

City of Tonganoxie
City Council Meeting Minutes
02/09/10

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on February 9, 2010. The regular meeting scheduled for the 8th was rescheduled due to weather conditions. The meeting was called to order at 7:00 p.m. with roll call showing a quorum and the following members present: Mayor: Michael Vestal Councilmembers: Tom Putthoff, Jim Truesdell, Jason Ward and Burdel Welsh. Mike Yanez, City Administrator, Kathy Bard, Asst. City Administrator and Mike Kelly, City Attorney. Councilmember Jim Truesdell was absent and Councilmember Welsh arrived at 7:05 pm.

Consent Agenda:

- a) Approval of Minutes -
 1. Regular Meeting dated January 25, 2010
 2. Special Meeting dated February 1, 2010

- b) Consider Approval of Bills - Approve Pay Ordinance A-1626

- c) Consider Approval of Change Order No 2, authorizing a deduction of \$13,950 and an addition of \$850.00 to the Interceptor Phase II contract with BRW Construction LLC

- d) Consider authorizing the Mayor to sign certificate of substantial completion for the Interceptor Phase II project as recommended by BG Consultants

- e) Consider Pay Application No 3 to BRW Construction LLC in the amount of \$11,311.30 for work completed on the Interceptor Sewer Phase II project.

- f) Consider appropriation to First Bank in the amount of \$10,530.00 the semi annual lease payment used to purchase 2 - 2009 Crown Vics

- g) Consider appropriation to First State Bank & Trust in the amount of \$36,353.11 the semi annual lease payment for the Ball Fields Construction, to be reimbursed by the Tonganoxie Recreation Commission

- h) Consider appropriation to the Kansas Sampler Festival in the amount of \$3,912.05 the second and final payment of Tonganoxie's share to fund the event.

- i) Consider appropriation of \$10,417.57 to Meadows Construction, as part of the Contract for 4th Street Phase III project - bonding.

- j) Consider appropriation of \$42,886.26 to Capital Electric Construction for work completed on the ball field lighting to be paid from that construction fund.

- k) Consider payment to Musco Lighting in the amount of \$161,000 for the Ball Field lighting project materials to be paid from that construction fund.

- l) Consider approval of repair to the Case 621 Loader in the amount of \$5,800

- m) Authorize Mayor to sign notice of acceptance for flashing beacon system at US 24/40 and Northstar
- n) Approval of Minutes -
 - 1. Regular Meeting dated January 11, 2010
- o) Consider Approval of Bills - Approve Pay Ordinance A-1625

Motion by Ward to approve the consent agenda items a through o. Second by Crook. All Ayes. Aye 3. Motion carried. Councilmember Putthoff abstained from approval of the February 1, 2010 meeting minutes and items g, j & k. Councilmember Crook abstained from approval of the January 25, 2010 meeting minutes.

Open Agenda: With no concerns presented, the open agenda was closed.

Old Business: The first item under Old Business was to consider Ordinance 1293 repealing and replacing Chapter X (Police) of the City Code. Discussion ensued. Councilmember Welsh said in section 10-102 it has references to the Mayor instead of the City Administrator. Council agreed to amend the section. Motion by Putthoff to adopt Ordinance 1293 as amended. Second by Crook. All Ayes. Aye 4. Motion carried.

Next on the agenda under old business was to consider an Ordinance repealing and replacing Chapter XIV (Traffic) and adopting the Standard Traffic Ordinance, Edition 2009. Considerable discussion ensued concerning parking, parking in the grass or parking in the front yard, site yard or back yard. Welsh said 14-210 should consider even-odd parking system to plow to curb on one side of street during a snow event. They would like to see models from other cities. Council agreed to table the Ordinance for further discussion at the next meeting. In addition the Council tabled the next Ordinance regarding Uniform Public Offense to the next meeting.

Next under old business was to consider advertising for a position in the Water Department. Motion by Putthoff to authorize advertising for the new position created in the Water Department, Water Distribution/Meter Reader. Second by Crook. All Ayes. Aye 4. Motion carried.

Next under old business was to discuss the additional purchase of salt and sand spreaders for the 2- 2011 Ford F-250 pickups purchased for public works. The spreaders are \$2,501 each. Motion by Welsh to purchase the salt/sand spreaders for an amount not to exceed \$5,002. Second by Ward. All Ayes. Aye 4. Motion carried.

Next on the agenda under old business was to consider the special event application for Tonganoxie St Patrick's Day Parade event and celebration. Motion by Ward to approve the Special Event Application. Second by Putthoff. All Ayes. Aye 4. Motion carried.

New Business: The first item for new business was a discussion concerning the selling price of the Industrial site property for a potential perspective buyer. Steve Jack, Executive Director of LCDC and Tom Kaleko were present to answer any questions. City Administrator Mike Yanez said, a large global manufacturer (identity unknown) is conducting a site search for a heavy manufacturing location in the Midwest portion of the United States. The company is seeking 200-500 acres on which to construct a \$175 million facility creating 175 jobs with additional growth potential. Average wages for personnel will

be in the top 10% of the area's wages. The operation will be three shifts 365 days a year. Kaleko and Jack spent time developing land sale prices to present to the site search committee. Kaleko said if the property was sold for \$15,000 per acre it would work into an overall financing plan for the land and the infrastructure to the site as well as be a competitive sale price for the area. This proposal would be for this site search only as it is based on jobs created and other criteria. Motion by Ward to approve proposing the sale of the industrial site property in an amount of \$15,000 per acre for the specific site search known as Project D. Second by Truesdell. All Ayes. Ayes 4. Motion carried.

Next on the agenda was to consider an agreement with Springsted, Inc for support services – industrial park developer search. Councilmember Tom Putthoff presented this as a member of the Industrial Park committee. He said the committee was considering having a private investor to partner with the City to develop the Industrial site. The committee would like to have Tom Kaleko with Springsted to prepare a Request for Proposals (RFP) to determine the developer interest in the property. Kaleko said the most risky way for the City to develop the property is to develop it itself. He said with this RFP they can try to locate an equity partner, determine the developer financial capacity, and determine what the public participation would be in the development. The City would find out fairly quickly how marketable this type of development would be in Tonganoxie. Putthoff said the committee felt it was time to get professional assistance. City Attorney said that usually contracts with the city were for a not to exceed amount and then the contract is amended if additional funds are necessary in lieu of a dollar amount range in a contact. Motion by Ward to enter into an agreement with Springsted for professional services in the RFP process to seek private sector developer interest in partnering in the development and marketing of the City's industrial site in an amount not to exceed \$4,000 with any additional expenses be handled as a contract amendment. Second by Putthoff. All Ayes. Aye 4. Motion carried.

Next on the agenda was Fire Chief, Dave Bennett, he requested to replace the EMS/Command vehicle, Unit #667 in advance of the 2011 budget. He suggested paying off a older lease of #664 in the amount of approximately \$18,500 and replacing with the new lease to keep the payments and Fire Department debt about the same. The amount of the vehicle and all the pertinent equipment is \$35,000 and he would like to extend the lease for seven years. Discussion concerning life of the vehicle and financing terms to make certain financing was not extended beyond the life of the vehicle. Motion by Crook to approve the pay of the lease payment for 664 in an amount not to exceed \$18,500 from the Fire Department Equipment Reserve. Second by Ward. All Ayes. Aye 4. Motion carried.

Motion by Welsh to purchase a new truck and equipment not to exceed \$35,000 and to direct staff to issue an RFP for financing of the vehicle. Second by Ward. All Ayes. Aye 4. Motion carried.

Next Bennett discussed adding an addition to the Fire Station. The addition is adding sleeping quarters and restrooms to the back of the station, the addition would also remodel the partial kitchen to a full kitchen. He said, in the 2010 CIP staff scheduled a building addition. With mounting concerns on the overall cost of the project and considering the economic climate, the department began seeking alternatives to the new addition. Staff contacted three local contractors with general dimensions of the project and the scope of work. Two responded with estimate of costs. **Motion** by Ward to authorize the Fire Department to seek proposals for an addition to the Fire Department in an amount not to exceed \$200,000 for addition, parking area and associated equipment to be financed with the

bond issue for the 4th Street Phase III project and the Pleasant Street Bridge project. Second Putthoff. All Ayes. Aye 4. Motion carried.

Motion by Putthoff to renew the Leavenworth County Probation Services contract and authorize the Mayor to sign. Second by Crook. All Ayes. Aye 4. Motion carried.

Motion by Putthoff to authorize Kathy Bard to go to Washington DC in place of Mike Yanez due to a rescheduling of the trip and Yanez being unable to attend due to a prescheduled vacation. Second by Crook. All Ayes. Aye 4. Motion carried.

Next there was a discussion concerning the pay plan. Several items were discussed, KP&F for Police and Fire Fighters, reworking longevity pay for topped out employees. Review payscales and move some ranges as necessary. They decided to schedule a special meeting in March to discuss these items in detail.

Next, there was a **Motion** by Putthoff to enter into an executive session at 9:05 PM for ten minutes to discuss a matter of attorney-client privilege and possible litigation and request City Administrator, Mike Yanez; Asst City Administrator, Kathy Bard and City Attorney Mike Kelly attend the executive session, to return at 9:15 PM. Second by Crook. All Ayes. Aye 4. Motion carried. **Motion** by Putthoff to exit executive session and reconvene with the regularly scheduled meeting at 9:15 PM. No items were discussed other than that mentioned and no votes were taken. Second by Crook. All Ayes. Aye 4. Motion carried.

With no further business to discuss, there was a **motion** by Putthoff to adjourn. Second by Crook. Motion carried. All Ayes. Aye 4. Meeting adjourned at 9:15 PM.

Respectfully submitted,
Kathy Y. Bard, City Clerk
Asst City Administrator