

City Council Meeting Minutes
October 7, 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, Ms. Patterson, Ms. Stevens, and Mr. Bennett. Mr. Himpel and Mr. Oroke were absent. City Manager George Brajkovic, City Attorney Anna Krstulic, and Assistant City Manager Dan Porter were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated September 16, 2019

- **Ms. Patterson made a motion to approve the minutes from the September 16, 2019 City Council meeting.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Mr. Bennett made a motion to approve the consent agenda.**
- **Ms. Stevens seconded the motion.**
- **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

VI. New Business

- a) Presentation of 2018 Financial Audit – Kramer & Associates CPAs, LLC
- Mr. Porter introduced the item and recognized Tony Kramer with Kramer & Associates CPAs, LLC.
- Mr. Kramer addressed the City Council and described the process involved in completion of the draft financial statements for consideration. He presented the findings included in the audit to the City Council.
- Mayor Ward asked how the City could ensure that situations like future debt issuances do not impact the City's pledged securities.
- Mr. Porter commented that he was meeting with the representatives from First State Bank and Trust more frequently throughout the year to help communicate needs for additional pledged securities in the event of larger than normal deposits like property tax proceeds in January and May of each year, as well as other significant transactions.
- Mr. Kramer stated that he believed that additional communication efforts and attention would be beneficial in addressing the shortfall in pledged securities.

- b) Ordinance 1476: Amending Water and Sewer Rates, System Development (Tap) Fees, and the City Water & Sewer Regulations Effective for the February 1, 2020 Billing Cycle
- Mr. Brajkovic introduced the item.
 - Mr. Porter delivered a presentation on the nature of the proposed changes to the water and sewer utility rates effective on the February 1, 2020 utility bill that were based on the recent rate analysis completed by Carl Brown of GettingGreatRates.com.
 - Mayor Ward thanked staff for the efforts involved in the rate analysis and rate changes. He commented that the City has struggled for many years to develop a fair and affordable manner to set water and sewer rates, and that the explanation behind the proposed changes will be very valuable in the future.
 - Mr. Brajkovic thanked Mr. Porter and Ms. Krstulic for their extensive efforts to research and consolidate the various ordinances used to implement rate changes in the past into a single, simple ordinance for the City Council's consideration.
 - **Mr. Bennett made a motion to approve Ordinance No. 1476: Amending Ordinance No. 1101 Concerning the Use of Public and Private Sewers and Drains Regulations of the City of Tonganoxie, Kansas and Repealing Ordinance No. 1219; Amending the City of Tonganoxie Water and Sewer Regulations and Repealing Ordinance No. 1258; and Amending the Rates Charged For Water and Sewer Services and Repealing Ordinance No. 1429.**
 - **Ms. Patterson seconded.**
 - **Vote of all ayes, motion carried.**
- c) Resolution 10-19-01: Authorization to Execute Grant Agreement No. 19-IT-001 Between the State of Kansas Department of Commerce and the City of Tonganoxie and the Designation of Depository Agreement
- Mr. Brajkovic introduced the item and explained that the City had a period of 30 days from September 18, 2019 to execute the contract and provide it back to the State of Kansas.
 - Mr. Porter explained that based on discussions with the City's auditors, there might be a need to create a new unbudgeted fund to track the project's revenues and expenditures independently and that he will confirm that approach with the State Budget Office.
 - Ms. Patterson thanked staff for the efforts to effectively leverage the available funding from other sources to complete an infrastructure protection project of such significant cost.
 - **Ms. Patterson made a motion to approve Resolution No. 10-19-01: Approving and Authorizing the Execution of the State of Kansas Grant Agreement No. 19-IT-001 Between the City of Tonganoxie, Kansas and the State of Kansas Department of Commerce and Authorizing Execution of Related Electronic Transfer Forms for the 2019 CDBG Urgent Need Sanitary Sewer Aerial Crossing Project.**
 - **Ms. Stevens seconded.**
 - **Vote of all ayes, motion carried.**
- d) Consideration of Authority to Purchase Heating and Air Conditioning Equipment for Waste Water Treatment Plant Facility
- Mr. Brajkovic introduced the item.
 - Mr. Bennett asked what the funding source would be for the project.
 - Mr. Porter stated that the City's Sewer Capital Fund and Sewer Operations Fund would be utilized to make the purchase.
 - **Ms. Stevens made a motion to authorize staff to advance with the quote from Alltech Mechanical, LLC for an amount not to exceed \$6,804.39.**
 - **Mr. Bennett seconded the motion.**
 - **Vote of all ayes, motion carried.**
- e) Notice of Rescheduling October 21, 2019 Regular City Council Meeting

- Mr. Brajkovic commented that previous discussions of the City Council confirmed that the October 21, 2019 City Council meeting would be rescheduled if possible. He asked if the City Council members would be available on either October 14 or October 28.
- Ms. Patterson, Ms. Stevens, Mayor Ward, and Mr. Bennett stated that they are available on October 14.
- Mr. Brajkovic stated that staff would prepare the necessary communications to share the new meeting date once he confirmed attendance from the absent members of the City Council. He stated that staff would send a notification to surrounding property owners who received the notice of the public hearing for the Planning Commission meeting date.

f) Consideration of Disposition of 2011 Crown Victoria Vehicle

- Mr. Brajkovic introduced the item and described the information included in the agenda packet.
- Ms. Patterson thanked Mr. Brajkovic for the detailed information.
- Mayor Ward praised the detail included in the maintenance records kept by the Public Works Department.
- **Ms. Patterson made a motion to authorize the disposition of a 2011 Ford Crown Victoria vehicle by utilizing Purple Wave.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**

g) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic noted that an extensive update on the Urgent Needs Grant project was already provided in the New Business portion of the agenda, and he has observed BG Consultants staff doing some staking at the project site.

2. Library Project Update

- Mr. Brajkovic provided an update on the status of the Tonganoxie Public Library construction project.

3. Emergency Purchases Update

- Mr. Brajkovic updated the City Council about two emergency purchases he had authorized since the last meeting due to the time sensitive nature of the needs. The first was emergency repairs to sewer backup damage and the remediation of a small amount of mold from previous issues at the Tonganoxie Public Library, and the second was a contract to mow the business park property in advance of the marketing event.

b) City Attorney Agenda

c) Mayor Pro Tem Agenda

d) City Council Agenda

e) Mayor Agenda

1. Executive Session for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship
- **Ms. Patterson made a motion that the City Council recess into executive session to discuss a class action notice pursuant to the attorney-client consultation exception, K.S.A. 75-4319(b)(2). The open meeting will resume in the City Council chamber at 8:17 p.m. The executive session will include the Governing Body, City Attorney, City Manager, and Assistant City Manager.**
 - **Ms. Stevens seconded the motion.**
 - **Vote of all ayes, motion carried.**

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- **Ms. Patterson made a motion that the City Council return from executive session at 8:17 p.m., and that no binding action was taken in the executive session.**
- **Ms. Stevens 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.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:18 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager