

CITY OF TONGANOXIE



January 3, 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

Rocky Himpel

Jacob Dale

Loralee Stevens

Chris Donnelly

Jennifer McCutchen

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

II. Approval of Minutes – Regular meeting dated December 20, 2021

III. Consent Agenda

- a) Review bill payments

IV. Old Business

V. New Business

- a) Consider Approval of Payment of 2021 League of Kansas Municipalities Membership Fee
- b) Resolution 01-22-01: 2022 GAAP Waiver
- c) Updated Schedule of Events for 2022 GO Bond and Temporary Notes Issuance
- d) Swearing in of Councilmembers-Elect Chris Donnelly and Loralee Stevens
- e) City Manager Agenda
- f) City Attorney Agenda
- g) Mayor Pro Tem Agenda
- h) City Council Agenda
- i) Mayor Agenda

VI. Information & Communications (No Action Required)

VII. Adjourn

Council Meeting Minutes
December 20, 2021
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, Mayor Pro Tem Himpel, Ms. Stevens, Mr. Donnelly, and Mr. Dale were present. Ms. McCutchen was absent.
- City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, and Municipal Court Clerk Lindsay Huntington were present.

II. Approval of Minutes – Regular meeting dated December 6, 2021

- **Ms. Stevens made a motion to approve minutes from the regular meeting dated December 6, 2021.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Mr. Himpel made a motion to approve the consent agenda.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**

IV. Old Business

V. New Business

- a) Recognition of Tonganoxie High School Student Hayden York's 4A State Golf Tournament First Place Finish
- Mayor Frese introduced Hayden York and recognized her 3.95 GPA academic record and her numerous successes on the golf course including winning the individual 4A State Golf Tournament in 2021. Mayor Frese presented Hayden with a certificate recognizing her accomplishments.
- b) Public Hearing to Determine if the Structure Located at 723 Yoeke Street, Tonganoxie, Kansas, should be Condemned and Ordered Repaired or Demolished Pursuant to K.S.A. 12-1750 et seq. and Section 8-501 et seq. of the Tonganoxie City Code
- Mr. Brajkovic said that the matter for consideration involving the property located at 723 Yoeke Street included an advertised public hearing opportunity. He said that previous steps were taken by the City through the municipal court to remove junked or abandoned vehicles and debris from the same property and once those steps were completed the City building inspector was able to do a more comprehensive inspection of the structure which revealed critical deficiencies. He said that in November 2021 the City Council considered the presented deficiencies and consistent with State statutes and the City Code a resolution was approved which set a public hearing on December 20, 2021. He said the required notice was published and notice & the building inspector's report was also provided to the owner and that in recent discussions with the building inspector and codes enforcement officer he confirmed that there was no indication of any action taken by the owner to improve the structure's condition. He concluded by reaffirming that staff stand by the previous recommendation to move forward with the abatement of the property if there is not satisfactory progress with repairs.
- **Mayor Frese opened the public hearing.**
- Mr. Andy Williamson said he was the owner of the property located at 723 Yoeke Street Tonganoxie, KS 66086 and stated that there was never a list and according to ordinance number 8512A he should have received a list of

issues with the property and he has not received that list as of today. Mr. Williamson stated the City claims this is a dangerous structure but has not pointed out anything that shows it is dangerous. Mr. Williamson stated nothing has been brought to his attention of any situation that presents a dangerous structure. Mr. Williamson claims this is harassment, and that the personal property that has already been removed is done, but at this point it is pure harassment and there is no reason to consider this property as a dangerous structure and if there it has not been presented to him. Mr. Williamson stated that there has been no list given to him to provide him with an opportunity to fix the problems but again there is no list and he is unaware of what to fix to make the property not dangerous.

- Mr. Brajkovic said that part of the November 1, 2021 City Council agenda packet included the report from the building inspector which was also provided to the home owner, and this report included a list that details the issues with the property.
- Mayor Frese stated the list would have been available on the City's website.
- Mr. Williamson said that he did not see the City's website and has not been provided with a list of any kind.
- Mr. Brajkovic restated that the list was a part of the agenda packet and was provided to the property owner as well.
- Mr. Williamson said a list was not provided.
- Mayor Frese said that if the list was not given to him it was available as a public document. He said the property's condition has been an ongoing issue since he has been Mayor which has been almost two years and as a reasonable person it could be assumed that Mr. Williamson could have monitored the situation whether it was through phone calls from his attorney to the City Attorney or by checking the website. He also said the notice of hearing was also published in a public fashion.
- Mr. Brajkovic said some previous communication Mr. Williamson had with the City building inspector was via email so unrequired attempts to provide information in that manner to Mr. Williamson were completed in this case and he said in the report, in addition to the letter, photographs to document the deficiencies of the property were attached. He said that another detail found through staff research was there has been no water service since 2010, and having water is a code requirement to make a residence fit for habitat.
- Mr. Williamson stated that he disagrees that this has been going on for two years. Mr. Williamson stated that the City came in and resolved the issue that has been going on for two years and removed everything from the property. As far as a list is concerned they did not provide him with a list. Mr. Williamson said water and electric are not required for a home that is not occupied.
- Mr. Brajkovic stated again the conditions were listed and report was provided to the property owner and made part of public record. In addition to the notice provided for the hearing it was confirmed with the building inspector there has been no communication with the property owner until his appearance for the hearing which is his right. He said that notice was given and the report was provided.
- Mayor Frese asked if Mr. Williamson has communicated with someone with the City regarding the property via e-mail.
- Mr. Williamson responded that was incorrect, he has not seen any email that has a list that makes it dangerous. Mr. Williamson stated that water and electric under City ordinance is not required unless someone is occupying the building and the only way to consider the building as dangerous is it must be dangerous for the people that occupy the building or a blight to the neighborhood. Mr. Williamson said since no one occupies the building it can't be dangerous and it is no longer a blight to the neighbor because the City has removed all the stuff off the property that made it a blight to the neighborhood and said that maybe the owner is what makes the property dangerous.
- Ms. Stevens asked Mr. Williamson to verify his address because he earlier claimed 723 Yoeke Street as his address however he pointed out that he does not live there.
- Mr. Williamson stated that is his address, he does not live there however he does receive his mail there.
- Ms. Krstulic said that the public hearing is to consider whether to declare the structure unsafe and dangerous and to consider ordering abatement if repairs are not completed by the owner. She said the owner still had time to correct any deficiencies that are existing on the property. She said options for the City Council include continuing the hearing until the next month so the building inspector can provide the list to Mr. Williamson and to conduct

any necessary inspections or to proceed with adopting the resolution ordering repairs or demolition to commence within a period of thirty days.

- Mr. Brajkovic stated that in regards to the letter itself it was delivered by certified mail and signed for by the property owner. Mr. Brajkovic stated that within the letter itself it acknowledges that water and electric services have been disconnected for years and goes on to say that the conditions on the inside of the residences based on observation from the exterior of the structure also constitute an unfit dwelling for human habitation. The conditions include large amounts of debris piled up and stored inside the residence to included blocking off the necessary egress points for residential structure, overcrowding, lack of light, inadequate ventilation, lack of cleanliness, lack of operational sanitary facilities and overall dilapidation and disrepair of the structure. All of the listed conditions are violations under Chapter 8 Health and Welfare article 5 minimum housing code. Mr. Brajkovic again stated this was the letter provided by certified mail signed off by the property owner as well as part of the published notifications and being apart of the agenda packet on the November 1st meeting.
- Mr. Dale requested a date for the certified mail.
- Mr. Brajkovic verified the letter was mailed on November 10, 2021.
- Ms. Krstulic stated that the resolution was also required to be delivered by certified mail.
- Mr. Brajkovic said the building inspector's letter and the report photographs were placarded on the property prior to the November 1st City Council meeting and the report and resolution were both delivered by certified mail.
- Mr. Donnelly stated that Mr. Williamson now clearly knows what the list of the deficiencies are now and he would recommend to wait to make the decision for the City to abate the property for thirty days so the City would not have to spend any money to repair the property.
- Ms. Krstulic explained that if the resolution is adopted Mr. Williamson would have thirty days to begin fixing the listed deficiencies or the City will act to abate the property and if the City does find the property unsafe and dangerous at that point in time the only option remaining would be abatement by demolition.
- Mr. Williamson asked for the list. He stated that no water and electric does not make the property dangerous unless someone occupies the property. He again stated it has to be dangerous to the occupancies, but no one occupies the property or it has to be a blight to the neighbor. Mr. Williamson stated it is no longer a blight to the neighborhood because the City came in and removed all of his personal property off the property so it is no longer a blight. Mr. Williamson stated that he needs a detailed list of what the issues are because he cannot walk around and determine whether or not something needs to be fixed. Again Mr. Williamson stated he needs to be provided with a detailed list of what needs to be fixed and water and electric is not it. Mr. Williamson stated that not having water or electric does not make a building dangerous if no one is living in it. Mr. Williamson also stated that it must be a blight to the neighborhood but at the same time there are other houses in the neighborhood that need repair. Mr. Williamson stated that in order for his house to be a blight to the neighborhood every other home must be better than his and he stated they are not all in better condition than his. Some homes are missing shingles and has felt for siding and one of the complainers has junk on his porch since he has been there.
- Ms. Stevens stated this is a health and safety issue and whether the home is beautiful or not, this is a neighborhood of homes and not storage units.
- Mr. Williamson stated that is still not against the law and the ordinance states it has to be dangerous to the people inside the property. It has to be a blight to the neighborhood and it is neither one of those. Mr. Williamson stated this is a waste of his time and he should not be here unless someone provides him with a detailed list of what makes the property dangerous.
- Mr. Brajkovic stated that proper notice has been delivered and the property owner signed off on certified mail. The certified mail included the letter from the building inspector, the details that were read for the record at this meeting and included detailed photographs of all of the issues that were listed in the letter itself. As far as providing that level of notice to come to the public hearing. The update from the building inspector is none of those issues have been addressed and so that is the item that is the item that is presented for discuss this evening and consideration of the next resolution.
- Mr. Williamson asked again what are those issues. Mr. Williamson stated that he signed a letter that told him to come to the public hearing but there was no list and he is still waiting for a detailed list of what needs to be fixed. Mr. Williamson stated if someone would present him a list and tell him what needs to be fixed and he can get it

done. Mr. Williamson stated that it was implied he was ignorant and that he would not say anything. He stated that either he needs to be presented with a list to stop wasting his time or go to district court or the Kansas Supreme Court.

- Mayor Frese asked if Mr. Williamson had anything else to say.
- Mr. Williamson stated he needed a list of what needs to be fixed and it needs to tell him specifically what needs to be fixed to make it not dangerous.
- No other members of the public addressed the City Council.
- **Mayor Frese closed the public hearing.**

c) Resolution 12-1-01: Declaring the Structure Located at 723 Yoeke Street, Tonganoxie, Kansas, to be Unsafe and Dangerous and Ordering the Structure to be Demolished Pursuant to K.S.A. 12-1750 et seq. and Section 8-501 et seq. of the Tonganoxie City Code

- Anna Krstulic said the draft resolution does order repair or demolition to occur and it still provides the owner the opportunity to correct the deficiencies.
- Mr. Dale stated that he believes sufficient notice has been giving, confirmed by receipt of the certified mail. The list was provided detailing the water and electric service has been disconnected for years, whether they are necessary without someone living there is not necessarily the case. The structure lacks adequate ventilation, light, cleanliness, sanitary facilities and adequate ingress and egress. The structure is dilapidated, in disrepair, overcrowded and unsanitary. The pictures indicate the foundation is crumbling underneath the structure. The deck, so to speak the stairs to the door is falling apart, and does not have sufficient railings. The exterior issues have already been addressed with the equipment and overgrowth. Mr. Dale stated that he feels sufficient notice has been giving with an adequate list of the items that need to be addressed. Mr. Dale stated at this point it is time to move forward with either the repairs or demolition.
- Mr. Williamson said he wanted to correct Mr. Dale's comments.
- Mayor Frese informed Mr. Williamson that the public hearing was over and he was out of order.
- Mr. Williamson said that he would talk anyway.
- **Mayor Frese called a fifteen-minute recess of the meeting.**
- **Mayor Frese resumed the meeting.**
- Mr. Dale asked if there is any point at which a structural engineer would be called on to come in a look at the foundation or roof to gage if a structure is a risk for collapse or other true safety issues. Mr. Dale also asked if when a property is being unsafe for habitation it is not just for the person living in it but that it is for the general public.
- Ms. Krstulic confirmed that the statutes speaks in terms for the neighborhood and so does the City code. The City code does set forth minimum standards for dwellings. Mr. Krstulic also stated the building inspector should be able to indicate if he believes there are foundation issues that would require structural engineer but that would be up to the owner to call in a structural engineer.
- Mr. Brajkovic stated that the building inspector does indicate in his report that the conditions in his opinion are beyond repair.
- Mr. Donnelly stated that he believes the list has been provided to Mr. Williamson and feels comfortable moving forward.
- Ms. Krstulic recommended the list and letter be sent again along with the resolution if it is adopted. Ms. Krstulic stated the resolution did bracket some language because it was prepared in advance of the hearing and she did not know if anyone would appear. Ms. Krstulic stated that she would revise that and indicate the owner did appear at the hearing and provided testimony.
- **Mr. Himpel made a motion to approve Resolution 12-21-01 Declaring the Structure Located at 723 Yoeke Street, Tonganoxie, Kansas, to be Unsafe and Dangerous and Ordering the Structure to be Repaired or Demolished Pursuant to K.S.A. 12-1750 et seq. and Section 8-501 et seq. of the Tonganoxie City Code and authorize the City Attorney to Make Correction to the Resolution.**
- **Mr. Donnelly seconded the motion.**

- **Roll call vote of all ayes, motion carried.**

- d) Consider Approval of Cereal Malt Beverage (CMB) License Renewal Applications (4)
 - Mr. Porter introduced the item and stated this is an annual process and the fees and completed applications have been received from all four applicants, which include G&P Country Market, Fastrax, Brothers Wine and Spirits and Casey's.
 - **Mr. Donnelly made a motion to Approve Application for CMB for Casey's, Brothers Market 5, Fastrax and G&P Country Market.**
 - **Ms. Stevens seconded the motion.**
 - **Vote of all ayes, motion carried.**

- e) Ordinance 1500: Amending the Tonganoxie City Code pertaining to Sales of Cereal Malt Beverages and Alcoholic Liquor. Amending and repealing existing sections 3-213 and 3-304 of the Tonganoxie City Code.
 - Mr. Porter stated the most recent legislative session has enacted several different allowances and changes to the overall requirements of alcohol sales and this ordinance would enact expanding the hours of sales on Sundays from a start time of noon to a start time of 9AM.
 - Mayor Frese stated he is in favor of this change and does not want to be at a competitive disadvantage.
 - Mr. Porter stated that in accordance with State law if the ordinance is approved it will be published in its entirety in the Tonganoxie Mirror for sixty days and within that sixty days citizens if they so choose could elect to file a petition to hold a public vote on the proposed change.
 - **Mr. Donnelly made a motion to Approve Ordinance 1500 Amending the Tonganoxie City Code pertaining to Sales of Cereal Malt Beverages and Alcoholic Liquor. Amending and repealing existing sections 3-213 and 3-304 of the Tonganoxie City Code.**
 - **Mr. Dale seconded the motion.**
 - **Roll Call Vote of all ayes, motion carried.**

- f) Resolution 12-21-02: Approving agreement to release and assign the City's opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation.
 - Ms. Krstulic stated this is in reference to a letter regarding potentially entering into a class action lawsuit against opioid manufacturers and distributors. Last discussed the City opted not to enter the lawsuit. The State has entered into a settlement and adopted legislation to provide for the establishment of depository accounts for settlement funds received from the opioid producers and distributors and the State will provide those funds for various purposes mainly to deal with substance abuse and addiction issues. Ms. Krstulic stated that what the legislation does, is if the City wants to participate in receiving any of the funds a resolution would need to be adopted and entered into a memorandum of understanding among the State Attorney General, the League of Kansas Municipalities and Kansas Association of Counties so the City will become a party to that as well.
 - **Ms. Stevens made a motion to pass resolution 12-21-02 Approving agreement to release and assign the City's opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation.**
 - **Mr. Donnelly seconded the motion.**
 - **Vote of all ayes, motion carried.**

- g) Consider Approval of Granting a Utility Easement to Kansas Gas Service on Lots 2 & 3 at the City of Tonganoxie Business Park

- Mr. Brajkovic stated Kansas Gas is requesting additional easement to increase the transmission line that services the Business Park from a 4-inch stainless steel line to a 6-inch stainless steel line. The original easement on the north side business park drive is a 5-foot easement that would service the 4-inch gas line and first water line are located in and what they are asking for is an additional 10-foot easement line north to run the gas line. Once the changes are finalized and approved it will need to be filed as a re-plat.
- Mr. Donnelly asked if the utilities will be below ground.
- Mr. Brajkovic stated that it is believed the it will be all underground
- The City Council indicated unanimous support to proceed with the granting the additional easement for the larger transmission line to Kansas Gas Service.

h) Swearing in of Council member – Elect Rocky Himpel

- Ms. Huntington administered the oath of office to Council Member Rocky Himpel due to his recent re-election to the position of Council Member.
- Mayor Frese state he intends to re-appoint Mr. Himpel as Mayor Pro Tem.

i) City Manager Agenda

1. Financial Report

- Mr. Porter presented the 2021 November Financial Report to the City Council and reviewed the 2021 and 2022 lists of budget initiatives.

j) City Attorney Agenda

k) Mayor Pro Tem Agenda

- Mayor Pro Tem Himpel said on January 5th the Leavenworth County planning and zoning will have a public hearing on the comprehensive plan and will be taking suggestions from the public. This will be one part of a three-part system that will be done and the County Commissioner will do the same which will satisfy the review for the comprehensive plan.

l) City Council Agenda

- Mr. Donnelly stated that he attended a retirement party for Steve Jack Leavenworth County Development Corporation and noted a board member of LCDC stated that he projects the Hills project will be in the top 25 in the country for the largest economic development projects going on.
- Mr. Dale thanked the City's Police Officers for their service and Ms. Stevens seconded his thanks.

m) Mayor Agenda

- Mayor Frese thanked the Council and staff for a great and successful year and wished everyone a Merry Christmas, happy new year and happy holidays.

VI. Information & Communications (No Action Required)

VII. Adjourn

- **Mr. Dale made a motion to adjourn the meeting.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:16 p.m.**

Respectfully submitted,

Lindsay Huntington

Lindsay Huntington, Municipal Court Clerk



City of Tonganoxie, KS

Check Report

Date Range: 12/17/2021 - 12/29/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
1082	1st Due Emergency Response Solutions, LLC	12/17/2021	Regular	0	1426.34	49539
1261	AT&T MOBILITY II LLC	12/17/2021	Regular	0	81.15	49540
0046	BAY BRIDGE ADMINISTRATORS, LLC	12/17/2021	Regular	0	553.6	49541
0051	BG CONSULTANTS INC	12/17/2021	Regular	0	35585.5	49542
0070	BROTHER' S MARKET	12/17/2021	Regular	0	161.72	49543
1179	Dreamseats LLC	12/17/2021	Regular	0	887.99	49544
0938	E2 EMBROIDERY & SCREEN PRINTING	12/17/2021	Regular	0	675	49545
0178	FASTENAL	12/17/2021	Regular	0	1305	49546
0813	FREESTATE ELECTRIC COOPERATIVE	12/17/2021	Regular	0	1839	49547
0216	GOULD EVANS PC	12/17/2021	Regular	0	7859.03	49548
0263	INDEPENDENT SALT COMPANY	12/17/2021	Regular	0	11032.14	49549
0059	Kansas City Board of Public Utilities	12/17/2021	Regular	0	24754.48	49550
0350	KDHE	12/17/2021	Regular	0	20	49551
0426	LEAVENWORTH COUNTY SHERIFF OFFICE	12/17/2021	Regular	0	605	49552
1208	Linaweaver Construction Inc	12/17/2021	Regular	0	141600.53	49553
0414	LINK LITE NETWORKING, INC.	12/17/2021	Regular	0	539.88	49554
0443	Menards - Lawrence	12/17/2021	Regular	0	496.22	49555
0857	MIDCONTINENT COMMUNICATIONS	12/17/2021	Regular	0	143.76	49556
0857	MIDCONTINENT COMMUNICATIONS	12/17/2021	Regular	0	247.39	49557
0857	MIDCONTINENT COMMUNICATIONS	12/17/2021	Regular	0	267.39	49558
0491	OLATHE WINWATER WORKS	12/17/2021	Regular	0	900	49559
0859	REDFUEL REPAIR	12/17/2021	Regular	0	335	49560
0566	SALTUS TECHNOLOGIES	12/17/2021	Regular	0	1488.81	49561
1189	Step CG, LLC	12/17/2021	Regular	0	2011.42	49562
1068	Stinson LLP	12/17/2021	Regular	0	6773.35	49563
0628	TODD'S TIRE LLC	12/17/2021	Regular	0	36	49564
0630	TONGANOXIE LIBRARY BOARD	12/17/2021	Regular	0	9704.85	49565
0639	TRI-HULL CRANE RENTAL, LLC	12/17/2021	Regular	0	329.6	49566
1118	Absolute Comfort Technologies, INC	12/22/2021	Regular	0	676.31	49567
1083	Bay Bridge Administrators, LLC FSA	12/22/2021	Regular	0	1033.33	49568
1183	Capital Electric Construction	12/22/2021	Regular	0	10277	49569
0098	CITY OF BASEHOR	12/22/2021	Regular	0	1100	49570
0098	CITY OF BASEHOR	12/22/2021	Regular	0	70	49571
0205	GALL'S LLC	12/22/2021	Regular	0	131.98	49572
1277	HOWMEDICA OSTEONICS CORP	12/22/2021	Regular	0	14406.22	49573
0381	LADD SERVICE COMPANY	12/22/2021	Regular	0	269.97	49574
0391	LAWRENCE JOURNAL WORLD	12/22/2021	Regular	0	102.3	49575
0399	LEAVENWORTH ASPHALT MATERIALS	12/22/2021	Regular	0	1780.09	49576
0802	LED DIRECT	12/22/2021	Regular	0	384	49577
0469	MR. TIRE	12/22/2021	Regular	0	834	49578
0491	OLATHE WINWATER WORKS	12/22/2021	Regular	0	110	49579
0503	PACE ANALYTICAL SERVICES INC	12/22/2021	Regular	0	469	49580
0542	QUILL	12/22/2021	Regular	0	164.75	49581
0542	QUILL	12/22/2021	Regular	0	41.15	49582
0542	QUILL	12/22/2021	Regular	0	9.49	49583
0859	REDFUEL REPAIR	12/22/2021	Regular	0	350	49584
0579	SECURITY BENEFIT - 457	12/22/2021	Regular	0	4098.71	49585
0645	UNITED RENTALS, (NORTH AMERICA	12/22/2021	Regular	0	163	49586
0668	WEIS FIRE AND SAFETY EQUIPMENT, LLC	12/22/2021	Regular	0	638.84	49587

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0684	WIRENUTS	12/22/2021	Regular	0	359.4	49588

Bank Code AP Bank Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	63	50	0.00	289,129.69
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
	63	50	0.00	289,129.69

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	63	50	0.00	289,129.69
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
	63	50	0.00	289,129.69

Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	12/2021	289129.69
			289129.69



Office of the City Manager
AGENDA STATEMENT

DATE: January 3, 2022
To: Honorable Mayor David Frese and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Approval of the League of Kansas Municipalities 2022 Membership Fees

DISCUSSION:

The 2022 Adopted Budget includes funding allocated in the City's General Fund for annual dues to the League of Kansas Municipalities (LKM). This item was part of 2022 budget workshop discussions held in 2021 and is being brought before City Council for consideration of expenditure authorization, per the City's Purchasing Authority & Procedures policy.

The total cost of this request is comprised of a per capita charge, an assessed valuation charge, and subscriptions to Kansas Government Journal (monthly publication) for the Governing Body and City Management staff, and a base fee of \$475. The base fee is determined by the City of Tonganoxie's status as a City of the 2nd Class in the State of Kansas. The invoice is provided as an attachment.

LKM is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and acts to strengthen Kansas communities. The League is governed by members through a governing body of elected officials and city appointed staff. Since 1910, LKM has been a resource for cities across Kansas to share ideas, facilitate communication between members, and provide information on best practices in municipal operations.

Just a few of the services available to members include legislative advocacy, legal aid, the Municipal Training Institute, discount contract services, several publications, research surveys, and annual conferences and events. LKM provides reduced member rates for annual conferences and trainings in order to provide quality instruction, education and guidance on city governance. Staff and interested members of the Governing Body are eligible to take advantage of these training opportunities.

BUDGET IMPACT:

The total membership fee is \$3,274.67. This membership cost is planned within the 2022 Annual Budget.

ACTION NEEDED:

Make a motion to approve payment of the 2022 League of Kansas Municipalities Membership Fee in an amount not to exceed \$3,274.67.

ATTACHMENTS:

League of Kansas Municipalities Invoice and Membership Documents

cc: George Brajkovic, City Manager



300 SW 8th Avenue, Suite 100, Topeka, KS 66603

Bill To

2022 Dues

City of Tonganoxie
 321 S Delaware
 PO Box 326
 Tonganoxie, KS 66086

Date	Invoice #
12/1/2021	22-116

Due Date
1/31/2022

Qty	Description	Rate	Amount
1	2022 City Membership Dues - Assessed Valuation and Per Capita Charge	2,619.67	2,619.67
1	2022 City Membership Dues - Base Fee	475.00	475.00
9	2022 Subscription to the Kansas Government Journal	20.00	180.00

Total	\$3,274.67
Payments/Credits	\$0.00
Balance Due	\$3,274.67

E-mail	Phone #	Web Site:
rredd@lkm.org	785-354-9565	www.lkm.org



300 SW 8th Avenue, Ste. 100
Topeka, KS 66603-3951
P: (785) 354-9565
F: (785) 354-4186
www.lkm.org

December 1, 2021

Dear City Official,

City participation in the League of Kansas Municipalities is critical to our success as an advocate for municipal interests. Our long-standing association provides our members with a unified voice in matters of local government, and we are honored so many cities and counties agree there is immense value in belonging to the League.

Enclosed please find the statement for your League membership showing the dues required of your city for 2022. As in 2021, a member city's dues are built on a per capita charge, an assessed valuation charge, and a base fee. Your city's dues will fluctuate based on population and valuation changes in your city.

It is always a pleasure to be able to serve the cities and counties of Kansas, and to work with you to ensure the very best environment possible for the citizens we all serve. Please take a few moments and read through the enclosed information giving a brief overview of the League's services. Take some time to visit our website to see everything we have to offer, and should you ever have any questions or comments concerning your dues, please feel free to contact me directly at esartorius@lkm.org, or Rynae Redd, Finance and Human Resources Manager, at rredd@lkm.org.

On behalf of the Governing Body and all of us at the League, thank you for your participation. We value you standing with the other cities and counties of Kansas. We look forward to many more years of this mutually beneficial partnership.

Sincerely,

Erik Sartorius
Executive Director



Office of the City Manager
AGENDA STATEMENT

DATE: January 3, 2022
To: Honorable Mayor David Frese and Members of the City Council
FROM: Dan Porter, Assistant City Manager
SUBJECT: Resolution 01-22-01: GAAP Waiver for 2022

DISCUSSION:

K.S.A. 75-1120(a) requires municipalities to use Generally Accepted Accounting Principles (GAAP) in the preparation of financial statements and reports. The GAAP requirement provides for a fixed asset accounting system in lieu of an inventory system, as well as other financial reporting requirements. Proposing the action to exempt the City from these principles is taken based on past recommendations of auditors that the GAAP requirements would cost the City additional funds to prepare the City's annual audit and would not provide any additional substantive benefit to the City. The governing body of any municipality may waive this statutory requirement, and it has been common practice for the City of Tonganoxie and many other municipalities that are not among the largest in the State of Kansas. In order to waive the GAAP requirement, the governing body must pass a resolution each fiscal year.

A waiver from the GAAP-prescribed financial statements permits a municipality to prepare its financial statements on a basis of accounting which demonstrates compliance with the cash basis and budget laws of Kansas. The proposed waiver indicates that the City of Tonganoxie has found that financial statements and financial reports prepared in conformity with GAAP are not relevant to the requirements of the cash basis budget laws of Kansas and are of no significant value to the preparation of financial statements and reports, which shall be prepared on the basis of cash receipts and disbursements in accordance with budget laws of Kansas.

BUDGET IMPACT:

None. Failing to pass a GAAP waiver resolution would require additional funding to be allocated in the 2022 budget for accounting and auditing services.

ACTION NEEDED:

Make a motion to accept the Resolution 01-22-01, waiving the GAAP requirement for 2022.

ATTACHMENTS:

Resolution 01-22-01

cc: George Brajkovic, City Manager

RESOLUTION 01-22-01

A RESOLUTION FINDING THAT FINANCIAL STATEMENTS AND FINANCIAL REPORTS PREPARED IN CONFORMITY WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP) AS REQUIRED BY K.S.A. 75-1120a(a) ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS LAW AND BUDGET LAWS OF THE STATE OF KANSAS AND ARE OF NO SIGNIFICANT VALUE TO THE GOVERNING BODY OR MEMBERS OF THE GENERAL PUBLIC OF THE CITY OF TONGANOXIE, KANSAS.

WHEREAS, the Governing Body of the City of Tonganoxie, Kansas (the "City"), has determined that financial statements and financial reports for the year ending 2022 prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of the State of Kansas and are of no significant value to the Governing Body or the members of the general public of the City; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the City which require financial statements and financial reports to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) for the year ending 2022.

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

Section 1: That the Governing Body hereby requests the director of accounts and reports to waive the requirements of K.S.A. 75-1120a(a).

Section 2: That, if granted the requested waiver, the Governing Body shall cause the financial statements and financial reports of the City to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of the State of Kansas.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, ON THIS 3rd DAY OF JANUARY, 2022.

David Frese, Mayor

ATTEST:

Daniel Porter, Acting City Clerk