

**City of Tonganoxie
City Council Meeting Minutes
1/9/12**

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on January 9, 2012. 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: Dennis Bixby, Chris Donnelly, Andy Gilner, Bill Peak and Jim Truesdell. Mike Yanez, City Administrator; Mary Conway, City Clerk and Mike Kelly, City Attorney.

After roll call, the Mayor led everyone with the Pledge of Allegiance.

Consent Agenda

- a) Approval of Minutes –
 1. Regular Meeting dated December 29, 2011
 2. Special Meeting dated January 4, 2012
- b) Consider Approval of 2011 Final Bills - Approve Pay Ordinance A-1673.
- c) Consider Approval of Bills – Approve Pay Ordinance A-1674.
- d) Consider appropriation to Dixie Medical for Life support Monitor for the Fire Department in the amount of \$5,303.00.
- e) Consider appropriation to Tonganoxie Chamber of Commerce for the 2012 contribution in the amount of \$5,000.00.
- f) Consider appropriation to Tyler Technologies for the 2012 maintenance of all fund balance programs in the amount of \$3,506.80.
- g) Consider appropriation to Wilson Estes Police Architects for the Police Station feasibility study in the amount of \$7,100.00.

Motion by Truesdell to approve the consent agenda items a through g. Second by Donnelly. All Ayes. Aye 5. Motion carried.

Open Agenda:

With no one with comments or concerns presented by the public, the open agenda was closed.

Old Business: The first item under Old Business was to consider an ordinance to encourage economic development and initiate construction of new housing. This item was tabled for the next meeting. Next was to consider Resolution 12-11-02 updating the job description of Police Officer. This was tabled to the next meeting to allow Chief Brandau an opportunity to review and comment on the job description. The next item was the Police Station Facilities Options Update. Mike Yanez updated the council on the remaining sites that had yet to be included in a feasibility study. After researching who had submitted a site within the appropriate timeframe, it was determined the three sites were the Old Post Office building on 4th Street, Quisenberry's building at 4th and Delaware, and Steve LaForge building at 725 Laming Road.

Chief Brandau informed the council that he had received confidential pricing on one of the locations and would like to discuss this information in executive session. Dennis Bixby provided handouts which showed the square footage of the current police station versus the proposed sites. He feels that the remaining three sites deserve the same consideration as the sites already studied. The council determined they would first like to meet in executive session regarding the confidential pricing on one of the sites before they began their discussions.

Motion by Gilner to enter into executive session at 7:15 PM to discuss acquisition of real estate for ten (10) minutes to include the City Council Staff, City Administrator, Police Chief, and City Attorney. Second by Peak. All Ayes. Aye 5 Motion carried. **Motion** by Bixby to exit executive session at 7:25. No items were discussed other than that mentioned and no votes were taken. Second by Peak. All Ayes. Aye 5. Motion carried.

There was an in-depth discussion with each council member inputting their thoughts and ideas about a Police Station. There was concern if the city should proceed with additional studies on the remaining sites if the Chief of Police felt they would not be a suitable alternative. The studies would be costly; however, the other thought was the city needs to be fair in their consideration of the other three sites that have been presented for consideration. There was much discussion about the budget constraints and what the city was going to pay for a Police Station. It was suggested a budget should be established and determine how we would finance a Police Station, whatever site was chosen. It was agreed the Chief should have input as to the needs of the Police Department and what site makes the most sense for the operation of the Police Department. The consensus was that before a budget number was set, the Council would like Tom Kaleko to attend the next council meeting and discuss budget for a police station and how that would be financed. Mike Yanez was directed to contact Mr. Kaleko to determine if he would be available for the January 23, 2012 meeting. Any action on setting a budget amount or determining if a feasibility study would be completed on the remaining three sites was tabled until after Mr. Kaleko presented his thoughts on financing.

The final item under Old Business was the Letter of Agreement for the Art Davis Group. City Attorney Kelly provided a draft of the agreement to the council for review. City Attorney Kelly pointed out that termination language had been added to protect the City's interest. If the council is in agreement with the draft, Kelly suggested that the council direct Mike Yanez to contact Art Davis and complete the contract. **Motion** by Gilner to direct Mike Yanez to contact Art Davis to complete the contract. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Mr. Davis had submitted an invoice for payment consideration in the amount of \$5,500.00. This is the first of three payments to be made to Mr. Davis. This particular payment represents 50% of the agreed total service fee of \$11,000. **Motion** by Bixby to approve payment of \$5,500.00 to the Art Davis Group. Second by Gilner. All Ayes. Aye 5. Motion carried.

With no further Old Business to discuss, the meeting proceeded to New Business.

The first item under New Business was the contract for interim City Administrator services. After review of the contract and citing typo errors the council agreed to the contract for Mike Yanez. **Motion** by Gilner to approve the Agreement for Contractual Services for Michael Yanez to perform certain City Administrator duties as stated in the contract with compensation as stated in the contract to be effective January 1, 2012. Second by Truesdell. All Ayes. Aye 5. Motion carried.

The next item was a pay adjustment for interim City Clerk. In accordance with adopted City personnel and pay policies, the employee is eligible for a pay rate adjustment for additional and higher classification duties associated with the appointment and responsibilities. As such, staff recommends the city council move and approve a motion to adjust the pay rate of Mary Conway to Range 13, Step A, effective December 30, 2011, the date of her appointment as acting City Clerk. **Motion** by Donnelly to adjust the

pay rate of acting City Clerk, Mary Conway, to Range 13, Step A to be effective December 30, 2011. Second by Bixby. All Ayes. Aye 5. Motion carried.

Next on the agenda was Brian Kingsley of BG Engineering with a design update on Chieftain Trail, Phase II. Kingsley provided handouts with a timeline to include easement acquisition and if necessary condemnation notifications. The timeline included a start and end date for the construction of the trail. He also displayed a large conceptual map showing the route of the trail. Bridge options were provided and a budget summary was included. Council concurrence on the project will be discussed at the January 23, 2012 meeting.

The next agenda item was the Assistant City Administrator Search. Mayor Ward stated he discussed this issue with Art Davis and Mr. Davis recommended that the successful City Administrator candidate be involved in this process. Members of the council were in agreement and this item was tabled until a City Administrator was hired.

The interim City Administrator had no items of discussion.

City Attorney Mike Kelly requested authorization to send a letter to the Attorney General to obtain an opinion on the filing fee for tax exemption status. **Motion** by Peak to authorize City Attorney Kelly to send a letter to the Attorney General to obtain an opinion on the tax exemption filing fee. Second by Donnelly. All Ayes. Aye 5. Motion carried.

The Mayor's agenda was next and he advised the council that he and Council Member Donnelly and Administrator Yanez would meet with Leavenworth County Administrator Pat Hurley and staff as well as Mike Spickelmeyer with the county. Since the meeting is to request a partnership for the Industrial Park, Mayor Ward thought it would be advisable to have an engineer at the meeting. The council agreed and requested Yanez to contact either Jason or Brian with BG Engineering and request their attendance at the January 12, 2012 meeting with Leavenworth County officials.

The Mayor will attend the LCDC annual meeting on January 20, 2012. Also in attendance will be council members Bill Peak, Jim Truesdell, Chris Donnelly, and Dennis Bixby.

The final item of discussion by the Mayor was to have a special meeting with the Chamber of Commerce, the Retail Committee, and local business people. The purpose of the meeting would be to establish goals and agendas to work together for the development of Tonganoxie. There was some concern that downtown business owners wanted to form their own group and if everyone could meet together and unite to accomplish common goals there would be no point in forming a separate downtown group. The Mayor suggested a work session meeting, to include the above-mentioned groups, to take place on Tuesday, January 24, 2012 at 6:00 PM. **Motion** by Peak to schedule a work session on January 24, 2012 at 6:00 PM to discuss community development with the Chamber of Commerce, the Retail Committee, and the business people. Second by Gilner. All Ayes. Aye 5. Motion carried.

The next item of discussion was under the City Council Agenda. Bill Peak indicated he has had several farmers question him about the city's property at the Industrial Park site. They are interested in either tilling the property for crops or using the property for pasture. They are interested in knowing how many tillable acres exist on the property. The city could see a greater return on the property if it were in crop versus using it as pasture. Council requested Yanez to field the question on the number of tillable acres and have the information available at the next meeting on January 23, 2012. There was discussion regarding a Request for Proposal for farmers and all agreed this should be done. **Motion** by Donnelly to provide a Request for Proposal for farmers interested in the city's property. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Council Member Bixby stated that if the city is interested in a Spring clean-up he would not be available to head it up. The Chamber is sponsoring a city-wide garage sale on April 21, 2012 if the city was interested in scheduling a clean-up around that time frame. At this time there were no volunteers for the clean-up and the item was tabled for a future meeting.

With no further business to discuss, there was a **motion** by Gilner to adjourn. Second by Peak. Motion carried. All Ayes. Aye 5. Meeting adjourned at 9:15 PM.

Respectfully submitted,
Mary Conway
Interim City Clerk