

City Council Meeting Approved Minutes

January 22, 2018

7:00 p.m. Regular Meeting



I. Pledge of Allegiance

- Mayor Ward opened the meeting at 7:00 p.m.
- Roll Call – Council members present were Ms. Reed, Mr. Himpel, Ms. Stevens, Mr. Lawson, and Mayor Ward. Mr. Oroke was absent. City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Shannon Marcano, Police Chief Jeff Brandau, and Fire Chief John Zimbelman were also in attendance.
- Mayor Ward asked that all present join in the pledge of allegiance.

II. Approval of Minutes

- **Mr. Himpel moved to approve the draft minutes from the January 8, 2018 City Council meeting. Mr. Lawson seconded.**
- Mr. Himpel noted 2 corrections to make in the draft minutes in the section devoted to discussion of Tonganoxie Days, specifically to replace the name Dianne Brenner with the correction Dianne Bretthauer.
Mayor Ward asked for a vote on the motion.
All ayes. Motion carried.

III. Approval of Consent Agenda

- **Mr. Himpel moved to approve the consent agenda. Ms. Reed seconded.**
Mayor Ward asked for a vote on the motion.
All ayes. Motion carried.

IV. Open Agenda

- Mr. Porter reported that no members of the public signed up to address the City Council during open agenda.

V. Old Business

a) Fire Department Update – turnout gear procurement & introduction of Fire Chief

- Mr. Brajkovic introduced John Zimbelman, the incoming Fire Chief, on his first day on the job.
- Mayor Ward welcomed the Fire Chief mentioned that Tonganoxie is a wonderful community.
- Mr. Brajkovic reminded City Council about a Fire Gear purchase that was approved in June 2017 as part of a two step purchase. This is the second purchase of 4 sets of turnout gear.

VI. New Business

a) Ordinance No. 1432 – Granting a special use permit for an in-home gun dealer and gunsmithing business at 2604 E Sycamore St.

- Mr. Brajkovic introduced the item and Justin Barker, the applicant.
- Mr. Himpel asked about the parking considerations on the site?
- Mr. Barker replied that he has explained this circumstance to the Planning Commission and that additional restrictions like shortening the length of the permit to 2 years combined with his intention to use this permit to focus more on custom building rather than sales mean there shouldn't be issues with parking.

- **Mr. Lawson made a motion to approve.**
- **Ms. Stevens seconded the motion.**

Mayor Ward asked for a roll call vote on the motion.

All ayes. Motion carried.

b) Ordinance No. 1433 – Voluntary annexation of real property

- Mr. Brajkovic stated that the City received a request for voluntary annexation approximately 200' south of the intersection of HW 16 and State Highway 24/20. It represents a landowner requesting annexation for an additional 1.3 acres of a current 1 acre of property in the City limits as part of a development looking to come into the community.
- Ms. Reed asked for another description of the property and what is currently there.
- Mr. Brajkovic answered that it is the property south of the first property located on the corner of the intersection of HW 16 and State Highway 24/20.

- **Ms. Reed made a motion to approve Ordinance No. 1433.**
- **Mr. Lawson seconded the motion.**

Mayor Ward closed discussion and asked for a roll call vote on the motion.
All ayes. Motion Carried.

c) Charter Ordinance No. 28 – Creation of Storm Water Management Utility

- Mr. Brajkovic introduced the item and provided some detail on the background of the inclusion of the storm water management utility in the 2018 budget process and how the charter ordinance is the first step in a process to develop the utility and establish the flat fee discussed in the 2018 budget process.
- Mayor Ward described the evolution of the need for a storm water management utility.

- **Mr. Himpel made a motion to approve Charter No. 28.**
- **Mr. Lawson seconded the motion.**

Mayor Ward closed discussion and asked for a roll call vote on the motion.
All ayes. Motion carried.

d) Consider authorization for funding to participate in Leavenworth County’s Land Use Study for the County Road 1 Corridor

- Mr. Brajkovic presented a slideshow on the item, including a timeline of the process behind the land use study, an explanation of the request received from Leavenworth County, and a description of the proposed adjustment to the participation basis proposal that was received from the County. City staff recommends using the urban growth area for Tonganoxie based on the watershed design similar to what was used in the City’s recently completed adjustments to the Comprehensive Plan. This approach to the calculation results in a 15% contribution rate instead of the County’s initial request of 30%. He also reviewed the terms of the City’s interlocal agreement with the County for County Road 1 improvements funding over multiple years.
- Ms. Reed asked if this land use study was an original part of the interlocal agreement with the County and if there is a financial obligation in the interlocal agreement for this study.
- Mr. Brajkovic reported he did not recall seeing that information and that he hadn’t yet brought the 15% amount proposal to the County.
- Mr. Lawson asked if this item was only for authorization to talk about the item at the stated amount of funding and what the implications would be if the County declined participation at that level.
- Mr. Brajkovic replied that he thought the County likely suggested 30% based on an initial approximation and that a conversation would likely include more definition of the City’s participation.
- Ms. Stevens stated that it is a valuable chance to learn more and discern the impact on City staff time as part of the negotiation process.

- **Ms. Reed made a motion to authorize funding for the County Road 1 Corridor Land Use Study at an amount not to exceed \$8,730.45.**
- **Ms. Stevens seconded the motion.**

● Mayor Ward noted the history of the need for this study and the benefit of bringing stakeholders to the same conversation.
Mayor Ward closed discussion and asked for a roll call vote on the motion.
All ayes. Motion Carried.

e) Consider approval of the purchase of a police vehicle

- Chief Brandau introduced the item and reported to City Council on the schedule of procurement in recent years. Due to the necessary steps associated with procurement, ordering, construction, and delivery in recent years the total planning process can last about 18 months. Staff requests the purchase of a Dodge Charger at state contract pricing.
- Mr. Himpel asked which vehicle is being retired.
- Chief Brandau replied that it would be a 2010 Crown Vic vehicle that was replaced.
- Mr. Himpel asked when the vehicle would be delivered.
- Mr. Brandau stated that it depends on the necessary steps before the vehicle can be delivered. Sometimes the timeline can last until late summer or early fall.
- Mr. Lawson asked if this item included radios in the purchase.
- Chief Brandau reported that staff use the existing radios and convert them to the new vehicle.

- **Ms. Reed made a motion to approve the purchase of a Dodge Charger patrol car through the state contract in an amount not to exceed \$33,000.**
- **Mr. Lawson seconded the motion.**

Mayor Ward asked for a roll call vote on the motion.
All ayes. Motion Carried.

f) **City Manager Agenda**

1. **December/Year End 2017 Financial Report**

- Mr. Porter presented the contents of the December 2017/Year End Financial report to City Council.

2. **Quarterly Treasurer's Report – 4th Quarter 2017**

- Mr. Porter presented the quarterly treasurer's report for the 4th quarter of 2017 to City Council. It was presented in advance of publishing in the City's paper of record according to Kansas state law.
- Mr. Himpel asked what the level of debt was a year ago in the same report.
- Mr. Porter noted that he would provide Mr. Himpel with that information.
- Mayor Ward mentioned the emphasis that the bond rating agencies place on items like fund balance percentage. These are important subjects for staff to evaluate on a continuing basis.

3. **Staff Report on public meeting broadcasting research**

- Mr. Brajkovic introduced the item and described it as a follow up to the discussions held at the last meeting on this topic. What is prepared for Council tonight was prepared by Liz Andrews, an intern working in the City Manager's Office, and reflects the report of 9 communities of various sizes located nearby. Varying levels of budget impact and staff time dedication were discovered in this research.
- Ms. Marcano mentioned that we do need to take all legal factors into consideration now that Council has the made the decision to continue to do Facebook Live videos of meetings.

g) **City Attorney Agenda**

- No reports.

h) **Mayor Agenda**

1. **Executive Session**

Mayor Ward first address items i and j on the agenda.

- Mr. Brajkovic mentioned that staff would like 20 minutes for this discussion.
- Ms. Marcano presented an example motion to move that the City Council recess into executive session for the preliminary discussion of the acquisition of property, pursuant to the acquisition of property exception to the open meetings act, to include the City Manager, Assistant City Manager, and City Attorney, for a period of 20 minutes.

- **Ms. Reed made the motion to move to executive session as described by the City Attorney.**

- **Mr. Himpel seconded the motion.**

Mayor Ward asked for a roll call vote on the motion.

All ayes. Motion Carried.

- **Mr. Himpel made a motion to return from executive session**

- **Ms. Reed seconded the motion.**

Mayor Ward asked for a roll call vote on the motion.

All ayes. Motion Carried.

i) **Mayor Pro Tem Agenda**

- No reports.

j) **City Council Agenda and Comments**

- No reports.

VII. **Information & Communications (No Action Required)**

VIII. **Adjourn**

- **Ms. Reed made a motion to adjourn the meeting.**

- **Ms. Stevens seconded the motion.**

Mayor Ward asked for a roll call vote on the motion.

All ayes. Motion carried. Meeting adjourned at 8:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan Porter". The signature is fluid and cursive, with the first name "Dan" being more prominent than the last name "Porter".

Dan Porter, Assistant City Manager