

City Council Meeting Minutes
February 21, 2019
7:00 Special Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

- Mayor Ward opened the meeting at 7:00 PM with the Pledge of Allegiance.
- Roll Call: Council members present were Mayor Ward, Mr. Himpel, Mr. Oroke, Ms. Patterson, and Mr. Bennett. Ms. Stevens was absent. City Manager George Brajkovic, City Attorney Shannon Marcano, Police Chief Greg Lawson, Fire Chief John Zimbelman, and Assistant City Manager Dan Porter were also in attendance.

II. Approval of Minutes – Regular meeting dated February 4, 2019

- **Mr. Oroke made a motion to approve the minutes from the February 4, 2019 City Council meeting.**
- **Ms. Patterson 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.

- No members of the public addressed the City Council during open agenda.

V. Old Business

a) UTV Draft Policy and Ordinance Alternatives Presentation

- Mr. Brajkovic introduced the item and delivered a presentation on the staff research of current City Code and how UTV and Golf Cart usage would require adjustments to the Code. He also noted several remaining items requiring policy direction from the governing body before an ordinance can be produced for consideration. Some such items include safety feature requirements, a proposed fee structure, insurance documentation requirements, and what types of vehicles to include in the ordinance.
- Mr. Himpel asked what type of registration was envisioned.
- Chief Lawson stated that a registration would result in a visible sticker being placed on the frame of the UTV denoting the date of effective registration.
- Mr. Bennett asked what considerations were for golf carts from the perspective of public safety departments.
- Chief Lawson described the main differences between golf carts and UTVs as more limited mobility and lack of rollover protection.
- Mayor Ward requested the Council provide direction to staff on how to proceed.
- Mr. Oroke commented that he supported staff to continuing to work to refine the safety regulations for UTVs.
- Mr. Bennett commented that the fine structure needed to be evaluated as well, and a portion of registration fees should recompense the Police Department and Admin Department for their efforts. Other considerations should be allowing County residents to register their UTVs and how to address usage during events like the Leavenworth County Fair.

- Cody Thornton, 82 1E 6th Street, addressed the Council and commented that he was fine with proceeding with only UTVs and not golf carts in light of the safety concerns discussed earlier.
- Mayor Ward asked that more information be collected about a fee and fine structures and commented that with Ms. Stevens absent the discussion should continue at a future meeting to give her the opportunity to share her thoughts on which type of vehicles to include.

VI. New Business

a) Consider Approval of Request to Donate Tonganoxie Water Park Family Season Pass to Genesis Schools

- Mr. Brajkovic introduced the item and described the request from Genesis Schools.
- Denise Bixby, with Genesis Schools, described the request for one water park family pass to auction off and thanked the Council for their support.
- **Mr. Bennett made a motion to waive the \$140 Tonganoxie Water Park resident family season pass fee and donate it to the Genesis Christian Academy for use at an upcoming annual silent auction.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

b) New Library Project Presentation (this item considered before item 6f)

- Mr. Brajkovic introduced the item and introduced Nicole Holifield to the Council.
- Nicole Holifield, the Tonganoxie Public Library Director, introduced the item to the City Council and provided an overview of the public input processes completed to date for the project.
- Jim Stufflebeam, with SAPP Architects, presented the preliminary design documents to the City Council and a short presentation.
- Curtis Golba, with JE Dunn, also provided information about the project schedule and next steps.
- Mayor Ward asked what the typical practice was in terms of numbers of entrance points.
- Mr. Himpel noted that side doors can be important for Fire Code requirements.
- Ms. Patterson asked if the current design documents reflected the proposed number of computers and location anticipated in the new building.
- Ms. Holifield commented that the design reflects bundled technology provision in several areas of the
- Ms. Patterson asked what the size increase was in the design of the new library.
- Mr. Stufflebeam commented that this was an increase of almost 50% in size.
- Ms. Patterson asked what wasn't possible to include in the current design.
- Ms. Holifield stated that the new library checks most items, but some desired things like a Kansas history room or additional collaboration spaces weren't possible until a future expansion. The new space allows for better separation of materials by age group or interest.
- Ms. Patterson asked when the new Library would be lacking in space.
- Ms. Holifield stated that she completed a population projection and that when those figures were compiled it proposed future size requirement of 16,500 square feet. The current design is set up to accommodate future expansions.
- Mr. Oroke commented that the direction of the slope of the roof versus the slope of the landscape and location of the electrical box are items he would like the design group to consider to make sure they are designing in the most effective manner possible. He also asked if this would be a steel structure.
- Mr. Stufflebeam stated that this would likely be a steel frame structure based on the design.
- Mr. Brajkovic thanked the parties involved in the design process, including the Tonganoxie Library Board and contractors, for their efforts on the project and expressed excitement that the building would be located in a transition area next to the City's downtown.

- Ms. Patterson expressed concern with the level of financing based on the idea of possible additional needs during the timeframe of the debt financing for the project.
- Mayor Ward noted the work completed in the past year by the Governing Body answered the question of how much funding to allocate to the Library project and that he didn't see the budget changing for the current project at this point based on the momentum and steps already completed to reach this point.
- Mr. Oroke noted that the project needs to be moving forward and that the current amount of funding, making up 65% of the estimated \$8,100,000 in revenue from the sales tax over the 20 year duration, was adequate for the project.
- **Mr. Oroke made a motion to support the current design documents and support the project moving forward.**
- **Mr. Bennett seconded.**
- **Vote of 3 ayes 1 nay (Patterson), motion carried.**

c) Consider Approval of Request to Purchase Fire Communication System

- Mr. Porter introduced the item and described the proposed purchase of wireless communications gear for the City's new Pierce Saber Fire Pumper Truck.
- Chief Zimbelman clarified that it was a wireless headset, and that the driver could maintain contact with the crew wherever the driver or members of the crew are located around the rig.
- Mayor Ward asked if the system was compatible with the other vehicles in the department fleet.
- Chief Zimbelman stated that it would be fully compatible.
- **Mr. Oroke made a motion to approve the purchase of Fire Communications Gear in an amount not to exceed \$6,407.46**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

d) Consider Approval of Proposed Adjustments to 2019 Position Summary and 2019 Pay Ranges

- Mr. Brajkovic introduced the item and described the Police Chief's process to assess the staffing makeup of the department.
- Mr. Porter described the proposed changes to the City's current position summary and pay ranges to incorporate two corporals in place of the part time administrative position that was included in the 2019 budget.
- **Mr. Himpel made a motion to amend the 2019 Position Summary and 2019 Pay Ranges to include two Police Corporal position classifications.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

e) Proposals Submitted in Response to RFP for Auditing Services

- Mr. Porter introduced the item and described the RFP process used for the collection of proposals for auditing services. He reviewed the attachment in the packet describing the proposals and requested direction from the Council on whether to proceed with contract negotiations.
- **Ms. Patterson made a motion to direct staff to negotiate a contract for auditing services with Kramer & Associates and to bring it back to the City Council for consideration.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

f) Ordinance 1445: Acceptance of Utility Easement from Joshua and Jennifer McGhee

- Mr. Brajkovic introduced the three ordinances on the agenda and noted they helped achieve the acquisition of access to complete an interceptor sewer project to the Tonganoxie Business Park.
- **Mr. Himpel made a motion to approve Ordinance 1445, accepting a utility easement from Joshua and Jennifer McGhee.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

g) Ordinance 1463: Acceptance of Utility Easement from Rick and Peggy Kooser

- **Mr. Himpel made a motion to approve Ordinance 1463, accepting a utility easement from Rick and Peggy Kooser.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

h) Ordinance 1464: Acceptance of Utility Easement from USD 464 of Leavenworth County

- **Mr. Himpel made a motion to approve Ordinance 1464, accepting a utility easement from USD 464 of Leavenworth County.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

i) City Manager Agenda

1. January 2019 Financial Report

- Mr. Porter introduced the item and delivered the financial report to the City Council.

2. Library Project Update

- Mr. Brajkovic noted that the financial report was included in the City Council agenda packet for the meeting and that there were no changes from the prior month's financial report.

j) City Attorney Agenda

k) Mayor Pro Tem Agenda

l) City Council Agenda

- Ms. Patterson thanked the Public Works Department for all their hard work in combating the winter storms recently experienced in the City.

m) Mayor Agenda

- Mayor Ward notified the public that the FFA Breakfast was taking place on Saturday from 6:30 AM to 10 AM.

1. Executive session pursuant to the preliminary discussion of the acquisition of real property (item considered before item 6f)

- **Ms. Patterson made a motion at 8:30 PM 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). The open meeting will resume in the City Council chambers after 10 minutes at 8:40 PM. The executive session will include the Governing Body, City Manager, City Attorney, and Assistant City Manager.**

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

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

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- **Ms. Patterson made a motion at 8:40 PM to return from executive session and noted that no action was taken.**

- **Mr. Oroke 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 8:52 PM to recess the City Council into executive session to discuss staff performance pursuant to the discussion of personnel matters of nonelected personnel exception, K.S.A. 75-4319 (b) (1). The open meeting will resume in the City Council chambers after 15 minutes at 9:07 PM. The executive session will include the Governing Body and City Attorney.**

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

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

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- **Ms. Patterson made a motion at 9:07 PM to return from executive session and noted that no action was taken.**

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

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

- Ms. Patterson made a motion at 9:09 PM to recess the City Council into executive session to discuss staff performance pursuant to the discussion of personnel matters of nonelected personnel exception, K.S.A. 75-4319 (b) (1). The open meeting will resume in the City Council chambers after 20 minutes at 9:29 PM. The executive session will include the Governing Body, City Manager and City Attorney.
- Mr. Bennett seconded the motion.
- Vote of all ayes, motion carried.
- ...
- Ms. Patterson made a motion at 9:29 PM to return from executive session and noted that no action was taken.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.

- Ms. Patterson made a motion at 9:30 PM to recess the City Council into executive session to discuss staff performance pursuant to the discussion of personnel matters of nonelected personnel exception, K.S.A. 75-4319 (b) (1). The open meeting will resume in the City Council chambers after 10 minutes at 9:40 PM. The executive session will include the Governing Body and City Attorney.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.
- ...
- Ms. Patterson made a motion at 9:40 PM to extend the current executive session for 10 minutes.
- Mr. Bennett seconded the motion.
- Vote of all ayes, motion carried.
- ...
- Ms. Patterson made a motion at 9:50 PM to return from executive session and noted that no action was taken.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.

- Mr. Himpel made a motion to increase the City Manager's compensation reflective of his performance evaluation and in accordance with his employment agreement.
- Mr. Bennett seconded.
- Vote of all ayes, motion carried.

VII. Information & Communications (No Action Required)

VIII. Adjourn

- Ms. Patterson made a motion to adjourn the meeting.
- Mr. Oroke seconded the motion.
- Vote of all ayes, motion carried.
- Meeting adjourned at 9:50 p.m.

Respectfully submitted,



Dan Porter, Assistant City Manager