



CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Myron J. (Mike) Griswold, Commissioners Camalla Leonhard and Mark Preisinger. The following commission members were present via teleconference: Mayor Pro-Tem Nancy Bauder and Commissioner Jermaine Wilson.

Others present in the commission chambers: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Human Resources Director Lona Lanter and City Clerk Carla K. Williamson.

Other members participating via teleconference: Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Operations Superintendent Curtis Marks Sr., Solid Waste Foreman Steve King and Catherine (Katie) Logan of Lathrop GPM as acting City Attorney.

Mayor Griswold read the following statement from the agenda index:

The Leavenworth City Commission meeting will be open to the public with limited seating capacity. To reserve a seat, email cwilliamson@firstcity.org no later than 4:00 pm on August 25. Seats will be available on a first come first service basis. To mitigate the spread of COVID-19 face coverings and social distancing are REQUIRED to attend the meeting. In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed on Channel 2 and via Facebook Live. The public is encouraged to continue to view the meeting via Facebook Live or Channel 2 and to submit public comments to be read during the Public Comments portion of the meeting and questions on agenda items to be read during discussion on that topic. Submit your comments or questions to cwilliamson@firstcity.org no later than 6:00 pm on August 25. For call in options related to commenting on agenda items, submit your inquiry to cwilliamson@firstcity.org

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

Presentation:

The Mayor presented a Mayor's Award to Bill Geiger of Geiger Ready-Mix for his support of the community and donating the material required for the new parking lot and trail at Stubby Park.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Preisinger moved to approve the minutes from the August 11, 2020 regular meeting. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Amend Minutes from June 23, 2020 Regular Meeting: City Manager Paul Kramer presented the minutes from the June 23, 2020 meeting for amendment to the motion on the 1145 Vilas Street right-of-way appeal. Due to audio difficulties during the meeting, the motion made by Commissioner Preisinger was

not accurately reflected in the minutes. The following amendment is presented for approval by the Commission:

Commissioner Preisinger moved to compromise on the appeal of the Stewart's at 1145 Vilas **to direct staff to work directly with the Stewarts to arrange landscaping as discussed tonight and come to an agreement.** ~~on the lower wall of the landscaping blocks east to west to two (2) landscaping blocks and~~ Request for the retaining wall on east side of driveway is denied. This will include authorizing staff to work with the Stewarts to enter into a hold harmless agreement to be recorded and filed with the property. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Preisinger moved to amend the June 23, 2020 City Commission minutes as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

NEW BUSINESS:

Public Comment: *emails received by the public for public comment on non-agenda items will be read at this time.* None

Public Hearing – Consider Creation of a Community Improvements District (CID) Luxury & Imports

- **Open Public Hearing:** Commissioner Preisinger moved to open the public hearing. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

- **Staff Comments:**
 - Assistant City Manager Taylour Tedder reviewed the following:
 - The issue before the Commission is a public hearing for the creation of a Community Improvement District (CID) in the area generally located at the northeast corner of 4th Street and Eisenhower Road in the City of Leavenworth. The estimated cost of the project is \$1,108,787.68 plus interest accrued and borrowed money.
 - Petition and Notice:
 - On May 1, 2020 a petition signed by Ted A. Rea, Rea Holdings, LLC, was filed with the City Clerk proposing the creation of a Community Improvement District.
 - The Improvement District is generally located at 5239 S. 4th Street (the northeast corner of 4th Street and Eisenhower Road).
 - The petition requests that the City levy a CID sales tax with the Improvement District. The CID sales tax would be imposed on the selling of tangible personal property at retail or rendering or furnishing services within the CID at 0.40% for a period of no more than 22 years. The policy report stated 0.45% however that amount was incorrect.
 - The petition proposed method is a CID pay-as-you-go financing to pay for or reimburse costs of the project.
 - On July 28, 2020, the City Commission adopted Resolution B-2258 setting the Public Hearing as August 25, 2020 for the proposed Community Improvement District.

- Notice of Public Hearing, Resolution B-2258 was published once each week for two (2) consecutive weeks in The Leavenworth Times on August 8 and August 15, 2020.
 - On August 6, 2020, Resolution B-2258 was sent via certified mail to all property owners in CID. Following the public hearing, the City Commission may approve the CID by ordinance (first reading) by consensus.
Second Consideration (second reading) will follow on September 8, 2020 to adopt the ordinance by majority vote. A correction will be made to the ordinance at second reading to reflect the 0.40% CID.
- **Public Comments:** None
 - **Close Public Hearing:** Commissioner Preisinger moved to close the public hearing. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.
 - **First Consideration Ordinance Establishing a Community Improvement District** – There was a consensus by the Commission to place on first consideration.

General Items:

Consider Employee Benefits Plan Renewal – Human Resources Director Lona Lanter presented for consideration and approval renewal of employees benefits with current providers. United HealthCare (UHC) provides both medical and vision coverage and Delta Dental provides dental coverage. UHC medical coverage for 2021 will have a 6.5% increase with no plan design change and UHC vision and Delta Dental will not have rate increases or plan design changes. The 6.5% increase to medical coverage is below the 8% budgeted for 2021. If approved the plans go into effect December 1, 2020.

Commissioner Preisinger moved to renew the employee benefits plan as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Mayor’s Appointments: City Planning Commission, Community Development Advisory Board and Deer Management Advisory Committee

Mayor Griswold moved to appoint to the City Planning Commission Joseph Burks and James E. Diggs to unexpired terms ending May 1, 2023; and reappoint to the Community Development Advisory Board Charles Davis, Sister Paula Rose Jauernig and Mike Seufert to terms ending August 31, 2023; and appoint Brian Keeley to a term ending August 31, 2023; and appoint to the Deer Management Advisory Committee Jamie A. Whitworth to an unexpired term ending January 31, 2022. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Approve 2021 Landfill Services Contract with Waste Management – Public Works Director Mike McDonald presented for consideration and approval the 2021 contract with Waste Management for

disposal services in the amount of \$25.96 per ton. If approved the contract will be effective January 1, 2021. The City disposes about 11,500 tons of municipal solid waste each year.

Commissioner Preisinger moved to approve the contract for landfill services with Waste Management for 2021 as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

CONSENT AGENDA:

Commissioner Leonhard moved to approve claims for August 8, 2020 through August 21, 2020 in the amount of \$825,324.44; Net amount for Payroll #17 effective August 14, 2020 in the amount of \$340,556.48 (No Police & Fire Pension). Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Adjournment:

Commissioner Preisinger moved to adjourn the meeting. Commissioner Leonhard seconded the motion and the motion was unanimously approved.

Time Meeting Adjourned 7:42 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC