

**CITY COUNCIL MEETING APPROVED MINUTES**  
April 16, 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 Mayor Ward, Mr. Himpel, Ms. Reed, Ms. Stevens, Mr. Bennett, and Mr. Oroke. City Manager George Brajkovic, Assistant City Manager Dan Porter, Public Works Director Kent Heskett, and City Attorney Shannon Marcano were also in attendance.
- Mayor Ward led the Pledge of Allegiance.
- Mr. David Bennett completed the Oath of Office to fill the vacant City Councilperson position on City Council.

**II. APPROVAL OF MINUTES – REGULAR MEETING DATED APRIL 2, 2018**

- **Ms. Reed made a motion to approve the minutes from the April 2, 2018 City Council meetings.**
- **Ms. Stevens Seconded.**
- **Vote of all ayes, motion carried.**

**III. APPROVAL OF CONSENT AGENDA**

**a) REVIEW BILL PAYMENTS**

- **Ms. Reed made a motion to approve the consent agenda.**
- **Mr. Himpel Seconded.**
- Mr. Oroke asked for detail on the check report contents.
- Mayor Ward noted that question on particular items prior to the meeting can be provided to staff for follow up.
- **Vote of all ayes, motion carried.**

**IV. OPEN AGENDA**

- Monica Gee, 17685 214<sup>th</sup> Street, provided an update to the City Council on the outcome of the microchipping/vaccination event held on April 14.
- Cecelia Pruitt, 21800 Parallel Road, asked whether the Luxury RV Park development project would include bonding or other guarantees in the course of the project.
- Mr. Brajkovic provided a response to the question including information about the development process and current status of the project in the planning process. He noted the item is tracking to be part of the May 7, 2018 City Council meeting.
- No members of the public signed up to address the City Council in open agenda.
- Mayor Ward closed the open agenda portion of the agenda.

**V. OLD BUSINESS**

- No items.

## VI. NEW BUSINESS

### a) **ORDINANCE 1437: ADDITION OF CHAPTER XV, ARTICLE 7, ENTITLED STORM WATER MANAGEMENT PROGRAM AND UTILITY TO THE TONGANOXIE CITY CODE**

- Mr. Brajkovic explained the contents of the Ordinance and the previous steps taken to establish the City's storm water utility. He also provided an introduction of the related resolution in item VI.b.
- **Mr. Himpel made a motion to adopt Ordinance No. 1437**
- **Ms. Stevens Seconded.**
- Mr. Himpel asked when the fees would take effect.
- Mr. Porter responded that the bills issued in early May would include the storm water utility fees.
- **Vote of all ayes, motion carried.**

### b) **RESOLUTION 04-18-04: ESTABLISHING THE FLAT STORM WATER UTILITY FEES FOR RESIDENTIAL AND NON-RESIDENTIAL PROPERTY**

- **Mr. Himpel made a motion to adopt Resolution 04-18-04**
- **Mr. Oroke Seconded.**
- **Vote of all ayes, motion carried.**

### c) **ORDINANCE 1438: REPEALING ORDINANCE 1433 (VOLUNTARY ANNEXATION)**

- Mr. Brajkovic explained that the item includes repealing an annexation ordinance that was completed in error due to the need to complete a separate process with the Office of the County Surveyor before annexation of the property into City limits.
- **Ms. Reed made a motion to adopt Ordinance No. 1438**
- **Mr. Oroke Seconded.**
- **Vote of all ayes, motion carried.**

### d) **RESOLUTION 04-18-05: APPROVING FIRST AMENDMENT TO ANTENNA SITE LEASE AT SOUTH WATER TOWER WITH T-MOBILE CENTRAL LLC**

- Ms. Marcano introduced the amendment to the existing Site Lease agreement to the City Council and outlined the elements of the amendment.
- **Mr. Oroke made a motion to adopt Resolution 04-18-05**
- **Mr. Bennett Seconded.**
- Mayor Ward mentioned his interest in further evaluating the
- **Vote of all ayes, motion carried.**

### e) **RESOLUTION 04-18-06: AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES AT TONGANOXIE DAYS 2018**

- Mr. Porter introduced this item as a designation of Tonganoxie Days as a special event, which is a prerequisite to receiving a permit from the State to allow the temporary consumption of alcoholic beverages on the defined premises. He also outlined the area included in the designation.

- **Mr. Oroke made a motion to adopt Resolution 04-18-06**
- **Ms. Stevens Seconded.**
- Ms. Reed inquired whether the liquor store would make arrangements to meet to receive the extra alcoholic beverages on the day following the event.
- Mr. Oroke mentioned that he had spoken with the
- **Vote of all ayes, motion carried.**

**f) RESOLUTION 04-18-07: AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES AT TONGANOXIE PUBLIC LIBRARY MONTHLY ARTIST SESSIONS IN 2018**

- Mr. Porter introduced the item as a recurring event to be held on the 2<sup>nd</sup> Thursday of each month for the remainder of the year. He also noted that Nicole Holifield, Library Director, was available in the audience.
- Ms. Marcano clarified that this is the designation of a special event, not the permit to provide the alcoholic beverages.
- Mr. Himpel expressed concern with the provision of alcohol at a public library.
- **Ms. Stevens made a motion to adopt Resolution 04-18-07**
- **Ms. Reed Seconded.**
- **Vote of 4 aye to 1 nay (Himpel), motion carried.**

**g) REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH TONGIE TIDAL WAVES FOR 2018 POOL SEASON**

- Janet Falk, 12263 230<sup>th</sup> Street, Linwood, KS, introduced the proposed summer program to the City Council.
- **Mr. Himpel made a motion to approve lease agreement with Tongie Tidal Waves for 2018 Pool Season**
- **Ms. Stevens Seconded.**
- **Vote of all ayes, motion carried.**

**h) REQUEST FOR AWARD OF BID AND AUTHORIZING AGREEMENT FOR REPAIRS TO CITY HALL ROOF**

- Mr. Brajkovic introduced the item and described the bid process and outcomes for the proposed roof repairs.
- Mr. Porter described the financial background of the agreement, including the source of funding and budget authority to enable the project.
- **Mr. Himpel made a motion to authorize an agreement for repairs to City Hall roof with Midwest Coatings Inc., with the provision that lien release considerations be included or otherwise satisfied.**
- **Mr. Bennett Seconded.**
- **Vote of all ayes, motion carried.**

**i) CITY MANAGER AGENDA**

**1. UPDATE ON INTERAGENCY DISCUSSIONS WITH LEAVENWORTH COUNTY**

- Mr. Brajkovic described recent discussions with Leavenworth County staff regarding the ongoing County Road 1 Land Use study project and noted the upcoming public event to be held on May 2 at 5 PM.

**2. BUSINESS PARK DEVELOPMENT UPDATE**

- Mr. Brajkovic described progress on the development of public infrastructure at the Tonganoxie Business Park, including recent bids on water line materials that has come in on budget. There have also been regular meetings

with public improvement contractors. He noted that the Council had previously issued authority to the City Manager to execute contracts on the property.

### **3. MARCH FINANCIAL REPORT**

- Mr. Porter introduced the financial report and first quarter treasurer's report and provided details on the financial standing of the City.

### **4. QUARTERLY TREASURER'S REPORT – Q1 2018**

- Previously discussed part of item i4, no actions were taken.

#### **j) CITY ATTORNEY AGENDA**

- No items.

#### **k) MAYOR PRO TEM AGENDA**

- No items.

#### **l) CITY COUNCIL AGENDA**

- Mr. Oroke noted that the Jewel building has recently changed ownership and expressed concerns about the future financial impact of the possible transition of the property to a tax exempt status.

#### **m) MAYOR AGENDA**

### **1. EXECUTIVE SESSION FOR THE PRELIMINARY DISCUSSION OF THE ACQUISITION OF REAL PROPERTY**

- Ms. Reed made a motion to recess the City Council into executive session to discuss property acquisition pursuant to the preliminary discussion of the acquisition of real property exception, K.S.A. 75-4319 (b) (6) at 8:09 p.m. The open meeting will resume in the City Council chambers after 30 minutes. The executive session will include the City Attorney, City Manager, Assistant City Manager, Mayor, and City Council.
- Ms. Reed seconded the motion.
- Vote of all ayes, motion carried.
- ...
- Ms. Stevens made a motion to return from executive session at 8:39 p.m., noting that no action was taken during the executive session.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.

## **VII. INFORMATION AND COMMUNICATIONS (NO ACTION REQUIRED)**

## **VIII. ADJOURN**

- Mr. Himpel made a motion to adjourn the meeting.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.
- Meeting adjourned at 8:40 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