



*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 March 4, 2019

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) Presentation on Leavenworth County Road 1 Land Use Analysis
- b) New Library Project Presentation: Bidding Procedures and Updated Design Documents
- c) Consider Approval of Request to Donate Tonganoxie Water Park Family Season Pass to Cornerstone Family Worship Children's Ministry
- d) Resolution 03-19-02: A Resolution Declaring It Necessary To Acquire Private Property In The City Of Tonganoxie, Kansas For The Purpose Of Temporary Construction Easements And Permanent Sanitary Sewer Easements
- e) Ordinance 1460: Amending Chapter III, Article I and Article II, Regulating the Sale of Cereal Malt Beverage and Beer Containing Not More Than 6% Alcohol by Volume
- f) Ordinance 1465: Acceptance of Utility Easement from Orison, LLC
- g) Tonganoxie Days Event Planning Discussion – 2019 Budget
- h) City Manager Agenda
 - 1. February 2019 Financial Report
 - 2. Library Project Update
- i) City Attorney Agenda
- j) Mayor Pro Tem Agenda
- k) City Council Agenda

l) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

City Council Meeting Minutes
March 4, 2019
7:00 Regular Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

- Mayor Ward opened the meeting at 7:00 PM with the Pledge of Allegiance.
- Roll Call: Council members present were Mayor Ward, Mr. Himpel, Mr. Oroke, Ms. Patterson, Ms. Stevens, and Mr. Bennett. City Manager George Brajkovic, Police Chief Greg Lawson, Public Works Director Kent Heskett, and Assistant City Manager Dan Porter were also in attendance.

II. Approval of Minutes – Special meeting dated February 21, 2019

- **Mr. Bennett made a motion to approve the minutes from the February 21, 2019 City Council meeting.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

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

- Monica Gee, 17685 214th Street, addressed the City Council and notified them of 3 upcoming events on behalf of TBA, including the Business Appreciation Dinner on April 2, the Vaccination Clinic on April 27, and the Back the Blue Fitness Event on May 11.
- No other members of the public addressed the City Council during open agenda.

V. Old Business

- a) UTV Legislation Discussion
- Mr. Brajkovic introduced the item.
- Ms. Stevens asked the Council to consider adding golf carts to the direction for staff moving forward in light of research she has completed and safety precautions that are possible to include.
- Mr. Oroke commented that safety concerns are an issue with golf carts.
- Ms. Patterson stated that she didn't support a pilot program.
- Mr. Bennett stated that he also didn't support a pilot program.
- **Mr. Oroke made a motion to direct staff to move forward with preparing an ordinance for UTV regulations and to not include golf carts within the draft ordinance.**
- **Mr. Himpel seconded.**
- **Vote of 4 ayes, 1 abstaining (Stevens) motion carried.**

VI. New Business

- a) Consider Approval of Request to Dispose of Police Equipment

- Mr. Porter introduced the item and described the request before the Council and the anticipated financial impact to the Police Equipment Fund.
- Chief Lawson provided more information about the technical and operational rationale behind making the transition to department issued sidearms, including the plan to eventually make a similar transition with long guns.
- **Mr. Himpel made a motion to authorize the Tonganoxie Police Department to dispose of the following items to Sig Sauer: (2) “five seven (57) FN pistols” with 6 magazines, .38 caliber Smith and Wesson Revolver, “High Point” nine millimeter pistol, Glock 22 forty caliber pistol with two magazines, Glock 18 c nine millimeter pistol with one magazine, (33) sig Sauer forty caliber magazines, (16) “five seven FN pistol magazines”, (800) rounds of forty caliber “Speer G Dot” ammunition, (3300) rounds of FN “five seven” ammunition. These items are valued at approximately \$4,446.00.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

- b) Consider Approval of Request to Purchase Utility Service Vehicle
 - Mr. Porter introduced the item.
 - **Mr. Bennett made a motion to authorize staff to purchase a 2019 Ford F-150 service truck from Laird Noller Automotive for an amount not to exceed \$27,384**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**
 - **Mr. Himpel made a motion to authorize staff to dispose of a 2005 Ford Ranger on Purple Wave Auction Side upon receipt of the 2019 F-150 utility truck.**
 - **Mr. Bennett seconded.**
 - **Vote of all ayes, motion carried.**

- c) Consider Approval of Request to Purchase Water Tower Inspection Services
 - Mr. Porter introduced the item and provided a summary of the services included in the bid.
 - **Ms. Patterson made a motion to authorize staff to purchase water tower inspection services from Inland Potable for an amount not to exceed \$5,215**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**

- d) Consider Approval of Request to Purchase Replacement Pump at the WWTP
 - Mr. Porter introduced this item and item VI. e). He described the conditions of each piece of equipment and the rationale behind rebuilding the bar screen at a lower cost than replacement.
 - Mr. Himpel asked when the bar screen replacement should be completed.
 - Mr. Heskett stated the project should begin as soon as possible and that staff would examine the other two similar pumps when the third is replaced.
 - Mayor Ward commented that this was another example of staff in operational and administrative positions making every effort to efficiently spend the City’s tax dollars. He thanked Public Works staff for their dedication.
 - **Mr. Himpel made a motion to authorize staff to purchase a replacement pump from Environmental Process Systems for an amount not to exceed \$12,500.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**

- e) Consider Approval of Request to Utilize Contractual Services to Rebuild the Bar Screen at the WWTP
 - **Mr. Himpel made a motion to authorize staff to retain the services of Huber Technology to complete a rebuild of the bar screen at the Waste Water Treatment Plant for an amount not to exceed \$30,182.11.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**

- f) Resolution 03-19-02: Approving a Contract with Kramer & Associates for Auditing Services
 - Mr. Porter introduced the item and described the advertisement for the RFQ and contract negotiation process with the lowest bid firm for auditing services.
 - **Mr. Himpel made a motion to authorize the execution of Resolution 03-19-01, approving the auditing services contract with Kramer & Associates.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**

g) City Manager Agenda

1. City Attorney Update

- Mr. Brajkovic noted that the City Attorney Shannon Marcano notified staff of her inability to continue as City Attorney due to a new client with conflicting meeting dates. He also commented that April 2 is the deadline for appointment of the City Attorney and Municipal Court Judge by the City Council, so staff will issue a RFQ and strive to provide a proposed appointment by that date.

2. Library Project Update

- Mr. Brajkovic introduced the item and described recent steps in the project aimed at advancing planning and zoning components of the project. No additional payments have been made.

h) City Attorney Agenda

i) Mayor Pro Tem Agenda

- Mr. Himpel recognized the efforts of all agencies involved in the collaborative relocation of nursing home residents early in the morning due to a carbon monoxide alarm incident. He asked that staff prepare a letter of thanks to share with each agency.

j) City Council Agenda

- Ms. Patterson recognized Public Works staff for all their hard work during the recent winter weather events.
- Ms. Stevens commented that the St. Patrick's Day parade is coming up soon on March 16.

k) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried. Meeting Adjourned at 8:11 PM.**

Respectfully submitted,



Dan Porter, Assistant City Manager



My Check Report

City of Tonganoxie, KS

Date Range: 03/01/2019 - 03/12/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0250	HONEYCREEK DISPOSAL SERVICE	03/0	Regular	0	26640	45995
0115	CONRAD FIRE EQUIPMENT, INC.	03/0	Regular	0	7659.51	45991
0189	FIRST STATE BANK & TRUST	03/0	Regular	0	3151.3	45965
0579	SECURITY BENEFIT - 457	03/0	Regular	0	2910.23	46009
0136	DELTA DENTAL PLAN OF KANSAS,IN	03/0	Regular	0	2333.9	45992
0001	911 CUSTOM	03/0	Regular	0	1512	45960
0555	RICOH USA, INC.	03/0	Regular	0	1482.69	45982
0642	U S POSTAL SERVICE	03/0	Regular	0	1083.5	46011
1002	PRAIRIE FIRE SIGNS AND GRAPHICS	03/0	Regular	0	1035.01	45980
0414	LINK-LITE NETWORKING, INC.	03/0	Regular	0	993.75	45975
1039	Free State Doors, Inc.	03/0	Regular	0	949	45994
0959	OFFICE OF THE KANSAS STATE TREASURER	03/0	Regular	0	928	46005
0110	CODE PUBLISHING INC	03/0	Regular	0	889.5	45990
0548	RECORDNEWS	03/0	Regular	0	805.35	46006
0348	KBI	03/0	Regular	0	800	46000
0414	LINK-LITE NETWORKING, INC.	03/0	Regular	0	725	46003
0224	HAMM QUARRIES & LANDFILL	03/0	Regular	0	698.1	45969
0330	KANSAS GAS SERVICE	03/0	Regular	0	548.98	45997
0503	PACE ANALYTICAL SERVICES INC	03/0	Regular	0	454	45979
0491	OLATHE WINWATER WORKS	03/0	Regular	0	420	45978
0661	VISION SERVICE PLAN	03/0	Regular	0	402.53	45986
0348	KBI	03/0	Regular	0	400	45973
0614	T-MOBILE	03/0	Regular	0	380.12	46010
0243	HIMPEL LUMBER & BUILDING SUPPL	03/0	Regular	0	301.89	45970
0757	KC CLEAN	03/0	Regular	0	300	46001
0857	MIDCONTINENT COMMUNICATIONS	03/0	Regular	0	268.04	46004
0732	METLIFE - GROUP BENEFITS	03/0	Regular	0	225.34	45976
0410	LIBERTY NATIONAL	03/0	Regular	0	224.71	45974
0362	KIMBALL MIDWEST	03/0	Regular	0	219.76	46002
0244	HMC PERFORMANCE COATINGS LLC	03/0	Regular	0	200	45971
1021	Katherine Kelly	03/0	Regular	0	200	45999
0989	SPEEDWAY CHRYSLER DODGE JEEP	03/0	Regular	0	189.95	45983
0166	EMERGENCY REPORTING	03/0	Regular	0	181.33	45993
0119	COPY CENTER OF TOPEKA	03/0	Regular	0	175.4	45964
0749	BROADVOICE	03/0	Regular	0	147.49	45989
0217	GRAINGER	03/0	Regular	0	138.93	45968
0111	COLEMAN EQUIPMENT INC	03/0	Regular	0	137.63	45962
0001	911 CUSTOM	03/0	Regular	0	125	45987
0477	NAVRATS	03/0	Regular	0	124.8	45977
0205	GALL'S LLC	03/0	Regular	0	104.95	45967
1000	KANSAS CITY FREIGHTLINER SALES, INC.	03/0	Regular	0	102.52	45996
0305	KACM-KS.ASSOC. COURT MNGMT	03/0	Regular	0	100	45972
0945	CONTINENTAL RESEARCH CORPORATION	03/0	Regular	0	88.76	45963
0542	QUILL	03/0	Regular	0	85.94	45981
0656	VERIZON WIRELESS	03/0	Regular	0	83.81	45985
0651	USA BLUE BOOK	03/0	Regular	0	79.17	45984
0034	AT&T ACCESS TRANSPORT SERVICES	03/0	Regular	0	74.49	45988
0568	SAMS CLUB	03/0	Regular	0	66.86	46008
0020	AMERICAN EQUIPMENT CO.	03/0	Regular	0	60.52	45961
0555	RICOH USA, INC.	03/0	Regular	0	29.96	46007
0335	KANSAS MUNICIPAL JUDGES ASSOC.	03/0	Regular	0	25	45998
	Void	03/0	Regular	0	0	45966

My Check Report

Date Range: 03/01/2019 - 03/12/2019

Vendor Number Vendor Name Payment Date Payment Type Discount Amount Payment Amount Number

Bank Code AP Bank Summary

	P	Pa	Discount	Payment
Payment Type				
Regular Checks	#	51	0.00	61,264.72
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	#	#	0.00	61,264.72

All Bank Codes Check Summary

Payment Type	Pay	Pr	Discount	Payment
Regular Checks	59	#	0.00	61,264.72
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	59	#	0.00	61,264.72



County of Leavenworth
Planning & Zoning Department
300 Walnut, Suite 030
Leavenworth, Kansas 66048
Phone: 913-684-0465

February 12, 2019

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

Re: County Road 1 Land Use Plan
Board of County Commissioners Recommendation

Mr. Brajkovic,

The Leavenworth County Board of County Commissioners considered the County Road 1 Land Use Study in an open session on Wednesday, February 13, 2019. The commissioners were presented with the findings from the Study and considered two future land use options, Option A and Option B. I have included the propose land use scenarios with this letter. The plan may be found in its entirety at leavenworthcounty.org.

The Board voted 2-1 to recommend adoption of Option A. According to State Stature 12-743, the Board shall provide written notification to the City of Tonganoxie a minimum of 20 days prior to adoption of a Land Use Plan. It is our understanding that the Tonganoxie City Council wishes to consider the plan at the March 18, 2019 City Council Meeting. The Leavenworth Board of County Commissioners looks forward to considering any concerns or recommendations the City Council may have prior to the adoption of the Land Use Plan. Please confirm the date of the City Council Meeting at your earliest convenience.

If you have any questions or need additional information, please contact me at (913) 684-0461 or at kvoth@leavenworthcounty.org

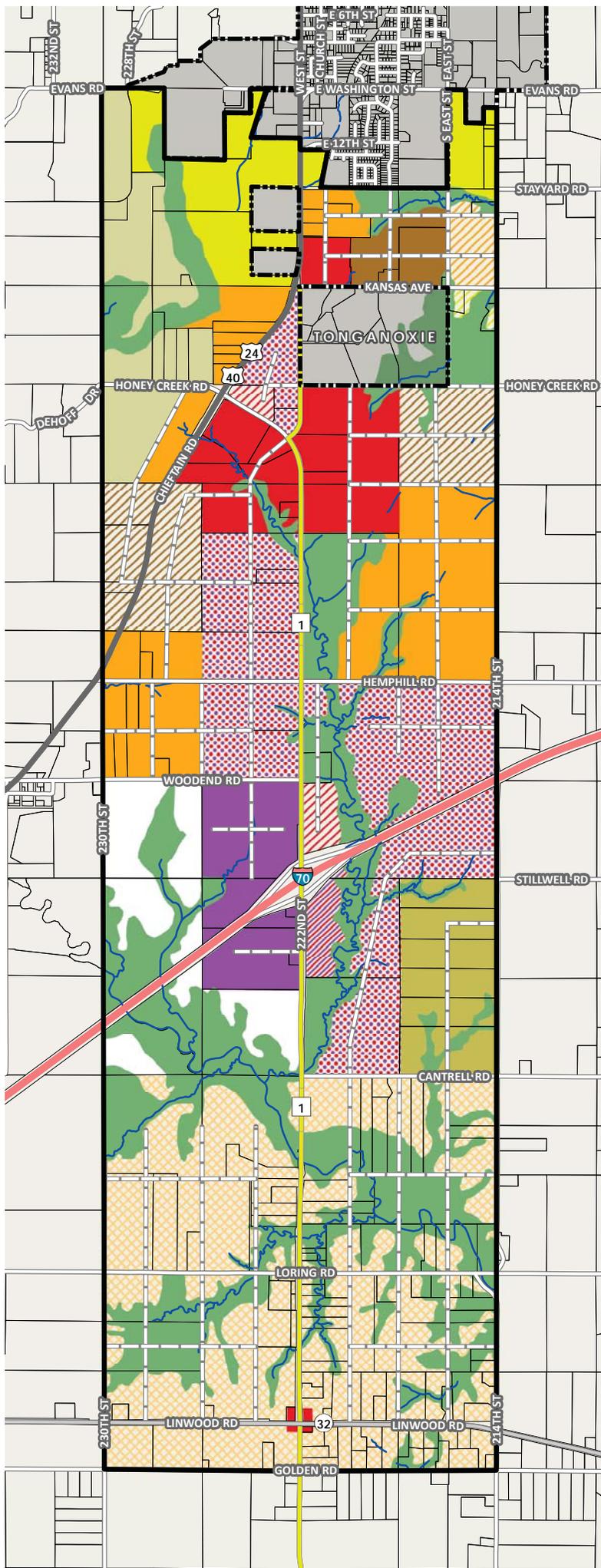
Respectfully,

Krystal A. Voth
Deputy Director
Planning and Zoning
Leavenworth County

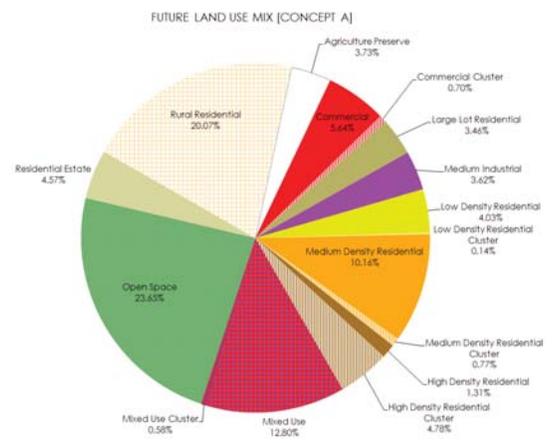
**Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 030 Leavenworth, Kansas 66048**

