

City of Tonganoxie
City Council Meeting Minutes
11/22/10

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on November 22, 2010. The meeting was called to order at 7:00 p.m. with roll call showing a quorum and the following members present: Mayor, Jason Ward; Councilmembers: Paula Crook, Chris Donnelly, Andy Gilner and Bill Peak. Mike Yanez, City Administrator; Kathy Bard, Asst City Administrator/City Clerk and Mike Kelly, City Attorney. Councilmember Jim Truesdell was absent.

Consent Agenda:

- a) Approval of Minutes -
 - 1) Regular Meeting Dated November 8, 2010
- b) Consider Approval of Bills - Approve Pay Ordinance A-1645
- c) Consider approval of appropriation to Gametime Athletics in the amount of \$11,780.00 for work completed on the Tonganoxie Baseball Field project - Rehab of TRC1 with funds from the Recreation Commission lease.
- d) Consider approval of appropriation to Meadows Construction in the amount of \$7,118.99 for work completed on the 4th Street Phase III project and \$6,200.00 for extension of sidewalk from Finch Drive west to connect to the 4th Street Phase III project.
- e) Consider approval of appropriation to Nowak Construction in the amount of \$346,500.00 for work completed on the BPU Waterline interconnection project
- f) Consider approval of appropriation of \$24,995.00 to Water Products for Valve project.

Motion by Crook to approve the consent agenda items a through f. Second by Donnelly. All Ayes. Aye 4.

Open Agenda: Louise and Bob Alterman requested the council consider signage to place at the intersection East side of 3rd and Main Street that would memorialize Margaret Gallagher, she recently passed away and was a long time citizen and supporter of the community. Mayor Ward said he appreciates the significance of the request but does not want to cause any confusion for emergency medical services. The council directed staff to begin researching the possibilities and protocol for remembrance signage and bring back to the council.

With no other comments or concerns presented by the public and the open agenda was closed.

Old Business: None

New Business: The first item on the agenda under new business to consider approval of the Fund Balance Maintenance Renewal in the amount of \$3,506.80 to include 24 hour a day seven days a week (24/7) training opportunities. Asst Administrator, Kathy Bard said the renewal fee has been the same for seven years \$3,188.00. However, this year they have included an opportunity to receive training 24/7 for a total of 10% of the contact fee or \$318.80. Staff recommends approving the renewal with the addition of the training. **Motion** by Peak to approve the renewal of the contract with Fund Balance to include the training in the amount of \$3,506.80. Second by Donnelly. All Ayes. Aye 4. Motion carried.

Next on the agenda was a Resolution approving the 2011 pay plan that includes a cost of living Adjustment (COLA) of 2.5% effective January 1, 2011. City Administrator, Mike Yanez informed the council that included in the adopted FY 2011 budget was a 2.5% COLA for City employees and adjust the pay rates accordingly. This was approved with the budget as an opportunity to keep pace with the market place. He reminded the council that there was not any monies budgeted for annual performance merit increases. Councilmember Crook said she voted against this at budget time and intends to stay with that. Councilmember Donnelly said he disagrees with giving increases just to give increases would have rather seen the merit increases instead of COLA. Councilmember Peak said he believes using the COLA is an opportunity to keep the pay scale current and additionally reward all employees. Councilmember Gilner wanted to know the total impact of the COLA on the budget and mill levy. Ex-councilmember Tom Putthoff, 610 Ridgeway asked if he could address the board. Mayor Ward allowed this. He said that it was not the proposed COLA that increased the mill levy, it was the Debt Service from all the projects the council approved. He said that the reason the council approved a COLA with the budget instead of Merit is because there is a couple of employees who have maxed out their pay scale, and even if they do a great job they cannot receive a pay increase. He continued stating that there was not a COLA increase for the last couple of years so those employees pay has been stagnant. With no further discussion, there was a **Motion** by Councilmember Peak to adopt Resolution 11-10-01 approving a 2.5% COLA pay rate increase for City employees effective January 1, 2011 and further adjust the City's pay classification plan by the same percentage. Second by Crook. 3 Ayes. 1 Nay (Crook). Motion carried.

The recording failed and was restarted at 7:30 pm

Next on the agenda was the annual GAAP Waiver. A waiver from the generally accepted accounting principles-prescribed (GAAP-prescribed) financial statements permits a municipality to prepare its financial statements on a basis of accounting, which demonstrates compliance with the cash basis of budget laws of Kansas. Such a waiver automatically includes a waiver from general fixed assets accounting because fixed assets accounting is a part of GAAP. The City of Tonganoxie has found that financial statements and financial reports prepared in conformity with generally accepted accounting principles are not relevant to the requirements of the cash basis budget laws of Kansas and are of no significant value to the governing body or members of the general public of this municipality. **Motion** by Donnelly to approve Resolution 11-10-02 finding that the financial statements and fixed asset accounting prepared in conformity with GAAP are not relevant to the requirements of the cash basis budget laws of the State of Kansas and are of no significant value to the governing body or the general public. Second by Crook. All Ayes. Aye 4. Motion carried.

Next on the agenda was the City Administrator, he updated the council with the City Administrator report. He informed the council of an introductory type of staff meeting with the USD 464 consultants. They gave a presentation showing the very preliminary plans for the School District building plans.

Next, he said that Suburban Water Company has submitted three proposals for City consideration to provide water to the future Industrial Park. Suburban has water service infrastructure at or near the site including a water line that runs East and West along the South side of Kansas Ave and a 1.5 million gallon water storage tank within site of the industrial park. Yanez recommends setting up a work session to discuss this and invite Suburban to give a presentation regarding the proposals to provide water and/or water service to City's Industrial Park. The council directed Yanez to find a date and invite the Industrial Park Committee.

Next Yanez said the LCDC Infrastructure Committee is discussing scheduling a February 2011, trip to meet with our federal delegates to inform them of local projects and to request their advocacy for federal funding support.

Next Yanez reminded the council that on Thanksgiving weekend the Police Department is going to participate in a saturation patrol in Tonganoxie. The theme is seat belt safety and impaired driving enforcement. In order to participate it is necessary for the council to adopt an Ordinance to mirror state law making driving without a seatbelt a first violation.

ORDINANCE 1313: AN ORDINANCE AMENDING SECTION XIV, ARTICLE 1, SECTION 14-101 REGULATING TRAFFIC WITHIN THE CITY LIMITS OF TONGANOXIE, KANSAS BY AMENDING THE SECTION REGULATING THE USE OF SEAT BELTS (formerly Section 182.1 STO) IN THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION OF 2009 ADOPTED BY THE CITY OF TONGANOXIE.

Motion by Donnelly to adopt Ordinance 1313. Second by Gilner. All Ayes. Aye 4. Motion carried.

Next Mayor Ward appointed Cheryl Harmon to the Library Board to fill the unexpired term of LeJean King expiring in May of 2011. Motion by Crook to accept the mayoral appointment. Second by Peak. All Ayes. Aye 4. Motion carried.

Next on the agenda was the Council agenda. Councilmember Peak said the LKM Regional Supper was well presented there was a good discussion of the State budget and where we are financially.

Councilmember Gilner asked about the council's decision to form a committee to replace the City Superintendent. The policy says the council "may" form a committee, not that they have to, Mayor Ward said the council chose to form the committee to be consistent as that is what they did with the Chief of Police position. Discussion ensued concerning the position not being budgeted to fill and the opportunities to hire from within. Council directed this item to be brought back to the next meeting for further discussion.

Councilmember Crook thanked the Public Works Department for clearing and grubbing the regrowth of brush from future East Street so quickly after the request.

With no further business to discuss, there was a **motion** by Crook to adjourn. Second by Gilner. Motion carried. All Ayes. Aye 5. Meeting adjourned at 8:25 PM.

Respectfully submitted,
Kathy Y. Bard
Asst. City Administrator/City Clerk