

City of Tonganoxie
City Council Meeting Minutes
02/13/12

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on February 13, 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 January 23, 2012
 - 2. Special Meeting dated January 30, 2012

- b) Consider Approval of Bills - Approve Pay Ordinance A-1676

- c) Consider appropriation to BG Consultants for Chieftain Trail, Phase II in the amount of \$8,840.00.

- d) Consider appropriation to First Bank for payoff of two 2009 Crown Vic Police Cars in the amount of \$10,633.79.

- e) Consider appropriation to Mike Yanez for first half of February City Administrator services, phone allowance, and mileage reimbursement in the amount of \$3,346.32.

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

Open Agenda:

With no comments from the public, the open agenda was closed.

There was a presentation by Springsted Incorporated and Mike Yanez introduced Bryan Kidney, Vice President of Springsted Incorporated. Mr. Kidney discussed the Moody's credit rating revision for City of Tonganoxie. Moody's assigned its first rating to the City's general obligation debt in September of 2007. At that time, a rating of A3 was assigned and that was upgraded to an A1 in 2010 but a negative outlook was assigned to the rating, indicating that the rating may be lowered. That was due to Moody's focus on the health of the city's financial operations and reserve levels. In 2011 the City's rating was downgraded to an A2 but with a stable outlook. This is still a solid rating for a City. What this means to the city in general is that they could expect interest rates for competitively sold general obligation bonds at the A2 rating to be three to seven basis points higher than comparable issues at an A1 rating. This increase in interest rate equates to approximately \$3,500 to \$8,000 for each \$1million borrowed for 20 years. The rating could go up with the restoration and maintenance of General Fund reserves.

Old Business: The first item discussed under Old Business was to consider Resolution 02-12-01 updating the job description of Foreman for the public works department. **Motion** by Peak to approve Resolution 02-12-01 updating the job description of Foreman. Second by Bixby. All Ayes. Aye 5. Motion carried.

Next on the agenda was Kent Heskett, City Superintendent, who was requesting authorization to begin the process of posting and interviewing qualified employees and to promote the selected employee to the position of Foreman with the City Administrator's approval. This position is included in the 2012 budget. With the possible promotion of a current employee, he will need to appear again in June to request approval for a new hire replacement. **Motion** by Peak to authorize the City Superintendent to begin the process of posting and interviewing interested and qualified employees and to promote the selected employee to Foreman with the City Administrator's approval. Second by Bixby. All Ayes. Aye 5. Motion carried.

The next item was the Suburban Water Proposals. Mike Yanez provided the background on the options offered to the City by Suburban Water. He requested an executive session of attorney-client confidentiality to include the Mayor, Council, City Attorney and City Administrator. **Motion** by Truesdell to enter into executive session at 7:50 PM to discuss an item of Attorney-Client confidentiality for (10) minutes to include the Mayor, City Council Staff, City Administrator, and City Attorney. Second by Peak. All Ayes. Aye 5 Motion carried. **Motion** by Bixby to exit executive session at 8:00. No items were discussed other than that mentioned and no votes were taken. Second by Donnelly. All Ayes. Aye 5. Motion carried.

The last item under Old Business was the Police Department Building; however, at this point in the meeting Mayor Ward indicated this item would be discussed later and we would proceed to the first item under New Business.

New Business: The first item under New Business was Mark Elston who owns property next to the City's Industrial Park. Mr. Elston's property is within the "Special District" created by County Road 1. He would like to split his property with a 6 acre tract and a 69 acre tract; however, the special district requires a minimum 10 acre tract. He was interested in purchasing approximately three acres of land from the city that is located in the Industrial Park. City Attorney Kelly advised the City could not make a direct sale to Mr. Elston without offering the opportunity of purchase to the public. John Flowers, Leavenworth County Commissioner, suggested that the City could waive the 10 acre requirement and pass the recommendation on to the County Commissioners. The City Council recommended Mr. Elston attend the next City Planning Commission meeting on March 1, 2012 and present his proposal to them for consideration.

At this juncture of the meeting, Mayor Ward returned to Old Business and discussion of the Police Department Building. Chief Brandau took the floor and provided Mill levy information to the council. The building sites have been narrowed to two sites and the owners of both properties were in attendance to present their turn-key proposals. Steve LaForge of Everlasting Specialties, located at 725 Laming Road, provided a floor plan lay-out of his 10,000 square foot facility, reminding the council that an additional 3,000 square feet was available for expansion as well as 1.75 acres for future expansion. The turn-key price is \$875,000 and after approval of this site the Police Department could be moving in within four months. Mayor Ward thanked Steve and advised the council that any questions they may have could be directed to either Steve LaForge or Jim Bennett, both of Everlasting Specialties.

John Shoemaker, of 302 Shoemaker Way, presented the floor plan for his 4000 square foot building. This is a 15 year old Wick Building and has a 50-year guarantee on the structural posts. The Wick Building company has agreed to honor the remaining 35 years of the guarantee should the City purchase the building. There is approximately 1.3 acres surrounding the building and with the exception of the proposed sprinkler system, everything used is local. This site could be a lease purchase and Attorney

Kelly advised that does not require to be bid. The turn-key price is \$597,499 and after approval of this site the Police Department could be moving in within 90 days. Mayor Ward thanked John and Jan Shoemaker and their builder Mike Shumway for their work on the proposal. The council was advised questions could be directed to John Shoemaker or Mike Shumway.

Chief Brandau encouraged the council to make a decision and also advised the council that in addition to the price of obtaining the building, he would need approximately \$25,000 to furnish a new police station. If possible, Council Member Peak requested that the Chief provide numbers for operating expenses of the police station.

With the conclusion of the police station presentations, at 9:15 PM Mayor Ward declared a five minute recess.

New Business: The meeting resumed at 9:20 PM with the City Administrator's agenda. Mike Yanez advised he was in receipt of a letter from the Leavenworth Board of County Commissioners requesting attendance at a meeting on February 22, 2012 at 6:00 PM to those parties interested in moving forward with the next step in the new airport development process and sponsorship of the FAA grant. The council agreed that the City should have a representative in attendance to listen and offer support but not offer sponsorship, since this will be located in the Lansing-Leavenworth area those cities should take the lead. Mayor Ward appointed Chris Donnelly to attend the airport meeting on February 22, 2012 at 6:00 PM.

Next on the agenda was the City Attorney who advised the council that his appeal of classification for the Industrial Park had been successful. The classification of the property was changed from vacant to agricultural resulting in a reduction of tax due from \$16,904.60 to \$1,507.99. The City has paid the first half of the tax with the filing of PUP (paid under protest) in the amount of \$8,452.30 and will be receiving a refund check from the Leavenworth County Treasurer in the amount of \$6,944.31. The tax for 2011 on this parcel is paid in full.

City Attorney Kelly also advised the Council he was filling in, on a temporary basis, as the Prosecuting Attorney for the City of Basehor.

The next agenda item was the Mayor. He advised the Council that the City's cable provider, Knology, was increasing their rates. The Mayor also provided a copy of a letter he received from Joel Skelley, Chairman of the City of Tonganoxie's Planning Commission. With the loss of Kevin Kokes as the City's planning consultant Mr. Skelley is recommending that a Request for Qualifications (RFQ) be developed to seek appropriate planning staff services for the City. Kevin Kokes has offered to help develop the RFQ and the Planning Commission requests that an RFQ be drafted and sent to Kevin Kokes for his input and comments. The council concurred and requested staff to prepare and send the draft to Kevin.

There was nothing under the Council President Agenda.

Under the City Council Agenda, Bill Peak stated he would be interested in geo-thermo heating for the public works building.

Dennis Bixby stated that the present Police Station has issues with the building that need to be addressed. He thinks the problems could be fixed for approximately \$50,000. As he sees it, we could fix the building, abandon it, or tear it down. The City would need to consider the cost of tearing it down and also how that would impact Dr. Stevens, whose building is attached to the police station.

With no further business to discuss, there was a **motion** by Gilner to adjourn. Second by Bixby. Motion carried. All Ayes. Aye 5. Meeting adjourned at 9:25 PM.

Respectfully submitted,
Mary Conway, City Clerk