need to --

**MR. ECKERT:** I think I would feel comfortable seeing core samples and a report on that to what they found.

**MR. OWEN:** To see how bad it's going to be.

**MR. ECKERT:** Yeah. That would kind of give me more direction on -- I definitely want to fix it. It needs to be fixed. We need to do something.

**MR. OWEN:** I like the UBAS option so I'm kind of heading that direction I guess unless we can --

**MR. ECKERT:** The cores are going to tell us more of the base.

**MR. LEATON:** Well, the cores really aren't going to tell you really anything other than the amount of damage that we need to do and do panel replacements with the UBAS. It's not really going to tell us any more than what that is. Correct me if I'm wrong. I mean the mill and overlay, one, is more expensive mostly likely and you're probably going to have to have some similar or as much probably header mill and panel replacement. So, I think --

**MR. MILLER:** Yeah. You've got to do basically the same repairs.

**MR. LEATON:** -- either or, so that base cost is the same either way.

**MR. MILLER:** Yeah.

**MR. ECKERT:** Yeah. I understand that, but --

**MR. MILLER:** One thing I omitted is by federal law if you perform a mill and overlay you're required to bring the entire roadway up to current ADA standards. So, all the stuff out there that's non-conforming on

sidewalks and ADA ramps gets put in the job whether you like it or not, which in many cases makes it an ADA compliance project with a mill and overlay somewhere in there.

**MR. OWEN:** Mr. Hendershot, do you have an opinion?

**MR. HENDERSHOT:** Well, I think part of this discussion is for budget. The only thing that I'd provide a little more information on is with CARS funding there is a formula to how much you are allotted that's based on population, past use, where are you at in CARS usage, et cetera. I don't know if we're -- if this would reach that limit or not, but there's things to be considered there. Design is not included in CARS funding. That design would be on us, correct?

And as I recall, our 199<sup>th</sup> and Ridgeview roundabout is CARS funding for this year. And I believe we are committed to funding for next for 199<sup>th</sup> Street with CARS with an agreement with Johnson County, and I have to go back and double-check that to make sure. But personally I think the UBAS is the way to go.

**MS. HUGHES:** I think Mr. Leaton might be concerned that we need to know some more numbers before we put in the application. And the application looks like it's coming up in 45-ish days. So, I think maybe could you bring back the numbers and let us know about our possibility of adding potentially as much as Mr. Leaton has mentioned to the CARS funding for next year and really focus on comparing that to the other two options? I think it was two more options that we had for the street. There was the UBAS, the chip and seal and the mill and overlay, right?

**MR. OWEN:** Yeah. I think the chip and seal we kind of didn't care for because it came up so fast.

**MR. MILLER:** CARS won't pay for a chip seal anymore.

**MR. ECKERT:** I'm more interested in the coring. Is that going to tell us how many panels need to be replaced?

**MR. MILLER:** No. It doesn't have anything to do with panel replacement.

**MR. ECKERT:** Oh, okay. Okay.

**MR. MILLER:** You can go out there and see how many panels need to be replaced right now.

**MR. ECKERT:** Okay. [Inaudible].

**MR. MILLER:** The corings just kind of give us a better idea what's going on in those joints --

**MR. ECKERT:** Okay. I didn't know [inaudible].

**MR. MILLER:** -- and how much the City force is actually how far down they went when they repaired them and stuff.

**MR. ECKERT:** I see.

**MR. MILLER:** They think they know, but we want to kind of get an idea on, you know, they used like a rock wheel on it and, you know, they say they went about three inches. I'd kind of like to know that because that makes a difference --

**MR. ECKERT:** Sure.

**MR. MILLER:** -- on how we structure whatever we do. So, there's some engineering elements there. And it's completely my intent -- we had to put together that first presentation of cost estimate pretty quickly. And it's with, you know, just what I know not what I've seen. And it's absolutely our intent to come back with better cost information for you obviously before either the City staff or the Council are presented with any formal CARS application and cost estimate. I have to put my engineer seal on that thing so it's got to be pretty good.

**MR. OWEN:** Well, I think it's something we all want to --

**MR. MILLER:** And right now my crystal ball is a little murky.

**MR. ECKERT:** A little hazy.

**MR. MILLER:** For a number of reasons.

**MR. OWEN:** So, I'm kind of leaning towards you go ahead and, you know, if there's some items we have to end up cutting out at the end we cut them out if there is an option. But I think we need to move with this.

**MR. LEATON:** Well, that's kind of where I was at was to trying to keep pushing forward because of the condition of the road and trying to make sure that if we were to try to get into CARS and made it. So, that's why I'm just trying to be a little bit aggressive on it but also get the input so when it comes back we can give a consensus pretty easily and, you know, we know what we're doing. As I think through and listen to what you're saying, and maybe we can talk about it later, but I think we probably just need a rough cost estimate Probably for the mill and overlay so people can get a better feel for what that would mean, the base cost of the panels, and the header mill is probably going to be the same cost. It's a question of now what do we get for approximately, I think the number in that previous presentation was around 750,000 versus what do we get versus 1.5 million. So, what I could do is -- would that be kind of an idea to kind of work with there?

**MR. OWEN:** Yeah. That gives us --

**MR. LEATON:** Okay. So, then that gives you a better idea of where to head. And then you and Mr. Boyer can work on that. And then how soon do you think you can develop something off of -- for cost for that? One week? Two weeks?

**MR. MILLER:** Well, you know, we'll work with the staff to meet whatever they -- they've got to decide about -- I'm sure they have to look at funding possibilities as well, but we should get the core report. I don't know if we can -- we only have a week until the next Council agenda but we are in a big hurry. So, if I can get the core report back, you know, we can do some more cost estimating and potentially bring it back at the Council meeting if that's the will of the Council and the City staff.

**MR. OWEN:** Yeah. I think it'll at least give us a little better idea so that we can try to commit to an amount instead of saying, yes, let's go for it and then you come back, well, sorry, it's double what we talked.

**MR. LEATON:** And that's not -- and that wasn't the intent. The intent was is do we even want to consider looking at 1.2 because that's what it could to make it -- do it right, to make it last.

**MR. OWEN:** Well, if we're going to do it, I want to do it right. I don't think we need to --

**MR. LEATON:** And that's my point.

**MR. OWEN:** Yeah.

**MR. LEATON:** So, get with staff, Mr. Boyer, Mr. Hendershot and put a plan together. I'd like to see if I can meet with you, not next week because I think that would be too aggressive, but before the next Council meeting and that following week. So, early the following week. That way we can come back with something for the Council.

**MR. MILLER:** Can do.

**MR. OWEN:** All right-y.

**MR. MILLER:** All right. Thank you very much.

**MR. OWEN:** Thank you very much, sir.

**MR. OWEN:** Ms. Landis.

**MS. LANDIS:** Yes.

## 12. Live Streaming Update

**MR. OWEN:** Mr. Hendershot.

**MR. HENDERSHOT:** She got through all of that with less than a bottle of water. I will be very quick on an update for live streaming the meetings. If you'll recall two weeks ago I was here. There was a recommendation to reject and the action from the Council was to table these pending a little more information.

Since that time we have been in -- if you remember there was three bids that were submitted, one from a company called Swagit, one from Mission Electronics, and one from CyTech. We've reached out to all three of those companies for a little additional information. Swagit was the company that actually controls your meetings basically through Dallas, Texas. After a phone conference with them in my opinion that company is not an option for our service simply because they can do nothing to help our video arraignment. So, it would be two entirely different systems, two different costs. So, from a recommendation standpoint from them, they're not meeting our needs and our expectations.

The other two companies we've reached out to them, had them review those bids, review the equipment, et cetera, and asked them to sharpen their pencils, if you will, and we expect those bids to be returned quite soon so that we can come back to you in two weeks with a recommendation. Hopefully that is for less cost. And now we know how much money we've got left over from the other project that we approved this evening that we can apply towards that.

That's pretty much the update on live streaming. You know, I appreciate the comments from two weeks ago how important this is. This is important to me as well. But I think we're looking at this in the right manner. So, it is our intention to bring this back on the 26<sup>th</sup> with another recommendation. Any questions?

**MS. HUGHES:** So, on Commenco that we approved earlier they're providing a direct connection from Johnson County to here for video arraignments.

**MR. HENDERSHOT:** Yes.

**MS. HUGHES:** And then in order to take advantage of that direct connection we have to install cameras.

**MR. HENDERSHOT:** Correct.

**MS. HUGHES:** And --

**MR. HENDERSHOT:** Correct. It would be the cameras, related equipment, wiring, et cetera.

**MS. HUGHES:** Okay. So, that's the camera product of it. What part of the, and I butcher that name every time.

**MR. HENDERSHOT:** Commenco.

**MS. HUGHES:** Commenco. Is that the one that had the reoccurring yearly fee?

**MR. HENDERSHOT:** No. That was Swagit.

**MS. HUGHES:** Swagit. Okay. How does --

**MR. HENDERSHOT:** Commenco is simply --

**MS. HUGHES:** How does Swagit do anything? How are they even involved in the arraignment process if we already have the direct connection?

**MR. HENDERSHOT:** They are not involved.

**MS. HUGHES:** How is any of the companies involved? I'm missing a step there.

**MR. HENDERSHOT:** Okay. They would not --

**MS. HUGHES:** And forgive me. I know you -- I just have not [inaudible].

**MR. HENDERSHOT:** Yeah. They would not be involved simply because they are coming in and installing the equipment that's needed for the camera, the wiring, the equipment, the connections to the server, et cetera, after that their involvement is none.

**MS. HUGHES:** So, all the other companies wouldn't have any involvement in the arraignment process either?

**MR. HENDERSHOT:** That's correct. They are simply providing the equipment that we've identified as necessary to do that arraignment process.

**MS. HUGHES:** So, is the saving, and I'm not even going to say it that way. So, Swagit requires a -- approximately a \$10,000 a year bill to run not the arraignment but our City meetings. Can you give us numbers about how much time our clerk would have to spend --

**MR. HENDERSHOT:** Okay.

**MS. HUGHES:** -- running the video --

**MR. HENDERSHOT:** Yes, I can.

**MS. HUGHES:** -- or our City meetings --

**MR. HENDERSHOT:** Yes, I can.

**MS. HUGHES:** -- so that I would be able to compare the options.

**MR. HENDERSHOT:** Okay. There is very little time involved. It is literally the selection of a couple of buttons on the monitor that is there and it's just extremely limited with the system that we're installing, that we're proposing to be installed. It is not labor intensive whatsoever.

**MS. HUGHES:** Okay.

**MR. OWEN:** And that's the one we talked about last week, the [inaudible].

**MR. HENDERSHOT:** Yes, sir. Yes, sir.

**MR. OWEN:** That the Mayor made some snide remark about you can -- you might be able to even operate it.

**MR. HENDERSHOT:** I think he did compliment me that way, didn't he? Yeah. Okay.

**MS. HUGHES:** Are there any available demonstrations online or that the company can provide to us so that we can see maybe some of their material on how easy it is? Because I was also wondering about software.

**MR. HENDERSHOT:** Uh-huh.

**MS. HUGHES:** I really want to know what kind of software they're running because it wasn't in any of the cost. So, I'm going to really look for that.

**MR. HENDERSHOT:** Our system is patterned very similar to the City of Gardner.

**MS. HUGHES:** Uh-huh.

**MR. HENDERSHOT:** You can go on their website and you can look at meetings of theirs. Swagit is actually one that's used in Overland Park. But we've used -- we use the City of Gardner as our model if you will of how that work, including the boxes at the bottom of the page where any video material is put on these screens will be available there. That the information on the agenda would be on there, those types of things. So, it would be very similar to what the City of Gardner. Mr. Smoot, am I representing that correctly?

**MR. SMOOT:** Yes, you are.

**MR. HENDERSHOT:** Okay.

**MR. LEATON:** And then just to re-circle around just to make sure. We are following our purchasing policy for what we're doing here and all that?

**MR. HENDERSHOT:** Well, let's see where the bids come in. It is possible that they, you know, our purchasing policy currently says \$20,000 and over requires an RFP. We had one bid that was right there. And we'll see where these revised bids come in. By no means are we trying to, you know, do anything against our purchasing policy. We just hope they come in lower. And if that results in not having to do an RFP the better for us, the quicker we can get this process underway.

**MR. LEATON:** I mean at the same time there's nothing that really keeps the Governing Body from having a-- it's a rule that the Governing Body has but we can actually bypass it [inaudible].

**MR. HENDERSHOT:** I would agree. I would agree.

**MR. LEATON:** I just wanted to make sure that --

**MR. HENDERSHOT:** Sure.

**MR. LEATON:** -- we can. I know policy [inaudible] purchasing policy.

**MR. HENDERSHOT:** Sure. Thank you.

**MR. OWEN:** Thank you.

## ANNOUNCEMENTS AND REPORTS

**MR. OWEN:** We are now at Announcements and Reports. Mr. Leaton.

**MR. LEATON:** We covered pretty much everything on Webster. I'm trying to think of anything else. We do have -- one quick thing is that I sent an e-mail out. The Mayor is working with Public Works and the Police Department about streetlights that are out and how the Police Department will be basically helping to report when light are because Public Works is not necessarily working in the evenings.

**MR. OWEN:** Okay.

**MR. LEATON:** So, that way they can report the light. We can get that to Public Works that way and then we can get those lighting systems accurate [inaudible] and replaced or whatever we need to do with them. So, I'm looking forward to that because there's some dark streets I was walking on the other day, so.

**MR. OWEN:** Mrs. Hughes.

**MS. HUGHES:** No report.

**MR. OWEN:** Mr. Eckert.

**MR. ECKERT:** No report, sir.

**MR. OWEN:** Mr. Graves.

**MR. GRAVES:** No reports.

**MR. OWEN:** Mr. Hendershot.

**MR. HENDERSHOT:** Thank you. I do have a few things, so if you don't mind I'll come back up here. First of all, Monday was BBQ on the Hill. Councilman Owen was there as well as several from the Chamber of Commerce. The Leadership Spring Hill program had good representation there. Unfortunately the representation from our legislators was a little shy of what we were used to in the past. I think we had five that were there originally and then another two came in. We were in competition with some other meetings and committee meetings et cetera, but still the information that was shared by several of us, including Councilman Hughes at the mic I think was well received. And they asked some good questions. The school district was there. The Rec commission was there. The Chamber was there. And we all made our presentations. And it's always great to get that face-to-face time with our legislative body regardless of how many are there. It's just -- that's good stuff for us.

**MR. OWEN:** I'd say it was nice to see the interaction from the legislature. They seemed to actually know what was going on with us --

**MR. HENDERSHOT:** Yes.

**MR. OWEN:** -- and not just sitting there looking as like deer in the headlights.

**MR. HENDERSHOT:** Yes. I guess the surprising thing was of all of the things that are taking place on Capitol Hill and all of the proposed bills that affect cities and municipalities, you know, many of us were -- we were prepared for questions on those. I was not prepared for the question on what's the City of Spring Hill's



position on plastic bags from retail stores. So, that one caught me a little off guard, but that is a bill that's before the state now to not let cities prohibit those. But, yeah. I wasn't ready for that one. But it was answered.

Okay. Quick update on the ROI. As you know, and it's been referred to a couple of times by others tonight, there was a draft ROI put on there. It was called a living, breathing document and it is, and it will remain so. However, that does not mean that it will be subject to constant daily updates or anything. As information is obtained that applies to this, then we will update it.

At the last meeting Mayor Ellis pointed out that there is a statement on there that said a maintenance agreement should be considered for repair work. We've heard references from a couple other individuals tonight about maintenance work of a network. I'm going to say something that may not be very popular, but we have reached out to ISP providers. We have reached out to other communities that own their network. There is basically no maintenance work associated with owning your own network. Your network consists primarily of conduit, of fiber, some handholds, some lids, and some switches. Okay. If everything is installed as it should be installed, correctly installed, that system lives in the ground and is not subject to what I'm going to consider maintenance. And I'm going to make that comparison of maintenance to when you buy a car. When you buy a car you know you're going to have to change the oil. You know you're going to have to change your air filters, et cetera, et cetera. Those are acceptable maintenance expenses. From our research and from communications with other jurisdictions there simply are no maintenance costs, routine maintenance costs associated with owning your own network. The exception to that, and if we want to call it a maintenance project or maintenance work we can. The exception to that would be that switches that are involved in networking have a lifespan. It may be because of technology changes. It may be because of lack of support from the manufacturers, et cetera. We estimate that life span of those switches at somewhere in the five to eight-year range. So, there would be some replacement at some time.

The other item that comes up frequently that people relate to maintenance of owning your network and owning your fiber in the ground is when it gets cut. When those lines get cut that expense is not ours. That expense is on the person that did -- that created the damage. We would have contracts with companies, probably two or three in line, so that we could contact them immediately upon being notified or understanding that our network has been compromised, so that if Company A is not available we can go to Company B and we can get somebody there as quickly as possible. But that expense is on the individual that was responsible for cutting those lines. So again, I'll reiterate, in my opinion, there is no routine maintenance cost associated with owning this network.

