



City of Leavenworth  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING  
COMMISSION CHAMBERS  
TUESDAY, MARCH 23, 2021 7:00 P.M.

**Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting**

*Meetings are televised everyday on Channel 2 at 7 p.m. and midnight and available for viewing on YouTube and Facebook Live*  
**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 view the meeting using one of those options. The Leavenworth City Commission meeting is open to the public with limited seating capacity. To mitigate the spread of COVID-19 face coverings and social distancing is REQUIRED to attend the meeting. To attend the meeting in person, email [cwilliamson@firstcity.org](mailto:cwilliamson@firstcity.org) no later than 4:00 pm on the day of the meeting to reserve a seat. Seats are available on a first come first serve basis. If you are not attending the meeting but would like to submit public comments to be read during the Public Comments portion of the meeting, or submit comments on an agenda items to be read during discussion on that topic, email your comments to [cwilliamson@firstcity.org](mailto:cwilliamson@firstcity.org) no later than 6:00 pm on the day of the meeting.**

Call to Order – Pledge of Allegiance Followed by Silent Meditation

1. **Proclamations** (pg. 2)
- a. Welcome Home Vietnam Veterans Day March 29, 2021
  - b. Military/America Saves Month-April 2021

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from March 9, 2021 Regular Meeting **Action:** Motion (pg. 4)
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**NEW BUSINESS:**

Public Comment: *(i.e. Items not listed on the agenda or receipt of petitions- Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address)*

**General Items:**

3. Review 504 Miami Street Unsafe and Dangerous Structure **Action:** Motion (pg. 7)  
4. Mayor's Appointments **Action:** Motion (pg. 8)

**Resolutions:**

5. Resolution B-2278 Authorizing Sale of A2021 Temp Notes and 2021-A and 2021-B Bonds **Action:** Motion (pg. 9)

**Bids, Contracts and Agreements:**

6. Consider Bid for Dougherty Park Playground Equipment **Action:** Motion (pg. 17)  
7. Consider Proposal for State Rehabilitation Tax Credits **Action:** Motion (pg. 27)
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**Consent Agenda:**

Claims for March 6, 2021, through March 19, 2021, in the amount of \$973,552.03; Net amount for Payroll #5 effective March 12, 2021 in the amount of \$317,704.42 (No Police & Fire Pension. **Action:** Motion

**Other:**

**Executive Session:**

8. Executive Session K.S.A. 75-4319 (b) (6) – Land Acquisition **Action:** Motion (pg. 43)

**Adjournment**

**Action:** Motion

# City of Leavenworth, Kansas



## Proclamation

**WHEREAS,** *Members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961; and*

**WHEREAS,** *in 1965, United States Armed Forces ground combat units arrived in Vietnam; and*

**WHEREAS,** *by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached; and*

**WHEREAS,** *on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and*

**WHEREAS,** *more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and*

**WHEREAS,** *The Vietnam War was an extremely divisive issue among the people of the United States and was also a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans.*

**NOW, THEREFORE,** *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim March 29, 2021 to be:*

## Welcome Home Vietnam Veterans Day

*I encourage all residents to observe appropriate ceremonies and activities to provide appreciation to the Vietnam War veterans.*

**IN WITNESS WHEREOF,** *I set my hand and affixed the Great Seal of the City of Leavenworth, Kansas this twenty-third day of March in the year of two-thousand and twenty-one.*

\_\_\_\_\_  
Nancy D. Bauder, Mayor

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, CMC, City Clerk

# City of Leavenworth, Kansas



## Proclamation

- WHEREAS,** *personal and household savings are fundamental to American's stability and vitality; and*
- WHEREAS,** *adequate emergency savings, retirement funds, and safe debt-income ratios are critical components of personal financial security; and*
- WHEREAS,** *personal financial security of service members is a crucial aspect of military readiness; and*
- WHEREAS,** *Military Saves is a national social marketing campaign to persuade, encourage, and motivate service members and their families to take financial action in building wealth through saving money and reducing debt; and*
- WHEREAS,** *Armed Forces Bank, N.A. is a partner in the Military Saves campaign and is committed to helping its customers, employees, and their family members, as well as all service members, take immediate financial action to build wealth, not debt.*

**NOW, THEREFORE,** *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim the month of April, 2021 as:*

## Military Saves Month

*I hereby call upon the residents of Leavenworth, Kansas to set a personal savings or debt reduction goal, make a simple savings plan, and take action on that plan or take another positive wealth-building action during Military Saves Week and pledge to sustain that action during the following year.*

**IN WITNESS WHEREOF,** *I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this twenty-third day of March in the year of two-thousand and twenty-one.*

\_\_\_\_\_  
Nancy D. Bauder, Mayor

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, CMC, City Clerk



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

**City Commission Regular Meeting**  
**Commission Chambers**  
**Tuesday, March 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 Myron J. (Mike) Griswold, Mark Preisinger and Jermaine Wilson.

**Others present in the commission chambers:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Water Pollution Control Superintendent Tim Guardado, Police Chief Patrick Kitchens and City Clerk Carla K. Williamson.

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

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

**Presentations:**

**New Employee Welcome:**

Due to COVID-19 new employees were not in attendance. Mayor Bauder read the names and information of the following new employees:

Wayne Files Jr.	Street Equipment Operator I
Christopher Mogk	WPC Operator I
Cailynn Acree	Telecommunications Specialist
Brandong Wing	Solid Waste Laborer
Christopher Abney	Firefighter
Nicholas Hall	Firefighter
Cassidy Fox	Police Officer
Whitney Harmon	Receivable/License Coordinator
Jacob Cuneo	Police Officer
Susan Shlenker	PT Admin Clerk

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Leonhard moved to approve the minutes from the February 23, 2021 regular meeting. 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.) No emails were received.*

### **Erica Casella – 315 Arch Street**

- Addressed the Commission regarding composting
- No ordinances addressing composting within the city
- Lansing has a composting ordinance and thinks a similar code would be a welcome addition to Leavenworth
- Ms. Casella provided pictures that were passed out to the Commissioners

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

**Consider Bids for Replacement Police Vehicles** – Police Chief Patrick Kitchens presented for consideration and approval the bids for the purchase of two 2021 Ford Police Interceptor SUVs from Shawnee Mission Ford in the amount of \$88,886.00. Total price includes the purchase of one service manual. One other bid was received from Landmark Dodge but it did not meet the specifications and therefore was not considered.

Commissioner Preisinger moved to approve the two 2021 black and white Ford Police Interceptor SUVs from Shawnee Mission Ford at a total price of \$88,886.00. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Approval of Water Pollution Control Repair of Clarifier #1** – Public Works Director Mike McDonald presented for consideration and approval the repairs of the Water Pollution Control (WPC) Repairs of Final Clarifier #1 from ClearStream Environmental (JCI) for materials and installation in the amount of \$424,017.00. Larry Debirk with ClearStream Environmental and Brandon Ford with JCI were in attendance virtually via GoToMeeting. There is a chance that the walking bridge may need additional repairs. The additional repairs, if needed will not be known until it is removed. The costs of any repairs to the bridge are not included in this proposal.

Commissioner Preisinger moved to approve the proposal for repair to Final Clarifiers Option #2 for the purchase to repair both finals for \$424,017.00 which includes material from ClearStream Environmental in an amount not to exceed \$254,175.00 and installation from JCI in an amount not to exceed \$169,842.00. Commissioner Wilson 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 February 20, 2021, through March 5, 2021, in the amount of \$1,082,164.12; Net amount for Payroll #4 effective February 26, 2021 in the amount of \$345,633.13 (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.

**Executive Session:**

Mayor Bauder moved to recess into executive session to discuss economic development opportunities per K.S.A. 75-4319 (b) (4) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships. The open meeting to resume in the City Commission Chambers at 7:42 pm. City Manager Paul Kramer and Assistant City Manager Taylor Tedder are requested to be present during the Executive Session. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

The Commission returned to open session at 7:42pm with no action taken.

**Other:**

**Commissioner Griswold:**

- AT&T is working in the area to install cables for additional coverage
- Discussed vaccinations in the County going well and encourages everyone to get vaccinated

**Mayor Bauder:**

- 10:00 am Friday dedication of soccer fields in honor of Frank Mazeitis.

**Adjournment:**

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

Time Meeting Adjourned 7:47 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC

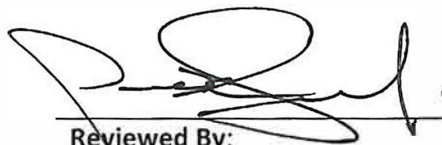
**POLICY REPORT**

**Review Unsafe and Dangerous Structures**

**March 23, 2021**



**Prepared By:**  
Julie Hurley,  
Director of Planning and  
Community Development



**Reviewed By:**  
Paul Kramer,  
City Manager

**DISCUSSION**

On July 14, 2020, the City Commission adopted Resolution B-2257 regarding demolition of 18 structures. At that time, the Commission voted to grant a 60-day extension to 10 properties, including the property listed below. The property was again reviewed by the City Commission on September 22. At that time, the Commission voted to grant a 30 day extension to the subject property. The property was again reviewed by the City Commission on October 27, 2020. At that time, the Commission voted to give the subject property an extension to December 8, 2020. On December 8, 2020, the property was reviewed and the Commission voted to grant an extension to February 9, 2021. The property was again reviewed at the February 9, 2021 Commission meeting and granted an extension to March 23, 2021.

At this time, the Commission shall discuss the property and provide a consensus on the decision of the Governing Body. The current status is as follows:

**1. 504 Miami – Single family house**

Building permit issued on 5/11/2020 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 1/13/21. Roof and remaining windows still in need of repair or replacement. Owner has indicated to staff that he has a signed contract with a roofing company to complete the roof repairs.

**MAYOR'S APPOINTMENTS**

**March 23, 2021**

**Mayor Pro-Tem Leonhard**

**Motion:**

*"On behalf of the Mayor Bauder I move to*

*Appoint to the **Parks and Community Activities Advisory Board** Edna F. Wagner to an unexpired term ending January 15, 2023; and*

*Appoint to the **MARC Active Transportation Committee** Brian Faust City Public Works Director, as a City Board Member for an indefinite term."*

**Requires a second and vote by the Governing Body.**



**POLICY REPORT**  
**RESOLUTION B-2278 AUTHORIZING THE PUBLIC SALE OF GENERAL OBLIGATION BONDS SERIES 2021-A,**  
**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B &**  
**TEMPORARY NOTES, SERIES A2021**

**MARCH 23, 2021**

Prepared by:

  
 Carla K. Williamson, CMC  
 City Clerk

Reviewed by:

  
 Paul Kramer  
 City Manager

**ISSUE:**

The issue before the City Commission is to consider a resolution authorizing and providing for the public sale of General Obligation Bonds, Series 2021-A, General Obligation Refunding Bonds, Series 2021-B and Temporary Notes, Series A2021.

As outlined in Section 1 of the Resolution:

That it is hereby determined to be necessary and it is hereby authorized, directed and ordered, that the Bonds and Notes of the City shall be sold at public sale and in the manner provided by law, on Tuesday, April 27, 2021, at 10:00 a.m. C.D.T.

- The Series 2021-A Bonds shall be in the approximate principal amount of Nine Million Six Hundred Thirty Five Thousand Dollars (\$9,635,000) and shall be dated May 12, 2021.
- The Series 2021-B Bonds shall be in the approximate principal amount of Three Million Three Hundred Ten Thousand Dollars (\$3,310,000) and shall be dated June 3, 2021.
- The Notes shall be in the approximate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) and shall be dated May 12, 2021.

**General Obligation Bonds Series 2021-A:** The City has found and hereby determines it necessary and advisable to issue and sell General Obligation Bonds, Series 2021-A in the approximate principal amount of \$9,635,000.00 for:

**2021-A General Improvement Bonds**

New Lawrence Road	Permanently finance outstanding A2018 Notes	\$395,000.00
Main Trafficway Project (Thornton Street & 10th Ave)	Permanently finance remaining portion of the outstanding A2019 Notes	\$6,055,000.00
Additional Funding Thornton/10th Ave		\$270,000.00
2020 General Improvements	Redeeming A2020 Notes	\$1,415,000.00
Public Safety Equipment (fire truck)	New bonds	\$1,400,000.00
		<u>\$9,535,000.00</u>
Estimated Issuance cost and fees		<u>\$100,000.00</u>
		<u>\$9,635,000.00</u>

**General Obligation Refunding Bonds, Series 2021-B:** The City has found and hereby determines it necessary and advisable to issue and sell General Obligation Refunding Bonds, Series 2021-B in the approximate principal amount of \$3,310,000 for:

<b>2021-B General Obligation Refunding Bonds</b>	
Refunding of Series 2013-A Bonds	\$900,000.00
Refunding of Series 2016-A Bonds	\$2,345,000.00
Estimated Issuance costs	<u>\$65,000.00</u>
	\$3,310,000.00

**Temporary Notes, Series A2021:** The City has found and hereby determines it necessary and advisable to issue and sell Temporary Notes, Series A2021, (the "Notes") for the purpose of temporarily financing the costs of the City's 2021 General Improvement (Pavement Management Project), and paying the cost of issuing the Notes. The Notes shall be in the approximate principal amount of \$1,400,000.00 and shall be dated May 12, 2021.

The bond and note sale will be on Tuesday, April 27, 2021 at 10:00 a.m. C.D.T. The results will be presented to the City Commission the same evening.

**ACTION REQUIRED:**

Adopt Resolution B-2278 authorizing and providing for the public sale of General Obligation Bonds, Series 2021-A, General Obligation Refunding Bonds, Series 2021-B and Temporary Notes, Series A2021 and setting forth the details of the sale.

**RESOLUTION NO. B-2278**

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF GENERAL OBLIGATION BONDS, SERIES 2021-A, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B, AND TEMPORARY NOTES, SERIES A2021, OF THE CITY OF LEAVENWORTH, KANSAS (THE "CITY"); SETTING FORTH THE DETAILS OF SAID SALE AND PROVIDING FOR THE GIVING OF NOTICE THEREOF; AND AUTHORIZING THE CALL AND REDEMPTION OF CERTAIN OUTSTANDING NOTES AND BONDS OF THE CITY.**

**WHEREAS**, the Governing Body of the **City of Leavenworth, Kansas**, (the "City") has heretofore duly authorized, issued and delivered its \$3,860,000 aggregate principal amount of General Obligation Bonds, Series 2013-A, dated June 27, 2013, (the "Series 2013-A Bonds") pursuant to its Ordinance No. 7920 adopted June 11, 2013, and published as required by law, and Resolution No. B-2060 adopted June 11, 2013, (the "Series 2013-A Bond Resolution") in accordance with the requirements of Charter Ordinance No. 37 of the City, K.S.A. 12-1736 et seq. and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended, which remain outstanding in the aggregate principal amount of \$1,690,000; and

**WHEREAS**, the City has heretofore duly authorized, issued and delivered its \$5,700,000 aggregate principal amount of General Obligation Refunding and Improvement Bonds, Series 2016-A, dated June 30, 2016, (the "Series 2016-A Bonds") pursuant to its Ordinance No. 7998 adopted June 14, 2016, and published as required by law, and Resolution No. B-2140 adopted June 14, 2016, (the "Series 2016-A Bond Resolution") in accordance with the requirements of Charter Ordinance No. 56 of the City, Home Rule Ordinance No. 7942 of the City, K.S.A. 10-427 et seq. and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended, which remain outstanding in the aggregate principal amount of \$3,400,000; and

