

City of Tonganoxie
City Council Meeting Minutes
06/27/11

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on June 27, 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: Dennis Bixby, 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.

Consent Agenda

- a) Approval of Minutes -
 - 1. Regular Meeting dated June 13, 2011

- b) Consider Approval of Bills - Approve Pay Ordinance A-1660

Motion by Truesdell to approve the consent agenda items a and b. Second by Peak. Councilmember Peak abstained from the approval of check #34998. All Ayes. Aye 5. Motion carried.

Open Agenda: With no one present with comments or concerns presented by the public, the open agenda was closed.

New Business: Before the start of new business, Councilmember Peak requested an executive session. **Motion** by Peak to enter into executive session at 7:05 pm to discuss a matter of that pertains to acquisition of real estate to include the City Administrator, Mike Yanez and City Attorney Mike Kelly for 10 minutes to return at 7:15 p.m. Second by Bixby. All Ayes. Aye 5. Motion carried. **Motion** by Donnelly to exit executive session and reconvene with the regularly scheduled meeting at 7:15 PM. No items were discussed other than that mentioned and no votes were taken. Second by Bixby. All Ayes. Aye 5. Motion carried.

The first item for new business was the Transportation Enhancement (TE) Program Grant Award, Chieftain Trail Phase II. City Administrator Yanez said that in response to a TE application submitted by the City in December 2009, the City has received notification from the Secretary of Transportation Deb Miller of the award for the extension of the Chieftain Trail. This will extend the Trail from the end of the existing trail near Magnatech Park up Tonganoxie Drive then South down Laming Road to the Post Office. The award was one of 18 selected from 55 applicants. The total project cost estimate is \$1,114,360.00. The grant award to the City is for 80% of that total. The City will be required to contribute 20% of the construction cost. Additionally, the City will be required to provide for the costs associated with preliminary engineering (design) of the project, right of way acquisition and utility relocations. An agreement to accept the grant award and to commit to the City's contribution has been sent to us from KDOT and is submitted for consideration. Several people were present to speak about the project. The Mayor allowed comments from the floor at this time. First was Kevin Kokes, City Planner with Lochner/BWR. He went over the City of Tonganoxie adopted Conveniently Connected Trail Plan. He said the Planning Commission and City Council adopted the plan and the plan is currently a section of the Comprehensive Plan. In 2008, the Safe Routes to School

plan identified through a parent survey the concern of safety on the City streets for walking or biking to school. The City also through TEAP grants studies identified areas that are in need of improvements to add biking, walking, connectivity or safety improvements. He encouraged the council to vote to approve the contract. Next, Gayle Parker, 1742 Finch Drive, and Director of the Tonganoxie Recreation Commission said this project appears to an excellent opportunity to connect the subdivisions north of 24/40 with the Chieftain Park and the other parks, he said it seems to be a good tie in and recommended approval of the contract. Next, Cecelia Harry, Chairperson of the Leavenworth County Trails Committee introduced several of members of that committee present. She went over the mission of the Leavenworth County Trail Committee and the economic benefits of a trail system. She said when trails are built people use them and encouraged the Council approve the project. Next, Joel Skelley, 1017 Starla Court, and Tonganoxie Planning Commission Chair said when the Conveniently Connected Trail Plan was developed there was a lot of volunteer hours dedicated, the goal was to develop an implementable plan, a good plan and that is what was adopted, he encourage the council to approve the extension of the trail. Next, was Ursula Kessinger, 22674 274th Street and a Physical Education teacher for the USD #464. She said from a teacher's perspective it is wonderful to see kids walking and biking to and from school using the sidewalks that were provided from the Safe Routes to School grant, if the extension of the Chieftain Trail is approved, she could envision a safe route all the way to the Middle school. Next, John Morgan, 1177 Raintree Park and a member of the Tonganoxie Planning Commission said through other grants and street improvement projects sidewalks were added to provide safe routes from nearly every other subdivision in the City except north of 24/40. He said there are 450 platted lots in Jackson Heights, Willow Point and the Stone Creek Subdivision, several of which home are already built. This will provide a safe path under the highway for all those residents. Next Cody Edwards, 1611 E 4th Street, a former member of the Tonganoxie Planning Commission and Leavenworth County Trails Committee. He said, he is an avid runner and when he goes on short runs, he is able to stay in the City and use the trails and sidewalks here and spend his money in town. When he is training for a marathon or wants to go on a long run, he has to go to Johnson County. He ended stating, where I train and run is where I spend my money.

With no one else wishing to speak about the project the Mayor turned the discussion back to the Governing Body. Council President Jim Truesdell said he strongly supports the project especially after the move of the Post Office and for the safety of the citizens that live north of the highway. He requested information from the City Administrator on financing the City share of the project. Yanez said in the 2011 Capital budget there is \$100,000 budgeted for capital projects, this fund is County Sales tax. City Staff recommendation would be to pay for the design and easement acquisition in 2011 and budget to pay for construction in 2012 and 2013 all from the Capital project fund. Truesdell asked about the timing of the project, design six to eight months, easement acquisition 60-90 days and contract award would be in July or August of 2012. Councilmember Peak asked about the Capital Fund future obligations and future commitments. Councilmember Donnelly asked additional specific questions about the future obligations of the Capital Fund. Councilmember Bixby said we are looking at nearly \$300,000 to spend, we only have so much money to go around. He said an additional one ¼ miles of trail is something he cannot justify when the City is already heavily in debt. Mayor Ward said it is \$300,000 over three years. We are in a time when we have to highly scrutinize funds, however no other project has as much value to the citizens as these types of projects do. This is a value added project and it has an opportunity to bring people to or keep people in Tonganoxie. We want to do projects that have that type of value. We talk about economic development all the time and this is the

type of project when completed that turn people's heads. Before we get into the finite budget details consider the value of this project. There is room in our budget for \$300,000 over three years and he recommended the council consider approval. Councilmember Peak ended the discussion saying we need to know where the money is, we do not want to keep from purchasing other things because we approve a project. Motion by Truesdell to accept the grant and proceed with the project and authorize the Mayor to sign an agreement for KDOT Project No 52 TE-0356-01 Transportation Enhancement Project, Pedestrian/Bicycle Path, Chieftain Trail Phase II. Second by Donnelly. 4 Ayes. 1 Nay (Bixby). Motion carried.

Next on the agenda to consider a contract for engineering services associated with the Chieftain Bike Trail Phase II. The contract was tabled for revision to include a benchmark timeline and review of the revision by the City Attorney.

The next agenda item was the Mayor's Agenda. Mayor Ward introduced the new Executive Director of the Chamber of Commerce, Susan Freemyer.

The next item was City Council Agenda. Council Member Donnelly said the Governing Body and staff should examine professional services on an ongoing basis to find the best practice and to understand that. Councilmember Bixby suggested partnering with the City of Basehor or another City for engineering and possibly other professional services. Discussion ensued and the council agreed a work session should be held in September before the December 31 contracts expire to discuss professional services and how to proceed in the future.

With no further business to discuss, there was a **motion** by Donnelly to adjourn. Second by Gilner. Motion carried. All Ayes. Aye 5. Meeting adjourned at 9:05 PM.

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