The only thing, and it dawned on me tonight when we were here and Mr. O'Brien was up here was I will check with him to see if there's an insurance cost related to owning that equipment in the ground and what that would be if there is. My assumption is it's very minimal. But I will look at that.

So, tomorrow the plan is that I will update this ROI document that is on the website now to reflect that. But basically the numbers on that ROI, Return on Investment sheet, will remain the same.

**MS. HUGHES:** Jim.

**MR. HENDERSHOT:** Yes, ma'am.

**MS. HUGHES:** Can I make just one clarification if you don't mind?

**MR. HENDERSHOT:** Sure.

**MS. HUGHES:** In the use of the word network, we are simply talking about the infrastructure.

**MR. HENDERSHOT:** Yes.

**MS. HUGHES:** The stuff in the ground that connects the building. It is not service.

**MR. HENDERSHOT:** Right.

**MS. HUGHES:** It is not us owning an internet service. It is not getting service. It is not providing service. It is nothing to do with service. It is simply infrastructure, the stuff in the ground that connects the buildings. And we have had some confusion, some extensive confusion amongst the public that we were trying to own and there was a network or an internet service of some sort, even some confusion asking were we going to have control over their internet. We are not in the internet business. We currently contract with someone for the current infrastructure that is in the ground. This would just be us owning the infrastructure in the ground exactly like the school district does in a way that they would be able to get -- bid services from actual internet service providers in the future to lower your operating cost for the City. The network does not mean we are an internet service provider and we have never suggested that that was part of the project.

**MR. OWEN:** Mr. Hendershot.

**MR. HENDERSHOT:** Yes, sir.

**MR. OWEN:** I think somebody has a question if you'd like to take.

**MR. HENDERSHOT:** I do have a couple more points to make then I'll be happy to.

**MR. OWEN:** Sure.

**MR. HENDERSHOT:** On the ROI there are two columns on there, once you see this on the website, unless you have it in front of you there, that are estimated monthly cost. One of them is estimated monthly cost if the speeds were increased to one gig through our current carrier on SuddenLink. We're fairly confident on what those increased costs would be and those are shown there. The second column goes back to what Ms. Landis was saying is the estimated monthly cost if the City owned the fiber between the facilities that is something we don't know. We have an estimate in there, but we don't know because we will actually go out to bid for that service. You know, we've plugged in a thousand dollars there versus 44,650 if SuddenLink was to provide those. But until that infrastructure is in and we go to bid we won't actually know what the cost is. So, that is a reasonable estimate of those. So again, that ROI is there. Questions?

**MR. OWEN:** Mr. Leaton.

**MR. LEATON:** I just wanted to make sure that we're clear. You're saying that there is no lifecycle to a fiber network? No, what is it, 100 year? 50 year? Or are we saying that there is no, I mean, surely all material starts decaying at a certain point.

**MR. OWEN:** Uh-huh.

**MR. LEATON:** Where do we get to where we get signal degradation? I guess what I'm asking for is when would we start having to look for reinvestment back into the system?

**MR. HENDERSHOT:** The estimated life is somewhere in the 50-year category for fiber, correct?

**MS. LANDIS:** Correct.

**MR. HENDERSHOT:** For fiber.

**MR. LEATON:** And that's what I'm looking for.

**MR. OWEN:** We have one behind you there.

**MR. WELSH:** Do we know how many pairs of fiber that we're putting in this network? How many pairs of glass [inaudible].

**MS. LANDIS:** Do you want me to respond?

**MR. HENDERSHOT:** Yes. Go ahead.

**MS. LANDIS:** We did not designate that in the proposal document because it was simply to -- notating that we wanted to do this project as an incentive for a company that wanted to come in. I think that Mr. Smoot can probably answer what we think our estimated best effort would be for cities, you know, between the buildings. But I know that in some of the proposals they might have mentioned or not mentioned how many strands they would be able to provide. And so I think that that's something that's negotiated and/or in a design that we put together. But we don't have a design, it's only conceptual at this point.

**MR. WELSH:** I ask that because, you know, there's companies, they will put anywhere between 256 pairs or more under certain areas. And going through our town and different things running over those roads can cause breakage in those. So, you have to have so many extra pairs in that infrastructure to be able to not have any issues as I keep on mentioning in my speeches. So, I was just curious how many pairs we were putting in.

**MR. SMOOT:** The reason if we do go the route of putting in [inaudible] infrastructure, I want to also put in something called future pad which gives us maybe a [inaudible] conduit with micro ducts in it, maybe four to seven micro ducts. So, that gives us any -- so, we won't have to keep tearing up the right-of-way or stopping traffic. So, we definitely want -- with us putting infrastructure in the ground we definitely want to make sure we future-proof it where we're not just putting in a one conduit, but if anything else comes about in the future we are -- we just need to blow it throw, blow it in. So, normally fiber comes in normal towns I'd say

124 pairs. So, that's fairly standard when they're blowing in conduit, blowing in fiber conduit. So, it definitely won't be just one or two pair.

**MR. WELSH:** Or the other conduits like empty ones that you'll be able to use for future use. Is that what you're saying?

**MR. SMOOT:** Yes. Yes. So, we're digging once and putting that [inaudible] future pad. And like I said if you looked at the bids you probably saw a picture of one of them in the bid.

**MR. OWEN:** Thank you.

**MR. ECKERT:** So, barring an act of God or someone with the City makes a mistake and cuts this who is responsible for those? Is there an insurance policy that would protect us from that?

**MR. HENDERSHOT:** If we were to cut our own?

**MR. ECKERT:** Yeah. I mean stranger things have happened, right? I mean it's a possibility. You can't rule that out.

**MR. HENDERSHOT:** It is a possibility. I won't deny that.

**MR. ECKERT:** Yeah.

**MR. HENDERSHOT:** But, you know, anytime you're digging we're going to do the -- we do the One Call just like everyone else to -- it is a possibility. I can't deny that. Whether or not there would be an insurance policy for that I'd just have to ask. I don't know.

**MR. LEATON:** I think that one of two things will happen. And since it's an outside party or a third-party from us, if they cut it, then they're probably going to have some type of insurance, otherwise we'll have an avenue to pursue them, I mean legally. But I would think that if we do go down the route of building this infrastructure, like the policies of what we were talking about tonight and the presentation and we would probably look at having those covered underneath in the insurance policy.

**MR. HENDERSHOT:** And through our right-of-way policies and through our contract negotiations et cetera, we'll have maps showing where those are located at, what the depths are, what the distance by a curb et cetera is so that, you know, those accidents are limited absolutely as much as possible.

The other update I have for the Council is on the investigation. There were some comments made this evening about that. I want to read a statement that was put on our website today as well as distributed through social media.

It says, "Investigation documents sent to District Attorney. Earlier this week, appointed special counsel sent related documents and information regarding the broadband investigation to the Johnson County District Attorney's Office. This information was received by the District Attorney's Office on March 10, 2020."

And I'm going to add that I personally talked to the DA's office today and, yes, they had received it.

“On Jan. 24, Mayor Steven Ellis appointed special counsel to deliver to the Johnson County District Attorney allegations of impropriety in the process to select a bid for broadband provider for the City of Spring Hill with the benefit of referring the matter to an independent office over which the City has no authority.

Mayor Ellis gave a brief update on the investigation at the February 27, 2020 City Council meeting, indicating the investigation would soon be underway. This was based upon information received prior to the meeting by special counsel based upon a telephone conversation that special counsel had with the District Attorney.”

This evening there was a statement made that the Mayor he personally talked with the District Attorney. In my recollection, I don’t believe that statement was ever made. Our special counsel did talk to the District Attorney.

“While there was a misinterpretation as to whether the DA’s office was reviewing or investigating, the intention was to notify the community that the District Attorney was now expecting to receive information from special counsel. The City had no control over the means or manner of transmission, nor did it have control over the timeline of the transmission of documents from counsel to the District Attorney’s office. This process was employed to offer as much assurance as possible that the City was not attempting to influence the flow of information to the District Attorney’s office.”

And that was the statement that went out today, as I said, on our website and via social media.

