

City Council Meeting Minutes  
February 4, 2019  
7:00 PM Regular Meeting

**Open Regular Meeting – 7:00 p.m.**

**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. Stevens, Mr. Oroke, Ms. Patterson, and Mr. Bennett. City Manager George Brajkovic, City Attorney Shannon Marcano, and Assistant City Manager Dan Porter were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

**II. Approval of Minutes – Regular meeting dated January 7, 2019**

- **Mr. Oroke made a motion to approve the minutes from the January 7, 2019 City Council meeting.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

**III. Consent Agenda**

- a) Review bill payments
- **Ms. Stevens 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.

- John Blessing, 2601 Midwest Drive, addressed the Council and stated that he was a local representative of Waste Management and wanted to introduce himself to the Council.
- Jamie Lawson, 1831 Finch Drive, addressed the City Council and noted concerns with the blighted status of some properties within the City.
- No other members of the public addressed the City Council during open agenda.

**V. Old Business**

**VI. New Business**

- a) Resolution 02-19-01: Referral Agreement between the City of Tonganoxie and School Yard Townhomes, LP
- Mr. Brajkovic introduced the item and described the origins of this project and the recent submittal to KHRC. The item for consideration was whether the City Council would support a referral agreement for Tonganoxie residents to be given priority when waitlists were created for the housing units.
- Kelley Hrabe, with Prairie Fire Development Group, addressed the City Council and described the recent history of his development group in other communities. He noted that the referral agreement would aid the application to KHRC for funding.
- Ms. Patterson asked for clarification on the meaning of resident.
- Mr. Hrabe stated that further definition was possible later, but at the present time it meant those residing within the City at the time of applying for the housing units.
- **Mr. Bennett made a motion to approve Resolution 02-19-01.**

- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**
  
- b) Resolution 02-19-02: Approving Request for Waiver of Pet License Fees in Conjunction with Rabies and Micro Chipping Event
  - Mr. Porter introduced the item and described the event held in 2018.
  - **Mr. Patterson made a motion to approve Resolution 02-19-02.**
  - **Mr. Oroke seconded.**
  - **Vote of all ayes, motion carried.**
  
- c) Consider Approval of 2019 Funding for Tonganoxie Business Association
  - Mr. Porter described the funding pool for community events approved in the 2019 budget. He noted that 2019 initiatives for the TBA were provided to the Council along with a financial statement showing the past year of transactions.
  - Mayor Ward thanked TBA members for their efforts throughout the year.
  - Monica Gee distributed Destination Bootcamp flyers and confirmed that the City Council was still interested in TBA completing downtown beautification efforts in 2019.
  - **Ms. Patterson made a motion to approve the distribution of no more than \$5,000 in funding for the Tonganoxie Business Association in 2019.**
  - **Mr. Bennett seconded.**
  - **Vote of all ayes, motion carried.**
  
- d) Ordinance 1462: Approval of Special Use Permit for Casey's Sign Located at 500 West St
  - Mr. Brajkovic introduced the item and described the recent consideration by the Planning Commission.
  - **Mr. Oroke made a motion to approve Ordinance 1462.**
  - **Ms. Stevens seconded.**
  - **Vote of all ayes, motion carried.**
  
- e) Ordinance 1445: Amending the Light Industrial District Zoning Ordinance to allow Daycare: Child Care Center (or) Preschool
  - Mr. Brajkovic made a presentation on the recent history of the item at the Planning Commission and City Council, including the recent consideration by the Planning Commission of whether to add a Special Use Permit to the requirements for the use in Light Industrial Zoning District, and the resulting motion approved by the Planning Commission to propose allowing the use without the requirement for a special use permit.
  - **Ms. Stevens made a motion to approve Ordinance 1445.**
  - **Ms. Patterson seconded.**
    - Mr. Oroke commented that he still believed a Special Use Permit was warranted.
    - Mr. Himpel stated that he also believed a Special Use Permit was warranted in this case.
    - Ms. Stevens noted that she didn't agree that a Special Use Permit was necessary and that other regulatory agencies would
    - Ms. Marcano noted that the actions available to the City Council at this point included 1) Approval by Vote, 2) Denial by Vote, which would eliminate the item and require any new submittal to be formulated staff upon direction of the Council, and 3) Taking No Action, which would also eliminate the item and require any new submittal to be formulated staff upon direction from the Council.
  - **Roll Call Vote – 2 Ayes (Patterson, Stevens) 3 Nays (Himpel, Oroke, Bennett), motion failed.**
  
- f) Discussion of 2019 City Sponsored Events
  - Mr. Brajkovic described the anticipated City events in 2019 and asked the City Council to indicate their interest in serving on a Planning Committee for the Tonganoxie Days event.
  - Mayor Ward expressed interest in the lead up planning efforts for the event.
  - Mr. Oroke commented that he was already at work on coordinating band and sound stage vendors.

- Ms. Stevens mentioned that she has heard comments from the community in favor of and opposed to having more vendors and others with some concern about the City providing a beer garden at the event.
- Mr. Brajkovic noted that he will coordinate a meeting of the event Planning Committee.

g) City Manager Agenda

1. Presentation of 2019 Budget Book

- Mr. Porter presented the final copy of the 2019 Budget Book to the governing body and noted that it was also currently available on the City's website and at City Hall.

2. Q4 2018 Financial Report

- Mr. Porter presented the Q4 2018 Financial Report. He noted that the quarterly treasurer's report would also be published next week in the Tonganoxie Mirror.

3. RFP Update

- Mr. Porter presented the City Council with information about the RFP and RFQ currently posted on the City's website to collect submissions from parties interested in completing the services in 2019 and potentially for several future years as well.

4. Library Project Update

- Mr. Brajkovic described progress on the new Library project and introduced the project financial tracker. He indicated that the next City Council review of the design was scheduled for the February 19 meeting.

h) City Attorney Agenda

i) Mayor Pro Tem Agenda

j) City Council Agenda

k) Mayor Agenda

1. Executive session pursuant to the preliminary discussion of the acquisition of real property

- **Ms. Patterson made a motion at 8:26 PM to recess the City Council into executive session to discuss property acquisition pursuant to the discussion matters related to security exception, K.S.A. 75-4319 (b) (6). The open meeting will resume in the City Council chambers after 15 minutes at 8:41 PM.**

**The executive session will include the Governing Body, City Manager, City Attorney, and Assistant City Manager.**

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

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- **Mr. Oroke made a motion at 8:41 PM to return from executive session and noted that no action was taken.**

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

- **Vote of all ayes, motion carried.**

2. Executive session pursuant to the discussion of personnel matters of non-elected personnel

- **Ms. Patterson made a motion at 8:43 PM to recess the City Council into executive session to discuss staff performance pursuant to the discussion matters related to security exception, K.S.A. 75-4319 (b) (1). The open meeting will resume in the City Council chambers after 15 minutes at 8:58 PM.**

**The executive session will include the Governing Body, City Manager, City Attorney, and Assistant City Manager.**

- **Mr. Oroke seconded the motion.**

- **Vote of all ayes, motion carried.**

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- **Ms. Patterson made a motion at 8:58 PM to return from executive session and noted that no action was taken.**

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

- **Vote of all ayes, motion carried.**

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

**VIII. Adjourn**

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:59 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager