

City of Tonganoxie
City Council Meeting Minutes
03/14/11

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on March 14, 2011. 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, Chris Donnelly, Andy Gilner, Bill Peak and Jim Truesdell. Mike Yanez, City Administrator; Kathy Bard, Asst City Administrator/City Clerk and Mike Kelly, City Attorney.

Mayor Ward called the meeting to order and requested a moment of silence in honor and memory of John Justice Jr., who passed away unexpectedly on March 13, 2011. He served as part time Police Officer and Court Bailiff for the City of Tonganoxie.

Consent Agenda

- a) Approval of Minutes -
 - 1) Regular Meeting Dated February 28, 2011
- b) Consider Approval of Bills - Approve Pay Ordinance A-1653
- c) Consider approval of appropriation in the amount of \$2,030.00 to BPU for waterline construction inspection services associated with the BPU waterline.
- d) Consider approval of appropriation to First State Bank & Trust in the amount of \$2,903.77 for semi annual lease payment for 2011 Ford - First responder FD
- e) Consider approval of appropriation to KDHE for semi annual lease payments associated with KDHE #1, #2 & #3 loans in the amount of \$182,671.21

Motion by Peak to approve the consent agenda items a thru e. Second by Truesdell. All Ayes. Aye 5. Motion carried.

Open Agenda: Todd Herrington, new owner of the Sunset Inn Motel. He said there is a house that sits behind the motel that he is remodeling to rent out as part of the motel business. The septic system for the house is shot and the City is requiring him to hook into the City Sewer. He said he has already made improvements to this property in excess of \$50,000 on top of the purchase price and he would like to request a waiver of the \$2,750 sewer connection fee. Mayor Ward thanked him for all the work he has done to the property. Councilmember Crook also commended him for making improvements. She said she is willing to support local businesses as much as possible, Councilmember Truesdell agreed. Discussion ensued. Councilmember Peak did not want to set precedent as to encourage any future or current business owners to request the same waiver. Asst Administrator, Bard explained the connection fee was set with the Wastewater rate analysis and connection fees are included as revenues in the sewer fund. Each additional person that connects to the sewer adds an additional user and the money goes into the Sewer Capital improvement fund, the methodology for this practice is that once enough new users connect to the service the sewer plant then could be expanded to accommodate them. Bard suggested if the council was interested in assisting that a donation from the Economic

Development line item in the General Fund would be more appropriate to keep the sewer capital fund whole. She continued stating the City has not waived the connection fee in the past. An economic development donation would be a way to assist without jeopardizing the Sewer Capital Fund. Councilmember Peak asked if the money is for the current structure or could he build a new home and use it for that. Herrington responded he intended to use any assistance for the current structure. Councilmember Donnelly said one of the criteria for economic development assistance is creation of jobs. He asked if any new jobs or positions would be created. Herrington said he saved jobs by keeping the hotel open and he will have someone to take care of the grounds and housekeeping. Motion by Crook to donate funds equivalent to ½ of the sewer connection fee to be used to attach the current structure behind the hotel to the City sanitary sewer system. Second by Truesdell. 2 Ayes (Crook & Truesdell) 3 Nays (Donnelly, Gilner & Peak). Motion Failed.

Dennis Bixby, 704 East Street, said his comments were on an agenda item that was to be discussed later on the agenda entering into an agreement with IKON. He said Genesis Christian Academy had a one-year contract with IKON, they notified IKON that they wanted to end the contract at the end of that year and they had trouble actually ending the contract. The company was so large with different departments that every time they called they were given another number or contact. They were not pleased and would not do business with that company again. Given the past performance of the company, he recommends the City check references carefully and make a few trial calls before entering into an agreement with the company.

With no comments or concerns presented by the public, the open agenda was closed.

Old Business: The first item under old business was to consider the revised agreement with P-Tn for Photography services for the BPU waterline. The agreement is for taking photographs of each parcel that has had work performed on the property. This item was tabled again for further revisions to the contract.

Next on the agenda under old business was to consider Resolution 03-11-01 amending the pay plan for the City of Tonganoxie adding a section to address Field Training Officer Assignment Pay. Motion by Gilner to adopt Resolution 03-11-01. Second by Truesdell. All Ayes. Aye 5. Motion carried.

New Business: The first item on the agenda was a presentation on Green City Transportation, Wesley Williams and Katelyn Waldier presented to the governing body various opportunities to save energy and preserve the earth with green technologies. They said they made the same presentation to the USD 464 proposing an alternative fuel such as clean natural gas for the school buses. They asked the council to consider in the future converting to Hybrid Police Cars and in the interim converting each car from fuel to natural gas. The cost for conversion would be about \$2,200 per car. The Mayor agreed this type of technology is becoming more important and is something the council should consider for future purchases. The council thanked them for the presentation.

Next on the agenda was to consider entering into an agreement with IKON, a Ricoh Company to provide Copiers, printer supplies, maintenance, and service for existing machines at City Hall, the Police and Fire Departments. Bard said that currently the City has multiple agreements

for copier services. City Hall has an agreement with Datamax for a copier/scanner. The Police Department has entered into an service agreement with Documents Products Inc (dpi). The Fire Department does not have a copier they have a multi function printer for their needs, larger copy jobs are completed at City Hall. Recently IKON approached the City and offered to evaluate our copying and printing expenses to see what our current financial considerations are. They presented a service agreement that provides an opportunity for the City to combine all our contracts, have one service provider, obtain updated equipment and see a combined savings from all the departments of at least \$155.25 each month (\$1,863.00 annual savings). The contract has not been approved by the City Attorney so the item was tabled to the next meeting.

Next on the agenda was to consider setting rates for the 2011 season at the Water Park. City Administrator Mike Yanez said the proposed rates are the same as they were in 2010. Last year was a successful season, an estimate 30,000 patrons attended and the Pool department was only subsidized by a little less than \$1,500, basically the revenues they brought in paid for the expense incurred to run the pool. Last season the Water Park operated at a near breakeven point, staff feels it would be appropriate to leave the rates the same. Motion by Truesdell to approve the 2011 rates for the Tonganoxie Water Park. Second by Peak. All Ayes. Aye 5. Motion carried.

Mayor called for a 5-minute recess at 8:20 PM, and reconvened the meeting at 8:25 PM.

Motion by Donnelly to enter into executive session at 8:25 PM, to discuss a matter of acquisition of real estate for 15 minutes and request the City Attorney, City Administrator and Asst City Administrator attend the executive session. Second by Peak. All Ayes. Ayes 5. Motion carried.

Motion by Crook to exit executive session at 8:45 PM and reconvene with the regular meeting no votes were made and no action was taken. Second by Donnelly. All Ayes. Aye 5. Motion carried.

With no further business to discuss, there was a **motion** by Crook to adjourn. Second by Peak. Motion carried. All Ayes. Aye 5. Meeting adjourned at 8:50 PM.

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