



CITY OF LEAVENWORTH
100 N. 5th Street
Leavenworth, Kansas 66048

City Commission Regular Meeting
Commission Chambers
Tuesday, November 12, 2024 6:00 p.m.

CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Griff Martin, Mayor Pro Tem Holly Pittman, Commissioners Nancy Bauder, Edd Hingula and Jermaine Wilson (via telephone call-in).

Staff members present: City Manager Scott Peterson, Assistant City Manager Penny Holler, Planning & Community Development Director Julie Hurley, Police Chief Patrick Kitchens, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

Mayor Martin asked everyone to stand for the pledge of allegiance followed by silent meditation.

PRESENTATIONS AND PROCLAMATIONS:

Mayor's Award - Mayor Martin presented the Mayor's Award for Community Service to Patrick Kitchens for his contributions to the City during his time as Interim City Manager. Chief Kitchens was present to accept the award.

Small Business Saturday Proclamation - Mayor Martin read the proclamation proclaiming Saturday, November 30, 2024 as Small Business Saturday. The proclamation was accepted by Haley Shaw of Leavenworth Main Street.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Bauder moved to accept the minutes from the October 22, 2024 regular meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8253 Amending Code of Ordinances Chapter 44, Section 87 No Parking Anytime – Police Chief Patrick Kitchens reviewed the Ordinance. There have been no changes since first introduced at the October 22, 2024 meeting.

Mayor Martin called the roll and Ordinance No. 8253 was unanimously approved.

No Action Taken Item from October 22, 2024:

Library Board Appointment – Commissioners considered the appointment of Mr. Robert Jason Redmon to the Library Board, as introduced by Mayor Martin at the October 22, 2024 City Commission Meeting.

Mayor Martin moved to appoint to the Library Board Robert Jason Redmon to a term ending on April 30, 2028. Commissioner Hingula seconded the motion and the motion was approved with Commissioner Bauder voting no. Mayor Martin declared the motion carried 4-1.

NEW BUSINESS:

Public Comment: *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*

Raymond Hillebrand, 1325 Cheyenne St.:

- Purchased shed and was informed item was a shipping container by City Staff
- Disagrees with City Staff finding
- Unable to store at commercial property as no shipping containers are allowed
- Would like a resolution to the issue

Alex Forse, No Address Given:

- Stated he has been homeless in Leavenworth for the past 10 years
- Lives at the Interfaith Community of Hope Shelter or behind the Community Center when the weather is nice
- Appreciates that he is able to ask for money on street corners to use to buy drugs
- Thanked the City for not stopping activities by the homeless community
- Wants to see the City pass more ordinances supporting the homeless

General Items:

Consider Updates to City Fee Schedule – City Clerk Sarah Bodensteiner presented updates to the City Fee Schedule for a January 1, 2025 effective date:

- **Solid Waste – Collection and Disposal of Refuse Monthly Fee** – In the approved 2025 Budget, the monthly fee for Collection and Disposal of refuse is set to increase by 3%.
- **Utilities – Sewer Service Charges** – In the approved 2025 Budget, the sewer service charges are set to increase by 3%.

Commissioner Hingula moved to approve the updates to the City Fee Schedule as presented and to be effective January 1, 2025. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Commissioner Wilson left the meeting at 6:20 pm

Resolutions:

Resolution B-2384 Kansas Region L Hazard Mitigation Plan – Police Chief Patrick Kitchens presented for approval the Kansas Region L Hazard Mitigation Plan. In order for the City to be eligible for FEMA reimbursement while recovering from a hazard, the City Commission must adopt a resolution approving the plan. The plan for Leavenworth County was completed by the County Emergency Manager Chuck Magaha with participation from all relevant entities including, but not limited to, Law Enforcement, Fire, and Public Works. Without approval, the City would bear the responsibility of recovery costs which would have a significant budget impact.

Commissioner Bauder moved to approve Resolution B-2384 Kansas Region L Hazard Mitigation Plan. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Resolution B-2385 Authorize Serving of Complimentary Alcoholic Liquor at Main Street “Alive After Five Winter Wine Walk” – City Clerk Sarah Bodensteiner presented for approval and adoption Resolution B-2385. The resolution allows unlicensed businesses to serve complimentary alcoholic liquor or cereal malt beverages to members of the general public during Leavenworth Main Street Program “Alive After Five Winter Wine Walk” event scheduled on Friday, December 6, 2024.

Commissioner Bauder moved to approve Resolution B-2385 authorizing the servicing of complimentary alcoholic liquor at Main Street “Alive After Five Winter Wine Walk” event, as presented. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Resolution B-2386 Authorize Serving of Complimentary Alcoholic Liquor at Main Street “Alive After Five” Events for 2025 – City Clerk Sarah Bodensteiner presented for approval and adoption Resolution B-2386. The resolution allows unlicensed businesses to serve complimentary alcoholic liquor or cereal malt beverages to members of the general public during Leavenworth Main Street Program “Alive After Five” events in 2025.

Commissioner Bauder moved to approve Resolution B-2386 authorizing the servicing of complimentary alcoholic liquor at Main Street “Alive After Five” events in 2025, as presented. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Staff Report:

Homelessness Discussion – Police Chief Patrick Kitchens introduced Myranda Agnew from the Interfaith Community of Hope and Christina Ashie Guidry from the Kansas Housing Advocacy Network to review and discuss the approach in dealing with the unhoused community within Leavenworth. Discussion topics included:

- Community has seen an increase in the homelessness population in recent years
- It is not illegal to be homeless; you can’t make it illegal to be homeless
- Discussed the Police Department’s approach
- Ordinances that Officers use (criminal trespassing, disorderly conduct, yelling & shouting, littering, illegal camping)
- Mental Health Tools
- City Attorney Waters discussed the homelessness issue with legal remedies as a result of the recent Supreme Court Case (crime vs. penalty)
- Working to make the stint in homelessness rare, brief and non-recurring
- Goal is to get unhoused housed within 90 days
- A homeless shelter does not solve homelessness, housing does
- Challenges the Interfaith Community of Hope faces (housing cost, low vacancy rate, larger amount of abandoned homes, higher number of chronic homelessness)
- Housing continuum has gaps (costs of inflation, increase in rental costs, inadequate housing supply)

- Very transient community
- Half of residents are renters and spending too much on rent
- Kansas represents 0.4% of U.S. Homelessness, this is a solvable situation
- Recommendations:
 - Create a housing and homelessness task force
 - Identify need and utilize housing resource
 - Support responsive housing development
 - Ensure utilization of housing choice vouchers
 - Preserve existing housing stock and weatherize homes
 - Set aside property tax relief for fixed and low income households

Consent Agenda:

Commissioner Hingula moved to approve Claims for October 18, 2024 through November 7, 2024, in the amount of \$2,054,239.71; Net amount for Payroll #21 effective October 18, 2024 in the amount of \$417,797.54 (Police & Fire Pension in the amount of \$7,491.38) and Payroll #22 effective November 1, 2024 in the amount of \$399,376.72 (No Police & Fire Pension). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Other:

Commissioner Pittman:

- Thanked Police, Fire and EMS for showing up to the scene of her car accident

Commissioner Bauder:

- Welcomed Mr. Peterson

Commissioner Hingula:

- Welcomed Mr. Peterson
- Pleasure to participate in the Veterans Day Parade

Mayor Martin:

- Welcome to Mr. Peterson
- Veterans Day Parade was a good one

Adjournment:

Commissioner Hingula moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 7:47 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC