



\*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 August 19, 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**

- a) Discussion Regarding Communications and Public Input Plans for Chapter XIV of the City Code Including Section 14-206. PARKING ON UNPAVED SURFACES IN CERTAIN AREAS PROHIBITED and Section 14-209. PARKING IN RESIDENTIAL AREAS
- b) Consideration of Draft Tonganoxie Public Library Lease Term Sheet

**VI. New Business**

- a) Consideration of Salt Supplies Purchase Request
- b) City Manager Agenda
  - 1. Urgent Needs Grant Update
  - 2. Library Project Update
  - 3. 2019 Sales and Use Tax Trends Report
- c) City Attorney Agenda
- d) Mayor Pro Tem Agenda
- e) City Council Agenda
- f) Mayor Agenda

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

**VIII. Adjourn**

City Council Meeting Minutes  
August 19, 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, Mayor Pro Tem Himpel, Mr. Oroke, and Ms. Patterson. Ms. Stevens and Mr. Bennett were absent. City Manager George Brajkovic, City Attorney Anna Krstulic, Public Works Director Kent Heskett, Police Chief Greg Lawson, and Assistant City Manager Dan Porter were also in attendance.

**II. Approval of Minutes –Regular meeting dated August 5, 2019**

- **Mr. Himpel made a motion to approve the minutes from the regular meeting dated August 5, 2019.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

**III. Consent Agenda**

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

- Mike Stieben, Leavenworth County Commissioner representing the Fifth District, addressed the City Council and provided updates on ongoing and upcoming Leavenworth County business and events.
- No other members of the public provided comments.

**V. Old Business**

- a) Discussion Regarding Chapter XIV of the City Code Including Section 14-206. PARKING ON UNPAVED SURFACES IN CERTAIN AREAS PROHIBITED and Section 14-209. PARKING IN RESIDENTIAL AREAS
- Mr. Brajkovic introduced the item and provided a presentation on the current and previous local regulations in the City Code relating to parking on unpaved surfaces and parking in residential areas. He commented that previously the City had local regulations in place controlling parking in unimproved areas and parking in residential areas. In 2010 the City Council approved amendments to those local regulations which addressed these subjects back to reference in the Standard Traffic Ordinance for Kansas Cities, which in fact didn't specifically prohibit parking in unimproved areas. He clarified that the City still has a local regulation in place addressing junked vehicles on private properties, but these regulations don't apply to operable vehicles.
- Chief Lawson provided an update to the City Council on the request from staff for clarifying what the City's ordinances prescribe for towing and impounding of improperly parked vehicles, specifically in regards to defining the location of a vehicle on a highway, or paved road service, in order to be eligible to be towed.
- Mr. Himpel asked if the right of way along the road was under the authority of the Police Department to towed improperly parked vehicles.

- Chief Lawson clarified that vehicles creating a traffic hazard are able to be towed, but generally this occurs when vehicles are located on a highway, or paved road surface.
- Mr. Himpel commented that his major concerns with codes enforcement could be summarized as cleaning up trash, addressing vehicles that are not running, and considering weight loads placed on City streets when large vehicles are parked in certain areas.
- Mayor Ward commented on the nature of the discussion back in 2010 that resulted in the decision to revert regulation of parking on unimproved surfaces to the Standard Traffic Ordinance and how it was considered in light of personal property rights. He stated that he wanted to gather input from the public in a well-structured fashion and that we need to understand more exactly what the issue or issues are that need to be considered for any change in regulations.
- Ms. Patterson commented that she had heard more concerns from residents about addressing nuisances instead of parking location and types of vehicles being parked in residential areas.
- Mr. Oroke commented that the issue is very complex and needs to be simplified in order to gather feedback from residents to consider when making a decision about changing the City Code. He stated that subjects like screening and location of parking on parcels also need to be considered when making a decision.
- Mayor Ward added that residential properties in several older parts of town don't have the infrastructure in place to always provide multiple places for parking on improved surfaces and that needs to be considered.
- Mr. Heskett added that parking on unimproved surfaces at times impacts storm water drainage and presents issues that can impact multiple properties.
- Mr. Brajkovic offered that additional research could be performed to determine how other communities address these issues in order to glean insights for our decision making.
- Ms. Patterson asked what the timeline for consideration should be moving forward.
- Mayor Ward reiterated the need to collect input from Mr. Bennett and Ms. Stevens on the subjects being considered.
- Ms. Patterson asked that the presentation offered tonight be included in the agenda packet for the next discussion in order to provide background information to interested parties.

## VI. New Business

### a) Consideration of Draft Tonganoxie USD 464 School Resource Officer Interlocal Cooperation Agreement

- Mr. Brajkovic introduced the item.
- Chief Lawson described the negotiation process with USD 464 completed with the superintendent, Loren Feldkamp, who was in attendance.
- Ms. Krstulic described the approval process necessary for an interlocal agreement between two public agencies, which includes consideration for a period of up to 90 days by the Kansas Attorney General's office.
- **Mr. Oroke made a motion to authorize staff to present the draft interlocal agreement to the USD 464 School District Board for consideration.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motioned carried.**

### b) Consideration of Change Order for Contract with Little Joe's Asphalt, Inc. for 2019 Street Maintenance Mill and Overlay Project

- Mr. Brajkovic introduced the item and provided a presentation demonstrating the location of the proposed change order street maintenance activities.
- Mr. Porter commented on the budget in the Special Highway Fund available to accept this change order and noted that acceptance of the change order left less funding available for the upcoming chip and seal project which would be advertised for bid within the next two weeks.

- **Mr. Himpel made a motion to approve the change order according to the updated bid from Little Joe's Asphalt, Inc. and authorize the amendment to the 2019 Mill and Overlay project contract with Little Joe's Asphalt, Inc. for an amount not to exceed \$286,196.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motioned carried.**

c) Consideration of Draft Tonganoxie Public Library Lease Term Sheet

- Mr. Brajkovic presented the item and described it as the beginning of the preparation of a lease with the Library Board for the new library facility currently under construction. Upon the collection of feedback from the City Council the document will be able to be shared with the Library Board.
- Mayor Ward noted that it would be important to collect feedback from members of the City Council who were not able to attend this meeting on the contents of the term sheet.
- Ms. Patterson asked if the cap on FF&E expenditures needed to be an item included in the term sheet.
- Mr. Brajkovic noted that this term would be removed from an edited version of the term sheet, as it was actually more applicable to an earlier memorandum of understanding completed with the Library Board. He commented that staff would bring the draft Tonganoxie Public Library Lease Term Sheet back to the City Council for consideration on September 3, 2019.

d) Consideration of Temporary CMB Application for Abdallah Shrine Rodeo

- Mr. Porter presented the item for consideration and commented that the applicant typically completed this event in May or June, but that this year the event was delayed until the fall.
- **Mr. Himpel motioned to approve the temporary CMB application for Abdallah Shrine Rodeo for consumption on the Leavenworth County Fairgrounds premises.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

e) Resolution 08-19-04: 2 Year Extension Agreement with Honey Creek Recycling for Solid Waste and Recycling Services Provision

- Mr. Brajkovic presented the item. He explained the process of collecting bids. He stated that Ms. Krstlic did have a chance to review the contract and make any modifications and did not see any issues. He stated that the bids did come in higher than projected and the city did include an alternate project. He stated that Little Joe's was the low bid.
- Mayor Ward commented that the City had enjoyed a long history of working with Honey Creek for solid waste services, specifically with Randy Wheldon and his brother, and he appreciated the partnership towards providing residents with excellent customer service.
- **Mr. Oroke motioned to approve Resolution 08-19-04, approving a 2 Year Extension Contract Agreement with Honey Creek Recycling for Solid Waste and Recycling Services.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

f) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic provided an update on the submission and subsequent additional documents being provided in support of the application by the Kansas Department of Health and Environment.

2. Library Project Update

- Mr. Brajkovic provided an update on the progress of the project and noted that the 6 rain days allotted in the construction schedule were nearly exhausted due to recent weather conditions.

3. July Budget Report

- Mr. Porter provided the July budget report to the City Council, which included a unique report for the June and July financial reports.

4. September City Council Meeting Date Reminder – Scheduled for Tuesday, September 3

- Mr. Brajkovic reminded the City Council that the upcoming City Council meeting will be held on Tuesday, September 3 due to observance of the Labor Day holiday.
  
- g) City Attorney Agenda
  
- h) Mayor Pro Tem Agenda
  
- i) City Council Agenda
- Mr. Oroke commented that a septic truck had been parked near the intersection of 4<sup>th</sup> Street and 24/40. He asked staff to evaluate the issue for compliance with local regulations.
  
- j) Mayor Agenda

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

**VIII. Adjourn**

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Himpel seconded.**
- **Vote of all ayes, motion carried. Meeting Adjourned at 8:38 PM.**

Respectfully submitted,

Dan Porter, Assistant City Manager



City of Tonganoxie, KS

# Check Report

Date Range: 08/13/2019 - 08/27/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1015	JE Dunn	08/23/2019	Regular	0	132890	46610
0189	FIRST STATE BANK & TRUST	08/23/2019	Regular	0	73430.65	46606
0056	BLUE CROSS AND BLUE SHIELD	08/23/2019	Regular	0	33527.34	46600
0059	Kansas City Board of Public Utilities	08/16/2019	Regular	0	30464.44	46591
0051	BG CONSULTANTS INC	08/16/2019	Regular	0	15671	46582
0113	COMMERCIAL AQUATIC SERVICES	08/23/2019	Regular	0	3407.84	46603
0579	SECURITY BENEFIT - 457	08/23/2019	Regular	0	3230.23	46620
0216	GOULD EVANS PC	08/23/2019	Regular	0	2357.5	46607
0566	SALTUS TECHNOLOGIES	08/16/2019	Regular	0	2087.5	46597
0491	OLATHE WINWATER WORKS	08/23/2019	Regular	0	1657.32	46617
0813	FREESTATE ELECTRIC COOPERATIVE	08/16/2019	Regular	0	1423	46587
0826	ANNA WOLF	08/16/2019	Regular	0	1120	46579
0099	CITY OF LEAVENWORTH	08/23/2019	Regular	0	1100	46602
0070	BROTHER' S MARKET	08/16/2019	Regular	0	1092.58	46584
0458	MIDWEST PUBLIC RISK	08/23/2019	Regular	0	1000	46616
0414	LINK-LITE NETWORKING, INC.	08/23/2019	Regular	0	950	46614
0857	MIDCONTINENT COMMUNICATIONS	08/23/2019	Regular	0	727.68	46615
0249	HONEY-BEE SEPTIC SERVICE	08/23/2019	Regular	0	665	46609
1083	Bay Bridge Administrators, LLC FSA	08/16/2019	Regular	0	616.68	46581
0205	GALL'S LLC	08/16/2019	Regular	0	573.88	46588
0494	OMEGA DOOR & HARDWARE	08/23/2019	Regular	0	572	46618
0046	BAY BRIDGE ADMINISTRATORS, LLC	08/16/2019	Regular	0	403.85	46580
0857	MIDCONTINENT COMMUNICATIONS	08/16/2019	Regular	0	356.45	46596
0802	LED DIRECT	08/23/2019	Regular	0	356	46613
0224	HAMM QUARRIES & LANDFILL	08/23/2019	Regular	0	334.72	46608
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	08/23/2019	Regular	0	330	46612
0064	BOUND TREE MEDICAL, LLC	08/16/2019	Regular	0	237.94	46583
0942	CrewSense, LLC	08/23/2019	Regular	0	216.75	46604
1087	Hillary Price	08/16/2019	Regular	0	215	46589
0249	HONEY-BEE SEPTIC SERVICE	08/16/2019	Regular	0	215	46590
0330	KANSAS GAS SERVICE	08/16/2019	Regular	0	146.04	46592
1088	Brady Adams	08/23/2019	Regular	0	145.28	46601
0404	LEAVENWORTH TIMES	08/16/2019	Regular	0	128	46595
1022	Universal Chemical LLC	08/23/2019	Regular	0	124.15	46621
0651	USA BLUE BOOK	08/16/2019	Regular	0	92.48	46598
0382	LAIRD NOLLER	08/23/2019	Regular	0	71.36	46611
0495	OMNI-SITE	08/23/2019	Regular	0	53.3	46619
0182	FEDEX	08/23/2019	Regular	0	37.18	46605
0191	FLEETWOOD MOWER & RENTAL	08/16/2019	Regular	0	26.99	46586
0671	WESTAR ENERGY	08/16/2019	Regular	0	25.98	46599
0391	LAWRENCE JOURNAL WORLD	08/16/2019	Regular	0	24.26	46593
0182	FEDEX	08/16/2019	Regular	0	20.61	46585
0395	Leavenworth County Development Corporation	08/16/2019	Regular	0	10	46594
0404	LEAVENWORTH TIMES	08/16/2019	Regular	0	-128	46595

My Check Report

Date Range: 08/13/2019 - 08/27/2019

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

Bank Code AP Bank Summary  
Payable

Payment Type	Count	Discount	Payment
Regular Checks	58	0.00	312,135.98
Manual Checks	0	0.00	0.00
Voided Checks	0	0.00	-128.00
Bank Drafts	0	0.00	0.00
EFT's	0	0.00	0.00
	<b>58</b>	<b>0.00</b>	<b>312,007.98</b>

# Parking on Unimproved Surfaces Discussion



SEPTEMBER 3, 2019

TONGANOXIE CITY COUNCIL



# Staff Discussion Points



- Differences in City Code Chapter XIV. Traffic Article 2. Local Traffic Regulations and Standard Traffic Ordinance for Kansas cities
- City Code Changes 02/22/2010
- City Code Chapter VIII. Health and Welfare. Article 3. Junked Vehicles on Private Property
- TPD concerns on possible towing impediments
- How to move forward?

# The Standard Traffic Ordinance for Kansas Cities and the Tonganoxie City Code



- Standard Traffic Ordinance for Kansas Cities is designed to provide a comprehensive traffic code for Kansas Cities, and largely parallels the State traffic act; allows for local regulations.
- City code is the body of laws and regulations for a city, gathered together and assembled in cohesive form
- Chapter VIV. Traffic, Article 2. Local Traffic Regulations
  - Section 14-206. Parking on Unpaved Surfaces in Certain areas prohibited (Reserved)
  - Section 14-209. Parking in Residential Areas (Reserved)

# City Code changes 02/22/2010



## ○ 14-206. PARKING ON UNPAVED SURFACES IN CERTAIN AREAS PROHIBITED.

- a) Except as may be expressly permitted by any ordinance of the city; it shall be unlawful for any person to park a motor vehicle upon the grass, sod, soil or grass area of any residential unit, residence, yard, lot or residential premises.
  
- b) Except as may be expressly permitted by any ordinance of the City, it shall be unlawful for any person to park a motor vehicle upon the grass, sod, soil or grass area of any property zoned under any of the following zoning district classifications: Historic Business District (HBD), Limited General Business District (LBD), General Business District (GBD), Planned Commercial District (PUD-C), Light Industrial District (I-LT), Moderate Industrial District (I-MD), Heavy Industrial District (I-H).

# City Code changes 02/22/2010 (cont.)



## ○ 14-209. PARKING IN RESIDENTIAL AREAS.

- a) Except as otherwise provided in subsection (d) of this section, and subject to the additional restrictions contained in subsection (b) of this section, no person shall park, stand or store a trailer, semitrailer, boat, bus, camper, recreational vehicle, mobile home (self-propelled or otherwise), truck, tractor, or other type of wheeled vehicle, other than passenger cars, motorcycles, bicycles, children's toys, garden carts and lawn equipment on any lot zoned for residential use to the street on which the property fronts the established building line or lines on the lot for more than 72 hours.
- b) Except as otherwise provided in subsection (d) of this section, no person shall park, stand or store any oversized motor vehicle in an area zoned for residential use except in an enclosed building or garage. For purposes of this section, oversized motor vehicle means any of the following: any motor vehicle exceeding 28 feet in length; any motor vehicle with a licensed gross weight exceeding 18,000 pounds; or any motor vehicle with a chassis rated by the manufacturer as heavier than one ton.

# City Code changes 02/22/2010 (cont.)



- Section 14-209 (Cont.)

- c) Except as otherwise provided in subsection (d) of this section, in areas zoned for residential use where on-street parking is otherwise permitted, no person shall park, stand or store on the street any motor vehicle which exceeds 7½ feet in width at its widest point.
- d) Exceptions to the provisions of this section may be authorized by a permit issued by the police department where such exceptions will not endanger the public safety or welfare of the residents of the area or motorists on the street. No such permit shall be granted for a period exceeding seven days.

# City Code Chapter VIII. Health & Welfare



- **Article 3. Junked Vehicles on Private Property**
  - Vehicle means, without limitation, any automobile, truck, tractor or motorcycle or other mode of transportation which as originally built contained an engine, regardless of whether it contains an engine at any other time, and designed to operate on roadways (defined in Article 1 of this chapter)
  - A vehicle nuisance is any vehicle which is not currently registered or tagged pursuant to K.S.A. [8-126](#) to [8-149](#) inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable:
    - ✦ (1) Absence of a current registration plate upon the vehicle;
    - ✦ (2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports;
    - ✦ (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.

# TPD concerns re: Towing/Impound in the street vs. yard



- **14-302. IMPOUNDING VEHICLES.**

- The police department may cause to be impounded:

- ✦ (a) Any motor vehicle unlawfully parked on a highway in violation of any provision of a city ordinance which prohibits the parking of vehicles at the place where or time when the impounded motor vehicle is found.
- ✦ (b) Any motor vehicle that has been abandoned and left on a highway or other property open to use by the public for a period in excess of 48 hours pursuant to K.S.A. [8-1102](#).
- ✦ (c) Any vehicle which interferes with public highway operations.
- ✦ (d) Any motor vehicle which:
  - (1) Is subject to removal pursuant to K.S.A. [8-1570](#) or [8-1102](#); or
  - (2) Is subject to seizure and forfeiture under the laws of the state; or
  - (3) Is subject to being held for use as evidence in a criminal trial.
- ✦ (e) Any motor vehicle, the continued presence of which, because of the physical location or condition of the motor vehicle, poses a danger to the public safety or to the motor vehicle.
- ✦ (f) Any motor vehicle which has been abandoned or parked on any real property, other than public property or property open to use by the public, may be moved and disposed of in accordance with the terms of this article by the police department upon the request of the owner or occupant of such real property. The real property referred to herein shall not be owned or leased by the person who abandons or parks said vehicle or by the owner or lessee of such vehicle. The city or any person, partnership, corporation or their agent conducting a business enterprise for the purpose of towing vehicles which removes such vehicle from the real property at the request of the police department shall have a possessory lien on such vehicle for the cost incurred in removing, towing and storing such vehicle. For purposes of this article, common areas shall be construed not to mean public property or property open to the public.

# How to move forward?



- Discussion
- Additional research?
- Staff direction?
- Community Input method(s)?

# Discussion Points



- **Definitions**

- Vehicle – car, truck , motorcycle, boat, trailer, etc.
  - ✦ Weight? Length?
- Improved Surface – concrete, asphalt, paving stones, others?
  - ✦ Maintain surface condition
- Maintained Surface - gravel
- Storm water concerns – drainage, flooding, etc.
- Yard – front, side, back
- Street – include ROWs and easements?

**PRELIMINARY LIBRARY LEASE TERM SHEET**

<b><i>Landlord</i></b>	City of Tonganoxie, Kansas (the " <u>City</u> ")
<b><i>Tenant</i></b>	Tonganoxie Public Library (the " <u>Library</u> ")
<b><i>Premises</i></b>	Approximately two (2) acres located at 217 E. 4 <sup>th</sup> Street, Tonganoxie, Kansas 66086.
<b><i>Construction</i></b>	The City has issued General Obligation Sales Tax Bonds in the amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000) (the " <u>Bonds</u> ") for the purchase of the Premises and the design and construction of a new public library facility on the Premises (the " <u>Library Project</u> "). In no event shall the City's financial responsibility for the Library Project exceed the amount of the Bonds.
<b><i>Term</i></b>	Commencing with occupancy through that date which is the greater of (i) the date upon which the Bonds are paid in full, or (ii) twenty (20) years from the date of occupancy.
<b><i>Options to Renew</i></b>	One (1) option to renew for ten (10) years, exercisable upon written notice to the City at least three (3) months in advance of expiration of the Term.
<b><i>Occupancy</i></b>	The Premises will be ready for occupancy by Library no later than March 1, 2019, subject to any unforeseeable delays in completion of the Library Project. The City will notify Library of any such delays in writing.
<b><i>Permitted Use</i></b>	The Premises shall be used only for the operation of a public library and no other purpose without the prior written approval of the City.
<b><i>Rent</i></b>	None.
<b><i>FF&amp;E</i></b>	The City shall pay for all furniture, fixtures and equipment to the extent that such costs do not exceed the amount of the Bonds for the Library Project. Library shall pay for any shortfall.
<b><i>Signage</i></b>	Library shall have the right to install signage at its own expense. All signage shall be approved by the City and conform to applicable laws and requirements.
<b><i>Net Lease Terms</i></b>	Library shall be responsible for all costs and expenses relating to the property, including (without limitation), taxes, utilities, insurance, maintenance and repair. Library's responsibility will extend to items that are capital in nature.

***Maintenance/Repair***

The City shall provide mowing and snow removal services; provided, however, that Library acknowledges and agrees that City streets shall have first priority for snow removal. Library shall be responsible for all other maintenance and repairs. Library shall enter into an HVAC service contract with a reputable contractor throughout the Term of the Lease.

***Alterations***

Library shall have the right to make cosmetic, non-structural additions, changes or alterations to the interior of the Premises that do not exceed the amount of Ten Thousand Dollars (\$10,000). The City's prior written approval shall be required for (i) any cosmetic, non-structural additions, changes or alterations to the interior of the Premises that exceed the amount of Ten Thousand Dollars (\$10,000); (ii) any additions, changes or alterations to the exterior of the Premises; and (iii) any structural changes.

***Sublease***

Library has the right to sublease with the City's approval (in its sole discretion).

***Disclaimer***

The foregoing proposal is made with the understanding and stipulation that this is not a binding commitment or legal offer to lease the Premises to Library. It shall be understood and agreed that this proposal shall serve merely as a general outline of lease provisions subject to further negotiations and inclusion in a lease executed by the parties. Neither party shall have any obligation resulting from the proposal made hereby, nor shall any obligation or liability be incurred by either party until and unless a lease is executed and delivered by both parties.



Office of the City Manager  
**AGENDA STATEMENT**

**DATE:** September 3, 2019  
**To:** Honorable Mayor Jason K. Ward and Members of the City Council  
**FROM:** Dan Porter, Assistant City Manager  
**SUBJECT:** Consider Approval to Purchase Salt for Snow and Ice Control

**DISCUSSION:**

With cold weather rapidly approaching, the City needs to replenish its rock salt supply. The Public Works Department utilized the bids from Leavenworth County's 2019 salt bid to select a vendor for the purchase of salt. The low bidder was Independent Salt Company at a price of \$62.38 per ton.

Staff is requesting approval from the City Council to purchase 80 tons of rock salt at \$62.38 per ton, for a cost not to exceed \$4,991. Closer to the end of 2019 another purchase will be considered based on year end budget standing.

**BUDGET IMPACT:**

The maximum expenditure authorization requested is able to be completed within the budget in the General Fund in 2019. The budget specifically for purchases of salt and other snow & ice control materials in 2019 was impacted by a late-arriving invoice that was supposed to be received and paid in 2018, but staff have worked to identify savings in other accounts to make up the difference in the 2019 budget.

**ACTION NEEDED:**

Make a motion to authorize the purchase of salt supplies for a total maximum cost of \$4,991.

**ATTACHMENTS:**

2019 Salt Bid Tabulation

**cc:** George Brajkovic, City Manager  
Kent Heskett, Public Works Director



**COUNTY OF LEAVENWORTH**  
**Department of Public Works**



*Leavenworth County Department of Public Works*  
 23690 187<sup>th</sup> Street  
 Leavenworth, KS 66048

August 21, 2019

Independent Salt Company  
 Attn: Chris Tully  
 PO Box 36  
 Kanapolis, KS 67454

RE: Salt Bids for Leavenworth County

We are pleased to announce that Independent Salt Company has been awarded the bid for Leavenworth County.

On Tuesday, August 20, 2019 bids were opened for 3,000 tons of medium rock salt (with the option to purchase more if necessary) for Leavenworth County. In addition, the City of Tonganoxie, City of Basehor and City of Leavenworth and the City of Lansing are added as bulk bids. Each municipality would make arrangements and purchase their requested amount of rock salt directly from Independent Salt Co. The following is a bid tabulation of the bids received:

2019 Salt Bid Tabulation

<u>Vendor</u>	<u>Bid Price per ton</u>	<u>Bid Alternate per ton</u>
Dale Brothers	\$125.00	\$125.00
Hutchinson Salt	No Bid	No Bid
Compass Minerals	No Bid	No Bid
Cargill Deicing	No Bid	No Bid
Central Salt	\$63.11	\$63.11
Independent Salt	\$62.38	\$62.38

We are pleased that Independent Salt Co was awarded the bid, and look forward to working with you this upcoming winter. If you have any questions or concerns, please feel free to contact either myself or Vincent Grier, Rd & Br Superintendent at 913-727-1800.

Sincerely,

Lauren Anderson, IE  
 Leavenworth County Public Works



### Library Project Budget Report - As of 2019-08-30

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
<b>Subtotal Land Acquisition Liabilities</b>	<b>241,149</b>	<b>196,172</b>	<b>44,977</b>
Pre-Construction & Design Liabilities - JE Dunn	Budget	Actual Costs Incurred	Balance Remaining
SAPP Design and Preconstruction JE Dunn	386,000.00	504,968.00	(118,968.00)
		-	-
		-	-
		-	-
		-	-
<b>Subtotal Pre-Construction &amp; Design Liabilities - JE Dunn</b>	<b>386,000</b>	<b>504,968</b>	<b>(118,968)</b>
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
<b>Subtotal Design Build Construction Liabilities - JE Dunn</b>	<b>3,122,851</b>	<b>-</b>	<b>3,122,851</b>
	Budget	Actual Costs Incurred	Balance Remaining
<b>Total Project Liabilities (not including issuance costs)</b>	<b>3,750,000</b>	<b>701,140</b>	<b>3,048,860</b>