



## City Council Meeting Minutes

February 17, 2014

7:00 p.m. Regular Meeting

The Mayor opened the agenda at 7 p.m. with the pledge of allegiance. Councilwoman Reed, Councilman Gilner, Councilman Donnelly, Councilman Truesdell, Councilman Peak and Mayor Ward were in attendance. Also in attendance were city staff Jennifer Jones-Lacy, Patty Hagg, James McCutchen and City Attorney Michael Kelly.

### Open Regular Meeting – 7:00 p.m.

Councilman Peak made a motion to approve the consent agenda, seconded by Councilwoman Reed. All Ayes, the motion carried.

### Open Agenda

Nothing for open agenda

#### I. Old Business

- a) Update on Chieftain Trail
  - Ms. Jones-Lacy said the trail construction is on hold due to the weather. Once the weather warms up the footings for the bridge will be poured and the bridge will be installed. When that happens we will need to close the road for the day and we'll notify the public in advance.
- b) Update on utilities extension
  - Ms. Jones-Lacy said Kansas Gas is installing the main and they have four weeks to complete. The City will be submitting a letter to the surety bond company to release the bond from the City. We also expect a similar letter from the Army Reserve. In addition, the City expects to save money on the utility extension and it appears we will not need the profits from the property sale for this project.
- c) Update on Hwy 24-40 traffic signal improvements –
  - Councilman Gilner made a motion to move into closed session to discuss confidential matters of real estate acquisition for 10 minutes, seconded by Councilman Peak. All Ayes, the motion carried.
  - Councilwoman Reed made a motion to return from executive session with a note that no action was taken, seconded by Councilman Peak. All Ayes, the motion carried.
  - The Mayor and Council said they wanted to hear from BG Consultants before making any decisions on the sidewalk.
- d) Discussion of the services of Water District #6 and #9

- Ms. Jones-Lacy said the consolidated water district is meeting tonight to discuss dissolution of the district and how to disperse assets. Staff should have an update from Council at the next meeting. She also said that staff hopes to have an agreement with Water District no. 6 to provide backup supply at the next meeting.

## II. New Business

### a) City Administrator Agenda

#### Action Items:

1. Request to hire seasonal positions for the Tonganoxie Water Park
  - a. Ms. Jones-Lacy requested that Council allow the Pool Manager to fill positions for the swimming pool with the approval of the City Administrator. She explained that the City is currently recruiting through the Lawrence Journal World, Mirror and City website. The pool manager plans to conduct interviews the weekends of March 15<sup>th</sup> and 22<sup>nd</sup>. She explained this is the same process as last year.
  - b. Mr. Kelly said he recommends we prepare employment agreements for all new staff this year. This isn't something we've done in the past but he thinks it would be necessary to protect the City from liability.
  - c. Councilman Truesdell made a motion to approve the delegation of hiring to the pool manager, seconded by Councilman Peak. All Ayes, motion carried.
2. Request approval of fees for the 2014 season of the Tonganoxie Water Park
  - Ms. Jones-Lacy provided a summary of an analysis of the City's fees compared with other cities. She said she found most communities are not increasing their fees this year. She said revenues were actually down last year due to the weather and so it makes sense to keep rates the same this year.
  - Councilwoman Reed made a motion to approve the fees for the 2014 season as proposed. Seconded by Councilman Truesdell. All Ayes, motion carried.
  - Denise Bixby said people love the pool and are surprised by how nice it is.
3. Request approval to fill two Administrative Assistant positions at Range 3, Step D.
  - Councilman Peak made a motion to enter into executive session to discuss confidential matters of nonelected personnel for a period of 8 minutes. Seconded by Councilman Truesdell. All Ayes, the motion carried.
  - Councilman Truesdell made a motion to return from executive session with a note that no action was taken, seconded by Councilwoman Reed. All Ayes, motion carried.
  - Councilman Donnelly made a motion that we approve two Administrative Assistants at Range 3, Step D, seconded by Councilman Peak. All Ayes, the motion carried002E

#### Discussion and Presentation Items:

## 1. January 2014 Financial Report

- Ms. Jones-Lacy provided a summary of the January financial report. She said revenues and expenditures are tracking as expected. She said revenue collection is higher than 2013 primarily due to increased ad val tax collection, and several contractual commitments that weren't necessarily taken into consideration as part of the Budget.
- She said expenditures were also higher but that's primarily due to shifting of expenditures and after controlling for the payment to Kansas Gas, some new GO bond debt that is now expensed in January and the shift of worker's compensation premiums from December to January, expenditures are actually about 12% lower than they were in January 2013.

## 2. Washington Street sidewalk funding recommendation

- Ms. Jones-Lacy said the only real option for funding the sidewalk was the General Fund fund balance. She said staff looked at Special Highway funds but using those funds would only reduce the amount of roadway maintenance the City could do in 2014.
- She said the request is to make an appropriation of \$60,000 just to ensure that the funding would cover the entire project and that staff would not need to return to Council to request an increase.
- The Mayor reminded Council that at the last meeting they had approved \$30,000 and the request now is for \$60,000 realizing that we may enjoy some cost savings on the project.
- Councilman Truesdell made a motion to approve an appropriation from the General Fund in the amount of \$60,000, seconded by Councilman Peak. Ayes from Councilpersons, Peak, Truesdell, and Reed. Nay from Councilman Donnelly and Councilman Gilner. The motion carried.

## 3. First Read: Ordinance No. 1373 Amendment to the Rebate Incentive Program

- i. Ms. Jones-Lacy provided a description of the program. She explained that the ordinance would make budgeting and tracking of the Rebate Incentive Program to be administratively easier. She said in 2013 the program was not funded, however it was in 2012. The Council had approved some applications in 2012 but they were not paid out until 2013, a year that it wasn't budgeted. The ordinance changes the application structure so the application is submitted by the homebuyer along with their appraisal showing that their new home has a value of at least \$175,000. Once the applicant establishes water service with the City we will know that they are moved in and will issue the refund. The City will still take the first 10 applications but by issuing the applications in this manner, you are more likely to pay the rebates in the year they are budgeted.
- ii. Mr. Kelly said if the homebuyer has any delinquent bills or municipal court fines that they would not be eligible for the incentive.

#### 4. Discussion on old police station

- Ms. Jones-Lacy said she is bringing this issue to the Council's attention now because a pipe burst due to the recent cold weather and caused the basement to flood four feet and ruined the furnace. Once the weather heats up its going to present a problem. The options for Council were to replace the furnace for \$7,000 or demolish the building which would be about \$10,000.
- Councilman Peak asked if there was a third option. He asked about the environmental reviews and remediation proposals conducted in the past. Ms. Jones-Lacy had provided a summary of two of the proposals and Mr. Peak thought there was a third. Ms. Jones-Lacy provided a summary of the two she found in the file. She said the proposals ranged from a basic cleaning/sanitation to demolishing the building.
- Councilwoman Reed asked about the structural stability of the adjoining buildings. Moe McCutchen said each structure is independent.
- Councilman Peak asked why there wasn't a heater in the building. Mr. McCutchen said the sump pump stopped working and the external line froze and caused the basement to flood damaging the HVAC.
- Councilwoman Reed asked what the City would do with this building if it were to keep it.
- Ms. Jones-Lacy said the City currently has no plans to use the facility. She said it's currently being used for light storage.
- Councilman Peak said he doesn't understand why the building was let go for so long. He said he doesn't understand why nothing was done to fix the situation.
- Mayor Ward said each time the building was evaluated the options were provided to the Council and the Council made the decision.
- The Mayor asked what the Council wants to do with this building now.
- Ms. Jones-Lacy explained that in 2013 the City spent approximately \$10,800 for utilities and liability insurance on the building and the bulk of that was liability insurance.
- Mr. Truesdell said it would be \$10,800 plus the cost of the furnace. Ms. Jones-Lacy said that would be the minimum expense. If the Council chose to remediate they would need to add that expense as well.
- Mr. Truesdell asked if we could wait until budget time to appropriate the funding for it. Ms. Jones-Lacy said it's going to be a problem as soon as the weather heats up.
- The Mayor said we don't have a quality parking lot for our police vehicles. He asked if we could have a roofed parking area for the police vehicles.
- Councilman Truesdell asked City staff recommendations.
- Ms. Jones-Lacy said staff would recommend demolishing to avoid the ongoing expense
- Councilman Gilner made a motion to authorize city staff to tear the building down. Seconded by Councilman Donnelly. The Mayor asked if there would be any special equipment or any contractors involved. Mr. McCutchen said we would need to rent a track hoe and would have to have a roofing company come by to separate the roofs.

- Mayor Ward asked about the insurance on a vacant lot and if we would need to insure that. Ms. Jones-Lacy said we currently do not insure any other lots owned by the City.
- Councilwoman Reed said she wants to discuss what to do with the lot if it were to demolish.
- Aye votes from Councilpersons Truesdell, Donnelly, Gilner and Reed. Nay vote from Councilman Peak. The motion carried.

b) City Attorney Agenda

1. First Read: Ordinance 1374 - Discussion of nuisance code revision

- Mr. Kelly provided an explanation of the revised nuisance code for a first read.

c) City Council Agenda

- Councilman Peak said a group of the RCDC members are traveling to Newton, Kansas for the next Kansas Sampler event.

Councilman Gilner made a motion to adjourn, seconded by Councilwoman Reed. All Ayes, motion carried.

Respectfully Submitted,

Jennifer Jones-Lacy, Assistant City Administrator.