



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

Honorable David Frese, Mayor

Council Members

Rocky Himpel

Jacob Dale

Lisa Patterson

Loralee Stevens

Chris Donnelly

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated January 21, 2020

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) Lease Agreement for Library

VI. New Business

- a) Resolution 02-20-01 to call a Public Hearing for the consideration of creating a Rural Housing Incentive District for the West Village development proposal.
- b) Consideration of Library Board Appointments
- c) Presentation by the Tonganoxie Police Department re: unforeseen circumstances preventing the budget approved purchase of a 2020 Dodge Charger and alternatives for Council consideration
- d) City Manager Agenda
 - 1. Urgent Needs Grant Update
 - 2. Library Project Update
- e) City Attorney Agenda
- f) Mayor Pro Tem Agenda
- g) City Council Agenda
- h) Mayor Agenda
 - 1. Executive Session for discussion of personnel matters of non-elected personnel

VII. Information & Communications (No Action Required)

VIII. Adjourn

City Council Meeting Minutes
January 21, 2020
7:00 PM Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

- Mayor Frese opened the meeting at 7:00 p.m.
- Mayor Frese, Mr. Himpel, Ms. Stevens, Mr. Dale, and Ms. Patterson were present. City Manager George Brajkovic, Assistant City Manager Dan Porter, and City Attorney Anna Krstulic were also in attendance.
- Mayor Frese led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated January 6, 2020

- **Ms. Patterson made a motion to approve the minutes from the January 6, 2020 City Council meeting.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Swearing in of Chris Donnelly as Council Member to fill Vacancy

- Mr. Porter administered the oath of office to Council Member Chris Donnelly to fill the vacant position previously held by Dave Bennett.

IV. Consent Agenda

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

V. 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.

- No members of the public addressed the City Council.

VI. Old Business

a) Consideration of Library Lease Term Sheet Suggested Adjustments

- Mr. Brajkovic introduced the item and described the feedback received from the Library Board in response to the draft term sheet.
- Ms. Patterson commented that the requests for changed from the Library Board were made due to financial implications and the need to leverage expertise where available.
- Mr. Dale shared that past unplanned purchases by the Library Board for replacement of air conditioning units caused budget issues for the Library.
- Mr. Himpel stated that he didn't believe that snow removal and mowing of grass at the Library should be completed by City staff and he wished to increase the City's ability to review alterations within the facility.
- Mr. Dale commented that he felt the new Library facility needed to receive contracted service for mowing and snow removal.
- Mayor Frese stated that regardless of who is responsible, the Library should be well maintained.
- Ms. Patterson stated that she felt the major assets within the building should be the responsibility of the City as the building owner.

- Mr. Brajkovic commented that staff will incorporate feedback from the discussion into a draft lease and make an effort to have it reviewed by the Governing Body before the facility is turned over to the City and ready for the Library to move in.

VII. New Business

a) Ordinance 1481: Approval of Rezoning for West Village Project

- Mr. Brajkovic introduced the item and presented a summary of the staff report and previous actions related to the item. Randy Willbanks, Marko Cvetkovic, and Ross Vogel were present representing the development team.
- Mr. Donnelly shared that he serves as a board member for the Kansas Housing Resources Commission and asked if there were any potential conflicts of interest with this project.
- Mr. Vogel confirmed that the approval of a moderate income housing grant award was already completed so there shouldn't be any conflict at this time or moving forward.
- **Mr. Himpel made a motion to approve Ordinance 1481, amending the zoning of certain property at 0000 West Street from Rural Residential to Multi Family 2 district.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

b) Consider Approval of Payment of 2020 Funding for the Tonganoxie Business Association

- Mr. Porter introduced the item and explained that the City Council was considering approving the payment of funds planned for the Tonganoxie Business Association and Tonganoxie Arts Council that was included in the General Fund in the 2020 budget.
- Monica Gee, Tonganoxie Business Association President, addressed the City Council on the subject of the organization's 2020 plan for activities available based on the City's funding support.
- Ms. Patterson asked for more information about changes in the TBA budget line items for the Mayor's Tree Lighting event and marketing.
- Ms. Gee responded that the changes reflected ongoing event planning discussions with other community groups and the scheduling of several large marketing initiatives in 2019.
- **Ms. Patterson made a motion to authorize a 2020 contribution to the Tonganoxie Business Association in an amount not to exceed \$5,000.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**

c) Consider Approval of Payment of 2020 Funding for the Tonganoxie Arts Council

- Keyta Kelly, Tonganoxie Arts Council President, addressed the City Council on the subject of the organization's 2019 events and 2020 plan for activities available based on the City's funding support.
- Rachel Kelly thanked the City Council for the commitment for funding support and shared that any additional support would be appreciated.
- Mr. Himpel commented that the Plein Air Arts Festival event in 2019 was an impressive event.
- Mayor Frese asked what options were available to increase the funding contribution to the Tonganoxie Arts Council in 2020.
- Mr. Brajkovic stated that the 2020 Budget didn't include additional funding in the General Fund that could be reassigned to additional contributions to community organizations, especially in the beginning of the fiscal year before savings could be accurately projected.
- **Mr. Himpel made a motion to authorize a 2020 contribution to the Tonganoxie Arts Council in an amount not to exceed \$1,500.**
- **Motion failed for lack of a second.**

- **Mr. Donnelly made a motion to authorize a 2020 contribution to the Tonganoxie Arts Council in an amount not to exceed \$1,000, as well as offering direction to the Arts Council to complete a detailed budget and approach the City again later in 2020 to determine if any additional funding would be available.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**

d) Resolution 01-20-02: Approving the Tonganoxie USD 464 School Resource Officer Interlocal Cooperation Agreement

- Mr. Brajkovic introduced the item and explained that the USD 464 Board of Education had considered and approved the draft Interlocal Cooperation Agreement.
- **Ms. Stevens made a motion to approve Resolution 01-20-02: Approving the Tonganoxie USD 464 School Resource Officer Interlocal Cooperation Agreement.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**

e) Resolution 01-20-03: Authorizing Water Park Resurfacing Project Contract with INSCO, INC

- Mr. Porter introduced the item and explained the RFP issuance, advertisement efforts, and evaluation process for the 4 submittals received for the project.
- **Ms. Stevens made a motion to approve Resolution 01-20-03, authorizing the Water Park Resurfacing Project contract with INSCO, INC.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

f) Consider Approval of Purchase of Replacement Street Light Pole

- Mr. Brajkovic introduced the item and explained the history of the installation of street lights in downtown Tonganoxie. He detailed the recent damage to the street light located at the intersection of Main and 4th Street, along with staff research of replacement options and costs.
- Mr. Donnelly commented that in the past when the downtown street light poles were purchased and installed the price was close to \$1,800 per pole.
- **Mr. Donnelly made a motion to to approve a purchase from Stanion Wholesale Electric Co. for a replacement tall intersection light pole in an amount not to exceed \$6,021.99.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

g) Consider Planning Commission Attendance Record

- Mr. Porter shared that the record of meeting attendance for Planning Commissioner Kevin Harris required a review by the City Council to consider whether to declare a vacancy in the position or take other action. He stated that Mr. Harris shared his wish to resign from the position at this time.
- Mayor Frese commented that he would like to see a process including a 30 day advertisement period, review of applicants and generation of a recommendation from the Planning Commission, and consideration of the recommendation by the Governing Body.
- Mr. Himpel shared that he would like to have the opportunity to review all applications.
- Ms. Patterson stated that she would like to be able to review all applications.
- Ms. Stevens commented that she would support just viewing the Planning Commission's recommendation.
- Mr. Dale shared that in the past the Planning Commission would sometimes review the applications and offer recommendations of more than one person for an appointment.

h) Consider Library Board Appointment Recommendations

- Mr. Porter stated that staff received three recommended appointments but would like to request that action be delayed until a future meeting so that additional research on the duration of the terms on the open positions on the Library Board could be completed.
- Mayor Frese asked that the item be tabled until a future meeting.

i) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic shared an update on the status of the aerial sanitary sewer creek crossing repair project.
- 2. Library Project Update
- Mr. Brajkovic provided an update on the current status of the Tonganoxie Public Library construction project.
- 3. Law Enforcement Trust Fund Financial Report
- Mr. Porter shared information about the 2019 Financial Report for the Law Enforcement Trust Fund.

j) City Attorney Agenda

k) Mayor Pro Tem Agenda

- Mr. Himpel shared a copy of the revised Leavenworth County Port Authority agreement that is being considered by Leavenworth County and the City of Leavenworth which would include possible changes to membership composition. He also shared information about the ongoing development of the Leavenworth County Comprehensive Plan.

l) City Council Agenda

- Ms. Patterson shared that on the January 13, 2020 meeting of the USD 464 Board of Education the Board voted in support of both the Schoolyard Townhomes residential development project as well as the School Resource Officer Interlocal Agreement with the City.

m) Mayor Agenda

1. Community Events Planning Committee Update

- Mr. Porter shared that a group representing several organizations in the community met to discuss community event planning in 2020 and developed a recommendation of holding multiple events, including Tonganoxie Days, in the month of September and scheduling them in a collaborative fashion unless the City Council was opposed to that approach.

2. Executive Session for Discussion of Personnel Matters of Non-Elected Personnel

- **Mr. Donnelly made a motion that the Governing Body recess into executive session to discuss the City Manager's annual review process pursuant to the personnel matters of nonelected personnel exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council chamber after 15 minutes at 9:10 p.m. The executive session will include the City Attorney, City Manager, and Assistant City Manager.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**
- ...
- **Mayor Frese resumed the meeting and noted that no binding action was taken in the executive session.**

VIII. Information & Communications (No Action Required)

IX. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

- Meeting adjourned at 9:15 p.m.

Respectfully submitted,



Dan Porter, Assistant City Manager

DRAFT



City of Tonganoxie, KS

Check Report

By Check Number

Date Range: 01/14/2020 - 01/27/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0189	FIRST STATE BANK & TRUST	01/16/2020	Regular	0.00	1,569.51	47121
0015	ALL SEASONS CAR WASH	01/21/2020	Regular	0.00	474.02	47122
1126	Baker Tilly Municipal Advisors, LLC	01/21/2020	Regular	0.00	2,300.00	47123
0046	BAY BRIDGE ADMINISTRATORS, LLC	01/21/2020	Regular	0.00	403.85	47124
0056	BLUE CROSS AND BLUE SHIELD	01/21/2020	Regular	0.00	34,465.94	47125
0749	BROADVOICE	01/21/2020	Regular	0.00	145.63	47126
0099	CITY OF LEAVENWORTH	01/21/2020	Regular	0.00	180.00	47127
0136	DELTA DENTAL PLAN OF KANSAS,IN	01/21/2020	Regular	0.00	2,449.80	47128
0159	ELECTROLIFE BATTERY INC	01/21/2020	Regular	0.00	17.31	47129
0671	Evergy	01/21/2020	Regular	0.00	12,108.37	47130
0185	FERRELLGAS	01/21/2020	Regular	0.00	1,695.60	47131
0813	FREESTATE ELECTRIC COOPERATIVE	01/21/2020	Regular	0.00	1,521.00	47132
0809	FREESTATE ELECTRIC COOPERATIVE INC	01/21/2020	Regular	0.00	445.68	47133
0205	GALL'S LLC	01/21/2020	Regular	0.00	453.44	47134
1125	Greg Lawson	01/21/2020	Regular	0.00	10.01	47135
0239	HERITAGE TRACTOR, INC.	01/21/2020	Regular	0.00	233.84	47136
0243	HIMPEL LUMBER & BUILDING SUPPL	01/21/2020	Regular	0.00	429.36	47137
1124	James McCutchen	01/21/2020	Regular	0.00	279.99	47138
0059	Kansas City Board of Public Utilities	01/21/2020	Regular	0.00	17,621.70	47139
1047	Kansas City Metropolitan Crime Commission	01/21/2020	Regular	0.00	250.00	47140
0330	KANSAS GAS SERVICE	01/21/2020	Regular	0.00	984.10	47141
0373	Kansas Health and Environmental Laboratories	01/21/2020	Regular	0.00	1,286.00	47142
1021	Katherine Kelly	01/21/2020	Regular	0.00	200.00	47143
0757	KC CLEAN	01/21/2020	Regular	0.00	300.00	47144
0964	KDOR - MISC TAX	01/21/2020	Regular	0.00	1,663.77	47145
0391	LAWRENCE JOURNAL WORLD	01/21/2020	Regular	0.00	918.43	47146
0397	LEAGUE OF KANSAS MUNICIPALITIE	01/21/2020	Regular	0.00	200.00	47147
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	01/21/2020	Regular	0.00	385.00	47148
0395	Leavenworth County Development Corporation	01/21/2020	Regular	0.00	100.00	47149
0857	MIDCONTINENT COMMUNICATIONS	01/21/2020	Regular	0.00	508.67	47150
0477	NAVRATS	01/21/2020	Regular	0.00	236.36	47151
0479	NEW DIRECTIONS BEHAVIORAL HEAL	01/21/2020	Regular	0.00	280.35	47152
0500	OREILLY AUTO PARTS	01/21/2020	Regular	0.00	289.13	47153
0542	QUILL	01/21/2020	Regular	0.00	416.12	47154
0548	RECORDNEWS	01/21/2020	Regular	0.00	812.25	47155
0555	RICOH USA, INC.	01/21/2020	Regular	0.00	513.27	47156
0568	SAMS CLUB	01/21/2020	Regular	0.00	315.44	47157
0579	SECURITY BENEFIT - 457	01/21/2020	Regular	0.00	3,434.08	47158
0594	SMITHEREEN PEST CONTROL	01/21/2020	Regular	0.00	198.00	47159
0989	SPEEDWAY CHRYSLER DODGE JEEP	01/21/2020	Regular	0.00	890.00	47160
1014	The League of Kansas Municipalities	01/21/2020	Regular	0.00	2,982.15	47161
0628	TODD'S TIRE LLC	01/21/2020	Regular	0.00	83.00	47162
0641	TYLER TECHNOLOGIES	01/21/2020	Regular	0.00	3,128.75	47163
1018	UNITED RENTALS	01/21/2020	Regular	0.00	300.41	47164
0653	USD 464	01/21/2020	Regular	0.00	400.00	47165
0686	WITMER PUBLIC SAFTEY GROUP	01/21/2020	Regular	0.00	99.91	47166
0001	911 CUSTOM	01/24/2020	Regular	0.00	146.85	47167
0020	AMERICAN EQUIPMENT CO.	01/24/2020	Regular	0.00	36.87	47168
1083	Bay Bridge Administrators, LLC FSA	01/24/2020	Regular	0.00	616.68	47169
0051	BG CONSULTANTS INC	01/24/2020	Regular	0.00	5,012.38	47170
0110	CODE PUBLISHING INC	01/24/2020	Regular	0.00	181.50	47171
0942	CrewSense, LLC	01/24/2020	Regular	0.00	216.75	47172
0166	EMERGENCY REPORTING	01/24/2020	Regular	0.00	181.33	47173
0861	GBA ARCHITECTS ENGINEERS	01/24/2020	Regular	0.00	25,950.00	47174

