

City Council Meeting Minutes  
August 3, 2020  
7:00 PM Regular Meeting

**I. Pledge of Allegiance**

- Mayor Frese opened the meeting at 7:00 p.m. and led the pledge of allegiance.
- Mayor Frese, Mr. Donnelly, Ms. Patterson, Mr. Himpel, Ms. Stevens, and Mr. Dale participated via Zoom. City Manager George Brajkovic, Assistant City Manager Dan Porter, Public Works Director Kent Heskett, and City Attorney Anna Krstulic also participated via Zoom.

**II. Approval of Minutes – Regular meetings dated July 20, 2020**

- **Ms. Stevens made a motion to approve minutes from the regular meeting dated July 20, 2020.**
- **Mr. Donnelly seconded the motion.**
- **Roll call vote of all ayes, motion carried.**

**III. Consent Agenda**

a) Review bill payments

- Ms. Patterson asked for more information about the payment to the Leavenworth County Treasurer included in the check report.
- Mr. Porter replied that the payment dated July 16, 2020 was prepared and remitted at the direction provided by the City Council at a meeting in July 2020.
- **Ms. Patterson made a motion to approve the consent agenda.**
- **Mr. Donnelly seconded the motion.**
- **Roll call vote of all ayes, motion carried.**

**IV. Open Agenda**

- No open agenda comments were submitted at this meeting.

**V. Old Business**

**VI. New Business**

a) Public Hearing: Consideration of the Proposed 2021 Budget as Published

- Mayor Frese opened the public hearing.
- No members of the public participated in the public hearing.
- Mayor Frese closed the public hearing.

b) Consider Adoption of the 2021 Budget

- Mr. Brajkovic introduced the item and explained the budget process, calendar and previous opportunities for input by the public and the Governing Body for the development of the 2021 budget.
- Mr. Dale said that the budget is good as published and includes important initiatives such as the bridge repairs on Church Street.
- Ms. Stevens said that she supports the budget as developed, noting that they have discussed every aspect of the budget and it is well below last year's budget.
- Mr. Himpel said that he is concerned with the \$90,000 cost of two utility F-250 trucks that he does not think are needed this year, as well as the \$15,000 cost of outside aid for preparation of a compensation analysis that he does not think is an appropriate City expense.
- Ms. Patterson said that she supports the 2021 proposed budget and appreciates its flexibility if needed.
- Mr. Donnelly asked if the merit pool included in the 2021 budget is a cost of living raise.

- Mr. Porter replied that the proposed budget includes a 3% merit opportunity for all employees, but there is no automatic cost of living adjustment.
- **Ms. Patterson made a motion to approve the proposed budget as published.**
- **Ms. Stevens seconded the motion.**
- **Roll call vote of 4 ayes, 1 nay (Himpel), motion carried.**

c) Ordinance 1489: Issuance of Industrial Revenue Bonds in an Amount Not to Exceed \$310,000 for B&L Venture Group

- Mr. Brajkovic said that staff are withdrawing this item because the applicant determined that the financing schedule allows for later City Council consideration of the issuance of industrial revenue bonds.

d) Consider Approval of Repairs to Water Production Well Pumps

- Mr. Brajkovic introduced this maintenance item that must be done every 10 years, most recently in 2009.
- Mr. Heskett described the process of removal, rehabilitation, and reinstallation of the pumps.
- Mayor Frese asked if there would be any interruption of service during the repairs.
- Mr. Heskett replied no.
- Mr. Donnelly asked staff to closely monitor the cost of the project and bring the item back for City Council consideration if expensive pump parts need to be replaced.
- **Mr. Donnelly made a motion to accept the quote from KII Machine Shop, LLC in an amount not to exceed \$29,000.**
- **Ms. Patterson seconded the motion.**
- **Roll call vote of all ayes, motion carried.**

e) Consider Request to Utilize City Facilities for Hunter Safety Education Course in Fall 2020

- Mr. Brajkovic said that the Recreation Commission contacted City staff to ask if the City public works facility and firing range could be used for an upcoming hunter safety education course. This is typically a City Manager decision, but due to the ongoing concerns with COVID-19, he is requesting feedback from the City Council about whether public use of City facilities should be permitted with certain conditions or at all. He suggested limiting class size to 10, requiring face masks and sanitization following use of the facilities, as well as allowing the City to cancel on short notice.
- Mr. Donnelly asked if this use follows State and County requirements.
- Ms. Krstulic replied that the suggested conditions go beyond what is currently required.
- Ms. Patterson said that she has concerns with public use of City facilities during the pandemic, especially the potential impact to City staff from exposure to the virus. She asked if the City would be subject to liability.
- Ms. Krstulic replied that recent legislative changes provide immunity from liability for a COVID-19 claim if the City is acting pursuant to a public health directive. There is currently no public health directive applicable to the City, and the City is taking extra precautions by following applicable guidance.
- Mr. Himpel said that he thinks the proposed use is okay for the Hunter Safety Education Course but no other events at this point.
- Mr. Brajkovic said that staff will present a draft agreement at the next City Council meeting.

f) City Manager Agenda

1. CARES Act Spending Plan and Discussions with Leavenworth County, Kansas Update

- Mr. Brajkovic shared information included in the CARES Act Spending Plan recently submitted to Leavenworth County, including discussions about potentially improving or providing wireless internet connection capabilities at the Public Library and Chieftain Park and ongoing discussions with Western Consultants, LLC about completing grant administration services for the proposed small business grants program.

## 2. Urgent Needs Grant Update

- Mr. Brajkovic said that the project contractor should begin work on the additional erosion control work authorized under Change Order #2 in short order.
- Mr. Brajkovic provided an update on the recent presentation made to the Leavenworth County Port Authority regarding potential utilization of remaining funds from the City's grant from Leavenworth County to assist with funding the interceptor sewer to the business park from the City's wastewater treatment plant.

### g) City Attorney Agenda

### h) Mayor Pro Tem Agenda

### i) City Council Agenda

- Mr. Himpel asked for an update on the activities of the new part-time Code Enforcement Officer.
- Mr. Brajkovic replied that the employee is doing well overall at achieving compliance with Code issues and noted that he recently issued his first citation for an unresolved issue.

### j) Mayor Agenda

- Mayor Frese asked if there is any interest in issuing a mask ordinance on a temporary basis.
- Mr. Dale replied that he is open to hearing a proposal and how it would work.
- Mr. Donnelly said that he is not opposed and would be interested in hearing public comment.
- Ms. Patterson said that the issue is important and she is interested in learning more about enforcement. She said that she is interested in feedback from the public and local businesses.
- Ms. Stevens said that she has heard people say that they are not shopping in Tonganoxie because there is no mask mandate and she is concerned about lost revenue. She is in favor of taking the lead locally on the issue but expects pushback.
- Mr. Himpel said that enforcement would potentially be an issue and he is not sure how the City can act without the County.
- Ms. Krstulic said that cities are using home rule authority to adopt ordinances in counties that opted out of the Governor's face mask order.

## VII. Information & Communications (No Action Required)

## VIII. Adjourn

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Dale seconded the motion.**
- **Roll call vote of all ayes, motion carried.**
- **Meeting adjourned at 8:07 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager