



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

**City Commission Regular Meeting**  
**Commission Chambers**  
**Tuesday, February 9, 2021 7:00 p.m.**

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

**Others present in the commission chambers:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Police Chief Patrick Kitchens, Public Works Director Mike McDonald, Director of Planning and Community Development Julie Hurley and City Clerk Carla K. Williamson.

**Members participating via teleconference:** City Attorney David E. Waters and Finance Director Ruby Maline.

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

**Proclamations:**

**Susan B. Anthony Day, February 15, 2021** – Mayor Bauder read the proclamation. The proclamation will be mailed to the Leavenworth County Historical Society.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Leonhard moved to approve the minutes from the January 26, 2021 regular meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Second Consideration Ordinance:**

**Second Consideration Ordinance 8159 Rezoning 1440 & 1460 Quincy Street** – City Manager Paul Kramer presented the ordinance for approval. The ordinance was introduced at the January 26, 2021 meeting with a consensus to place on first consideration. There have been no changes since introduced on January 26, 2021.

Mayor Bauder called the roll and Ordinance 8159 passed 4-1 with Commissioner Wilson voting no.

**NEW BUSINESS:**

**Public Comment:** *(emails received by the public for public comment on non-agenda items will be read at this time.) No emails were received.*

## General Items:

**Review 504 Miami and 824 Osage Demolition Properties** - Director of Planning and Community Development Julie Hurley reviewed the two properties that were reviewed at the December 8, 2020 City Commission meeting and agreed by the City Commission to review the properties again at the February 9, 2021 Commission meeting.

- **504 Miami Street – Single-family house** – Building permit issued on May 11, 2020 for exterior and interior renovations. Front porch has been removed and replaced, upstairs windows on front and rear of house have been replaced. Building permit for new roof issued on January 13, 2021. Roof and remaining windows still in need of repair or replacement. Owner provided a copy of acceptance of a proposal with a roofing company to complete the roof repairs. As of February 9, 2021 the water service has been restored to the property.
  - Comments by Owner – Ramon Muhammad (1208 W 21<sup>st</sup> Street Lawrence KS)
    - Power is also on at the property and has been
    - Roofer will do the main part of the roof and is no longer leaking
    - Will start interior work soon
    - Hopes to have the property ready for occupancy in about 6 months
    - Would like to add another bathroom to the main floor
    - No set date on when the roofing company will complete the roof with the weather
    - Roofers said should get to it in February

Commissioner Preisinger

- Neighbors concerned that squatters may get into the house now that it is cold and possibly start a fire that would spread to neighboring properties
- Concerned about when the roof will be completed
- Stated that on December 8<sup>th</sup> Mr. Muhammad said in 60 days would be completed

Commissioner Leonhard

- Asked if the house is secure so that people and or animals could not get in

Mr. Muhammad stated that the property is secure and is checked on regularly.

There was a consensus to review again at the March 23, 2021 meeting.

- **824 Osage Street – Single-family house and detached garage** – Building permit issued on May 22, 2020 for roof. A three (3) month extension on the permit was approved on October 16, 2020. On February 3, 2021 building inspection staff visited the site and indicated that the work performed to this point does not meet building code requirements. Inspections staff sent a follow up letter informing the owners that the permit is considered void due to lack of progress on the project. Roof, siding and window/doors are still in need of repair or replacement. Last water service was in 2018. In October the inspections department did an electrical inspection and noted that an entire electrical box needed to be replaced.
  - Comments by Owner – Darleen Derringer (112 East Kay, Lansing KS)
    - Property vacant for a couple years; husband used to stay there
    - Husband is unable to work
    - They have all the stuff for the roof; boards are being replaced and tarp on the roof

- Slowly but surely working
- No way it will be done in 30 days

Commissioner Preisinger:

- At the last meeting stated she need to have a roofing contract in place
- Feels we have reached the end of the limit on this property

Ms. Hurley:

- Stated that Mr. Derringer came in to City Hall today to extend the permit
- Ms. Hurley informed Mr. Derringer that since the item was being heard this evening the city would not extend the permit until after the Commission reviewed the property

City Manager Kramer:

- Mr. Kramer stated that the work that has been done was reviewed by the City inspectors and does not meet building standards

There was a consensus to move forward with demolition.

Commissioner Preisinger moved to review 504 Miami at the March 23<sup>rd</sup> meeting and to move forward with the demolition of 824 Osage. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Review Draft 2020 Kansas Department of Health and Environment (KDHE) Annual Report for Stormwater** – Public Works Director Mike McDonald presented for review the draft 2020 KDHE report to be submitted by February 28, 2021. Staff is requesting any comments from the Commission or public prior to final approval. COVID has had an impact on the activities that the City would normally undergo during the year. The final report will be brought back to the Commission at the February 23, 2021 meeting for approval via Resolution. No formal action required at this time.

#### **Resolutions:**

**Resolution B-2276 Set Limits for 2021 General Improvement Bonds** – City Clerk Carla Williamson presented for adoption and approval Resolution B-2276 setting the maximum amount for 2021 General Improvement Bonds in the amount of \$2,038,938.00. This amount is set by Charter Ordinance 56.

Commissioner Leonhard moved to adopt Resolution B-2276 as presented. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Bids, Contracts and Agreements:**

**Consider Purchase of Animal Control Replacement Vehicle** – Police Chief Pat Kitchens presented for consideration the purchase of a replacement vehicle for animal control using the 2020 Mid America Council of Public Purchasing (MACPP) contract. Staff recommends approval of one (1) 2021 Ford T-250 Cargo Van from Shawnee Mission Ford at a total price of \$40,346.00.

Commissioner Preisinger moved to approve the purchase of one (1) 2021 Ford T-250 Cargo Van from Shawnee Mission Ford at a total price of \$40,346.00. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Stormwater Cost Share Agreement with USD 453** – City Manager Paul Kramer presented for consideration a 50% cost share of a study performed by Water Resource Solutions (WRS) on conceptual ideas on bank stabilization and improvements on the property located at the new 10<sup>th</sup> Avenue park baseball and softball complex being constructed by USD 453. USD 453 will enter into an agreement with WRS for a total cost of \$45,899.00 and the City will agree to pay \$27,449.50 to USD 453. A Memorandum of Understanding (MOU) would be entered into with the school after the findings.

Commissioner Leonhard moved to authorize payment of \$27,449.50 to USD 453 for 50% of the total cost of \$54,899.00 for the study. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Design Contract with Wilson & Co. for Stormwater Improvements 700 Block of Pottawatomie Street** - Public Works Director Mike McDonald presented for consideration a contract in the amount of \$29,450.00 with Wilson & Company for the design of storm drainage improvements at 741 Pottawatomie.

Commissioner Preisinger moved to approve the contract with Wilson & Company Corporation for the design of storm drainage improvements at 741 Pottawatomie not to exceed \$29,450.00. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Consent Agenda:**

Commissioner Wilson moved to approve claims for January 23, 2021, through February 5, 2021, in the amount of \$1,884,336.76; Net amount for Payroll #2 effective January 29, 2021 in the amount of \$334,840.92 (Includes Police & Fire Pension in the amount of \$9,624.04). Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Other:**

##### **Public Works Director Mike McDonald:**

- Updated the Commission on the snow and ice removal efforts of the City during the recent snow that began on Saturday

##### **Commissioner Preisinger**

- Price Chopper has started their \$12 million renovation
- Two restaurants temporarily closed down due to COVID exposures for deep cleaning
- Walmart in Leavenworth announced they will have vaccine at some point
- Verified with Mr. Kramer that he did mail letters to delegations about health clubs and the legislation proposed to exempt taxes; this is an effort brought up by Rodney Stephens owner of Genesis Health Clubs

- Mr. Kramer confirmed he sent the letters to State delegates and received a couple responses

Mayor Bauder:

- County and City partnering to give vaccinations at the Riverfront Community Center
- Use south entrance of the gym and vaccines are by appointment only

**Adjournment:**

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

Time Meeting Adjourned 8:17 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC