

City Council Meeting Minutes
January 21, 2020
7:00 PM Meeting

Open Regular Meeting – 7:00 p.m.

I. Pledge of Allegiance

- Mayor Frese opened the meeting at 7:00 p.m.
- Mayor Frese, Mr. Himpel, Ms. Stevens, Mr. Dale, and Ms. Patterson were present. City Manager George Brajkovic, Assistant City Manager Dan Porter, and City Attorney Anna Krstulic were also in attendance.
- Mayor Frese led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated January 6, 2020

- Ms. Patterson made a motion to approve the minutes from the January 6, 2020 City Council meeting.
- Ms. Stevens seconded the motion.
- Vote of all ayes, motion carried.

III. Swearing in of Chris Donnelly as Council Member to fill Vacancy

- Mr. Porter administered the oath of office to Council Member Chris Donnelly to fill the vacant position previously held by Dave Bennett.

IV. Consent Agenda

- a) Review bill payments
- Mr. Himpel made a motion to approve the consent agenda.
- Ms. Patterson seconded the motion.
- Vote of all ayes, motion carried.

V. 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.

VI. Old Business

a) Consideration of Library Lease Term Sheet Suggested Adjustments

- Mr. Brajkovic introduced the item and described the feedback received from the Library Board in response to the draft term sheet.
- Ms. Patterson commented that the requests for changed from the Library Board were made due to financial implications and the need to leverage expertise where available.
- Mr. Dale shared that past unplanned purchases by the Library Board for replacement of air conditioning units caused budget issues for the Library.
- Mr. Himpel stated that he didn't believe that snow removal and mowing of grass at the Library should be completed by City staff and he wished to increase the City's ability to review alterations within the facility.
- Mr. Dale commented that he felt the new Library facility needed to receive contracted service for mowing and snow removal.
- Mayor Frese stated that regardless of who is responsible, the Library should be well maintained.
- Ms. Patterson stated that she felt the major assets within the building should be the responsibility of the City as the building owner.

- Mr. Brajkovic commented that staff will incorporate feedback from the discussion into a draft lease and make an effort to have it reviewed by the Governing Body before the facility is turned over to the City and ready for the Library to move in.

VII. New Business

a) Ordinance 1481: Approval of Rezoning for West Village Project

- Mr. Brajkovic introduced the item and presented a summary of the staff report and previous actions related to the item. Randy Willbanks, Marko Cvetkovic, and Ross Vogel were present representing the development team.
- Mr. Donnelly shared that he serves as a board member for the Kansas Housing Resources Commission and asked if there were any potential conflicts of interest with this project.
- Mr. Vogel confirmed that the approval of a moderate income housing grant award was already completed so there shouldn't be any conflict at this time or moving forward.
- **Mr. Himpel made a motion to approve Ordinance 1481, amending the zoning of certain property at 0000 West Street from Rural Residential to Multi Family 2 district.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

b) Consider Approval of Payment of 2020 Funding for the Tonganoxie Business Association

- Mr. Porter introduced the item and explained that the City Council was considering approving the payment of funds planned for the Tonganoxie Business Association and Tonganoxie Arts Council that was included in the General Fund in the 2020 budget.
- Monica Gee, Tonganoxie Business Association President, addressed the City Council on the subject of the organization's 2020 plan for activities available based on the City's funding support.
- Ms. Patterson asked for more information about changes in the TBA budget line items for the Mayor's Tree Lighting event and marketing.
- Ms. Gee responded that the changes reflected ongoing event planning discussions with other community groups and the scheduling of several large marketing initiatives in 2019.
- **Ms. Patterson made a motion to authorize a 2020 contribution to the Tonganoxie Business Association in an amount not to exceed \$5,000.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**

c) Consider Approval of Payment of 2020 Funding for the Tonganoxie Arts Council

- Keyta Kelly, Tonganoxie Arts Council President, addressed the City Council on the subject of the organization's 2019 events and 2020 plan for activities available based on the City's funding support.
- Rachel Kelly thanked the City Council for the commitment for funding support and shared that any additional support would be appreciated.
- Mr. Himpel commented that the Plein Air Arts Festival event in 2019 was an impressive event.
- Mayor Frese asked what options were available to increase the funding contribution to the Tonganoxie Arts Council in 2020.
- Mr. Brajkovic stated that the 2020 Budget didn't include additional funding in the General Fund that could be reassigned to additional contributions to community organizations, especially in the beginning of the fiscal year before savings could be accurately projected.
- **Mr. Himpel made a motion to authorize a 2020 contribution to the Tonganoxie Arts Council in an amount not to exceed \$1,500.**
- **Motion failed for lack of a second.**
- **Mr. Donnelly made a motion to authorize a 2020 contribution to the Tonganoxie Arts Council in an amount not to exceed \$1,000, as well as offering direction to the Arts Council to complete a detailed budget and approach the City again later in 2020 to determine if any additional funding would be available.**

- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**

d) Resolution 01-20-02: Approving the Tonganoxie USD 464 School Resource Officer Interlocal Cooperation Agreement

- Mr. Brajkovic introduced the item and explained that the USD 464 Board of Education had considered and approved the draft Interlocal Cooperation Agreement.
- **Ms. Stevens made a motion to approve Resolution 01-20-02: Approving the Tonganoxie USD 464 School Resource Officer Interlocal Cooperation Agreement.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**

e) Resolution 01-20-03: Authorizing Water Park Resurfacing Project Contract with INSCO, INC

- Mr. Porter introduced the item and explained the RFP issuance, advertisement efforts, and evaluation process for the 4 submittals received for the project.
- **Ms. Stevens made a motion to approve Resolution 01-20-03, authorizing the Water Park Resurfacing Project contract with INSCO, INC.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

f) Consider Approval of Purchase of Replacement Street Light Pole

- Mr. Brajkovic introduced the item and explained the history of the installation of street lights in downtown Tonganoxie. He detailed the recent damage to the street light located at the intersection of Main and 4th Street, along with staff research of replacement options and costs.
- Mr. Donnelly commented that in the past when the downtown street light poles were purchased and installed the price was close to \$1,800 per pole.
- **Mr. Donnelly made a motion to to approve a purchase from Stanion Wholesale Electric Co. for a replacement tall intersection light pole in an amount not to exceed \$6,021.99.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

g) Consider Planning Commission Attendance Record

- Mr. Porter shared that the record of meeting attendance for Planning Commissioner Kevin Harris required a review by the City Council to consider whether to declare a vacancy in the position or take other action. He stated that Mr. Harris shared his wish to resign from the position at this time.
- Mayor Frese commented that he would like to see a process including a 30 day advertisement period, review of applicants and generation of a recommendation from the Planning Commission, and consideration of the recommendation by the Governing Body.
- Mr. Himpel shared that he would like to have the opportunity to review all applications.
- Ms. Patterson stated that she would like to be able to review all applications.
- Ms. Stevens commented that she would support just viewing the Planning Commission's recommendation.
- Mr. Dale shared that in the past the Planning Commission would sometimes review the applications and offer recommendations of more than one person for an appointment.

h) Consider Library Board Appointment Recommendations

- Mr. Porter stated that staff received three recommended appointments but would like to request that action be delayed until a future meeting so that additional research on the duration of the terms on the open positions on the Library Board could be completed.
- Mayor Frese asked that the item be tabled until a future meeting.

i) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic shared an update on the status of the aerial sanitary sewer creek crossing repair project.
- 2. Library Project Update
- Mr. Brajkovic provided an update on the current status of the Tonganoxie Public Library construction project.
- 3. Law Enforcement Trust Fund Financial Report
- Mr. Porter shared information about the 2019 Financial Report for the Law Enforcement Trust Fund.

j) City Attorney Agenda

k) Mayor Pro Tem Agenda

- Mr. Himpel shared a copy of the revised Leavenworth County Port Authority agreement that is being considered by Leavenworth County and the City of Leavenworth which would include possible changes to membership composition. He also shared information about the ongoing development of the Leavenworth County Comprehensive Plan.

l) City Council Agenda

- Ms. Patterson shared that on the January 13, 2020 meeting of the USD 464 Board of Education the Board voted in support of both the Schoolyard Townhomes residential development project as well as the School Resource Officer Interlocal Agreement with the City.

m) Mayor Agenda

1. Community Events Planning Committee Update

- Mr. Porter shared that a group representing several organizations in the community met to discuss community event planning in 2020 and developed a recommendation of holding multiple events, including Tonganoxie Days, in the month of September and scheduling them in a collaborative fashion unless the City Council was opposed to that approach.

2. Executive Session for Discussion of Personnel Matters of Non-Elected Personnel

- **Mr. Donnelly made a motion that the Governing Body recess into executive session to discuss the City Manager's annual review process pursuant to the personnel matters of nonelected personnel exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council chamber after 15 minutes at 9:10 p.m. The executive session will include the City Attorney, City Manager, and Assistant City Manager.**
- **Mr. Himpel seconded the motion.**
- **Vote of all ayes, motion carried.**
- ...
- **Mayor Frese resumed the meeting and noted that no binding action was taken in the executive session.**

VIII. Information & Communications (No Action Required)

IX. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 9:15 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager