

City of Tonganoxie
City Council Meeting Minutes
03/08/10

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on March 8, 2010. The meeting was called to order at 7:00 p.m. with roll call showing a quorum and the following members present: Councilmembers: Paula Crook, Tom Putthoff, Jim Truesdell, Jason Ward and Burdel Welsh. Mike Yanez, City Administrator; Kathy Bard, Asst. City Administrator and Mike Kelly, City Attorney. Mayor, Michael Vestal was absent. In the absence of the Mayor, Council President Jason Ward presided.

Consent Agenda:

- a) Approval of Minutes -
 - 1. Regular Meeting dated February 22, 2010
- b) Consider Approval of Bills - Approve Pay Ordinance A-1628
- c) Consider approval of Cereal Malt Beverage License for Fat Sams for consumption on the premises.

Motion by Crook to approve the consent agenda items a through c. Second by Welsh. All Ayes. Aye 5. Motion carried.

Open Agenda: First under open agenda was Frank Smith, 22552 Honey Creek Road asked about the proposed Interlocal Agreement with Leavenworth County for Development of the County Road No. 1 Corridor and how he will be affected by the agreement. Councilmember Ward said property owners could maintain property in the same manner they currently are until they wish to develop the property or change the land use.

Next under open agenda was Cheryl Hanback and Patty Hagg, representing the Retail/Commercial Development Committee, the committee would like the City to purchase banner stands and banners to display information and logo about the City at the Sampler Festival booth and could be used when marketing the City at other events. **Motion** by Welsh to authorize the expenditure not to exceed \$450 for two stands and banners from the economic development line item. Second by Crook. All Ayes. Aye 5. Motion carried.

Next Hanback, representing the Chamber of Commerce updated the council on events for the Saint Patrick's Day Festival. They would like the City to donate two family passes to the water park for a fund raising raffle. **Motion** by Putthoff to donate two family passes to the Chamber of Commerce for the Tonganoxie Water Park 2010 swim season. Second by Crook. All Ayes. Aye 5. Motion carried.

Old Business: The first item under Old Business was to consider Ordinance 1296 repealing and replacing Chapter XI (Public Offenses) and adopting the Uniform Public Offense Code, Edition 2009. **Motion** by Welsh to adopt Ordinance 1296 repealing and replacing Chapter XI (Public Offenses) of the City Code and adopting the Uniform Public Offense Code, Edition 2009. Second by Truesdell. All Ayes. Aye 5.

New Business: The first item for new business was to consider Special Event Application for the Bald Eagle Re-enactors Primitive Camp & Skills, it will be held at the Tonganoxie Historical Site property and April 9 through April 11th, campers will come and erect teepees,

there will be campfires and they will demonstrate making of musket shells, hand crafts, and they will have a black powder cannon (no discharge). **Motion** by Putthoff to approve the Special Event Application for the Bald Eagle Re-enactors. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Next on the agenda was Police Chief, Ken Carpenter, he said he currently has a full time police officer vacancy. They completed the hiring process for full time officers in December 2009. They created a hiring list at that time. The second officer recommended by the selection board consisting of Lieutenant Adcox, Sergeant Hawkins and Sergeant Moore was Toby Allen. Based on those recommendation he recommended Toby Allen be hired at Range 7, Step A contingent upon passing a physical and psychological examination effective March 28, 2010. **Motion** by Truesdell to accept the Chief's recommendation to hire the recommended officer contingent upon the physical examination and psychological testing. Second by Crook. All Ayes. Aye 5. Motion carried.

Next on the agenda was Lieutenant Adcox, he said the Police Department has a 1999 Ford Crown Vic, the vehicle was taken out of service in 2008, it was kept for training purposes at the range and it is no longer needed, it has been stripped of all usable parts and has only salvage value. He request the Mayor and Council authorize disposal of the City property. He will call a salvage yard and have it hauled off if approved. **Motion** by Crook to authorize the disposal of the vehicle. Second by Putthoff. All Ayes. Aye 5. Motion carried.

Motion by Welsh to schedule a work session March 22, 2010 at 6:00 PM at the Tonganoxie City Council Chambers to discuss the neighborhood revitalization program. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Next on the agenda was the City Administrator. He updated the council with his City Administrator Report. First, he presented proposed rates for the 2010 Water Park Admissions, passes and rentals. **Motion** by Putthoff to approve the proposed rates for the Tonganoxie Water Park. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Next Yanez presented a timetable for hiring a new Police Chief. April 15 - May 28 would be the advertisement period for the position. May 28 would also be the application deadline. Between June 1 and June 18, review applications and make shortlist of applicants. June 28 through July 23 conduct interviews and background checks of finalists, June 26 through July 30 would be for second interviews if needed. Finally, August 9, 2010 a recommendation by the Mayor to the City Council for hiring purposes.

Next three was a discussion about the progress on the proposed interlocal agreements with the County for the County Road No 1 corridor, one agreement is for planning and land use and the other for the City's financial contribution to the project. Leavenworth County submitted for the governing body consideration revised drafts of the interlocal agreements. Upon review by the city ad hoc committee, several key items were noted in the revised drafts. The revised drafts removed a deadline date for selection of a development consultant to conduct a land use study and to recommend development standards for the corridor. The City had proposed the latest date for the selection of the consultant to be December 31, 2011 to allow sufficient time to budget the task. The revised drafts removed any language that the parties would accept the development consultant's recommendations and those current corridor district regulations would be amended to reflect the recommendations of the consultant study. The City had proposed that the study finding would be used to determine future development standards and land use in the corridor overlay district. The revised

drafts removed the exclusion of the City industrial park property from any future County imposed development fees. The City requested exclusion of the industrial park from future fees. They did not include any language that a future interlocal agreement would be created extending extra territorial jurisdiction of the City in Area 1 of the corridor overlay district. The ad hoc committee felt that it would be beneficial to the parties to call for a joint meeting between the Tonganoxie city Council and the Leavenworth County Commissioners to discuss the revised drafts. **Motion** by Putthoff to direct staff to arrange for a joint meeting with the County Commissioners to discuss the interlocal agreements and drafts for the development of the County Road No. 1 Corridor Overlay District and the City Financial contribution. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Next on the agenda was the 4th Street Downtown crosswalk repair option. The decorative pedestrian crosswalks on 4th Street are deteriorating significantly. Due to the degree of degradation of the asphalt and concrete materials, patching will not suffice in maintaining a smooth surface for more than a few months. It is recommended that repairs begin this season, as deterioration will increase to create an unsightly and unsafe condition in the downtown area. Yanez presented four options ranging from replacing the pavers, stamped concrete, plain concrete or colored concrete. Welsh said he felt the recommendation was incomplete; there was not a staff preference in the recommendation, no maintenance costs associated with the options and no longevity recommendations. Council directed staff to bring back more information on the options and check with the downtown businesses to see if they have a preference.

With no further business to discuss, there was a **motion** by Welsh to adjourn. Second by Truesdell. Motion carried. All Ayes. Aye 5. Meeting adjourned at 8:25 PM.

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