

City Council Meeting Minutes
March 16, 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, Mr. Donnelly, Ms. Stevens, Ms. Patterson, and Mr. Dale were present. City Manager George Brajkovic, Assistant City Manager Dan Porter, Fire Chief John Zimbelman, and City Attorney Anna Krstulic were also in attendance.
- Mayor Frese led the Pledge of Allegiance.

II. Approval of Minutes – Regular meeting dated March 2, 2020

- **Ms. Patterson made a motion to approve the minutes from the March 2, 2020 City Council meeting.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**

III. Consent Agenda

a) Review bill payments

- Ms. Patterson asked what the payment made to Busch and Associates was from the check report.
- Mr. Porter replied that the payment made to the vendor Busch and Associates was for the purchase of a 2017 Interceptor Police Department vehicle previously approved by the City Council.
- **Ms. Patterson made a motion to approve the consent agenda.**
- **Mr. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**

IV. Open Agenda

- No members of the public addressed the City Council.

V. Old Business

VI. New Business

a) Consider Approval of COVID-19 Policy

- Mr. Brajkovic introduced the item and shared information about the contents of the proposed policy. He stated that effective on March 17, 2020, the City's facilities would be closed to public access.
- **Mr. Donnelly made a motion to approve the COVID-19 Policy as presented by staff.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

b) Consider Appointment to Fill Vacancy of Planning Commissioner Position

- Mr. Brajkovic introduced the item and explained that the Planning Commission recommended Jennifer McCutchen be appointed to the vacant City resident position. He noted that staff advised her not to attend the meeting due to COVID-19 precautions.
- **Mayor Frese requested that the City Council confirm his appointment of Jennifer McCutchen to fill the remainder of the term set to expire in August 2020 for the vacant City resident position previously held by Kevin Harris on the Planning Commission.**
- **Vote of all ayes, motion carried.**

c) Community Events Planning Committee Report & Proposed 2020 Events Budget

- Mr. Porter introduced the item and explained the work of the Community Events Planning Committee over the past several months to develop the materials included in the agenda packet. He noted that an event scheduled in June would most likely not be possible due to COVID-19.
- Mayor Frese stated that it would be appropriate to discuss proposed events later in 2020 once more is known about the impact of COVID-19.

d) Public Hearing – Resolution of Intent to Issue Industrial Revenue Bonds for the Purpose of Financing the Acquisition, Construction, Renovation and Equipping of a Commercial Facility

- **Mayor Frese opened the public hearing.**
- **No members of the public addressed the City Council during the public hearing.**
- **Mayor Frese closed the public hearing.**

e) Resolution 03-20-03: Resolution of Intent to Issue Taxable Industrial Revenue Bonds for the Purpose of Financing the Acquisition, Construction, Renovation and Equipping of a Commercial Facility

- Mr. Brajkovic introduced the item and delivered a presentation about the proposed Wilson Glass project at the southwest corner of Commerce Drive and Industrial Drive inside the Urban Hess Business Park.
- Brad Wilson, a local resident who is the applicant for the project, was present at the meeting but did not address the City Council.
- **Mr. Donnelly made a motion to adopt Resolution 03-20-03, a Resolution of Intent to issue IRBs for Wilson Glass in the amount of \$310,000.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

f) Resolution Hearing – West Village RHID Public Hearing

- Mr. Brajkovic introduced the item and shared that the developer requested that this public hearing be continued to the next City Council meeting.
- **Ms. Patterson made a motion to continue the public hearing to the April 6, 2020 City Council meeting.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

g) Consider Approval of 2020 Leavenworth County Economic Development Public Sector Funding

- Mr. Brajkovic introduced the item and explained that staff suggested that Executive Director Steve Jack not attend the City Council meeting to represent his request for funding in observance of COVID-19 precautions.
- **Mr. Dale made a motion to authorize the 2020 funding contribution to the Leavenworth County Development Corporation in an amount not to exceed \$8,394.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**

h) Consider Approval of Street Sweeper Purchase

- Mr. Porter introduced the item and explained the proposed procurement methodology and financing approach to allow the City to obtain a 2020 Elgin Pelican 3-wheel Street Sweeper and replace the existing 2000 Street Sweeper.
- **Ms. Stevens made a motion to authorize acceptance of the quote to purchase a 2020 Elgin Pelican Street Sweeper for an amount not to exceed \$209,888.05, and to authorize the disposition of the City's 2000 Elgin Pelican Street Sweeper via Purple Wave upon receipt of the newly-purchased equipment.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

i) Resolution 03-20-04: Approval of Lease Purchase Agreement to Purchase Street Sweeper

- **Mr. Donnelly made a motion to approve Resolution 03-20-04, authorizing the Mayor to execute a lease purchase agreement for a 2020 Elgin Pelican Street Sweeper between the City of Tonganoxie and First State Bank and Trust of Tonganoxie.**
- **Ms. Patterson seconded the motion.**
- **Vote of all ayes, motion carried.**

j) Consider Approval of Zero-Turn Mower Purchase

- Mr. Porter introduced the item and explained the proposed procurement methodology to allow the City to replace the existing 2009 Kubota mower.
- Mr. Donnelly asked how many hours of operation were logged on the existing mower equipment.
- Mr. Porter responded that the existing mower had slightly more than 1,300 hours of utilization.
- **Ms. Patterson made a motion to authorize the purchase of a Kubota ZD1211-3-60 zero-turn mower from McConnell Machinery Co for an amount not to exceed \$10,000, which includes trade-in of the City's 2009 Kubota mower.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

k) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic provided 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 Public Library construction project and noted that substantial completion of the new facility was completed on February 28 but one or two more payments were anticipated to be made to JE Dunn prior to the completion of the project and expenditure of all budgeted costs.

l) City Attorney Agenda

- Ms. Krstulic commented that she is researching municipal legal issues related to COVID-19, including Kansas Open Meeting Act requirements and emergency declarations.
- Mr. Brajkovic noted that staff anticipate the need to cancel the April Planning Commission meeting and will review virtual meeting options.

m) Mayor Pro Tem Agenda

- Mayor Pro Tem Himpel said that Leavenworth County Planning Commission approved a special use permit for a property called Whiskey Ridge located near Tonganoxie on Tonganoxie Road, and that the Planning Commission continues to work on proposed edits to the table of uses.

n) City Council Agenda

- Ms. Patterson asked how staff would communicate with any applicants for the April Planning Commission meeting if it is cancelled.
- Mr. Brajkovic replied that no projects were tracking for the April Planning Commission meeting.
- Ms. Patterson asked that staff consider planning for decisions to be made about Water Park operations and the impact of COVID-19 on the City's revenue patterns.

o) Mayor Agenda

1. Proclamation of April 2020 as Child Abuse Prevention Month and April 3rd as Wear Blue Day

- Mayor Frese shared that he received a request on behalf of Kansas Children's Service League, the Kansas Chapter of Prevent Child Abuse America, to adopt a proclamation that April 2020 be known as Child Abuse Prevention Month and that April 3, 2020 be designated as Wear Blue Day.

Proclamation:

Whereas, children are key to the state's future success, prosperity and quality of life and, while children are our most valuable resource, they are also our most vulnerable; and

Whereas, children have a right to be safe and to be provided an opportunity to thrive, learn and grow; and

Whereas, child abuse and neglect can be prevented by supporting and strengthening Kansas' families, thus preventing the far-reaching effects of maltreatment, providing the opportunity for children to develop healthy, trusting family bonds; and consequently, building the foundations of communities; and

Whereas, prevention happens in partnership, we must come together as partners so that the voices of our children are heard by all and we are as a community extending a helping hand to children and families in need; and

Whereas, by providing safe, stable and nurturing relationships for our children, free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential as the next generation of leaders, helping to secure the future of this state and nation;

Therefore, I, David Frese, Mayor of Tonganoxie, Kansas, do hereby proclaim April 2020 as Child Abuse Prevention month.

2. Review Options for Maintenance at Downtown Pocket Park

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

- **Mr. Dale 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 30 minutes at 8:20 p.m. The executive session will include the City Attorney and Assistant City Manager.**
- **Mr. Donnelly seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Ms. Stevens left the meeting during the executive session.**
- **Mayor Frese resumed the meeting and noted that no binding action was taken in the executive session.**
- **Mr. Donnelly made a motion to increase the City Manager's salary by 5% retroactive to March 1, 2020, without increasing the percentage rate of deferred compensation or annual car allowance.**
- **Mr. Dale 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. Dale seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:22 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager