

City Council Meeting Minutes
September 3, 2019
7:00 Regular 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, Mayor Pro Tem Himpel, Mr. Oroke, Ms. Stevens, Mr. Bennett, and Ms. Patterson. City Manager George Brajkovic, City Attorney Anna Krstulic, and Assistant City Manager Dan Porter were also in attendance.

II. Approval of Minutes –Regular meeting dated August 19, 2019

- Ms. Patterson asked that the minutes be amended to reflect her comments about the concerns she had heard from members of the community about the codes issues.
 - **Mr. Himpel made a motion to approve the minutes from the regular meeting dated August 19, 2019.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
 - Mr. Himpel asked for more detail about the payment made to Boundtree Medical.
 - Mr. Brajkovic provided that the purchase in the most recent check report included purchase of a replacement of for expiring AED batteries.
 - Mr. Oroke asked what the payment for over \$15,000 to BG Consultants included.
 - Mr. Porter offered that over half of the payment amount reflected in the check report was payment for construction observation activities completed by the City Engineer on ongoing construction projects, and that these costs will be reimbursed by the developers in each project.
- **Ms. Stevens made a motion to approve the consent agenda.**
- **Ms. Patterson 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.

- Monica Gee, 612 E 4th Street (Business Location), addressed the City Council and submitted her donation of a paint-my-place painting that was selected by members of the public at the Tonganoxie Sunflower Stroll & Plein Air Art Festival last weekend. She also submitted an additional painting of the old City Hall building that was donated by the Tonganoxie Business Association to the City.
- Mayor Ward thanked Monica for her generosity in donating the painting and complimented the painting.
- No other members of the public provided comments.

V. Old Business

- a) Discussion Regarding Chapter XIV of the City Code Including Section 14-206. PARKING ON UNPAVED SURFACES IN CERTAIN AREAS PROHIBITED and Section 14-209. PARKING IN RESIDENTIAL AREAS
- Mr. Brajkovic introduced the item and provided a presentation on the regulations in the City Code relating to parking on unpaved surfaces and parking in residential areas.

- Mayor Ward reiterated that the last point of the most recent discussion on this topic was that we need to ensure we are clear in the messaging of what aspect of regulation is being considered for possible change.
- Mr. Oroke commented that he sees Article 1, 2, and 3 of the existing code related to junked vehicles that need to be enforced right now.
- Mr. Himpel shared that his concerns include whether the right of way and easements are included in the concept of the street and parking controls. He stated that the right of way needs to be clean in order to protect public safety and allow access when necessary. He added that overweight vehicles being parked overnight on City streets needs to be enforced, as well as junked vehicles.
- Mr. Brajkovic described City staff's current approach to considering the extent of due process rights that need to be provided throughout the code enforcement and municipal court process.
- Mr. Bennett asked that City staff share numbers of code enforcement activity and municipal court activity related to codes issues, as well as more information about other communities and how they approach the issue.
- Ms. Patterson commented that it is important to remember that the parking on unimproved surfaces is the important concern that needs to be the focus of the City Council's policy discussion, including defining property rights.
- Ms. Stevens stated that she wishes to focus on what regulation we have currently instead of making adjustments.
- Jamie Lawson addressed the City Council and expressed concern with the approach and amount of time taken to evaluating changes to City Code in response to his concerns.
- Ms. Stevens shared that it is important to ensure that the City Council has adequate time for discussion and that the larger public has ample opportunity to share input.
- Mr. Bennett reiterated that there is a need to balance concerns with appearance with the restrictions of some properties, especially in the older parts of town.
- Ms. Stevens stated that she still wished for the enhanced enforcement efforts to have more opportunity to address issues.
- Mr. Oroke stated that he didn't have concerns with increasing the ability to park on gravel sources.
- Mr. Bennett commented that he believe there needed to be some resolution for this issue by the end of the year.
- Ms. Patterson stated that her focus was on determining where vehicles were able to be parked, and that it was important to consider in light of storm water
- Mr. Oroke agreed that the focus should be on location of parking.
- Mr. Brajkovic commented that he believed he had direction from the governing body to develop a proposed policy to consider at a future meeting to eliminate and control parking on unimproved surfaces in a consistent and enforceable format, and that he wants to ensure that it avoids large numbers of exceptions.

b) Consideration of Draft Tonganoxie Public Library Lease Term Sheet

- Mr. Brajkovic introduced the item.
- Mayor Ward asked to change the occupancy date to March 1, 2020.
- Mr. Bennett commented that the question of maintenance responsibility needs to be considered.
- Ms. Patterson stated that the Library Director position shouldn't be expected to bring much experience to working with contractors to complete this type of work based on the educational and experience requirements of the position.
- Mr. Bennett commented that he was in favor of keeping the maintenance and upkeep responsibilities as assigned in the current version of the document.
- Mayor Ward stated that consistency of approach was key to running operations efficiently.
- Mr. Brajkovic elaborated on public works staff responsibilities and time commitments to street clearing and other City facilities in the case of winter weather events.

- Mr. Himpel stated that he agreed with the expectation that the Library should arrange for maintenance of the building if the lease terms are for no rent to be paid.
- **Mr. Himpel made a motion to authorize staff to present the draft Lease Term Sheet to the Tonganoxie Library Board for consideration with the edit of the occupancy date to March 1, 2020 and revising the maintenance and repair section to assign the Library the responsibility for completion or contracting of those activities.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motioned carried.**

VI. New Business

a) Consideration of Salt Purchase Request

- Mr. Brajkovic introduced the item.
- **Ms. Stevens made a motion to authorize staff to purchase salt supplies for an amount not to exceed \$4,991.**
- **Mr. Bennett seconded.**
- **Vote of all ayes, motioned carried.**

b) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic provided an update on the submission for the grant and stated that the City's application was in the queue for review.

2. Library Project Update

- Mr. Brajkovic provided an update on the progress of the project and noted that the slab had been poured the previous week and the pre-engineered metal building was expected tomorrow morning.

3. 2019 Sales and Use Tax Report

- Mr. Porter provided a sales and use tax report to the City Council with data about sales and use tax collection trends and the utilization approach to the City's share of local sales tax.

c) City Attorney Agenda

d) Mayor Pro Tem Agenda

- Mr. Himpel commented that several crosswalks in the City require maintenance attention and asked if the Planning Commission meetings were going to be televised.
- Mr. Brajkovic stated that staff were currently working through an issue with the adherence of paint used for updating crosswalks and that we hope to be able to improve the appearance in a timely fashion. He also stated that the Planning Commission meetings were not currently recorded.

e) City Council Agenda

- Ms. Patterson commented that she had spoke with the high school principal Mr. Farrar who shared that he still had a group of students that would be willing volunteers for those in need of assistance to complete property maintenance.
- Ms. Stevens shared that the Sunflower Stroll and Plein Air Art events were a huge success and she complimented the efforts of the organizers and volunteers.
- Mr. Oroke asked that staff work to ensure that infrastructure maps and inventories are updated and stored by the City in electronic files.
- Mr. Himpel thanked the organizers of the art festival and commented on the large amount of talent he observed at the event.

f) 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 9:04 PM.**

Respectfully submitted,

Dan Porter, Assistant City Manager