

City Council Meeting Minutes
8/27/12

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on August 27, 2012. 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, Council members: Dennis Bixby, Andy Gilner, and Chris Donnelly. Councilmen Bill Peak and Jim Truesdell were absent. Also present were Nathan McCommon, City Administrator; Patty Hagg, Interim City Clerk and Michael Kelly, City Attorney.

After roll call, the Mayor requested everyone join him in reciting the Pledge of Allegiance.

The council reviewed the following items for consent approval

- a) Approval of Minutes -
Regular Meeting dated August 13, 2012
- b) Consider Approval of Bills - Approve Pay Ordinance A-1689
- c) Consider expenditure to BG Consultants for services performed for Fire Station #1 Addition in the amount of \$5886.62.
- d) Consider expenditure to Kelly Bingham for services performed on the 2012 Delaware Dr., street project in the amount of \$3826.15.
- e) Consider expenditure to Board of Public Utilities for water purchased in the amount of \$29,680.28.
- f) Consider expenditure to City of Basehor for Building Inspector services and mileage in the amount of \$2720.85.
- g) Consider expenditure to First State Bank & Trust for semi-annual loan payment for 2011 Crown Victoria police vehicle in the amount of \$5177.41.
- h) Consider expenditure to Univar USA Inc. for sewer chemicals in the amount of \$2490.40

- Andy Gilner made a motion to approve consent agenda A-1689 items A-H
- Second by Chris Donnelly.

Discussion: Mr. Bixby requested a change to the minutes to state he was not given the liability release in time to get the old City Shop painted before the County Fair.

It was agreed the consent agenda would be approved contingent upon the change to the minutes.

- Motion carried, All Ayes (4).

Open Agenda

- a) Lester Meinart - 601 Hidden Valley Dr. - addressed the council members and requested they review the Sign Regulations Section of the Zoning Regulations. He stated he felt the 2 ft. sq. sign size and site of sale regulations were too restrictive. He would like a larger sign area for Garage Sale signs and he would like to have the ability to place signs at different areas around the city advertising his sale. The Council asked Nathan to follow-up with Mike Kelly and review ordinances from other cities for comparison and bring back a recommendation to the City Council.

Old Business

- a) Mr. Kelly stated the agreement with Water District # 9 is complete and the Attorney for Water District #6 is now reviewing the contract.
- b) City Administrator McCommon presented an update to the Chieftain Trail. He stated Mr. J. W. Evans is still obtaining easements agreements from property owners along the trail. Mr. Evans stated he has talked to 14 property owners. He stated some of the property owners would like the City to provide a release of liability to the property owners for trail maintenance to include repairs from cracking or damage. At this time (7:13 p.m.) Mr. Gilner made a motion to enter into executive session for 5 minutes with the Governing Body, City Administrator, City Attorney and J.W.Evans to discuss confidential matters regarding acquisitions of real estate as it relates to easement acquisitions. Dennis Bixby seconded the motion. Motion carried All Ayes (4).
At 7:18p.m. The Council returned. Chris Donnelley made a motion to return to regular session. He stated no action had been taken during the executive session. Dennis Bixby seconded the motion. Motion carried, all ayes (4).
- c) No one was present to discuss vacating the alley between Bury & Green St. The Council suggested removing this item from old business at this time. The Mayor stated if the neighbors decided to go through with the process they could contact City Hall and ask to be put on the new business agenda.
- d) Mr. McCommon stated he is still reviewing fireworks ordinances from other communities. Mayor Ward stated he would like to keep this item on old business to assure this item would be taken care of before applications for 2013 were turned in. This item was tabled to a future meeting for discussion.

New Business

- a) Frank Hurla, rural Tonganoxie, representative from Water District #9 approached the council and stated because of the drought this summer Water District # 9 had some water shortages. He brought a suggestion to the council regarding entering into an agreement to purchase water from the City if they needed it. The council members discussed several items including how many gallons of water would be needed by Water District #9, type of agreement needed, and the need for an engineering study to determine if the city facility

could handle the extra usage. Mike Kelly agreed to review the BPU agreement to see if the City could resell the water it purchases from BPU. The Council suggested Mr. Hurla return with more information regarding the amount of water needed.

b) City Administrator Agenda

- 1) Mr. McCommon stated the 2013 Budget has been certified by the County Clerk. The council expressed their appreciation to Mr. McCommon for all the hard work and long hours he spent working on the budget.
- 2) Mr. McCommon stated USD 464 decided not to rent the pool.
- 3) Mr. McCommon presented information about the League of Kansas Municipalities Annual Conference. It will be held on October 6th -8th in Topeka. He stated he thought the list of economic topics that are to be presented would benefit the City.
- 4) Mr. McCommon stated the Delaware Dr. street project came in \$2000.00 under budget. It was budgeted to cost \$60,000.00. He explained there was some debris hauling that had to be subcontracted. A local contractor was used. He also stated he used the website to provide updates to the project.
- 5) At 7:29 pm Mr. McCommon asked for an executive session for 10 minutes to discuss non-elected personnel to include the governing body, himself, and the City Attorney. Mr. Bixby made the motion, Mr. Gilner seconded the motion. The motion carried, all ayes (4)
At 7:18p.m. The Council returned. Andy Gilner made a motion to return to regular session. He stated no action had been taken during the executive session. Chris Donnelley seconded the motion. Motion carried all ayes (4).

c) City Attorney Agenda: Mr. Kelly reminded the Council that one of the full time Police Officers will be gone for approximately 3-4 months while he attended the FBI Academy in Washington DC.

d) Mayor Agenda: Mayor Ward stated he received a card from Sprinstead Inc, the auditors for the city. The card stated that they made a donation to Cancer Action in honor of Kathy Bard.

Mayor Ward presented information on the upcoming Buffalo Bill Century Ride that would pass through Tonganoxie. He stated the ride would start in the City of Leavenworth and cyclist could travel the 100 mile route or the 62 mile route.

Mayor Ward also asked for committee updates from the RCDC and Industrial Committees. He also asked Mr. McCommon to meet with the school board to discuss the possibility of forming a joint committee with the school, the engineers

and planners to address some potential problems such as the need for new roads, sidewalks, construction entrances, traffic problems on Washington St. etc.

The Mayor then asked for an executive session at 7:48 pm for 5 minutes to discuss confidential information of a 3rd party to include Governing Body, City Administrator and City Attorney. Motion by Mr. Gilner. Second by Mr. Bixby. All Ayes. Aye (4) Motion carried. Motion by Mr. Gilner to exit executive session and reconvene with the regularly scheduled meeting at 7:54 pm. No items were discussed other than that mentioned and no votes were taken. Second by Bixby. All Ayes. Aye (4). Motion carried.

With no further business to discuss, there was a motion by Mr. Bixby to adjourn. Second by Mr. Gilner. Motion carried. All Ayes, Aye (4). Meeting adjourned at 7:55 pm.

Respectfully submitted,

Patty Hagg
Interim City Clerk