



**City Council Meeting**  
April 21, 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 Peak and Mayor Ward were in attendance. Councilman Truesdell was absent. Also in attendance were city staff Nathan McCommon, Jennifer Jones-Lacy, Kent Heskett, Chief Jeffrey Brandau and City Attorney Michael Kelly.

**Consent Agenda**

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

**Open Agenda**

No items for open agenda

**Old Business**

- a) Update on Chieftain Trail
  - Mr. McCommon said the final segments of the trail are being poured. The bridge looks like it should be cured Wednesday and the bridge should be set toward the end of next week or so.
  - Councilman Peak asked if we could place a couple of benches out by the trail and maybe look at that down the road.
  - Mayor Ward said that makes some sense and he asked Nathan if that would fit within the existing project scope or if it would need to come back to Council.
  - Mr. McCommon said he wasn't sure but could check budget near the close of the project.
- b) Update on utilities extension
  - Mr. McCommon said he's waiting on the final figures from Kansas Gas on the extraordinary costs. Kansas Gas is in transition to becoming OneOK and they do not know when they can get us that information.
- c) Update on Hwy 24-40 traffic signal improvements
  - The City received approval of design from KDOT and is waiting now for of bid specifications and authorization to go to bid.
- d) Update on Washington Street sidewalk
  - As soon as the work is done on the Police Station, crews will be dispatched to work on the Washington Street sidewalk.
- e) Update on old police building demolition
  - Mr. McCommon asked the Council what they would like to do in the old PD location.
  - Councilman Peak asked if Washington can still be completed on June 30<sup>th</sup>, Mr. McCommon said yes.

- Mr. Peak said he does not want to see pavement with an awning but he would rather see some beautification with landscaping and a couple benches would be great. Maybe we could use that location for the Christmas tree lighting ceremony.
- Mayor Ward said he didn't think there was any rush because anything that would be done on that property is not budgeted. Anything that would be outside of regular spending authority for staff would be a discussion for council. The goal now is to get it filled and safe until we can come to a decision.
- Mr. Peak said RCDC has funds available for beautification which may be a source.

## **New Business**

- a) Preparing for the Tonganoxie Days Festival – Connie Torneden
  - Ms. Torneden said this will be the 29<sup>th</sup> year which is coming up Saturday, June 14<sup>th</sup> and she said she would like to have Fourth Street barricaded off. The library run will still occur this year and it will be the same route as it has been in the past. She said she attached a flier and tentative entertainment schedule which she is still working on. She asked what the deadline should be for her to turn that information in to get the match.
  - Mr. McCommon said no later than the first Council meeting in June, which is June 2<sup>nd</sup>. Ms. Jones-Lacy asked that Ms. Torneden turn that in the Thursday prior to the meeting.
  
- b) Request approval of agreement with Tongie Tidal Waves – Janet Falk
  - Janet Falk said they are entering their sixth season. She thanked the Council for allowing them to use the pool again this year. They will be hosting three swim meets. She asked Council if she could use the pool again for their awards night. It's a great opportunity for the community to support the school. Ms. Falk said there are some kids who come from Basehor and McLouth. There are about 100 participants.
  - Councilman Donnelly asked the number of people the meets bring to town. Ms. Falk said most of the swim teams have 65 to 85 swimmers plus their families. Next year is Tonganoxie's year's to host the prelims and finals.
  - Mayor Ward thanked Ms. Falk for what she does and told her they do an amazing job.
  - Mr. Donnelly made a motion to enter into an agreement with Tongie Tidal Waves for use of the Water Park, seconded by Councilman Gilner, all Ayes, the motion carried.
  
- c) Request for waiver of water tap fee – Mike Seymour
  - Mr. Seymour is requesting a waiver of the water tap fee in reference to the topic. Mr. Seymour said he was unaware that the plumbing from the curb stop to the core stop was removed. He was told by Butch Rodgers that the water line was taken out since the water was shut off. All of the plumbing was removed.
  - Mr. Peak asked if the City sent a letter about taking the water line out when they were widening the street. He said he wasn't told anything. He was just told by Mr. Rodgers that it had been removed. He said if he could get the waterline back he could get his places fixed up.
  - Ms. Reed asked if she had an interested renter and he talked to someone at City Hall who said they may have problems with the zoning. He said that his renter wanted to have an auto repair shop and that he saw that he had to include covered space to repair vehicles.
  - Councilman Peak made a motion to waive the water tap fee.
  - Mr. Heskett said that the meter would have to be moved to the property line so he would have to incur the cost of those materials of \$500. Mr. Seymour said that was fine and seemed fair enough.
  - Councilman Donnelly seconded.
  - Councilman Donnelly said the meter sits on the water line on the south lot. Mr. Seymour said it would be tapped from the 5<sup>th</sup> Street water line and that he would pay the \$500 fee and Mr. Seymour would have to pay for the cost associated with installing the line from the street to his property.

- Mayor Ward said he's encouraged that Mr. Seymour may have a tenant for the property.
  - Ms. Reed said she is encouraged that he will fix up those corners because they do need some improvements. Mr. Seymour said it's his fault for neglecting the properties.
  - All Ayes, the motion carried.
- d) Request for waiver of permit fees for Genesis Christian Academy's 5k Run
- Mr. McCommon said that the Genesis Christian Academy is holding a 5k run and he ran through a summary of the event which included two-to-three officers, closing several streets and anticipate 200 attendees. He said the standard application fee is half the normal rate which would be \$125. Ms. Bixby representing the Genesis School said they are open to modifying the application if that would increase the chances of waiving the fee. She explained the route and that the only time participants would be in the street is right when the race starts.
  - Councilman Donnelly made a motion to waive the fee for the Church, seconded by Councilman Peak. All Ayes, the motion carried.
- e) Consider the purchase of a voice stress analyzer – Chief Jeff Brandau
- Mr. McCommon explained that the cost to purchase the equipment would be paid from the Law Enforcement Trust Fund.
  - Chief Brandau said that the funding comes from drug seizures and that they would purchase the product at half priced for getting a pre-owned unit.
  - Councilman Donnelly asked if this was coming out of the fund where these types of purchases are made.
  - Chief Brandau said he's used it five-six times and they use a unit from Jefferson County.
  - Councilman Donnelly made a motion to approve the purchase of the computer voice stress analyzer out of the Police Trust Fund for a total of \$3,985. Seconded by Councilman Gilner. All Ayes, the motion carried.
- f) Consider the purchase of automated meter reading devices – Kent Heskett
- Mr. McCommon said in 2010-11 the Council agreed to initiate the automated meter reader program which was halted in 2012 due to budget constraints. At the last Council meeting the Council gave approval to staff to proceed with the solicitation for bids. The lowest price was from Mueller Systems and Steve Coad was present to explain the benefits. Mr. Coad said the entire city could be read in less than a day. He said it will give instant alarms if there is back flow, no flow, etc. alerting people to know if there's a potential leak.
  - Mayor Ward asked how that's done and Mr. Coad said it reads every hour showing how the water is used.
  - The system provides hourly data for 170 days in increments of 10 gallons.
  - Mr. Coad said that they have brass meters which have been the standard forever and the composite meters are a little less expensive. He said they hold up just as well. The government regulations state restrict lead in the ground but you can't have a brass meter without some lead.
  - Mr. Peak asked if the current radio read meters would have the ability to read like these new meters do. Kent said they would retrofit existing radio reads to accept the new software.
  - Councilman Donnelly asked what our expectations should be from a cost-benefit perspective. He said he would hate to approve an expenditure of \$200,000 without having that information. Mr. Coad said he prepared a Return on Investment and that the current meters are inaccurate now and that reduces revenue to the City, assuming 3% inaccurate. He said Concordia, Kansas, put this system in and found some meters who are 50% inaccurate.
  - Kent added that there would also be efficiency with staff time reading meters and entering data into the utility billing software.

- Mr. Peak asked if there's protocol set up where we can identify high leaks and notify the public immediately.
- Ms. Jones-Lacy said we already do that with our current software. If we notice excessive usage, we notify the resident.
- Mr. Coad said the warranty is included in the bid and he lives nearby and can come down to assist at any time.
- Mr. Heskett said he spoke with the Water Superintendent in Bonner Springs who has this program and he loves it.
- Mr. Donnelly asked if a cost-benefit analysis has been done in the past. He said we need a benchmark for what we think will happen and show down the road what it produced. Mr. Donnelly said the program makes sense but we should put together some kind of cost benefit analysis.
- Mr. Peak said the total cost would need to be included.
- Councilwoman Reed asked how long the meters typically last. Kent said about 15-20 years.
- Mayor Ward said we need to understand what we'll get over time. We want to see two things: the contract that would be provided and an analysis of the benefits. This sounds great but before we approve it then we need to have staff vet the benefits.
- Councilman Peak said he wants the warranty, replacement values and the contract.
- Councilman Donnelly said he doesn't need process he just wants cost/benefits.
- Mr. McCommon said the requested approval is for purchase only and public works staff would do the installation.
- Mr. McCommon said he would provide the information requested at the next meeting.

g) City Administrator Agenda

1. Grant of Right of Way to Westar Energy

- Mr. McCommon said Westar plans to install a utility pole at East and Washington Streets for electric for the new elementary school. The property is owned by the City which is why the Council needs to approve the right-of-way. He said he consulted with BG Consultants and they had no concern.
- Mr. McCommon asked if Mr. Kelly has seen the agreement.
- Mr. Peak said this could be an issue down the road if there was a realignment of the road. He said he wouldn't want to hamstring future councils down the road. Mr. Kelly said Westar isn't bound to anything unless it's in writing.
- Councilman Donnelly said at the Infrastructure meeting the realignment of East Street was a high priority.
- Mr. Kelly said that it's possible to put in place an agreement with Westar stating that if the power lines need to be moved they will do so at their expense.
- Mr. McCommon said he would work on that and provide the agreement at the next meeting.

2. March Financial Report and Third Quarter Treasurer's Report

- Mr. McCommon said he wanted to point out a few things stating that building permits are way ahead for the year even factoring out the permit for the school.
- Municipal Court fines are down for the year compared to last year.
- Franchise fees are up which off-sets the municipal court fine revenue shortage.
- Mr. McCommon said in Leavenworth County, 57% of property tax revenues have been collected for this year but that the distribution for Tonganoxie came in at 54% and he's waiting to hear back from the County Clerk as to why that is.
- The former County Clerk said that some people may not be paying for their taxes in January and that they would have to pay their full tax payment in May. Right

now we are \$15,000 short for the year. If the trend continues then we would be down roughly a mill.

- On the expense side, he said he's watching the overtime for Public Works due to the extensive snow removal need.
- The revenue increases the Council approved for utilities are proving successful.

h) City Attorney Agenda

1. Agreement with Water District #6 for emergency water supply

- Mr. Kelly said that after the last meeting Mr. Van Parys modified the language to allow the City to discontinue supply in the event of an emergency. Mr. Heskett analyzed the amount of water the City could provide in an emergency and that information is in the agreement
- Councilman Peak made a motion to authorize the Mayor to approve the agreement, seconded by Councilwoman Reed. All Ayes, the motion carried.

i) City Council Agenda

1. Standing Committees

- Mr. Peak said he heard good reviews on public works crews demolishing the buildings.
- Mr. Kelly said he hasn't heard anything else from the family of Dr. Stevens.

Councilman Gilner asked if the city attorney researched whether the City is responsible for alleys. Mr. Kelly said the City is responsible for maintaining alleyways.

a) Mayor Agenda

- The Mayor called for a five minute executive session to discuss confidential matters of non-elected personnel to include the City Attorney, Assistant City Administrator and governing body. A motion was made by Councilman Gilner, seconded by Councilwoman Reed. All Ayes, the motion carried.
- A motion to return was made by Councilman Gilner, seconded by Councilwoman Reed. All Ayes, the motion carried.

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

Respectfully Submitted,

Jennifer Jones-Lacy  
Assistant City Administrator