



City Council Meeting
February 2, 2015
7:00 p.m. Regular Meeting

Mayor Jason Ward opened the meeting at 7:00 p.m. with the pledge of allegiance. Council members present were Jim Truesdell, Bill Peak, Chris Donnelly, Andy Gilner, and Kara Reed. Also in attendance were City Administrator Nathan McCommon, Assistant City Administrator Jamie Shockley, and City Attorney Michael Kelly.

Consent Agenda

- Mr. Peak moved to approve the consent agenda. Mr. Truesdell seconded. No discussion. All ayes. Motion carried.

Open Agenda

- Nothing at this time.

Old Business

- Nothing at this time.

New Business

Request for donation of 2015 family pool pass to Genesis Christian Academy

- Mr. McCommon stated that staff needs City Council's permission to grant one complimentary family season pool pass to Genesis Christian Academy for use during the silent auction at the Night of Knights fundraiser. Mr. Peak asked what the policy is around donations such as this one. He believes Genesis Christian Academy is the only one that ever asks for one. Mr. Truesdell stated that this has never been a problem, but understands how it could be in the future. Mr. Donnelly stated that if we donate this one, the City would be obligated to donate to others. Mr. Ward stated that the city needs to be a good partner to all sectors of the community, and a donation such as this one drives people to the pool, and the more people we can send to the pool, the better.
- Mr. Peak stated that he thinks the Council should think about a policy on how many passes can be offered and under what circumstances, etc. Ms. Reed said that she would like to see a policy put in place that states that the city will only give away a certain number of pool passes each year, on a first-come, first-serve basis. Mr. Donnelly moved to approve donating one family season pool pass to the Night of Knights fundraiser. Mr. Truesdell seconded. Mr. Ward states that he likes the idea of a policy, and if the city starts getting a lot of interest in donations, the council should discuss the policy that they would like to have put in place. All ayes. Motion carried.

Request for reduced utility connection fees for senior living apartments

- Tom Anderson, Managing Director with Cohen-Esrey Affordable Partners addressed the Council to request a discount of 25% on water and sewer tap fees for phase 2 of the Sundance Apartments in Tonganoxie, which includes 16 new units. Mr. Anderson stated that as they were preparing the final application for a tax credit with the State of Kansas, which is due in a week, they realized one category in which they don't have any points is local contribution. Mr. Anderson stated that a discount on water and sewer taps would really help the strength of their application.
- Mr. Peak asked how many meters were on each building – was it one per unit or one per building? Mr. Peak stated that the water and sewer regulations require one tap per unit. Mr. Anderson stated that the first phase at Sundance Apartments was one meter per building, which includes four units, because they were granted special permission from the city council to build it this way.
- Ms. Reed stated that there is already a heavy discount on phase 2 if the council agrees to allow them to only have one meter per four units, versus the requirement of 1 meter for each unit. Mr. Anderson stated that properly worded in a formal letter from the Council, showing that the City is granting a discount by allowing one meter per four units would demonstrate local contribution.
- Mr. Anderson requested a letter from the City stating that an exception to the water and sewer regulations would be made, allowing them to have only one meter for each four units.
- Mr. Peak moved to grant an exception to Cohen Esrey affordable partners to the water and sewer regulations and allow them to put one meter on every four units, effective until December 31, 2015. Ms. Reed seconded. All ayes. Motion carried.

Second Reading, Ordinance 1390, Amending Section 2, Article 19, Section 200 of the Standard Traffic Ordinance for Kansas Cities, 2014 Edition

- Mr. McCommon stated that Ordinance 1390 was up for its second reading today. Since the first reading, staff hasn't received any comments from the public. This is a textual amendment to fix a grammatical error. Mr. Peak moved to approve Ordinance 1390. Mr. Truesdell seconded. No further discussion. All ayes. Motion carried.

Estimating new revenue and amending budget authority in the Capital Projects Fund

- Mr. McCommon stated that all council members were sent an email in regards to the financial report in the last meeting, and an error that was found with the Capital Projects fund. He went on to say that per the State Budget Office, the City transferred \$91,000 from the General Fund to the Capital Projects fund to cover expenses for the 24/40 traffic signal that haven't yet been reimbursed by the Kansas Department of Transportation.
- Mr. McCommon said that the Capital Projects fund needs to be amended to account for a final payment made to Wildcat Concrete that was made in 2015 that was anticipated to 2014, and account for an expenditure of \$91,000 in the Capital Projects Fund to reimburse the General Fund for the 2014 transfer.
- Mr. Donnelly moved to amend the FY 2015 budget authority by estimating new revenue in the amount of \$263,864 in the Capital Projects Fund and appropriating and additional \$118,759 to the following accounts in the same fund:
 - 018-600-640 Inter-fund Transfer to General Fund \$91,000
 - 018-019-747 24-40 Traffic Signal Construction \$27,759
- Mr. Peak seconded. No further discussion. All ayes. Motion carried.

City Administrator Agenda

Report on the Business License Application

- Mr. McCommon stated that the Council had questions about the business license application at the last meeting – Mayor Ward asked us to look at the information requested on the application for its consistency with the ordinance. Mr. McCommon said that largely the application is consistent with the ordinance, and the Council will find a new draft of the application in the Council packet. Mr. McCommon went on to mention that the emergency contact portion of the application is important because it is information we can share with emergency responders and 911 dispatch. The application also now includes a statement of affirmation, which states that by signing below, I hereby affirm that my business is active and in good standing with any requirement of the State of Kansas for my type of business, including, but not limited to, registrations, taxes, licenses, certifications, permits, or inspections. Failure to maintain the business in good standing with any state requirement may result in suspension of the city business license.
- Mr. Donnelly asked if we require them to provide a social security number, do we have controls in place to make sure this information remains confidential and isn't easily accessed by just anyone. Mr. Kelly stated that we need to remind staff not to disclose any personal information in an open records request and that blacking out any confidential information, like a social security number, is important.
- Mr. Ward asked where we are with the extension on penalties. Mr. McCommon stated that the Council has extended the regular fee through the end of February. Late fees for the business license application will not start until March 1.
- The treasurer's report is a mirror image of the monthly financial report, which will be published in the Tonganoxie Mirror.

City Attorney Agenda

Update on Common Wall Title Transfer

- Mr. Kelly stated that he completed the access easement agreement for Mr. Stevens' wall. He needs clarification that the City Council transferred the easement. Mr. Kelly said that the government has to have an open meeting to dispose of real estate. He will try to meet with Mr. Stevens this week and hopes to execute.
- Mr. Peak moved to transfer the title to Mr. Stevens with the condition that an access agreement is executed. Mr. Donnelly seconded. No further discussion. All ayes. Motion carried.

Mayor's Agenda

Discussion on building permits discount program

- Mr. Ward mentioned that at the January 20 Council meeting, he asked members to touch base with Nathan if they want to know any further information regarding a building permits discount program.
- Mr. McCommon stated that he had nobody reach out to him since the last meeting.
- Mr. Ward asked if the council has anything further to discuss regarding a building permits discount program. No discussion. Mr. Ward asked if the general consensus is that we do not want to move forward with a program like this until we can see a return on investment. All council members agreed.

City Council Agenda

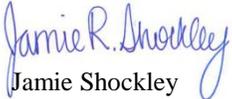
Business License Exemption for Landlords

- Ms. Reed brought up the topic of landlords as it pertains to business licenses. She stated that she did some research and found that there are other communities that make exceptions for those types of situations. She wanted to know if this is something the Council was willing to consider.
- Mr. McCommon stated that staff in KCMO issued a business licenses to those landlords that have four tenants or more. If it was three or less, then it was considered an expensive hobby and that person was required to obtain a business license.
- Mr. Ward stated that there are a number of examples that could arise in which people could argue that they should be exempt from the business license requirement.

- Mr. Kelly stated that the council also needs to think about rental units and whether or not these properties should have some type of registration to identify where all rental units are. Mr. Ward agreed that it's important from a public safety perspective to be aware of where all rental units are throughout town, so the question becomes do we reach that information through the business licenses requirement, or do we reach them some other way? Mr. Ward stated that he thinks it would be a good idea for the fire department to reach out and say we need to know about these units from a public safety perspective, and here's why. Mr. Ward asked Nathan to follow up on this and bring it back to the Council.
- Mr. Curtis Oroke addressed the Council and asked them where they came up with the less than \$4,000 requirement to be exempt from the business license. Mr. Ward stated that this is a number we based on thinking about what a teenager may make babysitting or mowing lawns throughout the year, as the Council didn't think situations like these require a business license.

Mr. Gilner moved to adjourn. Ms. Reed seconded. All ayes. Meeting was adjourned at 7:58 p.m.

Respectfully submitted,



Jamie Shockley
Assistant City Administrator