

CITY OF TONGANOXIE



November 20, 2023

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 6, 2023

III. Consent Agenda

- a) Review bill payments

IV. Old Business

V. New Business

- a) Public Meeting: Present and discuss the alternatives for the Wastewater Treatment Plant project with improvements funded under the low interest State Revolving Loan Fund Program through the Kansas Department of Health and Environment
- b) Public Hearing: Present and discuss the proposed improvements for the Wastewater Treatment Plant project with improvements funded under the low interest State Revolving Loan Fund Program through the Kansas Department of Health and Environment
- c) Ordinance 1516: Consider Approval of Voluntary Annexation Petition for Harman Farms Replat Lots 1, 3, and 4, and Property Addressed as 00000 CHIEFTAIN RD, Tonganoxie, KS 66086 with Parcel ID 1942000000001000
- d) Consider Action Associated with the Real Estate Contract of Sale between the City and Unilock Chicago, Inc.
- e) Consider Approval of Quote for Compensation Analysis Update
- f) City Manager Agenda
 - 1. October 2023 Financial Report
- g) City Attorney Agenda
- h) Mayor Pro Tem Agenda
- i) City Council Agenda
- j) Mayor Agenda

VI. Adjourn

Council Meeting Minutes
November 6, 2023
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. Partridge, Ms. McCutchen and Ms. Stevens were present. Mr. Donnelly and Mr. Dale were absent.
- City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, and Municipal Court Clerk Lindsay Huntington were also present.

II. Approval of Minutes – Regular meeting dated October 16, 2023

- **Mr. Partridge made a motion to approve draft minutes from the regular meeting dated October 16, 2023.**
- **Ms. McCutchen seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
 - Mr. Brajkovic stated there are up to twelve pay applications for the water tower project which is over 90% complete.
 - **Ms. Stevens made a motion to approve the consent agenda.**
 - **Ms. McCutchen seconded the motion.**
 - **Vote of all ayes, motion carried.**

IV. Old Business

- Ms. Diane Bretthauer addressed the Council regarding the Mayor's Christmas Tree Lighting event and shared that the event is on November 18th and the parade will start at 5:00 p.m. and the tree lighting will occur 20 minutes after the end of the parade.
- Ms. Bretthauer said decorations and event materials are going up in price and asked that the situation be considered in preparing the following year's budget.
- Ms. TerriLois Mashburn, Leavenworth County Register of Deeds, addressed the City Council.

V. New Business

- a) Consider Approval of Final Plat for Stone Creek Addition No. 10
 - Mr. Brajkovic referenced the City staff reports and said that the Planning Commission recommended acceptance of the dedication of land for public purposes in the final plat as part of the recommendation for approval of the final plat along with the inclusion of all staff recommendations.
 - **Ms. McCutchen made a motion to approve the final plat for Stone Creek Addition #10 with conditions recommended by staff and accept the dedication of land for public purposes included in the final plat.**
 - **Mr. Partridge seconded the motion.**
 - **Roll Call Vote of all ayes, motion carried.**
- b) Ordinance 1515: Evergy Electrical Utility Franchise Fee Agreement Renewal
 - Mr. Brajkovic stated the City has a franchise agreement with Evergy which is expiring very soon.
 - Mr. Porter stated the ordinance drafted for consideration has a term of 20 years with options at the 5, 10 and 15-year mark to renegotiate those franchise fees and that the draft ordinance includes an increase in the proposed franchise fee rates to 5% which closely mirrors the majority of survey results for fee levels for cities of the 2nd class and cities of all sizes across the state of Kansas. Mr. Porter said Evergy accounts for about 80% - 85% of the City's electrical franchise fee revenue collection based on the proportion of the City in their service territory.
 - **Ms. McCutchen made a motion to approve draft Ordinance No. 1515.**
 - **Mr. Partridge seconded the motion.**
 - **Roll Call Vote of all ayes, motion carried.**

- c) 2023 Community Events Report from the Tonganoxie Business Association
 - Monica Gee with the Tonganoxie Business Association addressed the City Council and shared information about the recent Tongie Days event.
- d) City Manager Agenda
 - 1. City Boards and Commissions Vacancies and Appointment Update
 - Mr. Porter shared information with the City Council about positions on several City boards and commissions which are expected to require reappointments or recruitment to fill vacancies.
- e) City Attorney Agenda
- f) Mayor Pro Tem Agenda
- g) City Council Agenda
- h) Mayor Agenda
 - 1. Executive session pursuant to the consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship
 - **Ms. Stevens moved that the City Council recess into executive session to obtain legal advice related to correspondence received from Unilock Chicago, Inc. pertaining to the Real Estate Contract of Sale between the City and Unilock, pursuant to the attorney-client consultation exception, K.S.A. 75-4319(b)(2). The executive session will include the City Attorney, City Manager, and Assistant City Manager. The open meeting will resume in the City Council chamber at 7:49 p.m.**
 - **Mr. Partridge seconded the motion.**
 - **Vote of all ayes, motion carried.**
 - ...
 - **Mayor Frese resumed the meeting at 7:49 p.m. and noted that no binding action was taken in executive session.**

VI. Adjourn

- **Ms. Stevens made a motion to adjourn the meeting.**
- **Ms. McCutchen seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 7:51 p.m.**

Respectfully submitted,

Lindsay Huntington

Lindsay Huntington, Municipal Court Clerk



City of Tonganoxie, KS

Check Report

Date Range: 08/05/2023 - 08/17/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
0671	Evergy	08/07/2023	Regular	0.00	17,412.67	51711
0330	KANSAS GAS SERVICE	08/07/2023	Regular	0.00	406.71	51712
0046	BAY BRIDGE ADMINISTRATORS, LLC	08/11/2023	Regular	0.00	676.17	51713
0051	BG CONSULTANTS INC	08/11/2023	Regular	0.00	35,624.00	51714
1375	BLUE CARDINAL CHEMICAL, LLC	08/11/2023	Regular	0.00	399.98	51715
0056	BLUE CROSS AND BLUE SHIELD	08/11/2023	Regular	0.00	38,679.06	51716
0749	BROADVOICE	08/11/2023	Regular	0.00	168.44	51717
0136	DELTA DENTAL PLAN OF KANSAS,IN	08/11/2023	Regular	0.00	2,821.68	51718
0205	GALL'S LLC	08/11/2023	Regular	0.00	74.99	51719
0205	GALL'S LLC	08/11/2023	Regular	0.00	78.60	51720
1177	Gerken Rent-All Inc	08/11/2023	Regular	0.00	58.00	51721
0224	HAMM QUARRIES & LANDFILL	08/11/2023	Regular	0.00	69.35	51722
1397	JENNIFER BELCHER	08/11/2023	Regular	0.00	250.00	51723
1342	KBA INDUSTRIES	08/11/2023	Regular	0.00	2,770.00	51724
0757	KEBRA CHILSON	08/11/2023	Regular	0.00	420.00	51725
0391	LAWRENCE JOURNAL WORLD	08/11/2023	Regular	0.00	750.92	51726
0802	LED DIRECT, LLC	08/11/2023	Regular	0.00	1,184.00	51727
0857	MIDCONTINENT COMMUNICATIONS	08/11/2023	Regular	0.00	330.90	51728
0459	MIDWEST PUBLIC RISK	08/11/2023	Regular	0.00	3,091.20	51729
1105	Oak Creek Nursery & Landscape, LLC	08/11/2023	Regular	0.00	150.00	51730
0762	OPTIV SECURITY INC.	08/11/2023	Regular	0.00	54.79	51731
0500	O'REILLY AUTO PARTS	08/11/2023	Regular	0.00	853.35	51732
0542	QUILL	08/11/2023	Regular	0.00	190.83	51733
1290	RUSH TRUCK CENTERS OF MISSOURI, INC	08/11/2023	Regular	0.00	53.13	51734
1278	SCHOOLYARD TOWNHOMES, LP	08/11/2023	Regular	0.00	22,635.98	51735
0651	USA BLUE BOOK	08/11/2023	Regular	0.00	499.94	51736

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	29	26	0.00	129,704.69
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
	29	26	0.00	129,704.69

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	29	26	0.00	129,704.69
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
	29	26	0.00	129,704.69

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	8/2023	129,704.69
			129,704.69



MEMORANDUM

To: City of Tonganoxie – Mayor and Council Members
Mr. George Brajkovic, City Manager
Mr. Dan Porter, Assistant City Manager

From: Thaniel Monaco, P.E.

Date: November 20, 2023

Re: Tonganoxie WWTP Improvements
BG Project No.: 17-1156M

This memorandum is being provided to review the current and projected project funding, design and construction timelines.

KDHE-SRF Loan Application and Process:

The City has made initial application to KDHE for utilization of the low interest loan from the SRF program. This initiates an administrative process with KDHE for their review and formation of a final loan agreement. It is currently expected that the final loan agreement will be provided to the City for review and approval in January 2024. The loan application included a \$5,000,000 loan for the \$5,967,100.00 total project cost.

The SRF loan had an interest rate of 2.21% for the month of September. This rate is modified on a monthly basis and set at 60% of the market interest rate. The final interest rate of the agreement is set in the month that the final loan agreement is approved by the City and returned to KDHE.

Project Timeline Estimate:

As noted above, it is expected that the loan agreement should be finalized in early 2024. That will also be the approximate timeframe of submittal of the final design documents to KDHE for regulatory review and approval. After receiving KDHE approval, the City can begin a 30-day (minimum) advertisement period prior to holding bids. Assuming KDHE approval is received in February 2024 we would be looking at a bid letting timeframe of March 2024. Allowing some time for the lowest responsible bidder to be identified and construction contract completion with them, construction activities would likely start in May 2024. The completion timeframe will be 8-10 for a completion timeframe in the first quarter of 2025. This timeframe will provide for the major infrastructure construction activities (concrete and underground infrastructure) to be completed in the summer/fall months of 2024 and other activities such as equipment installation, SCADA upgrades, Electrical improvements, testing and startups to occur during shorter day periods of late fall – winter timeframe.

Please feel free to contact our office if there are questions or if additional information is required.

Thaniel Monaco

Vice President

T: 785.537.7448 ext. 1138

C: 785.475.7111

E: thaniel.monaco@bgcons.com

ORDINANCE NO. 1516

AN ORDINANCE INCLUDING, INCORPORATING AND ANNEXING CERTAIN LAND IN LEAVENWORTH COUNTY, KANSAS INTO THE LIMITS AND BOUNDARIES OF THE CITY OF TONGANOXIE, KANSAS.

WHEREAS, Robbins Acquisitions, Inc., a Kansas corporation ("RAI"), owns approximately 67.8 acres of land, part of which adjoins the southwestern city limits of the City of Tonganoxie, Kansas (the "City"), within the area generally bounded to the west by Chieftain Road (U.S. 24/40), to the north by Kansas Avenue, to the east by 222nd Street, and to the south by Honey Creek Road (County Road 1), as legally described below in Section 1 (the "RAI Land");

WHEREAS, Evergy Kansas Central, Inc., a Kansas corporation ("EKCI"), owns approximately 14.2 acres of land that adjoins the RAI Land, as legally described below in Section 1 (the "EKCI Land");

WHEREAS, on March 30, 2023, RAI filed with the City Clerk a written Petition and Consent to Annexation (the "Initial Petition") for the EKCI Land, which Initial Petition indicated that RAI and EKCI had entered into an Option to Purchase Real Estate for the EKCI Land;

WHEREAS, on October 16, 2023, the City passed Resolution No. 10-23-03 requesting the Board of County Commissioners of Leavenworth County, Kansas (the "BOCC") to make certain findings required by K.S.A. 12-520c(a)(3) because the EKCI Land is located approximately 20 feet southwest of the City's corporate limits, and does not adjoin the City's boundary line;

WHEREAS, on October 17, 2023, the City Clerk filed a certified copy of Resolution No. 10-23-03 with the BOCC;

WHEREAS, on November 8, 2023, the BOCC considered Resolution No. 10-23-03 and a report prepared by County staff, and thereafter found and determined that the proposed annexation by the City of solely the EKCI Land would hinder or prevent the proper growth and development of the area because it would not fully annex into the City the road right of way of 222nd Street, would hinder the extension of public utilities to the area, and would not create a natural and logical boundary for the City, and the BOCC recommended that the proper growth and development of the area would best be served by the annexation of additional area to include the full road rights-of-way now maintained by the County for those roads adjoining the area;

WHEREAS, on November 14, 2023, RAI conveyed the EKCI Land to EKCI;

WHEREAS, on November 15, 2023, RAI filed with the City Clerk a written Petition and Consent to Annexation (the "RAI Petition") for the RAI Land;

WHEREAS, on November 17, 2023, EKCI filed with the City Clerk a written Petition and Consent to Annexation (the "EKCI Petition") for the EKCI Land;

WHEREAS, the RAI Land and EKCI Land are not included within any improvement district incorporated and organized pursuant to K.S.A. 19-2753 *et seq.*;

WHEREAS, a portion of the RAI Land abuts the western portion of 222nd Street, the eastern half of which is already within the City's corporate limits, but only for a north-south distance of approximately 2,644 feet;

WHEREAS, the remaining portions of the RAI Land that abut 222nd Street, Chieftain Road (U.S. 24/40), Kansas Avenue, and Honey Creek Road (County Road 1), are located in areas where the full rights-of-way of these roads are outside the City's corporate limits;

WHEREAS, the northern and southern boundaries of the EKCI Land abut the RAI Land, and the eastern boundary of the EKCI Land abuts 222nd Street but in an area where the full road right-of-way is outside the City's corporate limits;

WHEREAS, K.S.A. 12-520(a)(7) authorizes the governing body of any city, by ordinance, to annex land that adjoins the city and for which a written petition for or consent to annexation is filed by the owner;

WHEREAS, K.S.A. 12-520(e) states that no city may annex the right-of-way of any highway unless at the time of the annexation the abutting property upon one or both sides thereof is already within the city or is annexed to the city in the same proceeding; and

WHEREAS, the Governing Body of the City finds it advisable to annex the EKCI Land and the RAI Land pursuant to K.S.A. 12-520(a)(7), including the western portion of the 222nd Street right-of-way that abuts the RAI Land for a north-south distance of approximately 2,644 feet pursuant to K.S.A. 12-520(e).

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. The RAI Land and the EKCI Land, as legally described below, are hereby included, incorporated, annexed and brought within the corporate limits of the City, pursuant to K.S.A. 12-520, as amended, and other relevant authority:

RAI Land

Lots 1 and 4, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas.

and

All that part of the North Half of Section 20, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas, lying South and East of the East right-of-way of U.S. Highway 24-40, less any part thereof taken or used for road purposes except for the adjacent right-of-way to the centerline of 222nd Street along the eastern boundary of this tract for a north-south distance of approximately 2,644 feet.

and

EKCI Land

Lot 3, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas.

SECTION 2. The RAI Land and the EKCI Land shall be zoned "R-R" Rural District until an application for rezoning can be submitted and approved, pursuant to Section 3-013.A.2 of the Tonganoxie Zoning and Subdivision Regulations.

SECTION 3. The City Clerk shall file a certified copy of this Ordinance with the County Clerk and the Register of Deeds of Leavenworth County, Kansas in accordance with K.S.A. 12-522.

SECTION 4. This Ordinance shall take effect and be in force from and after its publication, or the publication of a certified summary hereof, in the official City newspaper.

[Remainder of page intentionally left blank; signature page follows.]

PASSED by the City Council on November 20, 2023. **APPROVED** by the Mayor.

SEAL

David Frese, Mayor

ATTEST:

Daniel Porter, Acting City Clerk

APPROVED AS TO FORM:

Anna M. Krstulic, City Attorney

**PETITION AND CONSENT TO ANNEXATION
INTO THE CITY OF
TONGANOXIE, KANSAS**

To: The Governing Body of the City of Tonganoxie, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Tonganoxie, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A.

Property Owner of Record: Robbins Acquisitions Inc.

Address of Owner: 495 Navajo Ln W. Lake Quivira, KS 66217

Property Owner signature: [Signature]
(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)
LEAVENWORTH COUNTY)

BE IT REMEMBERED, that on this 15 day of November, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Benjamin Robbins, who are/is personally known to me to be the same person(s) who executed the above Petition, and such person(s) duly acknowledged the execution of the same to be their free and voluntary act and deed.

[Signature]
Notary Public

9-16-24
My Commission Expires



S20, T11, R21E, ACRES 51.01, PT OF THE NE1/4, LYING E OF CHEIFTAIN RD Deed Book/Page 09 1/2310 09
1/1207 0652/0010 0652/0008 0652/0006 0654/0004 0650/1663 0637/0082 0598/1212 0546/0547

HARMAN FARMS REPLAT, S20, T11, R21E, Lot 4, ACRES 10.6

HARMAN FARMS REPLAT, S20, T11, R21E, Lot 1, ACRES 6.23

**PETITION AND CONSENT TO ANNEXATION
INTO THE CITY OF
TONGANOXIE, KANSAS**

To: The Governing Body of the City of Tonganoxie, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Tonganoxie, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A.

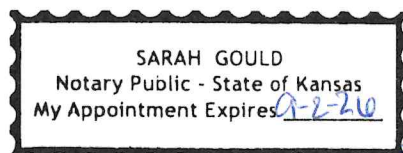
Property Owner of Record: Evergy Kansas Central, Inc.

Address of Owner: 818 S Kansas Ave, Topeka, KS 66612

Property Owner signature: Jessica Keck
(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)
LEAVENWORTH COUNTY)

BE IT REMEMBERED, that on this 17th day of November, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Jessica Keck, who are/is personally known to me to be the same person(s) who executed the above Petition, and such person(s) duly acknowledged the execution of the same to be their free and voluntary act and deed.

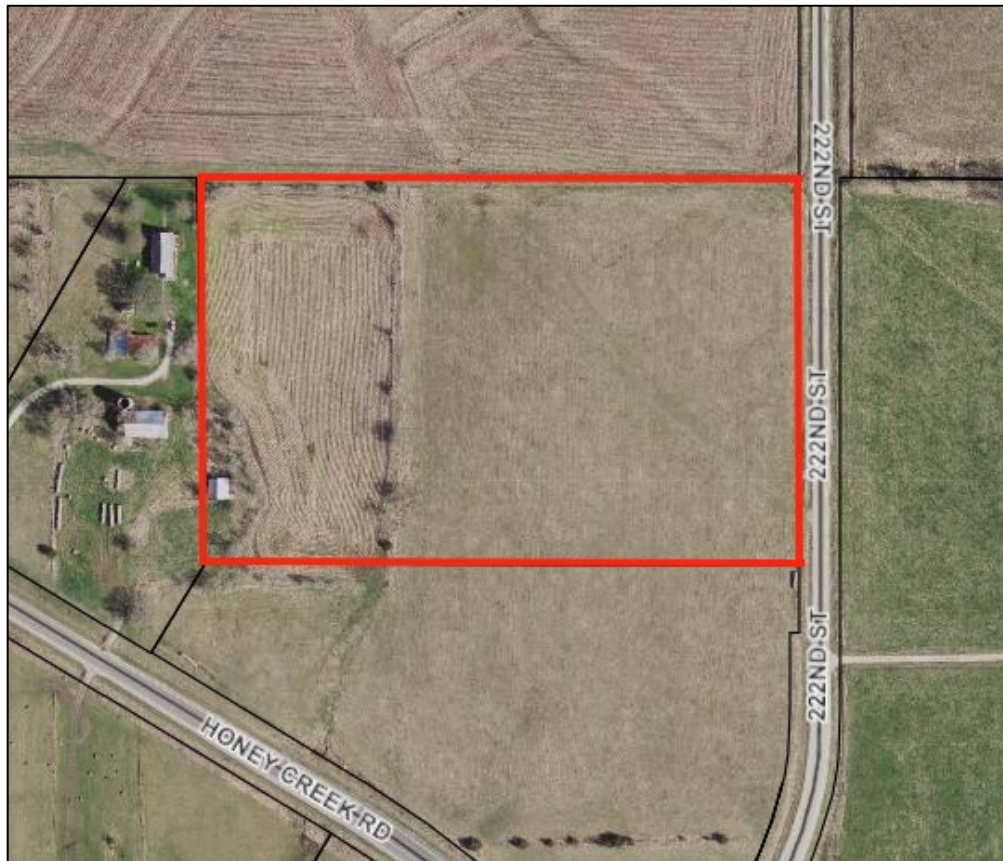


Sarah Gould

Petition And Consent To Annexation Into The City Of Tonganoxie, Kansas

Attachment A

Lot 3, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision,
Leavenworth County, Kansas



CERTIFICATE OF DELIVERY

I hereby certify that the foregoing resolution is a true and correct certified copy of Resolution 10-23-03 and that said resolution was approved on October 16, 2023 by the Governing Body of the City of Tonganoxie, Kansas.

(SEAL)



Daniel Porter, Acting City Clerk

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ADOPTED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE,
KANSAS, AND APPROVED BY THE MAYOR ON OCTOBER 16, 2023.

SEAL



David Frese, Mayor

ATTEST:



Daniel Porter, Acting City Clerk

RESOLUTION NO. 10-23-03

A RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS TO MAKE A FINDING THAT ANNEXATION OF CERTAIN REAL PROPERTY NOT ADJOINING THE BOUNDARY OF THE CITY OF TONGANOXIE, KANSAS WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR OF ANY OTHER INCORPORATED CITY LOCATED WITHIN LEAVENWORTH COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520c.

WHEREAS, Robbins Acquisitions, Inc., a Kansas corporation ("Owner"), owns approximately 14.2 acres of land generally located north of the intersection of Honey Creek Road and 222nd Street in Leavenworth County, Kansas (the "County"), legally described as Lot 3, HARMAN FARMS REPLAT, a subdivision in Leavenworth County, Kansas (the "Land");

WHEREAS, the Land is located approximately 20 feet southwest of the corporate limits of the City of Tonganoxie, Kansas (the "City"), and does not adjoin the City's boundary line;

WHEREAS, on March 30, 2023, Owner filed with the City Clerk a written Petition and Consent to Annexation for the Land, a copy of which is attached hereto as **Exhibit A** (the "Petition"); and

WHEREAS, the Land is not included within any improvement district incorporated and organized pursuant to K.S.A. 19-2753 *et seq.*;

WHEREAS, K.S.A. 12-520c(a) authorizes annexation of land that does not adjoin a city when (1) the land is located within the same county as the city, (2) the owner(s) of the land petition for or consent in writing to the annexation of the land, and (3) the Board of County Commissioners, by a $\frac{2}{3}$ vote of the members thereof, finds and determines that the annexation of the land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within the County;

WHEREAS, the conditions set forth in K.S.A. 12-520c(a)(1)-(2) exist because the Land is located within the same County as the City, and Owner filed the Petition requesting the City to annex the Land; and

WHEREAS, the Governing Body deems it advisable to annex the Land, and to request the Board of County Commissioners to make the findings required by K.S.A. 12-520c(a)(3).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

Section 1. The Governing Body, having deemed it advisable to annex the Land, hereby respectfully requests the Board of County Commissioners to make the findings

required by K.S.A. 12-520c(a)(3) within 30 days following receipt of a certified copy of this Resolution.

Section 2. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of County Commissioners.

Section 3. The City Manager and other officials and representatives of the City, including the City Attorney, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page follows.]

EXHIBIT A

Petition

[Attached.]

**PETITION AND CONSENT TO ANNEXATION
INTO THE CITY OF
TONGANOXIE, KANSAS**

To: The Governing Body of the City of Tonganoxie, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Tonganoxie, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A.

Property Owner of Record: Robbins Acquisition, Inc

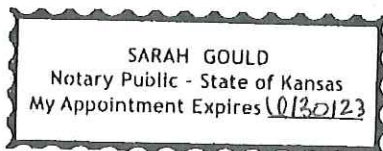
Address of Owner: PO Box 480, Tonganoxie, KS 66086

Property Owner signature: _____

(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)
LEAVENWORTH COUNTY)

BE IT REMEMBERED, that on this 30th day of March,
2023, before me, the undersigned, a Notary Public in and for the County and State
aforesaid, came Jessica Veck, who are/is personally known to me to be the
same person(s) who executed the above Petition, and such person(s) duly
acknowledged the execution of the same to be their free and voluntary act and deed.



Sarah Gould

Petition And Consent To Annexation Into The City Of Tonganoxie, Kansas

Attachment A

A tract of land in the Northeast Quarter of the Southeast Quarter of Section 20, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, being more particularly described as follows:

All of Lot 7 and part of Lot 8, HARMAN FARMS, a subdivision in Leavenworth County, Kansas, also known as Lot 3, HARMAN FARMS REPLAT, a subdivision in Leavenworth County, Kansas, as depicted in red below:



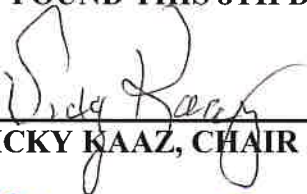
**FINDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
LEAVENWORTH, KANSAS, MADE PURSUANT TO THE PROVISIONS OF K.S.A. 12-
520c(a)(3) AND RELATING TO RESOLUTION NO. 10-23-03 OF THE CITY OF
TONGANOXIE, KANSAS**

NOW ON THIS 8TH DAY OF NOVEMBER, 2023, during a regularly scheduled meeting, the board of county commissioners of the county of Leavenworth, Kansas, ("board") did consider Resolution No. 10-23-03 of the city of Tonganoxie, Kansas, for the purpose of making the findings required by K.S.A. 12-520c(a)(3) relating to a proposed annexation of land by said city.

WHEREUPON the board reviewed a report by county staff regarding the question of whether the proposed annexation would, or would not, hinder or prevent the proper growth and development of the area. Upon consideration of the report by county staff and discussion of the topic by the members of the board, the following findings were made:

1. That the proposed annexation would not fully annex into the city the road right of way of 222nd Street as it adjoins the area specified in the resolution of the city.
2. That the proposed annexation will hinder the extension of public utilities to the area.
3. That the proposed annexation does not create a natural and logical boundary for the city.
4. That the proper growth and development of the area would be best served by the annexation by the city of the area shown in exhibits "A" and "B" attached hereto, and the full road right of way now maintained by the county for those roads adjoining the area shown on said exhibits.
5. That the proposed annexation will hinder or prevent the proper growth and development of the area.

SO FOUND THIS 8TH DAY OF NOVEMBER, 2023.



VICKY KAAZ, CHAIR



MIKE SMITH, MEMBER



JEFF CULBERTSON, MEMBER



DOUG SMITH, MEMBER



MIKE STIEBEN, MEMBER

ATTEST: 
JANET KLASINSKI, CLERK

Exhibit A
Areas outlined in **RED** are proposed boundaries



0 0.04750.095 0.19 0.285 0.38 Miles

Parcel Boundaries
 County Route Locations
 Road Centerline

City Limits
 Proposed Annexation



Leavenworth County
GIS Services
300 Walnut Street 100
Leavenworth, KS 66048
Ph: 913-756-6780
Fax: 913-664-0448







Office of the City Manager
AGENDA STATEMENT

DATE: November 20, 2023
TO: Mayor David Frese and Members of the City Council
FROM: Anna Krstulic
SUBJECT: Real Estate Contract of Sale between the City and Unilock Chicago, Inc. ("Unilock")

DISCUSSION: The City and Unilock entered into that certain Real Estate Contract of Sale dated as of January 22, 2018 (the "Original Contract"), pursuant to which Unilock agreed to purchase approximately 34 acres of land in the Tonganoxie Business Park and to construct thereon certain facilities related to Unilock's landscape design and paver business operation. The Original Contract contemplated a phased development:

- "Phase 1" – storage facility and outdoor storage on approximately 16.35 acres of the land (the "Northern Portion"); and
- "Phase 2" – approximately 40,000-square-foot office, warehouse, and/or manufacturing facility, including associated infrastructure work, on approximately 17.65 acres of the land (the "Southern Portion"), with a minimum initial capital investment of \$18.9 million.

With respect to Phase 2, Section 7.4(c) of the Original Contract required Unilock to notify the City by November 30, 2020 (the "Notice Date") as to whether Unilock intends to proceed with Phase 2, based upon whether Unilock's sales revenue for the region "meets or exceeds \$10 million cumulatively (as reasonably determined by Unilock, in accordance with its standard accounting and revenue-tracking practices)" as of the Notice Date.

The Original Contract was amended several times (the Original Contract, as amended, is the "Contract");

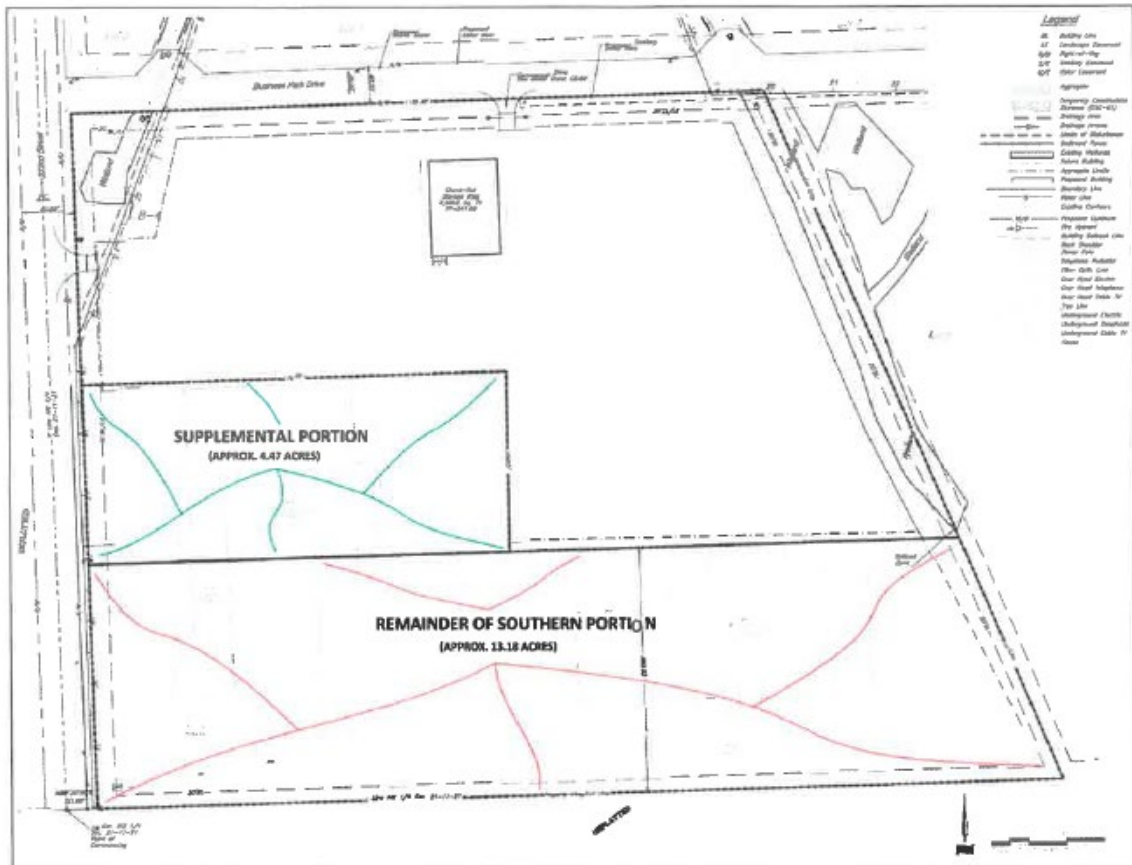
- First Amendment dated as of March 26, 2018 – extend 60-day due diligence period (originally set to expire on March 30, 2018) to provide additional time for Unilock to secure approval of its development plans. The parties agreed to an extension of the earlier of 45 days (May 14, 2018), or 10 days after final approval of Unilock's development plans. Closing on Unilock's purchase of the 34-acre property closed on May 15, 2018, and thereafter, Unilock completed Phase 1.
- Second Amendment dated as of December 7, 2020 – extend Notice Date by 18 months to May 31, 2022, with \$5,000 to be paid by Unilock to the City (nonrefundable, but to be applied to any Premium paid by Unilock (see below)).
- Third Amendment dated as of May 16, 2022 – extend Notice Date by 18 months to November 30, 2023.

On September 20, 2023, Brad Gesbocker, Unilock's Midwest General Manager, emailed the City Manager stating: "Unfortunately based on current economic factors, Unilock will not be able to commit to Phase 2 and the construction of a production facility by the upcoming deadline."

If the City is not amenable to authorizing a third extension (which would require another amendment to the Contract), Section 7.4(e) states that Unilock shall either, **at the City's option** and following written notice from the City of the City's election (the "City Notice");

1. Promptly convey the Southern Portion back to the City, subject to the land being replatted or otherwise subdivided or split as legally required for the conveyance; **or**
2. Pay the City a premium additional purchase price for the Southern Portion, calculated as follows (the "Premium");
 - a. if the parties are unable to agree on the Premium, then Unilock shall designate an appraiser in writing to the City.

- b. Within 10 days after the date of Unilock's written designation, the City shall either accept Unilock's appraiser or provide Unilock with the name of a second appraiser.
 - i. If the City accepts Unilock's appraiser, within 30 days after such acceptance, the appraiser shall prepare a report stating the appraiser's opinion of the fair market value of the Southern Portion, based on consideration of comparable properties of equivalent quality, size, utility, and location. The result of the appraisal shall be controlling on the parties.
 - ii. If the City designates a second appraiser, the 2 designated appraisers shall, within 10 days thereafter, designate a 3rd appraiser who must be certified with at least 5 years' experience in valuing industrial real estate rental values in the area of the land. Within 20 days after the selection of the 3rd appraiser, each party's appraiser shall submit to the 3rd appraiser a written report stating the appraiser's opinion of the fair market value of the Southern Portion, based on consideration of comparable properties of equivalent quality, size, utility, and location. Within 30 days after receipt of the reports, the 3rd appraiser shall accept one or the other, which shall be controlling on the parties.
 - iii. All costs in connection with the appraisals shall be shared equally by the parties.
3. ***In lieu of options 1 and 2 above, Unilock may, at its option*** exercised by written notice to the City within 14 days after Unilock's receipt of the City Notice, instead:
 - a. Pay the City a Premium (calculated in the same manner identified above) for approximately 4.47 acres of the Southern Portion (the "Supplemental Portion" depicted below); **and**
 - b. Convey the remaining approximately 13.18 acres of the Southern Portion back to the City, subject to the land being replatted or otherwise subdivided or split as legally required for the conveyance.



ACTION NEEDED:

Make a motion to direct staff to prepare an amendment to the Contract to further extend the Notice Date, or to prepare the City Notice with election of option 1 or 2 and send to Unilock.



Logic Compensation Group
Total Rewards Consulting

Compensation Study Update

Prepared for the City of Tonganoxie
Kansas

June 26, 2023

Submitted By:

Lori Messer, MA, CCP
Managing Director
Logic Compensation Group

112 E. Palmcroft Drive

Tempe, AZ 85282

Phone: 480.431.4702

Email:

Lori.Messer@LogicCompGroup.com

TABLE OF CONTENTS

Cover Letter2

The LCG StoryError! Bookmark not defined.

Planned Approach.....4

Phase 1: Study Initiation.....5

Phase 2: Compensation Survey.....5

Phase 3: Study Recommendations & Report.....6

Phase 4: Program Maintenance & Client Support7

Work Schedule7

Fee Schedule.....8

Conclusion8

Cover Letter

June 26, 2023

Dan Porter
Assistant City Manager
City of Tonganoxie
526 E 4th Street
Tonganoxie, KS 66086

Sent via email to: dporter@tonganoxie.org

RE: Compensation Study Update

Dear Dan:

Logic Compensation Group (LCG) is pleased to submit our proposal to conduct an updated compensation study for City of Tonganoxie (the City) to ensure that the pay structures developed in 2021 remain up-to-date with the market. We anticipate that this study will begin in January 2024.

Logic Compensation Group is a client-focused consulting firm offering our clients the advantages of flexible, responsive, and highly tailored strategies and solutions in the areas of classification and total rewards. Our practice approach provides high-contact service and cost-effective solutions for small and mid-sized public sector organizations.

Logic Compensation Group:

- ❖ Has over 125 years of combined experience as compensation consultants to and managers of public sector organizations.
- ❖ Has a low overhead model providing cost savings that are passed directly to our clients.
- ❖ Has the resources and experience of the big firms but remains flexible and responsive to our clients' needs. LCG is mindful that each client deserves considerable attention, their own approach, and tailored solutions.
- ❖ Our senior staff responsible for managing client engagements have, at a minimum, a master's degree and more than 20 years of human resources, classification, compensation, and public sector experience. These team members have also worked together for several years at another national consulting practice.
- ❖ Makes a commitment to our clients to limit the number of studies we undertake simultaneously to ensure focus on and timely response to their needs.

LCG appreciates the opportunity to continue our partnership with the City. Should you need additional information regarding this proposal, please contact Annette at (303) 916-9180 or Annette.Hoefer@logiccompgroup.com or me at Lori.Messer@logiccompgroup.com or (480) 431-4702.

Respectfully,

A handwritten signature in black ink, appearing to read "Lori Messer". The signature is fluid and cursive, with a large initial "L" and "M".

LOGIC COMPENSATION GROUP, LLC

Lori Messer, MA, CCP
Managing Director

E: lori.messer@logiccompgroup.com

P: 480.431.4702

W: LogicCompGroup.com



Logic Compensation Group

Logic Compensation Group LLC is a Limited Liability Company. The company is staffed by seven seasoned total rewards professionals who have Fortune 500 consulting experience, previous ownership of other consulting businesses, and hands-on practitioner and leadership experience working in public and private sector organizations. Our consultants have decades-long experience in the field and as colleagues. Our contact information is as follows:

ARIZONA	IOWA
112 E. Palmcroft Drive Tempe, AZ 85282 Phone: (480) 431-4702 Managing Director: Lori Messer, MA, CCP Lori.Messer@LogicCompGroup.com	4395 Flagstick Drive Marion, Iowa 52302 Phone: (303) 916-9180 Principal Consultant: Annette Hoefer, MBA, CCP Annette.Hoefer@LogicCompGroup.com
FEIN Number: 84-2864177 URL: https://logiccompgroup.com Firm Certifications: Small Business Enterprise (Arizona) Disadvantaged Business Enterprise (Arizona)	

Annette Hoefer will be study manager for the City of Tonganoxie's compensation study and will be assisted by Nichole Arko, Senior Consultant who also assisted with the previous 2021 study for the City.

Planned Approach

Study Objectives

The study will include all City jobs including newly developed jobs. The City desires to undertake a study that achieves information in which to:

- Place newly developed jobs
- Update the pay structure for 2024.

The detailed work plan is presented beginning on the next page.

Phase 1: Study Initiation

LCG will conduct activities that will establish the process and objectives for an on-time, on-budget and successful study. LCG will immediately meet with the City's project manager to initiate the study process by discussing the City's current compensation strategy, needs, issues and goals in addition to conducting job description and compensation document review. We will also initiate biweekly meetings by video or conference call with the City's project manager to provide status updates on study progress and address any concerns.

Activities	• Study initiation meeting with City's project manager is conducted to establish study parameters and overall study goals and review City's current systems and related items.
Deliverables	• Study initiation meeting. • Biweekly meetings with the City's project manager.
City Role	• Provision of requested materials on a timely basis. • Scheduling of meetings. • Provision of study communication materials throughout the study to LCG in advance of publication to ensure consistency and accuracy of communications.

Phase 2: Compensation Survey

This phase will assess how the City's compensation program compares to the relevant labor market. This will be conducted through the use of a custom survey which will be sent to selected comparator organizations to collect appropriate pay cost information. Through the survey process, data is collected and analyzed to update the City's pay structures. The City has indicated that it would like subset of job the jobs to be surveyed. LCG recommends that at least 50% of the organization's jobs are surveyed and anticipates approximately 15 jobs will be surveyed.

A survey document is developed to collect the appropriate pay cost data. LCG will ensure that data received is accurate and a competitive analysis conducted. An updated pay plan will be developed based on data collected and an analysis of internal relationships of the City's jobs.

Activities	• LCG will partner with the City and confirm the organizations to survey within the City's defined labor market. • A customized survey document is developed to collect comparable pay data from the City's specific labor market organizations. • The survey document is distributed by email and LCG consultants follow-up with surveyed organizations to encourage participation, answer questions, and ensure data quality. • Survey data is reviewed and analyzed according to specifications determined in partnership with the City. • Time and location adjustments are considered and applied to the data as appropriate to ensure that the data are reflective of the City's labor market, economic conditions, and plan implementation date.
-------------------	---

Phase 2: Compensation Survey

	• LCG conducts an analysis to determine the competitive position of the City's pay in relationship to the market. • The results of the market survey and internal equity considerations are coordinated to update existing pay structures in alignment with the City's philosophy.
Deliverables	• Listing of comparator organizations to be surveyed. • Survey document. • Results of the survey including a determination of the City's level of competitiveness with the defined comparator market. • Recommended updated salary structure(s). • Survey summary report for participants. • Biweekly study team meetings.
City Role	• Review and approval of the comparator organizations and survey document. • Provision of the survey contact information as needed. • Completion of the survey document as if a participant of the survey. • Discussion and approval of recommendations.

Phase 3: Study Recommendations & Report

A study report is prepared and presented by LCG to the City that provides a summary of the processes of the study and the related findings and recommendations. Because LCG consultants will be providing in-depth explanation and approved deliverables throughout the process, the final report will be a culmination of the comprehensive results of all study activities. Based on discussions with the City, the report will be finalized. The final report can be presented to the Council and administration virtually, as requested, by experienced LCG consultants that have been involved in the study each step of the way.

Activities	• LCG develops a draft report outlining all processes, data results and recommendations of the study and leads a discussion of the draft with the City's project manager. • A subsequent final report incorporating City feedback is delivered to the City. • LCG presents the report to the City and leads the discussion concerning the recommendations.
Deliverables	• Draft and final report documents. • Study conclusion presentations and discussions. • Biweekly study team meetings.
City Role	• Review and provide feedback to the draft report and presentation materials. • Coordination of final study presentations and staff meetings, if applicable.

Phase 4: Program Maintenance & Client Support

Change management is a process and goes beyond the initial study. Because our business model is focused on the quality of client relationships and systems, LCG intends to be a resource for our clients long after completion of the immediate study. Within our proposed study timeline, LCG accounts for the on-going program implementation and maintenance process by incorporating complimentary follow-up meetings with the City following the completion of our work.

Activities	• LCG continues to assist the City by conducting complimentary follow-up meetings with the City at 3, 6, 9 and 12 months following study implementation. These meetings are critical in ensuring that the systems are meeting your needs. • LCG can provide additional guidance for any unanticipated issues or concerns that may have arisen following the completion of the study.
Deliverables	• Four (4) one-hour meetings (conference call or video) for one year following the completion of the study.
City Role	• Preparation for each meeting by outlining issues, questions and concerns and sending written communications to LCG in advance of the meeting time.
Timeline	• 3, 6, 9 and 12 months following study implementation.

Work Schedule

We will begin work immediately once receiving the City's authorization to proceed. We anticipate beginning the study in January 2024 with the final report delivered in March 2024.

Fee Schedule

LCG's fees to conduct the study as outlined in this proposal will not exceed **\$10,000**. Logic Compensation Group bills monthly based on work completed.

Phase	Fees
1. Study Initiation	
2. Compensation Survey	
3. Study Recommendations & Report	
4. Program Maintenance & Client Support	Complimentary
Fee Estimate	\$10,000

1. Fees do not include any on-site visits.

2. On-site meetings/visits will be charged at \$1,500 per day (includes travel).

3. Fees do not include any optional services, which would be billed at our 2024 hourly rate.

4. Each additional benchmark job will be an additional \$500.

For work beyond that specified in this proposal, additional fees and out-of-pocket expenses will be involved. We are available for discussion if the City requests services beyond the stated scope. We guarantee our rates, shown below, for a minimum of one (1) year following completion of the City's study.

Level	Rate
Managing Director	\$325
Principal Consultant	\$300
Senior Consultant	\$225
Associate Consultant	\$150

Conclusion

Logic Compensation Group is a team of senior-level and highly skilled classification and compensation professionals. Our focus, mission and expertise are centered on public sector organizations like yours. LCG offers a level of client interaction, familiarity and value-added service rarely found in larger firms. LCG is pleased to be considered as your compensation and classification resource for this study and years to come.

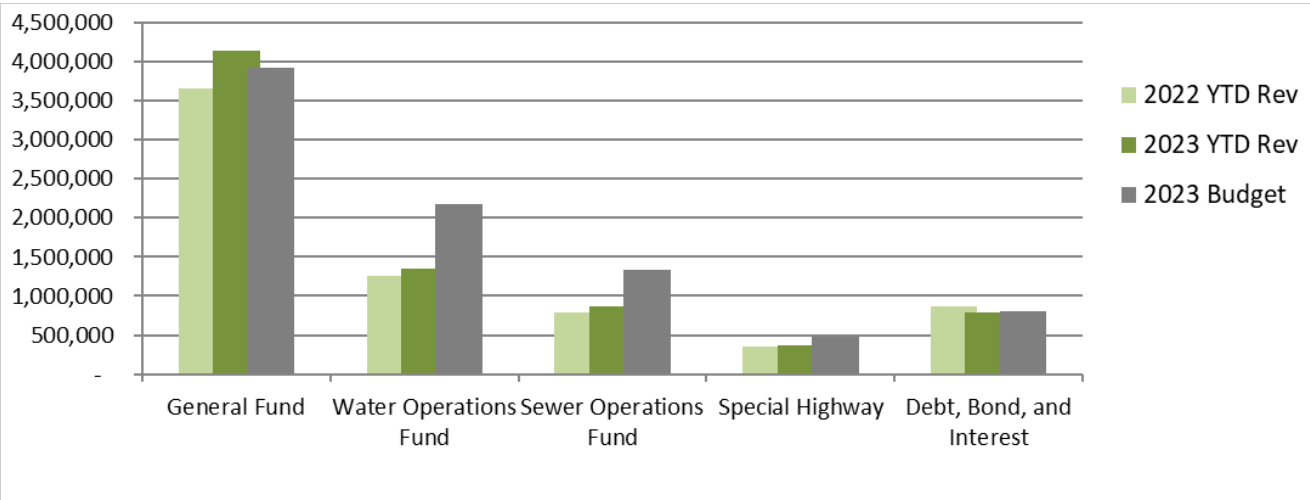
CITY OF TONGANOXIE FINANCIAL REPORT

OCTOBER 2023

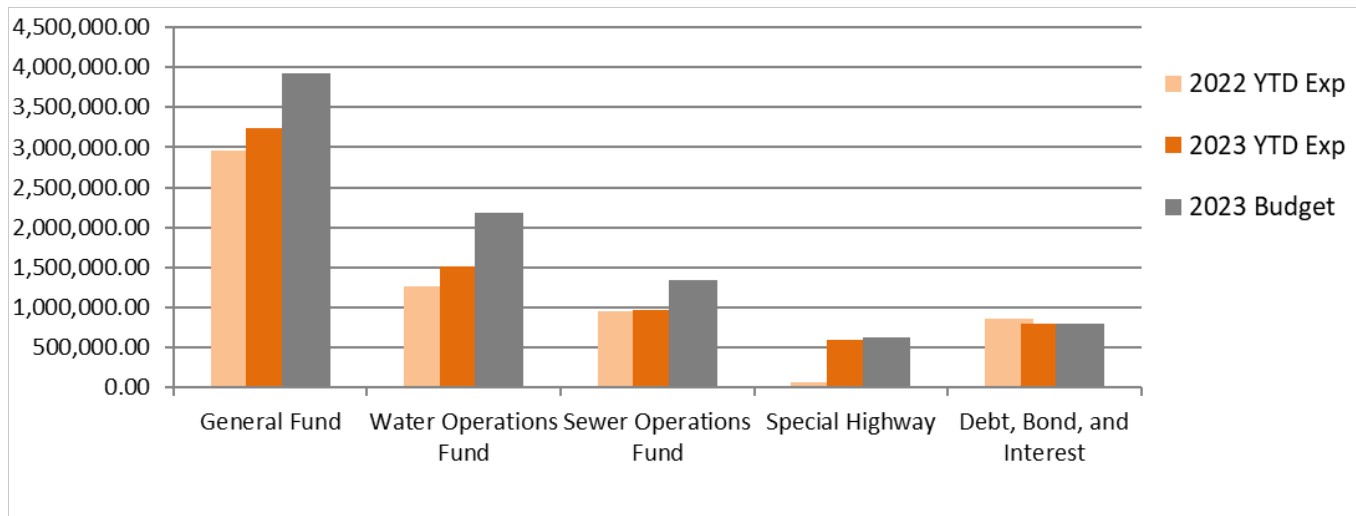
EXECUTIVE SUMMARY

- 83% of FY 2023 completed as of October 31, 2023.
- Collected 87% of revenue estimates and spent 79% of expenditure budget authority across all funds.
- The City completed debt service payments in February 2023 for interest payments for GO Bond debt and completed principal & interest payments for lease purchase agreements debt service on March 1, 2023. The City completed the 2013B GO Bond debt service payment in July 2023 and completed all remaining debt service payments for FY 2023 in August 2023.
- The City has received five reimbursements (~45% of construction costs) from the EDA Grant for previously incurred costs utilizing the Series 202AA Temp Note proceeds in the City's Debt Proceeds Fund. Total grant receipts to date are \$1,166,625.45. No additional reimbursement requests were submitted to the EDA in October 2023.
- American Rescue Plan Act (ARPA) - The City currently maintains \$692,508.42 in funding after expenditures of \$73,350.00 in 2023. Required reporting for "non-entitlement unit" local governments like the City of Tonganoxie was completed in April 2023 with the next report due in April 2024. The City commenced spending available ARPA funds on a majority of the cost of the design engineering contract costs for the WWTP Improvements Project in June 2023.
- Five funds have completed mid-year budget amendments in 2023 as listed below:
 - **June 19, 2023 –**
 - \$20,233 expenditure budget amendment to the Fire Equipment Fund to account for unplanned vehicle repair expenditures
 - **July 3, 2023 –**
 - \$44,568 expenditure budget and \$10,000 revenue budget amendment to the Fire Equipment Fund to account for purchase authorization of a new Fire Brush Truck and pending sale of an existing Brush Truck
 - \$50,000 expenditure budget amendment to the Capital Projects Fund to account for unplanned salt storage facility repair expenditures
 - \$151,000 expenditure budget amendment to the Special Highway Fund to account for acceptance of an add-alternate scope of work as part of the City's overall 2023 street maintenance program expenditures
 - \$120,000 expenditure budget amendment to the Sewer Capital Fund to account for a share of the cost of previously unplanned replacement of partially malfunctioning water meter equipment
 - \$80,000 expenditure budget amendment to the Water Capital Fund to account for a share of the cost of previously unplanned replacement of partially malfunctioning water meter equipment
 - **August 21, 2023 –**
 - \$3,500 expenditure budget amendment to the Fire Equipment Fund to account for unexpected higher cost of BSA FD Extrication equipment.

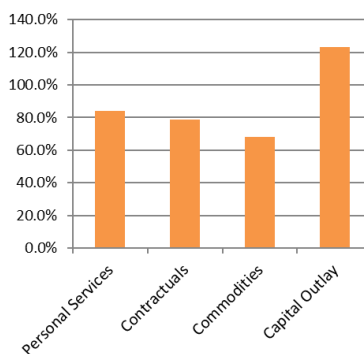
Major Fund Revenues



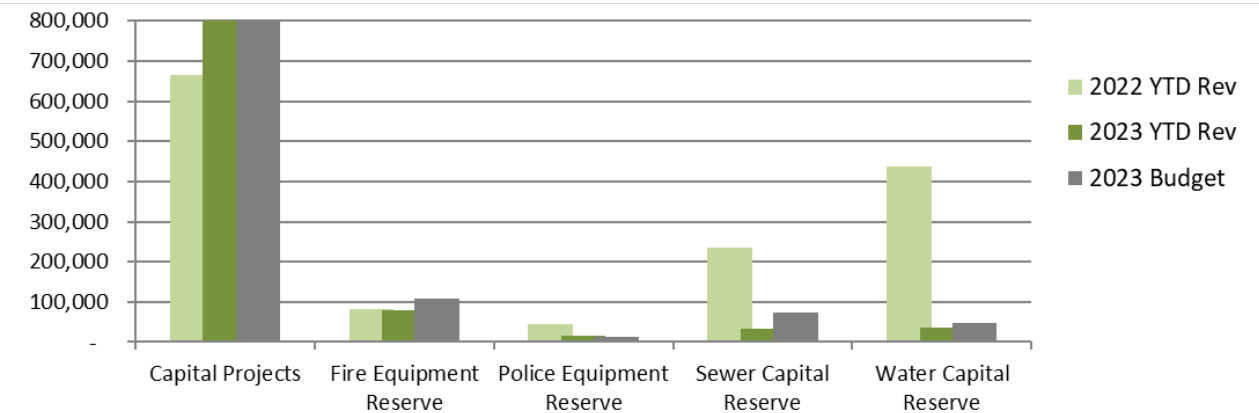
Major Fund Expenditures



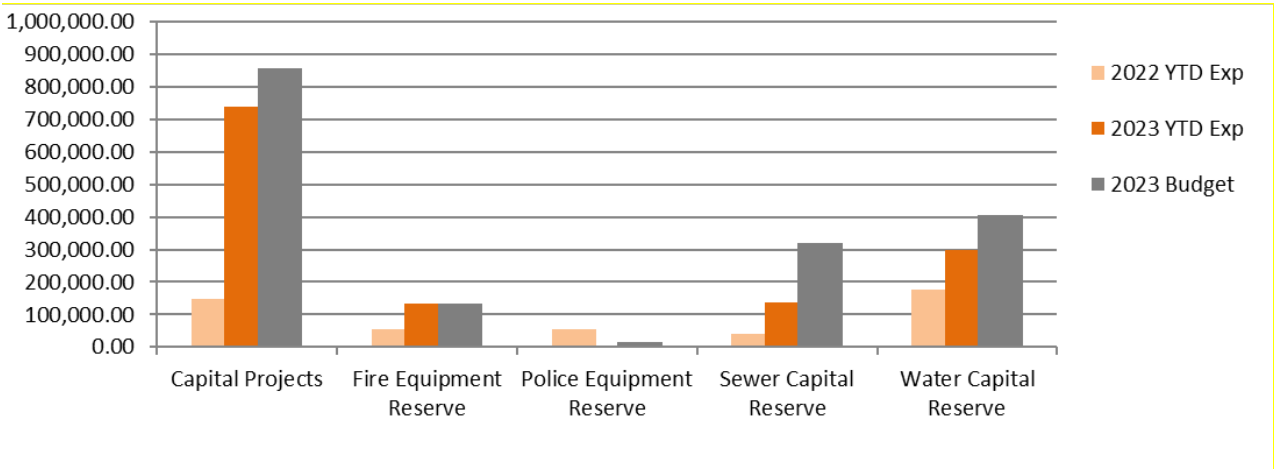
**% of Budget Spent by Category
General Fund**



Utility & Non-Utility Capital Funds Revenues



Utility & Non-Utility Capital Funds Expenditures

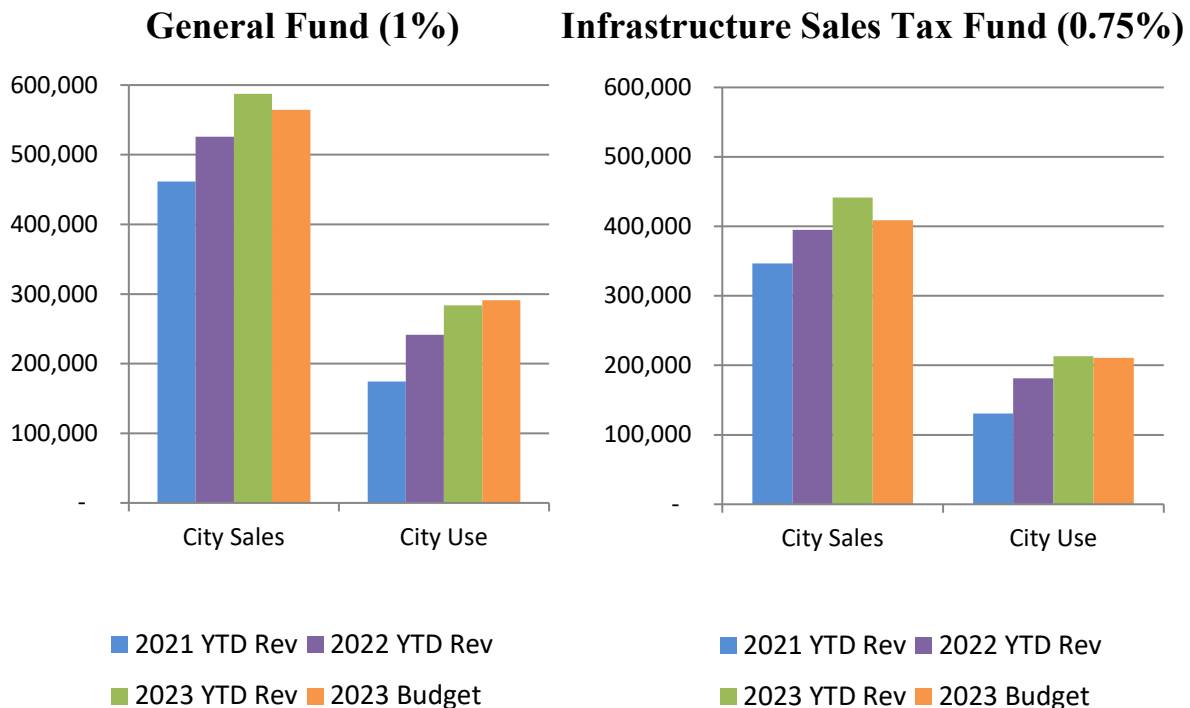


MAJOR REVENUES DETAIL VIEW

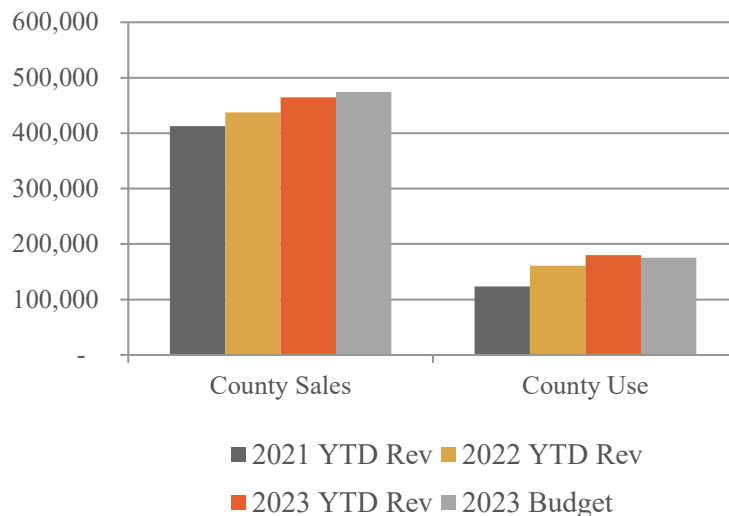
SALES & USE TAX –

Current City of Tonganoxie Sales Tax Rate (9.25%) is broken down into the following elements:
6.5% - State, 1% LV County, 1% City General Fund, 0.75% City Infrastructure General Purpose

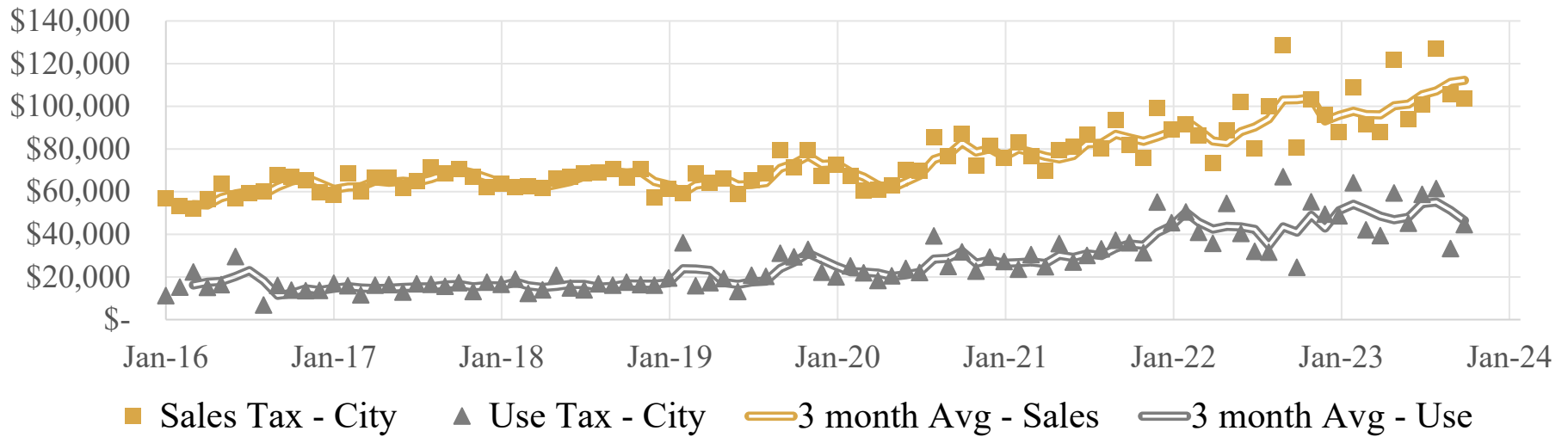
- ☒ The receipt of the tenth monthly remittance of sales and use tax proceeds from the State of Kansas was received in October 2023. Two remaining monthly remittances are expected to be received later this year. Collection trends remain positive in 2023 for both sales & use tax, with both exceeding prior year actuals and the current year budget.



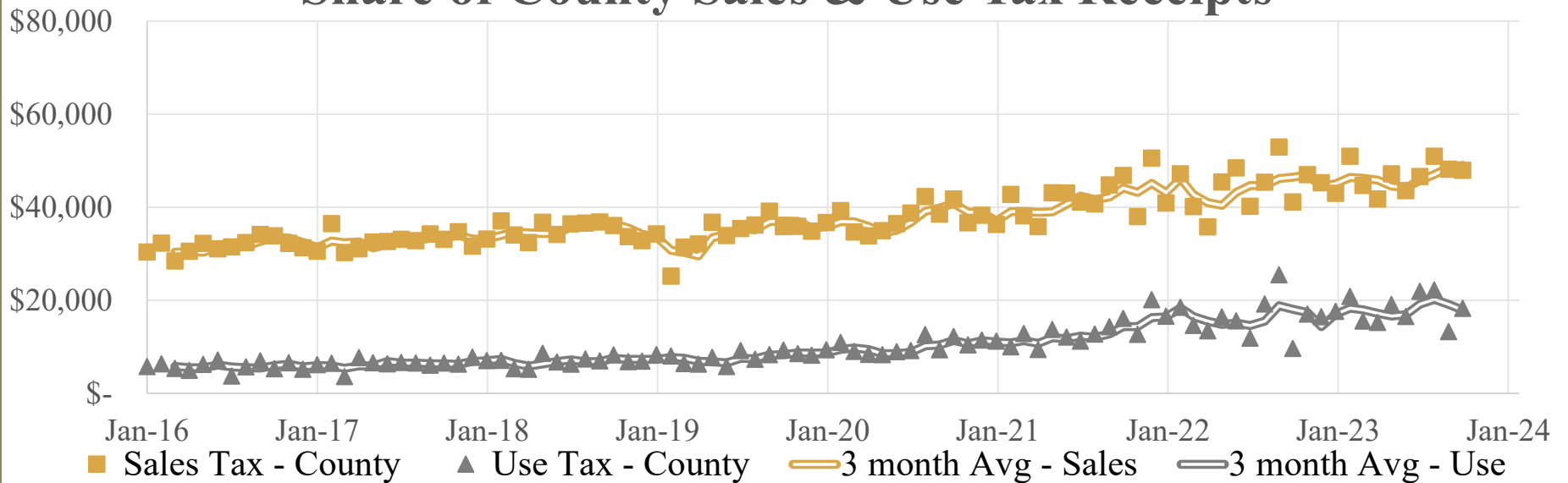
Capital Projects Fund (City share of LV County Sales Tax)



City Sales & Use Tax Receipts



Share of County Sales & Use Tax Receipts



MAJOR CONSTRUCTURE PROJECT DETAIL VIEW

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

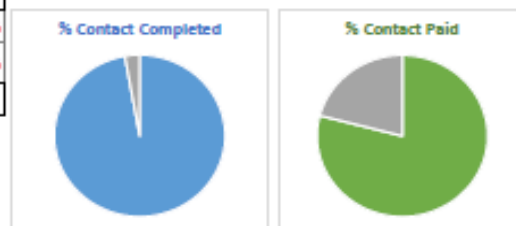
Caldwell Tanks - Water Tower Project Financial Tracker

Last Updated: 10/13/2023

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
4	1,288,580.00	64,429.00	1,224,151.00	156,849.75	1,224,151.00	2,010,420.00
5	1,355,780.00	67,789.00	1,287,991.00	63,840.00	1,287,991.00	1,943,220.00
6	1,506,180.00	75,309.00	1,430,871.00	142,880.00	1,430,871.00	1,792,820.00
7	2,271,804.00	113,590.20	2,158,213.80	727,342.80	2,158,213.80	1,027,196.00
8	2,476,554.00	123,827.70	2,352,726.30	194,512.50	2,352,726.30	822,446.00
9	2,599,104.00	129,955.20	2,469,148.80	116,422.50	2,469,148.80	699,896.00
10	2,807,104.00	140,355.20	2,666,748.80	197,600.00	2,666,748.80	491,896.00
11	2,888,654.00	144,432.70	2,744,221.30	77,472.50	2,744,221.30	410,346.00
12	3,207,496.50	160,374.83	3,047,121.67	302,900.37	3,047,121.67	91,503.50

Contract Price	3,299,000
Change Order Amount	-
Total Contract Price	3,299,000
% Contract Completed	97%
% Contract Paid	79%
Per latest Pay App Paid	
Liquidated Damages Applied	136,000

Change Order	Amount
N/A	N/A



Pay App	Paid Amount	Notes
1	304,988.00	Received and paid from Debt Proceeds Fund. Part of combined grant reimbursement #1 - repayment with grant funds completed.
2	534,232.50	Received and paid from Debt Proceeds Fund. Part of combined grant reimbursement #1 - repayment with grant funds completed.
3	228,080.75	Received and paid from Debt Proceeds Fund. Part of combined grant reimbursement #1 - repayment with grant funds completed.
4	156,849.75	Received and paid from Debt Proceeds Fund. Part of grant reimbursement #2 - repayment with grant funds completed.
5	63,840.00	Received and paid from Debt Proceeds Fund. Part of grant reimbursement #3 - repayment with grant funds completed.
6	142,880.00	Received and paid from Debt Proceeds Fund. Was submitted as grant reimbursement #4.
7	727,342.80	Received and paid from Debt Proceeds Fund. Was submitted as grant reimbursement #4.
8	194,512.50	Received and paid from Debt Proceeds Fund. Was submitted as grant reimbursement #4.
9	30,422.50	Received and paid only \$30,422.50 from the Debt Proceeds Fund with application of \$86,000 of liquidated damages. Part of grant reimb. #3.
10	167,600.00	Received request for \$197,600 on 8/1/2023, paid only \$167,600 from Debt Proceeds Fund with application of \$30,000 of liquidated damages. Part of grant reimb. #5.
11	57,472.50	Received request for \$77,472.50 on 8/29/2023, paid only 57,472.50 from Debt Proceeds Fund with application of \$20,000 of liquidated damages. Will be included in future grant reimbursement from EDA grant.
12	-	Received request for \$302,900 on 9/20/2023. Not yet paid. Will be included in future grant reimbursement from EDA grant.
2,608,221.30		



2023 BUDGET INITIATIVES

CITY INFRASTRUCTURE & SHARE OF LEAVENWORTH COUNTY SALES TAX PROCEEDS

- ☒ \$480,000 total from the Infrastructure Sales Tax (\$175,000) and special highway funding to support a 6th consecutive year of enhanced street maintenance activities & Northstar Subdivision sidewalk connections
- ☒ \$262,500 from the Infrastructure Sales Tax to support the 5th year of 20-year Library debt payments
- ☒ \$621,000 from the City's share of the County Sales Tax and the Infrastructure Sales Tax for replacement of Church Street Bridge – Survey & partial design completed in 2021, engineering completed in 2022, and construction commenced in winter 2022 with completion projected in 2023.
- ☒ \$20,000 from the City's share of the County Sales Tax for share of 30" milling equipment
- ☒ \$20,000 from the City's share of the County Sales Tax for replacement of 2 Police Department servers
- ☒ \$15,000 from the City's share of the County Sales Tax for replacement of Water Park Chlorine Pulsar Feeds & Umbrellas

GENERAL FUND

- ☒ 5% annual merit pool funding available to high performing City employees
- ☒ 3% cost of living adjustment for all full-time City employees
- ☒ \$61,309 for 3 Police Department Part-Time Sworn Positions
- ☒ \$15,000 for Police Department operational budget costs & community engagement
- ☒ \$47,000 for Fire Department/Code Enforcement Vehicle Purchase
- ☒ \$4,500 for Fire Department operational budget costs
- ☒ \$4,000 for Water Park patron chair equipment replacements
- ☒ \$19,840 for funding assistance for LCDC
- ☒ \$26,914 for funding assistance for the following community organizations:
 - Tonganoxie Business Association (\$5,000)
 - Tonganoxie Arts Council (\$5,000)
 - Tonganoxie Farmers Market (\$3,000)
 - Tonganoxie Historical Society (\$5,000)
 - Tonganoxie VFW Bridge Project (\$8,914)
- ☒ \$10,000 for funding assistance for community events
- ☐ Additional \$87,800 of funding available for allocation by the City Council for crosswalks improvements, pedestrian safety measures, or any previously unbudgeted needs arising during FY 2023.

UTILITY FUNDS

- ☒ Business Park Water Tower Project Construction – Design completed in 2021/2022. EDA grant funding assistance of \$1,508,850 was confirmed with award announcement. Contract was awarded in March 2022, construction commenced in 2022 and completion is projected in 2023.
- ☒ Wastewater Treatment Plant Improvements – Design & construction engineering contract (\$967,100) approved in 2022. BASE Grant 2.0 funding request for \$3.5M submitted in January 2023. Bidding & construction planned for 2023.
- ☒ \$65,000 for share of replacement of skid steer & purchase of 30" milling equipment
- ☐ \$45,000 in Storm Water Fund for engineering assessment projects
- ☒ Water & Sewer Capital Funds providing funding for Water Meter Replacements Project approved in 2022

PUBLIC SAFETY EQUIPMENT FUNDS

- ☐ \$5,000 for firing range improvements
- ☒ \$4,000 for Police Department computer workstation updates
- ☒ \$23,000 for equipment costs associated with Fire Department extrication & hydrant testing equipment

2024 BUDGET DEVELOPMENT TIMELINE

- ☒ March 2023 – Spring Retreat
- ☒ May 2023 – Capital Maintenance & Improvements Plan (CMIP) City Council work session
- ☒ June 2023 – Base Budget preparation & department budget presentations
- ☒ July 2023 – Budget work sessions & notice to County Clerk of proposed mill levy & RNR
- ☒ August 21, 2023 – Budget work session
- ☒ August 23, 2023 – Publication of notice of public hearings
- ☒ September 5, 2023 – RNR & Budget Public Hearings and Potential Budget Adoption
- ☒ September 2023 – Delivery of Adopted FY 2024 Budget Forms to the Leavenworth County Clerk
- ☐ Winter 2023 – Creation of Adopted FY 2024 Budget Book – printed & published on City website
<https://www.tonganoxie.org/finance/pages/annual-city-budgets>



City of Tonganoxie, KS

Expenditure Budget Report

For Fiscal: 2023 Period Ending: 10/31/2023

Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund							
61 - Personal Services	2,706,932.00	2,706,932.00	262,642.35	2,277,882.53	0.00	429,049.47	15.85%
62 - Contractual Services	931,764.00	931,764.00	30,306.97	732,464.23	0.00	199,299.77	21.39%
63 - Commodities	217,900.00	217,900.00	16,485.20	148,620.22	0.00	69,279.78	31.79%
64 - Capital Outlay	68,000.00	68,000.00	2,038.07	83,620.78	0.00	-15,620.78	-22.97%
Fund: 100 - General Fund Total:	3,924,596.00	3,924,596.00	311,472.59	3,242,587.76	0.00	682,008.24	17.38%
Fund: 210 - Water Operations Fund							
61 - Personal Services	760,650.00	760,650.00	0.00	507,100.00	0.00	253,550.00	33.33%
62 - Contractual Services	999,672.00	999,672.00	63,074.26	635,607.72	0.00	364,064.28	36.42%
63 - Commodities	76,000.00	76,000.00	3,843.46	33,009.99	0.00	42,990.01	56.57%
64 - Capital Outlay	14,000.00	14,000.00	0.00	14,984.33	0.00	-984.33	-7.03%
68 - Debt Service	130,678.00	130,678.00	0.00	166,368.08	0.00	-35,690.08	-27.31%
69 - Transfers	200,000.00	200,000.00	0.00	150,000.00	0.00	50,000.00	25.00%
Fund: 210 - Water Operations Fund Total:	2,181,000.00	2,181,000.00	66,917.72	1,507,070.12	0.00	673,929.88	30.90%
Fund: 220 - Sewer Operations Fund							
61 - Personal Services	377,894.00	377,894.00	0.00	251,929.36	0.00	125,964.64	33.33%
62 - Contractual Services	235,300.00	235,300.00	6,384.89	107,840.41	0.00	127,459.59	54.17%
63 - Commodities	62,000.00	62,000.00	1,782.08	38,404.83	0.00	23,595.17	38.06%
64 - Capital Outlay	74,237.00	74,237.00	0.00	104,212.75	0.00	-29,975.75	-40.38%
68 - Debt Service	455,569.00	455,569.00	0.00	363,882.00	0.00	91,687.00	20.13%
69 - Transfers	130,000.00	130,000.00	0.00	97,500.00	0.00	32,500.00	25.00%
Fund: 220 - Sewer Operations Fund Total:	1,335,000.00	1,335,000.00	8,166.97	963,769.35	0.00	371,230.65	27.81%
Fund: 230 - Sanitation Fund							
62 - Contractual Services	455,000.00	455,000.00	32,950.98	328,134.44	0.00	126,865.56	27.88%
Fund: 230 - Sanitation Fund Total:	455,000.00	455,000.00	32,950.98	328,134.44	0.00	126,865.56	27.88%
Fund: 240 - Storm Water							
62 - Contractual Services	52,000.00	52,000.00	0.00	396.00	0.00	51,604.00	99.24%
63 - Commodities	5,000.00	5,000.00	0.00	5,172.63	0.00	-172.63	-3.45%
Fund: 240 - Storm Water Total:	57,000.00	57,000.00	0.00	5,568.63	0.00	51,431.37	90.23%
Fund: 310 - Transient Guest Tax							
62 - Contractual Services	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
Fund: 310 - Transient Guest Tax Total:	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
Fund: 320 - Library Operations							
61 - Personal Services	108,000.00	108,000.00	3,593.55	63,879.85	0.00	44,120.15	40.85%

For Fiscal: 2023 Period Ending: 10/31/2023

Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
62 - Contractual Services	506,545.00	506,545.00	33,655.04	489,202.81	0.00	17,342.19	3.42%
Fund: 320 - Library Operations Total:	614,545.00	614,545.00	37,248.59	553,082.66	0.00	61,462.34	10.00%
Fund: 330 - Special Parks							
62 - Contractual Services	2,500.00	2,500.00	0.00	2,015.00	0.00	485.00	19.40%
63 - Commodities	2,500.00	2,500.00	500.00	2,969.34	0.00	-469.34	-18.77%
Fund: 330 - Special Parks Total:	5,000.00	5,000.00	500.00	4,984.34	0.00	15.66	0.31%
Fund: 340 - Special Highway							
62 - Contractual Services	480,000.00	631,000.00	404.70	595,182.87	0.00	35,817.13	5.68%
Fund: 340 - Special Highway Total:	480,000.00	631,000.00	404.70	595,182.87	0.00	35,817.13	5.68%
Fund: 350 - Infrastructure Sales Tax							
69 - Transfers	437,500.00	437,500.00	0.00	393,750.00	0.00	43,750.00	10.00%
Fund: 350 - Infrastructure Sales Tax Total:	437,500.00	437,500.00	0.00	393,750.00	0.00	43,750.00	10.00%
Fund: 360 - Capital Projects							
62 - Contractual Services	110,000.00	160,000.00	0.00	72,685.50	0.00	87,314.50	54.57%
63 - Commodities	0.00	0.00	0.00	9,969.43	0.00	-9,969.43	0.00%
64 - Capital Outlay	676,000.00	676,000.00	1,135.00	633,805.60	0.00	42,194.40	6.24%
68 - Debt Service	22,613.00	22,613.00	0.00	22,612.82	0.00	0.18	0.00%
Fund: 360 - Capital Projects Total:	808,613.00	858,613.00	1,135.00	739,073.35	0.00	119,539.65	13.92%
Fund: 410 - Fire Equipment Reserve							
62 - Contractual Services	0.00	0.00	0.00	10,062.00	0.00	-10,062.00	0.00%
64 - Capital Outlay	30,000.00	98,301.00	0.00	87,582.67	0.00	10,718.33	10.90%
68 - Debt Service	34,693.00	34,693.00	0.00	34,692.34	0.00	0.66	0.00%
Fund: 410 - Fire Equipment Reserve Total:	64,693.00	132,994.00	0.00	132,337.01	0.00	656.99	0.49%
Fund: 420 - Police Equipment Reserve							
63 - Commodities	10,000.00	10,000.00	0.00	2,744.00	0.00	7,256.00	72.56%
64 - Capital Outlay	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	100.00%
Fund: 420 - Police Equipment Reserve Total:	14,000.00	14,000.00	0.00	2,744.00	0.00	11,256.00	80.40%
Fund: 430 - Sewer Capital Reserve							
62 - Contractual Services	10,000.00	10,000.00	0.00	53,375.00	0.00	-43,375.00	-433.75%
64 - Capital Outlay	190,000.00	310,000.00	12,340.00	84,408.04	0.00	225,591.96	72.77%
Fund: 430 - Sewer Capital Reserve Total:	200,000.00	320,000.00	12,340.00	137,783.04	0.00	182,216.96	56.94%
Fund: 440 - Water Capital Reserve							
62 - Contractual Services	2,000.00	2,000.00	0.00	14,624.92	0.00	-12,624.92	-631.25%
64 - Capital Outlay	323,000.00	403,000.00	0.00	282,594.90	0.00	120,405.10	29.88%
Fund: 440 - Water Capital Reserve Total:	325,000.00	405,000.00	0.00	297,219.82	0.00	107,780.18	26.61%
Fund: 500 - Debt, Bond, and Interest							
64 - Capital Outlay	8.00	8.00	0.00	0.00	0.00	8.00	100.00%

For Fiscal: 2023 Period Ending: 10/31/2023

Categor...	Original		Period	Fiscal	Encumbrances	Variance	Percent
	Total Budget	Total Budget				Favorable (Unfavorable)	
68 - Debt Service	801,009.00	801,009.00	0.00	801,008.75	0.00	0.25	0.00%
Fund: 500 - Debt, Bond, and Interest Total:	801,017.00	801,017.00	0.00	801,008.75	0.00	8.25	0.00%
Report Total:	11,704,064.00	12,173,365.00	471,136.55	9,704,296.14	0.00	2,469,068.86	20.28%

For Fiscal: 2023 Period Ending: 10/31/2023

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
100 - General Fund	3,924,596.00	3,924,596.00	311,472.59	3,242,587.76	0.00	682,008.24	17.38%
210 - Water Operations Fund	2,181,000.00	2,181,000.00	66,917.72	1,507,070.12	0.00	673,929.88	30.90%
220 - Sewer Operations Fund	1,335,000.00	1,335,000.00	8,166.97	963,769.35	0.00	371,230.65	27.81%
230 - Sanitation Fund	455,000.00	455,000.00	32,950.98	328,134.44	0.00	126,865.56	27.88%
240 - Storm Water	57,000.00	57,000.00	0.00	5,568.63	0.00	51,431.37	90.23%
310 - Transient Guest Tax	1,100.00	1,100.00	0.00	0.00	0.00	1,100.00	100.00%
320 - Library Operations	614,545.00	614,545.00	37,248.59	553,082.66	0.00	61,462.34	10.00%
330 - Special Parks	5,000.00	5,000.00	500.00	4,984.34	0.00	15.66	0.31%
340 - Special Highway	480,000.00	631,000.00	404.70	595,182.87	0.00	35,817.13	5.68%
350 - Infrastructure Sales Tax	437,500.00	437,500.00	0.00	393,750.00	0.00	43,750.00	10.00%
360 - Capital Projects	808,613.00	858,613.00	1,135.00	739,073.35	0.00	119,539.65	13.92%
410 - Fire Equipment Reserve	64,693.00	132,994.00	0.00	132,337.01	0.00	656.99	0.49%
420 - Police Equipment Reserve	14,000.00	14,000.00	0.00	2,744.00	0.00	11,256.00	80.40%
430 - Sewer Capital Reserve	200,000.00	320,000.00	12,340.00	137,783.04	0.00	182,216.96	56.94%
440 - Water Capital Reserve	325,000.00	405,000.00	0.00	297,219.82	0.00	107,780.18	26.61%
500 - Debt, Bond, and Interest	801,017.00	801,017.00	0.00	801,008.75	0.00	8.25	0.00%
Report Total:	11,704,064.00	12,173,365.00	471,136.55	9,704,296.14	0.00	2,469,068.86	20.28%



City of Tonganoxie, KS

Fund Balance Report

As Of 10/31/2023

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
100 - General Fund	1,228,536.02	4,139,871.49	3,242,587.76	2,125,819.75
210 - Water Operations Fund	898,244.21	1,348,644.74	1,507,070.12	739,818.83
220 - Sewer Operations Fund	641,128.61	867,389.62	963,769.35	544,748.88
230 - Sanitation Fund	225,342.69	377,189.26	328,134.44	274,397.51
240 - Storm Water	56,585.08	40,420.77	5,568.63	91,437.22
310 - Transient Guest Tax	7,397.22	1,904.72	0.00	9,301.94
320 - Library Operations	1,110.79	556,838.87	553,082.66	4,867.00
330 - Special Parks	20,457.12	2,934.07	4,984.34	18,406.85
340 - Special Highway	839,836.64	367,490.26	595,182.87	612,144.03
350 - Infrastructure Sales Tax	767,994.36	654,364.57	393,750.00	1,028,608.93
360 - Capital Projects	1,779,411.57	801,209.80	739,073.35	1,841,548.02
410 - Fire Equipment Reserve	268,526.63	77,983.73	132,337.01	214,173.35
420 - Police Equipment Reserve	40,530.76	15,161.46	2,744.00	52,948.22
430 - Sewer Capital Reserve	739,181.14	32,500.00	137,783.04	633,898.10
440 - Water Capital Reserve	628,265.50	35,000.00	297,219.82	366,045.68
450 - Capital Reserve	915.03	0.00	0.00	915.03
500 - Debt, Bond, and Interest	248,372.83	781,674.13	801,008.75	229,038.21
930 - Debt Proceeds	1,759,399.68	3,588,100.04	4,706,757.10	640,742.62
940 - Gallagher Park Fund	9,183.08	0.00	1,062.50	8,120.58
950 - Festival/Event Fund	4,594.80	300.00	0.00	4,894.80
960 - Law Enforcement Trust	0.00	0.00	0.00	0.00
961 - Opioid Addiction Fund	0.00	17,280.08	0.00	17,280.08
971 - RHID 1	340.82	22,773.72	22,635.98	478.56
972 - RHID 2	0.00	3,820.31	0.00	3,820.31
980 - Industrial Park Development Fund	169,950.68	98,879.66	73,843.67	194,986.67
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	765,858.42	0.00	73,350.00	692,508.42
985 - MIH Grant Fund	0.00	0.00	0.00	0.00
Report Total:	11,101,163.68	13,831,731.30	14,581,945.39	10,350,949.59