

CITY OF TONGANOXIE



November 21, 2022

7:00 Regular Meeting

City Council Chambers, 303 Bury Street, Tonganoxie, KS 66086

There may be an audio recording of the meeting which will be utilized to prepare the meeting minutes and the meeting may be broadcast on the City of Tonganoxie YouTube Channel

Honorable David Frese, Mayor

Council Members

Jacob Dale

Loralee Stevens

Chris Donnelly

Jennifer McCutchen

Matt Partridge

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated November 7, 2022

III. Consent Agenda

- a) Review bill payments

IV. Old Business

- a) Presentation of Recognition of Former Mayor Pro Tem Rocky Himpel & Update on Community Donations made in his Memory

V. New Business

- a) Consider Acceptance of 2022 Leighty Grant Award for the Tonganoxie Fire Department and Authorization to Expend Grant Proceeds
- b) Consider Acceptance of 2022 Leighty Grant Award for the Tonganoxie Police Department and Authorization to Expend Grant Proceeds & City Matching Funds
- c) Update on Multi-Phase City Wastewater Treatment Plant Improvements Project Phase 1
- d) Resolution 11-22-02: Approving the 2022 Metes and Bounds of the City of Tonganoxie
- e) City Manager Agenda
 - 1. October 2022 Financial Report
- f) City Attorney Agenda
- g) Mayor Pro Tem Agenda
- h) City Council Agenda
- i) Mayor Agenda
 - 1. Executive Session for discussion pursuant to attorney-client consultation exception

VI. Adjourn

Council Meeting Minutes
November 7, 2022
7:00 PM Meeting

I. Pledge of Allegiance

- Mayor Frese opened the meeting at 7:00 p.m.
- Mayor Frese led the pledge of allegiance.
- Mayor Frese, Mr. Dale, Mr. Partridge, Ms. McCutchen and Ms. Steven were present. Mr. Donnelly was absent.
- City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Fire Chief Zimbelman, and Municipal Court Clerk Lindsay Huntington were also present.

II. Approval of Minutes – Regular meeting dated October 17, 2022

- Ms. Stevens made a motion to approve draft minutes from the regular meeting dated October 17, 2022.
- Ms. McCutchen seconded the motion.
- Vote of all ayes, motion carried.

III. Consent Agenda

- a) Review bill payments
 - Ms. McCutchen made a motion to approve the consent agenda.
 - Mr. Partridge seconded the motion.
 - Vote of all ayes, motion carried.

IV. Old Business

V. New Business

- a) Recognition of Promotions in the Tonganoxie Fire Department.
 - Mr. Brajkovic introduced Chief Zimbelman to recognize newly promoted Firefighters.
 - Chief Zimbelman introduced Firefighter Joe Byrne and Firefighter Bill Feden and congratulated them on their recent promotions to the Fire Lieutenant/Firefighter position.
- b) Consider Amendment of Payment Amount for the 2022 Curb Replacement Street Maintenance Project.
 - Mr. Porter explained this item was a slight revision to the contract that the City Council previously approved in June 2022 to replace the entirety of the curbs and gutters located in the Willow Point subdivision. He said the approved contract not to exceed expenditure amount was \$168,784.35 which was short of the linear foot-based unit price of the total measures linear feet of curb installed as part of the project. He said the unit price basis cost of the additional 23 linear feet of curb required in excess of earlier estimates equated to \$831.45 and after review the City Public Works Director has confirmed the measurement of work completed and proposes an amendment to allow the additional expenditures to be paid to the contractor for this project.
 - Ms. Stevens made a motion to approve an amendment including an increase of \$831.45 in the not to exceed payment amount for the 2022 Curb Replacement Street Maintenance Project completed by Phoenix Concrete, LLC due to the scope of work associated with the project extending by 23 linear feet.
 - Mr. Partridge seconded the motion.
 - Vote of all ayes, motion carried.
- c) Consider Approval of Utility Easements located at 1520 State Ave.
 - Mr. Brajkovic stated this item is related to the improvements that Ladd is making to the existing structure at 1520 State Ave. and where Ladd plans to move their facilities to. He said the item was submitted by Chris Storm as the project representative and the remodeled building will require extension of the nearby sanitary sewer main. He said the main extension will require additional public utility easements and the City Engineer and Public Works Director have reviewed the easement plans and have no concerns to report. He said following acceptance by the City Council

the easement will need to be recorded by the property owners which will allow the final project construction plans can be reviewed and submitted to KDHE for permitting.

- **Mr. Dale made a motion to approve Resolution No. 11-22-01 to accept the two easements at 1520 State Ave.**
- **Ms. McCutchen seconded the motion.**
- **Vote of all ayes, motion carried.**

d) City Manager Agenda

e) City Attorney Agenda

f) Mayor Pro Tem Agenda

- Mayor Pro Tem thanked the Tonganoxie Business Association for a hugely successful Spooktacular event.

g) City Council Agenda

h) Mayor Agenda

VI. Adjourn

- **Mr. Dale made a motion to adjourn the meeting.**
- **Mr. Partridge seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 7:12 p.m.**

Respectfully submitted,

Lindsay Huntington

Lindsay Huntington, Municipal Court Clerk



City of Tonganoxie, KS

My Check Report

By Check Number

Date Range: 11/05/2022 - 11/18/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0046	BAY BRIDGE ADMINISTRATORS, LLC	11/10/2022	Regular	0	574.06	50705
0051	BG CONSULTANTS INC	11/10/2022	Regular	0	2806.5	50706
0749	BROADVOICE	11/10/2022	Regular	0	158.19	50707
1280	COBURNCO LLC	11/10/2022	Regular	0	322.53	50708
0136	DELTA DENTAL PLAN OF KANSAS,IN	11/10/2022	Regular	0	2896.98	50709
0671	Evergy	11/10/2022	Regular	0	13920.55	50710
1177	Gerken Rent-All Inc	11/10/2022	Regular	0	716.39	50711
0244	HMC PERFORMANCE COATINGS LLC	11/10/2022	Regular	0	350	50712
0340	KANSAS STATE FIREFIGHTERS ASSO	11/10/2022	Regular	0	50	50713
0393	LAWRENCE MEMORIAL HOSPITAL	11/10/2022	Regular	0	311	50714
1007	LEAVENWORTH PAPER & OFFICE SUPPLY LLC	11/10/2022	Regular	0	77.55	50715
0443	Menards - Lawrence	11/10/2022	Regular	0	312.89	50716
0857	MIDCONTINENT COMMUNICATIONS	11/10/2022	Regular	0	300.09	50717
0500	O'REILLY AUTO PARTS	11/10/2022	Regular	0	903.3	50718
1345	PHOENIX CONCRETE, LLC	11/10/2022	Regular	0	169615.8	50719
0579	SECURITY BENEFIT - 457	11/10/2022	Regular	0	4484.09	50720
1344	STEPHEN DOUGLAS SUNDERLAND	11/10/2022	Regular	0	150	50721
1068	Stinson LLP	11/10/2022	Regular	0	7589.92	50722
0630	TONGANOXIE LIBRARY BOARD	11/10/2022	Regular	0	5789.7	50723
0668	WEIS FIRE AND SAFETY EQUIPMENT, LLC	11/10/2022	Regular	0	506.07	50724

Bank Code AP Bank Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	27	20	0.00	211,835.61
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	27	20	0.00	211,835.61

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	27	20	0.00	211,835.61
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	27	20	0.00	211,835.61

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	11/2022	211835.61
			211835.61

**A PROCLAMATION PAYING TRIBUTE TO ARTHUR W. (ROCKY) HIMPEL FOR
HIS LIFETIME OF PUBLIC SERVICE AND SERVICE TO THE CITY OF TONGANOXIE, KANSAS**

WHEREAS, Arthur W. (Rocky) Himpel was raised in the City of Tonganoxie and was a 1970 graduate of Tonganoxie High School;

WHEREAS, Arthur W. (Rocky) Himpel was elected to serve on the City Council in the City of Oskaloosa from 1992 to 1997 and the position of Mayor of the City of Oskaloosa from 1997 to 1999;

WHEREAS, Arthur W. (Rocky) Himpel was appointed in 2019 to the position of Planning Commissioner for the Leavenworth County Planning and Zoning Board and served faithfully aiding the growth and increased public benefit of the entirety of Leavenworth County;

WHEREAS, Arthur W. (Rocky) Himpel, having been elected in 2017 and re-elected in 2021 to serve on the City Council of Tonganoxie, served a total of five years in that capacity and faithfully served as Mayor Pro Tem while a member of the City Council of Tonganoxie;

WHEREAS, Arthur W. (Rocky) Himpel aided in the growth of the City with the addition by annexation of property & the approval of plans for new subdivisions and businesses;

WHEREAS, Arthur W. (Rocky) Himpel played an integral part in the City Council approving a development agreement with Hill's Pet Nutrition for construction of a pet nutrition manufacturing facility in the Tonganoxie Business Park, which was and continues to be the largest private capital investment in the history of Leavenworth County;

WHEREAS, Arthur W. (Rocky) Himpel contributed to the completion and initiation of major community projects such as the construction of a new Public Library, installation of an interceptor sanitary sewer to the Tonganoxie Business Park, construction of a looped water line to the Tonganoxie Business Park, emergency replacement of a sanitary sewer aerial crossing, reconstruction of Church Street bridge, construction of the new Business Park Elevated Water Tower, many new sidewalks and other infrastructure improvements;

WHEREAS, Arthur W. (Rocky) Himpel also volunteered and provided leadership as member of many civic groups, committees, and events, such as the Mayor's Christmas Tree Lighting Event, Tonganoxie Days, and the Veteran's Day Parade in Leavenworth;

WHEREAS, Arthur W. (Rocky) Himpel, during his tenure as a City Council Member & Mayor Pro Tem, served with obvious dedication and distinction. His ability to analyze complex situations and foresee the future needs of the City greatly aided City staff, the Mayor, and the Governing Body in the execution of his duties and enabled the community to continue to grow and prosper;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tonganoxie, Kansas, by this Proclamation, expresses its sincere appreciation and genuine gratitude to Arthur W. (Rocky) Himpel for the lifetime of service he has rendered to the City of Tonganoxie and other communities in which he resided.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tonganoxie to be affixed this 1st day of August, 2022.

SIGNED:

David Frese, Mayor

ATTEST:

Daniel Porter, City Clerk



Office of the City Manager AGENDA STATEMENT

DATE: November 21, 2022

To: Honorable Mayor David Frese and Members of the City Council

FROM: Dan Porter, Assistant City Manager

SUBJECTS: V. B - Acceptance of 2022 Leighty Grant Award for the Tonganoxie Fire Department and Authorization to Expend Grant Proceeds

V. C - Consider Acceptance of 2022 Leighty Grant Award for the Tonganoxie Police Department and Authorization to Expend Grant Proceeds & City Matching Funds

DISCUSSION:

The City of Tonganoxie Fire Department & Police Department recently received notices of award for their respective applications which were previously submitted for the 2022 Pete & Margaret Leighty Trust grant. Each of the two requests for funding were notified that they were funded in the full amount requested. The grantee representatives with First State Bank & Trust were invited to participate in the City Council meeting on November 21, 2022 to celebrate the grant awards.

City staff request that the City Council consider acceptance of both the grant awards for City departments from the 2022 Pete & Margaret Leighty Trust grant program and also request the City Council's approval of the expenditure of grant funds and any matching funds from other City funding sources to complete the two respective projects. A summary of the project proposals and funding sources follows and attachments are provided for additional context.

Fire Department – Grant funds will meet 100% of the total project cost of the proposed purchase of a Catalyst Forcible Entry Door Training Prop & accessories. This training item will not only be used by the Tonganoxie Fire Department and other Leavenworth County fire agencies, but also will be available for the Tonganoxie Police Department.

Police Department – Grant funds will meet 63% of the total project cost of So Toxa Mobile Test System & accessories. This technology will enhance public safety by allowing the City's police officers to have a reliable way to test possible offenders for narcotic usage in pertinent investigations and creating the means for disputing whether an individual is using narcotics. Existing and unencumbered expenditure authority in the Tonganoxie Police Department's 2022 General Fund budget is proposed to be the funding source for the remaining \$2,300, or 37% of the total project cost.



BUDGET IMPACT:

The City matching amount of \$2,300 for the Police Department project is currently available in the remaining budget authority for fiscal year 2022 and does not pose an issue for the fund balance level in the General Fund.

ACTIONS NEEDED:

V. B - Make a motion to accept the 2022 Leighty Grant funding award & authorize the City to utilize the entirety of the grant receipts, in an amount not to exceed \$10,068, for purchase of a Regional Rescue Training Forcible Entry Prop & accessories from Forcible Entry, Inc.

V. C - Make a motion to accept the 2022 Leighty Grant funding award & authorize the City to utilize a combination of the entirety of the grant receipts, in an amount not to exceed \$3,900, and Police Department General Fund Budget authority, in an amount not to exceed \$2,300, for purchase of the So Toxa Mobile Test System & accessories from Intoximeters, Inc.

ATTACHMENTS:

2022 Leighty Grant Award Notice – Fire Department
2022 Leighty Grant Equipment Purchase Request Documentation – Fire Department

2022 Leighty Grant Award Notice – Police Department
2022 Leighty Grant Equipment Purchase Request Documentation – Police Department

cc: George Brajkovic, City Manager; John W. Zimbelman, Fire Chief; Gregory Lawson, Police Chief



October 27, 2022

City of Tonganoxie Fire Department
John Zimbelman
PO Box 326
Tonganoxie, KS 66086

Dear John:

Thank you for submitting your recent grant application to the Pete and Margaret Leighty Trust. It is my pleasure to inform you that the Leighty Endowment Advisory Committee has selected your organization to receive a 2022 grant in the amount of \$10,068.00 for your project –Regional Rescue Training Forcible Entry Prop.

We would like to present your check to you and the other recipients on Monday, November 21st at 4:00 at the 304 Venue located at 304 E 4th Street. Please let me know if you or a representative from your organization will not be able to attend.

Please have an individual present who is authorized to sign the receipt on behalf of your organization. If this is not possible, please let me know in advance to coordinate the signing of the receipt so that the check may be released.

The project must be completed by June 30, 2023. A written report must be submitted to First State Bank & Trust by June 30, 2023 describing the outcomes achieved as a result of the grant, a detailed accounting of the use of the funds, and photo(s) of the project.

Pete and Margaret Leighty would be pleased to know how your organization and your project are serving the Tonganoxie community.

Please don't hesitate to contact me at 913.845.5101 or shawnag@firststateks.com if you have any questions.

Sincerely,

Shawna Gilmore
Sr. Vice President & Trust Officer

*PO Box 219 400 Bury Street Tonganoxie, KS 66086
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Basehor • Kansas City, KS • Lawrence • Perry • Tonganoxie
Where banking is still a people business.®*



QUOTE

DATE: Nov 02, 2022

INVOICE #: 0022-0456

BILL TO: Tonganoxie Fire Dept.
Tonganoxie, KS

SHIP TO: Tonganoxie Fire Dept.
Tonganoxie, KS 66086

CONTACT: John Zimbelman
jzimbelman@tonganoxie.org

DUNS Number: 034452450

CAGE Code: 6JFW1

Forcible Entry Inc
4440 Creekside Dr.
Shingle Springs, CA 95682
Phone: (916) 337-5705
Fax: (530) 677-5866

DESCRIPTION :	# :	Amount :
Catalyst Force Entry Door: Stand Alone C6 Assembly - \$ 7,500.00 ea.	1	\$ 7,500.00
1- Complete Door, 2 -Flex Tech Jambs with HD Hinges, C6 Armor Academy Break System, 4 - AR400 Strike Plates, 1 - Monster Base plate with 2 Extension Plates. All Hardware included.		
Left side hinge Inward. Right side hinge outward - Revisable Crush Prop - Included		
<u>Options available -</u>		
Tactical Breacher Upgrade - \$800.00	1	\$ 800.00
Wheel System (Detachable) - \$850.00	1	\$ 850.00
Drop-Bar Prop - creates real drop bar on door platform - \$495.00 ea		
Security Screen Door - Added to Inward side of door - \$2750.00 ea		
Hinge Prop** - Allows Cutting/Pulling of hinges - \$1250.00 ea <i>Will come mounted to frame of Catalyst Force Entry Door</i>		
Commercial Cutting Prop** - \$1650.00 ea		



QUOTE

DATE: Nov 02, 2022

INVOICE #: 0022-0456

BILL TO: Tonganoxie Fire Dept.
Tonganoxie, KS

SHIP TO: Tonganoxie Fire Dept.
Tonganoxie, KS 66086

CONTACT: John Zimbelman

jzimbelman@tonganoxie.org

DUNS Number: 034452450

CAGE Code: 6JFW1

NEW! All-Weather Door Cover - \$295.00	1	\$ 295.00
** Props can be removed and mounted to other fixtures for increased training opportunities.		

SUBTOTAL	\$ 9,445.00
TAX RATE	Tax exempt Number -
SALES TAX	
SHIPPING	\$ 617.00
TOTAL	\$ 10,062.00

THANK YOU for your business!
Be Safe.

All quotes good for 60 days

The Forcible Entry Team



To Whom It May Concern,

This letter has been written to confirm that Forcible Entry Inc, DBA also as Forcible Entry Equipment serves as the sole designer, fabricator, supplier for products manufactured and sold by Forcible Entry Equipment.

Forcible Entry Inc.'s intellectual property consists of its own in-house proprietary designs, fabrication, and manufacturing to create the following products:

Catalyst Force Entry Door (all variations)
Commercial Cutting Prop
Hinge Pulling/Cutting Prop
RUD (Roll Up Door) Prop
VES Window Bar prop
Force Box
Conex Box Training Center
Forcible Entry Mobile Trailer

There are no agents, distributors, or dealers authorized to represent Forcible Entry, Inc. for the sale of the above listed products and/or services there within.

Specific only to the Catalyst Force Entry Door, the frame design and material utilized creates a "Flex Technology" (verified through CAD testing). Unique as well to the Catalyst Force Entry Door and VES Window Bar Prop, armor plate steel is integrated to create increased durability and versatility for more consistent feedback and training longevity. All product designs are unique in technical drawings and iterations, materials sourcing specific to tensile strength, and production / fabrication process to achieve Forcible Entry, Inc.'s quality control standards.

All props are designed, engineered, manufactured and distributed solely by Forcible Entry, Inc. All designs are proprietary and parts are manufactured to our specifications and no part, drawing or system is used, licensed, or sold to any outside supplier or vendor.

Forcible Entry, Inc. warrants that there is only one price for the above-named products because of our exclusive distribution and sales ownership.

Sincerely,

Chuck Ferry
CEO/Owner

Forcible Entry, Inc.
4440 Creekside Dr.
Shingle Springs, CA 95682
(916) 337-5705
www.ForcibleEntry.com



October 27, 2022

Tonganoxie Police Department
Greg Lawson
PO Box 526
Tonganoxie, KS 66086

Dear Greg:

Thank you for submitting your recent grant application to the Pete and Margaret Leighty Trust. It is my pleasure to inform you that the Leighty Endowment Advisory Committee has selected your organization to receive a 2022 grant in the amount of \$3,900.00 for your project –So Toxa Mobile Test System.

We would like to present your check to you and the other recipients on Monday, November 21st at 4:00 at the 304 Venue located at 304 E 4th Street. Please let me know if you or a representative from your organization will not be able to attend.

Please have an individual present who is authorized to sign the receipt on behalf of your organization. If this is not possible, please let me know in advance to coordinate the signing of the receipt so that the check may be released.

The project must be completed by June 30, 2023. A written report must be submitted to First State Bank & Trust by June 30, 2023 describing the outcomes achieved as a result of the grant, a detailed accounting of the use of the funds, and photo(s) of the project.

Pete and Margaret Leighty would be pleased to know how your organization and your project are serving the Tonganoxie community.

Please don't hesitate to contact me at 913.845.5101 or shawnaq@firststateks.com if you have any questions.

Sincerely,

Shawna Gilmore
Sr. Vice President & Trust Officer

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SOTOXA Oral Fluid Mobile Analyzer System Price List

Effective October 24, 2019

70-1000-00	SoToxa Oral Fluid Mobile Analyzer System <i>Includes: Printer, Printer Cable, 1 Paper Roll Thermal, QC Cartridge Set, Micro USB Cable, Power Supply Unit, Power Supply Cable, System Carrying Case, One Year Warranty, First year Annual Maintenance</i>	\$4,500.00
73-0000-00	SoToxa Oral Fluid Test Cartridge 25/Box	\$625.00
90-7070-00	SoToxa Annual Maintenance...begins end of 2nd Yr in Svc	\$300.00

Supplies

71-0000-00	SoToxa Printer and Cable	\$560.00
79-0000-00	SoToxa Carry Case	\$98.20
77-0001-00	SoToxa 12V DC Power Supply	\$48.75
77-0002-00	SoToxa 120V AC Power Supply	\$27.25
77-0006-00	SoToxa Micro USB Cable	\$19.27
77-0005-00	SoToxa QC Cartridge Set	\$9.95
24-0306-00	Paper Roll Thermal 2-1/4 X 80	\$3.50
77-0003-00	SoToxa 120V AC Power Cable US	\$7.75

F.O.B Origin

*Order \$25.00. Prices subject to change without notice.
Return shipments are subject to a restocking fee.*

Minimum



SoToxa™ Mobile Test System

RAPID DRUG SCREENING IS IN YOUR HANDS

BETTER PROTECTION AGAINST DRUGGED DRIVING

Driving under the influence of drugs (DUID) is a major concern of police forces in the US and around the globe. Previously, the only accurate drug testing required sending urine or blood samples to a laboratory—which could delay results for days.

PORTABLE, HANDHELD, AND CONVENIENT

The SoToxa™ Mobile Test System is a handheld analyzer that provides the optimal combination of speed, ease of use, reliability, and accuracy for drug testing at the roadside. The analyzer has been designed to meet the high performance demands of law enforcement.

It can detect up to 6 drug classes within 5 minutes from a single oral fluid collection sample. Weighing in at under 2 lbs and fitting comfortably in your hand, it is a truly portable analyzer.

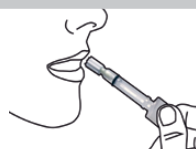


3 EASY STEPS

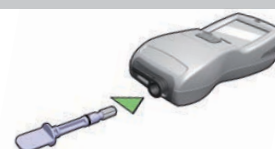
1 Insert test cartridge into analyzer.



2 Collect oral fluid sample.



3 Insert collection device into test cartridge.



SoToxa™ Mobile Test System

Actionable test results for 6 drug classes in 5 minutes

FEATURES AND BENEFITS

PORTABLE

- Handheld, compact, and lightweight.
- Carrying case stores analyzer, printer, and all components; small enough to fit into motorcycle storage compartments.
- Optional car charging kit is available.

EASY TO USE

- 3-step testing process.
- Each cartridge has a Quick Response (QR) code to reduce user error.
- The simplicity of the device minimizes user training requirements, allowing fast implementation.
- Analyzer interprets and determines the test outcome, eliminating the subjectivity of visually interpreted results.

FAST RESULTS

- Collection device designed for active swabbing which speeds up collection.
- Sample collection in 60 seconds or less.
- Volume adequacy indicator turns blue when enough sample has been collected. No timed collection.
- Results in 5 minutes.

QUALITY CONTROL

- When the analyzer is turned on, start-up checks are automatically activated.
- Positive and negative quality control cartridges (PQC and NQC) check that the analyzer is interpreting results correctly.
- On-board sensors monitor test progress.
- On-board heater ensures tests run at the optimal temperature, reducing variability.

DATA MANAGEMENT

- Internal storage capacity of over 10,000 tests.
- Printer is provided.
- Desktop PC software can manage downloaded data for analysis and reports.



TEST OPTIONS

DRUG CLASS	ABBREVIATION	TARGET DRUG	CUTOFF (ng/mL)
Amphetamine	AMP	d-Amphetamine	50
Benzodiazepines	BZO	Temazepam	20
Cannabis (THC)	THC	Δ^9 THC	25
Cocaine metabolite	COC	Benzoyllecgonine	30
Methamphetamine	MAMP	Methamphetamine	50
Opiates	OPI	Morphine	40

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STATEMENT ON FORENSIC USE PRODUCTS: Forensic Use Only devices are intended for use only in drugs of abuse testing for law enforcement purposes. Appropriate users of such devices include court systems, police departments, probation/parole offices, juvenile detention centers, prisons, jails, correction centers and other similar law enforcement entities, or laboratories or other establishments performing forensic testing for these entities. Forensic Use Only devices are not designed, tested, developed, or labeled for use in other settings, such as clinical diagnostic or workplace settings.

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Office of the City Manager
AGENDA STATEMENT

DATE: November 21, 2022
To: Honorable Mayor David Frese and Members of the City Council
FROM: George Brajkovic, City Manager
SUBJECT: Multi-phase expansion of the Waste Water Treatment Plant

DISCUSSION:

During the Spring CMIP discussion, which continued throughout the summer budget work sessions and public hearings for the development of the FY 2023 budget, we had numerous discussions on how to best phase the expansion of the Waste Water treatment Plant (WWTP), the needed expansion(s) for the hydraulic and organic capacity, the timeline for needed expansion to accommodate development activity and meet regulatory compliance, and opportunity to upgrade/replace equipment that was nearing its useful life expectancy.

To that end, Thaniel Monaco, BG Consultants, had identified a two-phase expansion, with a projected total cost of \$8-\$10M. The first phase was intended to focus more on the hydraulic capacity, and the second phase more on the nutrient treatment. This was partially due to the immediate need for hydraulic expansion, related to expected development activity and forecasted needs based on that development, and allowed for additional time to see what regulatory compliance changes were going to materialize before the City needed to renew our Kansas Department of Health and Environment (KDHE) permit and how those changes may impact our processing of waste water.

The financing of the expansion costs was also an influencing factor in the overall discussion. The City, with support from BG staff, submitted for Building a Stronger Economy (BASE) grant through the Kansas Department of Commerce, but weren't selected for financing. Next, the City, with support from BG staff, applied to KDHE's 2023 Intended Use Plan for a loan from the Kansas Water Pollution Control Revolving Loan Fund (KWPCRF), which provides loans at 60% of market interest rates. Our application was approved for an amount of \$5M. The City also had approximately \$765,000 of our American Rescue Plan Act (ARPA) funds still unallocated, but eligible for this infrastructure work.

The task from the City Council was to develop a plan that made the best use of the KWPCRF loan and remaining ARPA funds to begin the WWTP expansion project. Tonight, we present that plan. In general, by using the loan and ARPA funds together, we can accomplish all of Phase 1 and make strategic purchases for Phase 2 equipment which will meet the current projected demands, yet leave us flexibility in finalizing for future regulatory compliance changes.

BUDGET IMPACT:

Use of \$765,858.42 in ARPA funds and a KWPCRF loan in the amount of \$5M.

ACTION NEEDED:

Discussion item only.

ATTACHMENTS:

11/04/22 MEMO from Thaniel Monaco, BG Consultants

cc: Dan Porter, Assistant City Manager
Kent Heskett, Public Works Director



MEMO

To: George Brajkovic, Tonganoxie City Manager
From: Thaniel Monaco, P.E.
Date: November 4, 2022
Re: WWTP Improvement Schedule
BG Project No.: 21-1426L

The following information is being provided to update the City on potential opportunities & schedules for future Wastewater Treatment Plant (WWTP) improvements. The items of discussion include updated industry flow schedule, potential inclusion of some portions of the previously identified Phase II components in the initial improvements, and our current understanding of KDHE-SRF funding applications for the upcoming project.

Projected Industry Timelines

Our office has had additional correspondence with the Hill's design team to update their current schedule projections. The following schedule is what has been provided earlier this month.

- Phase IA (1 out of 2 production lines scheduled for Phase I) 50% Capacity Spring/Summer 2023
 - Daily sewer discharge (monthly average) - ~ 0.12 MGD
- Phase IB (2 production lines) 100% Capacity Summer/Fall 2023
 - Daily sewer discharge (monthly average) - ~ 0.23 MGD
- Phase II (3 Lines): 2026
 - Daily sewer discharge (monthly average) - ~ 0.35 MGD
- Phase III (4 Lines): 2028.
 - Daily sewer discharge (monthly average) - ~ 0.45 MGD

This schedule should work well with the current projections for the upcoming improvements at the WWTP. A majority of the Phase I WWTP improvements can be incorporated without interference with the current operations at the facility. The identified flows through Phase IB as noted above will bring the WWTP close to 100% capacity but that should not be a problem for a short duration through the end of 2023.

Modifications / Additions to Phase I Improvements

Our office has been notified that the City is looking at utilizing City funds for portions of the "soft costs" for the WWTP improvements. The use of those funds outside of the SRF program could potentially allow for additional improvements to be made within the initial phase of the work. The original schedule of Phase I improvements included the following. The current estimated costs include both contingency components and construction values.

Phase I –Project #1: Aeration Basin

- This work would increase the hydraulic capacity of the Aeration Basin from 0.75 Million Gallons per Day (MGD) to an improved capacity of 1.5 MGD.
- Preliminary Improvement Cost Estimate = \$2,070,000

Phase I Project #2 –Existing Sludge Aerobic Digester Upgrades

- This work would replace the existing aeration equipment within the digester with a newer and more effective technology that would increase the operational efficiency of the aerobic digestion process.
- Preliminary Improvement Cost Estimate = \$632,500

Phase I Project #3 –Supervisory Control and Data Acquisition (SCADA)

- This work will continue with improvements of the recently updated SCADA system at the WWTP to continue to operate the improvements most effectively.
- Preliminary Improvement Cost Estimate = \$402,500

Phase I Project #4 –Influent Pump Station (IPS) Improvements

- This work would increase the pumping capacity and redundancy of the IPS.
- Preliminary Improvement Cost Estimate = \$195,500

Phase I Project #5 –UV System Upgrades

- This work would improve the existing UV disinfection automated gate control.
- Preliminary Improvement Cost Estimate = \$57,500

Phase I Project #6 –Mobilization/Site/Piping/Electrical Upgrades

- This work would include site, piping and electrical improvements that would be required as part of the other components of the WWTP Improvements. It would also include general conditions and mobilization costs for the overall project.
- Preliminary Improvement Cost Estimate = \$517,500

The previous projections of the project “Soft Costs” for Phase I were approximately \$775,000. If the City pays those costs through City funds, those funds could potentially be utilized for additional improvements that were previously identified as Phase II improvements. These additional improvements could be designed and bid as alternates to determine if they are incorporated in the Phase I improvement project. The actual components awarded would be selected by the City based on final project budget. Based on current projections, a potential for these additional improvements could be as follows:

PROJECT	Preliminary Cost Estimate
Headworks/Screening/Compactor Improvements	\$500,000
Installation of new RAS Pump	\$50,000
Installation of Launder Covers on Existing Clarifiers	\$250,000

One major advantage of including these additional improvements at this time would be as a proactive approach to increasing the overall effectiveness and efficiency of the WWTP operations. This will be important as the expected influent wastewater flow rates increase over the next 12-24 months from the Hill’s Facility. It should also be noted that the first two additional improvements (Screening & RAS pump) would add redundancy to the existing WWTP as currently there is only one of each of these units installed and in operation. A failure of either of these existing components would be a detriment to the overall treatment abilities of the WWTP. While both existing systems have operated well for the City to date, they have operated for a substantial number of years. These improvements could be viewed as preventative maintenance to ensure continued treatment reliability while other components are identified for future improvements/replacement as part of future improvement phases. These improvements may be more cost

effective at this time with the current market versus waiting additional years where equipment costs may continue to increase.

KDHE-SRF Funding Update

The City is included on the KDHE-SRF Intended Use Plan (IUP) for a WWTP Improvement project with a preliminary funding request of \$5,000,000. Our office has had additional correspondence with KDHE on the allowable amount of funding that could be requested by the City if a different amount were to be desired. As expected, KDHE has indicated that the City can request funding above the \$5,000,000 amount if utilized on the project as submitted. If the City would desire to request funds to do more work on the WWTP at this time, funds would be available for such improvements. The amount of SRF funds that would be utilized for the Phase I project would be determined solely by the City. If the amount of funds increases or decreases from the original application, the SRF Loan documents will be amended to payback that final amount. Therefore, the original application amounts need to be representative of the potential project costs, but the City will only be responsible for paying the final amount of loan value upon Phase I completion.

We appreciate the opportunity to assist the City in this process. Please feel free to contact our office if you have additional questions or needs on this project.

Thank you and have a great day!

Thaniel Monaco, P.E.

Vice President

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E: thaniel.monaco@bgcons.com

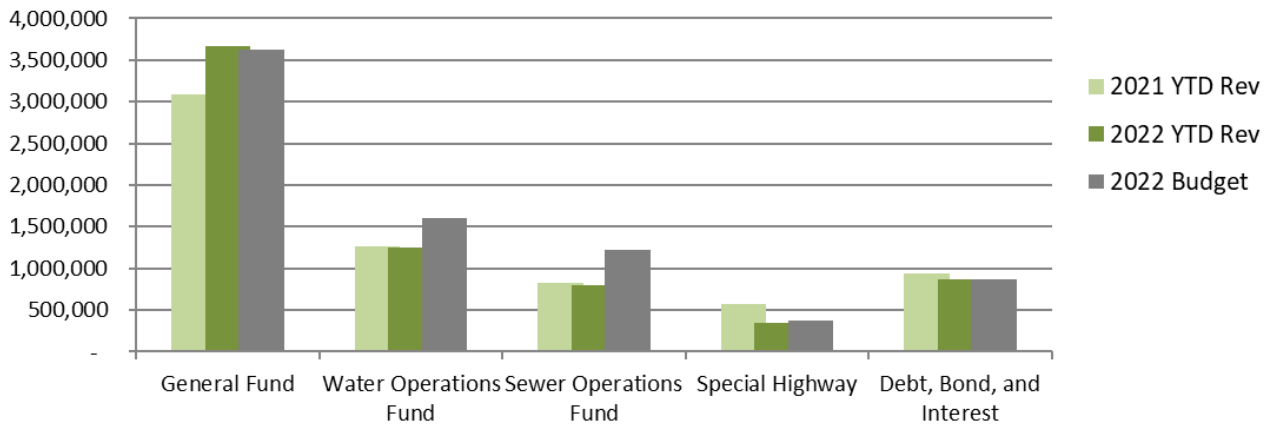
CITY OF TONGANOXIE FINANCIAL REPORT

OCTOBER 2022

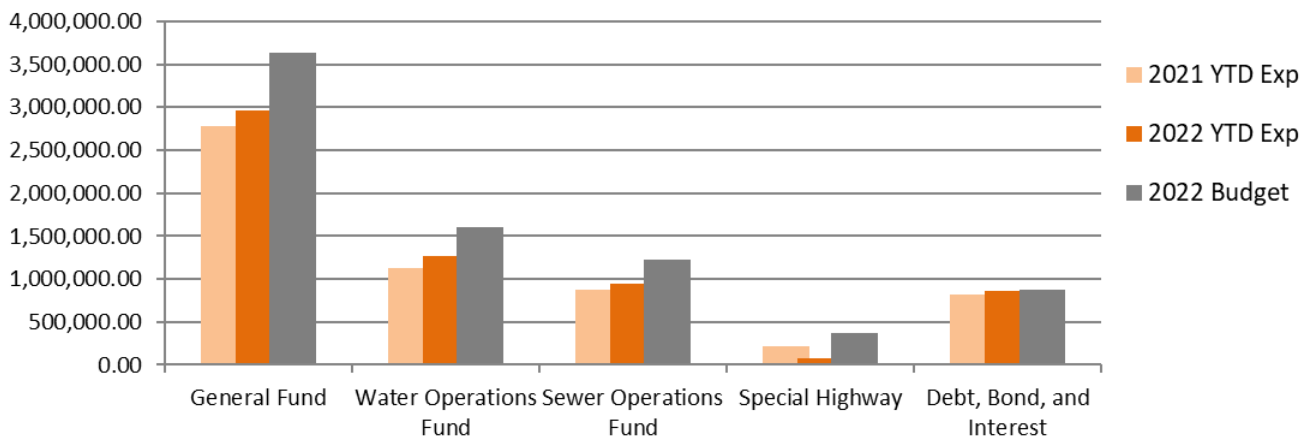
EXECUTIVE SUMMARY

- 83% of FY 2022 completed as of October 31, 2022.
- Collected 95% of revenue estimates and spent 73% of expenditure budget authority in all funds.
- The City maintains a minimal remaining balance of the proceeds of GO Bond Series 2022A and 2022B to meet remaining cost of issuance obligations. The City maintains the entirety of 2022C Temp Note funding in the Debt Proceeds Fund for the construction costs of the Water Tower Project. The minimal remaining balance of the proceeds of GO Bond Series 2022A and 2022B will be transferred to the debt, bond, and interest fund as all bond-issuance expenditures are completed.
- The City completed debt service payments due to be paid in September 2022 and there are no remaining expenditures for debt service in 2022. The City has completed \$1,480,814 in debt service payments since June 2022.
- American Rescue Plan Act (ARPA) - The City currently maintains \$765,858.42 in funding after receiving the expected \$426,008.45 in June. Required reporting for “non-entitlement unit” local governments like the City of Tonganoxie was completed in April 2022 with the next report due in April 2023.
- Staff do not anticipate budget amendments being necessary prior to the end the fiscal year but will continue to closely monitor year end projections and remaining budget authority.
- 2022 annual budget amendments have been previously approved for the following funds:
 - o Police Equipment Reserve – additional revenue anticipation and expenditure authority for equipment purchases with grant proceeds (01/18/2022)
 - o Water Capital Fund – Adjustments to reflect need to purchase additional water meter commodities in 2022 for larger than anticipated projects including Hill’s Pet Nutrition and West Village development (07/18/2022)
 - o Police Equipment Reserve – additional expenditure authority for equipment purchases (07/18/2022)
 - o Water Operations Fund, Water Capital Fund, and Capital Projects Fund – Adjustments to mirror outcome of Church Street Bridge Construction Project and changed water & sewer demand assumptions in Fall 2022 (10/03/2022).

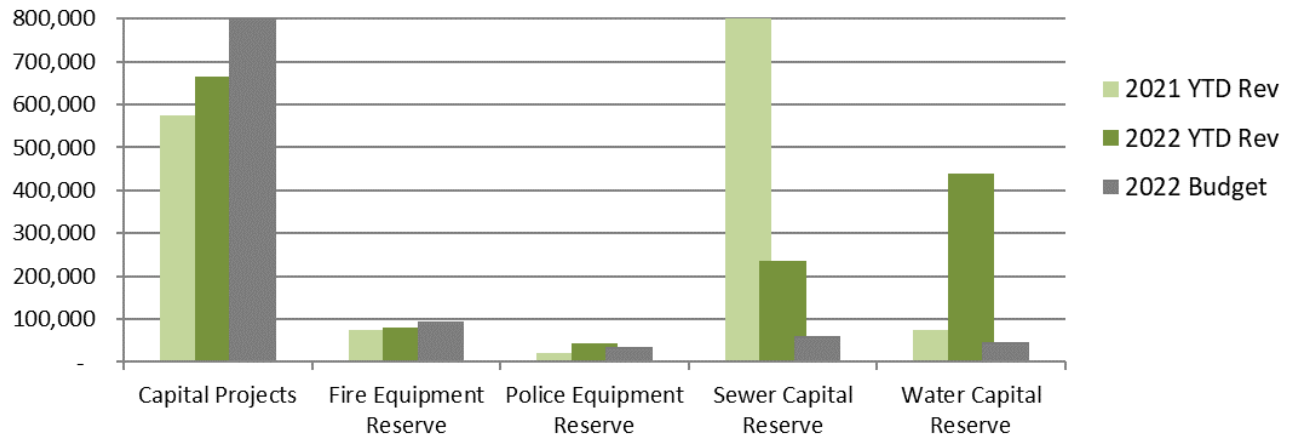
Major Fund Revenues



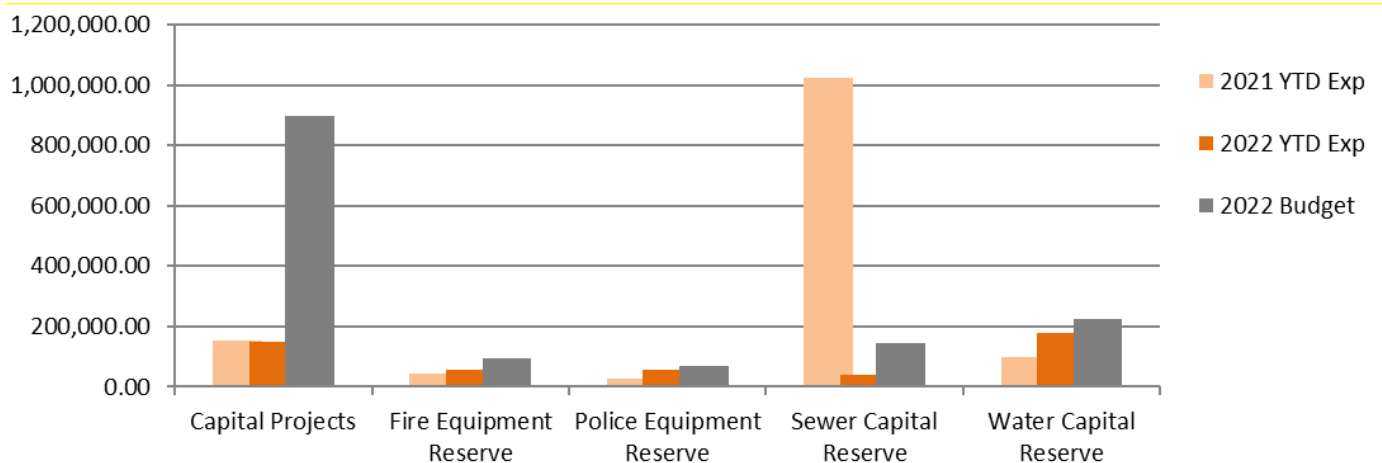
Major Fund Expenditures



Utility & Non-Utility Capital Funds Revenues



Utility & Non-Utility Capital Funds Expenditures



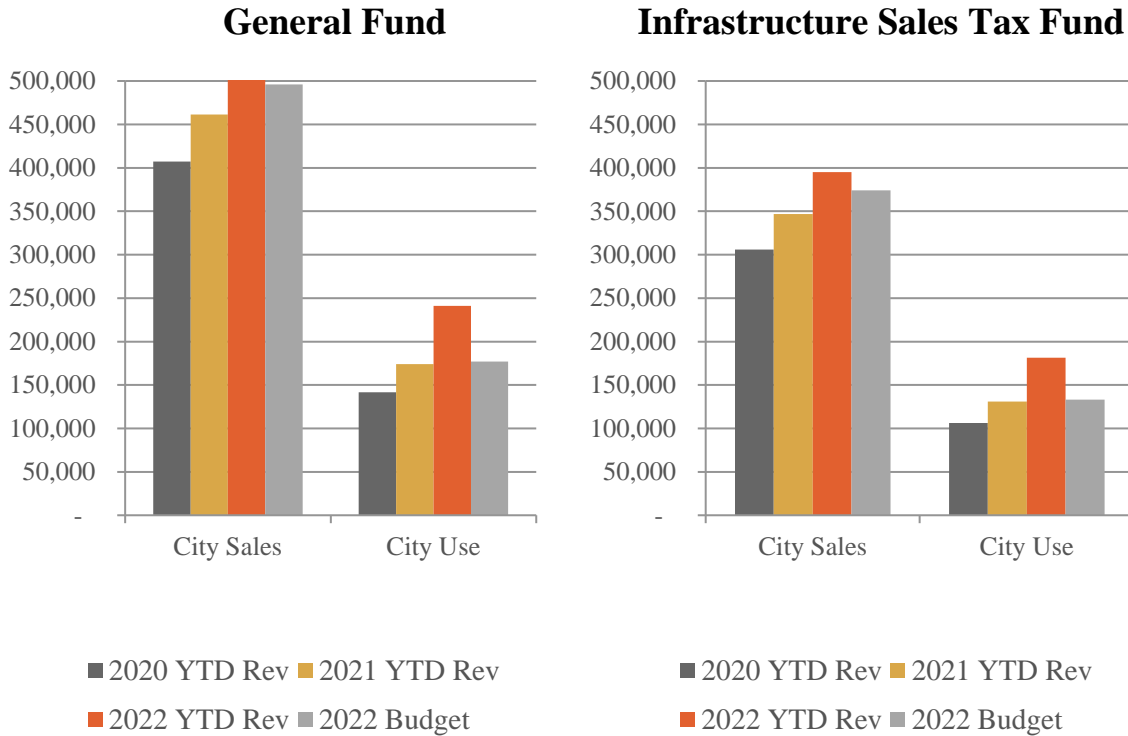
MAJOR REVENUES DETAIL VIEW

SALES & USE TAX –

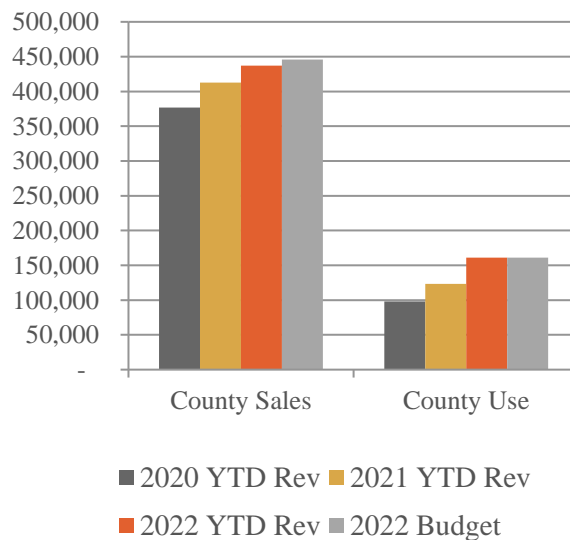
Current City of Tonganoxie Sales Tax Rate (9.25%) is broken down into the following elements:

6% - State, 1% LV County, 1% City General Fund, 0.75% City Infrastructure General Purpose

- ☒ The City received the tenth monthly remittance of sales and use tax proceeds from the State of Kansas in October 2022. Two remaining monthly remittances are expected to be received in 2022. Collection trends remain positive for City and County Sales & Use Tax.



Capital Projects Fund (City share of County Sales Tax)



MAJOR EXPENDITURES DETAIL VIEW

GENERAL FUND EXPENDITURES BY CATEGORY –

Expenditure Category	2022 YTD Expenditures	% of Annual Budget Planned Expenditures	% of Annual Legal Budget Authority Expenditures
Personal Services	1,998,637	79.0%	
Contractual Services	677,445	89.5%	
Commodities	147,546	75.9%	
Capital Outlay	135,233	93.3%	
Fund Total	2,958,861	81.6%	65.86%

MAJOR COMMODITIES COST TRENDS DETAIL –

Commodity Item	2020 YTD Expenditures	2021 YTD Expenditures	2022 YTD Expenditures	% of Annual Budget Planned Expenditures	% change from 2021
FUEL & OIL	31,239	48,864	75,924	133%	55%
ELECTRICITY	101,139	109,839	117,917	92%	7%
GAS/PROPANE	12,163	20,750	22,384	109%	8%

MAJOR CONSTRUCTURE PROJECT DETAIL VIEW

Business Park Water Tower Construction Contract – Vendor: Caldwell Tanks, Inc.

Caldwell Tanks - Water Tower Project Financial Tracker

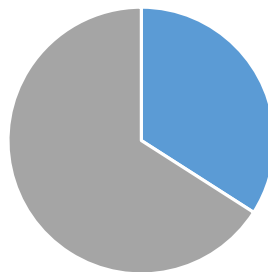
Last Updated: 11/18/2022

Pay App	Amount Completed and Materials (to date)	Retainage Withheld (5%)	Eligible for Pmt (to date)	Amount due (this payment)	Cumulative Payments Due	Remaining Balance to Finish (incl Retainage)
1	321,040.00	16,052.00	304,988.00	304,988.00	304,988.00	2,977,960.00
2	883,390.00	44,169.50	839,220.50	534,232.50	839,220.50	2,415,610.00
3	1,123,475.00	56,173.75	1,067,301.25	228,080.75	1,067,301.25	2,175,525.00

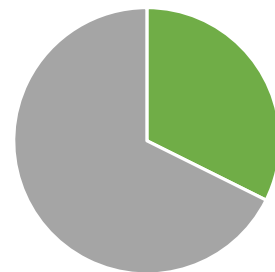
Contract Price	3,299,000
Change Order Amount	-
Total Contract Price	3,299,000
% Contact Completed	34%
% Contact Paid Per latest Pay App Paid	32%

Change Order	Amount
N/A	N/A

% Contact Completed



% Contact Paid



Pay App	Amount	Notes
1	304,988.00	Received and paid from Debt Proceeds Fund. No grant reimbursement requested due to site certificate status.
2	534,232.50	Received and paid from Debt Proceeds Fund. No grant reimbursement requested due to site certificate status.
3	228,080.75	Received and paid from Debt Proceeds Fund. No grant reimbursement requested due to site certificate status.

1,067,301.25

2022 BUDGET INITIATIVES

SALES TAX PROCEEDS

- ☒ \$368,500 total from the Infrastructure Sales Tax (\$170,000) and special highway funding to support a 5th consecutive year of enhanced street maintenance activities – major construction project approved.
- ☒ \$540,000 from the City's share of the County Sales Tax and the Infrastructure Sales Tax to fund replacement of the Church Street Bridge – Survey & partial design completed in FY 2021, engineering contract has been approved. Bid approved on 8/15/2022 and work to commence in winter 2022/spring 2023.
- ☒ \$74,500 or more from the City's share of the County Sales Tax to rehab the elevated structures at the Tonganoxie Water Park.
- ☒ \$3,400 from the City's share of the County Sales Tax to fund bicycle repair stations in local parks.

GENERAL FUND

- ☒ 5% annual merit pool funding available to high performing City employees
- ☒ \$120,000 for 3 new Police Department Vehicles (Tahoe model)
- ☒ \$6,000 from the General Fund for Fire Department operational budget costs
- ☒ \$4,000 from the General Fund for lifeguard stand & patron chair equipment replacements
- ☒ \$9,275 from the General Fund for funding assistance for LCDC
- ☒ \$5,000 from the General Fund for funding assistance for the Tonganoxie Business Association.
- ☒ \$5,000 from the General Fund for total funding assistance split between the Tonganoxie Arts Council and the Tonganoxie Historical Society – amended on 3/7/2022 to contribute \$5,000 to each organization.
- ☒ \$10,000 from the General Fund for funding assistance for community events
- ☒ \$15,000 from the General Fund for funding assistance for the Leavenworth County Regional Transportation Study
- ☐ Additional \$48,163 of funding is available for allocation by the City Council for any previously unbudgeted needs arising during FY 2022.
 - \$5,000 allocated for additional community group funding support on 3/7/2022.
 - \$14,200 allocated for unexpected tree removal services on 5/2/2022.

UTILITY FUNDS

- ☐ Business Park Water Tower Project Construction – Design partially completed in 2021. EDA grant funding assistance of nearly \$1,500,000 was confirmed with award announcement. Contract was awarded in March 2022, project commenced construction in July 2022.
- ☐ Utility improvements – water production plant and wastewater treatment plant analysis and upgrades
- ☒ \$45,000 in Storm Water Fund for Church St corridor stormwater Phase 2 – project is underway.

PUBLIC SAFETY CAPITAL FUNDS

- ☒ \$21,000 from the police capital fund for partially-grant funded Police radios purchase
- ☒ \$5,000 from the public safety capital funds for firing range improvements
- ☒ \$12,000 for equipment costs associated with 3 new Police Department Vehicles (Tahoe model)

2023 BUDGET DEVELOPMENT TIMELINE

- ☒ March 2022 – Spring Retreat
- ☒ May 2022 – Capital Maintenance & Improvements Plan (CMIP) City Council work session
- ☒ June 2022 – Base Budget preparation & department budget presentations
- ☒ July 2022 – Budget work sessions & notice to County Clerk of proposed mill levy & RNR
- ☒ August 2022 – Publication of notice of public hearings
- ☒ September 2022 – RNR & Budget Public Hearings and Budget Adoption
- ☒ September 2022 – Delivery of Adopted FY 2023 Budget Forms to the Leavenworth County Clerk
- ☐ Fall 2022 – Creation of Adopted FY 2023 Budget Book – to be printed & published on City website

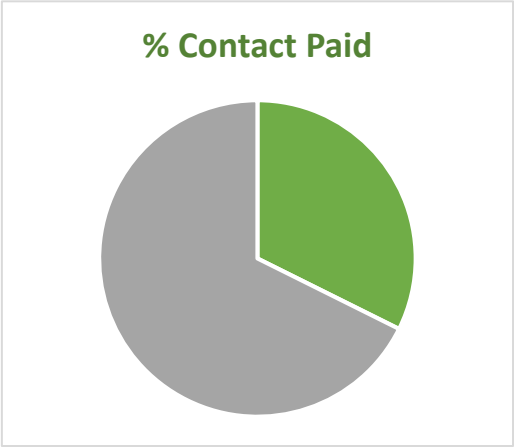
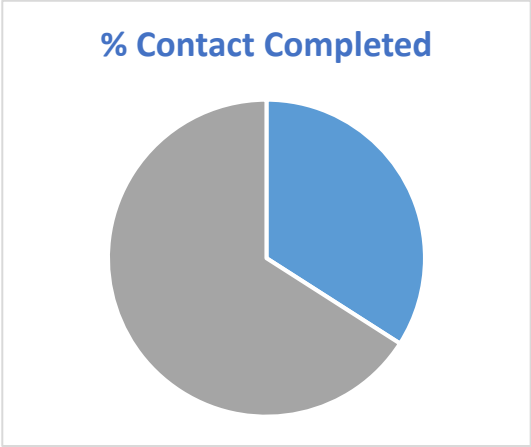
Caldwell Tanks - Water Tower Project Financial Tracker

Last Updated: 11/18/2022

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3	1,123,475.00	56,173.75	1,067,301.25	228,080.75	1,067,301.25	2,175,525.00

Contract Price	3,299,000
Change Order Amount	-
Total Contract Price	3,299,000
% Contact Completed	34%
% Contact Paid Per latest Pay App Paid	32%

Change Order	Amount
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	1,067,301.25	



City of Tonganoxie, KS

Fund Balance Report

As Of 10/31/2022

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
100 - General Fund	901,829.51	3,661,016.26	2,958,860.85	1,603,984.92
210 - Water Operations Fund	862,357.02	1,251,217.30	1,262,848.32	850,726.00
220 - Sewer Operations Fund	701,336.44	795,686.15	946,435.37	550,587.22
230 - Sanitation Fund	178,816.05	368,157.93	331,118.61	215,855.37
240 - Storm Water	65,467.12	39,300.34	22,715.57	82,051.89
310 - Transient Guest Tax	6,199.04	857.73	0.00	7,056.77
320 - Library Operations	7,283.22	539,549.83	538,405.99	8,427.06
330 - Special Parks	24,196.63	4,175.19	9,298.17	19,073.65
340 - Special Highway	678,199.54	345,931.96	69,732.43	954,399.07
350 - Infrastructure Sales Tax	568,977.63	576,152.38	446,375.00	698,755.01
360 - Capital Projects	1,049,612.59	664,707.50	148,928.74	1,565,391.35
410 - Fire Equipment Reserve	218,964.81	80,911.61	55,794.34	244,082.08
420 - Police Equipment Reserve	52,932.14	43,334.22	54,450.66	41,815.70
430 - Sewer Capital Reserve	473,449.94	236,397.00	40,240.80	669,606.14
440 - Water Capital Reserve	323,430.03	438,120.06	178,420.09	583,130.00
450 - Capital Reserve	915.03	0.00	0.00	915.03
500 - Debt, Bond, and Interest	208,499.86	871,427.35	857,879.36	222,047.85
930 - Debt Proceeds	0.00	3,912,272.15	1,930,917.92	1,981,354.23
940 - Gallagher Park Fund	9,183.08	0.00	0.00	9,183.08
950 - Festival/Event Fund	4,439.67	210.00	54.87	4,594.80
960 - Law Enforcement Trust	7,104.88	0.00	7,104.88	0.00
971 - RHID 1	21.82	22,990.00	22,671.00	340.82
972 - RHID 2	0.00	0.00	0.00	0.00
980 - Industrial Park Development Fund	236,742.51	126,321.55	195,010.48	168,053.58
981 - CDBG Urgent Need Grant Fund	0.00	0.00	0.00	0.00
982 - CDBG-CV Grant 2020	0.00	0.00	0.00	0.00
983 - CARES CRF Fund	0.00	0.00	0.00	0.00
984 - ARPA Fund	339,849.97	426,008.45	0.00	765,858.42
985 - MIH Grant Fund	0.00	100,000.00	100,000.00	0.00
Report Total:	6,919,808.53	14,504,744.96	10,177,263.45	11,247,290.04

For Fiscal: 2022 Period Ending: 10/31/2022

Expenditure Budget Report by Fund

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
100 - General Fund	3,627,746.00	3,627,746.00	222,796.04	2,958,860.85	0.00	668,885.15	18.44 %
210 - Water Operations Fund	1,553,703.00	1,606,740.00	94,735.06	1,262,848.32	0.00	343,891.68	21.40 %
220 - Sewer Operations Fund	1,192,634.00	1,222,134.00	67,359.52	946,435.37	0.00	275,698.63	22.56 %
230 - Sanitation Fund	450,000.00	450,000.00	33,700.45	331,118.61	0.00	118,881.39	26.42 %
240 - Storm Water	62,500.00	62,500.00	832.62	22,715.57	0.00	39,784.43	63.66 %
310 - Transient Guest Tax	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	100.00 %
320 - Library Operations	592,880.00	592,880.00	43,197.67	538,405.99	0.00	54,474.01	9.19 %
330 - Special Parks	10,500.00	10,500.00	2,978.78	9,298.17	0.00	1,201.83	11.45 %
340 - Special Highway	368,500.00	368,500.00	0.00	69,732.43	0.00	298,767.57	81.08 %
350 - Infrastructure Sales Tax	507,400.00	507,400.00	0.00	446,375.00	0.00	61,025.00	12.03 %
360 - Capital Projects	704,100.00	897,200.00	2,470.00	148,928.74	0.00	748,271.26	83.40 %
410 - Fire Equipment Reserve	95,000.00	95,000.00	0.00	55,794.34	0.00	39,205.66	41.27 %
420 - Police Equipment Reserve	24,000.00	69,226.00	0.00	54,450.66	0.00	14,775.34	21.34 %
430 - Sewer Capital Reserve	145,000.00	145,000.00	1,124.00	40,240.80	0.00	104,759.20	72.25 %
440 - Water Capital Reserve	145,000.00	225,000.00	10,248.00	178,420.09	0.00	46,579.91	20.70 %
500 - Debt, Bond, and Interest	872,533.00	872,533.00	0.00	857,879.36	0.00	14,653.64	1.68 %
Report Total:	10,352,496.00	10,753,359.00	479,442.14	7,921,504.30	0.00	2,831,854.70	26.33 %