

City Council Meeting Minutes
April 15, 2019
7:00 Regular Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

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

II. Approval of Minutes – Regular meeting dated April 1, 2019

- **Mr. Bennett made a motion to approve the minutes from the April 1, 2019 City Council meeting.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Mr. Oroke made a motion to approve the consent agenda.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried.**
- Mr. Brajkovic introduced Anna Krstulic, who will be serving as special counsel for an interim period until approximately June 17.
- Ms. Krstulic thanked the City Council for the opportunity and shared that she is excited to serve. She described her background in experience relevant to the position of City Attorney.

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

VI. New Business

- a) Ordinance 1467: An Ordinance Regulating Traffic Within the Corporate Limits of the City of Tonganoxie, Kansas, Incorporating by Reference the Standard Traffic Ordinance for Kansas Cities, 2018 Edition
- Mr. Brajkovic delivered a short presentation on items VI.a, VI.b, and VI.c. He included information about safety consideration, operation restrictions, and the definition of a UTV, or side-by-side, and described how draft Ordinance 1469 proposes the creation of a registration program for UTVs that would be effective May 15, 2019. If approved, staff would complete the preparation of materials and procedures for registrations starting on that date.
- **Mr. Bennett made a motion to authorize the execution of Ordinance 1467.**
- **Mr. Oroke seconded.**

- **Vote of 4 ayes, 1 nay (Stevens) motion carried.**
- b) Ordinance 1468: An Ordinance Regulating Public Offenses Within the Corporate Limits of the City of Tonganoxie, Kansas, Incorporating by Reference the Uniform Public Offense Code for Kansas Cities, 2018 Edition
 - **Mr. Bennett made a motion to authorize the execution of Ordinance 1468.**
 - **Mr. Oroke seconded.**
 - **Vote of 4 ayes, 1 nay (Stevens), motion carried.**
- c) Ordinance 1469: Amending the City Code, Chapter XIV. Traffic, Article 2. Local Traffic Regulations, Section 14-204 to Allow for the Recreational Use of Utility Task Vehicles (UTVs) on City Streets
 - Ms. Stevens commented that she felt that the registration program suggested in the draft ordinance was too costly and exclusive, including that the safety modifications required for registration would be costly for owners to complete.
 - Cody Thornton addressed the City Council and stated that, as a proponent of the program, he respectfully believed that the proposed registration cost and safety requirements were acceptable.
 - **Mr. Bennett made a motion to authorize the execution of Ordinance 1469.**
 - **Mr. Oroke seconded.**
 - **Vote of 4 ayes, 1 nay (Stevens) motion carried.**
- d) Consideration of Release Agreement with Tonganoxie Veterans of Foreign Wars Post 9271 for the Removal and Replacement of Playground Equipment
 - Mr. Brajkovic delivered a short presentation on the item describing the release agreement prepared for consideration by the City Council that would allow City staff to complete demolition of existing playground equipment.
 - **Mr. Oroke made a motion to authorize the Release Agreement with Tonganoxie Veterans of Foreign Wars Post 9271 for the Removal and Replacement of Playground Equipment.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**
- e) Ordinance 1470: Acceptance of Utility Easement from Shaun Thomas Vickers
 - Mr. Brajkovic introduced the item and described the two agreements proposed with this draft ordinance for approval.
 - **Ms. Stevens made a motion to authorize the execution of Ordinance 1470.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**
- f) Consider Approval of Tongie Tidal Waves Rental Schedule Agreement
 - Mr. Porter introduced the rental agreement item and Janet Falk, who was present to address the City Council.
 - Janet Falk, Director of Tongie Tidal Waves, addressed the Council and thanked them for the opportunity to lead the 11th year of the program. She described the proposed rental practice and meet schedule and commented that 146 children participated last year, which far and away leads in participation compared to nearby communities.
 - Ms. Patterson thanked Janet for her efforts to deliver this outstanding program to the community.
 - **Ms. Patterson made a motion to authorize the rental agreement with Tongie Tidal Waves for the 2019 swim season.**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**
- g) Consider Request to Hold Movie in the Park Events in Gallagher Park in Summer 2019

- Mr. Porter introduced the item and described the interest from TBA in delivering a movie in the park event at 4 different occasions in the City's Gallagher Park. He commented that there was no alcohol or food proposed to be served and that staff were working to ensure that incidental costs such as electricity via temporary meters would be reimbursed by TBA following the events.
- **Ms. Stevens made a motion to authorize the Movie in the Park Special Event proposed by TBA on 4 dates in the summer of 2019.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motion carried.**

- h) Consider Approval of Payment for Plymovent Installation from Grant Proceeds
 - Chief Zimbelman introduced this grant funded expenditure for equipment aimed at removing potentially harmful exhaust from the Fire Station's operational and living quarter facilities. All but a small portion of proposed expenditures were funded via a grant from the FEMA Assistance to Firefighters Grant.
 - **Mr. Bennett made a motion to authorize payment for Plymovent installation services from grant proceeds in an amount not to exceed \$34,255.**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**

- i) Consider Approval of Purchase of 6 Sets of Personal Protective Equipment for Fire Suppression Personnel
 - Chief Zimbelman introduced this item as the proposal to use a piggyback contract opportunity from regional entities to complete the purchase of 6 sets of bunker gear for protecting staff during fire suppression activities. The budgeted amount for this purchase in 2019 is \$10,000, and due to the award of a grant from the State Fire Marshal the City would also be able to obtain 6 sets of Level 3 Gear, which is able to protect staff in all situations except for structure fires when full bunker gear is necessary. This lighter gear will reduce wear and tear on more expensive bunker gear.
 - Ms. Patterson thanked Chief Zimbelman and staff for pursuing grant opportunities.
 - **Ms. Patterson made a motion to authorize the Fire Chief to purchase 6 sets of gear through 1st Due Emergency Response Solutions in an amount not to exceed \$9,781.**
 - **Mr. Oroke seconded.**
 - **Vote of all ayes, motion carried.**

- j) Consider Approval of 2019-2020 Plan Year Employee Insurance Benefits Renewals
 - Mr. Porter delivered a presentation on the level of employee insurance benefit renewals for health, dental, and vision insurance. He described the respective premium increases of <1%, <1%, and 3% as well below what was budgeted in 2019, which will be a positive contribution towards the City's 2019 budget performance and 2020 budget development process. He asked the Council for separate motions to approve each of the 3 renewals.
 - **Mr. Bennett made a motion to authorize execution of an agreement with Blue Cross Blue Shield of Kansas for employee health insurance coverage for plan year 2019-2020.**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**

 - **Ms. Patterson made a motion to authorize an agreement with Delta Dental of Kansas for employee dental insurance coverage for plan year 2019-2020.**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**

 - **Mr. Bennett made a motion to authorize an agreement with VSP Vision Care for employee vision insurance coverage for plan year 2019-2021.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**

k) City Manager Agenda

1. Urgent Needs Grant through KS Department of Commerce CDBG Program for Sanitary Sewer Aerial Crossing Repairs

- Mr. Brajkovic delivered a short presentation and described the prospective urgent need for replacement of a concrete low water structure protecting an aerial sanitary sewer crossing of Tonganoxie Creek that was recently damaged and described the requirements and procedure if the City elected to pursue an application for CDBG Urgent Need grant funding.
- Ms. Patterson asked if there was any immediate danger or knowledge of leakage into the creek.
- Mr. Brajkovic responded that staff did not believe that there was immediate danger of leakage into the creek because the sanitary sewer line is intact.
- **Ms. Stevens made a motion to authorize staff to publish a Public Hearing Notice to conduct a Public Hearing on May 6, 2019, to consider submitting a CDBG Urgent Need grant application for the low water crossing at 4th Street & vacated River Street.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

2. 1st Quarter 2019 Financial Report

- Mr. Brajkovic commented that the May 6, 2019 City Council meeting was the staff target date to deliver the March 2019 Financial Report.

3. Library Project Update

- Mr. Brajkovic stated that the Library project had no new pay apps approved yet but that an additional pay app received for the majority of the design work was received and being processed for approval, which should occur soon.

l) City Attorney Agenda

m) Mayor Pro Tem Agenda

n) City Council Agenda

o) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried. Meeting Adjourned at 8:03 PM.**

Respectfully submitted,



Dan Porter, Assistant City Manager