

CITY OF TONGANOXIE  
321 S. DELAWARE 913-845-2620  
September 5, 2017  
7:00 Regular Meeting



Honorable Jason K. Ward, Mayor  
Council Members

Chris Donnelly                      James Truesdell  
Curtis Oroke                      Andy Gilner                      Kara Reed

**Open Regular Meeting – 7:00 p.m.**

**I. Pledge of Allegiance**

**II. Approval of Minutes –** Regular Meeting dated August 21, 2017

**III. Consent Agenda**

- a) Review Bill Payments

**IV. Open Agenda**

“Members of the public are welcome to use this time to comment about any matter relating to City business. The comments that are discussed under Open Agenda may or may not be acted upon by the Council during this meeting. Please wait to be recognized by the Mayor, then **state your name and address** and all comments are to be directed to the chair.”

**V. Old Business**

**VI. New Business**

- a) Proclamation recognizing the charter of the Tonganoxie Lion’s Club
- b) Ordinance 1428: Annexation of certain property into the city limits of Tonganoxie
- c) City Manager Agenda
- d) City Attorney Agenda
- e) Mayor Agenda
  - 1. Executive session to discuss matters of non-elected personnel
- f) Mayor Pro Tem Agenda
- g) City Council Agenda

**VII. Information & Communications (No Action Required)**

**VIII. Adjourn**

**City Council Meeting**  
August 21, 2017  
7:00 p.m. Regular Meeting



Mayor Ward opened the meeting at 7:00 p.m. with the pledge of allegiance. Council members present were Jim Truesdell, Curtis Oroke, Chris Donnelly, and Kara Reed. Andy Gilner was absent. Also in attendance were City Manager George Brajkovic, Assistant City Manager Jamie Shockley, and City Attorney Shannon Marcano.

**Approval of Minutes and Consent Agenda**

- Mr. Oroke moved to approve the minutes from August 7, 2017. Ms. Reed seconded. All ayes. Motion carried.
- Ms. Reed moved to approve the consent agenda for August 21, 2017. Mr. Donnelly seconded. All ayes. Motion carried.

**Open Agenda**

- Steve Skeet, President of the Tonganoxie Library Board, introduced their selected firm for library construction to the Council. The Library Board selected JE Dunn, who they've engaged to begin a feasibility study on several different sites.
- Monica Gee, 612 E. 4<sup>th</sup> Street, addressed the Council and updated on them for the plans for the sunflower stroll throughout town over Labor Day weekend.

**New Business**

**Presentation of Lifesaving Award**

- Mr. Holcom presented a lifesaving award to Joe Byrne.

**Ordinance 1427: Granting a Special Use Permit for in-home daycare at 215 S. Whilshire Drive**

- Mr. Donnelly moved to approve Ordinance 1427. Mr. Truesdell seconded. All ayes. Motion carried.

**Presentation from Springsted Financial regarding potential refunding of bonded debt**

- Tom Kaleko, the City's financial advisor with Springsted Financial, presented a refunding of debt opportunity for the Council to consider.
- The Council requested that city staff move forward with working with Springsted to draft documents to refund the proposed debt.

**Consider approval to purchase rock salt for snow and ice control.**

- Mr. Donnelly moved to authorize the Public Works director to purchase 150 tons of rock salt from Hutchinson Salt Company in an amount not to exceed \$7,365. Mr. Oroke seconded. All ayes. Motion carried.

**Consider approval to purchase asphalt for maintenance on Smiley Road**

- Mr. Donnelly moved to authorize the Public Works Director to purchase asphalt from Lawrence Asphalt at an amount not to exceed \$40,000, to be paid for out of the Special Highway fund. Mr. Truesdell seconded. All ayes. Motion carried.

**Consider approval to purchase 2018 Dodge Charger**

- Mr. Brajkovic explained that a police department vehicle was recently involved in an accident during a vehicle pursuit and was deemed a total loss by the City's insurance carrier. As a result, the City needs to replace the totaled vehicle.
- Ms. Reed moved to authorize the Chief of Police to purchase a 2018 Dodge Charger from Davis Moore Chrysler in an amount not to exceed \$25,000.

**Consider amendment to Fire Equipment Reserve Fund due to receipt of Assistance to Firefighters Grant**

- Chief Holcom explained to the council the requirements of the grant that was received and requested a budget amendment in the Fire Department Equipment Fund in order to spend the grant on necessary equipment.
- Mr. Donnelly moved to amend the Fire Equipment Reserve budget from \$252,200 to \$310,300. Mr. Truesdell seconded. All ayes. Motion carried.

**Consider approval to purchase equipment with the Assistance to Firefighters Grant**

- Mr. Donnelly moved to authorize the fire department to purchase authorized equipment under the AFG grant from Conrad Fire and Weis Fire Safety in an amount not to exceed \$58,100.

**Consider approval to purchase 2017 Quick Attack/Wildland Firefighting Unit**

- Mr. Holcom explained that the Council voted unanimously back in January to sell the fire engine and unanimously voted this past spring to authorize the Fire Department to go out for bids on a new Quick Attack vehicle. The bids were opened on August 2, and the Fire Department recommended purchasing the quick attack unit from the company with the low bid, Weis Fire, at a cost not to exceed

\$164,500. The purchase would be made out of the Fire Equipment Fund, which is earmarked solely for fire department equipment. Ms. Shockley added that the fund had adequate budget authority to make this purchase in 2017.

- Mr. Truesdell moved to authorize the Fire Department to accept the low bid and purchase a new quick attack unit from Weis Fire & Safety in an amount not to exceed \$164,500. Ms. Reed seconded. Mr. Oroke stated that he did not agree that this vehicle was a necessity for the department and he viewed it as wasteful spending that could be used instead for additional staff or infrastructure improvements. Ms. Shockley reminded the Council that the money in the Fire Department Equipment Fund could only be used for equipment for the fire department and could not be used for personnel costs or given to another department for infrastructure improvements. 3 ayes. 1 no. Motion carried 3-1.

#### **City Manager Agenda**

- Ms. Shockley provided the July financial report to the Council.

#### **Mayor Agenda**

- Mr. Donnelly moved to appoint Jake Dale and Patti Gabel to the Planning Commission for a term to expire in 2019. Ms. Reed seconded. All ayes. Motion carried.
- Mr. Donnelly moved to appoint John Morgan, Steve Gumm, and Zack Stoltenberg to the Planning Commission for a term to expire in 2020. Ms. Reed seconded. All ayes. Motion carried.
- Mr. Truesdell moved to enter into executive session for the purposes of discussing data relating to the financial affairs or trade secrets of a corporation, pursuant to the economic development exception, KSA 75-4319b for a period of 20 minutes to include the governing body, city attorney, city manager, and assistant city manager. Mr. Donnelly seconded. All ayes. Motion carried.
- Mr. Donnelly moved to return from executive session after 20 minutes and make a note that no action was taken. All ayes. Motion carried.

Mr. Donnelly moved to adjourn. Ms. Reed seconded. All ayes. Motion carried.



City of Tonganoxie, KS

# Check Report

By Check Number

Date Range: 08/20/2017 - 08/30/2017

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP Bank-AP Bank</b>						
0015	ALL SEASONS CAR WASH	08/24/2017	Regular	0.00	134.67	41864
0029	ARROWHEAD SCIENTIFIC, INC.	08/24/2017	Regular	0.00	99.75	41865
0831	AXON	08/24/2017	Regular	0.00	1,118.76	41866
0056	BLUE CROSS AND BLUE SHIELD	08/24/2017	Regular	0.00	26,793.23	41867
0057	BLUE TARP FINANCIAL, INC.	08/24/2017	Regular	0.00	39.99	41868
0077	CARAWAY PRINTING CO., INC.	08/24/2017	Regular	0.00	250.00	41869
0099	CITY OF LEAVENWORTH	08/24/2017	Regular	0.00	970.00	41870
0111	COLEMAN EQUIPMENT INC	08/24/2017	Regular	0.00	31.00	41871
0113	COMMERCIAL AQUATIC SERVICES	08/24/2017	Regular	0.00	342.80	41872
0189	FIRST STATE BANK & TRUST	08/24/2017	Regular	0.00	54,617.79	41873
0205	GALL'S LLC	08/24/2017	Regular	0.00	423.90	41874
0225	HAMM INC	08/24/2017	Regular	0.00	351.75	41875
0871	INSIGHT PUBLIC SAFETY CONSULTING	08/24/2017	Regular	0.00	450.00	41876
0284	JAYS UNIFORMS	08/24/2017	Regular	0.00	260.40	41877
0330	KANSAS GAS SERVICE	08/24/2017	Regular	0.00	33.21	41878
0393	LAWRENCE MEMORIAL HOSPITAL	08/24/2017	Regular	0.00	258.00	41879
0397	LEAGUE OF KANSAS MUNICIPALITIE	08/24/2017	Regular	0.00	112.00	41880
0732	METLIFE - GROUP BENEFITS	08/24/2017	Regular	0.00	184.62	41881
0470	MUELLER CO	08/24/2017	Regular	0.00	787.50	41882
0491	OLATHE WINWATER WORKS	08/24/2017	Regular	0.00	1,574.46	41883
0542	QUILL	08/24/2017	Regular	0.00	292.28	41884
0578	SECURITY BENEFIT	08/24/2017	Regular	0.00	588.32	41885
0579	SECURITY BENEFIT - 457	08/24/2017	Regular	0.00	2,419.23	41886
0740	STRUCTURAL TECHNOLOGIES	08/24/2017	Regular	0.00	753.45	41887
0642	U S POSTAL SERVICE	08/24/2017	Regular	0.00	1,115.04	41888
0651	USA BLUE BOOK	08/24/2017	Regular	0.00	488.39	41889
0671	WESTAR ENERGY	08/24/2017	Regular	0.00	1,048.00	41890
0673	WESTERN EXTRALITE COMPANY	08/24/2017	Regular	0.00	10.56	41891
0057	BLUE TARP FINANCIAL, INC.	08/30/2017	Regular	0.00	202.96	41899
0111	COLEMAN EQUIPMENT INC	08/30/2017	Regular	0.00	185.21	41900
0136	DELTA DENTAL PLAN OF KANSAS,IN	08/30/2017	Regular	0.00	2,064.39	41901
0157	EDWARDS CHEMICALS	08/30/2017	Regular	0.00	36.00	41902
0189	FIRST STATE BANK & TRUST	08/30/2017	Regular	0.00	2,060.99	41903
0192	FOLEY INDUSTRIES	08/30/2017	Regular	0.00	22.11	41904
0198	FRANK ROBISON	08/30/2017	Regular	0.00	1,400.00	41905
0202	G W VAN KEPPEL CO	08/30/2017	Regular	0.00	1,527.69	41906
0278	JAMIE SHOCKLEY	08/30/2017	Regular	0.00	107.00	41907
0345	KATHLEEN MCBRATNEY	08/30/2017	Regular	0.00	375.00	41908
0397	LEAGUE OF KANSAS MUNICIPALITIE	08/30/2017	Regular	0.00	450.00	41909
0410	LIBERTY NATIONAL	08/30/2017	Regular	0.00	237.82	41910
0868	METAL DOORS & FRAME COMPANY	08/30/2017	Regular	0.00	301.25	41911
0857	MIDCONTINENT COMMUNICATIONS	08/30/2017	Regular	0.00	114.60	41912
0491	OLATHE WINWATER WORKS	08/30/2017	Regular	0.00	3,135.00	41913
0555	RICOH USA, INC.	08/30/2017	Regular	0.00	1,512.65	41914
0614	T-MOBILE	08/30/2017	Regular	0.00	503.36	41915
0671	WESTAR ENERGY	08/30/2017	Regular	0.00	23.64	41916

Check Report

Date Range: 08/20/2017 - 08/30/2017

<b>Vendor Number</b>	<b>Vendor Name</b>	<b>Payment Date</b>	<b>Payment Type</b>	<b>Discount Amount</b>	<b>Payment Amount</b>	<b>Number</b>
0677	WILLIAM PRAY	08/30/2017	Regular	0.00	600.00	41917

Bank Code AP Bank Summary

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	70	47	0.00	110,408.77
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>70</b>	<b>47</b>	<b>0.00</b>	<b>110,408.77</b>

### Fund Summary

<b>Fund</b>	<b>Name</b>	<b>Period</b>	<b>Amount</b>
998	Gen Fund-Pooled Cash	8/2017	110,408.77
			<hr/>
			<b>110,408.77</b>



Office of the City Manager  
**AGENDA STATEMENT**

**DATE:** September 5, 2017  
**To:** Honorable Mayor Jason K. Ward and Members of the City Council  
**FROM:** George Brajkovic, City Manager  
**SUBJECT:** Proclamation, Charter Night of the Tonganoxie Lion's Club

The Tonganoxie Lions are part of the Lions Clubs International, which started as a dream of a Chicago insurance agent, Melvin Jones. Mr. Jones wanted several existing independent clubs to form into one strong, influential organization for service to humanity. Since its founding in 1917, Lions Clubs International has become the world's largest service club organization with 1.3M members in approximately 45,000 clubs in over 200 countries.

The Tonganoxie Lions have already established a large presence in the community by donating several services and resources. As such, a Proclamation that September 5, 2017, is Charter Night of the Tonganoxie Lions Club.

**Budget Impact**

None.

**Action Needed**

Mayor Proclamation.

# PROCLAMATION

**WHEREAS**, since its founding in 1917, LIONS CLUBS INTERNATIONAL has reached out to communities through its local clubs to provide humanitarian service; and

**WHEREAS**, LIONS CLUBS INTERNATIONAL has become the world's largest service club organization with 1.3 million members in approximately 45,000 clubs in over 200 countries and geographical areas around the world; and

**WHEREAS**, LIONS CLUBS INTERNATIONAL members continue their commitment to community service through many local efforts, as well as through international programs; and

**WHEREAS**, LIONS CLUBS INTERNATIONAL celebrates reaching out into new communities with new and long-standing members, their proud legacy and commitment to helping others;

**NOW, THEREFORE, BE IT RESOLVED THAT I, JASON WARD, MAYOR OF THE CITY OF TONGANOXIE, KANSAS**, by the virtue vested in me do hereby proclaim September 16, 2017 as

## **CHARTER NIGHT OF THE TONGANOXIE LION'S CLUB**

**FURTHERMORE**, I join the citizens of this community in appreciation and celebration of LIONS CLUBS INTERNATIONAL for their many contributions throughout the world.

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Jason K. Ward, MAYOR



Office of the City Manager  
**AGENDA STATEMENT**

**DATE:** September 5, 2017  
**To:** Honorable Mayor Jason K. Ward and Members of the City Council  
**FROM:** George Brajkovic, City Manager  
**SUBJECT:** Ordinance Annexation of Certain Real Property into the City of Tonganoxie

A Petition and Consent to Annexation for the tract of land legally described as part of the Petition and Consent and as shown on **Exhibit B**, but generally an approximate 50 acre tract of land at the South East corner of S east St and Evans Road, as submitted by the Property owner Orison, LLC.

Staff has determined that as the conditions for annexation under K.S.A. 12-520 (a) (7) have been met, the Land should be annexed into the City of Tonganoxie, Kansas.

**Budget Impact**

None.

**Action Needed**

Pass Ordinance 1428, Annexation of certain Real Property into the City limits of Tonganoxie..

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF TONGANOXIE, LEAVENWORTH COUNTY, KANSAS**

WHEREAS, a Petition and Consent to Annexation (attached as **Exhibit A**) for the tract of land legally described as part of the Petition and Consent (the “Land”) and as shown on **Exhibit B**, was filed with the Governing Body of the City of Tonganoxie, Kansas by the record title owner of the Land; and

WHEREAS, the Land lies upon or touches the boundary line of the City of Tonganoxie, and therefore “adjoins” the City within the meaning of K.S.A. Supp. 12-519(d); and

WHEREAS, in addition to the land adjoining the City, the record title owner of the Land has petitioned and consented in writing to the annexation of the Land, thereby satisfying K.S.A. 12-520 (a) (7); and

WHEREAS, in accordance with 12-520a (f), no resolution, notice or public hearing required under K.S.A. 12-520a is required as a prerequisite to the annexation of land owned or held in trust for the city or any agency therefor, or land all of the owners of which petition for or consent thereto in writing; and

WHEREAS, the Tonganoxie Governing Body wishes to complete the annexation process by adopting an ordinance formally annexing the Land into the City of Tonganoxie.

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

Section 1: That, as the conditions for annexation under K.S.A. 12-520 (a) (7) have been met, the Land is hereby annexed into the City of Tonganoxie, Kansas.

Section 2: That if any section, clause, sentence or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 3: That this ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Tonganoxie, Kansas as provided by law.

**PASSED** by the City Council this 6<sup>th</sup> day of September, 2017.

**APPROVED** by the Mayor this 6<sup>th</sup> day of September, 2017.

**SEAL**

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Jason Ward, Mayor

ATTEST:

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Patricia C. Hagg, City Clerk

APPROVED AS TO FORM:

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Shannon M. Marcano, City Attorney

Exhibit A  
Petition and Consent to Annexation

Exhibit B  
Sketch of the Land to be Annexed

PETITION AND CONSENT TO ANNEXATION

To: The Governing Body of the City of Tonganoxie, Kansas:

The undersigned owner of record of the tract of real property described in Exhibit A, which is attached hereto and incorporated by reference as if fully set forth herein, and depicted in the sketch in Exhibit B, attached hereto and incorporated by reference as if fully set forth herein, hereby petitions the Governing Body of the City of Tonganoxie, Kansas, (the "City") to annex such lands to the City pursuant to the laws of the state of Kansas.

Such land adjoins the City boundary line, as depicted in the sketch in Exhibit B, attached hereto.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Exhibit A, and depicted in Exhibit B, attached hereto. The undersigned further consents to the Governing Body of the City annexing such land to the City pursuant to the laws of the state of Kansas.

Property Owner of Record: George Daniel Lynch, Registered Agent, Orison, LLC

Property Owner Signature: *George Daniel Lynch*

(If property is owned by a married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute Petition and Consent to Annexation)

Address of Owner: 876 North Star Court, Tonganoxie, Kansas 66086

STATE OF KANSAS )

COUNTY OF LEAVENWORTH )

BE IT REMEMBERED, that on this 28<sup>th</sup> day of August, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came George Daniel Lynch, who is personally known to me to be the same person who executed the above Petition and Consent to Annexation, and such person duly acknowledged the same to be their free and voluntary act and deed.

Marilyn M. Thompson  
Notary Public

Aug. 28, 2017  
Date



## EXHIBIT A

All that part of a tract of land lying in the Northeast Quarter (NE 1/4) of Section Sixteen (16), Township Eleven (11) South, Range Sixteen (16) East of the 6<sup>th</sup> Principal Meridian, Leavenworth County, Kansas, more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter of said Section 16, thence South 88 degrees 42 minutes 46 seconds West along the North Line of Tract 1, as described in the Tract Split by Andrew P. Tanking, recorded October 23, 2015 as Document number 2015s048 in said county and state, a distance of 341.00 feet to the point of beginning of the tract of land to be described herein; Thence continuing South 88 degrees 42 minutes 46 seconds West along the North line of said Tract 1 and the prolongation thereof, a distance of 973.74 feet a point on the South prolongation of the East right of way line of East Street, as described in the Replat of Tonganoxie USD 464 Middle School by James W. Sincox, recorded December 13, 2013 as Document number 2013p00025 in said county and state; Thence North 1 degree 47 minutes 50 seconds West along the East right of way line of said East Street and the prolongation thereof, a distance of 2649.80 feet, to a point on the North line of the Northeast Quarter of said Section 16; Thence North 88 degrees 41 minutes 24 seconds East along the North line of the Northeast Quarter of said Section 16, a distance of 490.66 to the Northwest corner of a Tract of land as described in the transfer on death deed, recorded September 21, 2007 as Document number 2007r06849 in said county and state; Thence South 1 degree 42 minutes 44 seconds East along the west line of said tract, being parallel with the East line of the Northeast Quarter of said Section 16 , a distance of 894.50 feet; Thence North 88 degrees 41 minutes 24 seconds East along the south line of said tract, being parallel with the North line of the Northeast Quarter of said Section 16, a distance of 487.00 feet to a point on the West line of Lot 2, Hunter's Oak Subdivision, a subdivision in the city of Tonganoxie, recorded December 1992 in Book 12, Page 65 in said county and state; Thence South 1 degree 42 minutes 44 seconds East, along the West line of said Lot 2 and the prolongation thereof, being parallel with the East line of the Northeast Quarter of said Section 16, a distance of 1755.65 feet to the point of beginning. Contains 2,149,880 square feet or 49.354 acres, more or less.