Check Report

Date Range: 01/14/2020 - 01/27/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0596	GEOFF SONNTAG	01/24/2020	Regular	0.00	600.00	47175
0216	GOULD EVANS PC	01/24/2020	Regular	0.00	4,679.82	47176
0381	LADD SERVICE COMPANY	01/24/2020	Regular	0.00	187.00	47177
0414	LINK-LITE NETWORKING, INC.	01/24/2020	Regular	0.00	1,050.00	47178
0732	METLIFE - GROUP BENEFITS	01/24/2020	Regular	0.00	231.27	47179
0857	MIDCONTINENT COMMUNICATIONS	01/24/2020	Regular	0.00	727.68	47180
0503	PACE ANALYTICAL SERVICES INC	01/24/2020	Regular	0.00	451.00	47181
0542	QUILL	01/24/2020	Regular	0.00	124.27	47182
0579	SECURITY BENEFIT - 457	01/24/2020	Regular	0.00	3,434.08	47183
1014	The League of Kansas Municipalities	01/24/2020	Regular	0.00	100.00	47184
1079	Tonganoxie Arts Council	01/24/2020	Regular	0.00	1,000.00	47185
0876	TONGANOXIE BUSINESS ASSOCIATION	01/24/2020	Regular	0.00	5,000.00	47186
0651	USA BLUE BOOK	01/24/2020	Regular	0.00	282.36	47187
0656	VERIZON WIRELESS	01/24/2020	Regular	0.00	116.48	47188
0677	WILLIAM PRAY	01/24/2020	Regular	0.00	600.00	47189
0684	WIRENUTS	01/24/2020	Regular	0.00	110.98	47190

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	98	70	0.00	149,017.54
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	98	70	0.00	149,017.54

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	98	70	0.00	149,017.54
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	98	70	0.00	149,017.54

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	1/2020	149,017.54
			149,017.54



Office of the City Manager
AGENDA STATEMENT

DATE: January 31, 2020
To: Honorable Mayor David Frese and Members of the City Council
FROM: George Brajkovic, City Manager
SUBJECT: Resolution 02-20-01 setting a Public Hearing Date to consider the West Village Rural Housing Incentive District

DISCUSSION:

At the January 21, 2020 City Council meeting, the rezoning for the West Village project was approved which has allowed the Developer and Staff to continue discussions on the incentives needed for this project.

As this project is proposed on a RHID eligible site, we are planning to include RHID incentives. As provided for in K.S.A. 12-5245, a public hearing to consider RHID incentives must be set by Resolution, and the date fixed for the public hearing shall not be less than 30 nor more than 70 days following the date of the adoption of the resolution.

Therefore, Resolution 02-20-01 has been drafted to meet all of the Statutory requirements associated with setting a public hearing date, including: legal description and map of the proposed RHID, existing assessed valuation of the real estate within the RHID, a list of names and addresses of the owners of record of all real estate parcels within proposed RHID, a description of the housing and public facilities proposed for construction, and contractual assurances from the Developer that the project is financial feasible.

BUDGET IMPACT:

None.

ACTION NEEDED:

Motion to adopt Resolution 02-20-01 setting March 16, 2020 as the Public Hearing date to consider the West Village Rural Housing Incentive District.

ATTACHMENTS:

Resolution 02-20-01

cc: Dan Porter, Assistant City Manager
Anna Krstulic, City Attorney

(Published in the *Tonganoxie Mirror* on the ____ day of _____, 2020)

RESOLUTION NO. 02-20-01

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING THE WEST VILLAGE RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN THE PROPOSED DISTRICT, AND PROVIDING FOR NOTICE OF A PUBLIC HEARING.

WHEREAS, the City of Tonganoxie, Kansas (the "City") has the authority to create one or more rural housing incentive districts (each, an "RHID") pursuant to K.S.A. 12-5241 *et seq.*, as amended from time to time (the "RHID Act"), for the purpose of financing public improvements that will support housing in rural areas which experience a shortage of housing; and

WHEREAS, on June 5, 2017, the Governing Body of the City made certain findings related to the need for housing in the City and approved the creation of an RHID pursuant to the RHID Act through the adoption of Resolution No. 06-17-01 (the "RHID Resolution"); and

WHEREAS, on June 6, 2017, the City submitted a certified copy of the RHID Resolution to the Secretary of Commerce (the "Secretary") for approval of the establishment of the RHID in the City, as required by Section 12-5244(c) of the RHID Act; and

WHEREAS, on June 9, 2017, the Secretary provided written confirmation approving the establishment of the RHID; and

WHEREAS, pursuant to Section 12-5245(a) of the RHID Act, the City has caused to be prepared a plan for the development of housing and public facilities (the "Development Plan") within a portion of the RHID, as legally described and depicted on **Exhibit A** attached hereto, to be known as the "West Village RHID"; and

WHEREAS, the Development Plan includes the following requirements set forth in Section 12-5245(a) of the RHID Act:

1. The legal description and map of the West Village RHID;
2. The existing assessed valuation of the real estate in the West Village RHID, listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the West Village RHID;
4. A description of the housing and public facilities project that is proposed to be constructed or improved in the West Village RHID, and the location thereof (the "Project");

5. A listing of the names, addresses and specific interests in real estate in the West Village RHID of the developer responsible for development of the Project in the West Village RHID;
6. The contractual assurances the Governing Body has received from such developer, guaranteeing the financial feasibility of the Project in the West Village RHID;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the West Village RHID as provided in the RHID Act, which shows that the public benefits derived from the West Village RHID will exceed the costs and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in the West Village RHID. Other sources of public or private funds used to finance the improvements are identified in the analysis; and

WHEREAS, the Governing Body of the City proposes to continue proceedings necessary to consider adopting the Development Plan and designating the West Village RHID in accordance with the provisions of the RHID Act.

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

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares its intent to establish within the City the West Village RHID. The West Village RHID is proposed to be formed within the boundaries of the real estate legally described and depicted on **Exhibit A** attached hereto. The existing assessed valuation of the real estate in the West Village RHID, listing the land and improvement values separately, and a list of the names and addresses of the owners of record of all real estate parcels within the West Village RHID is attached hereto as **Exhibit B**.

Section 2. Development Plan. The Governing Body hereby further declares its intent to adopt the Development Plan in substantially the form presented to the Governing Body on this date. A copy of the Development Plan shall be filed in the office of the City Clerk and be available for public inspection during normal business hours. A description of the Project that is proposed to be constructed or improved in the West Village RHID, and the location thereof are described in **Exhibit C** attached hereto. A summary of the contractual assurances by the developer and the comprehensive feasibility analysis is contained in **Exhibit D** attached hereto.

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City to consider designation of the West Village RHID and adoption of the Development Plan on March 16, 2020 at Tonganoxie Council Chamber, 321 Delaware Street, Tonganoxie, Kansas 66086. The public hearing will commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on such matters, and may, after the conclusion of the public hearing, designate the West Village RHID and adopt the Development Plan, all pursuant to the RHID Act.

Section 4. Notice of Public Hearing. This Resolution shall be published at least once in the *Tonganoxie Mirror* not less than one week or more than two weeks preceding the date fixed for the public hearing. A certified copy of this Resolution shall be delivered to the Planning Commission of the City, the Board of Education of Tonganoxie Unified School District No. 464, and the Board of County Commissioners of Leavenworth County, Kansas. This Resolution and the Development Plan are available for inspection at the office of the City Clerk during normal business hours. Members of the public are invited to review the Development Plan and attend the public hearing on March 16, 2020.

Section 5. Further Action. The Mayor, City Manager, Assistant City Manager, City Clerk and other officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This Resolution shall be effective upon adoption by the Governing Body.

**ADOPTED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS,
AND APPROVED BY THE MAYOR ON THIS 3rd DAY OF FEBRUARY, 2020.**

SEAL

David Frese, Mayor

ATTEST:

Patricia C. Hagg, City Clerk

EXHIBIT A

LEGAL DESCRIPTION AND MAP OF WEST VILLAGE RHID

A tract of land in the Southeast 1/4 of Section 8, Township South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas, described as follows:

Commencing at the Southeast corner of the Southeast 1/4 of Section 8, Township 11 South, Range 21 East; thence South $89^{\circ}11'59''$ West, (assumed), 50.00 feet; thence North $00^{\circ}50'55''$ West, 660.00 feet to the point of beginning of this tract; thence South $89^{\circ}11'59''$ West 660.00 feet; thence North $00^{\circ}20'20''$ West 337.24 feet; thence North $89^{\circ}11'59''$ East 657.00 feet; thence South $00^{\circ}50'55''$ East 337.23 feet to the point of beginning of this tract, LESS any part thereof taken or used for road purposes.

More commonly known as 0000 West Street.

Leavenworth County, Kansas Parcel ID Number 052-193-08-0-00-00-022.02-0.



EXHIBIT B

**EXISTING ASSESSED VALUATION AND LIST OF NAMES AND ADDRESSES
OF THE OWNERS OF RECORD OF ALL REAL ESTATE PARCELS WITHIN
THE WEST VILLAGE RHID**

Assessed Valuation:	Land:	\$132
	Improvements:	\$0

Owner(s) of record:	Tomica and Ljubinka Cvetkovic 2510 North 123 rd Street Kansas City, Kansas 66109
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EXHIBIT C

DESCRIPTION OF PROPOSED HOUSING AND PUBLIC FACILITIES PROJECT WITHIN THE WEST VILLAGE RHID

Housing Facilities

Fifty-seven (57) units of rental housing in six (6) buildings, including:

- (a) thirty-six (36) units of multi-family rental housing comprised of one (1) and two (2) bedroom units in one (1) walk-up garden style building; and
- (b) twenty-one (21) single-family units comprised of one (1) and two (2) bedroom units in five (5) single-story villa buildings.

Public Facilities

Public facilities will include the construction of infrastructure improvements that are necessary to support the Project within the boundaries of the West Village RHID, including parking, water, sanitary sewer, and electric improvements. The public facilities will be constructed concurrently with the housing facilities.

Depiction of the Project

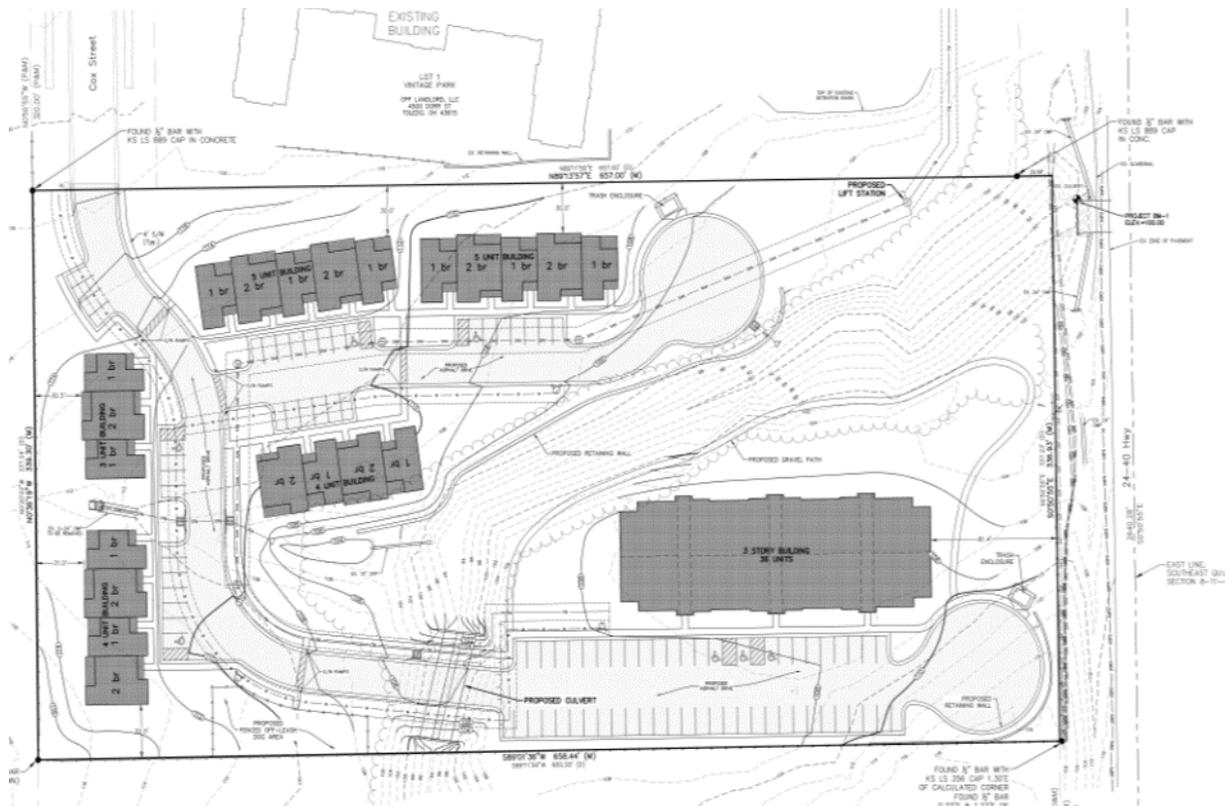


EXHIBIT D

SUMMARY OF CONTRACTUAL ASSURANCES BY DEVELOPER AND OF THE COMPREHENSIVE FEASIBILITY ANALYSIS

Contractual Assurances

The Governing Body of the City will enter into a Development Agreement with WC DEVELOPMENT LLC, a Kansas limited liability company ("Developer"). The Development Agreement will include a description of the Project, the construction schedule, financial obligations of the Developer and financial and administrative support from the City. Among other things, the Development Agreement will provide for the following:

- Developer shall complete the Project within twenty-four (24) months after Development Agreement approval.
- Developer will advance all of the funds necessary to complete the Project. The City will reimburse Developer from the incremental real property taxes created by the Project (the "Increment") on a pay-as-you-go basis for eligible Project costs under the RHID Act, specifically hard costs of site preparation and infrastructure (the "RHID Eligible Expenses"). The City will reimburse Developer for RHID Eligible Expenses up to a maximum amount of One Million Six Hundred Seventy Five Thousand Dollars (\$1,675,000) (the "RHID Cap"). The City will initially reimburse Developer for RHID Eligible Expenses with 100% of the Increment for a duration ending upon the first to occur of (i) thirteen (13) years from the effective date of the Development Agreement, or (ii) when Developer has been reimbursed from the Increment in the amount of One Million Dollars (\$1,000,000). Thereafter, the City's reimbursements to Developer will decrease each year for the remainder of the Term until Developer has been reimbursed for RHID Eligible Expenses in an amount equal to the RHID Cap. Specifically, Developer will receive 90% of the Increment in Year 14, 80% of the Increment in Year 15 and so on until Developer has been reimbursed for RHID Eligible Expenses in an amount equal to the RHID Cap. In connection with the Development Agreement, Developer will affirmatively agree to timely pay its property taxes.
- The City has received a grant in the amount of Four Hundred Thousand Dollars (\$400,000) from the Kansas Housing Resources Corporation (the "KHRC Grant Funds"). The City will reimburse Developer for allowable Project costs from the KHRC Grant Funds pursuant to KHRC rules and other terms and conditions set forth in the Development Agreement.
- Developer agrees that it shall be responsible for all design, construction and permitting of the build out of the Project and the Developer agrees to obtain all necessary approvals, permits and licenses and to keep the City informed on a

monthly basis throughout the construction and leasing process. Developer will construct the Project in accordance with the City's specifications.

- Developer will provide the City with indemnification for design and construction of the Project, as well as damage and injury that occurs on the site and environmental.
- In addition to the City's costs associated with the preparation and negotiation of the Development Agreement and other related transaction documents, the City's ongoing expenses for administration of the Project will be paid by Developer in the form of an annual administrative fee equal to one percent (1%) of the Increment.
- Developer will agree to use and operation provisions for the Project, including maintenance and repair obligations, insurance requirements, obligations to rebuild in the event of casualty, prohibitions on sales and transfers and environmental covenants.

Feasibility Study

Developer has conducted a comprehensive analysis of the feasibility of providing housing tax incentives in the West Village RHID, as provided in the RHID Act, that shows the public benefits derived from the West Village RHID will exceed the costs and that the income therefrom, together with other sources of funding, will be sufficient to pay for the public improvements within the Project. The analysis estimates the property tax revenues that will be generated from the West Village RHID, less existing property taxes, to determine the revenue stream available to support reimbursement to the Developer for all or a portion of the costs of financing the public improvements for the Project. The estimates indicate that the revenue realized from the Project, together with other available sources of revenue, will be adequate to pay the costs of the public improvements. The comprehensive feasibility analysis is set forth in detail in the Development Plan.

CERTIFICATE OF DELIVERY AND PUBLICATION

STATE OF KANSAS)
) SS.
COUNTY OF LEAVENWORTH)

The undersigned, City Clerk of the City of Tonganoxie, Kansas (the "City"), does hereby certify, as follows:

(a) On the ____ day of February, 2020, I caused a certified copy of Resolution No. 02-20-01 with **Exhibits A** through **D** attached (the "Resolution"), to be delivered to the following:

- 1) The Planning Commission of the City,
- 2) The Board of Education of Tonganoxie Unified School District No. 464, and
- 3) The Board of County Commissioners of Leavenworth County, Kansas.

(b) I caused a copy of the Resolution to be published one time in the *Tonganoxie Mirror* the official newspaper of the City, on the ____ day of _____, 2020, which date was not less than one week nor more than two weeks preceding the date fixed for the public hearing. A true copy of the affidavit of publication of the Resolution is attached to this Certificate.

WITNESS my hand and seal on this ____ day of _____, 2020.

Patricia C. Hagg, City Clerk



2020 TONGANOXIE
POLICE DEPARTMENT VEHICLE
PURCHASE

2020 BUDGET APPROVED CHARGER PURCHASE

Cost of 2020 Dodge Charger	\$ 24,747.00
Lights, siren, interior equipment	\$ 5951.00
Decal Cost	<u>\$ 570.00</u>
Original budget Allocation :	\$ 31,268.00

- This vehicle **OUT OF STOCK**, and our October 2019 order was cancelled with hundreds of other agencies.
NO FURTHER 2020 ORDERS.
- Unknown when 2021 Charger orders will be accepted or delivered.



ALTERNATIVE 2019 CHARGER PURCHASE

2019 Dodge Charger in lieu of 2020, sold by Jimmy Britt Chrysler, Dublin, GA:
New vehicle; however priced higher than Kansas City market.

Cost of Dodge Charger (inclusive shipping)	\$ 28,783.00
Lights, siren, interior equipment	\$ 5,951.00
Decal Cost	<u>\$ 570.00</u>
Total Cost Estimate	\$ 35,304.00

2020 Allocated Charger Budget	\$ 31,268.00
Modified Budget Increase	\$ 4,036.00



ALTERNATIVE 2020 DODGE DURANGO PURCHASE

2020 Dodge Durango, MARC contract price:

Cost of 2020 AWD V8 Dodge Durango	\$ 34,020.68
Lights, siren, interior equipment	\$ 5951.00
Decal Cost	<u>\$ 570.00</u>
	\$ 40,541.68
V8 creates modified Budget Increase	\$ 9,273.68
Cost of 2020 AWD V6 Dodge Durango	\$ 29,117.78
Lights, siren, interior equipment	\$ 5951.00
Decal Cost	<u>\$ 570.00</u>
	\$ 35,638.78
V6 creates modified Budget Increase	\$ 4,370.78



USED 2017 FORD INTERCEPTOR COST

2017 Ford Interceptor, sold by 911 Customs: 32 k highway miles and the vehicle is a demo that contains police equipment sold by their company.

Ford Interceptor Cost of	\$ 27,900.00
Lights, siren, interior equipment	(Included) .00
Decal Cost	\$ 570.00
Extended Ford power train warranty purchased from Ford :	<u>\$ 1,500.00</u>
	\$ 29,970.00

2020 Budget **Decrease: \$ 1,298.00**

- **\$5,334.00 SAVINGS** vs. CHARGER SOLD IN GEORGIA
- **\$5,668.78 SAVINGS** VERSUS NEW DODGE DURANGO V6

NOTE: KHP is selling this same vehicle (modestly equipped) for \$23,500.00 with 50 k miles. Needed equipment and decals bring the KHP vehicle to a price point of \$30,000.00. 911 Customs vehicle is same price with 20 k less miles, as well as being equipped with 18 k dollars in equipment.

