

City Council Meeting Minutes  
October 14, 2019  
7:00 PM 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, Mr. Himpel, and Mr. Oroke. Mr. Bennett was absent. City Manager George Brajkovic and Assistant City Manager Dan Porter were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

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

- **Ms. Patterson made a motion to approve the minutes from the October 7, 2019 City Council meeting.**
- **Ms. Stevens seconded the motion.**
- **Vote of 2 ayes, 2 abstentions (Oroke and Himpel), motion carried.**

**III. Consent Agenda**

- a) Review bill payments
- **Ms. Patterson made a motion to approve the consent agenda.**
- **Mr. Himpel 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.

- Mike Stieben, Leavenworth County District 5 Commissioner, updated the City Council on County initiatives. He stated that there would be a town hall meeting held on October 15 at 6 PM at the Leavenworth County Annex to discuss the CR1 Land Use Study. He also stated that the County's road improvement efforts have recently been hampered by the irregularity of utility easements underneath County roads.
- No other members of the public addressed the City Council during open agenda.

**V. Old Business**

**VI. New Business**

a) Ordinance 1477: Amending the "Zoning Ordinance and Subdivision Regulations" of the City of Tonganoxie, Kansas, 2003, by Rezoning Certain Property Generally Known as 304 Shawnee in the City of Tonganoxie, Kansas from R-SF to R-MF2-P

b) Resolution 10-19-02: Findings of Fact Associated with Proposed Rezoning of 304 Shawnee

- Mr. Brajkovic introduced the item and explained that items VI a and VI b are associated with the proposed rezoning of property generally located at 304 Shawnee. He recognized the attendance of Kelley Hrabe with Prairie Fire and Jason Swords with Sunflower Development.
- Chris Brewster, City Planner with Gould Evans, delivered a presentation on the contents of the staff report.

- Kelley Hrabe, with Prairie Fire, addressed the City Council on behalf of the applicant.
- Mr. Himpel asked what the income restricted units would include.
- Mr. Hrabe shared that 6 units would be market rate, or open ended, while other units would include various ranges of income restriction based on the number of people per household.
- Mr. Oroke asked what the qualifications to live at the property would be.
- Mr. Hrabe shared that the applicants would be required to prove income, complete a criminal history check, and other credit checks.
- Corrie Jones, 215 E 2<sup>nd</sup> Street, addressed the City Council in opposition to the rezoning item.
- Andy Jones, 215 E 2<sup>nd</sup> Street, addressed the City Council in opposition to the rezoning item.
- Mr. Himpel stated that he believed there would be several additional opportunities for the City Council to review the proposed development and that he appreciated efforts made so far in parking and design.
- Ms. Patterson stated that she appreciated the challenge of infill development, the City is fortunate to have this project as a possibility, and that she understood the concerns of neighbors.
- Ms. Stevens commented that she appreciates the concerns of neighbors and does not live too far from the project. She shared that the pedestrian friendly nature of the design was appealing and that affordability is a key component of the project for people like teachers.
- Mr. Oroke stated that he lives across the street from the project and that though it is impossible to make everyone happy, the developer did a good job taking feedback from the neighborhood and that he appreciates the developer's commitment to the community.
- Mayor Ward shared that in his 15 years of service on the City Council he has been part of many emotional decisions, and that he appreciated hearing references to working within the City's Comprehensive Plan. He stated that he appreciated the work of the developer and staff.
- Mr. Brajkovic reiterated that the project includes several other necessary levels of approval and consideration by the City Council, including the final development plan and a resolution to hold a public hearing related to the establishment of the RHID District. He added that the voting requirement for the rezoning item is a ¾ majority vote of the entire governing body, or at least 5 affirmative votes, due to the submission of a valid protest petition by neighboring property owners following the Planning Commission's recommendation for approval of the rezoning.
- **Mr. Himpel made a motion to approve Ordinance 1477, approving the rezoning of 304 Shawnee from R-SF to R-MF-2-P.**
- **Mr. Oroke seconded.**
- **Roll Call Vote of all ayes, motion carried 5-0.**
  
- **Mr. Himpel made a motion to approve Resolution 10-19-02, adopting the findings of fact for rezoning 304 Shawnee from R-SF to R-MF-2-P.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried 5-0.**
  
- c) Consideration of 2020 Budget Year Purchase of 2020 Dodge Charger for the Police Department
- Mr. Brajkovic introduced the item and explained that the Police Department was requesting authority to place an order for a 2020 Dodge Charger for the Police Department. He explained that the conditional order was being proposed in order to secure a vehicle under a pre-bid contract that would be renegotiated effective October 31, 2019. He added that the auditors were consulted and the purchase order details allowed cancellation of the order in January 2020, which ensure that the purchase can be initially authorized in 2019 and still take effect against the 2020 Budget.

- **Ms. Patterson made a motion to approve purchase of a 2020 Dodge Charger Police Vehicle through the MARC contract for an amount not to exceed \$24,747.**
- **Mr. Oroke seconded.**
- **Vote of all ayes, motion carried.**

d) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic commented that the Urgent Need Grant agreement was completed at the last City Council meeting and that the details of the arrangement with the City's bank and accounting setup were being coordinated by staff in advance of the first payments associated with the grant activities.
- Mr. Himpel asked if the new design would be able to be used to walk across the creek.
- Mr. Brajkovic stated that the design was not finalized, but that it would likely be very similar to the previous aerial crossing and thus possibly be able to be used to cross Tonganoxie Creek.

2. Library Project Update

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

b) City Attorney Agenda

c) Mayor Pro Tem Agenda

d) City Council Agenda

e) Mayor Agenda

**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 8:15 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager