



*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

Lisa Patterson

Loralee Stevens

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated December 17, 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) Resolution 01-19-01: Landscape Design Documents Agreement with GBA Architects and Engineers for the Tonganoxie Business Park
- b) Consider Approval of Funding for the League of Kansas Municipalities 2019 Annual Dues
- c) Ordinance 1461: Approval of Final Plat for Stone Creek Subdivision Phase #8.
- d) City Manager Agenda
 - 1. Review Judicial Order on Electronic Media
 - 2. Library Project Update
- e) City Attorney Agenda
- f) Mayor Pro Tem Agenda
- g) City Council Agenda
- h) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

City Council Meeting Minutes
December 17, 2018
7:00 Regular Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

- Mayor Pro Tem Himpel Ward opened the meeting at 7:00 p.m.
- Roll Call: Council members present were Mr. Oroke, Mr. Himpel, and Ms. Patterson. City Manager George Brajkovic, City Attorney Shannon Marcano, and Assistant City Manager Dan Porter were also in attendance.
- Mayor Pro Tem Himpel led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated December 3, 2018

- **Mr. Oroke made a motion to approve the minutes from the December 3, 2018 City Council meeting.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Ms. Patterson made a motion to approve the consent agenda.**
- **Mr. Oroke 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.

- Jerry Pruitt, 21800 Parallel Rd, addressed the City Council about Project Precision, a project recently announced as a potential manufacturing employer at the Leavenworth Industrial Park.
- Mr. Brajkovic mentioned that the City of Tonganoxie's Business Park was submitted for the opportunity but eliminated from the options by a site consultant associated with the project due to considerations of parcel size and employee availability for a project of this size.

V. Old Business

VI. New Business

- a) Resolution 12-18-01: Kansas Gas Main Extension Agreement - Tonganoxie Business Park
 - Mr. Brajkovic introduced the item.
 - **Ms. Patterson made a motion to approve Resolution 12-18-01, approving an agreement for installation of natural gas facilities by Kansas Gas Service for service to the Tonganoxie Business Park.**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**
- b) Resolution 12-18-02: 2019 Court Services Contract with the City of Leavenworth

- Mr. Porter introduced the item and indicated that funds were allocated for the contract within the 2019 adopted budget.
 - **Mr. Oroke made a motion to approve Resolution 12-18-02, authorizing the execution of the 2019 Court Services Contract with the City of Leavenworth.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**
- c) Consider Approval of CMB License Renewal for Fastrax 1, G&P Country Market and Brother's Market
- Mr. Porter introduced the item.
 - Ms. Patterson noted the incomplete status of G&P Country Market and asked that the motion be split to allow for approval contingent on satisfactory completion of the application materials.
 - **Ms. Patterson made a motion to approve CMB license renewal for Fastrax 1 and Brother's Market.**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**
 - **Ms. Patterson made a motion to approve CMB license renewal for G&P Country Market provided the application materials are completed in a satisfactory manner for application requirements.**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**
- d) City Manager Agenda
1. November Monthly Budget Report
- Mr. Porter presented the monthly budget report.
2. Library Project Update
- Mr. Brajkovic presented the Library Project Update. He indicated that Geotechnical testing provided favorable results and the next touch point for the City Council would likely be in February 2019.
 - Mr. Himpel requested more financial information be provided about the Library project in future monthly updates.
- e) City Attorney Agenda
- f) Mayor Pro Tem Agenda
- g) City Council Agenda
- h) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 7:44 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager



City of Tonganoxie, KS

Check Report

By Check Number

Date Range: 12/14/2018 - 01/05/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44379
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44492
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44581
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44678
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44775
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	44936
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45056
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45237
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45348
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45455
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45556
0345	KATHLEEN MCBRATNEY	12/31/2018	Regular	0.00	-375.00	45677
0001	911 CUSTOM	12/14/2018	Regular	0.00	3,555.00	45697
0015	ALL SEASONS CAR WASH	12/14/2018	Regular	0.00	130.16	45698
0020	AMERICAN EQUIPMENT CO.	12/14/2018	Regular	0.00	34,160.00	45699
0051	BG CONSULTANTS INC	12/14/2018	Regular	0.00	23,342.42	45700
0057	BLUE TARP FINANCIAL, INC.	12/14/2018	Regular	0.00	1,532.94	45701
0897	Charlene Crain	12/14/2018	Regular	0.00	255.01	45702
1025	Chris Small	12/14/2018	Regular	0.00	123.00	45703
0099	CITY OF LEAVENWORTH	12/14/2018	Regular	0.00	190.00	45704
0115	CONRAD FIRE EQUIPMENT, INC.	12/14/2018	Regular	0.00	1,996.49	45705
0124	CROFT RENTAL CENTER	12/14/2018	Regular	0.00	62.07	45706
0136	DELTA DENTAL PLAN OF KANSAS,IN	12/14/2018	Regular	0.00	2,333.00	45707
0752	DIRECTOR OF ACCOUNTS & REPORTS	12/14/2018	Regular	0.00	150.00	45708
0938	E2 EMBROIDERY & SCREEN PRINTING	12/14/2018	Regular	0.00	50.00	45709
0179	FBI-LEEDA	12/14/2018	Regular	0.00	650.00	45710
0185	FERRELLGAS	12/14/2018	Regular	0.00	1,835.20	45711
0189	FIRST STATE BANK & TRUST	12/14/2018	Regular	0.00	36.50	45712
0246	HEATHER HOLEK	12/14/2018	Regular	0.00	21.17	45713
0059	Kansas City Board of Public Utilities	12/14/2018	Regular	0.00	22,912.67	45714
0757	KC CLEAN	12/14/2018	Regular	0.00	300.00	45715
0369	KRAMER & ASSOCIATES	12/14/2018	Regular	0.00	1,516.25	45716
1007	LEAVENWORTH PAPER & OFFICE SUPPLY LLC	12/14/2018	Regular	0.00	103.85	45717
0914	LOCAL LAW, LLC.	12/14/2018	Regular	0.00	3,130.00	45718
0857	MIDCONTINENT COMMUNICATIONS	12/14/2018	Regular	0.00	188.28	45719
0500	OREILLY AUTO PARTS	12/14/2018	Regular	0.00	329.39	45720
0512	PHYSIO CONTROL	12/14/2018	Regular	0.00	2,483.60	45721
0514	PITNEY BOWES, INC.	12/14/2018	Regular	0.00	135.24	45722
0542	QUILL	12/14/2018	Regular	0.00	551.55	45723
1026	Range 54 LLC	12/14/2018	Regular	0.00	1,764.24	45724
0579	SECURITY BENEFIT - 457	12/14/2018	Regular	0.00	2,556.92	45725
0617	TBS ELECTRONICS, INC.	12/14/2018	Regular	0.00	733.00	45726
0990	TIRE HUB	12/14/2018	Regular	0.00	235.88	45727
0628	TODD'S TIRE LLC	12/14/2018	Regular	0.00	36.00	45728
0668	WEIS FIRE & SAFETY EQUIPMENT	12/14/2018	Regular	0.00	2,071.95	45729
0671	WESTAR ENERGY	12/14/2018	Regular	0.00	10,297.21	45730
1028	Active 911	12/21/2018	Regular	0.00	293.75	45731
0937	ARROWHEAD FORENSICS	12/21/2018	Regular	0.00	18.50	45732
0057	BLUE TARP FINANCIAL, INC.	12/21/2018	Regular	0.00	539.99	45733
0115	CONRAD FIRE EQUIPMENT, INC.	12/21/2018	Regular	0.00	470.00	45734
0166	EMERGENCY REPORTING	12/21/2018	Regular	0.00	181.33	45735
0192	FOLEY INDUSTRIES	12/21/2018	Regular	0.00	49.78	45736
0813	FREESTATE ELECTRIC COOPERATIVE	12/21/2018	Regular	0.00	1,744.00	45737
0284	JAYS UNIFORMS	12/21/2018	Regular	0.00	499.90	45738

Check Report

Date Range: 12/14/2018 - 01/05/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1027	Kansas City Testing and Engineering, LLC	12/21/2018	Regular	0.00	3,250.00	45739
0330	KANSAS GAS SERVICE	12/21/2018	Regular	0.00	145,284.44	45740
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	12/21/2018	Regular	0.00	220.00	45741
0404	LEAVENWORTH TIMES	12/21/2018	Regular	0.00	90.00	45742
0443	MENARDS	12/21/2018	Regular	0.00	581.97	45743
0857	MIDCONTINENT COMMUNICATIONS	12/21/2018	Regular	0.00	881.82	45744
0384	PAUL LAMB	12/21/2018	Regular	0.00	45.00	45745
0555	RICOH USA, INC.	12/21/2018	Regular	0.00	149.40	45746
0589	SMITH & LOVELESS INC	12/21/2018	Regular	0.00	1,967.24	45747
0056	BLUE CROSS AND BLUE SHIELD	12/28/2018	Regular	0.00	31,596.14	45748
1016	1866 Bar & Grill	12/28/2018	Regular	0.00	294.98	45749
0001	911 CUSTOM	12/28/2018	Regular	0.00	3,306.00	45750
0020	AMERICAN EQUIPMENT CO.	12/28/2018	Regular	0.00	361.92	45751
0070	BROTHER' S MARKET	12/28/2018	Regular	0.00	95.41	45752
0157	EDWARDS CHEMICALS	12/28/2018	Regular	0.00	3,129.85	45753
1021	Katherine Kelly	12/28/2018	Regular	0.00	400.00	45754
0348	KBI	12/28/2018	Regular	0.00	2,800.00	45755
0478	NEBRASKA FURNITURE MART	12/28/2018	Regular	0.00	791.95	45756
0491	OLATHE WINWATER WORKS	12/28/2018	Regular	0.00	48.00	45757
0503	PACE ANALYTICAL SERVICES INC	12/28/2018	Regular	0.00	454.00	45758
0578	SECURITY BENEFIT	12/28/2018	Regular	0.00	552.63	45759
0579	SECURITY BENEFIT - 457	12/28/2018	Regular	0.00	2,781.92	45760
0610	SUMMIT TRUCK	12/28/2018	Regular	0.00	793.94	45761
0651	USA BLUE BOOK	12/28/2018	Regular	0.00	90.99	45762
1029	Complete Family Care, LLC	12/31/2018	Regular	0.00	7,500.00	45763
0001	911 CUSTOM	01/04/2019	Regular	0.00	1,699.61	45764
0034	AT&T ACCESS TRANSPORT SERVICES	01/04/2019	Regular	0.00	74.49	45765
0576	BIZODO INC. SEAMLESS DOCS	01/04/2019	Regular	0.00	4,750.00	45766
1029	Complete Family Care, LLC	01/04/2019	Regular	0.00	375.00	45767
0886	CREATIVE PRODUCT SOURCE, INC.	01/04/2019	Regular	0.00	200.00	45768
0136	DELTA DENTAL PLAN OF KANSAS,IN	01/04/2019	Regular	0.00	2,333.90	45769
0189	FIRST STATE BANK & TRUST	01/04/2019	Regular	0.00	2,806.30	45770
0198	FRANK ROBISON	01/04/2019	Regular	0.00	1,400.00	45771
0596	GEOFF SONNTAG	01/04/2019	Regular	0.00	600.00	45772
0254	HUBER & ASSOCIATES, INC	01/04/2019	Regular	0.00	6,480.00	45773
0258	ICE MASTERS	01/04/2019	Regular	0.00	840.00	45774
0286	JDC SECURITY LLC	01/04/2019	Regular	0.00	103.35	45775
0319	KANSAS DEPARTMENT OF REVENUE	01/04/2019	Regular	0.00	100.00	45776
0496	KANSAS ONE CALL CONCEPTS	01/04/2019	Regular	0.00	175.20	45777
0410	LIBERTY NATIONAL	01/04/2019	Regular	0.00	224.71	45778
0414	LINK-LITE NETWORKING, INC.	01/04/2019	Regular	0.00	5,781.95	45779
0732	METLIFE - GROUP BENEFITS	01/04/2019	Regular	0.00	225.34	45780
0857	MIDCONTINENT COMMUNICATIONS	01/04/2019	Regular	0.00	115.30	45781
0491	OLATHE WINWATER WORKS	01/04/2019	Regular	0.00	2,850.00	45782
0495	OMNI-SITE	01/04/2019	Regular	0.00	1,656.00	45783
0555	RICOH USA, INC.	01/04/2019	Regular	0.00	29.96	45784
0562	S & S AUTOMOTIVE	01/04/2019	Regular	0.00	94.49	45785
1014	The League of Kansas Municipalities	01/04/2019	Regular	0.00	280.00	45786
0630	TONGANOXIE LIBRARY BOARD	01/04/2019	Regular	0.00	8,476.43	45787
0639	TRI-HULL CRANE RENTAL, LLC	01/04/2019	Regular	0.00	280.00	45788
0651	USA BLUE BOOK	01/04/2019	Regular	0.00	137.97	45789
0656	VERIZON WIRELESS	01/04/2019	Regular	0.00	130.08	45790
0661	VISION SERVICE PLAN	01/04/2019	Regular	0.00	402.53	45791

Check Report

Date Range: 12/14/2018 - 01/05/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0677	WILLIAM PRAY	01/04/2019	Regular	0.00	600.00	45792

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	120	96	0.00	374,256.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	12	0.00	-4,500.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	120	108	0.00	369,756.45

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	120	96	0.00	374,256.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	12	0.00	-4,500.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	120	108	0.00	369,756.45

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	12/2018	326,533.84
998	Gen Fund-Pooled Cash	1/2019	43,222.61
			369,756.45



Office of the City Manager
AGENDA STATEMENT

DATE: January 3, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: George Brajkovic, City Manager
SUBJECT: Landscape Design Documents Agreement with GBA Architects and Engineers for the Tonganoxie Business Park

DISCUSSION:

As the Mass Grading, Public Improvements and utilities installation for the Tonganoxie Business Park near completion, it provides an opportunity to reexamine the Landscape Plan for the Park. Previously, in July 2017, GBA Architects and Engineers had devised a simplistic landscape design and monument sign for the Park, based on the anticipated level of limited funding available and remaining after the completion of the previously mentioned development milestones. However, thru favorable bidding and prudent fiscal management of the County's grant funds for Park development, fund balance is larger than previously anticipated, thus allowing staff to readdress the overall Landscape Design.

By working with GBA, staff has identified several key factors to enhance the Landscape Design of the Park, including Landscape Architecture, Irrigation, Wetlands Beautification and Entrance Monument Signage. Focus on these items also directly reflects feedback received from viable projects that have previewed and/or visited the site. GBA has submitted a proposal to assist in these pursuits, along with a corresponding cost of \$25,950.

The funding will be provided by the County Grant, and the amount is well within budgetary parameters, as well as being an allowed expense per the May 1, 2017 Contract with County re: the use of these funds.

BUDGET IMPACT:

\$25,950.00 will be utilized from the balance of funds available from the Economic Development grant received from Leavenworth County for the development of the Tonganoxie Business Park.

ACTION NEEDED:

Approve Resolution 0-19-01, authorizing execution of GBA's proposal for additional professional services.

ATTACHMENTS:

Resolution 01-19-01
GBA proposal for Landscape Design Documents

cc: Dan Porter, Assistant City Manager

RESOLUTION NO. 01-19-01

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THAT CERTAIN AGREEMENT BETWEEN THE CITY OF TONGANOXIE, KANSAS, AND GBA ARCHITECTS & ENGINEERS FOR ADDITIONAL ENHANCEMENTS TO THE TONGANOXIE BUSINESS PARK LANDSCAPE DESIGN

WHEREAS, the City of Tonganoxie, Kansas, and GBA Architects & Engineers wish to enter into that certain Agreement between City of Tonganoxie, Kansas, and GBA Architects & Engineers, regarding the enhancements to the Tonganoxie Business Park Landscape Design, according to the proposal attached hereto as Exhibit A.

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

Section 1. That the Governing Body approves and hereby authorizes the Mayor to execute that certain Agreement between City of Tonganoxie, Kansas, and GBA Architects & Engineers regarding the enhancements to the Tonganoxie Business Park Landscape Design, attached hereto as Exhibit A.

Section 2. That this resolution shall become effective upon passage.

ADOPTED by the Governing Body this 7th day of January, 2019.

SIGNED by the Mayor this 7th day of January, 2019.

SEAL

Jason K. Ward, Mayor

ATTEST:

Patricia C. Hagg, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney

EXHIBIT A

**September 18, 2018 - GBA proposal for Landscape Design Documents - Tonganoxie
Business Park, City of Tonganoxie, Kansas**



September 18, 2018

Mr. George Brajkovic
City Manager
City of Tonganoxie
526 E. 4th Street
Tonganoxie, KS 66086

creating remarkable solutions
for a higher quality of life

SUBJECT: Civil Engineering / Landscape Architecture Proposal
Landscaping and Monumentation Proposal
Tonganoxie Business Park
Tonganoxie, Kansas

George,

This proposal covers additional professional services to our original proposal dated May 09, 2017. The proposed additional services noted below have been requested in support of the Tonganoxie Business Park. GBA will provide the following additional design and construction period services noted below.

SCOPE OF SERVICES

9801 Renner Boulevard
Lenexa, Kansas
66219-9745

913 492.0400
913 577.8200 fax

GBA Companies
Lenexa, KS
Kansas City, MO
O'Fallon, MO
St. Louis, MO
St. Joseph, MO
Omaha, NE
Rock Island, IL
Chicago, IL
Cary, NC

1. Landscape Design Documents

- a. **Landscape Architecture** - GBA will prepare Final Landscape Plans for Park Entrance Improvements and Wetland Beautification for submittal to City of Tonganoxie. The plan will show plant material locations and varieties. A Plant List showing Quantities, Common Names, Botanical Names and Sizes, Performance Specifications and Typical Landscape Details will be included as part of the Landscape Plan.
- b. **Irrigation** – GBA will provide a performance-based irrigation specification for a design/build irrigation system. GBA will identify areas to be irrigated on the landscape plans.
- c. **Wetlands Beautification** – GBA wetlands scientists will provide direction for plantings that can be added to the existing wetlands system to provide additional demarcation and clean edges in an effort to better identify and beautify the naturally occurring wetlands on the site. Wetland Scientists recommendations will be incorporated into the final design plans as noted above.
- d. **Entrance Monument Sign** – GBA will provide construction plan and details for the entrance monument sign.

2. **Structural Engineering** – GBA will provide design and detail masonry base for one monument sign, for wind loads and for sign anchor reactions/layout to be provided by the sign manufacturer (detailing on civil sheets). GBA will design and detail the concrete spread footing foundation for the monument sign (detailing on civil sheets). The foundation will be designed based on presumed soil bearing values that will be confirmed by a geotechnical engineer retained by the contractor during construction. Provide signed and sealed structural calculations for the monument sign sufficient for construction permitting.
3. **Bidding Administration** - GBA will provide bidding documents for prepared landscaping documents. Bidding documents (front end and specifications) will be prepared and submitted to the City for review and comments prior to bid advertisement. GBA will incorporate City review comments into the bid “front-end”. GBA will conduct Pre-bid meeting with interested contractors. GBA will conduct Bid-opening and provide Bid tabulations to the City.
4. **Construction Period Services** - GBA will provide construction period services as follows:
 - a. GBA will provide shop drawing review and respond to contractor questions. (Assumed at 8 hrs. total.)
 - b. GBA will attend (2) Site Progress Meetings with follow-up site visits during construction. (Assumed with follow-up at 4 hours each.)
 - c. GBA will perform final inspection of installed landscape and provide punch-list of deficiencies.
5. **Miscellaneous Expenses** – Expenses such as mileage, printing, and delivery shall be provided for the lump sum as noted below.

PROJECT ASSUMPTIONS

We have made several assumptions in the preparation of this proposal. These assumptions and subsequent explanations are as follows:

- A. Any revisions or consultation for the completed plans that may be required by the Owner after the submittal to the City of Tonganoxie shall be considered additional services. Normal changes as required by City review process shall not be considered additional services unless such changes are required because of the Owner or other requested changes during or after the initial review process of the City of Tonganoxie.

- B. Owner will provide GBA the right of complete access to the Site and current management personnel during normal working hours, for inspecting existing site as needed for land surveying and design services.
- C. Owner will provide GBA all available reports, plans and other background information requested by GBA pertaining to this Site.

ADDITIONAL SERVICES

The following items are not included in this Scope of Services:

- a. Periodic or Full-time construction observation or as-builting of improvements.
- b. Special inspections if required by building code.
- c. Record Drawings of Constructed Improvements.
- d. Public improvement plans (i.e. off-site street improvements, sanitary sewer or water main extensions) not specifically noted in above Scope of Services.
- e. Construction period services, construction management, construction administration or construction staking services outside of those specifically discussed in the Scope of Services.
- f. Coordination of utilities to the site. (i.e. Telephone, Electric, Water, Natural Gas, Fiber, etc.)
- g. Retaining wall design.
- h. Environmental permitting/studies.
- i. Parking lot / Street Lighting design or submittals.
- j. Monument Signage Lighting or Electrical Design
- k. Irrigation plans
- l. ALTA As-built survey after construction

GBA can provide these services if required and/or requested by the City of Tonganoxie. We will execute a separate agreement for these services.

In the event the City of Tonganoxie determines that the project limits should be adjusted significantly or if the scope of the Engineer's Services should be revised due to changes in the project size, complexity, completion schedule, character of construction, or for other reasons, or if the Engineer is requested to make revisions in drawings or contract documents prepared under this contract and previously approved by the City of Tonganoxie, then such services of the Engineer shall be considered Additional Services.

FEE AND BASIS OF PAYMENT

We propose to provide the services outlined above in the section entitled Scope of Services for the lump sum of **\$25,950.00**. Lump Sum tasks will be invoiced based on the percentage of the Task that has been completed at the time of invoicing. Expenses such as plan review fees, application fees, recording fees, mapping fees, mileage, printing and delivery fees will be invoiced in addition to the fees noted and shall be reimbursed to GBA when expensed. These direct expenses shall be invoiced at our actual cost plus an allowance of ten (10) percent to cover administrative overhead. Invoices will be submitted monthly for work completed the previous month and will become due and payable within thirty (30) days.

FEE BREAKOUT:

Task	Fee Type	Fee
1. Landscape and Design Documents	Lump Sum	\$15,600.00
2. Structural Engineering	Lump Sum	\$2,000.00
3. Bidding Administration	Lump Sum	\$4,500.00
4. Construction Period Services	Lump Sum	\$3,600.00
5. Expenses	Lump Sum	\$250.00
GRAND TOTAL ALL SERVICES		\$25,950.00

The services described in this letter, and the Engineer's compensation for said services has been agreed upon in anticipation of the orderly and continuous progress of the project through completion of construction. If delays occur due to reasons beyond the control of the Engineer, the time of performance of the Engineer shall be adjusted properly.

Thank you for your continued confidence in our firm and allowing us the opportunity to present this proposal. Should you have any questions or need additional information, please call us. Your signature below will serve as our written authorization to proceed. After signing, please return one original signed copy to our office.

Respectfully submitted,

GEORGE BUTLER ASSOCIATES, INC.



Harland T. Russell
Project Manager



Brad Burton, P.E.
Senior Associate

We hereby approve the provisions set forth in this Letter of Agreement dated
this _____ day of _____, 2018.

By: _____

Printed Name: _____

Title: _____



Office of the City Manager
AGENDA STATEMENT

DATE: January 7, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Melanie Tweedy, Administrative Assistant
SUBJECT: Approval of the League of Kansas Municipalities 2019 Membership Fees

DISCUSSION:

The 2019 Adopted Budget includes funding allocated in the City's General Fund for annual dues to the League of Kansas Municipalities (LKM). This item was part of 2019 budget workshop discussions held in 2018 and is being brought before City Council for consideration of expenditure authorization, per the City's Purchasing Authority & Procedures policy.

The total cost of this request is based on a per capita charge, an assessed valuation charge, and subscriptions to Kansas Government Journal (monthly publication) for the Governing Body and City Management staff, and a base fee of \$475. The base fee is determined by the City of Tonganoxie's status as a City of the 2nd Class in the State of Kansas. The invoice is provided as an attachment.

LKM is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and acts to strengthen Kansas communities. The League is governed by members through a governing body of elected officials and city appointed staff. Since 1910, LKM has been a resource for cities across Kansas to share ideas, facilitate communication between members, and provide information on best practices in municipal operations.

Just a few of the services available to members include legislative advocacy, legal aid, the Municipal Training Institute, discount contract services, several publications, research surveys, and annual conferences and events. LKM provides reduced member rates for annual conferences and trainings in order to provide quality instruction, education and guidance on city governance. The tentative 2019 Municipal Training Institute is also included as an attachment.

BUDGET IMPACT:

The total membership fee is \$2,856.75. This membership cost is anticipated in the 2019 Annual Budget.

ACTION NEEDED:

Make a motion to approve payment of the 2019 League of Kansas Municipalities Membership Fee in an amount not to exceed \$2,857.

ATTACHMENTS:

League of Kansas Municipalities Invoice and Membership Documents

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



300 SW 8th Avenue, Suite 100, Topeka, KS 66603

Bill To:

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

2019 Dues & Subscriptions

Date	Invoice #
12/1/2018	19-116

Due Date
1/31/2019

Qty	Description	Rate	Amount
1	2019 City Membership Dues - Assessed Valuation and Per Capita Charge	2,201.75	2,201.75
1	2019 City Membership Dues - Base Fee	475.00	475.00
9	2019 Subscription to the Kansas Government Journal	20.00	180.00

Total	\$2,856.75
Payments/Credits	\$0.00
Balance Due	\$2,856.75

E-mail	Phone #	Web Site:
rredd@lkm.org	785-354-9565	www.lkm.org



300 SW 8th Avenue, Ste. 100
Topeka, KS 66603-3951
P: (785) 354-9565
F: (785) 354-4186
www.lkm.org

December 1, 2018

Dear City Official,

The mission of the League of Kansas Municipalities is to strengthen and advocate for the interests of the cities of Kansas. Our long-standing association provides our member cities and counties with a unified voice in matters of local government. We are honored so many cities and counties agree there is immense value in belonging to the League.

Enclosed please find the dues billing for your League membership. This represents the dues required of your city for 2019. As in 2018, a member city's dues are built on a per capita charge, an assessed valuation charge, and a base fee.

Recently, the League conducted its 2018 Member Satisfaction Survey. The survey garnered 287 responses (almost doubling 2016's responses) within the two-week time frame and was released to event attendees, member list serves, and frequent survey respondents. The following percentages include excellent and good ratings for each service area assessed: Communication (86%), Contract Services (81.9%), Education (85.7%), Legal, (91.4%), Legislative (89.6%), Overall Value (86.2%), and Overall Performance (87.9%). The League will use the data and comments provided to maintain and improve the services we provide to our members.

In 2018 League staff testified over 75 times on 55 bills before the legislature and reviewed every one of the 600+ bills introduced in order to see if they affected cities. The League's Legislative Staff will utilize our *2019 Statement of Municipal Policy*, which is revised each year to reflect the League's advocacy goals and agenda for the upcoming legislative session, when working with legislators during the 2019 session. To print copies of this valuable information, please go to www.lkm.org/page/SMP.

You will recall that in 2016 a bylaws change was adopted which created a tiered base charge for cities and counties. For Cities of the First Class, the base charge will be a 15% surcharge of their combined per capita and assessed valuation charges that currently comprise a city's dues. Cities of the Second Class have a base charge of \$475, and Cities of the Third Class have a base charge of \$250.

Also enclosed you will find the *2019 League Member Services Brochure*, which outlines the key League services available to you as a League member city. These services include access to staff attorneys, trainings on important municipal issues, legislative advocacy, budget tips and publications to guide your work. Your city officials will also have access to our website with up to date resources for members only. We would urge you to take advantage of these services, and to always let us know how we can improve or make suggestions of services the League should be considering.

- page 2 -

New this year is a League Membership Benefits and Services Summary. This at-a-glance information page provides more detail about what services are available from the League and, more importantly, what services you may not know we provide. If you have any questions regarding the services from the League, please contact our office.

We have included a tentative Municipal Training Institute schedule for 2019. The purpose of the Institute is to provide an interactive curriculum of specialized instruction that will develop the knowledge and enhance the leadership abilities of those who serve the cities of Kansas. We have updated our trainings in Economic Development, Advanced Municipal Finance, and Social Media for Cities as well as a new training for Harassment in the Workplace. The League continues to offer its most popular trainings on Planning and Zoning, Personnel Management and a return of the Mini-Governing Body Institute. We look forward to seeing you at one of our trainings in 2019!

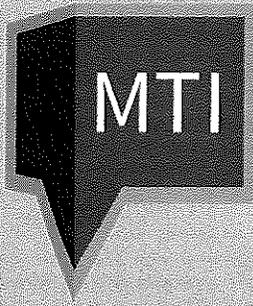
It is always a pleasure to be able to serve the cities and counties of Kansas, and to work with you to ensure the very best environment possible for the citizens we all serve. Should you have any questions or comments concerning your dues, please feel free to contact me directly at esartorius@lkm.org, or Rynae Redd, Finance and Human Resources Manager, at rredd@lkm.org.

On behalf of the Governing Body and all of us at the League, thank you for your participation. We value you standing with the other cities and counties of Kansas. Should you ever have any questions, suggestions or comments, please contact me at the email above or (785) 354-9565. We look forward to many more years of this mutually beneficial partnership.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik A. Sartorius". The signature is fluid and cursive, written in a professional style.

Erik Sartorius
Executive Director



MUNICIPAL TRAINING INSTITUTE

A Program of The League

2019 MUNICIPAL TRAINING INSTITUTE SCHEDULE

Classes are open to all elected and appointed city officials and employees.
All classes are held from 10 a.m. to 2 p.m. Lunch and materials are provided.

JANUARY

- Ethics & Civility (Core)
- Municipal Finance (Core)

FEBRUARY

- Personnel Management (Core)
- Municipal Finance (Core)

MARCH

- Emergency Management (Elective)
- New Topic!* • Harassment in the Workplace (Elective)

APRIL

- City Clerk Fundamentals (Elective)
- LEADERSHIP SUMMIT
APRIL 12 & 13
SALINA (CORE)

MAY

- Updated!* • Advanced Municipal Finance (Elective)
- Social Media for Cities (Elective)

JUNE

- Advanced Municipal Finance (Elective)
- Valuing Diversity (Elective)

AUGUST

- KOMA/KORA - 3 locations (Core)

SEPTEMBER

- Harassment in the Workplace (Elective)
- Planning & Zoning (Elective)

OCTOBER

LEAGUE ANNUAL CONFERENCE: OVERLAND PARK

SATURDAY, OCTOBER 12

- Personnel Management (Core)
- Economic Development (Elective)
- Cybersecurity for Cities (Elective)
- Mini Governing Body Institute (Core)

NOVEMBER

- City Clerk Fundamentals (Elective)
- Ethics and Civility (Core)

WHAT PEOPLE SAY ABOUT MTIS:

I enjoyed the whole presentation - the lecture, video, and handouts. I appreciate those who present the material and do the work ahead of time.

The best part of the class was the depth of knowledge of the presenters and their willingness to share. Also, networking with other cities is always a bonus!

The presenters used real-world examples of situations and cases that we can relate to in our own job and city. The MTI helped me figure out where my first focus should be in revamping our policies and programs.

SCHEDULE AS OF NOVEMBER 2018: LOCATIONS WILL BE SET SOON. TENTATIVE AND SUBJECT TO CHANGE. VISIT THE LEAGUE WEBSITE FOR THE MOST CURRENT INFORMATION. WWW.LKM.ORG/EVENTS



League Membership Benefits & Services Summary

City participation in the League is critical to our success as an advocate for municipal interests. As a part of membership, the League offers a variety of services and resources for your City. The League fields a legislative staff of six to represent cities at the statehouse in Topeka and promotes Home Rule, effective public policy and the value of local control. The League offers guidance on new laws and administrative rules, publications, personal and contract services, and provides insight and guidance to act as a resource for cities. League staff provides training and education for elected officials and city employees through conferences, the Municipal Training Institute, webinars and workshops. The League produces the *Kansas Government Journal* which is the only statewide publication designed specifically for city, county and state government officials. We also produce a multitude of publications and answer legal calls each year from cities to provide up-to-date information and keep members aware of the changing municipal environment.

Also included with membership are two bi-annual *Governing Body Handbooks*, a bi-annual update to the *City Clerk's Manual*, and access to many online resources for members only on our website, including sample ordinances, webinar playbacks, reduced rate publication orders, event registration, legislative tracking and a variety of educational materials.

A summary of our services including the number of times city officials and staff utilized one or more of these services from November 1, 2017 to October 31, 2018 is provided below. If you should have any questions regarding these services, please contact our office at 785-354-9565.

Advocacy

Advocacy affects all cities and is a core function of the League. Our legislative staff spends each legislative session collaborating with senators and representatives regarding local government issues. When we work together we truly can make a difference for the citizens in our communities.

The League legislative staff works with cities to communicate the advocacy goals of the Statement of Municipal Policy, as adopted at our Annual conference. We work to assist Legislators in making informed decisions on legal issues via calls, personal visits, email, and letters. Building relationships with legislators is key to expanding the League's influence and impact.

Last year, the League testified over 75 times on 55 bills, including 25 times for criminal justice and public safety issues, 14 times in support of local control, and 10 times supporting infrastructure development and improvement. The legislative staff also provides updates on policy positions through League News, webinars and social media.

Legal Inquiries

The League's legal services are a core benefit of cities' membership. The League's attorneys help answer member questions throughout the year on a wide array of topics related to local government. This year the legal staff handled over 1,800 legal inquiries.

1,865 Inquiries

Events

The League offers dozens of opportunities throughout the year for local government officials to connect with others in the field or gain new insight on particular topics. There are many ways to meet and network with your fellow city officials during these events. Members receive a discount on event fees in addition to the valuable training. A full list of events can be found online at www.lkm.org/Conferences.

1,359 Events Attended

Publications

The League produces dozens of publications that are specialized for cities. League staff revised the following publications in 2018: *Levying a Local Sales Tax*, *Kansas Open Records Act*, *Kansas Open Public Records Brochure*, *STO/UPOC*, *Planning and Zoning* and the *Governing Body Handbook*. Publications slated for an update in 2019 include: *Annexation in Kansas*, *Municipal Index*, *Personnel Policies*, *Constitutional Home Rule Manual*, and *Economic Development*. A full list of our publications can be found online at www.lkm.org/store.

12,995 Publications Ordered

Classified Advertising

Did you know the League website has a Career Center? The League website had 222 classified job postings for various positions posted by cities, counties, employment recruiters and others in the past year. When your city has an open position, look to our Career Center to advertise to potential employees. Members receive a discount when posting an advertisement.

122 Classified Ads Posted

Contract Services

The League contracts with cities regularly to develop model personnel policies, facilitate executive searches, and ordinance codification. A full description of these services can found online at www.lkm.org/ContractServices.

16 Contract Services Completed



Office of the City Manager
AGENDA STATEMENT

DATE: January 7, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Ordinance 1461: Approval of Final Plat for Stone Creek Addition 8

DISCUSSION:

Section 3 of the City's subdivision regulations outlines the procedures for submitting and approving final plats, which states that the Planning Commission shall vote to determine if the plat conforms to the City's subdivision regulations. Approval of a final plat by the Governing Body accepts the dedication of land for public purposes and authorizes recording of the plat with the County, and receipt of a certified and recorded final plat by the City, with a performance bond or irrevocable letter of credit authorizes installation and construction of required improvements. Upon installation of improvements the applicant may apply for building permits.

The Planning Commission reviewed the final plat for Stone Creek Subdivision Addition 8 on December 6, 2018 and voted 5-0 to approve the final plat with the conditions outlined in the City Engineer's staff report dated December 5, 2018 and the City Planner's staff report dated November 29, 2018, which are as follows:

Engineering

- 1) Contingent on the City Engineer's review and approval of construction plans for Stone Creek Addition No. 8

Planning

- 1) Compliance with any recommendations of the City Engineer review.
- 2) An address plat must be submitted meeting the Tonganoxie Street Naming and Addressing Policy be submitted to the City prior to recording of the final plat.
- 3) All proposed improvements shall include a performance bond or irrevocable letter of credit from the applicant, approved by the City Attorney, prior to installation.
- 4) The Planning Commission's recommendation shall be forward to the City Council, and the City Council approve and accept all public improvements prior to recording the final plat.
- 5) No building permits shall be issued and no lots shall be sold until the Final Plat is recorded with the Register of Deeds of Leavenworth County.
- 6) No occupancy permits shall be issued prior to acceptance of public improvements by the City.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to approve Ordinance 1461, approving the final plat for Stone Creek Subdivision Addition 8 with conditions recommended by staff and accepting the dedication of land for public purposes.

ATTACHMENTS:

December 6, 2018 Planning Commission Minutes Excerpt
Draft Ordinance 1461
Final Plat
Engineering and Planning Staff Reports

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

- Mr. Donnelly also addressed the engineer’s request to relocate the sewer line and informed they will work with their office to ensure concerns are addressed.
- Vice-Chairman Gee closed the public forum.
 - **Mr. Dale made a motion to make a recommendation to the City Council to approve the preliminary plat for Stone Creek #8 subject to staff recommendations and the engineer’s recommendations, with the consideration that the applicant will work with the engineer’s to address concerns.**
 - **Ms. Gabel seconded the motion.**
 - **Roll Call Vote – 5 ayes, motion carried.**

The City Council will plan to consider this item on January 7th at 7:00pm, in the City Council Chambers at 321 S. Delaware St., Tonganoxie KS.

c) REVIEW – FINAL PLAT – STONE CREEK ADDITION #8– SUBMITTED BY STONE CREEK DEVELOPMENT LLC

- Ms. Kinney presented staff recommendations, which included:

Staff recommendation of approval of the final plat for Addition No. 8, subject to the following conditions:

1. Compliance with any recommendations of the City Engineer review.
2. An address plat must be submitted meeting the Tonganoxie Street Naming and Addressing Policy be submitted to the City prior to recording of the final plat.
3. All proposed improvements shall include a performance bond or irrevocable letter of credit from the applicant, approved by the City Attorney, prior to installation.
4. The Planning Commission’s recommendation shall be forward to the City Council, and the City Council approve and accept all public improvements prior to recording the final plat.
5. No building permits shall be issued and no lots shall be sold until the Final Plat is recorded with the Register of Deeds of Leavenworth County.
6. No occupancy permits shall be issued prior to acceptance of public improvements by the City.

There were no additional questions from the commissioners or members of the public.

- **Mr. Stoltenberg made a motion to make a recommendation to the City Council to approve the final plat for Stone Creek #8 subject to staff recommendations and the Engineer’s recommendations, and with the consideration that the applicant will work with the City Engineer to address concerns.**
- **Mr. Dale seconded the motion.**
- **Roll Call Vote – 5 ayes, motion carried.**

The City Council will plan to consider this item on January 7, 2018 at 7:00pm, in the City Council Chambers at 321 S. Delaware St., Tonganoxie KS.

4. OLD BUSINESS

- No items.

5. GENERAL INFORMATION

- No items.

ORDINANCE 1461

AN ORDINANCE APPROVING A FINAL PLAT FOR STONE CREEK ADDITION 8 IN THE CITY OF TONGANOXIE, KANSAS

WHEREAS, a Final Plat for Stone Creek Addition No. 8, generally located on State Avenue west of Stone Creek Avenue in Tonganoxie, Kansas, was filed with the City for consideration by the Tonganoxie Planning Commission, and;

WHEREAS, on December 6, 2018 the Tonganoxie Planning Commission considered the request and recommended approval of the Final Plat with the presented staff recommendations:

Engineering

- 1) Contingent on the City Engineer's review and approval of construction plans for Stone Creek Addition No. 8

Planning

- 1) Compliance with any recommendations of the City Engineer review.
- 2) An address plat must be submitted meeting the Tonganoxie Street Naming and Addressing Policy be submitted to the City prior to recording of the final plat.
- 3) All proposed improvements shall include a performance bond or irrevocable letter of credit from the applicant, approved by the City Attorney, prior to installation.
- 4) The Planning Commission's recommendation shall be forward to the City Council, and the City Council approve and accept all public improvements prior to recording the final plat.
- 5) No building permits shall be issued and no lots shall be sold until the Final Plat is recorded with the Register of Deeds of Leavenworth County.
- 6) No occupancy permits shall be issued prior to acceptance of public improvements by the City.

, and;

WHEREAS, the Tonganoxie Planning Commission's recommendation was presented to the Governing Body at it's regularly scheduled meeting on January 7, 2019, for consideration.

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

Section 1. That the Final Plat for Stone Creek Addition No. 8, generally located on State Avenue west of Stone Creek Avenue in Tonganoxie, Kansas, be approved with the following conditions:

Engineering

- 1) Contingent on the City Engineer's review and approval of construction plans for Stone Creek Addition No. 8

Planning

- 1) Compliance with any recommendations of the City Engineer review.
- 2) An address plat must be submitted meeting the Tonganoxie Street Naming and Addressing Policy be submitted to the City prior to recording of the final plat.
- 3) All proposed improvements shall include a performance bond or irrevocable letter of credit from the applicant, approved by the City Attorney, prior to installation.
- 4) The Planning Commission's recommendation shall be forward to the City Council, and the City Council approve and accept all public improvements prior to recording the final plat.
- 5) No building permits shall be issued and no lots shall be sold until the Final Plat is recorded with the Register of Deeds of Leavenworth County.
- 6) No occupancy permits shall be issued prior to acceptance of public improvements by the City.

Section 2. That this ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Tonganoxie, Kansas as provided by law.

PASSED by the City Council this 7th day of January, 2019.

APPROVED by the Mayor this 7th day of January, 2019.

SEAL

Jason K. Ward, Mayor

ATTEST:

Patricia C. Hagg, City Clerk

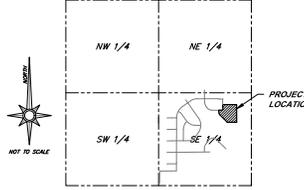
APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney

Final Plat of Stone Creek Addition No. 8

Part of the SE 1/4, Fractional Section 03, Township 11 South, Range 21 East
A Subdivision in the City of Tonganoxie, Leavenworth County, Kansas

Point of Commencement
NE Corner of SE 1/4 of Fractional Sec. 3-T11S-R21E
Found 1/2" bar with 1 1/2" Alum. cap stamped "E 1/4 Cor. 3-11-21"
(Origin Unknown-Verified with Reference Reports by Boltz, Zilliox, and EBH)
1) 1.23' N to Mag nail & washer to South face of Fence post
2) 0.85' E to Mag Nail in North Face of Fence post
3) 8.24' S to Mag nail in West face of Fence post
4) 0.50' S to Fence to East
5) Line with Fence to North
6) 0.50' E to Fence to South
7) 16.52' WNW to 60d nail & shiner in South/SouthWest face of 32" diameter Oak tree



VICINITY MAP
Section 03, T11S, R21E
Leavenworth County, Kansas

- SURVEY REFERENCES:**
- Final Plat of Stone Creek Addition No.2 filed in Plat Book 14, Page 28
 - Final Plat of Stone Creek Addition No.3 filed in Plat Book 14, Page 78
 - Final Plat of Stone Creek Addition No.44 filed in Plat Book 15, Page 31
 - Final Plat of Stone Creek Addition No.5 Replat filed in Plat Book 16, Page 59
 - Final Plat of Stone Creek Addition No.7 filed in Document No. 2016P00001

PROJECT BENCHMARK:
Top of Top Flange Nut Between "E" & "L" of "Muller" of Fire Hydrant Located North of Intersection of Clear Creek Place and Shady Bend Road
Elevation: 884.17 - NAVD 88 Vertical Datum

- GENERAL NOTES:**
- Title information shown hereon is limited to that information contained in a commitment for Title Insurance, Certificate Number X0009357, issued by Kansas Secured Title - Leavenworth, and dated June 10, 2015 at 08:00 A.M.
 - By graphic plotting only, the herein described tract falls within Zone X, area determined to be outside the 0.2% annual chance flood plain, as depicted on a FEMA Community Panel 2010300366, effective 7/16/2015.
 - All Values shown are measured & plotted unless otherwise noted.
 - Origin of monuments found are unknown unless otherwise noted.

- LEGEND**
- Set 1/2" Rebar with KSL5 1614 Cap
 - Set 1/2" Rebar in Concrete with KSL5 1614 Cap
 - Found 1/2" Rebar with KSL5 1614 Cap in Concrete (Unless Otherwise Noted)
 - Found 1/2" Rebar with PGKS CLS 131 Cap in Concrete (Unless Otherwise Noted)
- Note: All rebars found or set on the boundary are monumented with concrete.
- △ Found Section Corner
 - U/E Utility Easement
 - B/A Building Setback Line
 - D/E Drainage Easement
 - S/E Sanitary Easement
 - MLO Minimum Low Opening

SE Corner of SE 1/4 of Fractional Sec 3-T11S-R21E
Found 2" Alum. Cap-KDOT "E" Cor. 10-11-21
Origin Set by Steven L. Willett per Reference Report dated Dec. 1, 1997 and verified other Reports by Boltz and Herling.
1. 56.56' W to Mag nail & washer in top of fence corner post
2. 89.49' S to Mag nail & washer in North face of stop sign post
3. 92.60' N to Mag nail & washer in top of fence corner post
4. 128.74' SSW to Mag nail & washer in West face Power Pole
5. 146.50' SSE to PK nail & LS 556 washer in Top of Fence corner post
6. 77.07' W to "X" cut Top center East Wall Conc. Median Ditch Inlet
7. 42.21' ESE to "X" cut East end Conc. Median Island

LEGAL DESCRIPTION
A tract of land in the Southeast Quarter of Fractional Section 3, Township 11 South, Range 21 East of the Sixth Principal Meridian in Leavenworth County, Kansas, being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Fractional Section 3; thence S 07°29'37" E along the East line of said Southeast Quarter, a distance of 330.00 feet; thence S 88°14'32" W, a distance of 329.15 feet to a point on the West line of the E 1/4 of the East 1/2 of the Southeast Quarter of said Section 3; thence S 01°28'12" E along the West line of the E 1/4 of the East 1/2 of the Southeast Quarter of said Section 3, a distance of 638.92 feet; thence S 88°30'48" W, a distance of 336.28 feet; thence N 18°49'49" E, a distance of 14.93 feet; thence N 46°06'13" W along the Southeastly extension of and Northwestly line of Stone Creek Addition No. 7, a subdivision plat filed in Document No. 2016P00001 at the Register of Deeds office of Leavenworth County, a distance of 342.09 feet; thence N 30°01'20" W continuing along the said Northeast line of said Stone Creek Addition No. 7, a distance of 72.31 feet; thence N 01°45'28" W along the East line of said Stone Creek Addition No. 7, a distance of 90.00 feet to a point being on the South line of Stone Creek Addition No. 5 Replat, a subdivision plat filed in Plat Book 16, Page 59 of the Register of Deeds office of Leavenworth County; thence N 88°14'32" E along the South line of said Stone Creek Addition No. 5 Replat, a distance of 93.48 feet; thence N 64°24'09" E along the Southeast line of said Stone Creek Addition No. 5 Replat, a distance of 60.00 feet to a point of curvature; thence Northerly along the East line of said Stone Creek Addition No. 5 Replat along a curve to the right having a radius of 170.00 feet, a delta angle of 24°06'39" an initial tangent bearing of N 25°35'51" W and an arc length of 71.54 feet, a distance N 01°29'12" W along the East line of said Stone Creek Addition No. 5 Replat, a distance of 101.24 feet; thence N 88°14'32" E, a distance of 480.01 feet, to the Point of Beginning, and containing 302,892.19 Sq. Ft.

DEDICATION:
The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat which hereafter shall be known as "Stone Creek Addition No. 8".

The Streets, Drives, Terraces and other ways shown hereon and not heretofore dedicated to the public are hereby so dedicated.

An EASEMENT is hereby granted all public utility companies, their successors or assigns or rural water districts duly incorporated and authorized to do business in Leavenworth County, Kansas, to enter upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "1/2" and "Drainage Easement" or "1/2" for purposes of utility installations and maintenance thereof. The use of said easement by any such entity shall obligate such entity to return said easement to its condition prior to any installation, maintenance or repair performed on said easement.

An EASEMENT or LICENSE to enter upon, locate, construct and maintain and authorize the location, construction, maintenance and use of Streets, Roads, Drives, Sidewalks, etc. upon, over and under these areas outlined and designated on this plat as "Street Easement" or "3/4" is hereby granted to the City of Tonganoxie, Leavenworth County, Kansas.

There will be no restrictions other than those shown hereon.

OWNER'S CERTIFICATE:
This is to certify that the undersigned is the owner of the land described in the plat, and that all previous taxes have been paid, and that they have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and do hereby acknowledge and adopt the same under the style and title thereon indicated.

Given under my hand at Tonganoxie, Kansas this ___ day of _____ A.D. 2018.

Chris R. Donnelly, Managing Member
Stonecreek Development, LLC

NOTARY CERTIFICATE:
STATE OF KANSAS
COUNTY OF LEAVENWORTH } ss

Be it remembered that on this ___ day of _____ 2018, before me, a notary public in and for said County and State, came Chris R. Donnelly, Managing Member of Stonecreek Development, LLC, to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL) Notary Public

My Commission Expires:

PLANNING COMMISSION APPROVAL:
This plat of Stone Creek Addition No. 8 has been Submitted to and Approved by the Tonganoxie Planning Commission this ___ day of _____ A.D. 2018.

John Morgan, Chairman Zach Stoltenberg, Secretary

CITY COUNCIL APPROVAL:
The easements and rights-of-way accepted by the Governing Body of Tonganoxie, Kansas, this ___ day of _____ A.D. 2018.

Jason Ward, Mayor ATTEST: Nathan McCommon, City Clerk

CITY ENGINEER APPROVAL:
The City Engineer's review is only for general conformance with the Subdivision Regulations as adopted by the City of Tonganoxie. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

Brian Kinsley, City Engineer

COUNTY SURVEYOR'S CERTIFICATE:
I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Wayne Malincof, Leavenworth County Surveyor

REGISTER OF DEEDS CERTIFICATE:
Plat of Stone Creek Addition No. 8 of Tonganoxie was filed for record this ___ day of _____ A.D., 2018, at _____ M., and duly recorded as Document No. _____

Stacy Driscoll, Register of Deeds, Leavenworth Co. Kansas

SURVEYOR'S CERTIFICATE:
I, D. Steven West, a Professional Surveyor in the State of Kansas, License Number 1614, do hereby certify that the survey shown hereon was completed in the field in September 2018, by me or under my direct supervision and that this plat is a true and accurate exhibit of said field survey, based on actual field measurements, where the monuments are of the character and occupy the positions as indicated.

D. Steven West, PS 1614



OWNER/DEVELOPER:

Stone Creek Development, LLC
Chris R. Donnelly
712 N. Clear Creek Place
Tonganoxie, KS 66086



McAfee HENDERSON SOLUTIONS, INC.
Civil Engineering & Land Surveying
1201 S. Shaw Blvd., Suite 201 Leawood, KS 66211
Ph: 913.884.4477 Fax: 913.384.4905
www.mhsinc.com



MEMO

To: George Brajkovic, City Manager
City of Tonganoxie

Cc: Dan Porter, Asst. City Manager
Kent Heskett, City Superintendent

From: Brian Kingsley, City Engineer

Date: December 5, 2018

Re: Stone Creek Subdivision
Phasing Plan, Preliminary Plat and Final Plat
18-1001L

The following are the City Engineer and staff review comments related to Engineering issues: _____

Stone Creek Phasing Plan:

- 1) Phase I – A temporary turn-around will need to be constructed at the South end of Oakwood Lane or the temporary turn-around can be eliminated by adjusting the limits of the Phase to the South property lines of Lot 17 and Lot 2.
- 2) Phase II – A temporary turn-around will need to be constructed at the South end of Oakwood Lane or the temporary turn-around can be eliminated by adjusting the limits of the Phase to the South property lines of Lot 24 and Lot 13.

Recommendation: The City should consider approval contingent upon the developer's acknowledgement of the Phase requirements listed in 1 and 2 above.

Preliminary Plat:

- 1) The building setback (10 feet) matches the width of the utility easement along the lot lines between lots 5 and 6 and between lots 13 and 14. An additional 5 feet of setback should be provided from the easement to the building setback at these locations.
 - a. The developer should consider adjusting the widths of lots 1-6 to accommodate the additional setback and minimize the impact to the width of lot 5.

- 2) The sanitary sewer alignment has been revised from the previously approved preliminary plat.
- a. Sanitary sewer service connections are not allowed under street pavement.
 - b. Service connections need to be made within the frontage of the lot being serviced.
 - c. A sanitary sewer manhole will likely need to be added at the South end of the Lot 12 and 13 lot line.

Recommendation: The City should consider approval contingent upon the addition of requested setbacks listed in 1 above.

Final Plat:

Recommendation: The City should consider approval contingent upon approval of construction plans for Stone Creek Addition No. 8.

--END

For questions or comments, please contact:

Brian Kingsley, PE

President

T: 785.749.4474 ext. 2105

E: brian.kingsley@bgcons.com



City of Tonganoxie, Kansas

PLANNING STAFF REPORT

Case#: 2018-011P, Preliminary/Final Plat, Stone Creek No. 8

Date of Report: November 29, 2018

Applicant Name: MHS, Inc.

Property Owner Name: Stone Creek Development LLC.

Subject Property Address: State Avenue (west of Stone Creek Avenue), Tonganoxie KS

Application:

Zoning District: Single Family Residential

Type of Approval Desired: Preliminary Plat renewal / Final Plat approval

Date of Application: November 1, 2018

Date of Meeting: December 6, 2018

Surrounding Property Zoning and Use:

West: R-SF; singled family (previously platted and constructed prior phases)

North: R-SF; Unplatted portions of the preliminary plat, platted for single family

East: R-R; undeveloped/unplanned, recently annexed in association with RV Resort)

South: R-SF; Unplatted portions of the preliminary plat, platted for single family

Recommendation: Approval subject to conditions

Summary:

This application is the final plat for 18 lots designated as "Stone Creek Addition No. 8." subdivision. This creates 19 new lots ("Lots 1 – 8") The final plat is a continuation of a development subject to an existing preliminary plat. The last final plat for this development ("No. 7") included property immediately to the west on Shady Bend Dr. This was approved by the Planning Commission in August 2015. The City of Tonganoxie Subdivision Regulations have an effective date on preliminary plats of 1 year, with an option for a 1-year extension. All other situations require a re-approval of the preliminary plat. This provision is to ensure that any development meets the most current context, conditions and standards, and to guard against changed circumstances surrounding a project. This project is beyond the allowed 1-year and 1-year extension permitted by the regulations, and therefore requires re-

approval of the preliminary plat. No changes to the context or the current development regulations have occurred since the previous approval of the preliminary plat. Additionally, the proposed Final Plat for Addition No. 8 is consistent with the preliminary plat.

Analysis

Section 3.3 of the Tonganoxie Subdivision Regulation require the Planning Commission to review all Final Plats for conformance with the regulations. In general this involves substantial compliance with the approved preliminary plat, any conditions of that approval, and the following additional items required for the final plat.

1. Letter from the City Engineer stating the final plat is substantially in accordance with the preliminary plat.
2. Completed and approved plans, reviewed by the City Engineer, for streets, storm sewers and sanitary sewers.
3. Proper format and content of the plat for recording with the county.
4. An Address Plat conforming to the Tonganoxie Street Naming and Addressing Policy.

The preliminary plat is consistent with the previous preliminary plat and should be re-approved for up to 2 years.

Final Plat for Addition No. 8 of Stone Creek is in substantial compliance with the layout, block and lot patterns of the previous and proposed preliminary plat, (previously approved and to be renewed with this application). It meets the conditions of approval, and meets all applicable planning criteria. Pending comments and a report from the City Engineer on infrastructure and technical specifications, the application should be approved.

Effect of Decision

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

Approval or conditional approval/modification is transmitted to the City Council with a letter from the Secretary of the Planning Commission stating the Commission's determination.

Approval of a plat by the Council accepts the dedication of land for public purposes and authorizes recording of the plat with the county, and receipt of a certified and recorded final plat by the City, with a performance bond or irrevocable letter of credit authorizes installation and construction of required improvements. Upon installation of improvements the applicant may apply for building permits.

Recommendation

Staff recommends re-approval of the preliminary plat of Stone Creek for another 1-year period, with a 1-year extension.

Staff recommends approval of the final plat for Addition No. 8, subject to the following conditions:

1. Compliance with any recommendations of the City Engineer review.
2. An address plat must be submitted meeting the Tonganoxie Street Naming and Addressing Policy be submitted to the City prior to recording of the final plat.

3. All proposed improvements shall include a performance bond or irrevocable letter of credit from the applicant, approved by the City Attorney, prior to installation.
4. The Planning Commission's recommendation shall be forward to the City Council, and the City Council approve and accept all public improvements prior to recording the final plat.
5. No building permits shall be issued and no lots shall be sold until the Final Plat is recorded with the Register of Deeds of Leavenworth County.
6. No occupancy permits shall be issued prior to acceptance of public improvements by the City.



Chris Brewster
Contract City Planner

IN THE MUNICIPAL COURT FOR THE CITY OF TONGANOXIE, KANSAS

PUBLIC COVERAGE OF JUDICIAL PROCEEDINGS

Rule 18-1A

ELECTRONIC AND PHOTOGRAPHIC MEDIA COVERAGE OF JUDICIAL PROCEEDINGS

Preface

The increasing use of various electronic devices including phones, tablets, and other wireless communication devices continually challenges a court's legitimate concerns for courtroom security, participant distraction, and decorum.

These electronic devices are redefining the news media, the informational product disseminated, and the timeliness of the content. They also result in new expectations for the court and participants for immediate access to information.

Since the Municipal Court is not a court of record, electronic devices that could be used to prepare or present a verbatim record of the proceedings are contrary to the nature of the Court. Policies developed to address the court's concerns should include enough flexibility to take into consideration that electronic devices have become a necessary tool for court observers, journalists, and participants and continue to rapidly change and evolve. The courts should champion the enhanced access and the transparency made possible by use of these devices while protecting the integrity of proceedings within the courtroom consistent with the mandate of being a Municipal Court.

Permissible Use of Electronic Device

Without prior written consent of the Judge, during a judicial proceeding a person not an attorney admitted to practice in the State of Kansas and representing a person in this Court may not use any of the following electronic devices:

- (A) A cell phone,
- (B) A laptop or tablet computer, with or without video or audio capabilities,
- (C) A digital or tape audio recorder,
- (D) A personal digital assistant (PDA), with or without video or audio recording capabilities,
- (E) A still or video camera, and
- (F) Any other electronic device that can broadcast, record, or take photographs.

All cell phones must be silenced in the courtroom. During court proceedings, all electronic devices must be put away and out of sight, unless use of the devices is authorized by the judge under this rule.

A person may use a cell phone or other electronic device in a court facility, but not in a courtroom, to make or receive phone calls, e-mails, and/or text messages only.

A person is prohibited from using a cell phone or any other electronic device in a court facility to:

- (A) Take pictures,
- (B) Take videos,
- (C) Make sound recordings,
- (D) Broadcast sound, and
- (E) Broadcast still or moving images (video).

Violating this rule may result in the device being confiscated and possible citation of the person in contempt of court..

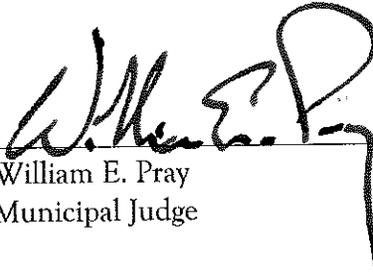
Permission Required for Exception to Rule. The judge may make an exception to this rule, consistent with the nature of the Court. Any person or entity must request specific permission in writing in advance to use an electronic device in an otherwise prohibited manner. If permission is granted, use of the permitted electronic device must be in accordance with the following applicable conditions and procedures and such other conditions and procedures as may be required by the presiding judge or justice.

- (A) The judge must be given at least one week's notice of the request to bring cameras, recording equipment, or other electronic communication devices into the courtroom. The judge may waive this requirement for good cause.
- (B) The privilege granted by this rule does not limit or restrict the judge's power, authority, or responsibility to control the proceedings before the judge. The judge's authority to disallow possession of electronic devices at a proceeding or during the testimony of a particular witness extends to any person engaging in the privilege authorized by this rule.
- (C) Audio pickup and audio recording of a conference between an attorney and client, or among cocounsel, counsel and opposing counsel, or among attorneys and the judge are prohibited regardless of where conducted. Photographing such a conference is not prohibited.
- (D) Focusing on and/or photographing materials on counsel tables or in designated areas is prohibited.
- (E) The judge must prohibit the audio recording and photographing of a participant in a court proceeding if the participant so requests and (a) the participant is a victim or witness of a crime, a police informant, an undercover agent, or a relocated witness or juvenile, or (b) the hearing is an evidentiary suppression hearing.
- (F) No video, photograph, audio reproduction, or other electronic communication of a court proceeding will be used to affect the official court written record of the proceeding for purposes of appeal.
- (G) An interview for broadcast or other electronic transmission may not be recorded in a hallway immediately adjacent to a courtroom entrance if a passageway is blocked or a judicial proceeding is disturbed thereby. Photographing or other recording through

a window or open door of a courtroom is prohibited. Prior to rendition of the verdict, a criminal defendant may not be photographed or otherwise recorded in restraints as the defendant is being escorted to or from a court proceeding.

- (H) A request to photograph, record, or provide live coverage of a court proceeding must be directed to the Clerk of the Municipal Court.
- (I) The judge will designate the location in the courtroom for the audio, video equipment, and operators. Equipment and operators ordinarily should be restricted to areas open to the public. The equipment and operators, however, must not impede the view of persons seated in the public area of the courtroom. Operators must occupy only the area authorized by the judge and may not move about the courtroom for picture-taking purposes during the court proceeding.
- (J) Media equipment must not be placed within or removed from the courtroom except prior to commencement or after adjournment of proceedings each day, or during a recess. Such equipment must not be operated in any manner that disrupts proceedings.
- (K) Only audio, visual, or electronic communications equipment that does not produce distracting light or sound may be used to cover court proceedings. An artificial lighting device may not be used in connection with any audio or visual equipment. A modification in the lighting of a district court facility may be made only with the approval of the judge. Approval of other authorities may be required.

ORDERED AT TONGANOXIE, KANSAS, on the 12th day of December, 2018.



William E. Pray
Municipal Judge