

City Council Meeting Minutes
December 2, 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: Mayor Ward, Mayor Pro Tem Himpel, Ms. Stevens, Ms. Patterson, and Mr. Oroke were present. City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, and Police Chief Greg Lawson were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated November 18, 2019

- **Ms. Patterson made a motion to approve the minutes from the November 18, 2019 City Council meeting.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

a) Review bill payments

- Mr. Oroke asked staff to provide a more detailed breakdown of the subcategories of payments made to BG Consultants that are combined into a single item in the check report.
- **Ms. Stevens made a motion to approve the consent agenda.**
- **Ms. Patterson 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

a) Consideration of Parking on Unimproved Surfaces Policy

- Mr. Brajkovic introduced the item and delivered a presentation on the draft policy assembled by staff, including a summary of the City Council's related discussion in the most recent meeting.
- Mr. Oroke shared that he felt it was important to allow due process but not let cases sit unresolved for long periods of time without consequence for the violation.
- Mr. Himpel noted the importance of the definition of vehicle in an ordinance, with emphasis on farm vehicles such as tractors, grain trucks, etc being parked on unimproved surfaces on residential property.
- Mr. Brajkovic responded that with the way the draft ordinance was written, those items would be prohibited on unimproved surfaces.
- Mr. Himpel explained that he would like more options for those situations, such as allowing exemptions for such vehicles.
- Mayor Ward stated that those issues may be able to be addressed in the definitions, rather than by offering exemptions.
- Mr. Brajkovic asked for comments on parking in the rear yard.

- Ms. Patterson stated that she still had concerns that permitting any parking on unimproved surfaces would still not protect storm water and other forms of infrastructure from damage.
- Ms. Stevens stated that she felt that personal property rights might be more important to some people in the community than appearance of residential yards, and that the prohibition of parking on unimproved surfaces entirely seemed like an overreach.
- Mr. Brajkovic explained that under the draft policy parking in backyards would still require screening if residents parked there without an improved surface.
- Mr. Oroke commented that the requirement for vehicles to be operable will hopefully help reduce junk vehicles.
- Ms. Patterson commented that she saw this ordinance as a way to protect infrastructure and prevent hazards.
- Mr. Brajkovic offered further options for the draft ordinance and asked for guidance and comments related to parking in rear yards off alleys and unimproved surfaces for the crafting of an ordinance.
- **Mr. Himpel made a motion to direct staff to fashion an ordinance to prohibit parking on unimproved surfaces without exception.**
- **Ms. Patterson seconded the motion.**
- **Vote of 3-1 (no: Stevens), motion carried.**

VI. New Business

a) Resolution 12-19-01: Approval of 2020 Court Services Contract with the City of Leavenworth

- Mr. Brajkovic introduced the item.
- Mr. Porter shared that the 2020 General Fund budget fully anticipated the cost of this service provision and that the increase from the cost of the same service in 2019 was largely due to the conversion of a part time support position to full time and conversion of procedures using paper into a software digital product.
- **Ms. Patterson made a motion to approve Resolution 12-19-01: Approval of 2020 Court Services Contract with the City of Leavenworth, for an amount not to exceed \$24,793.65.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

b) Consider Applicants for City Council Vacancy

- Mr. Brajkovic provided a summary of the discussion at the previous City Council meeting regarding how to fill Mr. Bennett's vacated position on the City Council.
- Mayor Ward commented that he would like the people who will be working with the person filling the vacancy to have a voice in the selection, so he would prefer the selection of an appointment to be made on January 6, 2020 following the swearing in of a new Mayor and Council Member.
- **Ms. Patterson made a motion to direct staff to end the application period for the City Council vacancy on December 27, 2019 and bring the consideration of the vacancy on January 6, 2020.**
- **Ms. Stevens seconded the motion.**
- **Vote of 3-2 (no: Himpel, Oroke), motion carried.**

c) Review Memorandum of Understanding with USD 464 Regarding Referral of School Based Behaviors to Law Enforcement

- Chief Lawson introduced the item.
- Ms. Patterson asked how this change would be communicated to students and parents.
- Chief Lawson shared that the school may make notifications or reminders and that the City will use social media to share communications on the subject, but that parents and most students are likely already aware that they need to follow driving regulations on school property.
- Ms. Patterson asked what will occur if this agreement isn't in place.
- Chief Lawson commented that the successful prosecution of any citations issued on school property, which is considered private property, would be less predictable.

- Ms. Patterson asked if this agreement necessitated signage standards on school property.
- Chief Lawson offered that the main intent of the MOU is to allow the SRO to enforce safety issues like STEP seatbelt campaigns, which doesn't depend on signage.
- Mr. Himpel shared that he would prefer to have an opportunity to speak more with Chief Lawson about the MOU, and asked if the item could be delayed until a future meeting.
- Chief Lawson commented that he would be glad to speak with Mr. Himpel about any concerns he might have and that he would submit the item on a future agenda for consideration.

d) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic stated that the Urgent Need Grant construction will be underway soon following a necessary delay at the direction of the Kansas Department of Commerce for an environmental review comment period.

2. Library Project Update

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

e) City Attorney Agenda

f) Mayor Pro Tem Agenda

g) City Council Agenda

- Ms. Patterson shared that she wouldn't be able to attend the December 16, 2019 City Council meeting.

h) Mayor Agenda

- Mayor Ward shared that the Mayor's Tree Lighting Event on November 23, 2019 went very well and that it was always one of his most enjoyable parts of his role as Mayor. He thanked the many volunteers who dedicated their
- Mr. Porter delivered a presentation with photos of the Mayor's Tree Lighting Event.

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 8:20 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager