

CITY OF TONGANOXIE



February 20, 2024
7:00 Regular Meeting

City Council Chambers, 303 Bury Street, Tonganoxie, KS 66086

There may be an audio recording of the meeting which will be utilized to prepare the meeting minutes and the meeting may be broadcast on the City of Tonganoxie YouTube Channel

Honorable David Frese, Mayor
Council Members

Jacob Dale

Loralee Stevens

Chris Donnelly

Jennifer McCutchen

Matt Partridge

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated February 5, 2024

III. Consent Agenda

- a) Review bill payments

IV. Old Business

- a) City of Tonganoxie Logo Presentation

V. New Business

- a) Ordinance No. 1518: Consider Approval of Rezone Application for Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
- b) Consider Approval of Payment of 2024 Funding Requests from Community Organizations
- c) Consider Approval of Donation of 2024 Group Water Park Season Pass for Genesis School, Inc. Auction
- d) Consider Approval of 2024 Hunter Education Temporary License Agreement with the Recreation Commission

- e) City Manager Agenda
 - 1. 2024-01 Financial Report
- f) City Attorney Agenda
- g) Mayor Pro Tem Agenda
- h) City Council Agenda
- i) Mayor Agenda
 - 1. Executive session for discussion of non-elected personnel

VI. Adjourn

Council Meeting Minutes
February 5, 2024
7:00 PM Meeting

I. Pledge of Allegiance

- Mayor Frese opened the meeting at 7:00 p.m.
- Mayor Frese led the pledge of allegiance.
- Mayor Frese, Mr. Partridge, Ms. Stevens and Mr. Dale were present. Mr. Donnelly was present via phone and Ms. McCutchen was absent.
- City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Municipal Court Clerk Lindsay Huntington and Planning Commissioner Howie Brewington were also present.

II. Approval of Minutes – Regular meeting dated January 22, 2024

- **Mr. Partridge made a motion to approve draft minutes from the regular meeting dated January 22, 2024.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Mr. Dale made a motion to approve the consent agenda.**
 - **Ms. Stevens seconded the motion.**
 - **Vote of all ayes, motion carried.**

IV. Old Business

V. New Business

- a) Consider Acceptance of Public Dedications in Final Plat for Stone Creek Addition No. 10
- Mr. Brajkovic stated the final plat has been recommended for approval by the Planning Commission. This final plat is for the dedication of any public easements. This is a two-phase project that will see 142 homes built.
 - Mr. Donnelly recused himself from the discussion and vote.
 - **Mr. Dale made a motion to accept the dedication of land for public purposes as part of the final plat for Stone Creek Addition No. 10.**
 - **Ms. Stevens seconded the motion.**
 - **Mr. Donnelly was recused from the vote.**
 - **Roll Call Vote of all ayes, motion carried.**
- b) Consider Recommendation from Planning Commission for the award of the Downtown Study Request for Proposal
- Mr. Brajkovic stated there were two responses to the RFP and both firms were very qualified. A scoring matrix was developed so each participating member on the review committee could individually score the responses.
 - Mr. Porter stated the two respondents were Houseal Lavigne and Associates and Multistudio. Both applicants were interviewed by the review committee and two members of City staff.
 - Mr. Porter provided a summary compilation for each respondent as well as explained the results.
 - Mr. Porter stated at the conclusion of the Planning Commissioners discussion of the review committees results the Commissioners unanimously recommend the City Council consider awarding the project to Multistudio and to instruct staff to negotiate the terms of a draft contract.
 - Howie Brewington, 20260 Parallel Road, Tonganoxie, KS, stated he was a member of the review committee and highlighted some of the different considerations made by the Commissioners for the City Council. Mr.

Brewington noted the scores assigned to each respondent by the four members on the committee were all very similar.

- **Ms. Stevens made a motion to approve the recommendation from the City Planning Commission to award Multistudio the Downtown Regulating Plan Project and request staff negotiate terms of a scope of service and contract agreement with Multistudio.**
 - **Mr. Partridge seconded the motion.**
 - **Vote of all ayes, motion carried.**
- c) Consider Proposal for provision of auditing services by BT&Co., P.A. for the year ended December 31, 2023 and for two subsequent years
- Mr. Porter stated in 2019 an RFP was completed for auditing services and the City entered into an agreement with Kramer and Associates for auditing services. During the 2019 fiscal year audit Kramer and Associates notified the City that they would be unable to complete the audit services as agreed.
 - Mr. Porter stated that Kramer and Associates has requested the City consider making a contract extension with a new firm Berberich Trahan & Co., P.A. (BT&Co.). The City is now at the conclusion of the last three-year agreement with BT&Co.
 - Mr. Porter stated the new proposal with BT&C. is a three-year term for fiscal years 2023, 2024 and 2025 and includes the expectation of cost for the base audit and additional single audit major programs.
 - Mr. Porter stated staff does have a good working relationship and experience with BT&Co. and expected cost do fall with the parameters set in this year's budget.
 - **Ms. Stevens made a motion to authorize the acceptance of the auditing services proposal from Berberich Trahan & Co., P.A. for the year ended December 31, 2023 and two subsequent years and authorized the Mayor and City Manager to execute a letter of engagement with Berberich Trahan & Co., P.A., for the preparation of an audit of the fiscal year ended on December 31, 2023.**
 - **Mr. Partridge seconded the motion.**
 - **Vote of all ayes, motion carried.**
- d) Public Wi-Fi Provision Project Update
- Mr. Brajkovic gave a summary of the City Wi-Fi and stated the funds were made available through the Federal Government from the CARES Act and ARPA funds received during COVID. The City Council agreed to provide the Library parking lot, Chieftain Park and the City Pool with access points for public Wi-Fi. The Federal funds were applied to the equipment and an advance in the monthly costs with Midco.
 - Mr. Porter stated Midco uses Solar Winds to analyze their data to glean data usage by access point. The data collected by Solar Winds can only go back 30 to 45 days. This limited the useful data at the City Pool due to the season use. Midco has provided the available data to City staff.
 - Mr. Porter stated staff will meet with Midco to discuss options for use at the three existing sites and to review the necessary level of service required for the amount of usage. Cost sharing with the entities that own and operate the properties will all be discussed with involved parties. Staff will also work with Midco to reduce and finalize costs as well as the term of the agreement.
- e) City Manager Agenda
- f) City Attorney Agenda
1. Executive Session for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship
 - **Ms. Stevens moved that the City Council recess into executive session to obtain legal advice regarding communications received from the County about a recent annexation, pursuant to attorney client consultation exception in K.S.A. 75-4319(b)(2). The executive session will include the City Attorney, City Manager, and Assistant City Manager. The open meeting will resume in the City Council chamber at 7:47 p.m.**

- **Mr. Partridge seconded the motion.**
 - **Vote of all ayes, motion carried.**
 - ...
 - **Mayor Frese resumed the meeting at 7:47 p.m. and noted that no binding action was taken in executive session.**
- g) Mayor Pro Tem Agenda
- h) City Council Agenda
- **Mr. Dale made a motion to approve Resolution 02-24-01 a third resolution requesting the Board of County Commissioners of Leavenworth County, Kansas to make a finding that annexation of certain real property not adjoining the primary boundary of the City of Tonganoxie, Kansas will not hinder or prevent the proper growth and development of the area or of any other incorporated city located within Leavenworth County, Kansas pursuant to K.S.A. 12-520(c).**
 - **Ms. Stevens seconded the motion.**
 - **Vote of all ayes, motion carried.**
- i) Mayor Agenda
- Mayor Frese stated he visited with the fifth-grade class and gave them pizza for their food drive efforts.
1. Executive session for discussion of non-elected personnel
 - **Ms. Stevens moved that the City Council recess into executive session to discuss the City Manager's annual review process, pursuant to the personnel matters of non-elected personnel exception in K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council chambers at 8:01 p.m. The executive session will include the City Attorney, and Assistant City Manager.**
 - **Mr. Dale seconded the motion.**
 - **Vote of all ayes, motion carried.**
 - ...
 - **Mayor Frese resumed the meeting at 8:01 p.m. and noted that no binding action was taken in executive session.**
- Mr. Partridge stated on behalf of the Tonganoxie Historical Society a reminder their chili cookoff will take place on Thursday February 15th.

VI. Adjourn

- **Mr. Dale made a motion to adjourn the meeting.**
- **Mr. Partridge seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:01 p.m.**

Respectfully submitted,

Lindsay Huntington

Lindsay Huntington, Municipal Court Clerk



City of Tonganoxie, KS

My Check Report

By Check Number

Date Range: 02/03/2024 - 02/16/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0365	Kansas Municipal Insurance Trust	02/12/2024	Regular	0	-52802	52339
0034	AT&T ACCESS TRANSPORT SERVICES	02/09/2024	Regular	0	78.01	52396
0046	BAY BRIDGE ADMINISTRATORS, LLC	02/09/2024	Regular	0	676.17	52397
0749	BROADVOICE	02/09/2024	Regular	0	190.58	52398
0077	CARAWAY PRINTING CO., INC.	02/09/2024	Regular	0	525	52399
1432	CLAYTON CONSTRUCTION, LLC	02/09/2024	Regular	0	1000	52400
0150	DURKIN EQUIPMENT CO. INC	02/09/2024	Regular	0	1569.64	52401
0189	FIRST STATE BANK & TRUST	02/09/2024	Regular	0	132.63	52402
0206	GAMBINO'S PIZZA	02/09/2024	Regular	0	65	52403
0757	KEBRA CHILSON	02/09/2024	Regular	0	360	52404
0391	LAWRENCE JOURNAL WORLD	02/09/2024	Regular	0	269.2	52405
1420	LYNN ELECTRIC & COMMUNICATIONS, INC	02/09/2024	Regular	0	3580.18	52406
0857	MIDCONTINENT COMMUNICATIONS	02/09/2024	Regular	0	368.89	52407
0500	O'REILLY AUTO PARTS	02/09/2024	Regular	0	864.77	52408
0503	PACE ANALYTICAL SERVICES INC	02/09/2024	Regular	0	671.9	52409
0384	PAUL LAMB	02/09/2024	Regular	0	68	52410
0542	QUILL	02/09/2024	Regular	0	69.99	52411
0548	RECORDNEWS	02/09/2024	Regular	0	777.9	52412
0614	T-MOBILE	02/09/2024	Regular	0	357.56	52413
0645	UNITED RENTALS, (NORTH AMERICA	02/09/2024	Regular	0	362	52414
0651	USA BLUE BOOK	02/09/2024	Regular	0	966.97	52415
1347	VERIZON CONNECT INC	02/09/2024	Regular	0	113.7	52416
1259	WC DEVELOPMENT LLC	02/09/2024	Regular	0	100000	52417
0365	Kansas Municipal Insurance Trust	02/12/2024	Regular	0	52802	52418
1083	Bay Bridge Administrators, LLC FSA	02/16/2024	Regular	0	1407.66	52419
0051	BG CONSULTANTS INC	02/16/2024	Regular	0	33400	52420
0056	BLUE CROSS AND BLUE SHIELD	02/16/2024	Regular	0	34163.96	52421
0070	BROTHER' S MARKET	02/16/2024	Regular	0	344.57	52422
1280	COBURNCO LLC	02/16/2024	Regular	0	85.11	52423
0136	DELTA DENTAL PLAN OF KANSAS,IN	02/16/2024	Regular	0	2848.64	52424
0185	FERRELLGAS	02/16/2024	Regular	0	5964.81	52425
0813	FREESTATE ELECTRIC COOPERATIVE	02/16/2024	Regular	0	2308	52426
0248	HOLLIDAY SAND & GRAVEL, LLC	02/16/2024	Regular	0	287.08	52427
0059	Kansas City Board of Public Utilities	02/16/2024	Regular	0	34954.15	52428
0330	KANSAS GAS SERVICE	02/16/2024	Regular	0	2519.94	52429
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	02/16/2024	Regular	0	60	52430
1215	Logic Compensation Group, LLC	02/16/2024	Regular	0	4225	52431
1283	METROPOLITAN CHIEF'S AND SHERIFF'S ASSO	02/16/2024	Regular	0	100	52432
0857	MIDCONTINENT COMMUNICATIONS	02/16/2024	Regular	0	272.78	52433
0857	MIDCONTINENT COMMUNICATIONS	02/16/2024	Regular	0	332.28	52434
0857	MIDCONTINENT COMMUNICATIONS	02/16/2024	Regular	0	48.39	52435
0857	MIDCONTINENT COMMUNICATIONS	02/16/2024	Regular	0	308.03	52436
0454	MIDWEST COATING INC	02/16/2024	Regular	0	77495	52437
0491	OLATHE WINWATER WORKS	02/16/2024	Regular	0	4042	52438
1360	PARK ENTERPRISE LLC	02/16/2024	Regular	0	853.05	52439
0542	QUILL	02/16/2024	Regular	0	10.99	52440
0542	QUILL	02/16/2024	Regular	0	77.98	52441
0542	QUILL	02/16/2024	Regular	0	30.99	52442
0542	QUILL	02/16/2024	Regular	0	231.19	52443
0542	QUILL	02/16/2024	Regular	0	30.99	52444
0542	QUILL	02/16/2024	Regular	0	73.99	52445
0579	SECURITY BENEFIT - 457	02/16/2024	Regular	0	4790.71	52446

My Check Report

Date Range: 02/03/2024 - 02/16/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0815	TRANSLATION PERFECT	02/16/2024	Regular	0	90	52447

Bank Code AP Bank Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	63	52	0.00	377,227.38
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-52,802.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	63	53	0.00	324,425.38

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	63	52	0.00	377,227.38
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-52,802.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	63	53	0.00	324,425.38

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	2/2024	324425.38
			324425.38



Office of the City Manager
AGENDA STATEMENT

DATE: February 20, 2024
TO: Honorable Mayor David Frese and Members of the City Council
FROM: Lindsay Huntington, Administrative Assistant
SUBJECT: Ordinance No. 1518 - Rezoning for Wren Estates

DISCUSSION:

At the February 1, 2024 Planning Commission meeting, the Planning Commission approved rezoning for Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF. This application is to rezone .7 acres from R-R and R-SF to R-SF. A copy of the Planning staff report and an excerpt of the Planning Commission draft minutes from the February 1, 2024 meeting have been included as attachments for reference.

BUDGET IMPACT:

None.

ACTION NEEDED:

Pass Ordinance No. 1518 amending the zoning of certain property for Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF.

Pursuant to Section 27-012(A), when the Planning Commission submits a recommendation of approval of rezoning and the reasons therefore, the Governing Body may:

- (1) Adopt the recommendation by ordinance;
- (2) Override the recommendation by 2/3 majority vote of the membership of the Governing Body; or
- (3) Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

If the Governing Body returns the Planning Commission's recommendation, the Planning Commission may resubmit its original recommendation giving the reasons therefore or submit a new and amended recommendation. Upon receipt of the recommendation, the Governing Body, by simple majority, may adopt or may revise or amend and adopt the recommendation by ordinance, or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the Governing Body following the Planning Commission's next regular meeting after receiving the Governing Body's report, the Governing Body shall consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly.

ATTACHMENTS:

Draft Ordinance No. 1518
Wren Estates Rezone Application
Planning Staff Report
Excerpt of Draft February 1, 2024 Planning Commission Meeting Minutes

cc: George Brajkovic, City Manager
Dan Porter, Assistant City Manager
Anna Krstulic, City Attorney

ORDINANCE NO. 1518

AN ORDINANCE REZONING APPROXIMATELY 0.7 ACRE OF REAL PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF WASHINGTON STREET AND EAST STREET WITH AN ADDRESS OF 1005 WASHINGTON STREET, IN TONGANOXIE, KANSAS FROM "R-R" RURAL DISTRICT TO "R-SF" SINGLE FAMILY DISTRICT.

WHEREAS, pursuant to K.S.A. 12-757 and Section 27 of the Tonganoxie Zoning and Subdivision Regulations (the "Zoning Regulations"), the Governing Body of the City of Tonganoxie, Kansas (the "City") has the power to amend, revise or change existing zoning district boundaries within the City;

WHEREAS, Orison, LLC, a Kansas limited liability company ("Owner"), submitted an application to the City to request a change in the zoning of approximately 0.7 acre of certain real property generally located at 1005 Washington Street in the City, as legally described on **Exhibit A** attached hereto (the "Property"), from "R-R" Rural District to "R-SF " Single Family District;

WHEREAS, the City Clerk set a public hearing on December 7, 2023 at 7:00 p.m. at the City Council Chambers for the Planning Commission to consider Owner's request for the proposed rezoning of the Property;

WHEREAS, on November 8, 2023, notice of the public hearing was published in *The Tonganoxie Mirror*, the official City newspaper, and notices were also mailed to all owners of record of real property within 200 feet of the Property within City limits and within 1,000 feet of the Property in the unincorporated area adjacent thereto, all in accordance with K.S.A. 12-757(b) and Section 27-011 of the Zoning Regulations;

WHEREAS, the City Planner prepared a Planning Staff Report dated November 30, 2023, updated January 4, 2024, a copy of which is attached hereto as **Exhibit B** (the "Staff Report");

WHEREAS, on December 7, 2023, the Planning Commission opened a public hearing on Owner's request for the proposed rezoning of the Property, provided an opportunity for interested parties to be heard, and continued the public hearing to January 4, 2024 (which meeting was postponed to February 1, 2024);

WHEREAS, on February 1, 2024, the Planning Commission provided further opportunity for interested parties to be heard prior to closing the public hearing, considered the Staff Report and the matters set forth in Section 27-011 of the Zoning Regulations, recommended approval of Owner's request for the proposed rezoning, and caused an accurate written summary to be made of the proceedings in the meeting minutes attached hereto as **Exhibit C**;

WHEREAS, no protest petition against the proposed rezoning of the Property has been filed in the City Clerk's office within the required time period set forth in K.S.A. 12-757(f) and Section 27-012.C of the Zoning Regulations; and

WHEREAS, the Governing Body has considered Owner's request to rezone the Property, reviewed the Staff Report and all testimony and evidence submitted in connection with Owner's request, and hereby adopts the Planning Commission's recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. The Property is hereby rezoned from "R-R" Rural District to "R-SF" Single Family District.

SECTION 2. The "Official Zoning District Map" adopted under Section 1-015 of the Zoning Regulations shall be changed to reflect the rezoning of the Property, and Section 1-015 is hereby amended to reincorporate the "Official Zoning District Map" as amended by this Ordinance.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication, or the publication of a certified summary thereof, in the official City newspaper.

[Remainder of page intentionally left blank; signature page follows.]

**PASSED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS,
AND APPROVED BY THE MAYOR ON FEBRUARY 20, 2024.**

SEAL

David Frese, Mayor

ATTEST:

Daniel Porter, Acting City Clerk

APPROVED AS TO FORM:

Anna M. Krstulic, City Attorney

EXHIBIT A

Legal Description of the Property

[TBD from deed.]

EXHIBIT B

Planning Staff Report dated November 30, 2023 and updated January 4, 2024

[Attached on following pages.]

EXHIBIT C

Minutes of the February 1, 2024 Tonganoxie Planning Commission Meeting

[Attached on following pages.]

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 08/04/2023

Janet Klasmirke
COUNTY CLERK

Continental Title Company: 23453337

GENERAL WARRANTY DEED
(Limited Liability Company)

This Deed, Made and entered into this 2 day of August, 2023, by and between ADKM LLC, a Missouri Limited Liability Company, organized and existing under the laws of the State of Missouri with its principal office at: 118 N Conistor Lane Ste B #180, Liberty, MO 64068, in the county of Clay, State of Missouri, party or parties of the first part, Grantor(s), and Orison, LLC, whose mailing address is: 1204 State Avenue Suite A, Tonganoxie, KS 66086 in the County of Leavenworth, State of KS, party (or parties) of the second part, Grantee(s).

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of Leavenworth, State of Kansas, to-wit:

Legal Description: A tract of land described as beginning at a point Thirty (30) feet East and Thirty-three (33) feet North of the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Nine (9), in Township Eleven (11) South, of Range Twenty-one (21); thence East Two Hundred (200) feet; thence North One Hundred Fifty-six (156) feet; thence West Two Hundred (200) feet; thence South One Hundred Fifty-six (156) feet to the place of beginning, all in the County of Leavenworth, Kansas. Subject to any part thereof taken or used for roads.

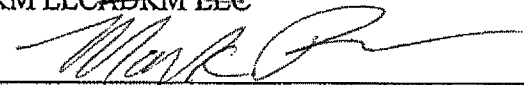
Note: Subject to building lines, conditions, easements, restrictions of record, and any zoning laws or ordinances affecting this property, if any.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever.

And said party of the first part, for itself, and its successors and assigns, does hereby covenant, promise and agree, to and with said party(ies) of the second part, that at the delivery of these presents, it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature and kind so ever, and that it will WARRANT and FOREVER DEFEND the same unto said party(ies) of the second part, his/her/their heirs and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its Member.

GRANTOR(S) ^{CB}
ADKM LLC ADKM LLC

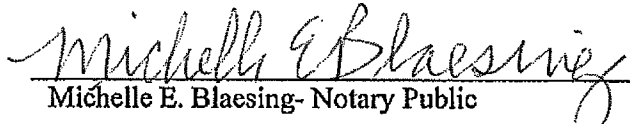
By: 
Mark Pence, Member

STATE OF Kansas)
)SS.
COUNTY OF Leavenworth)

On this 2 of Aug, 2023, before me appeared Mark Pence, to me personally known, who being by me duly sworn, did say, that He/She is the Member of ADKM LLC, a Limited Liability Company, of the State of Missouri, and that said instrument was signed in behalf of said Limited Liability Company, by authority of its Member(s); and said Member acknowledged said instrument to be the free act and deed of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the COUNTY and STATE aforesaid, the day and year first above written.




Michelle E. Blaesing- Notary Public

MY TERM EXPIRES: August 21, 2026



CITY OF TONGANOXIE
CHANGE OF ZONE REQUEST AND PROCEDURES

Date Received: _____
Fee Paid: _____
Received By: _____

ZONE CHANGE APPLICATION

REQUESTED REZONING FROM: R-R and R-SF TO: R-SF
PRESENT ZONING DISTRICT PROPOSED ZONING DISTRICT

SITE ADDRESS OR PROPERTY LOCATION Washington and East Streets

SIZE OF SITE (ACRE/SQUARE FEET) .70 / 30,492 SF

ASSESSOR'S TAX PARCEL NUMBER 1920904001006000

APPLICANT: Orison, LLC

MAILING ADDRESS: 1204 State Avenue, Suite A, Tonganoxie, KS 66086

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) [REDACTED] (fax)

EMAIL ADDRESS: [REDACTED]

LANDOWNER OF RECORD (If different than applicant): Orison, LLC

ADDRESS: 1204 State Avenue, Suite A, Tonganoxie, Ks 66086

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) [REDACTED] (fax)

EMAIL ADDRESS: [REDACTED]

AGENT or ARCHITECT/ENGINEER /LAND PLANNER: Schlagel

BUSINESS ADDRESS: [REDACTED]

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) N/A (fax)

EMAIL ADDRESS: [REDACTED]

Required materials needed to file this application:

- o Application and fee
- o A signed affidavit
- o A copy of the current deed for the property and an electronic copy (Microsoft Word)
- o Site plan drawn to scale showing the dimensions of the property
- o The existing streets and utilities serving the area
- o New proposed streets and/or utilities
- o Any improvements proposed,
- o Surrounding property owners list
- o Four (4) folded copies of all plans
- o One (1) reduced copy (11"x17") of all plans
- o One (1) electronic copy of all plans (PDF)

In accordance with Section 27-011 of the City of Tonganoxie Zoning Ordinance, please describe how the requested application is consistent with the following considerations for approving or disapproving a rezoning application:

Briefly describe the present use and character of this property and the surrounding neighborhood.

Currently a residential single family home with outbuildings.

Briefly describe the compatibility with the zoning and uses of properties nearby. _____

The adjacent zoning to the north, west, and east is R-SF, the requested zone change.

The property to the south is in the County.

Briefly describe the suitability of this property for uses to which it has been restricted. _____

Highly suitable within the adjacent proposed development.

Briefly describe the extent to which the removal the restrictions will detrimentally affect nearby property.

By allowing the zone change the property will be incorporated into a R-SF development and will not have a detrimental impact on adjacent property.

Briefly describe the length of time the subject property has remained vacant as zoned: _____

Undetermined - it has been part of a large lot single family property

Briefly describe why you feel that the proposed change is suitable for this property and is the best use of this land: _____


It allows for the dilapidated outbuildings to be removed and incorporated into 2 adjacent lots.

Briefly describe the adequacy of public utilities and infrastructure: _____

Sewer and water present onsite.

Briefly describe how the requested change is in conformance to the adopted or recognized comprehensive plan of Tonganoxie KS _____

This area is shown as low-density residential, which matches the zone changes request.



Signatures of owner(s):

Dan Lynch

Print Name

Signatures of owner(s):

Print Name

OWNERSHIP AFFIDAVIT

City of Tonganoxie
County of Leavenworth
State of Kansas

I, Dan Lynch and N/A being duly sworn depose and

say that I am the Owner of said property involved in this petition and the foregoing signatures.

Statements and answers herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Signed and entered this 24th day of October, 2023.

Dan Lynch

1204 State Avenue, Suite A, Tonganoxie, KS 913-369-3000

Print Name

Address

Phone No.

Signature

N/A

N/A

Print Name

Address

Phone No.

Signature

Subscribed and sworn to before me on this 24th day of October, 2023.

Marilyn M. Thompson
Notary Public Signature

Marilyn M. Thompson
Notary Public Print Name

My commission expires:

June 16, 2026



CITY OF TONGANOXIE
CHANGE OF ZONE REQUEST AND PROCEDURES

The procedure for obtaining a rezoning ordinance is as set out in Section 26 of the Zoning Ordinance in effect for the City of Tonganoxie. A complete copy of the Zoning Ordinances may be viewed on the website at www.tonganoxie.org.

The enclosed application form must be filled out completely by the owner(s) of the property proposed to be rezoned, or by an authorized agent who must submit legal documentation of authorization. All signatures must be in ink and must be notarized.

A certified list of property owners, names and addresses, and CAMMA numbers for all of the property which lies within 200 feet of the boundaries of the property within the City Limits and 1000 feet of the boundaries within the county area proposed to be rezoned (excluding rights of way) must be provided by the applicant. Any error in this list of property owners will result in reapplication accompanied by a second application fee to be paid by the applicant and a new public hearing.

The documents needed to file this application include:

- Application and fee
- A copy of the current deed for the property and an electronic copy (Microsoft Word)
- A signed affidavit
- Site plan drawn to scale showing the dimensions of the property
- The existing streets and utilities serving the area
- New proposed streets and/or utilities
- Any improvements proposed,
- Surrounding property owners list
- Four (4) folded copies of all plans
- One (1) reduced copy (11"x17") of all plans
- One (1) electronic copy of all plans (PDF)

The application is to be filed in the office of the City Clerk, together with the filing fee, as set out by the Tonganoxie Application Fee Schedule. The application must be filed according to the Application and Review schedule adopted by the Planning Commission.

After the conclusion of the public hearing, fourteen days must elapse before the application may be placed before the Tonganoxie City Council. This is the time allowed for the filing of a protest petition. If the Tonganoxie City Council disagrees with the recommendation made by the Planning Commission, the application must then go again before the Planning Commission for further study and review. If the application is approved by the City Council, an ordinance is passed to rezone the property. Please note, however, that this process is not complete until the ordinance has been officially published.



City of Tonganoxie, Kansas

PLANNING STAFF REPORT

Case#: 2023-008P, Rezone from R-R to R-SF; & Preliminary Plat

Date of Report: November 30, 2023; UPDATED January 4, 2024

Application: **Rezone R-R to R-SF / Preliminary Plat**
Date of Application: 10/27/23 (via email)
Date of Meeting: 12/7/2023; Continued to 1/4/24

Action: *A preliminary plat requires review and approval by the Planning Commission. If the preliminary plat meets the general layout and preliminary planning and design standards of the subdivision regulations, the Planning Commission shall approve the preliminary plat.*

A rezoning requires review and recommendation by the Planning Commission, and final approval by the City Council. The Planning Commission may make its recommendation based on the Comprehensive Plan, and based on reviewing the facts and evaluating a criteria in the zoning ordinance. The City Council may make its decision on these same criteria, and consideration of the Commission recommendation.

Applicant Name: Orison, LLC; Dan Lynch

Property Owner Name: Orison, LLC

Subject Property
Address: North of Washington Street and east of East Street(General Location)
Property Size: 6.59 acres zoned R-SF; 0.72 acres zoned RR (a portion of which is proposed to be platted)
Zoning: R-SF, RR
Legal Description: Meets and bounds – unplatted

Surrounding Property – Zoning and Use:
West: R-SF; senior living facility, single-family houses
North: R-R; Rural undeveloped property
East: R-R; undeveloped rural property and large lot residential
South: R-R and RR-2.5 (County); rural and large lot residential & schools (elementary & middle)

Recommendation: Approve the rezoning subject to conditions on development agreement for streets; approve the preliminary plat conditioned on further study of future street and trail connections – provided Commission agrees to grant exception to connectivity standards.

I. SUMMARY

Update: This public hearing for this application was opened and originally heard at the December 7, 2023 Planning Commission meeting. The Planning Commission continued the hearing so that the applicant and staff could provide further information on the following outstanding issues:

- *The request for lot and setback exceptions that the applicant initially brought up at the December 7, 2023 meeting and which were included on the proposed plat. (Discussion revolved around which of these could be done by plat; versus which needed other corresponding zoning actions.)*
- *The request for exceptions to the street connection standards. (Discussion was whether the applicant had fully considered other street connection options to both the property to the north, and to the broader area which was impacted by the creek and flood plain, and whether their justifications for not connecting were sufficient to meet the criteria in the Subdivision Regulations.)*
- *The condition that a development agreement be entered into for future improvements to East Street and the intersection of East Street and Washington Street. (Discussion was based on preliminary status of necessary improvements – improving East Street design; alignment of East Street at the intersection; and intersection crossing design details to access the school. The extent of needed full future improvements will not be known until preliminary designs, and the question of the appropriate contribution of the proposed property development and project is open.*
- *The disposition of Tract A, whether it can become a better amenity to the development and/or part of a larger trail connection for the area, and assurances that the applicant/property owners need to own and maintain this space. (Discussion occurred on these issues not appropriately reflected on the submitted preliminary plat.)*

This original staff report identified all of these issues and the report and analysis remains unchanged below, except where updates are noted in red “italics” with “Update:” indicated below.

This application is to rezone 0.72 acres from R-R to R-SF and for a preliminary plat of a larger related tract (6.59 acres) already zoned R-SF. The preliminary plat will cover a portion of the 0.72 acres proposed to be rezoned, but leave a parcel with an existing single-family home unplatted (corner property.) The plan is to develop 16 new detached houses on a cul-de-sac connection to Washington Street and 4 new single family lots that front on East Street on the west side of the property.

The lots range in size from 8,510 square feet to 26,695 square feet and range in frontage widths from 42 feet to 125 feet. The majority of lots have frontage widths of 65’ to 75 feet with an area of 8,500 and 10,000 square feet; the exceptions being narrower frontages and larger lots on the interior curve of cul-de-sacs, and the wider frontage on the exterior curve of irregular shaped lots. The property also includes “Tract A”, which includes a creek and drainage area on the east side of the property and connecting to a larger flood plain zone interior to the overall property section to the north and east.

II. ANALYSIS – REZONING

Rezoning applications must be reviewed against the following considerations (in bold italic text) as outlined by the City of Tonganoxie Zoning Ordinance, Section 27-011. Following each of the considerations are staff comments (in plain text). However, since staff has not had the benefit of considering testimony provided during the public hearing, the Planning Commission should consider each factor and the analysis in conjunction with testimony at the hearing prior to acting on the application. No one factor is necessarily controlling, nor do all factors need to be clearly established, but rather they are to be considered in balance as an overall evaluation of the application.

1. *Character of the neighborhood.*

The character of the surrounding area is a rural undeveloped land, single-family lots, large lot rural residential, and civic/institutional uses. The area is at a transition between established old neighborhoods, developing property and public investments, and undeveloped rural areas. There are natural features (wooded creek and floodplain) to the east and north of this property that present both development constraints and amenity opportunities for this property and the entire section bounded by East Street to the west, 4th Street on the north, the city limit on the east, and Washington Street on the south.

2. *Zoning and uses of properties nearby:*

Surrounding properties are zoned R-SF or R-R and include primarily residential uses or institutional uses that support residential neighborhoods. These include a middle school, elementary school, and a senior living facility. Other perimeters of the property are rural large lot housing or undeveloped property.

3. *Suitability of subject property for the uses to which it has been restricted:*

Due to the level of public investment in the area (schools) and the proximity to established gridded neighborhoods, this property is not suitable for rural and large lot residential uses. Provided the appropriate infrastructure and neighborhood amenities can be provided, the property is more suitable for a higher intensity of residential development. Property in the vicinity may be suitable to remain in large-lot, or rural-residential intensities if limited public infrastructure investments occur – primarily considering property to the east and south of the subject property.

4. *Extent to which removal of the restrictions will detrimentally affect nearby property:*

The majority of the proposed project area is already zoned R-SF and this proposal is to rezone a smaller corner portion from R-R to R-SF. Additionally, property to the west is also zoned R-SF and reflects a similar development pattern. Property to the south is mainly impacted by the presence of the schools, and it is beneficial to develop a greater intensity of housing near schools. Other properties to the north, east, and south could benefit from transitions provided by natural features (creek and wooded paths), and the subject property and adjacent developable areas would benefit from a greater focus on these attributes as potential neighborhood amenities.

5. *Length of time the subject property has remained vacant as zoned:*

There is an existing house on the southwest corner of the project area that was built in 1963 according to Leavenworth County GIS data. The remainder of the project area is undeveloped.

6. *Relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner:*

If the corner property remains zoned R-R it would not necessarily serve the intent of the R-R zoning district, which is to promote a rural and low-intensity residential pattern that is compatible with agriculture uses on the edges of the city. The property zoned R-R is 0.72 acres, and does not conform to the R-R minimum standard of at least 1 acre lots. Additionally, the majority of the project property is zoned R-SF and the areas to the west are similarly zoned and developed for greater intensity of residential or neighborhood-compatible uses.

7. *Adequacy of Infrastructure*

[see Section III. Preliminary Plat analysis below]

8. *Recommendations of professional staff:*

[see Section IV. Staff Recommendation below]

9. *Conformance of the requested change to the adopted or recognized comprehensive plan of Tonganoxie, Kansas:*

The future land use element of the 2006 comprehensive plan identifies this area as low density residential in association with the near-term growth boundary of the city and the civic and institutional areas of the city. R-SF zoning conforms to this aspect of the plan. In 2017, the Planning Commission also adopted plan supplements that addressed several community design elements in greater detail. One of these was housing and neighborhoods, and specifically how to achieve greater and more lasting value from neighborhood character as more housing is developed. These aspects of the plan called for a wider variety of housing options within and between neighborhoods, and a greater focus on neighborhood streetscapes, neighborhood amenities in parks, trails, and common areas, and more opportunities for walk and biking between neighborhoods. This project should be considered in that broader context as surrounding areas develop to consider potential relationships to adjacent developable areas, and to provide a greater variety of housing within consistent neighborhood patterns.

III. ANALYSIS –PRELIMINARY PLAT

The purpose of a preliminary plat is to show general and conceptual compliance with the city's subdivision design standards prior to completing final engineering and more technical drawings to divide lots and construct improvements. The preliminary plat is a coordinating document to guide the design and build out of development over time and to coordinate projects with other development in surrounding areas.

Plat applications must be reviewed against the following considerations (in bold italic text) as outlined by the City of Tonganoxie Subdivision Regulations, Section 4.1 and 4.2. The Planning Commission shall approve the plat if it meets the City's criteria for the following required improvements and development criteria:

a. *Street Systems - provision for the continuation of existing streets, connections to adjoin areas, and adequate internal streets; internal circulation; and proposed streets extended to the boundaries.*

The preliminary plat proposes an approximately 500-foot cul-de-sac connecting to Washinton Street on the north side of the street. The cul-de-sac will serve 16 lots private lots. The plat

proposes 4 additional lots that front on existing East Street on the west boundary of the property.

There are three primary issues to be addressed with this proposed street layout.

1. *Connectivity.* The subdivision standards require continuation of streets to the perimeter of adjacent undeveloped property at least every 660', and where the property is not being developed in association with the plat, a conceptual street layout. This is to facilitate an intermediate scale ("neighborhood scale") of street network planning between the comprehensive plan / major transportation plan and individual development projects. This proposal does not meet the connectivity requirement. The perimeter boundary on the west and north is approximately 1,500 feet and would require a minimum of 2 connections to the perimeter. While there may be topographic or development constraints that justify connectivity, a larger concept street layout for surrounding areas has not been prepared to put the decision to not connect into a broader context, and at a minimum, connections to developable property to the north are advisable (this is related to the East Street improvements discussed below). Additionally, if the Planning Commission is to grant an exception to the connection requirements, alternatives that provide pedestrian and bike connections can also be requested per the subdivision standards (the design standards suggest that any block more than 1,000 feet or any disconnected street should consider pedestrian easements or connections to potential adjacent areas and amenities at the same frequency as would otherwise be required by the street network.)

Update: The applicant supplied a conceptual street network layout for how adjacent property could develop based on a decision not to connect as required by the subdivision regulations. (This was also presented by the applicant at the 12/7/23 Planning Commission meeting.) This concept involves a second future cul-de-sac coming east off of East Street on the property to the north. Additionally, the applicant provided justification for not connecting via e-mail (December 8, 2023 email to staff) that is summarized as follows and may be expanded on by the applicant at the continued hearing:

- A. *There is an elevation change from East Street to proposed S. East Terrace, and a future connection to East Street on this property or property to the north would disrupt the preferred "walk out" design that will be afforded by the proposed layout and lots fronting East Street.*
- B. *Floodplain and topography is limiting development on property to the north.*
- C. *The city installed sewer line would need to be relocated if a different street layout is proposed.*

If the Planning Commission concurs with these justifications, it may grant an exception to the street connection requirements according to the subdivision regulations, and approve the plat as proposed.

2. *East Street.* The preliminary plat has four lots fronting on east street. This is a preferred pattern for subdivisions according to the 2017 neighborhood design principles (i.e. not "backing" subdivisions to streets so that the rear yards appear on city streets and the city maintains streets that have no immediate development value.) However, East Street is not in its fully improved state. While it can support four additional lots in its current state, this project should be required to contribute its portion of the ultimate East Street improvement (including where and how it ultimately connects to the street network to the north and west.) A development agreement should be required to determine the appropriate contribution of this project. Additionally, the streetscape design considerations and residential frontage design considerations identified in the 2017 planning efforts (i.e. how residential lots should front on and access local, collector, or arterial neighborhood streets) should be considered within that agreement,

and look at options for how the four lots interface with the ultimate East Street streetscape design. [Note: these ultimate improvements may be in the future, and will require coordination of multiple parties and entities, so the development agreement should reconcile how this project should contribute, and how the project can occur in an interim state without undermining to potential long-range design solution.

Update: Improvements to East Street and the Washington Street intersection are part of a full scope of capital improvements that are necessary to support this proposed project, as well as other future development in the area. The lots fronting on East Street will directly impact the East Street improvements and the overall project will impact the need for intersection improvements that address both traffic and pedestrian issues, particularly regarding pedestrians coming from East Street and proposed S. East Terrace to the school. The applicant is continuing discussions with the City on the extent of improvements necessary and the potential timing of these needed improvements. The rezoning and preliminary plat may be considered for approval contingent on the applicant and the City reaching agreement on the terms of a development agreement related to the infrastructure improvements associated with this development.

3. **Pedestrian Connectivity.** As mentioned above, part of the 2017 comprehensive plan supplements dealt with neighborhood character and public realm design to enhance pedestrian connectivity. This includes neighborhood streetscapes, access to neighborhood common areas and amenities, and connections to surrounding civic assets. In this case – and particularly if neighborhood street network connections are not being made – this presents two principle issues: (a) pedestrian connections to the adjacent school complex (for the cul-de-sac, Washington Street, and East Street); and (b) potential pedestrian and trail connections on the east side (Tract A common area) and/or north side if no street connections are justified. The 2017 public realm design plan supplement included some of these areas to the north and east as potential trail connections – this was both to capitalize on the broader opportunities and amenities of the regional trail system around Tonganoxie, but also to convert what may otherwise be a development constraint for this entire section into a potential development amenity. (i.e a street network and block arrangement that makes these areas more of a central focal point rather than leftover space internal to and behind development.) While these areas are not within the proposed development, it does indicate why a conceptual circulation plan could be important to put the proposed preliminary plat in context, and at a minimum potential connections to and through Tract A within the preliminary plat should be considered (as well as connections to and across Washinton Street).

Update: See item a.1 above and item e. below.

- b. Lots – the lot arrangement provides building sites meeting the standards of the city regulations and proposed zoning.**

The R-SF zoning district requires all lots to be a minimum of 65' wide and 6,000 square feet in areas. All proposed lots meet this standard (those with shorter frontage are on curves where the 65' requirement is measured further back at the front building line due to the configuration of the lot frontage.) The arrangement of these lots are dictated more by the proposed street layout discussed in section II.a above, and any issues with that will be addressed by street layout considerations. Additionally, while the lots in this proposed plat comply with the zoning and platting standards, as more property in this area continue to develop, a wider range of housing types and lot patterns will be desired (see 2017 housing and neighborhood design supplement in the plan.)