A couple other things that I have real quick. In closing, Mrs. Hughes brought up the question and answer and she primarily gave me credit for it and I have to say my involvement in it has been limited to working with a wonderful team that has developed this, including Mrs. Hughes, Ms. Landis, Mr. Smoot, Kate Shupert, our PIO, our Public Information Officer, and others. It is about eight pages long. There are numerous questions and answers on that. I have a couple of things to finish to that tomorrow. The intent is to get it on that website tomorrow, just we’ll see how the day goes because today everything exploded with the Coronavirus. And the things that we wanted to do this morning I still haven’t done. So, that’s the way many of the days go. But that is the intent is to get that on there tomorrow. It’ll be on the website in two different ways. It’ll be on there as a full PDF where people can print it out. It’ll also be on there where you can scan through the questions, click on the question and there will be a box underneath it and the response will pop up underneath there. So, hopefully that will be on there tomorrow to provide clarification and a lot of the information that unfortunately is being misrepresented in some cases.

The last thing that I’ll bring up an update is on the Coronavirus. This is something that at the City we are taking quite seriously. We are not the doomsayers, but we being respectful, or not respectful, but we are being reasonable and responsible. Things that we are doing in-house to try to limit any potential exposure or spreading of this virus, and I’ll just go through the list. We have distributed information to staff on how to individual help virus spread at home and at work. We’re sanitizing door handles and wiping surfaces three - - wipable surfaces three times daily. We have deep cleaned the Civic Center. That has been completed and we’ll continue to analyze if further deep cleaning needs to be done. Cleaning emphasis and priorities are being assessed for great sanitation. If in the interest of time we need to reduce the number of times that we sweep out here to increase the time that we can use at wiping down and sanitizing, then that’s what we’re assessing. We are strongly encouraging staff to stay home if they’re not feeling well. We have an understanding that staff may need to stay home to care for family members. These are all things that come into play. We have distributed extra sanitizing fluids, the Purell or the sanitizing hand sanitizers. However, if

you've gone out shopping you've found that those are increasingly harder to find if possible at all. Beginning next week, our gym is closed for renovation for the stage and installation of sound panels. While it is unpopular timing because of spring break, it does reduce the amount of traffic in the building should this become a more local health impact. It's unfortunate, but at the same time I would think that should the parents would want to analyze their need to bring their kids up here for spring break in a group atmosphere of running and sweating and breathing and, you know, those kinds of things. But our gym will be closed during spring break as we get started on that project. It's about a 30-day I believe project to complete that.

We are also coordinating with the recreation department on activities and City facilities and what may trigger cancellations or suspensions. We're communicating with other communities on programming activities and potential suspension activities that they may be having so that we can be comparable and also understand if they're closing something and we haven't thought of it, do we need to adjust. And this goes for meetings and group activities as well.

The management team, which is several of us in staff, will be meeting tomorrow to further gather information on preparedness for potential widespread and extended staff absences among several other potential points of interest. We don't know where this Coronavirus is going, but we're going to meet tomorrow and we're going to lay out a roadmap of worst case scenario, how we would react, et cetera. Our emergency operation plan does cover things very similar to this. We'll break that out. We'll have those discussions as well. Just trying to plan on how we can best protect those that enter to use this building and best protect our staff as well.

We're also monitoring state and county information sites. The county is doing an excellent job of getting information out from there, from the health department. And we will be participating in the morning in a conference call with the county that is scheduled for tomorrow morning on the state of emergency possibilities for the state of Kansas.

**UNIDENTIFIED SPEAKER:** Oh, Jim.

**MR. HENDERSHOT:** You've heard something?

**UNIDENTIFIED SPEAKER:** She's already declared it.

**MR. HENDERSHOT:** Okay. We'll get an update then on the declaration of state emergencies, what that means to the county, what that means to us locally and how we'll proceed with that, and that is through the county.

I believe, Council, that is my update. Let me go back through my list. Yes. So, unless there's questions for me that's my report.

**MR. OWEN:** Madam Clerk.

**MS. HUGHES:** Mr. Owen.

**MR. OWEN:** Oh, yes.

**MS. HUGHES:** Can you circle back around to me for just a second?

**MR. OWEN:** Sure can. Go ahead.

**MS. HUGHES:** Mr. Jenkins, we are not alone. Topeka has already done it. So, Topeka Municipal Code 14.10.070 allows for the denial of any permit if fees are owed to the city or if there are back taxes.

**MR. JENKINS:** Wow.

**MS. HUGHES:** Also it also applies to licenses. So, you can go to the city clerk's license summary and it gives the seven reasons why it can be denied.

**MR. JENKINS:** Can you give that citation again?

**MS. HUGHES:** 14.10.070.

**MR. JENKINS:** Thank you.

**MS. HUGHES:** Grounds for mandatory permit denial.

**MR. JENKINS:** Very good. Thank you.

**MS. HUGHES:** That's all I have.

**MR. OWEN:** That's all you have.

**MR. LEATON:** And we're starting from zero.

**MR. OWEN:** Yeah. There you go.

**MS. HUGHES:** Somebody has done it.

**MR. OWEN:** Madam Clerk.

**MS. GERRITY:** No report. Thank you.

**MR. OWEN:** Mr. Jenkins.

**MR. JENKINS:** I do have clarification on that issue that was raised about whether or not the study session would be able to be conducted with the -- all the bids [inaudible]. So, I wanted to clarify that as follows. And you remember the bids and bid documents have been released to those persons who had made a KORA request. And there was no limitation on what those persons could do with that information. So, that technically if we're going to conduct this meeting, we would have to get that information from whoever had requested the KORA information.

**MR. OWEN:** Okay.

**MR. JENKINS:** I'm getting overly technical about it. But the non-disclosure agreement is still binding except for KORA, so we have to comply with KORA. I hope to be able to bypass that issue. But another factor was every time we had a KORA request we gave a five-day notice --

**MR. OWEN:** Right.

**MR. JENKINS:** -- to the provider, or excuse me, the bidder. So, if they wanted to bring suit they had that timeline. So, I made that, and I still stand by my answer of how we get to that conclusion of being able to have that study session. It may take some process but we can do it.

**MR. OWEN:** Okay. Mr. Welsh.

**MR. WELSH:** Do you still have to go through that process if all of those have been released on the internet and are available to anybody?

**MR. JENKINS:** If that -- is that true?

**MR. WELSH:** Yeah. They were posted on all our -- on our [inaudible]

**MR. JENKINS:** If someone who obtained the KORA request now has put it on the internet?

**MR. WELSH:** Yes.

**MR. JENKINS:** Well, then that would have a bearing on how we handle it.

**MR. WELSH:** We've already -- you can see all those bids.

**MR. JENKINS:** I just want to be overly cautious because the bidders are not happy.

**MR. WELSH:** Yeah.

**MR. JENKINS:** So, they have made -- I just want to avoid a [inaudible].

**MR. OWEN:** Anything else, Mr. Jenkins?

**MR. JENKINS:** No, sir.

**MR. OWEN:** All right. Mr. Boyer.

**MR. BOYER:** No report.

**MR. OWEN:** Ms. Landis.

**MS. LANDIS:** I only have a couple of things. We are in the middle of hiring for the pool. That process is moving along and that's going to be here faster than we feel like it is, especially with the sunshine. We're ready to go.



We did hire a new payroll specialist this last week, so she is in the building and learning quickly.

And we did make an offer for the utility billing clerk. It's an accounting clerk specific to utility billing. And so I believe there is a start date for that, but I am not certain it's in the next couple of weeks. So, we are moving ahead and hoping to get our department back in full staff mode because it's been rough with just a couple of people, especially during the busiest time of the year. So, and there were some -- there have been through previous discussions several references to previous discussions with RG Fiber, especially in the very stages of the process. And I will work with Mr. Hendershot to put something together and I'd be happy to let you know what all of those conversations were with RG Fiber so that there won't be future questions.

**MR. OWEN:** Okay. Chief Henson.

**CHIEF HENSON:** No report.

**MR. OWEN:** Are you awake?

**CHIEF HENSON:** Yeah.

**MR. OWEN:** Mr. Burton.

**CHIEF HENSON:** He's asleep.

**MR. BURTON:** I appreciate it.

#### ADJOURN

**MR. OWEN:** All right. I'll entertain a motion to adjourn.

**MR. LEATON:** So moved.

**MS. HUGHES:** Second.

**MR. OWEN:** All in favor.

**COUNCILMEMBERS:** Aye.

**MR. OWEN:** We're adjourned. Hey, I got you out of here before midnight.

*[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Hughes to adjourn. The motion carried 5-0.]*

(Spring Hill City Council Adjourned at 11:03 p.m.)

CERTIFICATE

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.

/das \_\_\_\_\_ April 3, 2020

Deborah A. Sweeney, WriteAway Transcription

APPROVED BY the Governing Body on April 23, 2020

/gg \_\_\_\_\_  
Glenda Gerrity, City Clerk