

City Council Meeting Minutes
December 16, 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, and Mr. Oroke were present. Ms. Patterson was absent. City Manager George Brajkovic, Assistant City Manager Dan Porter, Fire Chief John Zimbelman, and Police Chief Greg Lawson were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated December 2, 2019

- **Mr. Oroke made a motion to approve the minutes from the December 2, 2019 City Council meeting.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

- a) Review bill payments
- **Mr. Himpel 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.

- Andy Gilner addressed the City Council and thanked Mayor Ward for his service on the City Council and as Mayor.
- Kara Reed addressed the City Council and thanked Mayor Ward for his service to the City through trouble-free and difficult times.
- Jamie Lawson addressed the City Council and thanked Mayor Ward for his service.
- No other members of the public addressed the City Council during open agenda.
- Mayor Ward commented that he was impressed at the many amazing things accomplished in the City of Tonganoxie over the past 15 years. He shared that he never had an intention of becoming a politician and still has no appetite for partisan politics, but that his interest has always been to work to improve the community. He thanked the many City employees he has served with over the years and stated that he is very proud of what we have accomplished together.

V. Old Business

- a) Ordinance 1479: Prohibition of Parking on Unimproved Surfaces
- Mr. Brajkovic introduced the item and summarized the discussion leading to the draft ordinance assembled by staff following the City Council's direction offered at the December 2, 2019.
- Ms. Stevens commented that the draft ordinance being considered tonight was different from the version proposed at the most recent discussion with the removal of the ability to park on an unimproved surface in the back yard of a property when shielded from view. She expressed concern with this change and noted that requiring installation of improved surfaces would be a financial impact to some residents and take the change a bit too far.

- Mr. Oroke shared that he felt the City Council needed to come to a point of common ground and improve the community. He stated that he has previously lived next to a collector who abused the current regulation and that he felt the Council should move forward with the draft ordinance as presented.
- Mr. Himpel shared that he agreed with Council Member Oroke and believed that the City Council should move forward with the ordinance.
- **Mr. Himpel made a motion to approve Ordinance 1479, prohibiting parking on unimproved surfaces.**
- **Mr. Oroke seconded the motion.**
- Ms. Stevens commented that she appreciated the work staff put into locating similar regulations in other cities and drafting a policy that was suited to the needs of Tonganoxie.
- **Vote of 2-1 (no: Stevens), Mayor Ward voted aye to make the total vote 3-1, motion carried.**

VI. New Business

a) Public Hearing Regarding 2019 Budget Amendment to the Sanitation Fund

- Mr. Porter introduced the item and explained that the budget amendment was recommended due in large part to the contract extension and rate increase with Honey Creek Disposal approved by the City Council in August 2019.
- Mayor Ward opened the public hearing.
- No members of the public participated in the public hearing.
- Mayor Ward closed the public hearing.

b) Consider Approval of 2019 Budget Amendment to the Sanitation Fund

- **Mr. Himpel made a motion to approve the 2019 Sanitation Fund budget as presented and published.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**

c) Public Hearing Schoolyard Townhomes RHID District & Development Agreement

- Mr. Brajkovic introduced the item and delivered a presentation explaining how Rural Housing Incentive Districts were organized and the contents of the draft development agreement being considered for approval.
- Mayor Ward opened the public hearing.
- No members of the public participated in the public hearing.
- Mayor Ward closed the public hearing.
- Mr. Brajkovic shared that the approval of Ordinance 1480 would authorize the creation of the RHID district and approve the Development Plan.
- Mayor Ward shared that he believed this project was important because it fulfills an element of the City's strategic plan and completed a gap in the City's range of available housing options.

d) Ordinance 1480: Schoolyard Townhomes RHID District Adoption

- **Mr. Himpel made a motion to approve Ordinance 1480 adopting the Schoolyard Townhomes RHID District and Development Plan.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**

e) Acceptance of Public Dedications – Schoolyard Townhomes Final Plat

- **Mr. Himpel made a motion to accept the dedication of land for public purposes as part of the final plat for Schoolyard Townhomes, LLC.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

f) Consider Approval of Memorandum of Understanding with USD 464 Regarding Referral of School Based Behaviors to Law Enforcement

- Mr. Brajkovic introduced the item.

- Chief Lawson shared the levels of review completed for the draft agreement by the other entities included in the agreement.
- **Mr. Oroke made a motion to authorize execution of the memorandum of understanding with USD 464 regarding referral of school based behaviors to law enforcement.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

g) Consider Approval of CMB Applications

- Mr. Porter introduced the item and explained the process included in the submittal and review of CMB renewal applications.
- **Mr. Oroke made a motion to approve the CMB license for Casey's General Store # 3780, G&P Country Market, Brother's Market, and Fastrax 1 to sell retail cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

h) Resolution 12-19-02: 2019 Certification of Metes and Bounds

- Mr. Porter introduced the item and shared that the City boundaries had not changed since 2018.
- **Mr. Oroke made a motion to approve Resolution 12-19-02, defining the boundaries of the City of Tonganoxie.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**

i) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic stated that the Urgent Need Grant construction will be underway soon and that an explanatory project sign required by the CDBG grant regulation will be in place soon once it is fabricated by the contractor.

2. Library Project Update

- Mr. Brajkovic provided an update on the status of the Tonganoxie Public Library construction project including a list of the project elements less than 70% complete.

3. November Financial Report

- Mr. Porter presented the November Financial Report to the City Council.

j) City Attorney Agenda

k) Mayor Pro Tem Agenda

1. Proclamation in Recognition of Public Service by Mayor Jason K. Ward

- Mayor Pro Tem Himpel read a proclamation paying tribute to Jason K. Ward for his service to the City Of Tonganoxie, Kansas.

WHEREAS, Jason K. Ward, having been elected in April of 2005 and re-elected in April 2009 to serve on the City Council of Tonganoxie, served a total of five years in that capacity; WHEREAS, Jason K. Ward, as City Council President assumed the role of Mayor after the resignation of Mayor Vestal in August 2010; WHEREAS, Jason K. Ward was elected to the position of Mayor in April of 2011 and again in April of 2015, serving for a total of 9 years in that capacity; WHEREAS, Jason K. Ward aided in the growth of the City with the addition by annexation of property & the approval of plans for new subdivisions and businesses; WHEREAS, Jason K. Ward contributed to the completion of major community projects such as the installation of the BPU Water Supply Line, completion of the KTA Turnpike Interchange & County Road 1 Access, construction of the new south Water Tower, purchase and preparation of the 135 acre Tonganoxie Business Park, many new sidewalks and other infrastructure improvements; WHEREAS, Jason K. Ward provided leadership throughout the construction and completion of several new City buildings such as the Public Works building, Wastewater Treatment Plant,

additions to the Fire Department living quarters, City Hall and Police Department; WHEREAS, Jason K. Ward served during the initiation or completion of many new amenities for Tonganoxie citizens such as the new Tonganoxie Water Park, the Skate Park, Gallagher Park, the downtown Pocket Park, Recreation Commission Ballfields, Chieftain Trail Phase 1 & 2, provision of containerized curbside trash & recycling service, and a new Post Office and City Library; WHEREAS, Jason K. Ward also volunteered and provided leadership as member of many civic groups, committees, and events, such as the Tonganoxie Civic Club, Alliance Against Family Violence, Chamber of Commerce/Tonganoxie Business Association, Library Board, City Wide Clean Up Committee, Mayor's Christmas Tree Lighting Event, Tonganoxie Days, and the Veteran's Day Parade in Leavenworth; WHEREAS, Jason K. Ward, during his tenure as a City Council Member & Mayor, served with dedication and distinction. His ability to analyze situations and foresee the future needs of the City greatly aided the Mayor & Governing Body in the execution of designated duties and enabled the community to continue to grow and prosper; NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tonganoxie, Kansas, by this Proclamation, expresses its sincere appreciation and genuine gratitude to Jason K. Ward for the service he has rendered to the City of Tonganoxie.

- Ms. Stevens thanked Mayor Ward for his leadership over the years.
- Mr. Oroke commented that even though he didn't always see eye to eye with the Mayor on every issue he appreciated all the work and commitment Mayor Ward provided for the community.
- Mayor Ward stated that the contents of the proclamation brought back many memories. He shared that the accomplishments of the City in his tenure were not just about 1 person, but that all people have the capacity to make a difference in their own way. He stated that managing the City is a team effort and it has been an amazing time in his life.

l) City Council Agenda

m) Mayor Agenda

VII. Information & Communications (No Action Required)

VIII. Adjourn

- **Mr. Himpel made a motion to adjourn the meeting.**
- **Mr. Oroke seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:09 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager