



*Note – This meeting may be transmitted via Facebook Live on the City of Tonganoxie page

Honorable Jason K. Ward, Mayor
Council Members

David Bennett

Rocky Himpel

Curtis Oroke

Loralee Stevens

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated October 15, 2018

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. In order to speak during open agenda, you must sign up with your name and address with the city clerk or designee **before the meeting**. Comments will be limited to 3 minutes. Please wait to be recognized by the Mayor and **state your name and address** for the record.

V. Old Business

VI. New Business

- a) UTV Discussion
- b) First Review of City Council Vacancy Applications
- c) Consider approval of CMB license renewal for Casey's General Store
- d) Presentation of 2017 Financial Audit – Kramer & Associates CPAs, LLC
- e) Ordinance 1450: Special use permit for 8 storage unit buildings at 1208 State Avenue
- f) Ordinance 1451: Adoption of the 2012 International Building Code
- g) Ordinance 1452: Adoption of the 2012 International Residential Code
- h) Ordinance 1453: Adoption of the 2012 International Plumbing Code
- i) Ordinance 1454: Adoption of the 2012 International Mechanical Code
- j) Ordinance 1455: Adoption of the 2012 Edition of the International Fuel Gas Code
- k) Ordinance 1456: Adoption of the 2011 Edition of the National Electric Code
- l) Ordinance 1457: Adoption of the 2012 Edition of the International Fire Code
- m) Resolution 11-18-01: Adopting Specialized and Miscellaneous Permit Fee Schedules

- n) Resolution 11-18-02: Defining the Boundaries of the City of Tonganoxie
- o) Resolution 11-18-03: GAAP Waiver for 2018
- p) City Manager Agenda
 - 1. Library Project Update
 - 2. Mayors Tree Lighting Event Update – November 17, 2018 5:30 – 8:00 PM
- q) City Attorney Agenda
- r) Mayor Pro Tem Agenda
- s) City Council Agenda
- t) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

CITY COUNCIL MEETING DRAFT MINUTES
October 15, 2018
7:00 p.m. Regular Meeting



Open Regular Meeting – 7:00 p.m.

City Attorney Shannon Marcano stated in the absence of the Mayor and Mayor Pro-tem someone from the council members in attendance could be nominated or volunteer for acting Mayor Pro-tem. Mr. Oroke and Ms. Stevens nominated Mr. Himpel. He accepted the nomination. Vote of all ayes-motion carried

I. PLEDGE OF ALLEGIANCE

- Mayor Pro-tem Himpel opened the meeting at 7:00 p.m.
- Roll Call: Council members present were Mr. Himpel, Ms. Stevens, Mr. Oroke, and Mr. Bennett. City Manager George Brajkovic, City Attorney Shannon Marcano, and City Clerk Patty Hagg were also in attendance.
- Mayor Ward and Ms. Reed were absent
- Mayor Pro-Tem Himpel led the Pledge of Allegiance.

II. APPROVAL OF MINUTES – REGULAR MEETING DATED OCTOBER 1, 2018

- Ms. Stevens made a motion to approve the minutes from the October 1, 2018 City Council meeting.
- Mr. Oroke seconded.
- Vote of all ayes, motion carried.

III. CONSENT AGENDA

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

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. In order to speak during open agenda, you must sign up with your name and address with the city clerk or designee **before the meeting**. Comments will be limited to 3 minutes. Please wait to be recognized by the Mayor and **state your name and address** for the record.

- Linda Johnson, 2800 Maple Ave, Leavenworth KS 66048, introduced herself to the council. She stated she is running for Leavenworth County Commission 2nd District. She also discussed Commissioner Districts and the Give Me 5 information increasing the number of county commissioners from 3 to 5.

V. OLD BUSINESS

- No Items

VI. NEW BUSINESS

- a) Presentation: Prairie Fire Development Group
 - Mr. Brajkovic introduced Kelly Hrabe with Prairie Fire Development Group.
 - Mr. Hrabe presented a power point concept plan for the northern portion of the old elementary school property. He discussed partnership with Tongie 5 & Sunflower Development Group, trends in housing, resident criteria, project oversight & safeguards and presented examples of similar housing units they have built throughout the state of Kansas and Missouri.
 - **No action was taken**

- b) Resolution 10-18-04: Approval of Animal Control Services Agreement Contract with Frank Robison
 - Mr. Brajkovic stated an RFP for the position of part-time animal control officer was posted and Mr. Robison was the only one to respond. He stated the contract is basically the same with some added performance standards. He also stated large magnets will be purchased for Mr. Robison personal vehicle for identification purposes and the city website has been updated with animal control contact information.
 - **Ms. Stevens made a motion to approve Resolution 10-18-04.**
 - **Mr. Bennett seconded.**
 - **Vote of all ayes, motion carried.**

- c) Resolution 10-18-05: Accepting a Donation of Real Estate from Norman C. and Nancy L. Younger
 - Mr. Brajkovic introduced the item and stated the property owners of a duplex at 103/105 S Pleasant St would like to donate the property to the city. An asbestos report has been completed and the remediation recommendation will cost about \$1000.00. The cost estimate for staff to demo the building will be about \$6000.00. Uses considered for the lot include additional green space or additional parking for the Water Park.
 - **Ms. Stevens made a motion to approve Resolution 10-18-15.**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**

- d) Consider authorization of \$125,000.00 in expenditures for Interceptor Sewer Project – Phase 1
 - Mr. Brajkovic stated Phase 1 will include a topographical survey and provide a cross section survey and alignment for easements and purchasing purposes. He stated the money used would be from the sale of Lot 5 currently available within the Industrial Park Development fund.
 - **Ms. Stevens made a motion to authorize expenditures for the Interceptor Sewer Project-Phase 1 not to exceed \$125,000.00.**
 - **Mr. Bennett seconded.**
 - **Vote of all ayes, motion carried.**

- e) City Manager Agenda
 1. Funding Opportunity for the Department of Transportation's Competitive Highway Bridge Program
 - Mr. Brajkovic provided information to the City Council on a DOT grant. He stated the deadline for submittal is 10/31/18. He stated he thought this might be a good opportunity for street & bridge repair but after reviewing the application his recommendation is not pursue this grant due to the costs of engineering studies that would be needed for the application.
 2. Library Construction Update
 - Mr. Brajkovic stated that he is working with the Library Board and JE Dunn. It has been determined that a topographical survey is not needed. Bids are being collected for Geo Tech work on the site.

3. Mayor's Tree Lighting Event Update

- Mr. Brajkovic stated the Mayor's Tree lighting will be held on 11/17/18 from 5:30-8:00. Ms. Gee and Ms. Bretthauer stated the theme is "Twas the Night before Christmas" and everyone is encouraged to dress in their pajamas. Santa should arrive at approximately 6:30. There will be a food truck, carriage rides and a canned food drive. Entertainment will be provided by the High School Jazz Band and the Children's Choir. They also stated that Tonganoxie students will be making some of the decorations for the light poles on 4th St.
- f) City Attorney Agenda
 - g) Mayor Pro Tem Agenda
 - h) City Council Agenda
 - i) Mayor Agenda

VII. INFORMATION & COMMUNICATIONS (NO ACTION REQUIRED)

VIII. ADJOURN

- Mr. Oroke made a motion to adjourn the meeting.
- Ms. Stevens seconded the motion.
- Vote of all ayes, motion carried.
- Meeting adjourned at 7:50 p.m.

Respectfully submitted,



Patricia C. Hagg, City Clerk



City of Tonganoxie, KS

My Check Report

By Check Number

Date Range: 10/12/2018 - 10/31/2018

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0001	911 CUSTOM	10/12/2018	Regular	0.00	750.00	45472
0015	ALL SEASONS CAR WASH	10/12/2018	Regular	0.00	96.34	45473
0031	ASPHALT SALES COMPANY INC	10/12/2018	Regular	0.00	832.83	45474
0057	BLUE TARP FINANCIAL, INC.	10/12/2018	Regular	0.00	64.98	45475
0749	BROADVOICE	10/12/2018	Regular	0.00	139.55	45476
0099	CITY OF LEAVENWORTH	10/12/2018	Regular	0.00	510.00	45477
0207	GEIGER READY-MIX	10/12/2018	Regular	0.00	1,358.00	45478
0225	HAMM INC	10/12/2018	Regular	0.00	1,359.00	45479
0373	Kansas Health and Environmental Laboratories	10/12/2018	Regular	0.00	216.00	45480
0757	KC CLEAN	10/12/2018	Regular	0.00	300.00	45481
0964	KDOR - MISC TAX	10/12/2018	Regular	0.00	2,252.96	45482
1010	KMR TRUCK PARTS AND SERVICE	10/12/2018	Regular	0.00	368.10	45483
0381	LADD SERVICE COMPANY	10/12/2018	Regular	0.00	238.00	45484
0399	LEAVENWORTH ASPHALT MATERIALS	10/12/2018	Regular	0.00	737.36	45485
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	10/12/2018	Regular	0.00	935.00	45486
0857	MIDCONTINENT COMMUNICATIONS	10/12/2018	Regular	0.00	188.30	45487
0484	NORTHERN SAFETY CO	10/12/2018	Regular	0.00	294.07	45488
0491	OLATHE WINWATER WORKS	10/12/2018	Regular	0.00	4,066.00	45489
0500	OREILLY AUTO PARTS	10/12/2018	Regular	0.00	1,079.14	45490
0503	PACE ANALYTICAL SERVICES INC	10/12/2018	Regular	0.00	454.00	45491
0538	PUR-O-ZONE	10/12/2018	Regular	0.00	-253.89	45492
0538	PUR-O-ZONE	10/12/2018	Regular	0.00	253.89	45492
0555	RICOH USA, INC.	10/12/2018	Regular	0.00	516.61	45493
0641	TYLER TECHNOLOGIES	10/12/2018	Regular	0.00	2,622.50	45494
0645	UNITED RENTALS, (NORTH AMERICA	10/12/2018	Regular	0.00	562.00	45495
0651	USA BLUE BOOK	10/12/2018	Regular	0.00	450.71	45496
0668	WEIS FIRE & SAFETY EQUIPMENT	10/12/2018	Regular	0.00	1,379.05	45497
0671	WESTAR ENERGY	10/12/2018	Regular	0.00	14,907.64	45498
1012	Albert Patterson Ragan	10/19/2018	Regular	0.00	4,000.00	45499
0831	AXON	10/19/2018	Regular	0.00	504.00	45500
0056	BLUE CROSS AND BLUE SHIELD	10/19/2018	Regular	0.00	31,166.49	45501
0922	BORDER STATES INDUSTRIES	10/19/2018	Regular	0.00	110.58	45502
0070	BROTHER' S MARKET	10/19/2018	Regular	0.00	124.27	45503
0166	EMERGENCY REPORTING	10/19/2018	Regular	0.00	181.33	45504
0182	FEDEX	10/19/2018	Regular	0.00	40.28	45505
0813	FREESTATE ELECTRIC COOPERATIVE	10/19/2018	Regular	0.00	1,451.00	45506
0809	FREESTATE ELECTRIC COOPERATIVE INC	10/19/2018	Regular	0.00	55.29	45507
0205	GALL'S LLC	10/19/2018	Regular	0.00	1.00	45508
0308	KANSAS STATE TREASURER	10/19/2018	Regular	0.00	1,479.00	45509
0395	LCDC	10/19/2018	Regular	0.00	10.00	45510
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	10/19/2018	Regular	0.00	605.00	45511
0414	LINK-LITE NETWORKING, INC.	10/19/2018	Regular	0.00	2,410.25	45512
0685	LLOYD WISDOM	10/19/2018	Regular	0.00	272.50	45513
0857	MIDCONTINENT COMMUNICATIONS	10/19/2018	Regular	0.00	915.58	45514
1002	PRAIRIE FIRE SIGNS AND GRAPHICS	10/19/2018	Regular	0.00	484.30	45515
0542	QUILL	10/19/2018	Regular	0.00	95.74	45516
0577	SECRETARY OF STATE	10/19/2018	Regular	0.00	50.00	45517
0578	SECURITY BENEFIT	10/19/2018	Regular	0.00	338.33	45518
0579	SECURITY BENEFIT - 457	10/19/2018	Regular	0.00	2,556.92	45519
1011	State of Kansas	10/19/2018	Regular	0.00	20,000.00	45520
0628	TODD'S TIRE LLC	10/19/2018	Regular	0.00	820.00	45521
0022	ANDERSON RENTALS INC	10/26/2018	Regular	0.00	172.00	45522
0922	BORDER STATES INDUSTRIES	10/26/2018	Regular	0.00	207.39	45523
0077	CARAWAY PRINTING CO., INC.	10/26/2018	Regular	0.00	100.00	45524

My Check Report

Date Range: 10/12/2018 - 10/31/2018

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0115	CONRAD FIRE EQUIPMENT, INC.	10/26/2018	Regular	0.00	553.63	45525
0152	E. EDWARDS WORK WEAR	10/26/2018	Regular	0.00	177.45	45526
0192	FOLEY INDUSTRIES	10/26/2018	Regular	0.00	523.56	45527
0596	GEOFF SONNTAG	10/26/2018	Regular	0.00	600.00	45528
0217	GRAINGER	10/26/2018	Regular	0.00	185.94	45529
0244	HMC PERFORMANCE COATINGS LLC	10/26/2018	Regular	0.00	109.25	45530
0059	Kansas City Board of Public Utilities	10/26/2018	Regular	0.00	13,785.65	45531
1013	Leavenworth County Attorney Drug Fund	10/26/2018	Regular	0.00	1,137.80	45532
0732	METLIFE - GROUP BENEFITS	10/26/2018	Regular	0.00	231.27	45533
0575	SCOTWOOD INDUSTRIES, INC.	10/26/2018	Regular	0.00	1,955.25	45534
0645	UNITED RENTALS, (NORTH AMERICA	10/26/2018	Regular	0.00	774.71	45535
1006	UV DOCTOR LAMPS, LLC	10/26/2018	Regular	0.00	1,170.40	45536
0656	VERIZON WIRELESS	10/26/2018	Regular	0.00	130.08	45537
0661	VISION SERVICE PLAN	10/26/2018	Regular	0.00	384.28	45538
0684	WIRENUTS	10/26/2018	Regular	0.00	50.85	45539

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	80	68	0.00	126,853.40
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-253.89
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	80	69	0.00	126,599.51

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	80	68	0.00	126,853.40
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-253.89
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	80	69	0.00	126,599.51

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	10/2018	126,599.51
			126,599.51



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Meagan Borth, City Management Intern
SUBJECT: Operation of UTV's on City Streets

DISCUSSION:

A utility terrain/task vehicle (UTV), also known as a side-by-side, is defined as a "small two to six person four-wheel drive off-road vehicle". These are different from an all-terrain vehicle (ATV) in that UTVs typically have a side-by-side seating arrangement, steering wheel, and pedals, plus, most have seat belts, roll-over protection, and a cargo box. UTVs are designed to carry a heavier load, ranging from 800 to 1350 lbs. compared to ATVs at 125 to 400 lbs. This means that they carry their weight in the top of their tires instead of above the fenders, making them more vertically center and stable. Comparatively, the difference between a UTV and a golf cart is that golf carts are electrically powered, typically carry two to four passengers (including the driver), run at lower speeds (often less than 20 mph), and are meant to be driven on traditional roads. However, while UTVs are designed with more safety features, golf carts are allowed more often in City ordinances.

Presently, City Code 14-204 (1) Work-Site Vehicles states "(a) It shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway, or state highway; or (2) Within the corporate limits of any city unless authorized by such city". K.S.A. 8-128 states, "Operation of golf cart; where; when (a) It shall be unlawful for any person to operate a golf cart: (1) On any interstate highway, federal highway or state highway; (2) on any public highway or street within the corporate limits of any city unless authorized by such city; or (3) on any street or highway with a posted speed limit greater than 30 miles per hour. (b) The provisions of subsection (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour. (c) A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset. (d) This section shall be part of and supplemental to the uniform act regulating traffic on highways." Most cities in close proximity to Tonganoxie do not allow or have a City ordinance permitting these vehicles. However, there are a few with significantly smaller population sizes that do allow one or more of these. There are also similar cities in other states that allow UTVs (they have the same type of state law about golf carts that Kansas does).

BUDGET IMPACT:

No anticipated impact.

ACTION NEEDED:

City staff has compiled this research to supplement discussion after a citizen inquiry; No action is recommended at this time.

ATTACHMENTS:

1. Definitions & Current Law
2. Laws by State
3. Examples of Cities that Allow Golf Carts, UTVs, or ATVs

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

City	State	Population	Year Approved	Permit Fee	Allowed
Parkville	MO	6,500	March 15, 2012	\$50	GC
Nickerson	KS	1,000		\$15	GC
Tifton	GA	16,800	July 17, 2009	\$10	GC
Clyde	KS	700	January 14, 2010	N/a	GC
Kanopolis	KS	500	June 7, 2018	\$25	GC&ATV
McClouth	KS	900		N/A	UTV
South Hutchinson	KS	2,500	June 20, 2011	\$50	GC
Santa Claus	IA	160	May 16, 2017	\$25	GC&Off-road Vehicles
Thief River Falls	MN	8,800		\$10	ATV
Libson	IA	2,200	limited only to trails 2017	\$25	GC&ATV/UTV
Fonda	IA	600	July, 2015	N/A	GC&ATV/UTV
Paola	KS	5,600	October 27, 2009	N/A	GC

Not Allowed/No Ordinance:

Eudora
DeSoto
Spring Hill
Basehor

Definitions & Current Law

The Outdoor Power Equipment Institute (OPEI) **defines multipurpose off-highway utility vehicles** (MOHUVs) as vehicles with: "(a) four or more wheels, (b) a steering wheel, (c) non-straddle seating, and (d) maximum speeds between 25 mph and 50 mph. In addition, MOHUVs have foot controls for throttle and braking, occupant restraints, and rollover protective structures."

Golf Cart- A **golf cart** (called **golf car** in ANSI standard Z130.1, since "carts" are not self-propelled)^[1] is a small **vehicle** designed originally to carry two **golfers** and their **golf clubs** around a **golf course** or on desert trails with less effort than walking. Golf cars come in a wide range of formats and are more generally used to convey small numbers of passengers short distances at speeds less than 15 mph (24 km/h) per ANSI Standard z130.1 as originally manufactured. They are generally around 4 feet (1.2 m) wide × 8 feet (2.4 m) long × high and weigh 900 pounds (410 kg) to 1,000 pounds (450 kg). Most are powered by 4-stroke engines.

“14-503 (b) Golf Cart means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver (K.S.A. 8-1495; Ord. 2012-08; Code 2012)” McClouth, KS City Ordinances

Work Utility Vehicles- “14-303 (b) Work Site Utility Vehicle means any vehicle that is not less than 48 inches in width, has an overall length of not more than 135 inches, has an unladen weight of more than 800 pounds, is equipped with at least four tires in contact with the ground during operation, a steering wheel, bench seat, seat belts for all operators and passengers, head lamps, tail and brake lamps (Ord. 2011-09; Code 2012)”

A "**slow-moving vehicle**" is defined by K.S.A. 8-1717(e)(1) as "any vehicle, farm tractor, implement of husbandry, equipment or piece of machinery designed for use at speeds of less than 25 miles per hour, or which is normally moved at speeds of less than 25 miles per hour. . . ." K.S.A. 8-1717(e)(2) requires slow-moving vehicles to display a particular emblem. The definition of an ATV makes no mention of the speed of the vehicle. K.S.A. 1993 Supp. 8-126(bb), as amended by L. 1994, ch. 235, sec. 1. We have been provided no factual information concerning the speed of ATVs. If an ATV is designed for use at speeds of less than 25 miles per hour, it must display a "slow-moving vehicle" emblem. If an ATV is designed for use at speeds greater than 25 miles per hour, it is not a "slow-moving vehicle," and therefore, need not display such an emblem.

K.S.A. 8-128(a), as amended by L. 1994, ch. 235, sec. 2, contains a limitation on the operation of ATVs "between the hours of 1/2 hour after sunset until 1/2 hour before sunrise." However, this limitation in no way affects the operation of such vehicles during daylight hours.

K.S.A. 8-128(a), as amended by L. 1994, ch. 235, sec. 2, provides that: "No all-terrain vehicle shall be operated on any public highway, street or road between the hours of 1/2 hour after sunset until 1/2 hour before sunrise, **unless equipped with lights as is required by law for motorcycles.**"

Laws by State

- 12 States don't allow golf cart use on any public roadways.

Delaware, District of Columbia, Hawaii, Idaho, Maine, New Hampshire, New Jersey, New York, Tennessee, Utah, Vermont, Wisconsin

- 4 States that have very vague laws, or don't address it at all.

Alaska, Louisiana, New Mexico, Washington

- 16 States allow golf cart use between Sunrise and Sunset.

Arkansas, California, Connecticut, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Mississippi, Nebraska, North Dakota, Oregon, South Carolina, West Virginia

- 19 States allow golf cart use during daylight, or at night with approved equipment.

Arizona, Colorado, Florida, Georgia, Illinois, Indiana, Michigan, Minnesota, Missouri, Montana, Nevada, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, Virginia, Wyoming



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: City Council Vacancy Applications Review

DISCUSSION:

The City Council position formerly held by Kara Reed became vacant effective October 15, 2018. The process to fill a vacancy on the City Council includes:

- Appointment by the governing body according to a majority vote within a period of 60 days
- After 60 days the vacancy would be filled by a special election
- All members of the governing body may nominate a candidate for the position

On September 17, 2018 City staff presented the City Council with information regarding the legal requirements of filling a vacancy on City Council and a proposed schedule, and the City Council provided direction to advertise the position with a deadline of October 26, 2018 and review the applications on November 5, 2018. As a reminder the last regular City Council meeting date within 60 days of the vacancy will be December 3, 2018.

6 applications have been received for the position and the application materials are attached for the City Council's consideration. City staff responded to each of the applicants in order to provide notice of the proposed application consideration process.

ATTACHMENTS:

Application – Lisa Patterson
Application – Zachary Stoltenberg
Application – Michael Pierson
Application – Jennifer Kohl
Application – Sally Ryan
Application – Jacob Dale

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Lisa Patterson
grp_q8Pclz	921 Pleasant Tonganoxie KS 66086
Email	lisakaypatterson@gmail.com
Phone Number	8163054421
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	H&R Block Sr. Communications Manager, Corporate Communications <ul style="list-style-type: none">• Work with tax experts to shape messaging for media interest• Develop and maintain relationships with national and regional journalist.• Manage local media relations team resulting in more than 3,000 media hits annually• Integrate with marketing plans to leverage client research and align public relation efforts• Develop content and creative approach of communication vehicles including video releases• Manage media inquiries on client complaints, associate actions and other sensitive topics
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	I have a long history with the community and am currently vested in the community as I raise my family here. I understand the need for volunteers to contribute time and energy to help guide a community. I look forward to helping set city policy, providing resources for city staff and building relationships with legislators and advocating for our community.
What other Tonganoxie boards and committees have you served on?	Tonganoxie Public Library Board, TES site council
Is this an application for a reappointment to a board you currently serve on?	No

Describe any work or volunteer experience that is related to the function of this board or committee.

My background both professionally and in a volunteer capacity give me a unique skill set to serve on the Tonganoxie City Council. I worked for the City of Lawrence from 1998 to 2009 gaining insight to the process of local government. More recently, I served on the Board of the Tonganoxie Public Library where I would highlight accomplishments including creating a foundation and building community support for a larger library. I have also served on the Douglas County CASA Board, the stewardship committee of the LMH Endowment Association and am a graduate of the Leadership Lawrence program.

Select your highest education completed.

Graduate Degree

Other information or comments

Sept. 6, 2018

Dear Mayor and City Council members,

I am writing to express my interest in serving in the upcoming vacancy on the Tonganoxie City Council. I have history with the community having grown up here and now raising my family in Tonganoxie. I have witnessed the population growth, the development of community assets and some of the challenges of a growing community.

I appreciate the time that city officials volunteer to serve the community. I am comfortable making that dedication of time and look forward working with the community. My background both professionally and in a volunteer capacity give me a unique skill set to serve on the Tonganoxie City Council. I worked for the City of Lawrence from 1998 to 2009 gaining insight to the process of local government. More recently, I served on the Board of the Tonganoxie Public Library where I would highlight accomplishments including creating a foundation and building community support for a larger library. I have also served on the Douglas County CASA Board, the stewardship committee of the LMH Endowment Association and am a graduate of the Leadership Lawrence program.

I have a love for the Tonganoxie community that has grown up with me. As a child, I enjoyed all the benefits of a small town and have grown up while growing my appreciation of the value of a strong community supporting residents, businesses and its city assets. I look forward to the opportunity to steward the city's assets, both material and non-material, to continue to provide the benefits of community to today's residents.

I am available to talk with you about my application for the upcoming vacancy on the Tonganoxie City Council. You can reach me at 86-305-4421 or by email at lisakaypatterson@gmail.com.

Respectfully,

Lisa K. Patterson

Lisa K. Patterson

921 Pleasant Street, Tonganoxie, KS 66086
Home phone (913) 845-2291
Cell phone (816) 305-4421
lisakypatterson@gmail.com

Work Experience

May 2015 - present
H&R Block
One H&R Block Way, Kansas City, MO 64105

Sr. Communications Manager, Corporate Communications

- Work with tax experts to shape messaging for media interest
- Develop and maintain relationships with national and regional journalist.
- Manage local media relations team resulting in more than 3,000 media hits annually
- Integrate with marketing plans to leverage client research and align public relation efforts
- Develop content and creative approach of communication vehicles including video releases
- Manage media inquiries on client complaints, associate actions and other sensitive topics

August 2013 – May 2015
H&R Block
One H&R Block Way, Kansas City, MO 64105

Communications Manager, Media Relations

- Managed the efforts of three market media relations consultants to ensure communications are implemented in effective and efficient methods
- Directed market-specific approaches for communications including selecting topics, spokespeople and media contacts
- Delivered media training to spokespersons in major media markets including Chicago, Atlanta, Houston, Detroit
- Planned and executed Latino PR to deliver audience-specific tax and community messages.
- Team won Silver Prism Award to Affordable Care Act Question and Answer Day, a nation-wide PR event generating 200,000 client contacts

August 2012 – August 2013
H&R Block
One H&R Block Way, Kansas City, MO 64105

Central Market PR Consultant

- Managed local media relations for 22 states including 6 priority markets
- Developed relationships with local reporters, directors and editors
- Delivered messages tailored to markets and outlets
- Developed pool of spokespersons including delivering on-the-ground media training and webinar based training to more than 130 tax pros
- Worked directly with marketing team to support numerous community events

February 2012 – August 2012
H&R Block
One H&R Block Way, Kansas City, MO 64105

Support, Corporate Communications

- Managed media desk inquiries
- Researched client complaint issues
- Developed and implemented tracking system to quantify and categorize inquiries
- Managed local media interviews

Lisa K. Patterson

October 2009 – February 2012

Contract Marketing and Communications Professional

Tonganoxie, KS 66086

- Provided marketing strategies and programs to small and medium sized businesses. Worked in both online and traditional platforms
- Supported information marketing and online marketing programs
- Grew prospect email list by 700%, secured regional and national presentations to target prospects; created and implemented social media strategies. Provided ghost writing for blogs, columns, newsletters, press releases and email marketing messages
- Developed physician relation strategies for independent radiation oncology practice

December 1, 2001 – October 21, 2009

City of Lawrence, City Manager's Office

PO Box 708, Lawrence, KS 66044 (785) 832-3406

Communications Manager

Served as citywide media relations officer; developed and produced articles, newsletters, advertisements and other communication tools for external and internal communication; developed marketing and communication plans for events and programs; managed content and development of multiple websites and social media outlets; supported elected officials with speech writing, correspondence, and constituent relations; developed and managed division budget and additional project-specific funds; managed public information TV channel.

Major accomplishments

- Managed campaign for successful passage of three voter-approved city sales taxes
- Managed city's website and supervised staff
- Directly supported Mayor and City Commissioners with constituent relations, speech writing including state of the city addresses and public appearances
- Secured media coverage of technical certifications for wastewater treatment facility
- Developed standards and protocols for Utility Billing inserts
- Wrote articles for state and national publications on computer forensics, smoking ordinance and relationship with Ft. Leavenworth Command College
- Developed and implemented public involvement plan for locating wastewater treatment facility that resulted in unanimous approval of 300 acre site
- Oversaw expenditure of funds for cooperative advertising for merchant program totaling more than \$40,000
- Guided Mayor in media relations during City Manager hiring process
- Managed media during fatality fire and recovery efforts
- Led Douglas County PIOs in planning and exercising for Emergency Management responses
- Completed FEMA Public Information Officer training in Emmitsburg, MD August 2003
- Completed FEMA Emergency Response Simulation in Emmitsburg, MD December 2004

June 1, 1998 – December 1, 2001

City of Lawrence, Parks and Recreation

PO Box 708, Lawrence, KS 66044 (785) 832-3450

Recreation Marketing Supervisor

Developed and implemented promotional activities for new programs and facilities, coordinated the creation, production and distribution of promotional materials; developed content and managed department web site; managed ad placement for department; wrote and distributed news releases.

Major accomplishments

- Created first ever department-wide annual report
- Arranged more than \$15,000 in trade advertising for golf division
- Served as media contact for AJGA Girls Tournament
- Coordinated reception for more than 100 members of non-profit agencies to celebrate the Cultural Roundtable

Lisa K. Patterson

April 1997 – May 31, 1998

Enzymes, Inc., 100 NW Business Park Lane, Riverside, MO 64150

Marketing Manager

Managed creation and production of collateral materials and trade show booths; managed redesign and production of brand and product materials; developed and maintained relationships with the media; managed ad creation and performed media placement for consumer and business publications; analyzed and evaluated promotion activities for new product launches.

Education

BS Degree, Business Administration, marketing emphasis
University of Kansas, Lawrence, KS

Masters of Marketing Communications
University of Kansas, School of Journalism, Edwards Campus

Certified Public Managers Program, 2009
University of Kansas, Public Management Center

Awards and Community Programs

PRSA Prism Silver Award, 2015 ACA Q&A Day

Instructor for State of Kansas Emergency Management Public Information Officer training, Olathe, KS
October 2007

State Mentor for KRPA Benefits Movement

Kansas Recreation and Parks Association Outstanding New Professional Award

Leadership Lawrence Graduate, May 2004



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Zachary Stoltenberg
grp_q8Pclz	430 W. Washington Street Tonganoxie KS 66086
Email	zach.stoltenberg@gmail.com
Phone Number	7855504919
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	Hoefer Wysocki Architects
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	I've always been involved in giving back to my community and believe it's part of what makes a small town tick and keeps it alive and growing. I want to be involved, I want to listen, and I want to represent the people of the town that I love.
What other Tonganoxie boards and committees have you served on?	Planning Commission
Is this an application for a reappointment to a board you currently serve on?	No
Describe any work or volunteer experience that is related to the function of this board or committee.	See full details in attached cover letter.
Select your highest education completed.	Graduate Degree
Other information or comments	I'm humbled to be considered to serve on the city council and hope to earn the public trust and support over the remainder of the term offered.

Dear Mayor and Council Members:

Upon learning of the opening for a city council seat, I felt compelled to submit my resume for your consideration.

My wife and I moved our family to Tonganoxie in 2012 after spending 10 years in Lawrence for our educations and then early professional careers. We both grew up in small towns, my wife in Spearville, KS (population 800) and myself outside of Gering Nebraska (population 5,000) and we knew that we wanted to raise our children in a great small town. We wanted to be a part of the community, to feel like we belonged somewhere and put down roots. We wanted a good school system, affordable housing, and easy access to where we worked, and after looking at many areas around the metro we CHOSE Tonganoxie.

While we have enjoyed being residents of Tonganoxie for the last six years, it took a while before we felt like we “belonged”. We encountered a lot of resistance and pushback when we would try to get involved or meet new people, and the welcoming small town we had hoped for was elusive. There seemed to be an attitude that if you weren’t born here you would always be an outsider, evermore we have pushed forwards trying to invest in and become more a part of the great little community we chose to make our home. We have made lifelong friendships since, become plugged into many local community groups, and searched for opportunities to get involved and give back to the community.

In 2013 I became a leader in my son’s local scout troop and continue to serve as both a den leader and a part of the overall pack leadership to this day. For the last two years I’ve spearheaded the Community Pinewood Derby race and have partnered local scouts with community businesses in a fun event that has wholly funded our pack activities. We are active and involved in our church and enjoy opportunities to give back through community outreach and service. In 2016 I was honored to be invited to join the planning commission and as an Architect have enjoyed bringing a different perspective to the strong group of diverse individuals that serve our city and community. I’ve benefitted from the training received as a member through the league of Kansas Municipalities and have enjoyed immensely the opportunity to serve the community in a way that I believe truly is impactful. I’ve also been privileged to be able to work professionally on several new construction/development, and remodeling projects within the city and as I see our community grow and continue to develop I feel pride in knowing that I am just one of many folks who have invested their time, talents, and efforts in making Tonganoxie a wonderful place to live.

Professionally, I work as a licensed Kansas Architect for one of the largest architecture firms in Kansas (Hoefler Wysocki). My role plunges me headlong into multimillion-dollar development projects and engages me with many different players, personalities, and interests all necessary to ensure that a successful project moves forward. The architect often serves as a go-between or referee between all of those interests weighing in the

end what is best overall for the client and the project and my ability to manage many different interests has been what has made me so successful professionally and a key trait that I believe is needed in a council member. Over the last 6 years I have seen many difficult decisions made by our council and in most cases believe that good decisions have been made that are in the best interest of the community.

In 2017 I saw what Tonganoxie was really made of as I watched our community come together and unite around a common cause/concern. Tonganoxie post Tyson is a totally different environment and the leadership and process of community government has been fundamentally changed. I struggled throughout the months watching events unfold understanding that decisions made at the state and county level had the huge potential to alter the way of life in our small town and while anger was high, grace and understanding were often lacking. I understood where council was positioned and the normalities of the development process that were misunderstood by the general public. It was an unenviable position to be thrust into and for the most part I think our council rose to the occasion by providing the most information that they could to the public and allowed for the community discussion that needed to happen.

As a citizen I was encouraged, new relationships were formed, people started talking to their neighbors, and it didn't matter if you'd lived here forever or had just moved to town everyone knew it would take all of us to protect our town and our way of life. People came together and talked about what they loved about Tonganoxie and for perhaps the first time everyone began to quantify what made Tonganoxie so great.

As an architect I was discouraged by the anti-business and anti-development attitude that seemed to be pervasive. The continual question raised was "why Tonganoxie?" and my thoughts reverted to all the reasons that I Chose Tonganoxie, why many people chose Tonganoxie. Why not? Why wouldn't any business want to come to Tonganoxie and why shouldn't their employees and customers want to live and work in Tonganoxie? We need to be open for business to the right kinds of development and industries so that as we grow we continue to be the type of town that people CHOOSE! Why should we ever settle for just being a "bedroom community", that's only one of the things that makes us attractive and new development doesn't mean that will cease to exist either.

We have a great town, and when I expressed my interest in the planning commission my goal was to try to be a part of the process that allowed for responsible development and growth to happen. We face many challenges as a small town, many of them are the same challenges faced by many small towns all across America, but there is only one place like Tonganoxie and the unique offerings that are found here.

One of our most valuable assets are our people. Post Tyson we have a community that is engaged, involved, and motivated and that is a great thing to capitalize on! Opportunities for additional community involvement and growth seem prime and our city staff and city manager have been working hard to encourage that. As a councilmember I would be cautiously pro-growth and as someone intimately familiar with the

development process know that I can provide a valuable perspective in making those decisions. We need not be afraid of new development and we need a council and staff motivated and willing to work towards the best opportunities and offerings that may be available. We also need a council that continues to engage with our people, and I believe my experience and track record show that I would continue to do that if given the opportunity to serve.

We also need smart growth and development. With key infrastructure decisions, a new library, and many other city led projects we need to make the best decisions possible with the limited resources available and to ensure that the city is getting the most done within the budgets established. As an accomplished and educated professional with key experience in city government, project management, and budget constraints, I am confident that I would be a valuable asset to the City of Tonganoxie in this role. I am well prepared to extend my record of public service and community involvement to the City and I welcome the opportunity to discuss this position and my qualifications with you further. Thank you for your consideration.

Sincerely,

Zachary Stoltenberg
AIA, NCARB

ZACHARY STOLTENBERG

785.550.4919 :: 430 W. Washington St, Tonganoxie, KS 66086 :: zach.stoltenberg@gmail.com

SKILLS

Assets: People, working with diverse groups and a broad range of players to manage and ensure success for many different project types and to maintain good communication throughout.

Proficiencies: AutoCAD (through 2014), AutoCAD Architecture, Revit (through 2012), 3DS Max, Inventor, SketchUp, Adobe Photoshop, and Microsoft Office suite. Special skills: Hand-drafting, pen & ink, and watercolor.

EXPERIENCE

2017 –Present

Overland Park, KS

Hoefer Wysocki Architects – *Lead Design Architect, Commercial Studio*

- Collaborate with our Studio Partnership and our design team to lead concentrated design efforts for project pursuits, RFP, and competitions within the scope of the Commercial Studio.
- Lead project teams on development and training in production programs including CAD, Revit, Sketchup, etc.
- Helped to build and grow our Multifamily project offerings and pursued projects that would allow us to expand a full multifamily studio with a concentrated group of subject matter experts specifically for that project type.
- Coordinate with Owner’s and Clients to navigate the construction and design process ensuring overall satisfaction with the end building and budget requirements.
- Help to translate our clients’ visions into reality, walking them through the design process with an equal emphasis on the overall sense of space as well as the smaller details that make the end solution personalized specifically and perfectly for our client’s needs.
- Implement sustainable design solutions that enable our clients to enjoy a finished building that is not only beautiful and functional, but one that is affordable to maintain and operate as well.

2015 –2017

Overland Park, KS

Tevis Architects – *Project Manager, Design Architect*

- Hired to manage production, produce documentation, construction drawings, and coordinate permitting, special inspections, and construction administration for various projects.
- Lead project teams on development and training in production programs including CAD, Revit, Sketchup, etc.
- Coordinate with Owner’s and Clients to navigate the construction and design process ensuring overall satisfaction with the end building and budget requirements.

2014 – 2015

Kansas City, MO

Rosemann & Associates – *Project Architect*

- Hired to manage production, produce documentation, construction drawings, and coordinate permitting, special inspections, and construction administration for 11 commercial big box stores in a build to suit pilot program for a major national retailer.

- Successfully delivered on an extremely truncated timetable all projects on time and with minimal changes to the brand identity as desired by the tenant.
- As a result of the success of these projects and my willingness to step up to fill a need, after 5 months with the company I was promoted to the role of Project Architect.
- After nearly a year with the company I was involved in many new projects ranging from affordable housing, tax credit projects, mixed use developments, memory care and senior living, and market rate multi-family and historic renovation projects.
- Recognized projects include a capstone award for St. Michael’s Housing for Homeless Veterans.

2010 – Present

Tonganoxie, KS

E3 Design : Inspection: Consulting – *Owner; Architect, Inspector*

- Create efficient, economic, and ecological designs and construction documents through working with clients and contractors, including residential and light commercial.
- Completed the training and licensing required to be a licensed Real Estate Inspector in the state of Kansas, testing in the 96th percentile on the Real Estate Inspector exam.
- Won “Kansas City Home and Garden Magazine, Home of the Year” for an independent design in 2009 prior to starting E3.

EDUCATION

2002 – 2009

Lawrence, KS

University of Kansas

Masters of Architecture – May 2009

- Received the Professor’s Choice Award among all graduating seniors for my Graduate Research project - Mobile Med.

Bachelor of Architecture – December 2006

- Recognized member of Triangle Fraternity throughout the completion of my undergraduate degree, and served as an alumni board member following graduation.

INTERESTS

Spending time with Family, Home Improvement, Winemaking and grape growing, Board Gaming, Animated Christmas Lighting, Antique Cars, Travel, Opera and Theater.

REFERENCES

LuLu Stevens – <i>Friend, Owner: Ryan’s Public House</i> – Known since August 2015	816.520.0080
Ross Frisbee – <i>Pastor, Tonganoxie Christian Church</i> – Known since Spring 2015	405.905.9041
Brady Brown – <i>Engineer, BNSF, Cubmaster Pack 3075</i> – Known since August 2012	785.633.3709
Robert Eastburn – <i>Friend, Owner Leavcor, LLC</i> – Known since August 2012	913.240.1305
Kevin Berman – <i>Partner, Hoefler Wysocki Architecture</i> – Known since May 2016	913.530.2361



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Michael Pierson
grp_q8Pclz	2150 Hidden Valley Drive Tonganoxie KS 66086
Email	andy.m.pierson@gmail.com
Phone Number	9134169876
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	Hyland Software Director of Technical Support Manage a team of managers and analysts to support a suite of software including but not limited to - content management, advanced OCR, search products
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	To provide a new set of eyes and opinions to the issues facing the Council.
What other Tonganoxie boards and committees have you served on?	None
Is this an application for a reappointment to a board you currently serve on?	Yes
Describe any work or volunteer experience that is related to the function of this board or committee.	Keep up to date on as much as the events facing the city as I can via attending meetings in person, watching live stream and following the meeting agenda packs as much as possible.
Select your highest education completed.	Some College
Other information or comments	

Dear Dan,

Thank you for your email confirming my application for the soon to be vacant Council position.

My name is Michael Pierson but I have gone by Andy for my entire life. My wife, Cheryl, and I have been Tonganoxie residents for the last almost 14 years. Both of us have been active in community over the years. Having been PTA president allowed me to gain firsthand knowledge about specific issues involving our schools. A couple of achievements which were of note was we able to partner with local vendors to get safer playground equipment and we established a Bike Rodeo and Safety Fair. Cheryl and I both volunteered for the Kansas Jr. Miss program for several years giving us insight into organizing and coordinating many of the activities it takes to run a scholarship program.

Being on the Tonganoxie Council would provide another point of view that would be from someone not a lifelong resident. That often is a good thing for community growth opportunities to be discussed or even entertained.

My position of Director of Technical Support for Hyland Software has allowed me to understand budgeting in a multi-million dollar department. I have 4 direct managers and approximately 90 total in my scope of authority. I have worked with and established operation centers in Cebu Philippines and Hyderabad India and assisted with training new team members in Holland and the UK.

I will be glad to go into more detail with the Council and Mayor should they so choose.

Thank you again for your time sir.

Andy Pierson
2150 Hidden Valley Drive
Tonganoxie, Ks
66086
913-416-9876



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Jennifer L Kohl
Upload File(s) - Letter of Interest and Resume	
grp_q8Pclz	1240 Shawnee Street Tonganoxie KS 66086
Email	littlepig@Live.com
Phone Number	9134163652
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	Lieutenant of Patrol/Patrol Commander over police for the City of Basehor. I develop Field Training, review policy, review reports, integrate new methods of efficient processes regarding animal control, field training and report writing. Social media monitoring, KDOT grant program facilitator, Kansas Department of Agriculture licensing and other duties as needed.
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	I have a deep rooted desire for community enrichment and efficiency in government procedures. I love this town and really hope to be able to help be a voice for my peers in the community.
What other Tonganoxie boards and committees have you served on?	None, I am a new (again) resident.
Is this an application for a reappointment to a board you currently serve on?	No
Describe any work or volunteer experience that is related to the function of this board or committee.	Currently volunteer for non-profit Leavenworth County Humane Society as a shelter worker, current graduate student at Penn State University (public administration). Previous and current employee of multiple government agencies, including the City of Basehor, City of Lake Quivira and Fayette, Missouri.
Select your highest education completed.	Bachelors Degree
Other information or comments	

FROM THE DESK OF

JENNIFER KOHL

October 4, 2018

Mayor Ward and Members of the Council
City of Tonganoxie
526 East 4th Street
Tonganoxie, Kansas 66086

Dear Mayor Ward and Members of the City Council,

It is with upmost sincerity and enthusiasm that I enter my letter of interest for the open council position that serves to fill Ms. Kara Reed's spot as she departs and moves to her new home. I would like to thank Ms. Reed for her service and share that I would humbly and proudly be willing to serve in her place.

I ran for city council before I moved here, while we were building our home. I can only speculate that my defeat was due to my lack of tenure as a resident and the strong contenders, including Jamie Lawson, Rocky Himpel and Lorelee Stevens. I spent the summer getting to know residents, visiting and shopping locally and enjoying the small town feel that Tonganoxie has to offer. When I lived here in 2009, I decided that when I was going to build my home, this was where I was going to be. Since then, my husband and I have developed a strong bond with our neighbors and the people in the community. I appreciate the opportunity to potentially learn more and grow through public service and by being a voice for those whom I have grown to love so much here in Tonganoxie. This city may be small, but the heart and passion here is large.

I appreciate your consideration and welcome you to contact me for more information regarding my letter and my resume.

Sincerely yours,

Jennifer Kohl

JENNIFER KOHL

913-416-3652
littlepig@live.com

1240 Shawnee Street
Tonganoxie, Kansas
66086

Experience

Lieutenant, Basehor Police Department; Basehor, Kansas — 2013-Present

- Responds to various calls for service including response to all reported criminal activity and completes various reports required by the State of Kansas and local municipality relating to such.
- Responds and testifies in court proceedings for criminal and civil cases as required by law.
- Control and development of Animal Control services for the City of Basehor. Implemented an adoption and foster program to more effectively and efficiently care for animals in the care of the city. Maintains all current records relating to animal control activities and inspections.
- Controls and maintains all KDOT activities relating to KDOT grants for traffic enforcement through the State of Kansas for the City of Basehor.
- Scheduling of officers and SRO for adequate shift coverage and training.
- Developed and oversees the current field training program for the City of Basehor.

Police Officer, Lake Quivira Police Department; Lake Quivira, Kansas — 2011-2014

- Responded to various calls for service including response to all reported criminal activity and completes various reports required by the State of Kansas and local municipality relating to such.

Security Manager, Harrah's North Kansas City; North Kansas City, Missouri — 2011-2013

- Responded to requests for service on casino floor as needed.
 - Scheduled 50+ officers for floor duties as needed.
 - Processed and approved payroll and time off.
 - Processed and implemented training programs for security department.
 - Organized and implemented security for special events and high profile concerts and parties in VooDoo Lounge.
-

Police Officer, Basehor Police Department; Basehor, Kansas — 2008-2011

- Responded to various calls for service including response to all reported criminal activity and completes various reports required by the State of Kansas and local municipality relating to such.

Education

Columbia College, Columbia Missouri — Bachelors of Public Administration-Minor in Business Administration — 2018

- Deans List (4/4 semesters)
- Graduating GPA 3.9
- Summa Cum Laude Latin Honors
- Alpha Sigma Lambda Honor Society

Kansas City Kansas Community College, Kansas City, Kansas — Associates in Liberal Arts — 2015

- Provost's Honor Roll
- President's Honor Roll
- Graduating GPA 3.73
- Magna Cum Laude Latin Honors
- Phi Theta Kappa Honor Society

ITT Technical Institute, Earth City, Missouri— Computer Aided Drafting —No Degree — 2003

- 3.25 accumulative GPA
-



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Sally Ryan
grp_q8Pcz	1335 E. 4th St Tonganoxie KS 66086
Email	sallysource@live.com
Phone Number	7125740956
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	I am employed by Bert Nash Community Mental Health Center in Lawrence as a WRAP Therapist. I am officed in two Title 1 elementary school where I provide mental health interventions, crisis interventions, and clinical consults to help the staff effectively manage behaviors and students to reach their potentials.
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	I believe I can be of service to the community by providing insight on strategic community planning and implementation of initiatives. I have a Master's of Public Administration, evidencing my education and experience in public policy and leadership.
What other Tonganoxie boards and committees have you served on?	None
Is this an application for a reappointment to a board you currently serve on?	No
Describe any work or volunteer experience that is related to the function of this board or committee.	In Iowa, before I moved here, I worked on the community level on gathering people's opinions and manifesting them into action through community organizations and the school district. Again, I have education (MPA & Masters Social Work) and experience in management, policy, and social institutions/ systems
Select your highest education completed.	Graduate Degree
Other information or comments	Thank you for your efforts.

Members of Tonganoxie City Council,

I moved to Tonganoxie about five years ago because I fell in love with the down to earth people of the town. I appreciate the attitude of self- sufficiency coupled with compassion for our neighbors; the ethics of working hard when it is time to work and playing hard when it is time for fun. I saw the Tyson issue as an opportunity for the community to become involved in the town's self-determination, regardless of which side someone was on and I loved that people were talking.

I have graduate degrees in both Public Administration and Social Work that allows the balance of fiscal and other public policies with an appreciation of the spirit of the individual residents. I would like to contribute that experience and insight in service to this wonderful small town.

Thank you for your time and attention in considering my application for the City Council appointment.

Respectfully,

Sally Ryan, MPA, LMSW

SALLY RYAN

1335 E. 4th St., Tonganoxie, KS, 66086 • (712) 574-0956 • sallysource@live.com

EDUCATION

- **Bachelor of Arts** degree in Social Studies from the University of Iowa
- **Masters of Public Administration** degree from Drake University
- **Masters of Social Work** degree from University of Kansas
- **Kansas Masters Level License** 5/31/2018
- **Play Therapy Certificate** currently enrolled at Heartland Play Therapy Institute, Inc.

SKILLS AND EXPERIENCE

Community Building Experience

- ⊖ *Lawrence Public Schools:*
 - Coordinated LEAP business partner relationships and activities
 - Designed and implemented the 'BIG CATS' volunteer program bringing parents into the classrooms
 - Served as a member of the building's Site Council
- ⊖ *ripplesource:*
 - Formulated concepts for the founding of the BeSomebody community improvement initiative with development team at Siouxland CARES
 - Mobilized the founding of Bullying Prevention Community Coalition, chair-person for year one
 - Executed community education presentations for Bullying Prevention, collaborating with other community stakeholders
 - Lead task forces for Comprehensive Strategies, a community engagement group
 - Coordinated Community meetings with the planning team of Comprehensive Strategy
 - Served on Sioux City Community Schools District Advisory Board for two years, Vice-Chair in year two
 - Joined Siouxland CARES Advisory Board

Leadership and Supervisory Experience

- ⊖ *Veteran's Administration (VA)*
 - Advocated for the Veteran perspective while serving on Multi-disciplinary Teams
- ⊖ *Life-Line Resources:*
 - Served as Team Lead, including quality control and productivity of staff service
- ⊖ *Jackson Recovery Centers:*
 - Worked on agency Change Teams pursuing improvement of the employee and client experiences
- ⊖ *Crittenton Center:*
 - Co-supervised a 25 person staff that cared for residents of Emergency Youth Shelter
 - Participated on Quality Assurance teams including arranging monthly agency trainings

Administrative Experience

- ⊖ *Lawrence Public Schools:*
 - Managed and reported on food, school supplies, and clothing donations.
 - Reported on the activities of the Title One staff.
 - Documented and reported list of homeless students.
- ⊖ *ripplesource: Comprehensive Strategies:*
 - Performed primary communications and Community Meetings coordination.
- ⊖ *Siouxland Community Health Center:*
 - Prepared productivity numbers for billing department.
- ⊖ *Crittenton Center:*
 - Reported client statistics for HOPES program and Youth Shelter.

Clinical Experience

- *Bert Nash Community Mental Health Center*
 - Design and implement individual and group psychotherapeutic interventions for school age youth
 - Interact with families in support of student/clients' needs
 - Develop and utilize relationships with collaborative resources in the administration and staff level personnel within the school district
 - Consult and collaborate with other WRAP specialists for best practices and consultations
- *KU practicum: Veteran's Administration:*
 - Completed Bio-Psycho-Social assessments
 - Provided supportive interactions on in-patient psychiatric units
 - Taught Core Topic classes
 - Participated in psychotherapy groups
 - Assisted in discharge planning
 - Contributed to a multi-disciplinary team as a medical social worker on two in-patient units
 - Served in Women's Health Clinic, completing assessments and resource referrals
- *KU practicum: Cornerstones of Care:*
 - Designed and provided in-home individual play therapy and family therapy
 - Implemented individual and group play and talk therapy in alternative school setting
- *Lawrence Public Schools:*
 - Implemented mental health and behavioral crisis intervention at Pinckney Elementary
 - Served two years on the District Crisis Response Team
 - Built relationships with disenfranchised parents and students
- *Life-Line Resources:*
 - Delivered in-home remedial services for children with mental and behavioral diagnoses
- *Jackson Recovery Centers:*
 - Co-ran an 18 bed unit for adolescent boys with conduct disorders and substance addictions
 - Provided individual, group, and family therapy
 - Assessed, diagnosed, and made substance addiction treatment recommendations for incoming patients as an Intake Clinician
- *Crittenton Center:*
 - HOPES: Provided in home education and emotional support for prenatal and new mothers
 - Emergency Shelter: Served as fill-in social worker doing case management for shelter residents

WORK PLACEMENT HISTORY

Bert Nash Community Mental Health Center WRAP Therapist Pinckney Elementary/Woodlawn Elementary	May, 2018- present
Veteran's Administration, Topeka, Kansas Community Living Center, Social Work Trainee Psychiatric Rehabilitation and Wellness Program, Social Work Trainee	August, 2017 – April, 2018
Cornerstones of Care, Kansas City, Missouri Gillis Day Treatment School, Therapist Intern Spofford Family Resiliency, Therapist Intern	August, 2016 - May, 2017
Lawrence Public Schools, Pinckney Elementary, Lawrence, Kansas Non-Instructional Monitor Parent Involvement Facilitator	August, 2014 – May, 2017
ripplesource, Sioux City, Iowa	October, 2010- January 2014

Independent Community Consultant

Life-Line Resources, Sioux City, Iowa
Team Lead, Family Coach

May, 2009 – September, 2010

Siouxland Community Health Center, Sioux City, Iowa
EPSDT Administrator

December, 2006-December, 2009

Jackson Recovery Centers, Sioux City, Iowa
Intake Clinician (Therapist II)
Residential Adolescent Therapist (Therapist I)

June, 2005- September, 2006

Crittenton Center, Sioux City, Iowa
Supervisor (Emergency Youth Shelter)
Family Support Worker (HOPES)

July, 2002- June, 2005



Boards and Committees Application

City of Tonganoxie

Name (First and Last)	Jacob Dale
grp_q8Pclz	1023 Starla Ct. Tonganoxie KS 66086
Email	jacob.dale2323@gmail.com
Phone Number	785-979-3220
Are you a registered voter?	Yes
Do you live within the city limits of Tonganoxie?	Yes
Where do you work? Please include your job title and a brief description of your job duties and responsibilities.	Sunflower Bank, Lawrence, KS - Vice President, Commercial Loan Officer; As a Commercial Loan Officer, my responsibilities include providing financing to businesses and municipalities to help them achieve growth initiatives and financial success.
What Board/Committee would you like to serve on?	City Council
Why do you wish to serve on this board?	With recent investments in several small businesses, I believe our town has built some momentum, and I wish to serve the community in the decision making process to continue that momentum and overcome obstacles and challenges that seek to undermine growth, safety, and stability.
What other Tonganoxie boards and committees have you served on?	I currently serve on the Planning and Zoning Commission and Tonganoxie Public Library board, as well as the Tonganoxie Business Association board.
Is this an application for a reappointment to a board you currently serve on?	No
Describe any work or volunteer experience that is related to the function of this board or committee.	During my banking career, I have analyzed the finances and budgets of local municipalities. I have developed relationships with city staff members and business owners throughout the region, which continues to provide me with additional perspective on challenges and solutions. Additionally, through both my career and involvement with the library, I have worked to develop goals and budgets, and worked to achieve those goals within the constraints of those budgets.
Select your highest education completed.	Bachelors Degree
Other information or comments	

October 26, 2018

City of Tonganoxie
526 E. 4th St
Tonganoxie, KS 66086

To Whom It May Concern:

Please accept this Letter of Interest and internet-submitted package as my formal application for the vacant position on City Council.

Over the last several years, I have served on the Planning and Zoning Commission and the Tonganoxie Public Library board, and have witnessed a growing momentum within our community that I wish to help maintain and build upon. From the new library project to Unilock's investment in the industrial park, from the renovation of the office strip center on 24-40 to the continued housing development on the north side of town, and from the renovated office space on the highway to the business investments providing some rejuvenation to downtown, evidence of this momentum surrounds us. This momentum presents challenges, however, and I wish to serve in the process of making wise decisions to not only maintain momentum, but to maintain our high level of safety and fiscal responsibility.

I appreciate City Council's consideration, and look forward to continuing this process.

Thank you,

Jacob R. Dale
1023 Starla Ct.
Tonganoxie, KS
785-979-3220
Jacob.Dale2323@gmail.com

Jacob R. Dale

1023 Starla Ct., Tonganoxie, KS ph: 785-979-3220 e-mail: Jacob.Dale2323@gmail.com

Professional Experience

October, 2005 - Present **US Bank, Exchange Bank & Trust, Sunflower Bank** Lawrence & Leavenworth County

Vice President - Commercial Loan Officer

- Manage commercial loan portfolio consisting of more than 100 borrowing entities, with outstanding balances in excess of \$30 million
- Initiate and manage all business development opportunities in existing and new markets
- Develop familiarity within organization of Small Business Administration's suite of products
- Perform all underwriting analyses and functions for new and existing Borrowers, including budget analysis
- Expand the organizations' non-real estate commercial loan portfolio, with a focus on working capital lines of credit, fleet and equipment financing, and municipal financing
- Identify opportunities for non-credit solutions, including Treasury Management, fraud protection, deposit services, private and institutional Trust, and Wealth Management
- Develop organization's homebuilder relationships in local high-growth markets
- Develop and maintain inter-departmental budget and goal-setting

Education

August, 1996 - Mar, 2000 **University of Kansas** Lawrence, KS

Bachelor of Arts, Communication Studies

- Focus in Public Speaking and Rhetorical Communication
- Coursework included Advertising, Public Speechwriting, Rhetorical Speechwriting, Political Communication, Problem Solving In Teams and Groups

Community Involvement

- City of Tonganoxie Planning and Zoning Commission and Board of Zoning Appeals member
- Tonganoxie Public Library Board member
- Tonganoxie Business Association Board member
- USD 497 District Site Council member
- Lawrence Chamber of Commerce Envoy
- Former Grow Leavenworth County Board member
- Former Leavenworth County Development Corporation Board member
- Former Leavenworth/ Lansing Chamber of Commerce Ambassador
- Southern Leavenworth County Leadership Development Graduate, Class of 2018

Volunteerism

- Lawrence Sertoma Club, Past Board Chair, Past President
- Sertoma 48 BBQ Chair, 2013, 2014
- Susan G. Komen Relay For Life
- Leukemia and Lymphoma Society Light the Night, Team Captain
- Junior Achievement, Classroom Volunteer
- Helped lead the most recent grassroots campaign for the school bond to construct Tonganoxie Elementary
- Families Actively Strengthening Tonganoxie (FAST) committee member and workout coordinator
- Nerd Nite Tonganoxie Co-Boss



CASEY'S GENERAL STORES, INC.

P.O. Box 3001 • One SE Convenience Blvd • Ankeny, Iowa • 50021 • 515-965-6100

October 11, 2018

City of Tonganoxie
321 S Delaware
PO Box 326
Tonganoxie, KS 66086

Dear Clerk,

Please find enclosed payment and completed application(s) for renewal of our CMB license(s) for our Casey's General Store(s) in your town. The license(s) can be mailed directly to the store(s). If possible, please email me a copy of the license(s).

If you have any questions, please contact me at (515) 381-4764 or email me at jamie.dietrich@caseys.com.

Sincerely,

Jamie Dietrich

Jamie Dietrich, Store Operations
Casey's General Stores, Inc.

VDR 12116 CK NO 3065811

Memo	Invoice Date	Invoice Number	Amount	Discount	Net Amount
2583 TONGANOXIE KS	09/20/18	0012116 012	75.00	.00	75.00
			75.00	.00	75.00

Detach Before Depositing

WARNING: ORIGINAL DOCUMENT IS PRINTED IN BLUE INK.

Date
10/11/18



CASEY'S GENERAL STORES
P.O. BOX 3001
ANKENY, IOWA 50021-8045



36-1901
1012

Check No.
3065811

Amount
\$75.00

PAY

***SEVENTY FIVE DOLLARS & NO CENTS

TO THE
ORDER
OF
CITY CLERK

Julia T. Jaskowski

WARNING: ORIGINAL DOCUMENT HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE.

⑈ 3065811 ⑈ ⑆ 101219017⑆ ⑈ 5008001294⑈

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of TONGANOXIE

SECTION 1 - LICENSE TYPE

Check One: New License Renew License Special Event Permit

Check One:

- License to sell cereal malt beverages for consumption on the premises.
 License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 - APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-201025921F-01

I have registered as an Alcohol Dealer with the TTB. Yes (required for new application)

Name of Corporation CASEY'S RETAIL COMPANY		Principal Place of Business ONE SE CONVENIENCE BLVD	
Corporation Street Address ONE SE CONVENIENCE BLVD, PO BOX 3001		Corporation City ANKENY	State IA
Date of Incorporation 04/14/04		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name C T CORPORATION SYSTEM		Phone No. 785-233-5517	
Residence Street Address 112 SW 7TH ST, SUITE 3C		City TOPEKA	State KS
			Zip Code 66603

SECTION 3 - LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name CASEY'S GENERAL STORE #2583	Name CASEY'S RETAIL COMPANY, ATTN: JAMIE DIETRICH
Business Location Address 220 WEST ST	Address PO BOX 3001
City TONGANOXIE, KS 66086	City ANKENY, IA 50021
State	State
Zip	Zip
Business Phone No. 913-845-2709	<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.
Business Location Owner Name(s) CASEY'S RETAIL COMPANY	

SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse*, if applicable. Attach additional pages if necessary.

Name	Position	Date of Birth
NO PERSONS INDIVIDUALLY OR IN AGGREGATE OWN 25% OR MORE OF CORPORATE STOCK		
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent. Yes No

If yes, provide the following:

Manager/Agent Name PAMELA MCCORMACK	Phone No. 515-965-6555 X16500	Date of Birth 01/05/56
Residence Street Address 1305 OTOE ST	City MARYSVILLE	Zip Code 66508

Manager or Agent Spousal Information*

Spouse Name N/A	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within 2 years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes*:
(1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law. Yes No

Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:
(1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas. Yes No

All of the individuals identified in Sections 4 & 5 are at least 21 years of age*. Yes No

SECTION 7 – DURATION OF SPECIAL EVENT

Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

Proceed to Section 8 on the next page.

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee, \$75.00

License No. 2019-1

DEALER'S RETAIL LICENSE

Effective Date From January 01, 2019

Effective Date To December 31, 2019

To All Whom It May Concern:

License is hereby granted to _____

CASEY'S GENERAL STORE #2583

to sell at retail

CEREAL MALT BEVERAGES

Original and unopened containers and not for consumption on the premises

(state if for consumption on the premises, or for sale in original and unopened containers and not for consumption on the premises)

At _____ **220 WEST STREET**

(Give exact location, with street number)

In the City of Tonganoxie in Leavenworth County, Kansas

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This license will expire December 31, 2019, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

(SEAL) Given under our hands and the corporate seal of said City, this 5TH day of NOVEMBER, 2018

Mayor

City Clerk



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Melanie Tweedy
SUBJECT: CMB Renewal application for Casey's General Store

DISCUSSION:

An application has been received from Casey's General Store for renewal of their Cereal Malt Beverage (CMB) License for 2019. In Kansas, cities regulate related beer sales under 5.0% alcohol content. Otherwise, the applicant would need a state liquor license first. The business has paid the \$75.00 fee.

BUDGET IMPACT:

A portion of the revenue received from a CMB license is remitted to the State of Kansas and the remainder is credited to the City's General Fund. The General Fund's budget anticipates this revenue each year, even though it makes up a very small portion of total revenue collected in the General Fund.

RECOMMENDATION:

Make a motion to approve the CMB license for Casey's General Store to sell retail cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

ATTACHMENTS:

CMB Application – Casey's General Store

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney
Dan Porter, Assistant City Manager
File



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Presentation of 2017 Financial Audit

DISCUSSION:

Auditors from Kramer & Associates CPAs, LLC have reviewed the City's financial information for the fiscal year ending on December 31, 2016. A draft of the auditor's completed financial statement for 2017 can be found as an attachment. The audit found no material misstatements within the City's financial records. A final copy of the financial statement will be provided to members of the City Council.

Tony Kramer with Kramer & Associates CPAs, LLC will be available during the City Council meeting to provide a summary of the audit findings and to answer questions regarding the audit process.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to accept the 2017 Financial Statement into the public record.

ATTACHMENTS:

Draft 2017 Financial Statements

cc: George Brajkovic, City Manager



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Ordinance No. 1450: Special use permit for 8 storage unit buildings at 1208 State Avenue

DISCUSSION:

A public hearing was held at the Planning Commission meeting on October 4, 2018 for a special use permit application submitted by Bright Star Properties, LLC for 8 storage unit buildings at 1208 State Avenue. The property is zoned GBD – General Business District. According to the City Zoning Ordinance, self-service storage is allowed as a secondary use, provided it is limited in extent, scale or prominence of site and building elements to an allowed principle use in the GBD, through a special use permit.

After holding a public hearing and discussion, the Planning Commission recommended approval of the request for a special use permit subject to the conditions recommended by staff and three additional conditions included in Ordinance No. 1450. These conditions include:

- A lighting plan demonstrating zero foot candles at the property line
- No open storage, specifically storage outside of structures or under structures consisting of only a roof
- The east and south borders of the property need to include screening, either landscape or fencing in accordance with subdivision regulations

ACTION NEEDED:

Make a motion to approve Ordinance 1450 and accept the Planning Commission's recommendation for approval of a special use permit for 8 storage unit buildings at 1208 State Avenue subject to the conditions recommended by staff and three additional conditions.

ATTACHMENTS:

Ordinance No. 1450
Planning Staff Report - Case#: 2018-009S
10-04-2018 Planning Commission Minutes

cc: George Brajkovic, City Manager
Chris Brewster, City Planner
Shannon Marcano, City Attorney
Patricia C. Hagg, City Clerk
File

ORDINANCE NO. 1450

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW STORAGE UNITS LOCATED AT 1208 HIGHWAY 24/40, TONGANOXIE, LEAVENWORTH COUNTY, KANSAS

WHEREAS, under the ZONING ORDINANCE AND SUBDIVISION REGULATIONS OF THE CITY OF TONGANOXIE, KANSAS, 2003, (the “Zoning Ordinance”) the Governing Body of the City of Tonganoxie, Kansas, is given the power to amend, supplement or change existing zoning regulations or grant special use permits within the City; and

WHEREAS, an application for a Special Use Permit to allow storage units at 1208 Highway 24/40 was received by the City and forwarded to the Tonganoxie Planning Commission in accordance with the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance requires a public hearing to be held prior to the granting of a special use permit; and

WHEREAS, a public hearing was held by the Tonganoxie Planning Commission on October 4, 2018, and notice of such public hearing was provided in accordance with Kansas state law and the Zoning Ordinance; and

WHEREAS, on October 4, 2018, the Tonganoxie Planning Commission considered the application and recommended approval of the special use permit for the storage units for an unlimited period of time, for the property legally described as:

Parcel 1:

A tract of land in the Northwest ¼ of Section 10, Township 11 South, Range 21 east of the Sixth P.M., more fully described as follows:

Beginning at the Northwest corner of said Section 10; thence South 160.90 feet along the West line of said Section 10 to the South right of way line of U.S. Highway 24-40, being the true point of beginning of this tract hereinafter described; thence North 89°40’55” East 222.99 feet along the said South right of way line; thence South 00°02’33” West 175 feet; thence North 89°40’55” East 215.75 feet parallel to the said South right of way line; thence South 00°02’33” West 328.65 feet to the North line of Oroke’s Subdivision, a subdivision of land in said Section 10; thence North 89°41’58” West 438.38 feet along the said North line, to the east line on Tonga Ridge, a subdivision of land in the City of Tonganoxie; thence North 498.91 feet along the said East line to the true point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas more commonly known as 1208 State Ave.

Parcel 2: Non-Exclusive Easement for ingress and egress created in Declaration of Cross-Easement for ingress and egress recorded April 10, 1991, in Book 652, Page 511.

with the following conditions:

1. A lighting plan demonstrating zero foot candles at the property line.
2. No open storage, specifically storage outside of structures or under structures consisting of only a roof.
3. The east and south borders of the property need to include screening, either landscape or fencing in accordance with subdivision regulations. and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at its regularly scheduled meeting on November 5, 2018, for consideration.

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

SECTION 1. That the unlimited special use permit is hereby granted for storage units for the property legally described as:

Parcel 1:

A tract of land in the Northwest ¼ of Section 10, Township 11 South, Range 21 east of the Sixth P.M., more fully described as follows:

Beginning at the Northwest corner of said Section 10; thence South 160.90 feet along the West line of said Section 10 to the South right of way line of U.S. Highway 24-40, being the true point of beginning of this tract hereinafter described; thence North 89°40'55" East 222.99 feet along the said South right of way line; thence South 00°02'33" West 175 feet; thence North 89°40'55" East 215.75 feet parallel to the said South right of way line; thence South 00°02'33" West 328.65 feet to the North line of Oroke's Subdivision, a subdivision of land in said Section 10; thence North 89°41'58" West 438.38 feet along the said North line, to the east line on Tonga Ridge, a subdivision of land in the City of Tonganoxie; thence North 498.91 feet along the said East line to the true point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas more commonly known as 1208 State Ave.

Parcel 2: Non-Exclusive Easement for ingress and egress created in Declaration of Cross-Easement for ingress and egress recorded April 10, 1991, in Book 652, Page 511.

with the following conditions:

1. A lighting plan demonstrating zero foot candles at the property line.
2. No open storage, specifically storage outside of structures or under structures consisting of only a roof.
3. The east and south borders of the property need to include screening, either landscape or fencing in accordance with subdivision regulations.

SECTION 2. That this order shall take effect and be enforced from and after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney



City of Tonganoxie, Kansas

PLANNING STAFF REPORT

Case: 2018-009S

Date of Report: September 28, 2018

Recommendation: Approval, based on conditions cited.

Applicant Name: Bright Star Properties

Property Owner Name: Dan Lynch

Subject Property Address: 1208 State Avenue

Property Size: 4.17 Acres

Current Zoning: GBD - General Business

Legal Description: A tract of land in the Northwest $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 East of the Sixth P.M. (for full description see Exhibit "A" of the application).

I. PROJECT DESCRIPTION

- A. Subject Property. Commercial use on 4.17 acres
- B. Proposal. To construct 8 storage buildings containing 136 storage units, on the southern portion of the property to the rear of an existing commercial use, for public use.
- C. Nature of Application. Special Use Permit

II. BACKGROUND

Bright Star Properties has filed an application for a Special Use Permit for the construction of 8 storage buildings containing 136 individually leasable storage units. The property owned by Mr. Lynch, is zoned GDB, and is currently used as a commercial property, with a retail store. The existing lot is approximately 390 feet wide and 480 feet deep. However, the property has a frontage of only 200 feet along US-24 due to the shape of the property, typically referred to as a "key lot". Therefore, the property gains 190 feet of width behind the principal building and shares a property line to the east, south, and west with the following districts: General Business (directly east along US-24), Multi-Fam 2 (back-east), Multi-Fam 1 (south), and Moderate Industrial (I-MD; southwest), General Business (directly west along US-24), and Moderate Industrial (I-MD; directly north along US-24).

On June 18, 2018, the City Council approved amendment to the City Zoning Ordinance which included updates to Section 22 and revisions to the section for Special Use Permits. The amendment (Ordinance 1433) added, “self-service storage is allowed as a secondary use, provided it is limited in extent, scale or prominence of site and building elements to an allowed principle use in the GBD, through a special use permit.”

On June 22, 2009, the City Council approved amendments to the City Zoning Ordinance which included updates to Section 22 and revisions to the section for Special Use Permits. The amendments included the addition of procedures for the revocation of a Special Use Permit should circumstances warrant, which generally include:

- Noncompliance with any provisions of the zoning ordinance;
- Noncompliance with any provisions for special use permits;
- Noncompliance with any conditions of a specific special use permit;
- Other violations of the Municipal Code regarding buildings, property, use or activities of the owner; or
- Changes in conditions in the area that make the permit no longer appropriate.

The procedures to revoke a permit may be initiated by a majority of the Governing Body or Planning Commission.

III. REVIEW CRITERIA

In accordance with Section 22, “In making a recommendation to the Governing Body, the Planning Commission shall specify the particular grounds relied upon and their relation to the proposed use and shall make affirmative that the proposed use conforms with the general standards set forth in this article. In no case shall an exception be granted if the proposed use will constitute a nuisance, public health, or safety hazard to adjacent properties or to the community at large.”

In general, Special Use Permits are used for two circumstances: (1) to allow uses that are not universally appropriate for a district, but based on specific site, location, operation or design contingencies of an individual application may be appropriate; and/or (2) to allow uses that are not ideal for the long-range goals of a particular district, but are an appropriate interim improvement on a specific site that will not undermine the long-term investments on the site or in the district, consistent with plans or the district intent.

This application is considered for the first circumstance referenced above for special use permits – to enable a use that due to its limited scale and intensity, and due to the specific location and circumstances of the proposed use, it may be consistent with the zoning of the area.

Specifically, the Zoning Ordinance allows the Governing Body to approve Special Use Permits based on a review and recommendation of the Planning Commission, when in their judgment the application:

- “will not seriously injure the appropriate use or safety of neighboring property; and
- will conform to the general intent and purpose of this ordinance; and
- shall comply with the height and area regulations of the district in which it may be located.” [Section 22-020.a.]

In addition, the application must be reviewed against the following conditions as outlined in Section 22-020.b. of the Zoning Ordinance. After each consideration are staff comments. Staff has not had the benefit of hearing testimony; therefore, the Planning Commission should indicate agreement or disagreement with these criteria based on the application and record established at the hearing prior to acting on the application.

a. The location and size of the proposed use in relation to the site and to adjacent sites and uses of property, and the nature and intensity of operations proposed thereon.

The proposed use would be located on the southern and central portions of the site, with the remaining portions of the site currently being used for commercial use. Adjacent uses include commercial, light industrial and public uses within the GBD and Moderate Industrial zoning designations. However, adjacent properties to the south are planned for multi-family development (MF-1) and currently platted for residential use and well as planned to the east. Similarly, single family uses are close to the southeast corner of the subject property and near the proposed storage buildings.

The heights of the buildings are not identified on the site plan. However, typical self-storage units are one-story in height or less than 15 feet. The adjacent residential development contains a mixture of single and two-story residential dwellings. The height of the proposed buildings should be consistent with the adjacent residential development, at less than two stories.

b. Accessibility of the property to police, fire, and refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.

Access to the rear of the subject property is limited through an access driveway along the western edge of the property. The drive also provides access for delivery vehicles to the grocery store on the adjacent parcel to the west. If delivery vehicles block the driveway during deliveries, emergency access to the storage buildings could be an issue.

Access to the individual storage buildings is proposed through a new asphalt pavement, servicing each building and each storage unit.

The parking requirements for the commercial use of the site are adequate. The proposed use of the remainder of the site for self-storage, does not warrant a significant amount of dedicated parking. Additionally, much of the area that serves the storage units is paved and will be used for parking, making the proposed parking numbers adequate to serve the site.

c. Utilities and services, including water, sewer, drainage, gas and electricity, with particular reference to location, availability, capacity and compatibility.

A sanitary sewer line bisects the property north to south. However, the storage units proposed do not require sewer or water service. It is assumed that electricity will be necessary to each of the proposed 8 new buildings on the site, but the location is not shown on the site plan.

d. The location, nature and height of structures, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.

The structures and pavement proposed are adequately set back from the adjacent uses, specifically the residential uses that abut the site. However, given the commercial nature and use of the self-storage units, buffering is warranted along the southern and eastern boundaries of the property, where residential uses abut the property. The eastern edge of the property is currently a significant, mature tree stand. If this tree stand is proposed to remain, additional buffering is not needed in this area. No walls, fences or other site improvements are proposed on the site.

e. The adequacy of required yard and open space requirements and sign provisions.

The setbacks for the side yards, west and east property lines, abutting commercial, industrial and residential uses, and the rear yard, abutting residential uses, meet the setback standards of the GBD regulations.

No additional signs are indicated on the site plan.

f. The general compatibility with adjacent properties, other properties in the district, and the general safety, health and comfort and general welfare of the community and surrounding neighborhood.

The location of the proposed self-storage units on the subject property are at the southern edge of the commercial frontage of US 24/40. The development of self-storage units within this commercial district is appropriate. However, immediately adjacent to the south of this property are residential neighborhoods, both existing and planned. Because of the limited patronage and vehicular access of the storage facilities, it is an appropriate use of this land in this context. The site improvement conditions defined in the recommendations will ensure that any potential negative impacts will be mitigated.

IV. STAFF RECOMMENDATION

Provided that the Planning Commission finds that the review criteria have been met based on the testimony and record at the hearing, staff recommends approval of the Special Use Permit subject to the following conditions:

- a. The Special Use Permit is allowed for an unlimited amount of time based on meeting the conditions proposed.
- b. The height of the buildings not exceed two-stories in height.
- c. The project be buffered, through fencing or landscape, creating an opaque screen between the subject property and adjacent properties along the southern and eastern boundaries that are currently developed or planned for residential uses. If the tree stand along the eastern edge of the property is to remain intact, as it appears on the drawings, no additional buffering is needed along that edge of the property.
 - Fencing or landscaping of the property line along planned residential properties may occur at the time of development of the adjacent property.
- d. Site lighting, if desired, should be limited to down lighting that does not spill over to adjacent properties or produce glare on those properties.
- e. Any comments provided by the Fire Chief regarding emergency access should be addressed with the development of the site.

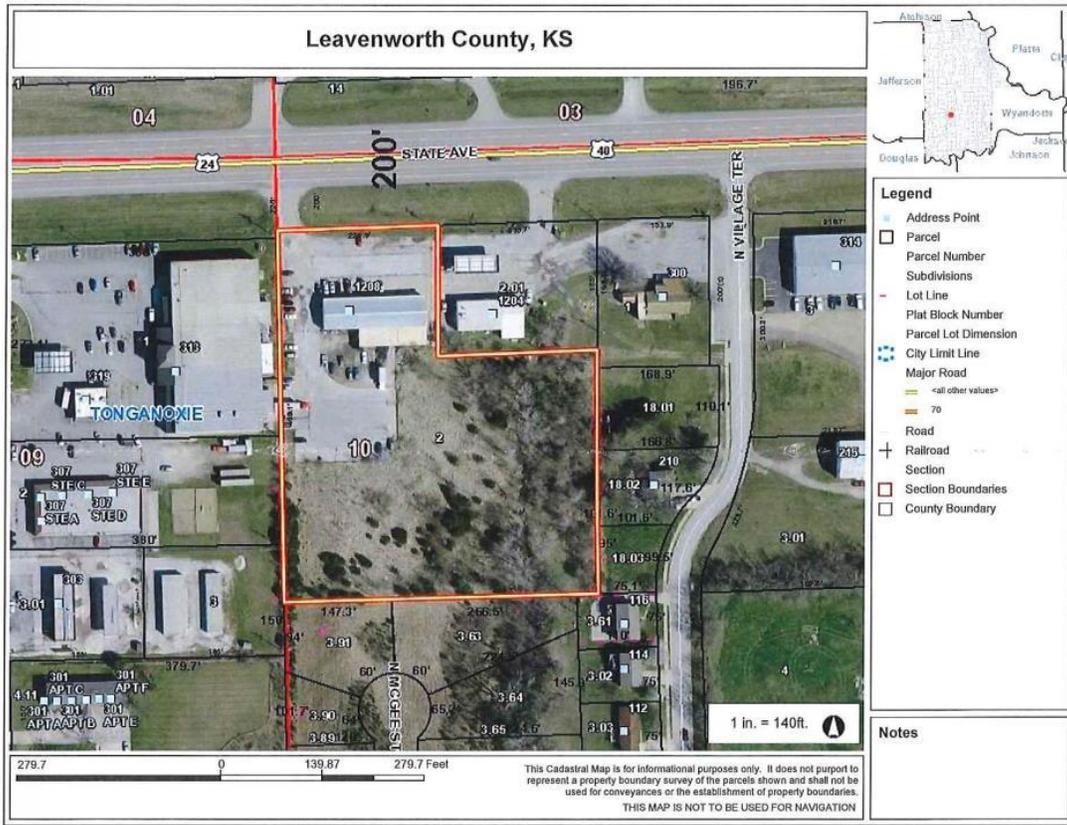
V. EFFECT OF DECISION

- The Planning Commission decision is a recommendation to Governing Body; final approval of the City Council is required. Following the consideration of any additional input from the applicant, City Staff, or the public, and based on the application and testimony at the hearing, the Planning Commission may take one of the following actions.
 - Recommend approval of the application;
 - Recommend approval of the application, subject to conditions;
 - Recommend denial of the application; or
 - Continue the application to another date for further consideration and additional information. If continued to a specific date, time and location, no new notice will be required.
- The City Council considers the application at the next meeting after 14 days.
- If a valid protest petition is filed with the City of Tonganoxie City Clerk within 14 days from the conclusion of the Planning Commission hearing, the City Council must approve the application by a $\frac{3}{4}$ majority of the governing body.

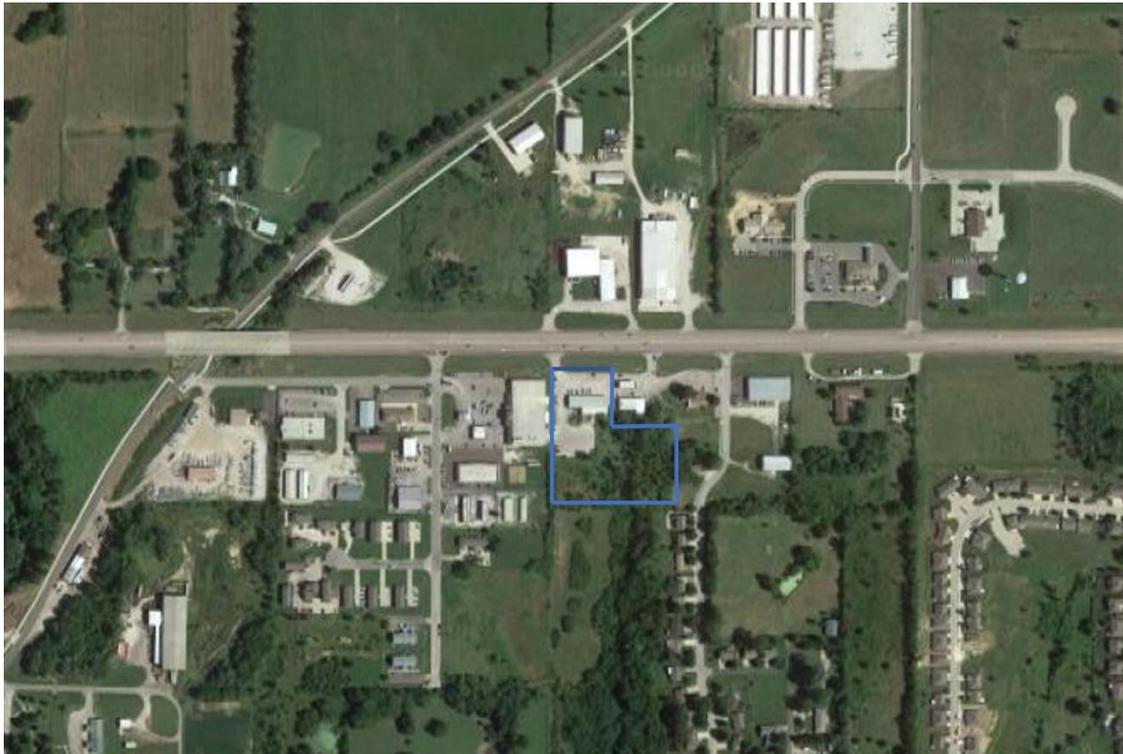
VI. PHOTOS AND MAPS (See next page)



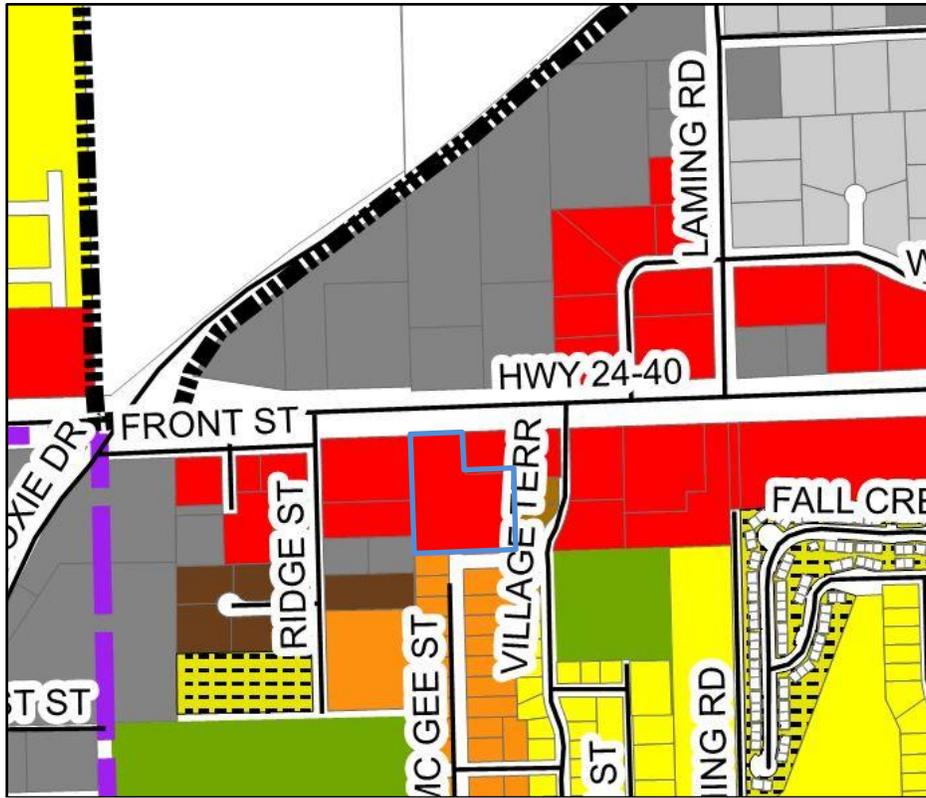
Chris Brewster
Gould Evans



Property Map



Aerial Map



Zoning Map



Street View Looking South on Property



Street View Looking North Across from US-24



Street View Looking East on US-24



Street View Looking West on US-24

PLANNING COMMISSION MEETING DRAFT MINUTES

October 4, 2018

7:00 p.m. Regular Meeting



CALL TO ORDER

- Chairman Morgan opened the meeting at 7:00 p.m.
- Roll Call: Planning Commissioners present were Chairman John Morgan, Monica Gee, Jacob Dale, Patti Gabel, Crystal Henson, and Zach Stoltenberg. Kevin Harris was absent. City Manager George Brajkovic, Assistant City Manager Dan Porter, Planning Consultant Chris Brewster with Gould Evans, and City Attorney Shannon Marcano were also in attendance.

1. APPROVAL OF PC MINUTES – JULY 5, 2018

- Ms. Gee made a motion to approve the minutes from the July 5, 2018 Planning Commission meeting.
- Mr. Stoltenberg seconded.
- Vote of 5 ayes, 1 abstention (Dale), motion carried.

2. OPEN AGENDA

- No members of the public signed up for public comment.
- Chairman Morgan closed the open agenda portion of the agenda.

3. NEW BUSINESS

a) PUBLIC HEARING – SPECIAL USE PERMIT – STORAGE UNITS - 1208 HWY 24/40– SUBMITTED BY BRIGHT STAR PROPERTIES

- Mr. Brewster reviewed the planning staff report. He reviewed the history of recent actions that lead the necessity to complete a special use permit for this type of use in light industrial zoning district.
- Mr. Brewster reviewed the conditions examined within the staff report and noted receipt of the Fire Chief's communication indicating approval of the site plan document for the purposes of emergency access. He reviewed the list of conditions associated with the recommendation for approval by staff.
- Mr. Stoltenberg asked if the applicant had any information about the elevations of buildings.
- Dan Lynch addressed the Planning Commission and provided information about the height of some units potentially reaching 20 feet and that access would be restricted with cameras for security purposes.
- Ms. Gee asked if fencing would be included on the south boundary of the project.
- Mr. Lynch stated that he would be installing a fence on the south boundary of the property.
- Mr. Stoltenberg asked if there would be any open, outdoor storage.
- Mr. Lynch stated that there would only be enclosed units on the site.
- Mr. Stoltenberg asked if there would be any lighting installed on the site.
- Mr. Lynch responded that there would be sufficient security lighting installed on the site.
- Ms. Henson asked how the City would be able to regulate self storage units going forward in the case of hazardous materials or business operations.

- Mr. Lynch noted that limited business use such as materials storage and staging would take place and is common practice.
- Mr. Brewster commented that habitation and similar uses would be prevented via the use restrictions on the
- Mr. Brajkovic stated that traditional code enforcement activities would also address some concerns if those activities took place.
- Mr. Morgan asked what material the dark shaded portions of the attachments were composed of.
- Mr. Lynch replied that the pavement area will be asphalt.
- Mr. Brajkovic noted that the access design makes accommodations for the operations of the neighboring grocery store.
- Mr. Morgan asked if a storm water plan would be required at any point.
- Mr. Brewster noted that the City Engineer would likely require some type of storm water permit to be acquired prior to construction activities.

Chairman Morgan opened the public hearing.

No members of the public chose to speak in favor or against the special use permit.

- Mr. Stoltenberg commented that he would be in favor of a landscape buffer being added or required on the site, particularly on the south and west side of the project, and that lighting was a concern and shouldn't be pole mounted or spotlighting the buildings. He asked that a restriction of open storage be included as a stipulation of the special use permit.
 - **Mr. Stoltenberg made a motion to recommend approval of the special use permit subject to the staff report and conditions, including 3 specific conditions which may be related to staff report recommendations:**
 - A lighting plan demonstrating zero foot candles at the property line.**
 - No open storage, specifically storage outside of structures or under structures consisting of only a roof.**
 - The east and south borders of the property need to include screening, either landscape or fencing in accordance with subdivision regulations.**
 - **Ms. Gabel seconded the motion.**
 - **Vote of all ayes, motion carried.**

4. OLD BUSINESS

- No items.

5. GENERAL INFORMATION

a) HOMEBUILDERS ASSOCIATION PERMIT STATISTICS

b) MARKET RESEARCH STATISTICS

- No action was taken.

6. ADJOURN

- **Ms. Gee made a motion to adjourn the meeting.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 7:37 p.m.**

Respectfully submitted,

Dan Porter
Assistant City Manager

DRAFT



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Brandon Harder, City Building Official
SUBJECT: Ordinance 1451: Adoption of 2012 International Building Codes, 2011 National Electric Code, and 2012 International Fire Code

DISCUSSION:

City staff request that the City Council consider adoption of the 2012 edition of the International Building Codes, which includes Residential, Mechanical, Plumbing, and Fuel Gas, as well as the 2011 edition of the National Electric Code and 2012 edition of the International Fire Code.

In 2001, the City of Tonganoxie adopted the 2000 Plumbing, Building, and Residential Codes and the 1997 Mechanical and Uniform Housing Codes. In 2008, the City of Tonganoxie adopted the 2003 edition of the International Fire Code. In 2012, the City of Tonganoxie adopted the 2003 edition of the International Fuel Gas Code, Mechanical Code, Plumbing Code, Building Code, and Residential Code along with the 2002 edition of the National Electric Code.

Part of this update is bringing the valuation table used to assess building permits up to the version used in the 2012 edition of the International Building Code. The City has operated using the valuation table associated with the 2000 edition of the International Building Code since 2001. In 2012 the City did not update to the 2003 edition valuation table when the update to the codes were performed.

The draft ordinances prepared for the transition to the more current codes are designed to take effect January 1, 2019, which will permit the City to complete efforts to communicate the change to the public and builders within the community, as well as to update all City forms to reflect the changes.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to adopt the seven ordinances and one resolution associated with updating the building and fire codes, along with setting specialized and miscellaneous permit fees.

ATTACHMENTS:

Ordinance 1451
Ordinance 1452
Ordinance 1453
Ordinance 1454
Ordinance 1455
Ordinance 1456
Ordinance 1457
Resolution 11-18-01 – Approving Specialized and Miscellaneous Permit Fees

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney
John Zimbelman, Fire Chief
Dan Porter, Assistant City Manager

ORDINANCE NO. 1451

AN ORDINANCE AMENDING SECTION 4-202 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL BUILDING CODE

WHEREAS, the City of Tonganoxie desires to update its building standards by adopting by reference the 2012 edition of the International Building Code.

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

SECTION 1. That the 2012 edition of the International Building Code is hereby adopted by reference, and that Section 4-202 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-202. INTERNATIONAL BUILDING CODE INCORPORATED.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Building Code, ~~2003 Edition~~ **2012 Edition**, including Appendix Chapters C, E and I (see International Building Code Section 101.2.1, ~~2003 Edition~~ **2012 Edition**), as published by the International Code Council, be and is hereby adopted as the Building Code of the city of Tonganoxie, in the State of Kansas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: 101.1, ~~101.4.1~~, ~~101.4.7~~ **101.4.6** is deleted, 105.1.1 is deleted, 105.1.2 is deleted, 105.2, ~~108.3~~ **108.3 revised**, ~~109.3.7~~ is deleted and Chapter 9, Section 903 is amended, Chapter 13 is deleted, 1612.13, 3109.4 is amended to reference Appendix G of the 2003 International Residential Code, 3303.4 and 3410.2 are amended. (~~Ord. 1334~~Ord _____)

in more detail as follows:

101.4.1 Deleted (Electrical) – The provisions of the 2002 National Electrical Code shall apply (not listed in 2012 IBC)

101.4.7 Updated to 101.4.6 Deleted – International Energy Conservation Code.

108.3 revised – The applicant for a (remodeling or addition < remove) permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

109.3.7 – Energy efficiency inspection (not titled in IBC 2012)

SECTION 2. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1453

AN ORDINANCE AMENDING SECTION 4-402 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL PLUMBING CODE

WHEREAS, the City of Tonganoxie desires to update its plumbing standards by adopting by reference the 2012 edition of the International Plumbing Code.

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

SECTION 1. That the 2012 edition of the International Plumbing Code is hereby adopted by reference, and that Section 4-402 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-402. ADOPTION.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Plumbing Code, ~~2003 Edition~~ *2012 Edition*, including Appendix Chapters B, C, D, E and F, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the city of Tonganoxie, in the State of Kansas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: 101.1, 106.6.2, 106.6.3, 108.4, 108.5, ~~305.6.1~~ *305.4.1*, ~~312.9~~ *312.10*, 410.1, 604.9, ~~904.1~~ *903.1* and ~~1113.1.1~~ *1114.1.1*. (Ord. ~~1336~~ _____)

in more detail as follows:

305.6.1 Updated to 305.4.1 – Building sewers that connect to private sewage disposal systems shall be a minimum of 36 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 36 inches below grade.

312.9 Updated to 312.10 – Inspection and testing shall comply with the regulations and standards set forth by City of Tonganoxie Public Works and Water Department.

904.1 Updated to 903.1 – All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet above the roof.

1113.1.1 Updated to 1114.1.1 – The sump pump shall be of a capacity and head appropriate to anticipated use requirements. Sumps receiving storm water from any exposed exterior drains or openings shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure.

SECTION 2. That this ordinance shall take effect and be enforced be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1452

AN ORDINANCE AMENDING SECTION 4-901 and 4-902 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL RESIDENTIAL CODE

WHEREAS, the City of Tonganoxie desires to update its residential housing standards by adopting by reference the 2012 edition of the International Residential Code.

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

SECTION 1. That the 2012 edition of the International Residential Code is hereby adopted by reference, and that Section 4-901 and 4-902 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-901. ADOPTION.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Residential Code, ~~2003 Edition~~ **2012 Edition**, including Appendix Chapters A, B, C, E, G, I, K, L, **M** and **Q** (see International Residential Code Section R102.5, ~~2003 Edition~~ **2012 Edition**), as published by the International Code Council, be and is hereby adopted as the Residential Code of the city of Tonganoxie, in the State of Kansas, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section [4-902](#). (Ord. ~~1333~~_____)

4-902. AMENDMENTS.

The following sections are hereby revised and/or amended: Sections R101.1, R101.2, R102.7, 105.2 #1 and #5, 105.2.1, 105.7, 106.1, 106.2, 108.2 *revised*, 109.4, 202, Table R301.2, ~~309.1~~ **302.5.1**, ~~309.1.1~~ **302.5.2**, ~~309.2~~ **302.6**, ~~309.5~~ **309.3**, ~~311.4.3~~ **311.3**, ~~317.2.2~~ **302.2.2**, ~~321.1~~ **319.1**, 401.3, 403.1.1.1, 404.1.3, 801.3, ~~M1501.3~~, 2503.5.1, 2503.5.2 #2, ~~P2603.6.1~~ **P2603.5.1**, P3103.1, P3114.3, ~~E3501.6.2~~ **E3601.6.2**, ~~E3801.4.2~~ **E3901.4.2**, ~~E3802.11~~ **E3902.12** is deleted

in more detail as follows:

108.2 revised – On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for a building remodel or addition, electrical, mechanical and/or plumbing permit shall be as set forth (in Exhibit A, B, C and D) on scheduling fee chart.

309.1 Updated to 302.5.1 – Opening protection.

309.1.1 Updated to 302.5.2 – Duct penetration.

309.2 Updated to 302.6 – Dwelling/garage fire separation.

309.5 Updated to 309.3 – Flood hazard areas.

311.4.3 Updated to 311.3 – Floors and landings at exterior doors.

317.2.2 Updated to 302.2.2 – Parapets.

321.1 Updated to 319.1 – Address numbers.

M1501.3 Delete – Exceptions on clothes dryer exhaust limits, removed from 2012 IRC.

P2603.6.1 Updated to 2603.5.1 – Sewer Depth.

E3501.6.2 Updated to 3601.6.2 – Service disconnect location.

E3801.4.2 Updated to E3901.4.2 – Island countertop spaces.

E3802.11 Updated to E3902.12 – Arc-fault circuit-interrupter protection.

Revised E3902.12 – All branch circuits that supply 120-volt, single phase, 15-and 20- ampere outlets installed in dwelling unit bedrooms shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit.

Section 106.1 of International Residential Code as adopted by this article is amended to read as follows:

106.1: Submitted documents.

Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional, except for slab on grade single-story structures, and except where required by state statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional for residential structures less than three stories, walls ten feet high or shorter, finished area of 4,000 square feet or less, if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Appendix L – Now Scheduling Permit Fee Chart

Appendix M – Home Day Care R-3 Occupancy

Appendix Q – Is 2003 IRC Appendix L – National Electrical Code Cross Reference

SECTION 2. That this ordinance shall take effect and be be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1454

AN ORDINANCE AMENDING SECTION 4-601 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL MECHANICAL CODE

WHEREAS, the City of Tonganoxie desires to update its mechanical standards by adopting by reference the 2012 edition of the International Mechanical Code.

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

SECTION 1. That the 2012 edition of the International Mechanical Code is hereby adopted by reference, and that Section 4-601 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-601. ADOPTION.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Mechanical Code, ~~2003 Edition~~ *2012 Edition*, including Appendix Chapter A (see International Mechanical Code Section 101.2.1, ~~2003 Edition~~ *2012 Edition*), as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the city of Tonganoxie, in the State of Kansas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised and/or deleted: 101.1, Section 103 is hereby deleted, 106.5.2, 106.5.3, 108.4, 108.5, Section 301.2 is hereby deleted and ~~301.7~~ *301.10*. (Ord. ~~1337~~ _____)

in more detail as follows:

301.7 Updated to 301.10 - Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with the 2011 NEC (National Electrical Code), was NEC 2002 or the 2012 IRC (International Residential Code), was IRC 2003.

SECTION 2. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1455

AN ORDINANCE AMENDING SECTION 4-1101 AND 4-1102 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL FUEL GAS CODE

WHEREAS, the City of Tonganoxie desires to update its fuel gas standards by adopting by reference the 2012 edition of the International Fuel Gas Code.

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

SECTION 1. That the 2012 edition of the International Fuel Gas Code is hereby adopted by reference, and that Section 4-1101 and 4-1102 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-1101. ADOPTION.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Fuel Gas Code, ~~2003 Edition~~ **2012 Edition**, including Appendix Chapters A, B, C and D (see International Fuel Gas Code Section 101.3, ~~2003 Edition~~ **2012 Edition**), as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the city of Tonganoxie, in the State of Kansas, for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section [4-1102](#). (Ord. 1338)

4-1102. AMENDMENTS.

The following sections are hereby revised and/or deleted: 101.1, Section 103.1 is hereby deleted, 106.5.2, 106.5.3, 108.4, 108.5, 403.4.4, 403.5.1, 403.5.2 and 406.4.1. (Ord. 1338)

SECTION 2. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1456

AN ORDINANCE AMENDING SECTION 4-302 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2011 NATIONAL ELECTRICAL CODE

WHEREAS, the City of Tonganoxie desires to update its fuel gas standards by adopting by reference the 2012 edition of the National Electrical Code.

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

SECTION 1. That the 2011 edition of the National Electrical Code is hereby adopted by reference, and that Section 4-302 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-302. ADOPTION OF ELECTRICAL CODE BY REFERENCE.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the National Electrical Code, ~~2002 Edition~~ **2011 Edition**, as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the city of Tonganoxie, in the State of Kansas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: Article 210-12 is ~~deleted~~ **is revised** and Article 230-70 is revised and section 406.12 is deleted. (Ord. ~~1335~~_____)

in more detail as follows:

210.12 Arc-Fault Circuit-Interrupter Protection.

Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type, installed to provide protection of the branch circuit.

Is revised to say:

210.12 Arc-Fault Circuit-Interrupter Protection.

Dwelling Unit Bedrooms. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type installed to provide protection of the branch circuit.

SECTION 2. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patty Hagg, City Clerk

Approved as to form:

Shannon M. Marciano, City Attorney



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Resolution 11-18-02: Defining the boundaries of the City of Tonganoxie

DISCUSSION:

Kansas state statute requires the City to certify the boundaries of city limits each year and register the boundaries with the Leavenworth County Register of Deeds. The City Council last certified the boundaries in 2017 with Resolution 09-17-01. The only change to the city limits since that point in time was the addition of approximately 1.29 acres via voluntary annexation completed in April 2018. The adjustment is reflected in the attached resolution.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to pass Resolution 11-18-02, defining the boundaries of the City of Tonganoxie.

ATTACHMENTS:

Resolution 11-18-02

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney

RESOLUTION NO. 11-18-02

WHEREAS, AS PRESCRIBED BY K.S.A. 12-517, THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, DOES HEREBY DEFINE THE BOUNDARIES OF THE CITY OF TONGANOXIE AS FOLLOWS:

THE BOUNDARIES OF THE CITY OF TONGANOXIE, KANSAS ARE DEFINED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF US 24-40 HIGHWAY WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION EIGHT (8), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21), BEING 50.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF SAID US 24-40 HIGHWAY TO A POINT 417.42 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE WEST 208.71 FEET; THENCE NORTH 208.71 FEET; THENCE EAST 50.00 FEET; THENCE NORTH 163.71 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF KANSAS HIGHWAY NO.16; THENCE WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID HIGHWAY NO.16 TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHT (8), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, NORTH, TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE EAST 421.3 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 TO THE NORTHWEST CORNER OF ANNEXATION ORDINANCE NO. 1249; THENCE ALONG THE NORTH, EAST AND SOUTH LINES OF SAID ORDINANCE NO. 1249 THE FOLLOWING THREE COURSES: (1) S.89°44'50"E. (BEARING based on said ordinance no. 1249) 343.00 FEET; THENCE PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 (2) S.0°00'00"W. 635.00 FEET; THENCE PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 (3) N.89°44'50"W. 343.00 FEET TO A POINT 421.3 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 8; THENCE PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, SOUTH, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE EAST TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHT (8); THENCE NORTH 3960.00 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION FIVE (5), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, S.89°43'14"E. TO A POINT 1245.00 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE N.00°1'31"W.

350.00 FEET TO THE SOUTH LINE OF CITY ORDINANCE NO. 1146 THENCE ALONG THE SOUTH LINE OF SAID ORDINANCE NO. 1146, N.89°31'48"W. 55.21 FEET TO THE SOUTHWEST CORNER OF SAID ORDINANCE NO. 1146; THENCE ALONG THE WEST LINE OF SAID ORDINANCE NO. 1146, N.0°02'44"W. 916.29 FEET; THENCE ALONG THE NORTH LINE OF SAID ORDINANCE NO. 1146, N.89°58'29"E. 1300.48 FEET TO THE NORTHEAST CORNER OF SAID ORDINANCE NO. 1146 BEING ON THE EAST LINE OF THE NORTHEAST FRACTIONAL QUARTER OF SAID SECTION 5; THENCE ALONG THE EAST LINE OF SAID ORDINANCE NO. 1146 BEING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, S.0°01'31"E. 1277.53 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION FIVE (5); THENCE SOUTH 1320.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE EAST 30.00 FEET; THENCE NORTH 425.00 FEET; THENCE EAST 500.00 FEET; THENCE SOUTH 425.00 FEET; THENCE EAST 790.00 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE SOUTH ALONG THE WEST LINE OF THE SOUTHEAST QUARTER(SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION FOUR (4) TO A POINT 902.31 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION FOUR(4); THENCE EAST TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION FOUR(4) 904.28 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION FOUR(4); THENCE NORTH ALONG THE EAST LINE OF THE SOUTHEAST QUARTER(SE1/4) OF SAID SECTION FOUR(4) TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER(SE1/4) OF SAID SECTION FOUR(4); THENCE EAST 1320.00 FEET; THENCE SOUTH 2640.00 FEET; THENCE EAST 20.00 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF U.S. 24-40 HIGHWAY; THENCE NORTH 50.00 FEET ALONG SAID RIGHT-OF-WAY LINE OF U.S. 24-40 HIGHWAY; THENCE EAST 100.00 FEET ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF U.S. 24-40 HIGHWAY; THENCE SOUTH 50.00 FEET ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF U.S. 24-40 HIGHWAY; THENCE EAST ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF US 24-40 HIGHWAY TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TONGANOXIE DRIVE, ALSO KNOW AS COUNTY ROAD NO.5; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO.5, TO A POINT THAT INTERSECTS THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THREE (3), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21) SAID POINT BEING THE WESTERLY CORNER OF CITY ORDINANCE NO. 1145 DESCRIBED IN ORDINANCE 1145 AS BEING 575.33 FEET S.89°43'31"W. OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE ALONG THE SOUTHEASTERLY RIGHT OF

WAY LINE OF SAID TONGANOXIE ROAD BEING THE WEST LINE OF SAID ORDINANCE NO. 1145, N.41°15'45"E. 961.79 FEET; THENCE N.89°37'16"E. 706.70 FEET TO THE NORTHEAST CORNER OF SAID ORDINANCE NO. 1145 BEING ON A WEST LINE OF CITY ORDINANCE NO. 1140; THENCE ALONG THE WESTERLY LINE OF SAID ORDINANCE NO. 1140, N.0°22'44"W. 300.00 FEET TO A SOUTHWESTERLY CORNER OF SAID ORDINANCE NO. 1140; THENCE ALONG A SOUTH LINE OF SAID ORDINANCE NO. 1140, S.89°37'16"W. 440.98 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF LEAVENWORTH COUNTY ROAD NO. 5 BEING A WEST CORNER OF SAID ORDINANCE NO. 1140; THENCE ALONG THE SOUTHEAST RIGHT OF WAY LINE OF SAID COUNTY ROAD 5 AND A NORTHWEST LINE OF SAID ORDINANCE NO. 1140, N.41°09'14"E. 1121.28 FEET TO A NORTHWEST CORNER OF SAID ORDINANCE NO. 1140 BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 AND THE NORTH LINE OF SAID ORDINANCE NO. 1140, S.89°59'38"E. 622.14 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 10 SOUTH, RANGE 21 EAST; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 AND THE NORTH LINE OF SAID ORDINANCE NO. 1140, N.89°51'01"E. 604.07 FEET TO A POINT 340.00 FEET S.89°51'01"W OF THE NORTHEAST CORNER OF SAID SECTION 3, SAID POINT BEING THE NORTHEAST CORNER OF SAID ORDINANCE NO. 1140; THENCE ALONG AN EAST LINE OF SAID ORDINANCE NO. 1140, S.0°10'52"E. 1802.59 FEET TO A SOUTHEAST CORNER OF SAID ORDINANCE NO. 1140; THENCE ALONG A SOUTH LINE OF SAID ORDINANCE NO. 1140, S.89°37'16"W. 585.70 FEET TO A SOUTHEASTERLY CORNER OF SAID ORDINANCE NO. 1140; THENCE ALONG AN EAST LINE OF SAID ORDINANCE NO. 1140, S.0°10'52"E. 50.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3, N.89°37'16"E. TO THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SOUTHEAST QUARTER OF SAID SECTION 3 TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 3, BEING THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 10; TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 10 , SOUTHERLY TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 24-40; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 24-40, WESTERLY TO A POINT 128.60 FEET S.00°01'08"W. (BEING A BEARING DESCRIBED IN ANNEXATION ORDINANCE NO. 1118) AND 35.00 FEET N.89°39'36"E. OF THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE ALONG THE EAST LINE OF SAID ORDINANCE

NO. 1118, S.00°00'51"W. 289.65 FEET TO A NORTH LINE OF ANNEXATION ORDINANCE NO. 1111; THENCE ALONG A NORTH LINE OF SAID ORDINANCE NO. 1111, S.89°58'50"E. 294.74 FEET; THENCE ALONG A WEST LINE OF SAID ORDINANCE NO. 1111, N.00°01'40"W. 12.00 FEET; THENCE ALONG A NORTH LINE OF SAID ORDINANCE NO. 1111, S.89°47'30"E. 329.75 FEET; THENCE ALONG AN EAST LINE OF SAID ORDINANCE NO. 1111, S.00°04'27"E. 915.69 FEET TO THE SOUTHEAST CORNER OF SAID ORDINANCE NO. 1111 AND THE NORTHEAST CORNER OF ORDINANCE NO. 1158, BEING THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE WEST 1320.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION TEN (10), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21) BEING THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 16 TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF LOT 1 IN HUNTER'S TEN OAKS SUBDIVISION PROJECTED EASTERNLY WITH THE EAST LINE OF SAID SECTION 16; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 1 AND THE EASTERLY PROJECTION THEREOF TO THE SOUTHWEST CORNER OF SAID LOT 1 AND THE WEST LINE OF SAID HUNTER'S TEN OAKS SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID HUNTER'S TEN OAKS SUBDIVISION TO A POINT 894.5 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE WEST A DISTANCE OF 487.00 FEET; THENCE NORTH 894.5 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION NINE (9), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE WEST TO THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER OF (NE 1/4) OF SAID SECTION 16; THENCE SOUTH ALONG THE EAST LINE OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER OF SAID SECTION 16 TO THE SOUTHEAST CORNER OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 16; THENCE WEST TO THE SOUTHWEST CORNER OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 16; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16 AND ALONG THE SOUTH LINE OF EAGLE VALLEY REPLAT ADDITION N.89°42'10"W. (BEING AN ASSUMED BEARING) 1317.76 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER

OF SAID SECTION 16; THENCE ALONG THE SOUTH LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16, N.89°46'52"W. 798.79 FEET; THENCE N.11°42'24"E. 837.80 FEET TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 2 IN EAGLE VALLEY SOUTH NO. 1; THENCE N.11°42'24"E. 214.12 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 3 IN SAID EAGLE VALLEY REPLAT ADDITION; THENCE ALONG A SOUTH LINE OF SAID EAGLE VALLEY REPLAT ADDITION N.89°51'17"W. 737.57 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N.0°12'49"W. 290.16 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION SIXTEEN (16), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21), SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP ELEVEN (11), RANGE TWENTY-ONE (21); THENCE N.89°18'24"W. (BEARING BASED ON ORD NO. 1316) 1316.53 FEET; THENCE N.18°21'30"E. 1564.49 FEET TO A POINT 20 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE EAST PARALLEL TO AND 20 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 TO THE WEST RIGHT-OF-WAY LINE OF SAID US 24-40 HIGHWAY; THENCE NORTH 20 FEET TO THE POINT OF BEGINNING;

ALSO: THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID US 24-40 HIGHWAY (BEING THE SAME LINE AS THE FIRST COURSE OF THIS DESCRIPTION), NORTH TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8, S.89°21'38"W. 265.81 FEET TO THE SOUTHEAST CORNER OF ANNEXATION ORDINANCE NO. 1248; THENCE ALONG THE EAST NORTH AND WEST LINES OF THE SAID ORDINANCE NO. 1248 THE FOLLOWING FOUR COURSES; (1) ON A CURVE TO THE RIGHT WITH A RADIUS OF 249.77 FEET AN ARC LENGTH OF 60.17 FEET (CHORD OF SAID CURVE BEARS: N.67°53'06"W. 60.13 FEET; THENCE (2) ON A CURVE TO THE LEFT WITH A RADIUS OF 540.00 FEET AN ARC LENGTH OF 249.77 FEET (CHORD OF SAID CURVE BEARS: N.77°23'19"W. 247.55 FEET; THENCE (3) S.89°21'38"W. 145.07 FEET; THENCE (4) S.00°50'55"E. 80.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8, S.89°21'30"W. TO A POINT 330 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH S.50°36'55" WEST 421.86 FEET TO THE WEST LINE OF SAID SOUTHEAST 1/4; THENCE SOUTH 0°51'31" EAST 396.0 FEET ALONG THE SAID WEST LINE; THENCE SOUTH 89°11'59" WEST 659.9 FEET; THENCE SOUTH 00°51'45" WEST 149.5 FEET; THENCE SOUTH 89°11'59" WEST 288.75 FEET; THENCE SOUTH 05°05'54" WEST 148.5 FEET; THENCE SOUTH 68°31'45" WEST 1084.97 FEET; THENCE

SOUTH 00°52'00" EAST 82.5 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION, BEING 46.19 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTH 89°11'59" EAST ALONG THE SOUTH LINE OF SAID SECTION 8 TO A POINT 220 RODS (3630 FEET) FROM THE SOUTHEAST CORNER OF SAID SECTION 8, BEING THE NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 114 2/7 RODS (1885.71 FEET); THENCE EAST TO A POINT 114 2/7 RODS SOUTH AND 2019.5 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 17; THENCE NORTH TO A POINT 2019.5 FEET WEST AND 663 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 17; THENCE EAST TO A POINT 1317 FEET WEST AND 663 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 663 FEET TO THE NORTH LINE OF SAID SECTION 17; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 17 (BEING THE SOUTH LINE OF SAID SECTION 8) TO THE POINT OF BEGINNING.

LESS THE TOWNSHIP ROAD RIGHT-OF-WAY IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND IN THE NORTHWEST QUARTER OF SAID SECTION 17.

ALSO:

ANNEXATION ORDINANCE NO. 1286

THE NORTHWEST QUARTER (NW ¼) AND THE WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 21, TOWNSHIP 11, RANGE 21 EAST OF THE SIXTH P.M., LEAVENWORTH COUNTY, KANSAS LESS THAT PART TAKEN FOR ROAD PURPOSES.

ALSO:

ANNEXATION ORDINANCE NO. 1359

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST ¼; THENCE NORTH 00° 01' 49" EAST FOR THE DISTANCE OF 300.23 FEET ALONG THE EAST LINE OF SAID SOUTHEAST ¼; THENCE NORTH 89° 50' 59" WEST FOR A DISTANCE OF 138.16 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 24-40 AND THE TRUE POINT OF BEGINNING, SAID POINT BEING A 1/2" BAR; THENCE NORTH 89° 50' 59" WEST FOR A DISTANCE OF 1180.80 FEET TO A 1/2" BAR; THENCE NORTH 00° 13' 05" EAST FOR A DISTANCE OF 701.24 FEET TO A 1/2" BAR CAPLS-1296; THENCE SOUTH 89° 39' 16" EAST FOR A DISTANCE OF 1276.02 FEET TO THE SAID WESTERLY RIGHT OF WAY LINE AND A 1/2" BAR CAPLS-1296; THENCE SOUTH 00° 05' 54" EAST FOR A DISTANCE OF 132.44 FEET ALONG SAID RIGHT OF WAY; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1204.56 FEET AND AN ARC LENGTH OF 275.41 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 06° 27' 06" WEST AND A CHORD DISTANCE 274.81 FEET ALONG SAID RIGHT

OF WAY; THENCE SOUTH 13° 00' 06" WEST FOR A DISTANCE OF 298.78 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING, LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, ACCORDING TO CERTIFICATE OF SURVEY, BOUNDARY LINE ADJUSTMENT FILED FEBRUARY 8, 2011, AS 2011 S002.

ALSO:

ANNEXATION ORDINANCE NO. 1361

COMMENCING AT THE NORTHEAST COMER OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE NORTH 89 DEGREES 38' 04" WEST ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17, A DISTANCE OF 45.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 24-40 FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 03' 46" EAST ON THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 24-40 A DISTANCE OF 692.68 FEET; THENCE CONTINUING SOUTH 00 DEGREES 08' 16" EAST ON THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 24-40 A DISTANCE OF 472.65 FEET; THENCE NORTH 89 DEGREES 38' 04" WEST A DISTANCE OF 1273.40 FEET; THENCE NORTH 00 DEGREES 14' 17" EAST A DISTANCE OF 1165.29 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE SOUTH 89 DEGREES 38' 04" EAST ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17, A DISTANCE OF 1266.66 FEET TO THE POINT OF BEGINNING, ACCORDING TO A SURVEY DATED OCTOBER, 1989 AS JOB NO. LA-89- BY EBH & ASSOCIATES RECORDED JANUARY 31, 1990 IN SURVEY BOOK S-14, #13, COMMONLY KNOWN AS: 00000 CHIEFTAIN ROAD, TONGANOXIE, KANSAS 66086.

ALSO:

ANNEXATION ORDINANCE NO. 1410

THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, LESS 2 ACRES IN THE SOUTHEAST CORNER THEREOF, AND LESS THAT PART HERETOFORE TAKEN FOR HIGHWAY PURPOSES, AND ALSO KNOWN AS COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS; THENCE RUNNING NORTH 20 RODS; THENCE WEST 16 RODS; THENCE SOUTH 20 RODS; THENCE EAST 16 RODS TO THE PLACE OF BEGINNING, LESS THAT PART HERETOFORE TAKEN FOR HIGHWAY PURPOSES; AND

COMMENCING AT THE SOUTHEAST CORNER OF THE OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KS; THENCE RUNNING NORTH 20 RODS; THENCE WEST 16 RODS; THENCE SOUTH 20 RODS; THENCE EAST 16 RODS TO THE PLACE OF BEGINNING, LESS THAT PART HERETOFORE TAKEN FOR HIGHWAY PURPOSES, (CONTAINING 1.41 ACRES MORE OR LESS), IN LEAVENWORTH COUNTY, KANSAS.

ALSO:

ANNEXATION ORDINANCE NO. 1436

TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 38'21" EAST FOR A DISTANCE OF 687.42 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 26'03" WEST FOR A DISTANCE OF 49.83 FEET TO THE WESTERLY LINE OF U.S. HIGHWAY 24 AS DESCRIBED IN CONDEMNATION CASE NO. 34555 AND REFLECTED ON SURVEY BY RICHARD T. SCHMIDT DATED DECEMBER 8, 2017; THENCE CONTINUING SOUTH 88 DEGREES 26'03" WEST FOR A DISTANCE OF 208.71 FEET AS ESTABLISHED FROM SURVEY BY RICHARD T. SCHMIDT; THENCE NORTH 01 DEGREES 39'12" WEST FOR A DISTANCE OF 270.00 FEET AS ESTABLISHED FROM SURVEY BY RICHARD T. SCHMIDT; AND TO THE APPARENT SOUTHWEST CORNER OF JOHN EVANS SUBDIVISION #1 AS PLATTED; THENCE NORTH 88 DEGREES 26'03" EAST FOR A DISTANCE OF 208.71 FEET TO THE SAID WESTERLY RIGHT OF WAY OF U.S. HIGHWAY 24; THENCE SOUTH 01 DEGREES 39'12" EAST FOR A DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, THAT THE ABOVE BOUNDARY DESCRIPTION IS HEREBY ADOPTED AND APPROVED AS THE OFFICIAL BOUNDARIES OF THE CITY.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS THIS 5TH DAY OF NOVEMBER, 2018.

JASON K. WARD, MAYOR

ATTEST:

PATRICIA C. HAGG, CITY CLERK



Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Resolution 11-18-03: GAAP Waiver for 2018

DISCUSSION:

K.S.A. 75-1120(a) requires municipalities to use Generally Accepted Accounting Principles (GAAP) in the preparation of financial statements and reports. The GAAP requirement provides for a fixed asset accounting system in lieu of an inventory system, as well as other financial reporting requirements. This action is taken based on past recommendations of the auditors that the GAAP requirements would cost the City additional funds to prepare the City annual audit, and would not provide any additional benefit to the City. The governing body of any municipality may waive this statutory requirement. In order to waive the GAAP requirement, the governing body must pass a resolution. A mere motion is not sufficient.

A waiver from the GAAP-prescribed financial statements permits a municipality to prepare its financial statements on a basis of accounting which demonstrates compliance with the cash basis and budget laws of Kansas.

The City of Tonganoxie has found that financial statements and financial reports prepared in conformity with GAAP are not relevant to the requirements of the cash basis budget laws of Kansas and are of no significant value to the preparation of financial statements and reports, which shall be prepared on the basis of cash receipts and disbursements.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to accept the Resolution 11-18-03, waiving the GAAP requirement for 2018.

ATTACHMENTS:

Resolution 11-18-03

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney

Resolution No. 11-18-03

A RESOLUTION OF FINDING THAT FINANCIAL STATEMENTS AND FIXED ASSET ACCOUNTING PREPARED IN CONFORMITY WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP) ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS LAW AND BUDGET LAWS OF THE STATE OF KANSAS AND ARE HEREBY WAIVED BY THE COUNCIL OF THE CITY OF TONGANOXIE, KANSAS

WHEREAS the City of Tonganoxie, Kansas, has determined that the financial statements and financial reports for the year ended 2018 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the City Council or the members of the general public of the City of Tonganoxie; AND

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with. K.S.A. 75-1120a(a) for the year ended 2018.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF TONGANOXIE, KANSAS:

That the Council waives the requirements of K.S.A. 75-1120a(a) as they apply to the City of Tonganoxie for the year ended 2018.

BE IT FURTHER RESOLVED that the City Council shall cause the financial statements and financial reports of the City of Tonganoxie to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

ADOPTED BY THE GOVERNING BODY OF TONGANOXIE, KANSAS, ON THIS 5TH DAY OF NOVEMBER, 2018.

Jason K. Ward, Mayor

ATTEST:

Patricia C. Hagg, City Clerk