**WHEREAS**, pursuant to Sections 203 of the Series 2013-A Bond Resolution and the Series 2016-A Bond Resolution (the Series 2013-A Bond Resolution and the Series 2016-A Bond Resolution are collectively referred to as the "Outstanding Bond Resolutions"), the Treasurer of the State of Kansas, Topeka, Kansas, was designated as the City's Paying Agent and Bond Registrar for the payment of the principal of and interest on the Series 2013-A Bonds and the Series 2016-A Bonds; and

**WHEREAS**, pursuant to Section 301 of the Series 2013-A Bond Resolution, the Series 2013-A Bonds, or any portion thereof maturing on September 1, 2022, and thereafter may be called for redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

**WHEREAS**, pursuant to Section 301 of the Series 2016-A Bond Resolution, the Series 2016-A Bonds, or any portion thereof maturing on September 1, 2022, and thereafter may be called or redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

**WHEREAS**, pursuant to Section 301 of the Series 2013-A Bond Resolution, the City deems it necessary and advisable to call the Series 2013-A Bonds maturing on September 1, 2023, through and including September 1, 2025, (i.e., \$900,000) (the “Series 2013-A Refunded Bonds”) on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City; and

**WHEREAS**, pursuant to Section 301 of the Series 2016-A Bond Resolution, the City deems it necessary and advisable to call the Series 2016-A Bonds maturing on September 1, 2023, through and including September 1, 2031, (i.e., \$2,345,000) (the “Series 2016-A Refunded Bonds”) on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City (the Series 2013-A Refunded Bonds and the Series 2016-A Refunded Bonds are collectively, the “Refunded Bonds”); and

**WHEREAS**, the City has, pursuant to Resolution No. B-2192 of the City adopted March 27, 2018, authorized the improvement of a portion of New Lawrence Road, from 20<sup>th</sup> Street Trafficway and continuing in a northeasterly direction a distance of 1,400 feet, by preparing, grading, constructing, and otherwise completing a new 31 foot wide, back of curb to back of curb, street with a road surface of 8” asphalt placed on 6” of AB-3 over geo-grid reinforcement material on compacted soil sub-grade together with storm drainage, concrete curb and gutter, entrances, and other necessary items at a maximum estimated cost of \$605,000 (the “New Lawrence Road Project”) under the authority of K.S.A. 12-685 et seq.; and

**WHEREAS**, the City heretofore duly authorized, issued and delivered its \$3,460,000 Temporary Notes, Series A2018, dated June 28, 2018, (the “Series 2018 Notes”) pursuant to Resolution No. B-2201 (the “Series A2018 Note Resolution”) adopted June 12, 2018, in accordance with the requirements of Charter Ordinance No. 56 of the City, K.S.A. 12-1736 et seq., and K.S.A. 12-685 et seq., all as amended, in part to temporarily finance the cost of constructing and otherwise completing the New Lawrence Road Project a portion of which Series A2018 Notes maturing on June 1, 2022, in the amount of \$390,000 will be redeemed and paid on May 13, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resoluiton; and

**WHEREAS**, the Series A2018 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after March 1, 2019, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

**WHEREAS**, in accordance with its authority to redeem and pay all or part of the outstanding Series A2018 Notes prior to their maturity, the City deems it necessary and advisable to call the remaining \$390,000 of the outstanding Series A2018 Notes maturing on June 1, 2022; all as further described in the Series A2018 Note Notice of Redemption, for redemption and payment on May 13, 2021; and

**WHEREAS**, the City has, pursuant to Resolution No. B-2217 of the City adopted February 26, 2019, as amended by Resolution No. B-2222 of the City adopted May 14, 2019, and Resolution No. 2227 of the City adopted June 25, 2019, authorized the improvement of a portion of (1) Thornton Street, from the west line of 4<sup>th</sup> Street to the East line of 10<sup>th</sup> Avenue and (2) 10<sup>th</sup> Avenue from the south side of Spruce Street to the north right-of-way of Eisenhower Road to be main trafficways within the City (said streets, the “Main Trafficways”) by constructing and completing grading, storm drainage, concrete curb and gutter, asphaltic pavement and entrances, sidewalks, seeding, traffic control and other necessary items at an estimated maximum cost of \$6,040,000 (the “Main Trafficway Project”) under the authority of K.S.A. 12-685 et seq.; and

