

City Council Meeting Minutes  
09/10/2012

The Governing Body of the City of Tonganoxie met in their regularly scheduled session at the City Hall Council Chambers on September 10, 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, Chris Donnelly and Bill Peak. Councilman Jim Truesdell was absent. Also present were Nathan McCommon, City Administrator; Jennifer Jones-Lacy, Asst. 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 Mayor introduced Jennifer Jones-Lacy, new Assistant City Administrator to the Council and welcomed her to the City. She stated even though it was her first day, she had already felt a strong sense of community and she loved the small town feel. She looked forward to learning more about the day to day business.

The council reviewed the following items for consent approval

- a) Approval of Minutes -  
Regular Meeting dated August 27, 2012
- b) Consider Approval of Bills - Approve Pay Ordinance A-1690
- c) Consider expenditure to Asphalt Sales for services performed on the Delaware Street Project in the amount of \$18,370.69.
- d) Consider expenditure to BG Consultants for services performed on Chieftain Trail staking and easement descriptions in the amount of \$6,999.50
- e) Consider expenditure to BRR Architecture for on call planning services in the amount of \$2,415.00.
- f) Consider expenditure to City of Basehor for City Inspector Mark Lee, salary and mileage, in the amount of \$2,082.66
- g) Consider expenditure to First State Bank & Trust for payment of Fire Department Bunker Gear Loan in the amount of \$4,871.43.
- h) Consider expenditure to Honey Creek Disposal Service for payment of sanitation in the amount of \$22,659.25.
- i) Consider expenditure to Springstead Financial Inc. for services performed on the 2013 budget in the amount of \$2,163.02.

- j) Consider expenditure to Westar Energy for payment of Utility bills and Street lights in the amount of \$12,197.79.

- Dennis Bixby made a motion to approve consent agenda A-1690 items A-J
- Second by Andy Gilner.

Discussion: Mr. Peak discussed consent agenda item D, the amount paid to B G Associates. Mr. McCommon stated the amount paid for staking and easement flags were almost \$2,000.00 under the budgeted amount.

- Motion carried, All Ayes.

### **Open Agenda - No comments from the Public**

### **Old Business**

- a) Mr. Kelly stated the Attorney for Water District #6 still has the contract and he thought it would be discussed at the next Wholesale Water District meeting.
- 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. He stated Mr. Evans thought it would take him a couple of more weeks.
- c) Mr. McCommon stated he is still reviewing ordinances from other communities. The council discussed giving the authority to the Fire Chief to issue a ban if needed, notices to vendors, and the need for some type of notice to the public.

### **New Business**

- a) The update on the activities of the Retail Commercial Development Committee was tabled until the next meeting.
- b) City Administrator Agenda
  - 1) Mr. McCommon presented a staff report with an update on a complaint about a county road grader using Myers Dr & Northstar Court. He stated he contacted the county and they would take care of it. He also stated the police surveyed the area and determined the majority of people were at or under the current speed limit.
  - 2) Mr. McCommon presented a staff report with an update on a complaint about the parking at the new police department building. He stated the some of the police cars are now parked across the street and consideration for other tenants has been addressed.
  - 3) At 7:17 pm Mr. McCommon asked for an executive session for 10 minutes to discuss confidential or trade secret information as it relates to property acquisition to include the Governing Body, Asst. City Administrator, City Attorney and himself. Mr. Bixby made the motion for executive session, Mr. Donnelly seconded the motion. The motion carried, all ayes

At 7:27p.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. Mr. Bixby seconded the motion. Motion carried all ayes.

- 4) At 7:28 p.m. Mr. McCommon asked for an executive session for 10 minutes to discuss potential litigation to include the Governing Body, Asst. City Administrator, City Attorney and himself. Mr. Peak made the motion for executive session, Mr. Gilner seconded the motion. The motion carried, all ayes.

At 7:38p.m. the Council returned. Mr. Gilner made a motion to return to regular session. He stated no action had been taken during the executive session. Mr. Bixby seconded the motion. Motion carried all ayes.

- c) City Attorney Agenda: Mr. Kelly stated he had not heard from Water District #9 yet. He thought they would need to bring the idea to their meeting, assemble the information requested by the City Council. He expected they would contact us when they were ready to proceed with a purchasing contract.

- d) Mayor Agenda:

Mayor Ward presented a recommendation from the Tonganoxie Library Board to appoint Patricia Duvall to fill a vacant position on the board. Laurence Hill, 501 E 13<sup>th</sup> St, stated Mrs. Duvall would be a good candidate for the position. Chris Donnelly made a motion to approve the appointment of Patricia Duvall to the Tonganoxie Library Board. Mr. Peak seconded the motion. Motion carried, all ayes

Mayor Ward asked the governing body and the public to take time to remember those who lost their lives on 9/11 and those who were still fighting to protect us. The mayor then asked everyone to share their remembrances from that day.

- e) Council President Agenda - None

- f) City Council Agenda

1. Mr. Bixby discussed the need to decide what the City was going to do with the old Police station. He stated it still needs maintenance inside and out, he questioned if it could be used for storage, and the cost to remediate some of the existing problems. Mr. Gilner stated he thought the council needed to decide if they wanted to spend money to repair the building, sell it as is or tear it down and use the space for parking. Mr. Peak discussed the remediation that has been done in the past and requested that staff provide them with a packet of information including the air quality test, engineer recommendations and any remediation that has already been done. Also discussed were Dr. Stevens Office and community needs.

2. Mr. Bixby discussed the pedestrian accidents on Washington St. He felt the City needed to do something. Mayor Ward explained that Mr. McCommon has been in contact with the school district and there has been discussion about partnering with the school and the county for traffic control and safety precautions.
3. Mr. Peak would like the issue regarding mowing the VFW Park to stay on the agenda until it has been resolved
4. Mr. Peak would also like the issue regarding information on becoming a 2<sup>nd</sup> class city to stay on the agenda as a reminder so all information can be reviewed.
5. Mr. Peak presented information regarding the 3<sup>rd</sup> Grade Scavenger Hunt and asked for volunteers to help. The 3<sup>rd</sup> Grade Classes will tour several businesses and government buildings to find answer to questions about Tonganoxie. They will stop by City Hall, Tuesday, 9/25; Wednesday, 9/26 and Thursday, 9/27 between 12:30 and 2:45 pm.

#### **General Information**

General Information items were reviewed. Mr. McCommon invited the public and council members to a welcome reception for Jennifer on Tuesday afternoon at Vintage Park.

With no further business to discuss, there was a motion by Mr. Bixby to adjourn. Second by Mr. Gilner. Motion carried. All Ayes. Meeting adjourned at 8:12 pm.

Respectfully submitted,

Patty Hagg  
Interim City Clerk