

The City of Towanda

City Council Regular Meeting Agenda

Wednesday, December 11th, 2024, 7:00 PM, City Hall, 110 S 3rd, Towanda, KS

Regular Council Meeting

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA – *Consent agenda items will be acted on by one motion unless a majority of the City Council votes to remove an item for discussion and separate action.*

- **Minutes of November 13th, 2024**
- **TREASURER’S INFORMATION REPORTS**
 - i. Statement of Activities
 - ii. Fund Balance Report
 - iii. Budget Execution Report
 - iv. Water Loss Report
- **Claims**
 - i. Claims Report
 - 1. Appropriations Ordinance 11-2024
- **STAFF/DEPARTMENT INFORMATION REPORTS**
 - i. Sheriff Office Report
 - ii. Court Clerk’s Report
 - iii. Planning and Zoning
 - iv. Code Compliance Report
 - v. Towanda Fire Rescue
 - vi. Towanda Maintenance Department



Council Packet

4. PRESENTATIONS AND GUEST SPEAKERS

- i. None Scheduled

5. OLD BUSINESS

- Cameras for Council Meetings Update
- 254 & River Valley Rd Intersection Update
- Old Gas Station & KDHE Progress Update
- Further Discussion on Vacant Building Fees
 - i. Proposed Ordinance
- Sharing Cost of Lions Park Maintenance with New Circle Rec. Update
- Water Well for the Park Update

6. NEW BUSINESS

- Evergy & Replacement of Outdated Lights
- 2025 Mayoral Appointments
- Cereal Malt Beverage License Approval

CITY COUNCIL MEETING AGENDA, GENERAL ORDER OF BUSINESS AND PUBLIC PARTICIPATION POLICY

- Resolution to Transfer Assets to Butler County Fire District #11
- Proposed Lease Agreement with Butler Fire District #11
- **Discussion:** Transferring funds each month to budgeted funds

7. OTHER NEW BUSINESS

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8. PUBLIC COMMENT TIME

9. EXECUTIVE SESSION

- 30 Min. To:
 - i. Consult with attorney on matters deemed to be of attorney-client privilege.
 - ii. Personnel matters of non-elected personnel.

10. ADJOURN

* **“Discussion”** = No expectation of a final decision. The Council cannot discuss City issues as a group outside of a public meeting without violating the Kansas Open Meeting Act.

INTRODUCTION

Under the Kansas Open Meetings Act (KOMA), the public has the right to observe the meetings of the Towanda City Council unless the City Council has recessed into a lawfully conducted executive session. The KOMA does not require the opportunity for public comment – that opportunity is provided at the discretion of the City Council, except as required by State law or City ordinance in certain specific circumstances. This policy outlines the various circumstances under which the City Council meets and elaborates on the City Council’s Rules of Procedure by addressing the rules regarding the time, place, and manner of public participation in the City Council meetings from the standpoint of the participating member of the public. This policy is intended to strike a lawful balance between First Amendment protections and the substantial public interests of (1) assuring that meetings of the City Council can occur in an efficient, orderly, and safe manner and (2) promoting productive public discourse regarding the governance and administration of the City while maintaining decorum in an environment free from interference, distraction, or intimidation, whether real or perceived, by any person present in the meeting room toward the Council or members of the public.

SUBMISSION OF WRITTEN INFORMATION

Written information may be submitted to the City Clerk before noon on Thursday prior to a City Council meeting for distribution to Council and key staff members or may be presented during the meeting upon recognition by the Mayor as a speaker in the manner described below. Ten (10) copies should be provided to ensure that all applicable parties are able to receive and review the information provided.

FORMS OF COMMUNICATION OR EXPRESSION NOT ALLOWED IN THE MEETING ROOM

To assure fulfillment of the substantial public interests outlined above, no member of the public attending the City Commission meeting shall in the meeting room engage in the following forms of communication or expression found by the City Council to be in conflict with the substantial public interests outlined above and, therefore, not allowed in the meeting room (the “disallowed conduct”):

CITY COUNCIL MEETING AGENDA, GENERAL ORDER OF BUSINESS AND PUBLIC PARTICIPATION POLICY

Before, during, or after the meeting:

(1) Possessing, placing, or displaying a sign, placard, flag, or banner, regardless of its size, the material of which it is made, or its written, graphic, or symbolic content;

During the meeting:

(2) Audibly speaking, or making any sound or noise other than while speaking as a speaker recognized by the mayor;

(3) Applauding, whistling, cheering, clapping, or otherwise expressing agreement with a speaker recognized by the mayor;

(4) Booing, jeering, taunting, ridiculing, mocking or otherwise expressing disagreement with a speaker recognized by the mayor;

(5) Inaudibly mouthing or gesturing messages deemed to be distracting to other persons in the meeting room;

(6) Making available or distributing written materials to those in attendance.

Persons attending a City Commission meeting must turn off or set on vibrate all cellular telephones. Any person exhibiting any form of the disallowed conduct will first be warned by the Mayor to cease. If the person continues the disallowed conduct, the Mayor may ask the person to leave the meeting room. If the person does not promptly leave the meeting room, the Mayor may direct that the person be escorted from the meeting room.

AGENDA ITEMS

CONSENT AGENDA

The Consent Agenda assembles routine action items for collective approval in the interest of efficiency of the meeting. Any item may be removed from the Consent Agenda for separate consideration either (a) at the request of a Council Member or City staff, or (b) by a majority vote of the City Council upon request by a Towanda resident directed to City staff or to a Council Member prior to the start of the meeting without discussion.

PRESENTATIONS AND GUEST SPEAKERS

Presentations and Guest Speakers Time is an opportunity for organizations or citizens to make special presentations before the City Council. Such are scheduled in advance of the meeting by calling the City Clerk Andy Newbrey at (316) 536-2243 by 5:00 pm the Thursday preceding the meeting. Presentations are limited to ten minutes. Any presentation is for information purposes only; no action will be taken.

CITY COUNCIL MEETING AGENDA, GENERAL ORDER OF BUSINESS AND PUBLIC PARTICIPATION POLICY

PUBLIC HEARINGS AND REGULAR AGENDA ITEMS

Following the introduction of any public hearing or regular agenda item, consideration of the item will ordinarily begin with a staff report followed by Council Member questions of staff. If the matter involves an applicant, the applicant or the applicant's representative will be given the opportunity to address the City Council.

In the case of a public hearing, the public hearing shall be conducted in the manner required by State law or Towanda ordinance and any person entitled to address the City Council shall be provided that opportunity, regardless of his or her viewpoint on the matter, subject to the allowed time period.

In the case of a regular agenda item, subject to the discretion of the City Council, any interested persons wishing to address the City Council regarding the subject of the agenda item, regardless of his or her viewpoint on the matter, may be given the opportunity to do so, subject to the allowed time period.

In the case of either a public hearing or regular agenda item, those allowed to address the City Council may do so by, in turn, approaching the podium to be recognized by the mayor.

- Upon recognition by the Mayor, the speaker must indicate his or her name and city of residence and may address the subject of the agenda item for no longer than the allowed time period which is typically three (3) minutes but may be altered and announced by the Mayor based upon the number of persons expected to speak during the public hearing or regular agenda item.
- While addressing the City Council, the speaker may request permission from the Mayor to distribute any written information regarding the subject of the agenda item to City Council Members, the City Administrator/City Clerk.
- The speaker should avoid repeating what has already been said and should feel free to simply state whether he or she is or is not in support of the matter being discussed.
- A speaker should not expect to engage in two-way dialogue with the City Council.
- A speaker should provide his or her comments for Council consideration at their discretion.

PUBLIC COMMENT TIME

Public Comment Time provides an opportunity for Towanda citizens to address the City Council on a topic that is not on the meeting agenda.

After the Mayor announces the Public Comment Time:

- Any citizen wishing to address the City Council should, in turn, approach the podium to be recognized by the Mayor.
- There are no residency requirements.
- Upon recognition by the Mayor, the speaker must indicate his or her name and city of residence and may address the City Council for no longer than the allowed time period which is typically three (3) minutes but may be altered and announced by the Mayor based upon the number of persons expected to speak during the Public Comment Time.

CITY COUNCIL MEETING AGENDA, GENERAL ORDER OF BUSINESS AND PUBLIC PARTICIPATION POLICY

- While addressing the City Council, the speaker may request permission from the Mayor to distribute any written information to Council Members, the City Manager, and the City Clerk.
- The City Council is not expected to take immediate action in response to the presentation.
- At the discretion of the City Council, subjects introduced under Public Comment Time may be referred to City staff for follow-up or may become an agenda item for a future meeting.
- A speaker should not expect to engage in two-way dialogue with the City Council.
- A speaker should provide his or her comments for Council consideration at their discretion.
 - Comments or questions will be directed **only** to the City Council.
- Debate or arguments between parties in the audience is not allowed.
- Comments on personnel matters and matters pending in court are not permitted.

In order for the Council to have an opportunity to review comments in advance of the meeting, please email your comments or questions to administrator@cityoftowanda.com by 5:00 p.m. the Tuesday prior to the Wednesday meetings.

EXECUTIVE SESSION

The Kansas Open Meetings Act allows the City Council to recess into an executive session based upon certain justifications outlined in the act. The City Council may recess into executive session based upon a motion that includes (1) a statement describing the subjects to be discussed during the executive session, (2) the statutory justification for the executive session, and (3) the time and place at which the open meeting shall resume. Executive sessions are closed to the public, however, once the executive session has concluded, members of the public may return to the meeting room.

AGENDA INFORMATION

Copies of the agenda are available on the Friday afternoon preceding the regular meetings. Items for the agenda should be submitted to the Towanda City Clerk's office prior to noon on the Thursday preceding a regularly scheduled Wednesday meeting. Information regarding the agenda may be obtained from City Hall, 110 S. 3rd, Towanda, KS, or by visiting our website at:

www.cityoftowanda.com/agendas-minutes

OTHER ITEMS

STUDY/WORKSHOP SESSION

The City Council may meet in study session on topics determined by the City Administrator or the City Council on a specific date and time. As the name suggests, the study/workshop session is intended to provide a less formal opportunity for the City Council to study, discuss, and provide direction to City staff regarding the subject under study. Study sessions are open to the public; however, the extent of public participation is subject to the discretion of the City Council based upon available time during the study session and the need for public input in order to accomplish the objectives of the City Council in studying the subject of the study session.

CITY COUNCIL MEETING AGENDA, GENERAL ORDER OF BUSINESS AND PUBLIC PARTICIPATION POLICY

SPECIAL LIMITED PUBLIC FORUM

A special limited public forum may be called by the City Council for the purposes of

- (a) conducting public discussion and
- (b) seeking public comment and/or the submission of written information regarding a particular subject matter.

A special limited public forum may be convened in the City Council's regular meeting room or at an alternative, publicly accessible site suitable for the anticipated number of participants in the forum.

At the appointed time on the agenda, any persons wishing to address the City Council regarding the subject of the special limited public forum, regardless of their viewpoint on the matter, may do so by, in turn, approaching the podium or microphone to be recognized by the Mayor.

- Upon recognition by the Mayor, the speaker must indicate his or her name and city of residence and may address the subject of the special limited public forum for no longer than the allowed time period determined and announced by the mayor based upon the number of persons expected to speak during the forum.
- While addressing the City Council, the speaker may request permission from the Mayor to distribute any written information regarding the subject of the special limited public forum to the City Council, the City Administrator, and the City Clerk.