

CITY COUNCIL MEETING MINUTES

November 5, 2018

7:00 p.m. Regular Meeting



Open Regular Meeting – 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

- Acting Mayor Pro Tem Himpel opened the meeting at 7:00 p.m.
- Roll Call: Council members present were Mr. Himpel, Ms. Stevens, Mr. Oroke, and Mr. Bennett. Mayor Ward was absent. City Manager George Brajkovic, City Attorney Shannon Marcano, Fire Chief John Zimbelman, Building Official Brandon Harder, and Assistant City Manager Dan Porter were also in attendance.
- Mr. Himpel led the Pledge of Allegiance.

II. APPROVAL OF MINUTES – REGULAR MEETING DATED OCTOBER 15, 2018

- Mr. Oroke made a motion to approve the minutes from the October 15, 2018 City Council meeting.
- Ms. Stevens seconded.
- Vote of all ayes, motion carried.

III. CONSENT AGENDA

- a) Review bill payments
- Mr. Bennett made a motion to approve the consent agenda.
- Mr. Oroke Seconded.
- Vote of all ayes, motion carried.

IV. OPEN AGENDA

Members of the public are welcome to use this time to comment about any matter relating to City business. The comments that are discussed under Open Agenda may or may not be acted upon by the Council during this meeting. In order to speak during open agenda, you must sign up with your name and address with the city clerk or designee before the meeting. Comments will be limited to 3 minutes. Please wait to be recognized by the Mayor and state your name and address for the record.

- Brian Arnold, 14261 234th Street, addressed the City Council and provided information about potential improvements that could be made to playground equipment at Chieftain Park.
- No other people requested to speak during the open agenda period.

V. OLD BUSINESS

- No Items

VI. NEW BUSINESS

- a) UTV Discussion
- Mr. Brajkovic introduced the item and provided a brief presentation on research conducted since the receipt of a citizen's request to explore the subject of allowing UTVs to be operated within City limits.
- Danny Schumacher, 119 E 5th, addressed the City Council and indicated support for UTVs on City roads. He provided information about an ordinance allowing such use in Savannah, Missouri.

- Mr. Bennett commented that he has experienced other communities allowing the use with regulation, and that he wished to see more research into the topic.
- Mr. Oroke mentioned that the County currently permits the use and that he was interested in more research and allowing Cody Thornton, who was not able to be present, to address the City Council on the subject.
- Mr. Himpel commented that he would like to know more about how the Municipal Court will address violations.

b) First Review of City Council Vacancy Applications

- Lisa Patterson addressed the City Council on her interest in the vacant position.
- Michael Pierson addressed the City Council on his interest in the vacant position.
- Jennifer Kohl addressed the City Council on her interest in the vacant position.
- Sally Ryan addressed the City Council on her interest in the vacant position.
- Jacob Dale addressed the City Council on his interest in the vacant position.

c) Consider approval of CMB license renewal for Casey's General Store

- Mr. Porter presented information about the CMB license renewal application.
- **Mr. Oroke made a motion to approve the application.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried.**

d) Presentation of 2017 Financial Audit – Kramer & Associates CPAs, LLC

- Tony Kramer, of Kramer & Associates CPAs, LLC, presented the draft 2017 financial audit to the City Council. The only finding of note included two months in 2017 that the City's resources were undersecured, which was determined to be due to the receipt of a large grant from Leavenworth County and a significant property tax receipt in a short period of time.
- Mr. Kramer commented that a final audit report would be delivered a few days following the meeting if there were no additional questions from the City Council.

e) Ordinance 1450: Special use permit for 8 storage unit buildings at 1208 State Avenue

- Mr. Brajkovic introduced the item.
- Mr. Himpel opened a public hearing on the item. No members of the public requested to speak.
- **Mr. Oroke made a motion to approve Ordinance 1450.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

f) Ordinance 1451: Adoption of the 2012 International Building Code

- Mr. Porter introduced the item and delivered a brief presentation on the topic of items f through m on the agenda.
- Ms. Stevens asked if 2 months was enough notice to give builders and developers in the community.
- Mr. Porter and Mr. Harder indicated that this was enough time to be in contact with those stakeholders.
- **Ms. Stevens made a motion to approve Ordinance 1451.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

g) Ordinance 1452: Adoption of the 2012 International Residential Code

- **Ms. Stevens made a motion to approve Ordinance 1452.**

- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

h) Ordinance 1453: Adoption of the 2012 International Plumbing Code

- **Mr. Oroke made a motion to approve Ordinance 1453.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

i) Ordinance 1454: Adoption of the 2012 International Mechanical Code

- **Mr. Bennett made a motion to approve Ordinance 1454.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried.**

j) Ordinance 1455: Adoption of the 2012 Edition of the International Fuel Gas Code

- **Mr. Oroke made a motion to approve Ordinance 1455.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried.**

k) Ordinance 1456: Adoption of the 2011 Edition of the National Electric Code

- **Ms. Stevens made a motion to approve Ordinance 1456.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

l) Ordinance 1457: Adoption of the 2012 Edition of the International Fire Code

- **Mr. Bennett made a motion to approve Ordinance 1457.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

m) Resolution 11-18-01: Adopting Specialized and Miscellaneous Permit Fee Schedules

- Mr. Porter commented that this item was requested to be removed from the agenda by staff and cited the need to do further research on the best approach to updating the City Code for specialized and miscellaneous permit fees.

n) Resolution 11-18-02: Defining the Boundaries of the City of Tonganoxie

- Mr. Porter introduced the item to the City Council and described the only update to the City limits in 2018 as the voluntary annexation of property associated with the Casey's General Store development.
- **Mr. Bennett made a motion to approve Resolution 11-18-02.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

o) Resolution 11-18-03: GAAP Waiver for 2018

- Mr. Porter introduced the item to the City Council and described the waiver as the consistent recent approach to determining the method of annually auditing City finances. He reiterated earlier comments by the 2017 auditor that due to the cash-basis law applied to Kansas municipalities the regulatory basis of accounting is typically the most effective and efficient manner to complete audits.
- **Ms. Stevens made a motion to approve Resolution 11-18-03.**

- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

p) City Manager Agenda

1. Library Project Update

- Mr. Brajkovic updated the City Council on the progress of the Library project, in particular the geotechnical work being completed on site. He also announced the sign unveiling on the site scheduled for November 17 at 3 PM.

2. Mayors Tree Lighting Event Update – November 17, 2018 5:30 – 8:00 PM

- Mr. Porter updated the City Council on the plans to hold the Mayor’s Tree Lighting on November 17, starting at 5:30 PM.

q) City Attorney Agenda

r) Mayor Pro Tem Agenda

- Mr. Himpel provided Zach Stoltenberg, an opportunity to address the City Council.
- Mr. Stoltenberg addressed the City Council on his interest in the vacant position on the City Council.

s) City Council Agenda

- Ms. Stevens provided information on the upcoming Tonganoxie Business Expo, which will be held on November 13 from 4-7 PM.
- Mr. Oroke thanked the applicants for the vacant position on the City Council.
- Mr. Himpel mentioned the presence of Leavenworth County Commissioner Doug Smith at the meeting and reminded the public to vote on November 6th.

t) Mayor Agenda

VII. INFORMATION & COMMUNICATIONS (NO ACTION REQUIRED)

VIII. ADJOURN

- **Mr. Bennett made a motion to adjourn the meeting.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:34 PM**

Respectfully submitted,



Dan Porter, Assistant City Manager