



## **City Council Meeting Minutes**

March 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 Nathan McCommon, Jennifer Jones-Lacy, Jeffrey Brandau and City Attorney Michael Kelly.

### **Consent Agenda**

Councilman Peak made a motion to approve the consent agenda, seconded by Councilman Gilner. Councilman Peak made a note that the light pole is at Pleasant and Main. All Ayes, the motion carried.

### **Open Agenda**

Mr. Don Marsalick is the area coordinator for Merit-Based student exchange program. He said he found a home for one of his students in Tonganoxie this year. Valeria Soldova is from Russia and is here by way of the Future Leader Exchange Program. She said she likes it here very much because the teachers are very willing to help and she's very excited to be here.

### **Old Business**

- a) Update on Chieftain Trail –
  - The Kansas Gas pipeline issue is now resolved. King's Construction plans to pour the footings for the bridge this week. They anticipate 14 days for the footings for the bridge to cure. The bridge is built.
- b) Update on utilities extension
  - Kansas Gas is planning to bore under the highway at 12<sup>th</sup> Street on Wednesday. Mr. McCommon said he hasn't heard of any issues of Kansas Gas encountering rock thus far.
- c) Update on Hwy 24-40 traffic signal improvements
  - Mr. McCommon said he has all the easements which would be recorded this week. It will be about 2-3 more weeks before the City gets KDOT approval. Once that's finished we will be ready to go out to bid.
- d) Update on Washington Street sidewalk –
  - Mr. McCommon said he had the state arborist come out and determine how close they should be to a tree on the east of Delaware on Washington. She said we should avoid the tree and put the sidewalk on the street side of the ditch. We have a slightly different alignment option for the Council's consideration. We would have to extend the culvert pipe from the existing pipe out enough so a sidewalk to curve over. We would keep our distance from the tree all the way to Church Street.
  - Councilman Gilner asked if there were any concerns about the distance from the culvert to the sidewalk. Mr. McCommon said the engineers did not express any concern and the County does not have any standards on that. Mr. McCommon said Kent is getting quotes on concrete and the fence and will likely have those for Council at the next meeting.

- Mayor Ward asked if extending the sidewalk would include some fill. He asked Jim Truesdell if he has any concerns with settling or compacting due to that fill or if we would need to do anything special. Councilman Truesdell said it would need to be compacted but he is hoping city forces can do that. Mr. McCommon said they expect some help from the County. Councilman Truesdell said he doesn't really have any concerns.
- Councilman Peak said there's a crosswalk that goes into someone's yard on Washington and it seems a little strange. He asked if staff could check that out.

Mr. McCommon gave the Council an update on the old police building. He said the City engineer reviewed the demolition plans of the City and they have no concerns. The Stevens family's engineer agreed with ours and the Stevens's provided their blessing.

Councilman Peak asked if we would fill in the basement of the police station. Ms. Jones-Lacy said that was what Kent Heskett had previously stated.

- e) Approve back-up water supply agreement with Water District #6
- Mr. McCommon said District 6 has provided an agreement for the City to provide backup water supply. He said Mr. Heskett read through the technical side and had no issues. The agreement commits to covering the cost of any equipment needed.
  - Mr. Kelly said he reviewed the agreement and worked with Mr. Van Parys on questions he had. Mr. Kelly said we can terminate the agreement at any time and the City isn't put on the spot for anything in this agreement.
  - Mayor Ward said the Water District No. 6 agreement had several blank lines. Mr. McCommon said it's his understanding that Mr. Van Parys is ready to accept the City's agreement tonight. Mr. McCommon said Mr. Heskett is able to fill in the numbers.
  - Mayor Ward asked if they needed this executed tonight. Mr. McCommon said there is no urgency.
  - Councilman Donnelly said there may be a capacity issue coming through the lines. Mr. McCommon said the 30,000 gallons would not be a terrible draw on our system.
  - Mr. McCommon said he would prefer to wait to sign the agreement to have a clean agreement.

## **New Business**

- a) Proclamation recognizing Mrs. Kansas 2014 Donna Hoegler
- The Mayor recognized and congratulated Mrs. Donna Hoegler who was named Mrs. Kansas 2014 and will compete in the national Mrs. America pageant.
- b) Request by Steve Trieb to vacate an alley between 2<sup>nd</sup> and 3<sup>rd</sup> Streets and Delaware and Main Streets.
- Councilman Peak said he drove by there today and there was a lot of stuff behind the gate and partially in the alley of Mr. Trieb's property. He said he doesn't see a reason to close the alley and doesn't like the idea of vacating.
  - Kay Soetart said she uses the alley to access the shed in the back and Ray Lang who lives nearby uses the alley as well as his access. If the City were to vacate there would be several property owners who would not have access to their property.
  - Mr. Gilner asked if the City has the responsibility to maintain the alley and if so to what extent.
  - Mr. Kelly asked if he could respond at the next meeting.
  - Mayor Ward asked to keep this on for next time.
- c) Review capital improvement priorities and local support committee for renewing the Capital Improvement Sales Tax
- Mr. McCommon said the renewal for sales tax will require a consistent message. The Council needs to determine what message they want to communicate to the public to educate them. He said we want to explain what the funding was used for and what it may be used for in the future.

- Mr. Peak said he thought the information provided before was very good. He said it's important for the Council and cities to prove that this is necessary and needed.
  - Mr. Truesdell said we need to select our projects and sell those projects. It's the only way to get those projects paid for. He asked if the County was forming a committee to get the projects going.
  - Dennis Bixby, County Commissioner, 704 East Street in Tonganoxie. He said the County broke up its share in two portions 1) for emergency radio communications and 2) establishment of County Road 1. He said we're on track to have that paid off prior to the renewal coming up. This sales tax is divided that ½ goes to the county and the other ½ goes to the Cities. This is very important revenue as we have the mortgage fee legislation that suggests cutting back ½ of 1% which has an impact of about \$1 million. He recommended a series of work sessions and brainstorming to determine what the needs are for the City of Tonganoxie. Bixby said whatever projects you put together in this package, you have to stay on track for doing what you said you would do with the money.
  - Councilman Truesdell asked if there was agreement amongst all the entities in the County to determine a strategy.
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- Mr. McCommon said the management of the Cities and County of Leavenworth has met a couple times and the plan is to show what we've done and what we plan to do in the future using themes of what we would do.
  - Mayor Ward said it's important to show what's been done but it's also important to say what we'll do so that it's a really solid goal and project that we could do.
  - Bixby said this is not a new tax. It's something that's worked in the past. He said that the City is continuing to grow. He said we should look at infrastructure that's more permanent.

Mr. McCommon said the Police Chief has been fundraising for the police k-9 and has received quotes for the dog.

Chief Brandau said originally he wanted to go to Southern Police K-9 out of North Carolina for the dog. The officer that they selected to be the dog's handler has a pregnant wife and he is concerned about leaving her for six weeks so he began to look at an organization in Johnson County. The Lenexa Police Department offered to provide training to our officer for no additional cost. The dog is \$8,000. Chief Brandau requested permission to proceed. He's received \$8,000 from the Leighty grant and has received \$2,110 to date from the community. He expects to get additional funding through donations. He said he's confident that they have enough money to get through the year. He anticipates \$5,000 in expenses next year.

Councilman Peak asked what would happen if the handler were to leave, if the dog were no good. Chief Brandau said that's basically the case. He's looking to have his officer sign a contract which would require him to pay back the funds.

Councilwoman Reed asked if the training would be in Lenexa for 6 weeks. Chief said yes, the training is 6-8 weeks depending on its progress. Councilwoman Reed asked why this wasn't an option before if there's an organization in Lenexa that's good. Chief said it wasn't offered to us previously.

Chief Brandau said he knows the North Carolina training program is good. He does see this as riskier but he doesn't think it's anything we can't overcome. Chief Brandau said they are going to make sure we don't have any personality issues with the dog and the handler.

Chief Brandau asked if the dog was going to be primarily used for drugs and if he would run into many scenarios where a dog would run someone down.

Chief Brandau asked if he could proceed.

Mayor Ward said the item has already been budgeted so you don't need council approval. Michael Kelly asked if there was going to be an agreement for the dog.

Chief Brandau said they only provided a quote. If they are going to provide any agreements on the training then they need to provide it. Chief Brandau said that whatever he gets he will pass along to the City Attorney to review.

Councilman Donnelly made a motion to expend \$8,000 plus donations up to \$2,200 for the purchases of the police dog and any other expenses be elevated to the City attorney and for approval by the Mayor. All Ayes, the motion carried.

#### d) City Administrator Agenda

1. Approval of an agreement with Jessica Bernard with Guin Mundorf for revision of the personnel policy.
  - Mr. McCommon said that the agreement was with Guin Mundorf and that she does not plan to exceed \$4,500. She is committing that any work, if terminated early, would become property of the City.
  - Councilman Peak asked if we would get the highlights at the end.
  - Mr. McCommon said yes.
  - Councilman Peak made a motion to enter into an agreement with Guin Mundorf to revise the personnel policy in an amount not to exceed \$4,500, seconded by Donnelly. All Ayes, motion carried.
2. February financial report
  - Mr. McCommon said revenues were tracking well. He said there was significant increase in water revenues but that's primarily due to usage and not necessarily the rate increase. He said franchise fees were up due to the cold winter, particularly gas fees.
  - Outside of normal debt payments and progress on Chieftain Trail we don't have any major expenses. We did have some overtime expenses due to weather events and installing the water/sewer lines but nothing large.
  - Councilman Donnelly said the 3.722 mills did not seem to generate what we had expected. Councilman Donnelly asked if the amount brought in met expectations. Mr. McCommon we may be down about 2% from expected.
3. Executive session to discuss confidential matters of non-elected personnel.
  - Mr. McCommon asked to enter into executive session for seven minutes, seconded by Gilner. All Ayes, motion carried.
  - Councilman Gilner made a motion to return from executive session to note that no action was taken, Seconded by Councilwoman Reed. All Ayes, the motion carried.
  - Councilman Donnelly made a motion to approve the staff's recommendation at Range 7, Step D, seconded by Councilman Peak. All Ayes, the motion carried.

#### e) City Council Agenda

1. Discuss facility maintenance checklists – Bill Peak
  - Councilman Peak said this conversation was precipitated by a few items. He said he was very disappointed to find out that the water was not turned off in the old PD. He said the old City shop has been left in disrepair for year. He said he had to take photos of the front of City Hall to show that it needed to be updated. He said items need to be checked and there's no reason City buildings should be left in the condition they are in without a maintenance check list. He asks that staff get with City employees to go over the check list on a routine basis.

- He said the water valve should have been shut off and that should have been listed as something they check. If you look to the south of City Hall you see a nasty cinder block building. A simple check list should be created for all buildings.
- Mayor Ward said that's something we should take stock in annually. He asked if Councilman Peak raised that issue with Nathan.
- Mr. McCommon said that any equipment has manufacturer's specifications that we follow. Other buildings are occupied and receive regular reviews. Now that we're hiring a building inspector, I think it would be appropriate to have a person with those qualifications to be responsible for that.
- Mr. Peak said we need to have regular reviews of the facilities. We need preventative maintenance.
  
- Councilman Peak said he, Shawn Linenberger, Keyta Kelly and Cheryl Hanback went to the Power Up meeting in Newton, Kansas to try to boost the economy in small Kansas towns. Some small towns did some great things.
  
- Keyta Kelly is going to do a Kirby McCrill 5k walk and it's planned to coincide with the opening of the trail. Mr. Kelly said they were at Lawrence today and handed post cards out advertising the event at the St. Patrick's Day parade.

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

Respectfully Submitted,

Jennifer Jones-Lacy  
Assistant City Administrator