LEAVENWORTH COUNTY ROAD 1

FUTURE LAND USE CONCEPT A

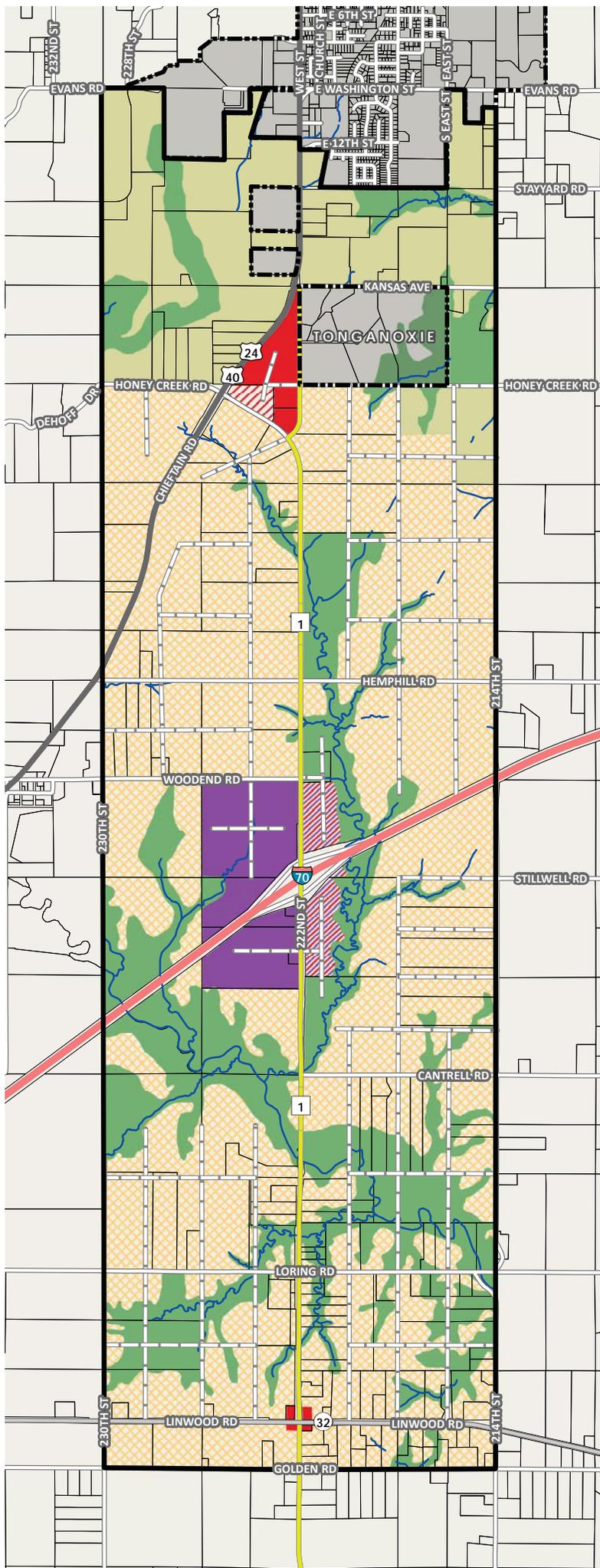


- Study Area
 - Tonganoxie City Limits
 - Interstate 70
 - US Route 24-40
 - State Route 32
 - County Road 1
 - Road
 - Proposed Road
 - Stream
 - Parcel
- Future Land Use**
- Agriculture Preserve [296 AC]
 - Commercial [448 AC]
 - Commercial Cluster [56 AC]
 - Large Lot Residential [275 AC]
 - Medium Industrial [288 AC]
 - Low Density Residential [320 AC]
 - Low Density Residential Cluster [11 AC]
 - Medium Density Residential [807 AC]
 - Medium Density Residential Cluster [61 AC]
 - High Density Residential [104 AC]
 - High Density Residential Cluster [380 AC]
 - Mixed Use [1017 AC]
 - Mixed Use Cluster [46 AC]
 - Open Space [1879 AC]
 - Residential Estate [363 AC]
 - Rural Residential [1595 AC]



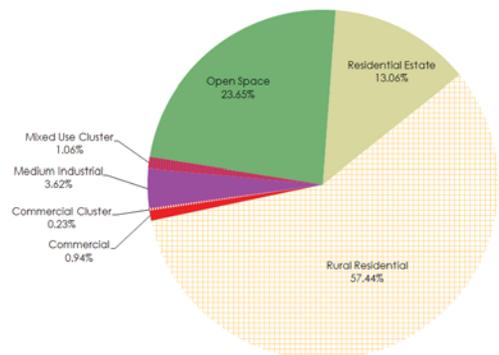
LEAVENWORTH COUNTY ROAD 1

FUTURE LAND USE CONCEPT B



- Study Area
 - Tonganoxie City Limits
 - Interstate 70
 - US Route 24-40
 - State Route 32
 - County Road 1
 - Road
 - Proposed Road
 - Stream
 - Parcel
- Future Land Use**
- Commercial [75 AC]
 - Commercial Cluster [18 AC]
 - Medium Industrial [288 AC]
 - Mixed Use Cluster [84 AC]
 - Open Space [1879 AC]
 - Residential Estate [1038 AC]
 - Rural Residential [4564 AC]

FUTURE LAND USE MIX (CONCEPT B)



JE Dunn Bidding Procedures

Bid Preparation

- JE Dunn will develop a bidders list from internal data base and include all prequalified Library and City related recommended bidders.
- JE Dunn will advertise the bid package in Leavenworth Times, LJ World and other requested locations.

Bid Period

- JE Dunn will release bid documents to bidders list via SmartBidNet.com.
- JE Dunn will hold a pre-bid conference in Tonganoxie to review the package and answer any questions bidders have.
- JE Dunn will follow up with all bidders before bid date to provide an additional list of bid clarifications to be include in their bid if required or necessary.

Bid Review

- Bidders will return notarized bids via email to Emily.Held@jedunn.com at 2 pm on bid day.
- If JE Dunn Self Perform decides to bid any scope of work these bids will be returned directly to The City of Tonganoxie or Benson Method, whichever is deemed fit by The Library and The City.
- JE Dunn will review and vet bids to ensure they are accurate and appropriate.
- JE Dunn will make recommendations for each trade to Tonganoxie Public Library and The City of Tonganoxie for review and approval.

BIDDING PROCESS :

We will maximize bidder interest in your project, which will increase competition and reduce the cost of construction. This process begins with advertisements in the KC Star, Mirror and other requested locations that invite trade contractors to submit a bid proposal. We will contact all contractors we believe are a good fit, interested or recommended to encourage participation and minimize questions. All interested subs are invited to attend an informational pre-bid meeting in Tonganoxie allowing them to learn more about the project in advance of receiving a bid package. SmartBidNet.Com will house all bid documents for bidders to access free of charge.

Once the bid documents have been released for bidding on Smart Bid Net, bidders will have 2 weeks to review and prepare bids. Bids will be emailed to Emily.Held@jedunn.com and must be notarized on the provided bid form.

After receipt of all bids, JE Dunn will evaluate each to ensure that it includes all criteria in the proposed scope of work. Once it has been determined that each trade contractor’s bid is responsive, JE Dunn will make recommendations of award to Tonganoxie Public Library. Following award, a preconstruction meeting with all successful trade contractors in attendance will be conducted to discuss the overall plan of the project, to review administrative items and start immediately on finalizing their designs.

1

Bidder’s List

- JE Dunn will develop a potential bidder’s list of approved prequalified bidders for each subcontract category. This list will be reviewed with Tonganoxie Public Library and amended to reflect mutually agreed-upon changes.
- The bidder’s list for each subcontract category can be added to or deleted from any time up until award of subcontract with the prior written reasonable consent of Tonganoxie Public Library.
- The lists will be determined based on the prequalification criteria approved by Tonganoxie Public Library, the bidder’s qualifications, past experience on similar type projects, availability to do the work, financial strength and previous history with doing business with JE Dunn.

2

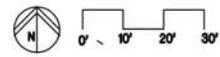
Review of Bids

- JE Dunn will obtain bids from as many prequalified subcontract bidders as possible for each part of the work, except as may otherwise be approved in writing by Tonganoxie Public Library. If it is not reasonably practicable to obtain three (3) bids or proposals for any portion of the work, then we will submit, in advance of the bid, a written statement of the reasons for such inability to Tonganoxie Public Library.
- The bids will be reviewed by JE Dunn for, but not limited to: completeness, compliance with bid request, dollars versus budget comparison, and ability of subcontractor to complete commitment. Tonganoxie Public Library + City will participate in bid review process if it so elects and reserves the right to review all subcontract bids with JE Dunn’s Design Build Team.

