

**City of Tonganoxie**  
**City Council Meeting Minutes**  
**08/23/10**

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on August 23, 2010. The meeting was called to order at 7:00 p.m. with roll call showing a quorum and the following members present: Mayor Jason Ward, Councilmembers: Paula Crook, Tom Putthoff, Jim Truesdell and Burdel Welsh. Mike Yanez, City Administrator; Kathy Bard, Asst City Administrator/City Clerk and Mike Kelly, City Attorney.

Kathy Bard, City Clerk gave Chris Donnelly the oath of office and he took his seat with the rest of the governing body.

**Consent Agenda:**

- a) Approval of Minutes -
  - 1) Regular Meeting Dated August 9, 2010
- b) Consider Approval of Bills - Approve Pay Ordinance A-1639
- c) Consider authorizing the Mayor to sign certificate of project completion for the 24/40 and Main project in connection with KDOT Loan TR-0131 as required as part of the closing documents associated with the loan for the project.
- d) Consider authorizing the Mayor to sign certificate of project completion for the 2<sup>nd</sup> & Cox street construction project in connection with KDOT Loan TR-0132 as required as part of the closing documents associated with the loan for the project.
- e) Consider approval of payment to Bingham's Landscaping in the amount of \$9,976.64 for work completed on the Ball Fields parking lot expansion to be paid from the Certificate of Participation revolving loan between USD 464 and the City of Tonganoxie for the benefit of the Recreation Commission.
- f) Consider approval of appropriation to Nowak Construction for payment application #1 for work completed on the BPU water line inter connection in the amount of \$363,935.74 to be paid for with KDHE Water Loan Funds.

**Motion** by Welsh to approve the consent agenda items a through f. Second by Putthoff. All Ayes. Aye 5. Motion carried. Councilmember Putthoff abstained from voting on item e.

**Open Agenda:** Bill Peak, 612 Washington said the City needs a mediator for KDOT projects. He said when he called City Hall with a complaint he was referred to the General Contractor and he thought he should have been dealing with someone from the City instead of the General. He also wanted to know what the responsibility of the council was to follow up on items on the open agenda. Mayor Ward said either the items are acted on during the

meeting or they direct the City Administrator to handle. Mike Yanez said he keeps a running list of those items that need attention.

**New Business:** The first item on the agenda under new business was Janet Falk, Tonganoxie Tidal Waves coach. She gave an annual report on the swim team. She said Tonganoxie had the opportunity to host two swim meets this year and they plan to have the swim team again next year.

Next on the agenda was Michael Peroo who gave a financial presentation to the council for auditing services. He said if the council were to select his firm for financial services, they would break down the financial statements to make them understandable. They specialize with cash solvency, utility rates and ratios, debt analysis and budget expenditures. The annual fee is \$12,000 and an hourly rate of \$100 per hour. He said they have annual training at no charge to clients and there is no charge for phone calls or emails.

Next on the agenda was to award the financing for the lease purchase of a police car. The City sent out four RFP's for a lease purchase of a 2011 Crown Vic police package vehicle. The RFP requested finance options to include the original purchase amount of \$30,002 with \$10,000 down and semiannual payments for the next two years to fulfill the balance, two RFP's were returned.

First State Bank & Trust  
Tonganoxie Kansas  
2.79%

First Bank of Kansas  
Sterling Kansas  
3.39%

**Motion** by Putthoff to approve the award of the financing to First State Bank for financing. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Next on the agenda was an interlocal agreement between Leavenworth County and the City of Tonganoxie for the purpose of purchasing new radios for the fire department. Fire Chief, David Bennett said that all of the Fire Departments in the County have to agree in order to get 0% financing through Motorola. **Motion** by Welsh to approve the interlocal agreement with Leavenworth County contingent upon Motorola keeping the zero percent financing in the event not all departments agree. Second by Crook. All Ayes. Aye 5. Motion carried.

Next on the agenda, Chief Bennett said the Fire Department has two vehicles that they would like to sell on Purple Wave, the online auction site. The vehicles are a 1997 Ford Expedition and a 1996 Chevrolet truck. If the trucks produce enough proceed they would like to purchase a rollout command center for the new truck. The devise will allow them to carry equipment that can be accessed without climbing into the back of the truck. The unit cost is \$3,060. **Motion** by Welsh to authorize the sale of the vehicles through purple wave. Second by Putthoff. All Ayes. Aye 5. Motion carried. **Motion** by Welsh to authorize the

purchase of the command center for the 2011 F-250 pickup truck in an amount not to exceed \$3,060. Second by Donnelly. All Ayes. Aye 5. Motion carried.

**Motion** by Crook to accept the resignation of David Duvall as a Police Officer. Second by Donnelly. All Ayes Aye 5. Motion carried.

Next, there was a **Motion** by Putthoff to enter into an executive session at 8:40 PM for fifteen minutes to discuss a matter that pertains to non-elected personnel and request City Attorney Mike Kelly attend the executive session, to return at 8:55PM. Second by Truesdell. All Ayes. Aye 5. Motion carried. Councilmember Welsh removed himself from the executive session due to a possible conflict. **Motion** by Putthoff to exit executive session and reconvene with the regularly scheduled meeting at 8:55 PM. No items were discussed other than that mentioned and no votes were taken. Second by Truesdell. All Ayes. Aye 5. Motion carried.

**Motion** by Putthoff to re-enter into an executive session at 8:55 PM for thirty minutes to discuss a matter that pertains to non-elected personnel and request City Attorney Mike Kelly attend the executive session, to return at 9:25 PM. Second by Truesdell. 4 Ayes. 1 Abstention (Welsh). Motion carried. Councilmember Welsh did not attend the executive session due to a possible conflict. **Motion** by Truesdell to exit executive session and reconvene with the regularly scheduled meeting at 9:25 PM. No items were discussed other than that mentioned and no votes were taken. Second by Truesdell. 4 Ayes. 1 abstention (Welsh). Motion carried.

**Motion** by Truesdell to take a 3-minute recess. Second by Donnelly. All Ayes. Aye 5. Motion carried.

Mayor reconvened the meeting at 9:28 PM.

**Motion** by Crook to re-enter into an executive session at 9:30 PM for thirty minutes to discuss a matter that pertains to non-elected personnel and request City Attorney Mike Kelly attend the executive session, to return at 10:00 PM. Second by Donnelly. All Ayes. Motion carried. Councilmember Welsh excused himself from the executive session at 10:20 PM due to a possible conflict. **Motion** by Truesdell to exit executive session and reconvene with the regularly scheduled meeting at 10:00 PM. No items were discussed other than that mentioned and no votes were taken. Second by Donnelly. 4 Ayes. 1 abstention (Welsh). Motion carried.

Next on the agenda was the City Administrator, he updated the council with the City Administrator report. He said the Chief of Police hiring committee, created and endorsed by the governing body, has met on three occasions to discuss the application review process, to determine candidates deemed worthy of interviews and to conduct interviews. There were 20 resumes and applications received and they interviewed four of the candidates and are recommending two to the council for consideration. Councilmember Welsh removed himself from the dais due to a conflict of interest at 10:35 PM. **Motion** by Donnelly to request a special meeting to be held Thursday August 12 at 6:00 PM to conduct an executive session for matters that pertain to non-elected personnel to interview recommended candidates. Second by Truesdell. All Ayes. Aye 4. Motion carried.

Councilmember Welsh returned to his seat at 10:45 PM

With no further business to discuss, there was a **motion** by Crook to adjourn. Second by Donnelly. Motion carried. All Ayes. Aye 5. Meeting adjourned at 10:50 PM.

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