Update: The proposed preliminary plat included build lines that did not conform to the R-SF zoning standards. There is limited ability to address this through platting, but broader changes to the standards should either be based on a “planned development” according to the cities R-SF-CUP zoning process and criteria, or through a general change to setbacks in the R-SF district. The applicant has withdrawn the request to have 7-foot side setbacks throughout the project (other than the 10’ required by the R-SF zoning district), and retains the request to show a 25’ platted rear building line on lots that back to Tract A (rather than the 30’ required by the R-SF zone district.) This remaining request is appropriate through the plat process as an exception according to Section 7.1 of the Subdivision Regulations. Staff concurs with this proposed building line exception due to the size of the lots, the topography in the area, and the fact that these lots back to common areas that will be owned and maintained by the property owner or future home owners association.

c. Character of Development – Minimum requirements on the character of development (both within the proposed project and in relation to surrounding property) may be included in the required project.

With respect to land use and intensity, the proposed is consistent with the character of development within the area. The relationship and transitions to adjacent areas is dictated more by the street layout and connectivity requirements identified in section II.a above.

d. Utilities and Easements

The proposed utilities and easements appear acceptable at a planning and conceptual level. The City Engineer has reviewed the preliminary plat (November 15, 2023 report) and recommends approval subject to some specific details the stormwater pipe from S. East Terrace to the adjacent boundary, the disposition and access to Tract A (see section II.e), and the improvement plans for East Street (see section II.a.2.) Approval of construction plans according to all City specifications is required for all improvements, and construction plans for streets, storm sewer and sanitary sewer hill need to be submitted in coordination with the final plat. Based on a technical review of these plans, and based on other planning issues associated with the preliminary plat, adjustments to easements in the final plat may be advised.

Update: The application includes a proposed concentrated discharge onto adjacent property at the north end of proposed S. East Street Terrace. Per the City Engineer memo dated December 27, 2023, (comment 1) the applicant should obtain written documentation/agreement from the adjacent property owner for this concentrated discharge.

e. Open Spaces and Community Assets – parks, school sites and other civic assets, other than streets.

This project is well situated to many community assets and to potential community assets, including schools, parks, and trails, and downtown. Most of these civic assets are off-site, elevating the importance of street connections to off-site street networks crucial to accessing these amenities. The plat also includes a proposed Tract A that has the potential for greater connections to similar land on adjacent sites. While these areas are not part of the immediate project they have the potential to be amenities for the entire section as identified in the city’s long-range plans. However, there are no connections to this property, no plans to present this as a neighborhood amenity, and no concept plans for how this tract could be incorporated into a broader system of trails and open spaces. At a minimum this project should consider the following with regard to open spaces and civic assets:

1. Improved pedestrian connections to the school – including the cul-de-sac streetscape design, Washinton Street, and East Street. (see section II.a above)
2. Alternative connections to the north and west of the property for potential bike and pedestrian routes – particularly if the Planning Commission approves an exception to the minimum connectivity requirements and waive the requirement to extend streets to the perimeter.
3. Connections to Tract A, and then potential connections from Tract A to Washinton Street on the south, and to additional similarly situated land on the north and east of Tract A. At a minimum, a homeowner’s association will need to be created to accept ownership, legal responsibility, and demonstrate the ongoing financial and administrative capacity to maintain this undeveloped Tract.

Update: The applicant has provided a declaration on the preliminary plat regarding Tract A. However, that is not sufficient to clearly indicate the following requirements:

1. *That the Tract will be owned by and maintained by a future HOA for drainage purposes.*
2. *That the applicant shall demonstrate legal, technical, and financial means of the HOA to fulfill these requirements (subject to City Attorney review) prior to approval of the final plat.*
3. *The applicant should consider designs for this area and/or access to it, so that it serves as a better amenity for the neighborhood.*
4. *That the city requests the reservation of an easement through this area for a potential future trail connection. This would be contingent on a broader trail network being designed and built on similarly situated property to the north.*

f. Suitability of the Land

The land is undeveloped but has been planned low density residential development for several years. In general, the land is suitable for this type of development.

IV. EFFECT OF DECISION

Preliminary Plat. The Planning Commission may approve, conditionally approve/modify or deny a preliminary plat application. Any denial or conditional approval/modification must specifically state the reasons for the decision and requirements to meet the Commission’s approval.

The approval of the preliminary plat does not constitute final approval or acceptance of the subdivision by the City Planning Commission or authorization to proceed on construction of the improvements within the subdivision but shall constitute approval of the general layout. Approval of a preliminary plat is valid for one year; within which time a final plat shall be submitted. A final plat that conforms to the subdivision standards and is conforms to the general layout of the preliminary plat may be approved. Denial of a preliminary plat may be appealed to the City Council

Rezoning: Approval of a Rezoning will authorize development according to all R-SF development standards. The Planning Commission makes a recommendation to the City Council for a final decision.

V. RECOMMENDATION

The threshold issue for this application is if the Planning Commission determines that the lack of street connections and an exception to the connectivity standards is warranted. At a minimum, staff feels that a connection to the potentially developable site to the north should be considered, and this may be related to what the ultimate improvement of East Street will be. Alternatively, a conceptual circulation

plan for the entire area could put the proposed cul-de-sac and impacts from lack of connectivity in a broader perspective.

Dependent on how the Commission resolves the above issue, and assuming that the Planning Commission makes findings to grant the exception or consider acceptable alternatives, staff recommends the following:

That the Planning Commission recommend that the City Council approve rezoning of the property from R-R to R-SF subject to the following conditions:

1. The approval is subject to a development agreement between the City and the applicant on the regarding the ultimate East Street improvements. This agreement should address apportionment of costs, potential timing, and contingencies for the ultimate design solutions.
2. The rezoning approval is subject to the proposed preliminary plat, and addressing all issues on the plat prior to a final plat.

That the Planning Commission approve the preliminary plat subject to the following being addressed before approval of a final plat:

1. A development agreement, associated with the rezoning, between the City and the applicant on the regarding the ultimate East Street improvements.
2. Alternative connections to adjacent property be considered and fully vetted in the broader context of this property section (4th Street, East Street, Washinton Street, and east city limits), including:
 - a. Potential of street connections to the north;
 - b. Potential of trail connections to the north and east

Update: If the Planning Commission concurs with the applicant's justifications for not connecting streets, it may grant an exception according to the Subdivision Regulations and approve the proposed cul-de-sac layout.
3. Improved pedestrian connections to the schools be provided, including the cul-de-sac streetscape, along Washinton Street, along East Street, and the intersection of Washington and East Street. (some of this may be associated with and dependent on the development agreement indicated in condition 1. Above)
4. A homeowner's association shall be formed to accept ownership, legal responsibility, and demonstrate the ongoing financial and administrative capacity to maintain this undeveloped Tract. Documents shall be approved by the City Attorney prior to approval of a final plat.
5. Tract A be considered as a potential amenity to the overall project and surrounding area, including potential trail connections to property to the north and east, and a connection to Washinton Street to the south (potentially related to better pedestrian connections to the school.)

Update: The disposition of Tract A should include an easement to the City for a potential trail connection in the event that a broader trail network is designed and constructed on similarly situated property to the north.
6. All other elements in the City Engineers report dated November 15, 2023 are incorporated and addressed prior to final plat.

Update: The applicant should coordinate and obtain written documentation/agreement for the proposed concentrated discharge onto the adjacent property. Additional comments are included in the City Engineers report dated December 27, 2023.
7. *Update: The Planning Commission grant an exception to the platted building lines on lots that back up to Tract A, allowing a 25' rear building line in place of the 30' that is required under R-SF zoning.*



Chris Brewster
Contract City Planner



TONGANOXIE PLANNING COMMISSION
Meeting Minutes
February 1, 2024 7:00 p.m.
303 S. Bury Street

CALL TO ORDER

- Chair Monica Gee opened the meeting at 7:00 p.m.

Roll Call: Planning Commission members present were Chair Monica Gee, Vice Chair Patti Bitler, Kirsten Moreland, John Kirk, Howie Brewington and Brianna Irvin were present. Amanda Horner was absent. Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Municipal Court Clerk Lindsay Huntington, and City Planner Chris Brewster were also present. City Manager George Brajkovic was present via phone.

1. APPROVAL OF PC MINUTES – December 7, 2023

- **Ms. Moreland made a motion to approve the minutes from the December 7, 2023 Commission meeting.**
- **Ms. Bitler seconded the motion.**
- **Vote of all ayes, motion carried.**

2. OLD BUSINESS

- a) Public Hearing: Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
 - Mr. Brewster with Multistudio delivered the staff report for the project.
- b) Consideration of Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
 - Mr. Brewster with Multistudio delivered the staff report for the project.
 - Mr. Mark Breuer, 14920 W 107th Street, Lenexa, Kansas with Schlagel and Associates presented on behalf of the applicant for the project.
 - Ms. Moreland expressed concerns regarding one exit for the street and safety concerns.
 - **Ms. Bitler made a motion to rezone Wren Estates property generally located at Washington and East Streets from Rural Residential to Rural Single Family.**
 - **Mr. Brewington seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**
- c) Public Hearing: Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
 - **No Members from the public addressed the Planning Commission during the public hearing.**
 - **Ms. Gee closed the public hearing.**
- d) Consideration of Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
 - **Mr. Brewington made a motion to approve the Preliminary Plat for Wren Estates subject to the staff conditions and recommendations.**
 - **Ms. Bitler seconded the motion.**
 - **Roll call vote was 5-1 (No's – Moreland). Motion passed.**



Office of the City Manager
AGENDA STATEMENT

DATE: February 20, 2024
To: Honorable Mayor David Frese and Members of the City Council
FROM: Lindsay Huntington, Administrative Assistant
SUBJECT: 2024 Community Funding Requests Payment Consideration

DISCUSSION:

Evaluation criteria and methodologies to help review and consider community group funding requests made to the City Council were last updated at the 2022-02-22 City Council meeting. The 4 main criteria along with prompt questions were shared with applicants for funding support prior to submission of funding requests in 2023. As part of the FY 2024 Annual Budget development process completed in the summer of 2023 the City Council received and considered requests for funding from several local organizations. The community groups that requested and were allocated funding from the City of Tonganoxie in the approved 2024 Budget in the City's General Fund include:

\$20,000 for funding assistance for the following community organizations:

- Tonganoxie Business Association (\$5,000)
- Tonganoxie Arts Council (\$5,000)
- Tonganoxie Farmers Market (\$5,000)
- Tonganoxie Historical Society (\$5,000)

Each community group allocated funding in 2024 was invited to have a member attend the City Council meeting and answer any questions the City Council might pose prior to consideration of approval of the distribution of the funding support for 2024. Each of the four community groups indicated that a representative could be in attendance and updates for their organization's initiatives are included as attachments.

BUDGET IMPACT:

No negative impact from fully funding all requests submitted in the summer of 2023. The 2024 Budget includes \$20,000 in the City's General Fund allocated for provision as funding support for community organizations.

ACTIONS NEEDED

Staff request a motion from the City Council to approve the expenditure of funds in accordance with the previously submitted requests for 2024 funding from the Tonganoxie Business Association (\$5,000), Tonganoxie Arts Council (\$5,000), Tonganoxie Farmers Market (\$5,000), and Tonganoxie Historical Society (\$5,000).

ATTACHMENTS

-Evaluation Criteria for City Funding Requests from Cultural Organizations
-Updates on 2024 Funding Requests from Tonganoxie Arts Council, Tonganoxie Historical Society, Tonganoxie Business Association, and Tonganoxie Farmers Market

Evaluation Framework for City of Tonganoxie Requests for Funding for Cultural Organizations –

Last updated 2022-02-22

Impact on the Community – Cultural Influence

- Are projects aimed at making a broad impact to the social and cultural offerings in the community?
- Do projects educate the local population and expand awareness of Tonganoxie’s history?
- Do projects effectively serve youth, elderly, or those with limited abilities?
- Are projects unique or do other local organizations offer similar events and services?

Impact on the Community – Financial or Tourism

- Does the applicant demonstrate a focus on tourism, widespread community engagement, or collaboration with other local groups?
- Will projects result in people coming into the community from other places?
- What the estimated number of attendees or impacted persons from planned events?
- What is the ratio of residents/non-residents anticipated to benefit from or participate in projects?

Project Planning

- Are specific projects planned out to the extent possible, including preparation of quotes if possible?
- Do projects have a specific timeframe to be completed and commitment of how to handle funds if changes occur?

Past Record of Performance

- Did previous projects succeed or show a significant effort being made to succeed?
- Is continual improvement a noticeable goal or intention of the requesting organization?
- Have any complaints been noted and not addressed by the organization?

To: Tonganoxie City Council
From: Tonganoxie Arts Council
Date: 02-16-2024
Re: Funding Request

Thank you for your support of the Tonganoxie Arts Council. Please find below an outline of the projects the Tonganoxie Arts Council (TAC) has planned for this year.

CHILDREN'S STORYTELLING EVENT

Date: 03-29-2024
Location: Tonganoxie Elementary School
Partnering with: Tonganoxie school district
TAC Committee Chair: Rachel Kelly
School Liaison: Calesta Blazo

This is a repeat of a successful project that we have done the last several years. We will have 4 different storytellers going at a time in four different locations in the grade school. Each storyteller will perform six thirty-minute sessions. Each class in grades K-2 will attend 2 different storytellers. The group size for each session will be approximately 35 children. This event will reach 400+ children. The goal of the Children's Storytelling Festival is to instill the love of storytelling in children at an early age. Storytelling is a great skill to teach to kids. It helps to improve their language skills and stirs their imagination.

PAINT ACROSS KANSAS

Date: TBD
Location: Coffman Artworks Studio
Partnering with: Coffman Artworks
TAC Committee Chair: Leigh Coffman

This is a plein air competition that will take artists to 5 different sites in Kansas to paint. The cities are KCK, Leavenworth, Cottonwood Falls and Salina. Leigh Coffman is in the planning stages and is meeting with the various arts councils from these cities. The Tonganoxie Arts Council will use this as a fundraiser by selling the paintings online with a commission to TAC.

GHOST STORIES AROUND THE CAMPFIRE

Date: TBD – Sometime in October, 2024
Location: TBD
Partnering with: Tonganoxie Rec Commission
TAC Committee Chair: Jennifer Feeney
TRC's Liaison: Jennifer Feeney

This event is merely a concept at this point. It is our hope to have a night with professional storytellers telling family-friendly ghost stories around a campfire as entertainment. Other thoughts include having fire spinners there as well, hotdogs and s'mores. This will be a free community event.

WE-KAN CONFERENCE

Date: Thursday, April 4, 2025
Location: Newton, KS
Sponsored by: The Kansas Sampler Foundation

One or two members of TAC will attend the conference this year. It is an amazing opportunity to meet with all of the community movers and shakers in the state of Kansas, to exchange ideas and learn from each other.



February 13, 2024

City of Tonganoxie
526 E 4th Street
Tonganoxie, KS 66086

E.A.S.T., Incorporated DBA Tonganoxie Business Association ("TBA")
415 Stone Creek Dr | PO Box 415
Tonganoxie, KS 66086

RE: Community Funding Request

To Whom It May Concern:

The Tonganoxie Business Association continues to actively use best practices when objectively adding value to fellow businesses, our community and the City of Tonganoxie. TBA continues to develop, cultivate and facilitate many events, educational training and business support with funds generated from memberships and sponsorships.

Tonganoxie Business Association successfully operates on a very modest budget that benefits from supplementation provided by the City of Tonganoxie. We are requesting **\$5,000** for the 2024 calendar year. The TBA Board strives to create, implement and provide events, education and resources for all of Tonganoxie to benefit.

Tonganoxie Business Association hopes the city continues to see the value in TBA and all the volunteers do to continue to bring a positive impact to Tonganoxie.

Events, Promotions, and Budgetary Expenses for Tonganoxie Business Association for 2024 include:

- Annual Appreciation Dinner
- St Patrick's Day Parade
- Downtown Beautification Project
- Movies in the Park Series Equipment & Licensing
- Website
- Social Media Promotions
- Google Job and Event Listing Capabilities
- Umbrella Insurance Policy for Events and TBA Board
- Grand Openings / Open House Hosting / Ribbon Cuttings

- Spooktacular
- Kansas Publication Advertising & Promotions
- Marketing, Website, Social Media and Digital Training
- Local Marketing Campaign
- Reserve Budget
- Tonganoxie Business Showcase
- Leadership Southern Leavenworth County Sponsorship

A few facts that also make Tonganoxie Business Association strong:

TBA has a current Board of six business leaders and civic minded individuals that donate countless hours to make us successful.

- Volunteer base that supports events and activities
- Continued Growth
- Community Support
- Willingness to work with and coordinate with City Staff
- Accountability for our funding and budget
- Working relationship with other communities
- Cooperative relationship with LCDC
- Grow Leavenworth County and relationships with local lenders and NetWork Kansas
- Working relationship with City departments

Thank you for your consideration,

Joanna Eibes
Tonganoxie Business Association, Board President

Enclosure: Proposed 2024 TBA Budget



<u>Proposed 2024 Budget</u>	<u>Amount</u>
Income	
Membership Dues	\$ 4,000
Sponsorships	\$ 3,000
Total Forecasted 2024 Income	<u>\$ 7,000</u>
Expenditures	
Storage	\$ 960
Website	
One-time Revamp	\$ 3,600
Annual	\$ 300
TBA Networking & Coffee Meetings	\$ 300
Insurance	\$ 750
LvCo Southern Leadership	\$ 400
Marketing	\$ 3,000
Annual Banquet	\$ 2,200
Downtown Decorations / Flowers	\$ 2,000
Movies in the Park	\$ 750
Spooktacular	\$ 1,000
Business Expo	\$ 500
Board Christmas Dinner	\$ 500
Business Support / Education	\$ 2,000
Open Houses/ Grand Openings / Ribbon Cuttings	\$ 200
Total Forecasted 2024 Expenditures	<u>\$ 18,460</u>
Current Funds	<u>\$ 13,657</u>
+ Reserve Balance	<u>\$ 5,117</u>
Total Balance as of 02/13/24	<u>\$ 18,774</u>

Sent: Tuesday, February 6, 2024 7:48 PM
To: Dan Porter
Subject: Re: community funding requests distribution of funds - 2024 adopted budget for the City of Tonganoxie

Follow Up Flag: Follow up

Tonganoxie Farmers Market

Intended use of Cultural Grant funds for 2024 Season

Summary

The Tonganoxie Farmers Market requests a grant of \$5,000 from the City of Tonganoxie to assist in planning, marketing and organizing the fourth season of the Farmers Market that runs mid May through mid October 2024.

Cultural impact on the community

Our mission is to provide a market for locally produced food and value-added agricultural products and bring farmers and consumers together to create a stronger sense of community.

Project Planning

Bands/live music/entertainment.....	\$2000	
Food Trucks....	\$500	
Marketing.....	\$500	(Every effort will be made to ensure these
T-shirts.....	\$500	monies stay local with Tonganoxie or
Graphic Design Needs.....	\$500	surrounding area musicians, food trucks, etc)
Kids activities.....	\$1000	
Total	\$5,000	

Organizational Information

The Tonganoxie Farmers Market, in partnership with the Friends of the Tonganoxie Public Library, 501c3, has a board of directors made up of Natalie Frese, Chad Gilliland, Margaret Plunkett, and Anne Brockhoff. The Board of Advisors is comprised of Bill New, David Frese, Megan Gilliland, and Wally Brockhoff. We are a volunteer organization with Natalie Frese serving as our market manager.

Sustainability and evaluation

At the end of our first season a vendor survey was created to receive feedback. We have used this feedback to make small changes to the rules and application. Our vendors have been pleased with the location, hours, membership fees, and amount of foot traffic. The response from the community has been overwhelmingly positive.

From: [TCHS Tonganoxie](#)
To: [Dan Porter](#)
Subject: Re: community funding requests distribution of funds - 2024 adopted budget for the City of Tonganoxie
Date: Monday, February 12, 2024 12:51:30 PM

Dan,

You have requested a brief email to reaffirm the level of 2024 financial support (and intended use of funds) requested from the City of Tonganoxie.

Our original request to the City on June 26, 2023 is still accurate and, we believe, necessary. Our Fourth Tuesday programs and other special events have been attended by an average of 51 people per event, with attendance ranging from 27 to 92. We hope to use the funds to make the hay barn space better suited for sound and comfort.

We do appreciate the support that the city has given us over the past several years. If you have any questions, please let us know.

Kris Roberts

President (cell phone 913-704-7043)

Tonganoxie Community Historical Society

201 West Washington Street, PO Box 785

Tonganoxie, KS 66086

913-845-2960

www.TonganoxieHistoricalSociety.org

|



City of Tonganoxie
Office of the City Manager

AGENDA STATEMENT

DATE: February 20, 2024
TO: Honorable Mayor David Frese and Members of the City Council
FROM: Jami Burke
SUBJECT: Request to Waive Fee for a Group Season Pass for Genesis Christian Preschool and Academy

DISCUSSION:

Genesis Christian Academy requested that the City Council consider donation of a 2024 group season pass to the Tonganoxie Water Park for use in their silent auction held at the “Night of Knights” fundraiser on April 12, 2024. The City Council has voted to approve this request each of the past several years except 2020, which was impacted by closure of the water park for the entirety of the summer season. In order to provide the complimentary pass for use in the fundraiser, the City Council would be required to waive the \$150 fee for the resident group season pass and agree to donate it to Genesis Christian Academy.

ACTION NEEDED:

Make a motion to waive the \$150 Tonganoxie Water Park resident group season pass fee and donate it to the Genesis Christian Academy for use at an upcoming annual silent auction.

ATTACHMENTS:

Donation Request and Information from Genesis Christian Academy.

cc: Dan Porter, Assistant City Manager
George Brajkovic, City Manager
File



Night of Knights

presented by Genesis Schools

Family Night Fundraiser

Community event on **April 12, 2024** to support Genesis Schools that provide a faithful foundation for local youth. This community event will consist of dinner, silent auction and children's activities.

Proceeds from the night's activities will help keep tuition affordable and supplement any of the school's needs to further its mission.

Genesis is a 501(c)3 not for profit organization.

Calling for Your Support


Genesis Schools needs your support to make this evening a success. Donations of goods, services or gift certificates are all great ways to support a worthy cause as well as advertise your business!

Additionally, you can reserve a table with a commitment of \$300 that will include dinner for 8 attendees, a full page ad in the program for the evening and a special gift. If interested, please notify our office by April 5, 2024.

All businesses that agree to donate, will be presented in the program. Genesis always encourages the patronage of businesses that choose to provide support.

Our Mission

Genesis Schools, Inc. exists to exalt Christ by teaching and reinforcing Biblical truths while producing well-rounded, highly educated young people equipped to serve God and others.



204 Washington St
PO Box 994
Tonganoxie, KS 66086



(913) 845-9498



denise.bixby@
genesisschools.org



Night of Knights

presented by Genesis Schools

2024 Donation Form

DONOR _____

CONTACT PERSON _____

ADDRESS _____

CITY/STATE/ZIP _____

PHONE _____

EMAIL _____

ITEM DESCRIPTION

ITEM FAIR MARKET VALUE \$ _____

Genesis is a 501(c)3 not-for-profit. Keep a copy of this completed form for tax purposes. All donations are tax deductible.

Federal ID # 74-2849148

WHAT SIZE PROGRAM AD? (please circle)

BUSINESS CARD INCLUDED

¼ PAGE \$25

½ PAGE \$50

FULL PAGE \$100



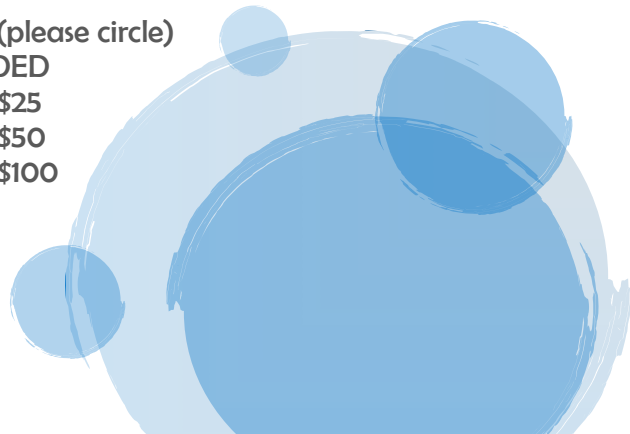
204 Washington St
PO Box 994
Tonganoxie, KS 66086



(913) 845-9498



Denise.Bixby@
genessschools.org





Office of the City Manager
AGENDA STATEMENT

DATE: February 20, 2024
To: Honorable Mayor David Frese and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Consider Approval of Temporary License Agreement with the Tonganoxie Recreation Commission

DISCUSSION:

Starting in 2020 the City has required the Tonganoxie Recreation Commission to mutually agree to a temporary license agreement drafted by the City Attorney to allow for the use of the City of Tonganoxie Public Works Shop facility and outdoor shooting range facility for the Recreation Commission to coordinate provision of one to three offerings annually of the Kansas Hunter Education Traditional Style Course. Kansas Hunter Education teaches new hunters to be ethical, safe and knowledgeable. The course consists of subjects covering hunter responsibility, ethics, fair chase, history of firearms, firearms basics, ammunition, basic gun safety, field safety, bowhunting, conservation and wildlife management, wildlife of Kansas, outdoor emergencies, Kansas hunting regulations and boating safety for hunters. As part of the course students may live fire and go through simulated hunting conditions. The course is taught by trained volunteers and is typically completed in a single day with lunch provided for attendees.

The City's Police Chief and Public Works Director have reviewed the tentative suggested dates in Spring & Fall 2024 and each expressed no concerns with the proposed use and weekend dates. Staff recommend approval of the temporary license agreement as presented and, upon approval, the annual agreement will be executed by the City Manager & a representative of the Tonganoxie Recreation Commission.

BUDGET IMPACT:

None. No fees have been required for the use of the facilities in prior years and no fees are proposed for the use in 2024.

ACTIONS NEEDED:

Make a motion to authorize the City Manager to execute a 2024 Temporary License Agreement with the Tonganoxie Recreation Commission for the utilization of City facilities for Kansas Hunter Education courses.

ATTACHMENTS:

2024 Temporary License Agreement with the Tonganoxie Recreation Commission

cc: George Brajkovic, City Manager
Kent Heskett, Public Works Director
Greg Lawson, Police Chief

TEMPORARY LICENSE AGREEMENT

THIS TEMPORARY LICENSE AGREEMENT (this "Agreement") is made and entered into as of February 20, 2024 by and between the City of Tonganoxie, Kansas (the "City") and the Tonganoxie Recreation Commission ("TRC").

RECITALS:

A. TRC promotes hunter safety and typically coordinates two (2) Hunter Safety Course classes on an annual basis within the City.

B. TRC wishes to utilize the City's maintenance shop and shooting range (the "Public Facilities") for the Hunter Safety Course.

C. TRC has requested, and the City is willing to grant, a temporary license to allow TRC to use the Public Facilities for the Hunter Safety Course upon the terms and conditions set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated herein by this reference, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and TRC agree as follows:

1. **Grant of License.** The City grants TRC and its invitees a temporary, non-exclusive, revocable license (the "Temporary License") to use the Public Facilities from _____ a.m./p.m. to _____ a.m./p.m. on _____, 2024, and _____, 2024. TRC shall limit the number of attendees for each Hunter Safety Course to no more than 40 persons on each date. TRC and its invitees may use the Temporary License only for such purposes as may be necessary or useful in connection with the Hunter Safety Course and will make no other use of the Public Facilities without the prior written consent of the City. TRC shall not use the Temporary License in a manner that may unreasonably impede normal day-to-day use of or access to the Public Facilities by the City. TRC shall cause the Hunter Safety Course to be conducted in a safe manner, and in compliance with all applicable governmental laws and regulations.

2. **Indemnification.** TRC shall indemnify, defend (with counsel approved by the City in its reasonable discretion) and hold the City and its agents, officials, officers and employees (collectively, the "Indemnitees") harmless from and against any and all losses, claims, demands, actions, suits, judgments, liabilities, injuries, damages and expenses (including but not limited to reasonable attorney's fees, expenses of litigation, fines and penalties) that the Indemnitees, or any one or more of them, may suffer arising out of or occurring in connection with TRC's use of the Temporary License, or other acts or omissions of TRC or its agents, directors, officers, employees, or anyone for whom TRC is legally liable; provided, however, that TRC shall be relieved from its obligations under this paragraph to the extent that its obligations hereunder otherwise would have arisen solely because of the gross negligence or willful misconduct of the City. This paragraph shall survive the termination of this Agreement.

3. **Insurance.** TRC shall procure and maintain general liability insurance provided on an occurrence basis with limits of no less than \$1,000,000 per occurrence and \$2,000,000 aggregate annually, provided on a standard form, to include without limitation insured contract coverage encompassing the defense and indemnity obligations of Section 2 above arising from bodily injury and property damage. TRC shall provide the City with certificates evidencing such required coverage prior to accessing the Public Facilities. TRC's liability under this Agreement shall in no way be limited by the amount of insurance recovery or the amount of insurance in force or available or required by any provisions of this Agreement. TRC shall report any personal injuries or property damage arising out of or in any way connected with the Temporary License to the City Manager or designee, in writing and as soon as practicable.

4. **Licenses, Permits and Approvals.** TRC represents and warrants that it will obtain and maintain all licenses, permits and approvals necessary for the activities it intends to conduct at the Public Facilities and provide copies of the same to the City prior to conducting such activities and that it will comply with all laws, rules, and regulations applicable to such activities.

5. **Waiver.** TRC waives any right of recovery against the City, its officers, employees, and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with the Temporary License, even if the City, its officers, employees, or agents seek recovery against TRC.

6. **No Assignment.** This Agreement shall not be assignable by either party.

7. **Termination.** This Agreement and the Temporary License may be terminated at any time by the City, in its sole discretion.

8. **Notices.** Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears on the signature page to this Agreement (as may be modified in writing from item to time by such party) and given personally, by electronic mail, by registered or certified mail with return receipt requested, or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

9. **Entire Agreement.** This Agreement contains the entire understanding between the parties with respect to its subject matter, and supersedes all other prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, except as contained in this Agreement. The express terms of this Agreement control and supersede any course of performance and usage of the trade inconsistent with any of its terms. This Agreement may not be modified or amended other than by agreement in writing and signed by the parties.

10. **Voluntary Agreement.** The parties acknowledge that they have read this Agreement, have had the opportunity to consult with their own attorneys prior to executing it, and that they have fully understood this Agreement. This Agreement has been executed by persons having full power and authority to bind the named signatories.

[Remainder of page intentionally left blank; signature pages follow.]

The parties have executed this Agreement as of the day and year first above written.

CITY:

City of Tonganoxie, Kansas

By: _____
Name: George Brajkovic
Title: City Manager
Address: 526 E. 4th Street
Tonganoxie, Kansas 66086
Telephone: (913) 845-2620
Email: gbrajkovic@tonganoxie.org

The parties have executed this Agreement as of the day and year first above written.

TRC:

Tonganoxie Recreation Commission

By: _____

Name: _____

Title: _____

Address: 300 State Avenue
Tonganoxie, Kansas 66086

Telephone: (913) 845-3502

Email: _____

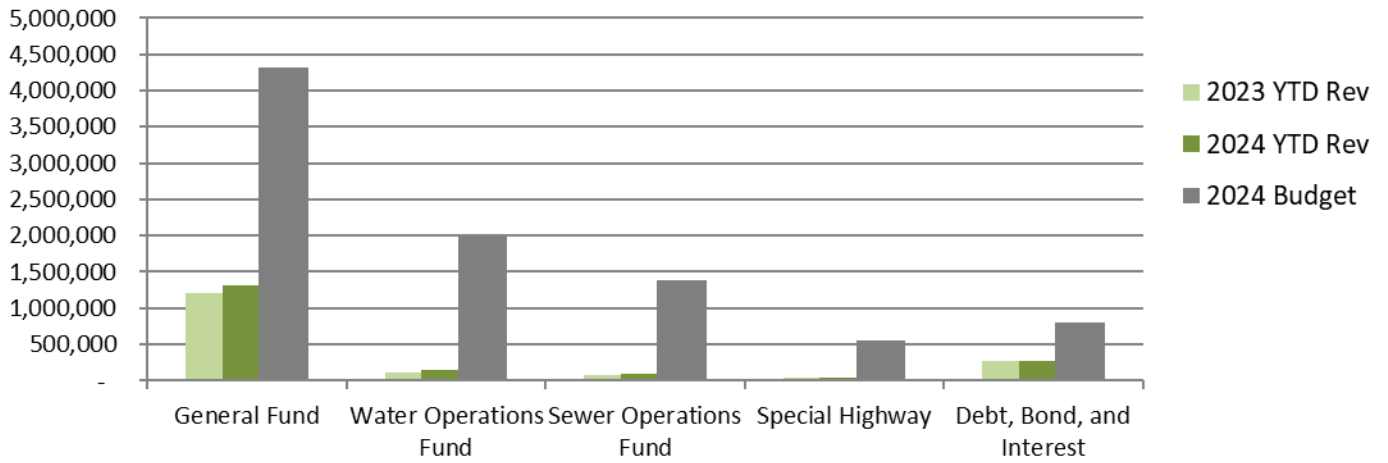
CITY OF TONGANOXIE FINANCIAL REPORT

JANUARY 2024

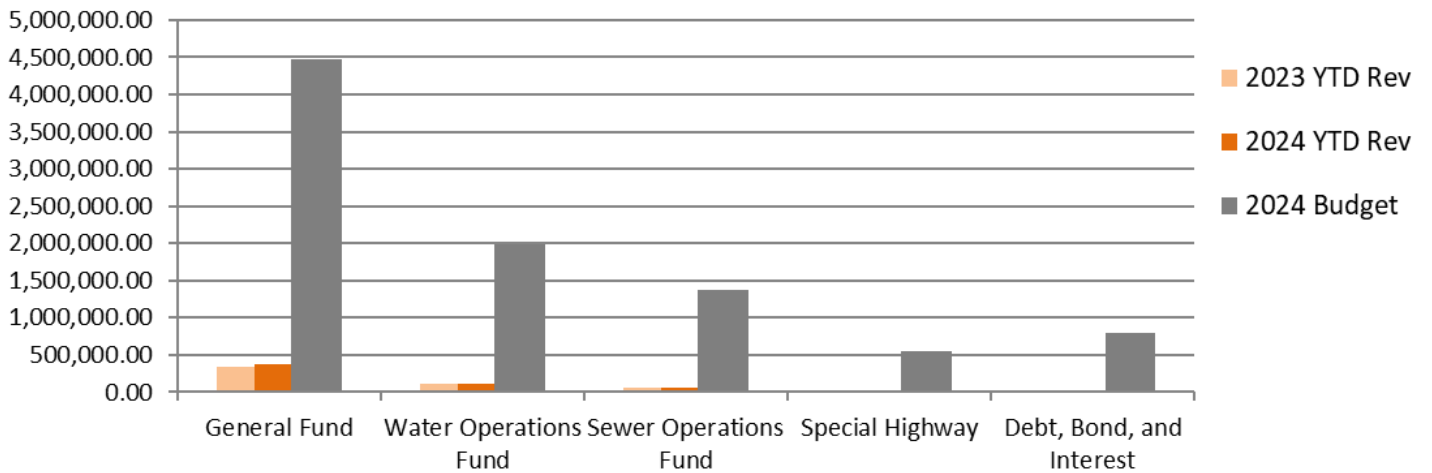
EXECUTIVE SUMMARY

- 8.3% of FY 2024 completed as of January 31, 2024.
- Revenue and Expenditure Summaries for the City’s Major Funds are shown on page 2 – 3 of the financial report.
- The City completed the first debt service payment for FY 2024 in January 2024.
- The City has received five reimbursements (~45% of construction costs) from the EDA Grant for previously incurred costs utilizing the Series 202AA Temp Note proceeds in the City’s Debt Proceeds Fund. Total grant receipts to date are \$1,166,625.45. No additional reimbursement requests were submitted to the EDA in January 2024.
- American Rescue Plan Act (ARPA) - The City currently maintains \$651,033.42 in funding after expenditures of \$6,240 in 2024. Required reporting for “non-entitlement unit” local governments like the City of Tonganoxie was completed in April 2023 with the next report due in April 2024. The City approved spending available ARPA funds on a majority of the cost of the design engineering contract costs for the WWTP Improvements Project starting in June 2023.
- One fund has completed mid-year budget amendments in 2024 as listed below:
 - **January 22, 2024 –**
 - \$36,126 expenditure and \$28,901 revenue budget adj. to the Police Equipment Fund to account for KS Governor’s Office LSSE Grant received for PD radio equipment.
 - \$17,056.64 expenditure budget adj. to the Police Equipment Fund for additional vehicle costs.

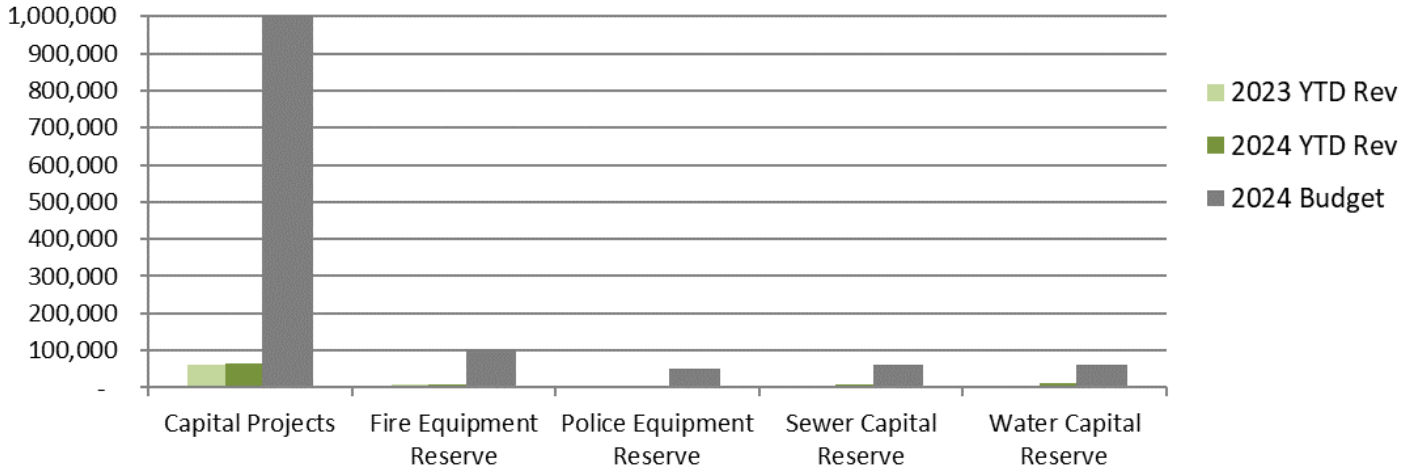
Major Fund Revenues



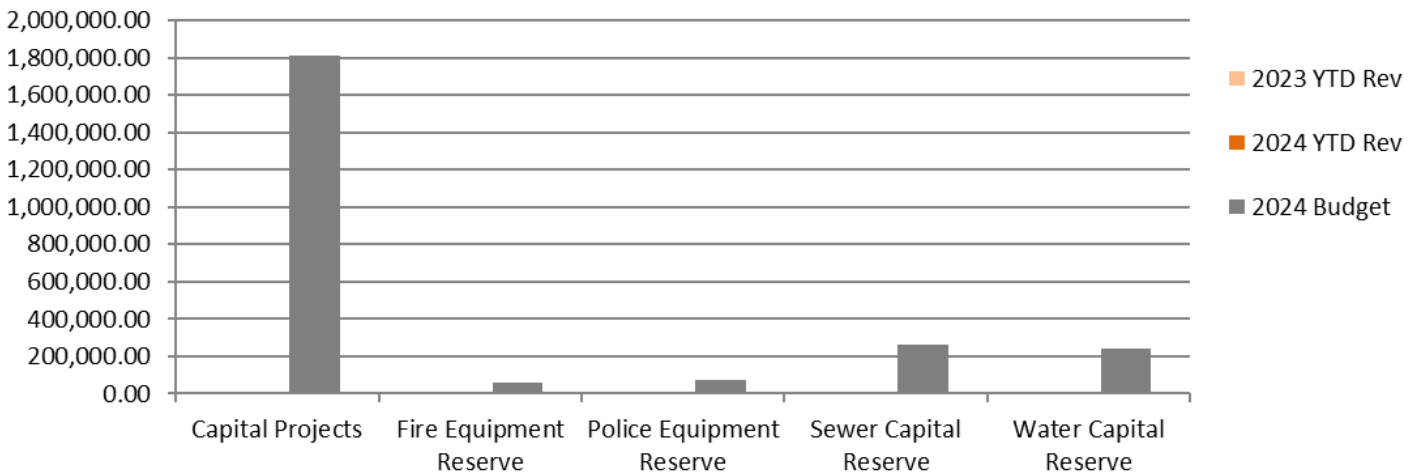
Major Fund Expenditures



Utility & Non-Utility Capital Funds Revenues



Utility & Non-Utility Capital Funds Expenditures



MAJOR REVENUES DETAIL VIEW

SALES & USE TAX –

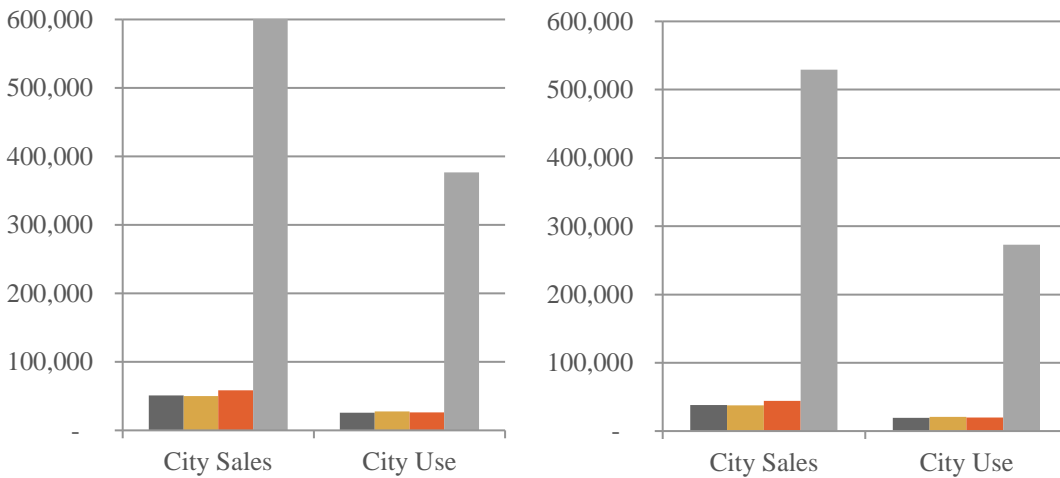
City of Tonganoxie Sales Tax Rate (9.25%) is broken down into the following elements:

6.5% - State, 1% LV County, 1% City General Fund, 0.75% City Infrastructure General Purpose

- ☒ The receipt of the first monthly remittance of sales and use tax proceeds from the State of Kansas is complete.
- ☒ Net sales & use tax in the General Fund is less than 0.7% less than budget and \$6,994 more in receipts than in the same period in 2023.
- ☒ Net sales & use tax in the IST Fund is less than 0.3% less than budget and \$4,005 more in receipts than in the same period in 2023.

General Fund (1%)

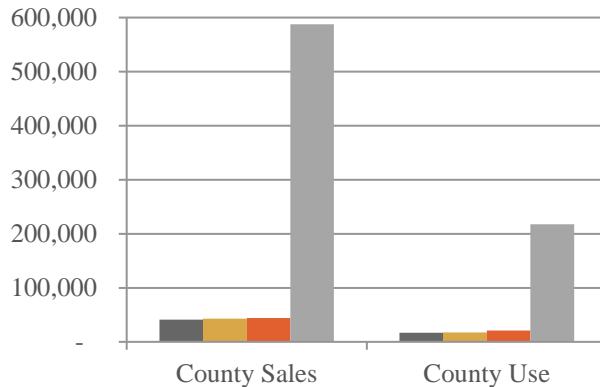
Infrastructure Sales Tax Fund (0.75%)



■ 2022 YTD Rev ■ 2023 YTD Rev
 ■ 2024 YTD Rev ■ 2024 Budget

■ 2022 YTD Rev ■ 2023 YTD Rev
 ■ 2024 YTD Rev ■ 2024 Budget

Capital Projects Fund (City share of LV County Sales Tax)



■ 2022 YTD Rev ■ 2023 YTD Rev
 ■ 2024 YTD Rev ■ 2024 Budget

2024 BUDGET INITIATIVES

CITY INFRASTRUCTURE & SHARE OF LEAVENWORTH COUNTY SALES TAX PROCEEDS

- \$550,000 total from the Infrastructure Sales Tax (\$200,000) and special highway funding to support a 7th consecutive year of enhanced street maintenance activities
- \$261,500 from the Infrastructure Sales Tax to support the sixth year of twenty years of Library debt service payments
- \$136,000 from the City's share of the County Sales Tax and the Infrastructure Sales Tax for replacement of 4th Street Bridge – Survey & partial design completed in 2023, engineering and construction commencing in 2024 with completion projected in 2025.

CONTINUED COMMUNITY BUILDING AND SUPPORT

- Police Station Exterior Maintenance and Improvements
- Fire Station Exterior Storage Facility
- \$20,705 for funding assistance for LCDC
- \$20,000 for funding assistance for the following community organizations:
 - Tonganoxie Business Association (\$5,000)
 - Tonganoxie Farmers Market (\$5,000)
 - Tonganoxie Arts Council (\$5,000)
 - Tonganoxie Historical Society (\$5,000)
- \$10,000 for funding assistance for community events

UTILITY FUNDS

- Wastewater Treatment Plant Improvements – Design & construction engineering contract (\$967,100) approved in 2022. Design & construction planned for 2024 and 2025.
- \$180,000 for replacement of 2001 Loader Equipment for Public Works
- \$18,000 for purchase of Water Leak Detector and Snow Removal Equipment
- \$88,000 in Storm Water Fund for engineering assessment projects and maintenance services/projects
- \$50,000 for sewer TV inspection & maintenance activities

OPERATIONAL RESOURCES AND STAFFING TO PROVIDE QUALITY SERVICES

- 5% annual merit pool funding available to high performing City employees
- Addition of one 24/7 scheduled part time Firefighter Position
- Addition of one Public Works Utility Operator Position
- \$115,000 for Police Department vehicles replacements (2)
- Addition of Police Department Stipend Pay
- Fire Department and Police Department Operational Budget Increases

2025 BUDGET DEVELOPMENT TIMELINE

- March 2024 – Spring Retreat
- May 2024 – Capital Maintenance & Improvements Plan (CMIP) City Council work session
- June 2024 – Base Budget preparation & department budget presentations
- July 2024 – Budget work sessions & notice to County Clerk of proposed mill levy & RNR
- August 2024 – Budget work sessions if needed
- August 2024 – Publication of notice of public hearings
- September 2024 – RNR & Budget Public Hearings and Potential Budget Adoption
- September 2024 – Delivery of Adopted FY 2025 Budget Forms to the Leavenworth County Clerk
- Winter 2024 – Creation of Adopted FY 2025 Budget Book – printed & published on City website
<https://www.tonganoxie.org/finance/pages/annual-city-budgets>



Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
100 - General Fund	1,925,007.10	1,313,995.49	379,593.14	2,859,409.45
210 - Water Operations Fund	709,393.39	140,359.17	109,075.63	740,676.93
220 - Sewer Operations Fund	586,160.58	99,339.03	57,040.76	628,458.85
230 - Sanitation Fund	284,145.77	38,230.54	33,536.29	288,840.02
240 - Storm Water	99,115.77	4,112.58	3,132.00	100,096.35
310 - Transient Guest Tax	9,301.94	0.00	0.00	9,301.94
320 - Library Operations	11,657.95	260,365.37	267,738.44	4,284.88
330 - Special Parks	19,837.29	0.00	0.00	19,837.29
340 - Special Highway	661,530.30	43,335.89	0.00	704,866.19
350 - Infrastructure Sales Tax	1,108,236.68	63,872.24	0.00	1,172,108.92
360 - Capital Projects	1,941,578.98	64,569.54	0.00	2,006,148.52
410 - Fire Equipment Reserve	200,121.37	7,826.69	0.00	207,948.06
420 - Police Equipment Reserve	50,219.04	1,486.68	0.00	51,705.72
430 - Sewer Capital Reserve	536,605.82	9,500.00	0.00	546,105.82
440 - Water Capital Reserve	366,756.88	13,000.00	0.00	379,756.88
450 - Capital Reserve	915.03	0.00	0.00	915.03
500 - Debt, Bond, and Interest	249,347.86	270,017.61	8,965.75	510,399.72
930 - Debt Proceeds	631,264.78	4,530.03	0.00	635,794.81
940 - Gallagher Park Fund	8,031.59	0.00	0.00	8,031.59
950 - Festival/Event Fund	4,404.80	0.00	0.00	4,404.80
960 - Law Enforcement Trust	0.00	0.00	0.00	0.00
961 - Opioid Addiction Fund	17,280.08	0.00	0.00	17,280.08
971 - RHID 1	478.56	9,638.37	0.00	10,116.93
972 - RHID 2	3,820.31	23,554.14	0.00	27,374.45
980 - Industrial Park Development Fund	198,923.42	0.00	403.75	198,519.67
984 - ARPA Fund	657,273.42	0.00	6,240.00	651,033.42
985 - MIH Grant Fund	0.00	0.00	0.00	0.00
Report Total:	10,281,408.71	2,367,733.37	865,725.76	11,783,416.32



Expenditure Budget Report Summary by Category & Fund

For Fiscal: 2024 Period Ending: 01/31/2024

Category...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund							
61 - Personal Services	3,114,502.00	3,114,502.00	286,445.05	286,445.05	0.00	2,828,056.95	90.80%
62 - Contractual Services	958,555.00	958,555.00	77,032.55	77,032.55	0.00	881,522.45	91.96%
63 - Commodities	244,800.00	244,800.00	7,775.04	7,775.04	0.00	237,024.96	96.82%
64 - Capital Outlay	154,550.00	154,550.00	8,340.50	8,340.50	0.00	146,209.50	94.60%
Fund: 100 - General Fund Total:	4,472,407.00	4,472,407.00	379,593.14	379,593.14	0.00	4,092,813.86	91.51%
Fund: 210 - Water Operations Fund							
61 - Personal Services	548,084.00	548,084.00	45,673.66	45,673.66	0.00	502,410.34	91.67%
62 - Contractual Services	1,074,500.00	1,074,500.00	52,787.43	52,787.43	0.00	1,021,712.57	95.09%
63 - Commodities	85,500.00	85,500.00	5,710.08	5,710.08	0.00	79,789.92	93.32%
64 - Capital Outlay	34,000.00	34,000.00	76.46	76.46	0.00	33,923.54	99.78%
68 - Debt Service	202,716.00	202,716.00	4,828.00	4,828.00	0.00	197,888.00	97.62%
69 - Transfers	40,000.00	40,000.00	0.00	0.00	0.00	40,000.00	100.00%
Fund: 210 - Water Operations Fund Total:	1,984,800.00	1,984,800.00	109,075.63	109,075.63	0.00	1,875,724.37	94.50%
Fund: 220 - Sewer Operations Fund							
61 - Personal Services	424,290.00	424,290.00	35,357.50	35,357.50	0.00	388,932.50	91.67%
62 - Contractual Services	305,000.00	305,000.00	10,288.77	10,288.77	0.00	294,711.23	96.63%
63 - Commodities	75,000.00	75,000.00	2,123.02	2,123.02	0.00	72,876.98	97.17%
64 - Capital Outlay	30,000.00	30,000.00	76.47	76.47	0.00	29,923.53	99.75%
68 - Debt Service	505,710.00	505,710.00	9,195.00	9,195.00	0.00	496,515.00	98.18%
69 - Transfers	40,000.00	40,000.00	0.00	0.00	0.00	40,000.00	100.00%
Fund: 220 - Sewer Operations Fund Total:	1,380,000.00	1,380,000.00	57,040.76	57,040.76	0.00	1,322,959.24	95.87%
Fund: 230 - Sanitation Fund							
62 - Contractual Services	460,000.00	460,000.00	33,536.29	33,536.29	0.00	426,463.71	92.71%
Fund: 230 - Sanitation Fund Total:	460,000.00	460,000.00	33,536.29	33,536.29	0.00	426,463.71	92.71%
Fund: 240 - Storm Water							
62 - Contractual Services	100,300.00	100,300.00	3,132.00	3,132.00	0.00	97,168.00	96.88%
63 - Commodities	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00	100.00%
Fund: 240 - Storm Water Total:	105,300.00	105,300.00	3,132.00	3,132.00	0.00	102,168.00	97.03%
Fund: 310 - Transient Guest Tax							
62 - Contractual Services	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
Fund: 310 - Transient Guest Tax Total:	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
Fund: 320 - Library Operations							
61 - Personal Services	90,000.00	90,000.00	7,373.07	7,373.07	0.00	82,626.93	91.81%

Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
62 - Contractual Services	528,350.00	528,350.00	260,365.37	260,365.37	0.00	267,984.63	50.72%
Fund: 320 - Library Operations Total:	618,350.00	618,350.00	267,738.44	267,738.44	0.00	350,611.56	56.70%
Fund: 330 - Special Parks							
62 - Contractual Services	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	100.00%
63 - Commodities	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	100.00%
Fund: 330 - Special Parks Total:	7,000.00	7,000.00	0.00	0.00	0.00	7,000.00	100.00%
Fund: 340 - Special Highway							
62 - Contractual Services	550,000.00	550,000.00	0.00	0.00	0.00	550,000.00	100.00%
Fund: 340 - Special Highway Total:	550,000.00	550,000.00	0.00	0.00	0.00	550,000.00	100.00%
Fund: 350 - Infrastructure Sales Tax							
69 - Transfers	597,500.00	597,500.00	0.00	0.00	0.00	597,500.00	100.00%
Fund: 350 - Infrastructure Sales Tax Total:	597,500.00	597,500.00	0.00	0.00	0.00	597,500.00	100.00%
Fund: 360 - Capital Projects							
62 - Contractual Services	295,000.00	295,000.00	0.00	0.00	0.00	295,000.00	100.00%
63 - Commodities	71,000.00	71,000.00	0.00	0.00	0.00	71,000.00	100.00%
64 - Capital Outlay	1,420,000.00	1,420,000.00	0.00	0.00	0.00	1,420,000.00	100.00%
68 - Debt Service	22,613.00	22,613.00	0.00	0.00	0.00	22,613.00	100.00%
Fund: 360 - Capital Projects Total:	1,808,613.00	1,808,613.00	0.00	0.00	0.00	1,808,613.00	100.00%
Fund: 410 - Fire Equipment Reserve							
64 - Capital Outlay	25,000.00	25,000.00	0.00	0.00	0.00	25,000.00	100.00%
68 - Debt Service	34,693.00	34,693.00	0.00	0.00	0.00	34,693.00	100.00%
Fund: 410 - Fire Equipment Reserve Total:	59,693.00	59,693.00	0.00	0.00	0.00	59,693.00	100.00%
Fund: 420 - Police Equipment Reserve							
63 - Commodities	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	100.00%
64 - Capital Outlay	11,000.00	64,182.64	0.00	0.00	0.00	64,182.64	100.00%
Fund: 420 - Police Equipment Reserve Total:	17,000.00	70,182.64	0.00	0.00	0.00	70,182.64	100.00%
Fund: 430 - Sewer Capital Reserve							
62 - Contractual Services	10,000.00	10,000.00	0.00	0.00	0.00	10,000.00	100.00%
64 - Capital Outlay	250,000.00	250,000.00	0.00	0.00	0.00	250,000.00	100.00%
Fund: 430 - Sewer Capital Reserve Total:	260,000.00	260,000.00	0.00	0.00	0.00	260,000.00	100.00%
Fund: 440 - Water Capital Reserve							
62 - Contractual Services	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	100.00%
64 - Capital Outlay	220,000.00	220,000.00	0.00	0.00	0.00	220,000.00	100.00%
Fund: 440 - Water Capital Reserve Total:	240,000.00	240,000.00	0.00	0.00	0.00	240,000.00	100.00%
Fund: 500 - Debt, Bond, and Interest							
68 - Debt Service	801,881.00	801,881.00	8,965.75	8,965.75	0.00	792,915.25	98.88%
Fund: 500 - Debt, Bond, and Interest Total:	801,881.00	801,881.00	8,965.75	8,965.75	0.00	792,915.25	98.88%
Report Total:	13,363,644.00	13,416,826.64	859,082.01	859,082.01	0.00	12,557,744.63	93.60%

Fund Summary

Fund	Original	Current	Period	Fiscal	Encumbrances	Variance	Percent Remaining
	Total Budget	Total Budget	Activity	Activity		Favorable (Unfavorable)	
100 - General Fund	4,472,407.00	4,472,407.00	379,593.14	379,593.14	0.00	4,092,813.86	91.51%
210 - Water Operations Fund	1,984,800.00	1,984,800.00	109,075.63	109,075.63	0.00	1,875,724.37	94.50%
220 - Sewer Operations Fund	1,380,000.00	1,380,000.00	57,040.76	57,040.76	0.00	1,322,959.24	95.87%
230 - Sanitation Fund	460,000.00	460,000.00	33,536.29	33,536.29	0.00	426,463.71	92.71%
240 - Storm Water	105,300.00	105,300.00	3,132.00	3,132.00	0.00	102,168.00	97.03%
310 - Transient Guest Tax	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
320 - Library Operations	618,350.00	618,350.00	267,738.44	267,738.44	0.00	350,611.56	56.70%
330 - Special Parks	7,000.00	7,000.00	0.00	0.00	0.00	7,000.00	100.00%
340 - Special Highway	550,000.00	550,000.00	0.00	0.00	0.00	550,000.00	100.00%
350 - Infrastructure Sales Tax	597,500.00	597,500.00	0.00	0.00	0.00	597,500.00	100.00%
360 - Capital Projects	1,808,613.00	1,808,613.00	0.00	0.00	0.00	1,808,613.00	100.00%
410 - Fire Equipment Reserve	59,693.00	59,693.00	0.00	0.00	0.00	59,693.00	100.00%
420 - Police Equipment Reserve	17,000.00	70,182.64	0.00	0.00	0.00	70,182.64	100.00%
430 - Sewer Capital Reserve	260,000.00	260,000.00	0.00	0.00	0.00	260,000.00	100.00%
440 - Water Capital Reserve	240,000.00	240,000.00	0.00	0.00	0.00	240,000.00	100.00%
500 - Debt, Bond, and Interest	801,881.00	801,881.00	8,965.75	8,965.75	0.00	792,915.25	98.88%
Report Total:	13,363,644.00	13,416,826.64	859,082.01	859,082.01	0.00	12,557,744.63	93.60%



Revenue Budget Report Summary by Subcategory & Fund

For Fiscal: 2024 Period Ending: 01/31/2024

SubCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund							
411 - Property Taxes	2,185,988.00	2,185,988.00	1,127,085.90	1,127,085.90	0.00	-1,058,902.10	48.44%
412 - Sales and Use Taxes	1,112,650.00	1,112,650.00	85,014.11	85,014.11	0.00	-1,027,635.89	92.36%
421 - Franchise Fees	420,000.00	420,000.00	40,910.01	40,910.01	0.00	-379,089.99	90.26%
432 - Pool Charges	161,300.00	161,300.00	0.00	0.00	0.00	-161,300.00	100.00%
441 - Business L&P	14,400.00	14,400.00	4,050.00	4,050.00	0.00	-10,350.00	71.88%
442 - Development L&P	62,000.00	62,000.00	11,110.00	11,110.00	0.00	-50,890.00	82.08%
443 - Individual/Miscellaneous L&P	1,800.00	1,800.00	0.00	0.00	0.00	-1,800.00	100.00%
451 - Fines	140,000.00	140,000.00	12,102.00	12,102.00	0.00	-127,898.00	91.36%
464 - Reimbursed Expenses	66,500.00	66,500.00	59.48	59.48	0.00	-66,440.52	99.91%
466 - Miscellaneous Revenues	1,000.00	1,000.00	210.00	210.00	0.00	-790.00	79.00%
471 - Interest	80,000.00	80,000.00	33,453.99	33,453.99	0.00	-46,546.01	58.18%
491 - Interfund Transfers In	80,000.00	80,000.00	0.00	0.00	0.00	-80,000.00	100.00%
Fund: 100 - General Fund Total:	4,325,638.00	4,325,638.00	1,313,995.49	1,313,995.49	0.00	-3,011,642.51	69.62%
Fund: 210 - Water Operations Fund							
412 - Sales and Use Taxes	15,000.00	15,000.00	2,523.18	2,523.18	0.00	-12,476.82	83.18%
431 - Utility Charges	1,952,000.00	1,952,000.00	136,357.45	136,357.45	0.00	-1,815,642.55	93.01%
451 - Fines	300.00	300.00	20.00	20.00	0.00	-280.00	93.33%
466 - Miscellaneous Revenues	17,500.00	17,500.00	1,458.54	1,458.54	0.00	-16,041.46	91.67%
Fund: 210 - Water Operations Fund Total:	1,984,800.00	1,984,800.00	140,359.17	140,359.17	0.00	-1,844,440.83	92.93%
Fund: 220 - Sewer Operations Fund							
431 - Utility Charges	1,380,000.00	1,380,000.00	99,339.03	99,339.03	0.00	-1,280,660.97	92.80%
Fund: 220 - Sewer Operations Fund Total:	1,380,000.00	1,380,000.00	99,339.03	99,339.03	0.00	-1,280,660.97	92.80%
Fund: 230 - Sanitation Fund							
431 - Utility Charges	460,000.00	460,000.00	38,230.54	38,230.54	0.00	-421,769.46	91.69%
Fund: 230 - Sanitation Fund Total:	460,000.00	460,000.00	38,230.54	38,230.54	0.00	-421,769.46	91.69%
Fund: 240 - Storm Water							
431 - Utility Charges	48,700.00	48,700.00	4,112.58	4,112.58	0.00	-44,587.42	91.56%
464 - Reimbursed Expenses	56,600.00	56,600.00	0.00	0.00	0.00	-56,600.00	100.00%
Fund: 240 - Storm Water Total:	105,300.00	105,300.00	4,112.58	4,112.58	0.00	-101,187.42	96.09%
Fund: 310 - Transient Guest Tax							
412 - Sales and Use Taxes	1,100.00	1,100.00	0.00	0.00	0.00	-1,100.00	100.00%
Fund: 310 - Transient Guest Tax Total:	1,100.00	1,100.00	0.00	0.00	0.00	-1,100.00	100.00%

SubCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 320 - Library Operations							
411 - Property Taxes	517,350.00	517,350.00	260,365.37	260,365.37	0.00	-256,984.63	49.67%
464 - Reimbursed Expenses	101,000.00	101,000.00	0.00	0.00	0.00	-101,000.00	100.00%
Fund: 320 - Library Operations Total:	618,350.00	618,350.00	260,365.37	260,365.37	0.00	-357,984.63	57.89%
Fund: 330 - Special Parks							
412 - Sales and Use Taxes	5,443.00	5,443.00	0.00	0.00	0.00	-5,443.00	100.00%
466 - Miscellaneous Revenues	1,557.00	1,557.00	0.00	0.00	0.00	-1,557.00	100.00%
Fund: 330 - Special Parks Total:	7,000.00	7,000.00	0.00	0.00	0.00	-7,000.00	100.00%
Fund: 340 - Special Highway							
414 - Fuel Tax	166,790.00	166,790.00	39,017.87	39,017.87	0.00	-127,772.13	76.61%
442 - Development L&P	40,000.00	40,000.00	4,318.02	4,318.02	0.00	-35,681.98	89.20%
464 - Reimbursed Expenses	143,210.00	143,210.00	0.00	0.00	0.00	-143,210.00	100.00%
491 - Interfund Transfers In	200,000.00	200,000.00	0.00	0.00	0.00	-200,000.00	100.00%
Fund: 340 - Special Highway Total:	550,000.00	550,000.00	43,335.89	43,335.89	0.00	-506,664.11	92.12%
Fund: 350 - Infrastructure Sales Tax							
412 - Sales and Use Taxes	802,200.00	802,200.00	63,872.24	63,872.24	0.00	-738,327.76	92.04%
Fund: 350 - Infrastructure Sales Tax Total:	802,200.00	802,200.00	63,872.24	63,872.24	0.00	-738,327.76	92.04%
Fund: 360 - Capital Projects							
412 - Sales and Use Taxes	805,000.00	805,000.00	64,569.54	64,569.54	0.00	-740,430.46	91.98%
464 - Reimbursed Expenses	867,613.00	867,613.00	0.00	0.00	0.00	-867,613.00	100.00%
491 - Interfund Transfers In	136,000.00	136,000.00	0.00	0.00	0.00	-136,000.00	100.00%
Fund: 360 - Capital Projects Total:	1,808,613.00	1,808,613.00	64,569.54	64,569.54	0.00	-1,744,043.46	96.43%
Fund: 410 - Fire Equipment Reserve							
431 - Utility Charges	93,000.00	93,000.00	7,826.69	7,826.69	0.00	-85,173.31	91.58%
463 - Other Grants	10,000.00	10,000.00	0.00	0.00	0.00	-10,000.00	100.00%
Fund: 410 - Fire Equipment Reserve Total:	103,000.00	103,000.00	7,826.69	7,826.69	0.00	-95,173.31	92.40%
Fund: 420 - Police Equipment Reserve							
441 - Business L&P	2,000.00	2,000.00	0.00	0.00	0.00	-2,000.00	100.00%
463 - Other Grants	2,000.00	30,901.00	1,006.68	1,006.68	0.00	-29,894.32	96.74%
465 - Sale of Assets	8,000.00	8,000.00	0.00	0.00	0.00	-8,000.00	100.00%
466 - Miscellaneous Revenues	5,000.00	5,000.00	0.00	0.00	0.00	-5,000.00	100.00%
628 - Other Contractual Services	6,000.00	6,000.00	480.00	480.00	0.00	-5,520.00	92.00%
Fund: 420 - Police Equipment Reserve Total:	23,000.00	51,901.00	1,486.68	1,486.68	0.00	-50,414.32	97.14%
Fund: 430 - Sewer Capital Reserve							
431 - Utility Charges	62,500.00	62,500.00	9,500.00	9,500.00	0.00	-53,000.00	84.80%
Fund: 430 - Sewer Capital Reserve Total:	62,500.00	62,500.00	9,500.00	9,500.00	0.00	-53,000.00	84.80%
Fund: 440 - Water Capital Reserve							
431 - Utility Charges	62,500.00	62,500.00	13,000.00	13,000.00	0.00	-49,500.00	79.20%
Fund: 440 - Water Capital Reserve Total:	62,500.00	62,500.00	13,000.00	13,000.00	0.00	-49,500.00	79.20%

SubCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 500 - Debt, Bond, and Interest							
411 - Property Taxes	523,245.00	523,245.00	270,017.61	270,017.61	0.00	-253,227.39	48.40%
464 - Reimbursed Expenses	17,136.00	17,136.00	0.00	0.00	0.00	-17,136.00	100.00%
491 - Interfund Transfers In	261,500.00	261,500.00	0.00	0.00	0.00	-261,500.00	100.00%
Fund: 500 - Debt, Bond, and Interest Total:	801,881.00	801,881.00	270,017.61	270,017.61	0.00	-531,863.39	66.33%
Report Total:	13,095,882.00	13,124,783.00	2,330,010.83	2,330,010.83	0.00	-10,794,772.17	82.25%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
100 - General Fund	4,325,638.00	4,325,638.00	1,313,995.49	1,313,995.49	0.00	-3,011,642.51	69.62%
210 - Water Operations Fund	1,984,800.00	1,984,800.00	140,359.17	140,359.17	0.00	-1,844,440.83	92.93%
220 - Sewer Operations Fund	1,380,000.00	1,380,000.00	99,339.03	99,339.03	0.00	-1,280,660.97	92.80%
230 - Sanitation Fund	460,000.00	460,000.00	38,230.54	38,230.54	0.00	-421,769.46	91.69%
240 - Storm Water	105,300.00	105,300.00	4,112.58	4,112.58	0.00	-101,187.42	96.09%
310 - Transient Guest Tax	1,100.00	1,100.00	0.00	0.00	0.00	-1,100.00	100.00%
320 - Library Operations	618,350.00	618,350.00	260,365.37	260,365.37	0.00	-357,984.63	57.89%
330 - Special Parks	7,000.00	7,000.00	0.00	0.00	0.00	-7,000.00	100.00%
340 - Special Highway	550,000.00	550,000.00	43,335.89	43,335.89	0.00	-506,664.11	92.12%
350 - Infrastructure Sales Tax	802,200.00	802,200.00	63,872.24	63,872.24	0.00	-738,327.76	92.04%
360 - Capital Projects	1,808,613.00	1,808,613.00	64,569.54	64,569.54	0.00	-1,744,043.46	96.43%
410 - Fire Equipment Reserve	103,000.00	103,000.00	7,826.69	7,826.69	0.00	-95,173.31	92.40%
420 - Police Equipment Reserve	23,000.00	51,901.00	1,486.68	1,486.68	0.00	-50,414.32	97.14%
430 - Sewer Capital Reserve	62,500.00	62,500.00	9,500.00	9,500.00	0.00	-53,000.00	84.80%
440 - Water Capital Reserve	62,500.00	62,500.00	13,000.00	13,000.00	0.00	-49,500.00	79.20%
500 - Debt, Bond, and Interest	801,881.00	801,881.00	270,017.61	270,017.61	0.00	-531,863.39	66.33%
Report Total:	13,095,882.00	13,124,783.00	2,330,010.83	2,330,010.83	0.00	-10,794,772.17	82.25%