

Council Meeting Minutes
December 18, 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, Mr. Donnelly and Mr. Dale were present. Ms. Stevens was absent.
- City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Fire Chief John Zimbelman and Municipal Court Clerk Lindsay Huntington were also present.

II. Approval of Minutes – Regular meeting dated December 4, 2023

- **Mr. Donnelly made a motion to approve draft minutes from the regular meeting dated December 4, 2023.**
- **Mr. Partridge seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

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

IV. Old Business

V. New Business

- a) Presentation by Leavenworth County Register of Deeds TerriLois Mashburn
 - Ms. TerriLois Mashburn with the Leavenworth County Register of Deeds addressed the City Council.
- b) Consider Recommendation from the Planning Commission for an Appointment to fill the remainder of the unexpired term of a City-resident position on the Tonganoxie Planning Commission
 - Mr. Brajkovic stated there is a vacancy on the Tonganoxie Planning Commission to fill the remainder of the unexpired term that will end in March of 2024. Staff did advertise the vacancy and four applicants were received. The Planning Commissioners vetted the applicants at the December 7th meeting.
 - Mr. Brajkovic stated the Planning Commission voted to move forward with Briana Irvin as their recommendation for Council approval.
 - Ms. Briana Irvin stated that she does live and work in Tonganoxie and is currently in school for a public administration bachelors and plans to achieve a masters in urban planning and American studies.
 - **Mayor Frese made a motion to appoint Briana Irvin to fill the remainder of the unexpired term as a city resident position on the Planning Commission with the consent of the City Council.**
 - **Mr. Donnelly seconded the motion.**
 - **Vote of all ayes, motion carried.**
- c) Consider Approval of 2024 Cereal Malt Beverage (CMB) License Renewal Applications
 - Mr. Brajkovic stated there are three renewals for consideration submitted by Casey's General Store, Brother's Market Five Inc. and Fastrax. Staff has reviewed the applicants and recommends approval.
 - Mr. Porter stated that staff has reached out repeatedly to G&P Country Market, however they have not yet responded. Mr. Porter advised that if they wish to continue to sell CMBs they will need to respond and be added the next City Council meeting agenda.
 - **Mr. Donnelly made a motion to approve the renewal of the Cereal Malt Beverage Licenses for Casey's General Store, Brother's Market Five Inc and Fastrax to sell retail Cereal Malt Beverages in original unopened containers and not for consumption on premises.**

- **Ms. McCutchen seconded the motion.**
- **Vote of all ayes, motion carried.**

d) Resolution 12-23-01: Approving the Definition of the City of Tonganoxie 2023 Boundaries (Metes & Bounds)

- Mr. Porter staff has completed their review of the contents of the draft resolution and no adjustments were added.
- Mr. Porter stated the resolution does include the two annexations approved this year. The first along West Washington Street and the second adjacent to the Tonganoxie Business Park.
- Mr. Brajkovic stated during the original attempt to annex the property adjacent to the Tonganoxie Business Park the ordinance was sent to the County and the City did receive feedback and adjustments were made based on the feedback. It was then recorded with the Register of Deeds and the City has continued dialogue with the County.
- Ms. Krstulic commented that the statute does require the certification to occur before year end and reiterated that the annexation ordinance was recorded.
- **Mr. Donnelly made a motion to approve Resolution 12-23-01 defining the entire boundary of the City of Tonganoxie.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

e) Consider 2023 Mid-Year Budget Amendment to the Fire Equipment Fund

- Mr. Porter stated the Kansas Governor's grants program Local Safety and Security Equipment Grant is covering 80% of the cost to upgrade 10 mobile radios for the Fire Departments use.
- Mr. Porter stated a similar grant will be addressed for the Police Equipment Fund in a midyear budget adjustment in early 2024.
- Mr. Porter stated it is anticipated the reimbursed funds will be received after year end, however this purchase will not make a negative impact to the overall budget standing of the Fire Equipment Fund.
- **Mr. Donnelly made a motion to approve the 2023 expenditure budget amendment for the Fire Equipment Fund as described in the agenda statement.**
- **Mr. Partridge seconded the motion.**
- **Vote of all ayes, motion carried.**

f) Consider Approval of Fire Department Grant Project Expenditures for Radio Equipment

- Mr. Porter address the Council with key points of the proposed budget amendments in the Capital Projects Fund and the Fire Equipment Fund.
- Mr. Donnelly asked if the 2024 budget for the 4th Street bridge project will be adjusted to reflect the 2024 expenses paid in 2023.
- Mr. Porter stated typically the budget would not be adjusted down and it is not required by the State to do so.
- Mr. Brajkovic added it would be nice to maintain the full budget authority to address unknow project variables.
- **Ms. McCutchen made a motion to approve the attached quote from Motorola Solutions Incorporated for a cost not to exceed \$37,146.30.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

g) City Manager Agenda

1. November 2023 Financial Report

- Mr. Porter delivered the November 2023 financial report.

2. Mr. Brajkovic stated that Brad Eccles, Tonganoxie Recreation Director has informed staff that the Recreation Commission Board had approved a naming rights agreement for the dog park facility. Mr. Brajkovic also stated that Hill's Pet Nutrition is funding \$200,000 towards the dog park.

h) City Attorney Agenda

1. Executive Session for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship
 - **Mr. Donnelly moved that the City Council recess into executive session to obtain legal advice regarding communications received from the County about a recent annexation, 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 7:57 p.m.**
 - **Mr. Partridge seconded the motion.**
 - **Vote of all ayes, motion carried.**
 - ...
 - **Mayor Frese resumed the meeting at 7:57 p.m. and noted that no binding action was taken in executive session.**
- i) Mayor Pro Tem Agenda
- j) City Council Agenda
 - Mr. Partridge recognized the Police, Fire and other emergency personnel who worked so hard over the weekend to locate the missing child in town and brought that to a successful resolution.
- k) Mayor Agenda

VI. Adjourn

- **Mr. Dale made a motion to adjourn the meeting.**
- **Ms. McCutchen seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:00 p.m.**

Respectfully submitted,



Lindsay Huntington, Municipal Court Clerk