



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 and Commissioner Mark Preisinger. The following commission members were present via teleconference: Mayor Pro-Tem Nancy Bauder, Commissioners Camalla Leonhard and Jermaine Wilson.

Others present in the commission chambers: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Fire Chief Gary Birch, Fire Marshal Andy Brooks and City Clerk Carla K. Williamson.

Other members participating via teleconference: Police Chief Patrick Kitchens, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Finance Director Ruby Maline and City Attorney David E. Waters.

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 September 8. Seats will be available on a first come first serve 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 September 8. 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.

Constitution Week Proclamation:

The Mayor read the proclamation for Constitution Week-September 17-23, 2020.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Preisinger moved to approve the minutes from the August 25, 2020 regular meeting and September 1, 2020 Special Meeting as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Community Improvements District – Luxury and Imports:

Second Consideration Ordinance 8143 Establishing the Community Improvements District and the Development Agreement – Assistant City Manager Taylour Tedder presented the development agreement to the City Commission. The development agreement requires benchmarks and caps on the four project

phases and at total cap of distribution of actual project costs. Since first reading the ordinance it has been updated to reflect \$1,610,000.00 as the total project costs for four phases eligible CID reimbursement and the CID sales tax percentage as 0.40%. Ted Rae of Luxury and Imports was present to discuss how the CID will help his business. The expansion of the lot with more frontage on 4th Street and give about 60 additional spaces to show case inventory. New building will give a lot of expansion and double the profits of the body shop. Mr. Rae estimated that 10 additional jobs will be created.

Mayor Griswold call the roll on ordinance 8143 and the ordinance passed unanimously 5-0.

Commissioner Preisinger moved to approve the development agreement with Rea Holding LLC known as Luxury and Imports as presented. Commissioner Wilson 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

Bids, Contracts and Agreements:

Consider The Compliance Engine/Brycer LLC Agreement for Services – Fire Chief Gary Birch presented for consideration a service agreement with Brycer LLC to provide “The Compliance Engine” a tracking tool to assist fire departments with tracking code required systems to assure they are working in compliance. There is no cost to the city for the service.

Commissioner Preisinger moved to authorize the City Manager to enter into a service level agreement with Brycer, LLC for “The Compliance Engine”. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance 2020 Uniform Public Offense Code (UPOC) – Police Chief Patrick Kitchens presented for first consideration an ordinance to adopt the 2020 UPOC for Kansas Cities published by the League of Kansas Municipalities. Chief Kitchens reviewed changes for 2020 and recommended that the city include the following sections to opt out of in addition to the sections previously opted out.

Sec. 3.2.1 Sexual battery, Sec. 4.1 Lewd and lascivious behavior, Sec. 4.3 Selling sexual relations and Sec. 4.5 Buying sexual relations. A recent decision by the Kansas Court of Appeals ruled these types of offenses must be adjudicated in a court of record in order to satisfy the requirement of registration as a sexual offender. These cases will be prosecuted in District Court.

There was a consensus to place on first consideration.

First Consideration Ordinance Adopt 2020 Intersection Traffic Control Device Master Index - Police Chief Patrick Kitchens presented for first consideration an ordinance to adopt the 2020 Intersection Traffic Control Device Master Index. There are no changes from 2019.

There was a consensus to place on first consideration.

Consider Purchase of 711 S 3rd & 226 Olive Street – Public Works Director Mike McDonald presented for consideration the purchase of two vacant properties for the 2nd and Chestnut Stormwater Repair Project. David Sank, owner, has agreed to sell the properties to the city for \$6,500.00 (exclusive of title costs and closing fees).

Commissioner Preisinger moved to approve the acquisition of 711 S 3rd Street and 226 Olive Street for a price not to exceed \$6,500.00. Commissioner Bauder 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 22, 2020 through September 4, 2020 in the amount of \$1,785,462.70; Net amount for Payroll #18 effective August 28, 2020 in the amount of \$353,209.76 (Includes Police & Fire Pension in the amount of \$11,839.36). Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

City Manager Kramer:

- \$1.8 million paving project to start next week
- Free mask give away this weekend sponsored by the City and hosted by the Fire Department
- Lovingworth activities have started

Adjournment:

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

Time Meeting Adjourned 7:50 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC