

FIRST AMENDMENT TO REAL ESTATE CONTRACT OF SALE

THIS FIRST AMENDMENT TO REAL ESTATE CONTRACT OF SALE ("First Amendment") is made and entered into as of the date of the signature of the last party to sign this First Amendment (the "Effective Date") by and between the CITY OF TONGANOXIE, KANSAS ("City") and UNILOCK CHICAGO, INC., an Illinois corporation registered to do business in the State of Kansas ("Unilock" or the "Buyer").

BACKGROUND

City and Buyer entered into a Real Estate Contract of Sale ("Contract") with an Effective Date of January 29, 2018, concerning certain property located in Tonganoxie, Kansas, defined as the Unilock Property.

The Contract provides, and the parties agree, that the Due Diligence period extends for 60 days after the Effective Date, the termination date of which is determined to be March 30, 2018. Buyer now wishes to extend the Due Diligence period further in order to achieve the approval of revised development plans.

City and Buyer desire to amend the Contract as hereinafter provided.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Buyer agree as follows:

1. Due Diligence Period. The parties hereby agree that the Due Diligence Period shall be extended for an additional forty five (45) days, which date is determined to be May 14, 2018, or until ten (10) days after final approval of revised development plans, whichever is sooner, in order for the Buyer to achieve the approval of revised development plans.
2. Ratification. Except as herein amended, the Contract is hereby ratified and confirmed in all other respects. All references in the Contract to "this Contract" shall mean the Contract as amended by this First Amendment.
3. Signatures. This First Amendment may be executed in multiple counterparts, each of which shall be deemed an original and together constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned have caused this First Amendment to be executed on the dates set forth below.

CITY OF TONGANOXIE, KANSAS

_____, 2017

By: _____
Jason K. Ward, Mayor

ATTEST:

City Clerk

UNILOCK CHICAGO, INC.

_____, 2017

By: _____

Name: _____

Title: _____



Office of the City Manager
AGENDA STATEMENT

DATE: March 19, 2018
TO: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: February 2018 Financial Report

DISCUSSION:

As of February 28, or 17% through the fiscal year, the City collected 22% of budgeted revenues and spent 10% of budgeted expenditures.

Below are further highlights:

General Fund

Revenues

- Overall General Fund revenues are currently tracking at 31% of budget estimates. In February of 2017, General Fund revenues were tracking at 30% of budget estimates.
- Total sales tax revenue collected in the General Fund through February adds up to \$71,842, or 17% of budget estimates. Collections through February of this year came in nearly the same as what was collected through February 2017.
- Use tax has collected \$20,226 in the General Fund through February, or 18% of budget estimates for the year. Collections show an 8% increase from what was collected through February of 2017.
- Property tax collection is currently tracking at 56% of budget estimates. No new property tax payments were collected in February.
- Building permits collected 16% of budget estimates through February. Collections so far this year are less than what was collected through February of last year, when the new Cornerstone Family Worship Center was included in the permit collections.
- Municipal court fines have collected 18% of budget estimates through February.
- Franchise fees have collected 19% of budget estimates through February. Collections this year are showing a 23% increase from what was collected through February of 2017, mostly due to increased payments from electric and gas utilities.

Expenditures

- Overall General Fund expenditures are tracking at 15% of budgeted expenditures as of the end of February. In February 2017, General Fund expenditures were tracking at 15% of budgeted expenditures by the end of February.
- The largest expenses which occurred in the General Fund in February are personnel costs and professional services. Departments continue to monitor their budgets closely as the end of the first quarter of 2018 approaches.
- Taxes and Insurance payments have reached 25% of budget authority for 2018. This level of spending is largely tied to the City's workers compensation premiums, which were paid in February and should only include a small adjustment in July based on the outcome of the annual payroll audit.
- Professional services line items have spent about 22% of budget authority in 2018. In particular, Engineering Services have been spent at a faster than normal rate due to increased levels of development activity early in the year. Some other costs, such as IT Services, have also spent a significant portion of budget authority due to annual payments occurring early in the year.
- The City has experienced savings so far in 2018 in building maintenance and building & grounds supplies, which have spent 7% and 5% of budget authority.

Utility Funds

- The Water Operations Fund is tracking at 16% of revenue estimates and 10% of budgeted expenditures. Specifically, water charges collected totaled \$116,605, making up 15% of budget estimates for the year. This is about 2% more than what was collected through February of 2017.
- The Sewer Operations Fund is tracking at 15% of revenue estimates and 12% of budgeted expenditures. Revenues collected through February represent a 10% increase from what was collected at this time last year, a portion of which is due to increased sewer rates in 2018.
- The Sanitation Fund is tracking at 18% of revenue estimates and 17% of budgeted expenditures. This fund has collected 1% more in revenue this year than it did this time last year. The trash rates for 2018 did not increase.

Other Funds

- The Special Highway Fund is tracking at 24% of revenue estimates for the year and 0% of budgeted expenditures. In February, this fund collected nearly \$1,000 in construction excise taxes, which are paid on new development when the building permit fee is paid. More construction excise taxes are expected in March 2018. Expenditures are expected to begin to occur in this fund when the City begins executing the 2018 Street Maintenance program.
- The Capital Projects Fund collected 17% of budget estimates for the year and spent 6% of the total budget authority. This fund's main revenue source is the countywide sales and use tax. So far this year, \$84,263 has been collected from this sales and use tax, which is a 6% increase from what was collected through February of 2017.
- The Infrastructure Sales Tax collected 17% of estimated revenue for the year, which is very close to what was collected through February of 2017.
- The Water Equipment and Sewer Equipment Reserve funds collected less than normal amounts of revenue in February 2018. The Water Equipment Reserve fund has collected 11% of revenue estimates for the year through February and the Sewer Equipment Reserve Fund has collected 12%. The revenue in these funds comes from water taps and sewer inspections, which are paid on new development when the building permit fee is paid. Revenues collected in March 2018 should include increased revenues reflecting continuing development activity. Staff will continue to monitor these funds moving forward in 2018.

cc: George Brajkovic, City Manager
Kent Heskett, Public Works Director
Jeff Brandau, Police Chief
John Zimbelman, Fire Chief



City of Tonganoxie, KS

Revenue Budget Report Group Summary

For Fiscal: 2018 Period Ending: 02/28/2018

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
100 - General Fund	2867784.00	2,867,784.00	120,396.34	902,944.65	-1,964,839.35	31.49 %
210 - Water Operations Fund	1299100.00	1,299,100.00	88,839.21	183,716.92	-1,115,383.08	14.14 %
220 - Sewer Operations Fund	864000.00	864,000.00	63,430.42	133,132.36	-730,867.64	15.41 %
230 - Sanitation Fund	382000.00	382,000.00	29,932.37	59,789.84	-322,210.16	15.65 %
310 - Transient Guest Tax	1500.00	1,500.00	0.00	270.21	-1,229.79	18.01 %
330 - Special Parks	5000.00	5,000.00	0.00	0.00	-5,000.00	0.00 %
340 - Special Highway	357100.00	357,100.00	957.79	41,155.64	-315,944.36	11.52 %
350 - Infrastructure Sales Tax	405000.00	405,000.00	34,768.77	69,172.45	-335,827.55	17.08 %
360 - Capital Projects	622000.00	622,000.00	44,097.34	84,264.10	-537,735.90	13.55 %
410 - Fire Equipment Reserve	105000.00	105,000.00	6,843.10	13,866.09	-91,133.91	13.21 %
420 - Police Equipment Reserve	20000.00	20,000.00	550.00	1,410.00	-18,590.00	7.05 %
430 - Sewer Capital Reserve	60000.00	60,000.00	1,375.00	6,875.00	-53,125.00	11.46 %
440 - Water Capital Reserve	46000.00	46,000.00	1,000.00	5,000.00	-41,000.00	10.87 %
450 - Capital Reserve	20000.00	20,000.00	0.00	0.00	-20,000.00	0.00 %
500 - Debt, Bond, and Interest	705157.00	705,157.00	0.00	222,085.32	-483,071.68	31.49 %
Report Total:	7,759,641.00	7,759,641.00	392,190.34	1,723,682.58	-6,035,958.42	22.21 %



City of Tonganoxie, KS

Expenditure Budget Report Group Summary

For Fiscal: 2018 Period Ending: 02/28/2018

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
100 - General Fund	2,867,784.00	2,867,784.00	242,246.77	438,757.15	2,429,026.85	15.30 %
210 - Water Operations Fund	1,299,100.00	1,299,100.00	58,802.95	131,786.72	1,167,313.28	10.14 %
220 - Sewer Operations Fund	864,000.00	864,000.00	41,864.24	104,476.94	759,523.06	12.09 %
230 - Sanitation Fund	382,000.00	382,000.00	32,431.21	65,017.83	316,982.17	17.02 %
310 - Transient Guest Tax	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
330 - Special Parks	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
340 - Special Highway	357,100.00	357,100.00	0.00	0.00	357,100.00	0.00 %
350 - Infrastructure Sales Tax	405,000.00	405,000.00	0.00	0.00	405,000.00	0.00 %
360 - Capital Projects	522,000.00	522,000.00	0.00	30,220.00	491,780.00	5.79 %
410 - Fire Equipment Reserve	105,000.00	105,000.00	3,355.85	3,409.85	101,590.15	3.25 %
420 - Police Equipment Reserve	25,000.00	25,000.00	425.00	425.00	24,575.00	1.70 %
430 - Sewer Capital Reserve	135,000.00	135,000.00	0.00	0.00	135,000.00	0.00 %
440 - Water Capital Reserve	95,000.00	95,000.00	6,179.59	9,261.18	85,738.82	9.75 %
450 - Capital Reserve	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00 %
500 - Debt, Bond, and Interest	745,269.00	745,269.00	14,797.50	19,956.38	725,312.62	2.68 %
Report Total:	7,828,753.00	7,828,753.00	400,103.11	803,311.05	7,025,441.95	10.26 %



City of Tonganoxie, KS

Fund Balance Report

As Of 02/28/2018

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
100 - General Fund	498,796.37	902,944.65	438,757.15	962,983.87
210 - Water Operations Fund	373,363.16	183,716.92	131,786.72	425,293.36
220 - Sewer Operations Fund	301,505.76	133,132.36	104,476.94	330,161.18
230 - Sanitation Fund	122,123.82	59,789.84	65,017.83	116,895.83
310 - Transient Guest Tax	2,243.18	270.21	0.00	2,513.39
330 - Special Parks	13,692.79	0.00	0.00	13,692.79
340 - Special Highway	291,450.62	41,155.64	0.00	332,606.26
350 - Infrastructure Sales Tax	110,804.29	69,172.45	0.00	179,976.74
360 - Capital Projects	353,746.07	84,264.10	30,220.00	407,790.17
410 - Fire Equipment Reserve	114,646.87	13,866.09	3,409.85	125,103.11
420 - Police Equipment Reserve	33,618.40	1,410.00	425.00	34,603.40
430 - Sewer Capital Reserve	300,263.16	6,875.00	0.00	307,138.16
440 - Water Capital Reserve	266,769.57	5,000.00	9,261.18	262,508.39
450 - Capital Reserve	915.03	0.00	0.00	915.03
500 - Debt, Bond, and Interest	151,546.38	222,085.32	19,956.38	353,675.32
Report Total:	2,935,485.47	1,723,682.58	803,311.05	3,855,857.00