3

Selection of Subcontractor

- After review, JE Dunn will submit an analysis of the bid proposals received, our recommendations for award, and any required post-bid adjustments to ensure that all of the work is covered by approved subcontracts (or by self performed work) to Tonganoxie Public Library + City for approval.
- Following the receipt of approval JE Dunn will release the selected trade partner and will begin coordination efforts.



1:30' for 11x17

This drawing is diagrammatic.
Final design and actual conditions may vary.
This dwg. is not a formal survey; information is transcribed; refer to survey document by Schlögel & Assoc.

SHAWNEE ST.

Tonganoxie Public Library

**SCHEMATIC DESIGN
SITE PLAN**

**NEW BUILDING
03-12-19**



**SAPP
DESIGN
ARCHITECTS**

(9 ON STREET SPACES)
(E 4th St)

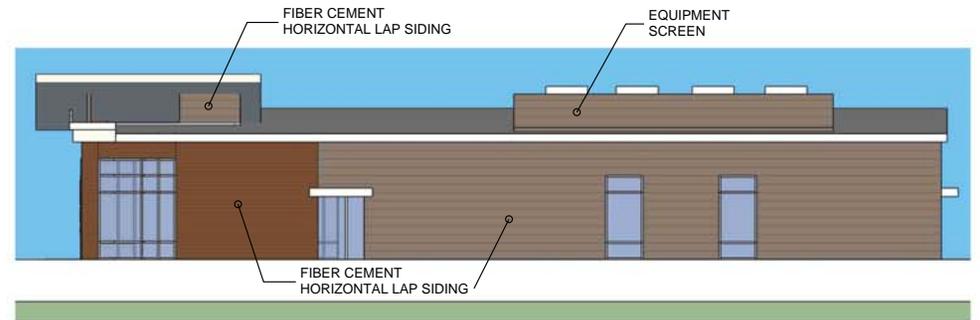




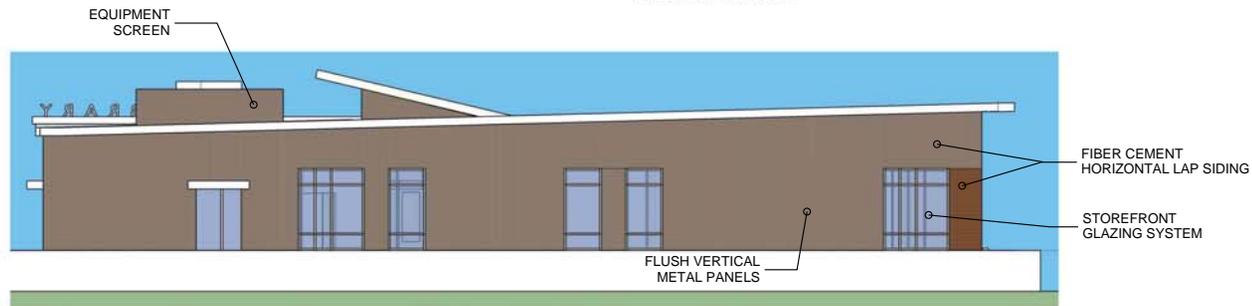
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



Office of the City Manager
AGENDA STATEMENT

DATE: March 18, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Melanie Tweedy, Administrative Assistant
SUBJECT: Request to Waive Fee for Family Season Pass for Cornerstone Family Worship

DISCUSSION:

The Children's Ministry at Cornerstone Family Worship requested that the City Council consider donation of a 2019 family season pass to the Tonganoxie Water Park for use in their 3rd Annual Auction and Dinner on Sunday, March 31st, 2019. This is the first request for donation of a family pool pass to Cornerstone Family Worship. In order to provide the complimentary pass for use in the fundraiser, the City Council would be required to waive the \$140 fee for the resident family season pass and agree to donate it to Cornerstone Family Worship.

ACTION NEEDED:

Make a motion to waive the \$140 fee for 1 Tonganoxie Water Park resident family season pass and donate it to the Cornerstone Family Worship Children's Ministry for use at an upcoming auction and dinner event.

ATTACHMENTS:

Letter requesting donation from Cornerstone Family Worship Children's Ministry

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



Cornerstone Kids Church of
Cornerstone Family Worship
Attn: Jenni Keltner
205 E. Highway 24/40
Tonganoxie, Kansas 66086
(913) 369-2600

January 2, 2019

Hello!

The Children's Ministry at Cornerstone Family Worship will be hosting our 3rd Annual Auction and Dinner on Sunday, March 31st to help send kids to camp this summer. We hope to send almost 100 kids to camp from the Tonganoxie community and we would like to send them for as little as possible! With your help, we can do that!

We are looking for area businesses to donate new items and/or gift certificates to be auctioned off. Do you own your own business? Are you in direct sales? Do you have a craft or a hobby that you could make something? Can you bake a pie? Clean a house? If you answered yes, to any of these, then you have items or services you can donate! All businesses will be acknowledged in our program for their donation(s). If you have any questions or wish to donate an item, please contact Jenni Keltner (Children's Ministry Director) at 913-748-7421 or cfwchildren@gmail.com. We will be more than happy to pick up your donation or donations can be mailed to:

Cornerstone Family Worship
Attn: Jenni Keltner
205 E. Highway 24/40
Tonganoxie, KS 66086

Thank you in advance for your donations!

For more information about our organization you can go to our website
www.cornerstonefamilyworship.net.

Blessings,

A handwritten signature in cursive script that reads "Jenni".

Jenni Keltner
Children's Ministry Director

*We would love
if you would love
us for a family considr
for the 2019 season! This would
be a huge blessing to our
Auction and help with
this summer!
Thank
you*

YOU'RE INVITED TO AN

AUCTION AND SPAGHETTI

DINNER

RAISE A FORK
TO A
GREAT CAUSE!

COME HUNGRY TO SUPPORT
CORNERSTONE CHILDREN'S MINISTRY
FUNDRAISER!

TICKETS
ARE \$5
EACH!!

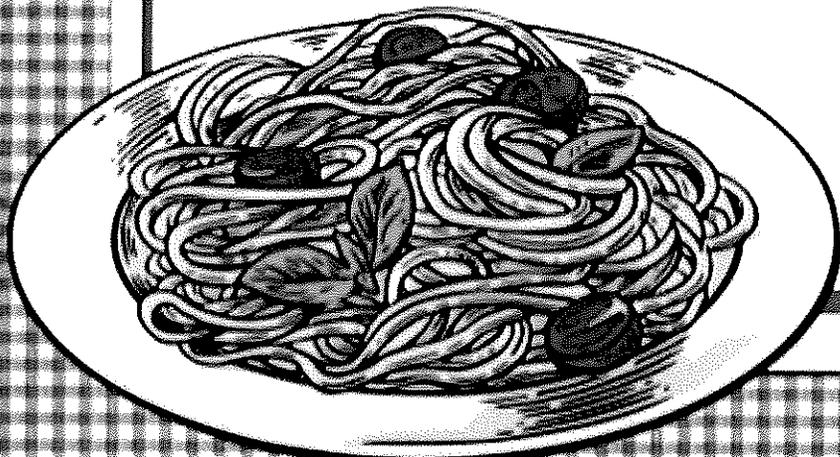
MARCH 31ST
4:30 P.M.

AUCTION
WILL
START AT
5:30 P.M.

CORNERSTONE FAMILY WORSHIP
205 HIGHWAY 24/40 ~ TONGANOXIE

PURCHASE TICKETS BY MARCH 27TH.

YOU WILL WANT TO STAY
AFTER DINNER FOR THE
AUCTION! WE WILL HAVE
ITEMS VALUING INTO THE
THOUSANDS!!



RESOLUTION NO. 03-19-02

A RESOLUTION DECLARING IT NECESSARY TO ACQUIRE PRIVATE PROPERTY IN THE CITY OF TONGANOXIE, KANSAS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING SANITARY SEWER IMPROVEMENTS AND FURTHER DIRECTING THE CITY ENGINEER TO CAUSE A SURVEY TO BE MADE OF THE LAND NEEDED FOR SUCH IMPROVEMENT

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

Section 1: That it is necessary to acquire by appropriation and proceedings in Eminent Domain, permanent utility easements, temporary construction easements and other easements in the City of Tonganoxie, Kansas for the constructing, reconstructing and maintaining the sanitary sewer improvements. The City Engineer is hereby directed and instructed to cause to be prepared and made a survey of the land necessary for such purpose and to prepare a certificate showing the results of such survey over his signature and to cause the same to be filed in the Office of the City Clerk of the City of Tonganoxie, Kansas. Said report shall also contain a description of the land which is necessary for such purposes.

Section 2: That after the filing of said survey and report by the City Engineer, the City Attorney of the City of Tonganoxie, Kansas shall cause a proper ordinance to be prepared and submitted to the Governing Body for consideration, providing for the acquisition of private property in the City of Tonganoxie by appropriate proceedings in Eminent Domain.

Section 3: The City Clerk shall cause this Resolution to be published once in the official City newspaper.

ADOPTED by the Governing Body this 18th day of March, 2019.

SIGNED by the Mayor this 18th day of March, 2019.

SEAL

Jason K. Ward, Mayor

ATTEST:

Patricia C. Hagg, City Clerk

Publish one time and return one Proof of Publication to the City Clerk, one to Public Works/City Engineer, and one to the City Attorney

MEMORANDUM

To: Mayor Ward and City Council

From: Shannon M. Marcano, Esq.

Re: Eminent Domain Process

The Eminent Domain process in Kansas is set out in Chapter 26 of the Kansas Statutes. The distinct steps in the process are as follows:

1. City adopts Resolution declaring necessity for condemnation and authorizing survey and description of land or interested to be condemned to be made by a licensed land surveyor or professional engineer and filed with City Clerk.
2. Resolution shall be published once in the official city newspaper.
3. City causes survey and legal description to be filed with City Clerk.
4. City adopts Ordinance authorizing and providing for the acquisition of land or interest, setting forth such condemnation, the interest to be taken and for what purpose it is to be used.
5. City files Petition for Condemnation with District Court.
6. City publishes notice of hearing.
7. District Court holds hearing and appoints 3 appraisers.
8. City publishes notice of public hearing
9. Appraisers view property and hold public hearing.
10. Appraisers file report with the District Court.



-
11. City pays award and fees and expenses of Appraisers into court and title is transferred to City.
 12. Either party may appeal award.

Please do not hesitate to contact me with any questions.



Office of the City Manager
AGENDA STATEMENT

DATE: March 18, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Ordinance 1460: Amending Chapter III, Article I and Article II, Regulating the Sale of Cereal Malt Beverage and Enhanced Cereal Malt Beverage, or Beer Containing Not More Than 6% Alcohol by Volume

DISCUSSION:

House substitute for Senate Bill 13 was passed and signed into law by the Governor in April 2017. The legislation adjusted state law related to the sale of cereal malt beverage (CMB) and beer. In summary, the adjustments mean that on April 1, 2019 CMB retailers (such as grocery stores, convenience stores and drug stores) will be allowed to sell beer up to 6% alcohol by weight in addition to CMB, which is defined in the City Code as any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute with less than 3.2 percent alcohol by weight.

Staff have prepared Ordinance 1460 to amend the City Code to be in compliance with the updated state law. The ordinance will add the definition “enhanced cereal malt beverages” to Chapter III, Article I and add a distinction to Chapter III, Article II that any license obtained to enable the retail sale of cereal malt beverage includes the ability to sell “enhanced cereal malt beverages,” as defined in Article I, by retailers in compliance with this ordinance and other laws and regulations that may apply.

The City Council approved four CMB license application renewals in 2018 for the current year. Since no change was made to the application process or requirements for CMB licensure, the current licenses remain effective and no additional action will be required. Sales of Enhanced Cereal Malt Beverages will be authorized on April 1, 2019 with business permitted to make preparations as instructed by the Kansas Department of Revenue – Alcohol Beverage Control.

BUDGET IMPACT:

The only potential impact to the City’s budget from the state law adjustments is anticipated to be a potential slight increase in sales tax proceeds as CMB retailers within the City limits remit sales tax instead of Liquor Enforcement Tax paid by retailers of alcoholic liquor. Expanding the products legally available to be sold at CMB retailers should allow for more sales to occur at those locations.

ACTION(S) NEEDED:

Make a motion to authorize the execution of Ordinance 1460, Amending Chapter III, Article I and Article II, Regulating the Sale of Cereal Malt Beverage and Enhanced Cereal Malt Beverage, or Beer Containing Not More Than 6% Alcohol by Volume

ATTACHMENTS:

Ordinance 1460

cc: George Brajkovic, City Manager

ORDINANCE NO. 1460

AN ORDINANCE AMENDING SECTION 3-101 AND SECTION 3-201 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE REGULATION OF THE SALE OF ENHANCED CEREAL MALT BEVERAGES, OR BEER CONTAINING NOT MORE THAN 6% ALCOHOL BY VOLUME

WHEREAS, House Substitute for Senate Bill 13 was passed by the Kansas State Legislature and approved by the Governor in 2017, making changes effective April 1, 2019 to the regulation of cereal malt beverages (CMB) and beer containing not more than 6% alcohol by volume; and

WHEREAS, the City of Tonganoxie desires to update its CMB licensing standards by amending Section 3-101 and Section 3-201 of the Tonganoxie City Code.

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

SECTION 1. That Section 3-101 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*:

3-101. DEFINITIONS.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

- (a) Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever the origin thereof, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.
- (b) Alcoholic Liquor means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being, but shall not include any cereal malt beverage.
- (c) Caterer means an individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit selling alcoholic liquor in accordance with the terms of such permit.
- (d) Cereal Malt Beverage means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any such liquor which is more than 3.2 percent alcohol by weight.
- (e) Class A Club means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the State of Kansas, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members), and their families and guests accompanying them.
- (f) Class B Club means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(g) Club means a Class A or Class B club.

(h) Drinking Establishment means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold.

(i) Enhanced Cereal Malt Beverage means cereal malt beverage as that term is defined in K.S.A. 41-2701, and amendments thereto, and such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

~~(j)~~ General Retailer means a person who has a license to sell cereal malt beverages at retail.

~~(j-k)~~ Limited Retailer means a person who has a license to sell cereal malt beverages at retail only in original and unopened containers and not for consumption on the premises.

~~(k-l)~~ Place of Business. Any place at which cereal malt beverages or alcoholic beverages or both are sold.

~~(l-m)~~ Temporary Permit means a permit, issued in accordance with the laws of the State of Kansas, which allows the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, open to the public.

~~(m-n)~~ Wholesaler or distributor. Any individuals, firms, copartnerships, corporations and associations which sell or offer for sale any beverage referred to in this chapter, to persons, copartnerships, corporations and associations authorized by this chapter to sell cereal malt beverages at retail.

SECTION 2. That Section 3-201 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*:

3-201. LICENSE REQUIRED OF RETAILERS.

(a) It shall be unlawful for any person to sell any cereal malt beverage *or enhanced cereal malt beverage* at retail without a license for each place of business where cereal malt beverages *or enhanced cereal malt beverages* are to be sold at retail.

(b) It shall be unlawful for any person, having a license to sell cereal malt beverages *or enhanced cereal malt beverages* at retail only in the original and unopened containers and not for consumption on the premises, to sell any cereal malt beverage *or enhanced cereal malt beverage* in any other manner.

(K.S.A. [41-2702](#); Ord. 779, Sec. 1; Code 2004)

SECTION 3. That this ordinance shall take effect and be enforced from and after its passage, approval, and publication in the official newspaper of the City of Tonganoxie, Kansas as provided by law.

SECTION 4. 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 18th DAY OF MARCH, 2019.

APPROVED BY THE MAYOR THIS 18TH DAY OF MARCH, 2019.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk



Office of the City Manager
AGENDA STATEMENT

DATE: March 18, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Ordinance 1465: Accepting the Dedication of Easements

DISCUSSION:

On October 1, 2018 the City Council approved project funding for preliminary phases of extending an Interceptor Sanitary Sewer from the City's Water Treatment Facility to the Tonganoxie Business Park. Some of the initial steps included preliminary topo survey, section corner survey, setting the alignment of necessary easements, completion of easement acquisition, and initial design engineering. Completing this phase of the project in a timely fashion will afford flexibility when construction is necessary.

Ordinance 1465 formalizes the approval and acceptance of related temporary and permanent utility easements from the current property owners.

BUDGET IMPACT:

None.

ACTIONS NEEDED:

Make a motion to adopt Ordinance 1465, Approving and Accepting a Temporary and Permanent Utility Easement from ORISON, LLC.

ATTACHMENTS:

Ordinance 1465

cc: George Brajkovic, City Manager

ORDINANCE NO. 1465

AN ORDINANCE APPROVING AND ACCEPTING A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM ORISON, LLC

WHEREAS, the City of Tonganoxie, Kansas is a city of the second class and political subdivision duly organized and validly existing under the laws of the state of Kansas; and

WHEREAS, Orison, LLC, owns property in the City of Tonganoxie; and

WHEREAS, it is necessary that a certain permanent utility easement and a certain temporary construction easement be dedicated to the City of Tonganoxie for the purpose of laying, installing, replacing, removing, relocating, and maintaining on and upon said lands such utilities as may be necessary, and all facilities incident thereto; and

WHEREAS, Orison, LLC, wishes to dedicate such permanent utility easement and temporary construction easement, and the City of Tonganoxie wishes to accept the dedication of such permanent utility easement and temporary construction easement, legally described as follows:

PERMANENT UTILITY EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16

S.1°48'08"E. (BEING AS ASSUMED BEARING) 25.00 FEET TO THE POINT OF BEGINNING BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET AND THE EAST RIGHT-OF-WAY LINE OF EAST STREET; THENCE PARALLEL TO AND 25.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16) AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID WASHINGTON STREET

N.88°41'19" E. 367.84 FEET; THENCE

S.1°18'41"E. 20.00 FEET; THENCE

S.88°41'19"W. 187.66 FEET; THENCE

S.1°48'08"E. 800.56 FEET; THENCE

S.88°11'52"W. 180.00 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE OF SAID EAST STREET; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE AT SAID EAST STREET

N.1°48'08"W. 20.00 FEET; THENCE

N.88°11'52"E. 160.00 FEET; THENCE

N.1°48'08"W. 780.73 FEET; THENCE

S.88°41'19"W. 160.01 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE

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THIS EASEMENT CONTAINS 0.610 ACRES OR 26,568 SQUARE FEET.

ALSO:

TEMPORARY UTILITY EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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N.88°41'19"E. 140.01 FEET; THENCE

S.1°48'08"E. 740.90 FEET; THENCE

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N.1°48'08"W. 780.73 FEET; THENCE

S.88°41'19"W. 160.01 FEET TO THE POINT OF BEGINNING.

THIS EASEMENT CONTAINS 0.487 ACRES OR 21,216 SQUARE FEET.

ALSO:

TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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N.1°18'41"W. 20.00 FEET; THENCE
S.88°41'19"W. 187.66 FEET; THENCE
S.1°48'08"E. 800.56 FEET; THENCE
S.88°11'52"W. 180.00 FEET TO THE POINT OF BEGINNING.

THIS EASEMENT CONTAINS 0.536 ACRES OR 23,361 SQUARE FEET.

And as depicted in the Grant of Utility Easement attached hereto as Exhibit A

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

Section 1: That the Governing Body of the City of Tonganoxie does hereby find and determine that it is in the best interest of the citizens and City of Tonganoxie, to approve, authorize, accept and receive the permanent utility easement and temporary construction easement, and hereby approves, receives and accepts such permanent utility easement and temporary construction easement, legally described as follows:

PERMANENT UTILITY EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THIS EASEMENT CONTAINS 0.610 ACRES OR 26,568 SQUARE FEET.

ALSO:

TEMPORARY UTILITY EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF
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THIS EASEMENT CONTAINS 0.487 ACRES OR 21,216 SQUARE FEET.

ALSO:

TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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S.1°48'08"E. 800.56 FEET; THENCE
S.88°11'52"W. 180.00 FEET TO THE POINT OF BEGINNING.

THIS EASEMENT CONTAINS 0.536 ACRES OR 23,361 SQUARE FEET.

And depicted in the Grant of Utility Easement attached hereto as Exhibit A, for the purpose of laying, installing, replacing, removing, relocating, and maintaining on and upon said lands such utilities as may be necessary, and all facilities incident thereto.

Section 2: That the City Council directs that the Grant of Utility Easement, attached hereto as Exhibit A, be duly and properly recorded in the office of the Leavenworth County Register of Deeds.

Section 3: That the Mayor, City Clerk, City Manager and other city employees be authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this ordinance.

Section 4: 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 18th day of March, 2019.

APPROVED by the Mayor this 18th day of March, 2019.

SEAL

Jason K. Ward, Mayor

ATTEST:

Patricia C Hagg, City Clerk

EXHIBIT A

Grant of Utility Easement

GRANT OF UTILITY EASEMENT

This indenture, made this 14th day of March, 2019, between Orison, LLC of Leavenworth County in the State of Kansas, of the first part, and the City of Tonganoxie, a municipal corporation of Leavenworth County, in the State of Kansas, of the second part:

WITNESSETH, that said party of the first part, does hereby dedicate to the City of Tonganoxie, Kansas, a municipal corporation, for the benefit and use of the public, an easement over, upon, across, in, through and under the following described property, to wit:

DESCRIPTION: PERMANENT UTILITY EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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N.1°48'08"W. 20.00 FEET TO THE POINT OF BEGINNING.

THIS EASEMENT CONTAINS 0.610 ACRES OR 26,568 SQUARE FEET.

ALSO: TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16

S.1°48'08"E. (BEING AS ASSUMED BEARING) 45.00 FEET TO THE POINT OF BEGINNING BEING ON THE EAST RIGHT-OF-WAY OF EAST STREET; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE AT SAID EAST STREET

S.1°48'08"E. 20.00 FEET; THENCE

N.88°41'19"E. 140.01 FEET; THENCE

S.1°48'08"E. 740.90 FEET; THENCE

S.88°11'52"W. 140.00 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE OF SAID EAST STREET; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE OF SAID EAST STREET

S.1°48'08"E. 20.00 FEET; THENCE

N.88°11'52"E. 160.00 FEET; THENCE

N.1°48'08"W. 780.73 FEET; THENCE

S.88°41'19"W. 160.01 FEET TO THE POINT OF BEGINNING.

THIS EASEMENT CONTAINS 0.487 ACRES OR 21,216 SQUARE FEET.

ALSO: TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16

S.1°48'08"E. (BEING AS ASSUMED BEARING) 847.10 FEET TO THE POINT OF BEGINNING BEING ON THE EAST RIGHT-OF-WAY OF EAST STREET; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND THE EAST RIGHT-OF-WAY LINE AT SAID EAST STREET

S.1°48'08"E. 20.00 FEET; THENCE

N.88°11'52"E. 200.00 FEET; THENCE

N.1°48'08"W. 800.39 FEET; THENCE

N.88°41'19"W. 167.49 FEET; THENCE

N.1°18'41"W. 20.00 FEET; THENCE

S.88°41'19"W. 187.66 FEET; THENCE

S.1°48'08"E. 800.56 FEET; THENCE



Office of the City Manager
AGENDA STATEMENT

DATE: March 18, 2019
To: Honorable Mayor Jason K. Ward and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Tonganoxie Days Event Planning Discussion – 2019 Budget

DISCUSSION:

The Event Planning Group for the 2019 Tonganoxie Days event has met several times and advanced preparations for this year's event. The majority of the event preparation steps like sponsorship collections, vendor registrations, marketing efforts, and public safety preparations will take place in April and May.

The event is scheduled for June 8, 2019 and the planned duration is from 3-11 PM. More information about the proposed 2019 event budget will be delivered at the City Council meeting for discussion.

ACTION NEEDED:

Make a motion to approve the draft 2019 Tonganoxie Days event budget.

ATTACHMENTS:

None.

cc: Rocky Himpel, Mayor Pro Tem
Curtis Oroke, City Councilmember
George Brajkovic, City Manager

City of Tonganoxie Financial Report

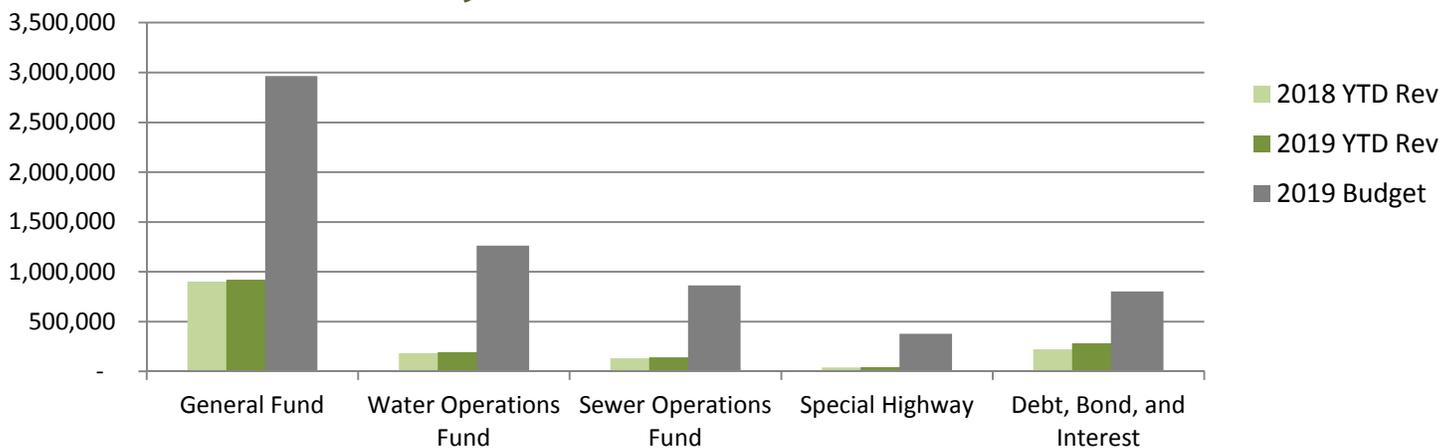
Feb-19

Significant Events in Most Recent Period

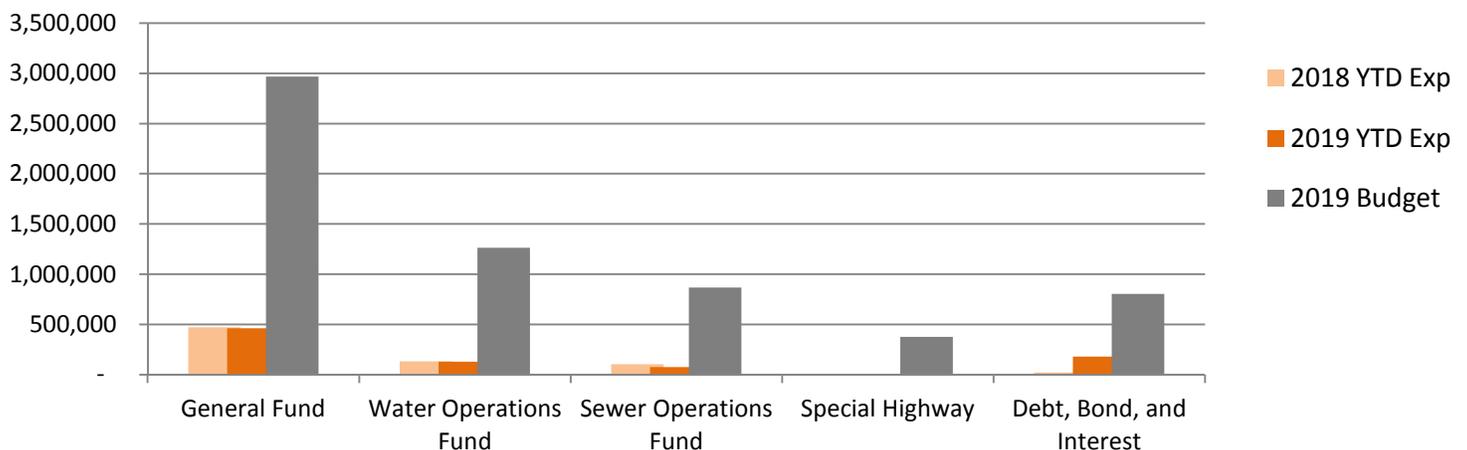
Spent 13% of budget authority in all funds
Paid work comp premiums for 2019
Received \$27,275 for auctioned vehicles

Received 24% of budgeted revenue in all funds
Made 5 GO Bond debt payments
104 total payments in February 2019

Major Fund Revenues



Major Fund Expenditures



General Fund

Principal funding mechanism for general services.

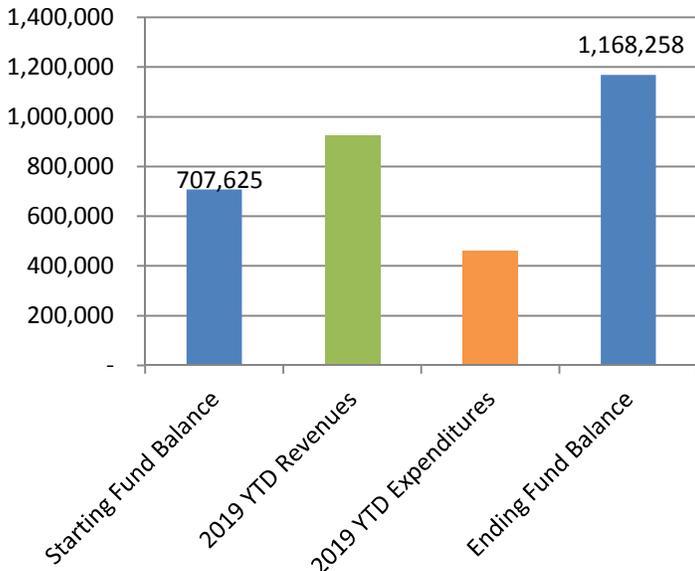
Revenue

Overall, collected 31% of General Fund revenues.
 Sales and Use Tax collection on track with budget.
 Franchise Fees were slightly less than budgeted.
 Building Permits revenues are tracking higher than budget.

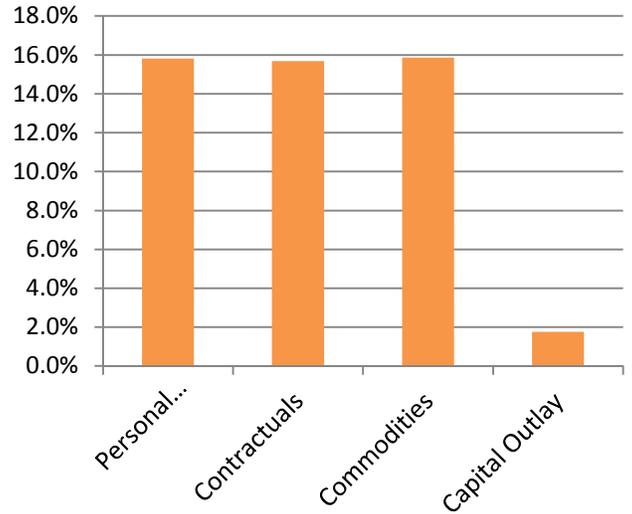
Expenditures

Overall, spent 15% of General Fund budget.
 Personal Services were on track with budget due to holiday pay.
 Contractuals are within budget margins, boosted by savings in Commodities.
 Capital Outlay was under budget due to timing of planned projects

Projected Fund Balance



% of Budget Spent by Category



YTD Property Tax Collections

\$ 670,374	55.6% of Budget
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YTD Franchise Fee Collections

\$ 41,795	13.7% of Budget
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YTD Sales & Use Tax Collections

\$ 100,562	18.0% of Budget
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YTD Building Permit Collections

\$ 33,078	55.1% of Budget
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Utility Funds

Enterprise Funds, operated in a similar manner to private enterprise, and capital funds to finance capacity and infrastructure.

Water Operations Fund

Revenue

Water Sales specifically were 16% of budget projections, exceeding the prior year by 2%.

Category	Receipts	Change from PY
Water Sales	15.6%	9.6%
Debt Surcharge	17.7%	1.0%
Other Fees	11.2%	-8.3%
Total	15.3%	5.2%

Sewer Operations Fund

Revenue

Sewer revenues met budget projections and exceeded the prior year by 6.6% through February. Inspection fees are now above budget.

Category	Receipts	Change from PY
Sewer Sales	16.6%	6.1%
Debt Surcharge	16.1%	1.9%
Sewer Inspections	13.8%	20.0%
Total	16.4%	6.6%

Sanitation Fund

Revenue

The total number of billed accounts continues to increase, which impacts budget authority.

Category	Receipts	Change
Sanitation Charges	16.1%	3.1%

Storm Water Fund

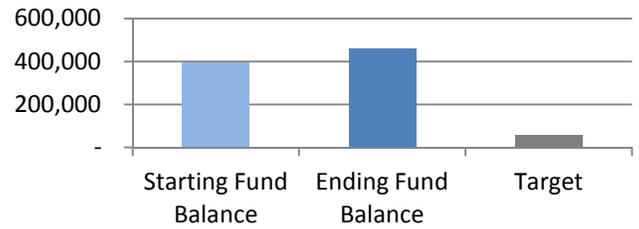
Revenue

Collected revenue for only part of 2018, as fees were enacted in spring 2018. 2019 revenue is tracking according to budget.

Category	YTD Collections
Storm Water Charges	7,030

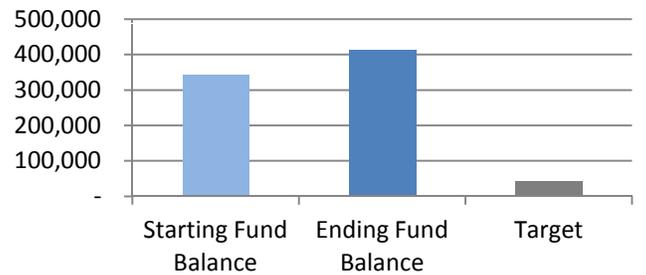
Expenditures

Commodities and capital outlay are on track with budget. Budgeted transfers are only made on a quarterly basis, so those expenses aren't demonstrated.



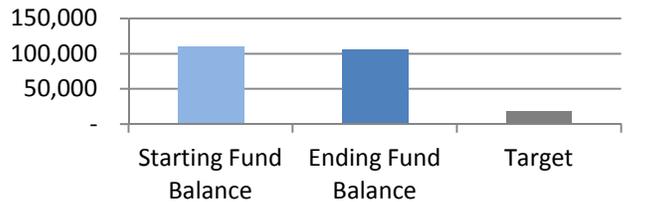
Expenditures

More expenditures in professional services are anticipated with progress on the utility rate study and already approved vehicle purchases.



Expenditures

17% of budget. Largely a pass through, so staff will continue to monitor participation.



Expenditures

No major expenditures yet as the fund is building up available resources before addressing projects.

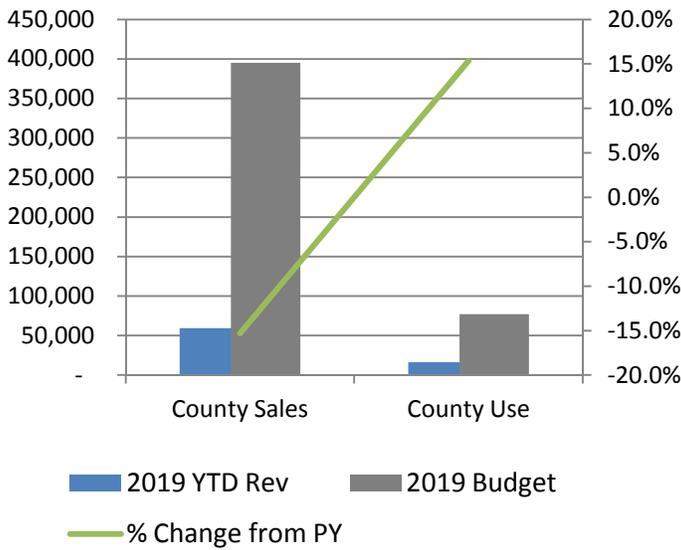
Cap Projects and Debt Funds

County Road 1 debt, capital projects, and debt service payments.

Capital Projects Fund

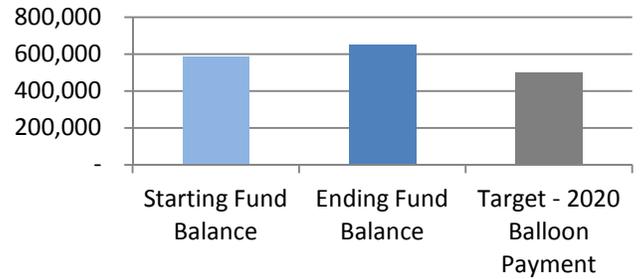
Revenue

Some revenue derived from transfers from other funds, but the majority in this fund is from the City's share of County Sales and County Use taxes. County Sales Tax is behind pace with last year but County Use Tax is still tracking ahead of pace for budget.



Expenditures

\$100,000 CR1 Debt payment will be made in Fall 2019 according to the budget, with a balloon payment in 2020. Fund balance is being built up intentionally in advance of this payment.



Debt, Bond, and Interest Fund

Revenue

Property Tax is the largest source of revenue in this fund, and it came in at 101% of budget in 2018. Revenue is on track in 2019. Certain debt service payments like the 2018A Library issuance is funded by transfers from other funds dedicated to supporting those issuances (Infrastructure sales tax).

Expenditures

Made 8 scheduled debt service payments in 2019. The next scheduled debt payment is in July. The \$65,925 payment for interest associated with the Series 2018A Library GO Bonds was paid in February 2019, and the \$195,925 payment for principal and interest on the Series 2018A Library GO Bonds will be paid in August 2019.

Special Revenue Funds

Funds restricted in use based on source and type of revenue collected.
Street and Infrastructure Maintenance Funds

Special Highway Fund

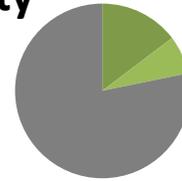
Revenue

The special highway fund receives funding from 3 primary sources: fuel tax distributions, construction excise taxes on development, and transfers from other funds like the Infrastructure Sales Tax Fund. In 2018, each funding source either met or exceeded budgeted collections. Through February 2019, the City has collected budgeted levels of revenue.

Expenditures

No expenditures yet in 2019 due to weather conditions. Summer months will be the timing of the majority of spending within this fund.

2018 Activity



- Asphalt Rejuvenation
- Mill and Overlay
- Unimpacted Network

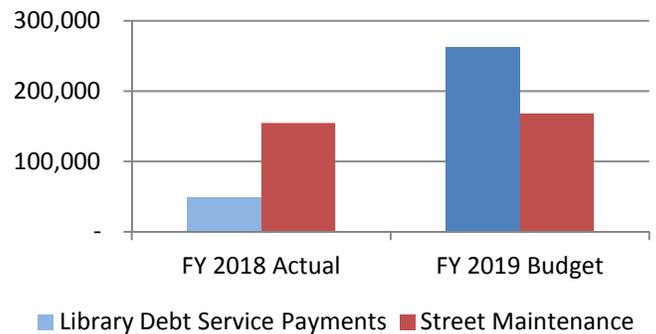
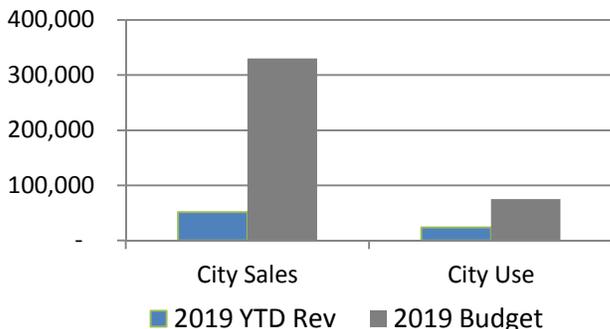
Infrastructure Sales Tax Fund

Revenue

Collections of the general purpose sales tax dedicated to funding infrastructure improvements, including the construction of a new Library, came in 0.9% under budget in sales tax and 15% over budget in use tax. The net of these two revenues is slightly over budget.

Expenditures

No expenditures yet in 2019. Later activity will include a transfer to cover the 2 payments of debt service for Series 2018A, debt issued to fund the construction of the new Library and a budgeted contribution to the Special Highway Fund to help maintain and preserve the City's road network.



Special Revenue Funds

Funds restricted in use based on source and type of revenue collected.

Utility Capital Funds

Fund	Beg. Fund Balance	YTD Rev	YTD Exp	End. Fund Balance	Change
Water Capital	233,218	14,650	5,964	241,904	8,686
Sewer Capital	304,385	16,900	-	321,285	16,900

Public Safety Capital Funds

Fund	Beg. Fund Balance	YTD Rev	YTD Exp	End. Fund Balance	Change
Fire Capital	128,134	16,653	18,381	126,406	(1,728)
Police Capital	29,271	7,620	-	36,891	7,620

Other Funds

Fund	Beg. Fund Balance	YTD Rev	YTD Exp	End. Fund Balance	Change
Special Parks	15,702	-	-	15,702	-

Library Project Budget Report - As of 2019-03-15

Land Acquisition Costs	Budget	Actual Costs Incurred	Balance Remaining
Land Purchase	195,149.00	192,921.94	2,227.06
Geotech	7,500.00	3,250.00	4,250.00
Special Inspections	35,000.00	-	35,000.00
Topographical Survey	3,500.00	-	3,500.00
Subtotal Land Acquisition Liabilities	241,149	196,172	44,977
Pre-Construction & Design Liabilities - JE Dunn	Budget	Actual Costs Incurred	Balance Remaining
Architectural Fee	285,000.00	20,772.00	264,228.00
Structural	26,280.00	-	26,280.00
Civil	29,160.00	-	29,160.00
Interior/Furnishing	24,510.00	-	24,510.00
Travel Reimbursement JE Dunn	21,050.00	679.00	20,371.00
Subtotal Pre-Construction & Design Liabilities - JE Dunn	386,000	21,451	364,549
Design Build Construction Liabilities - JE Dunn	Budget	Actual Costs Incurred	Balance Remaining
Construct and Equipt Library Facility (Design-Build Contract)	3,122,851.00	-	3,122,851.00
Subtotal Design Build Construction Liabilities - JE Dunn	3,122,851	-	3,122,851
	Budget	Actual Costs Incurred	Balance Remaining
Total Project Liabilities (not including issuance costs)	3,750,000	217,623	3,532,377