**WHEREAS**, the City has heretofore duly authorized, issued and delivered its \$7,430,000 Temporary Notes, Series A2019, dated June 27, 2019, (the “Series A2019 Notes”) pursuant to Resolution No. B-2224 (the “Series A2019 Note Resolution”) adopted June 11, 2019, in accordance with the requirements of Charter Ordinance No. 56 of the City and K.S.A. 12-685 et seq., as amended, in part to temporarily finance the costs of constructing and otherwise completing the Main Trafficway Improvements, a portion of which Series A2019 Notes maturing on December 1, 2022, in the amount of \$6,040,000 will be redeemed and paid on May 13, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resolution; and

**WHEREAS**, the Series A2019 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after June 1, 2020, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

**WHEREAS**, the City deems it necessary and advisable to call \$6,040,000 of the remaining outstanding Series A2019 Notes maturing on December 1, 2022, all as further described in the Series A2019 Note Notice of Redemption, for redemption and payment on May 13, 2021; and

**WHEREAS**, the City has, in accordance with the powers of home rule of all cities of the State of Kansas under Section 5 of Article 12 of the Constitution of the State of Kansas, passed and approved, by the vote of not less than two-thirds of the members-elect of the governing body of the City, Charter Ordinance No. 56 of the City, which charter ordinance was published once each week for two consecutive weeks in the official newspaper of the City with such charter ordinance taking effect, without protest, on the sixty-first (61<sup>st</sup>) day following the publication thereof; and

**WHEREAS**, Charter Ordinance No. 56 both exempted the City from the provisions of K.S.A. 13-1024a, which was applicable to the City but not uniformly applicable to all Kansas cities and therefor was, in accordance with the City’s powers of home rule, subject to the City’s authority to exempt itself from the whole or any part of said K.S.A. 13-1024a, and, in accordance with such power of home rule, provided substitute and additional provisions on the same subject as in both K.S.A. 13-1024a; and

**WHEREAS**, the City pursuant to Resolution No. B-2244 of the City adopted February 11, 2020, authorized the construction of certain general improvements in the total estimated amount of \$1,949,726.00 (the “2020 General Improvements”) to be made in the City under the authority of Charter Ordinance No. 56 of the City; and

**WHEREAS**, the City has heretofore duly authorized, issued and delivered its \$1,400,000 Temporary Notes, Series A2020, dated June 25, 2020, (the “Series A2020 Notes”) pursuant to Resolution No. B-2252 (the “Series A2020 Note Resolution”) adopted June 9th, 2020, in accordance with the requirements of Charter Ordinance No. 56 of the City to temporarily finance the costs of constructing the 2020 General Improvements, which Series A2020 Notes maturing on December 1, 2021, in the amount of \$1,400,000 will be redeemed and paid on the June 1, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resolution; and

**WHEREAS**, the Series A2020 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after June 1, 2021, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

**WHEREAS**, the City deems it necessary and advisable to call the outstanding Series A2020 Notes maturing on December 1, 2021, in the amount of \$1,400,000 all as further described in the Series A2020 Note Notice of Redemption, for redemption and payment on June 1, 2021; and

**WHEREAS**, the City has, pursuant to Resolution No. 2243 of the City adopted February 11, 2020, authorized both the purchase, acquisition, and installation of certain public safety equipment consisting of one (1) Pierce Velocity Aerial firefighting truck, apparatus, and accessories for use by the City's fire department and other authorized personnel and pay the estimated costs thereof, including financing costs, in the amount of \$1,430,000 (the "Public Safety Equipment") under the authority of Home Rule Ordinance No. 7942; and

**WHEREAS**, the City pursuant to Resolution No. B-2276 of the City adopted February 9, 2021, authorized the construction of certain general improvements in the total estimated amount of \$2,038,938.00 (the "2021 General Improvements") to be made in the City under the authority of Charter Ordinance No. 56 of the City; and

**WHEREAS**, the City has found and hereby determines it necessary and advisable to issue and sell General Obligation Bonds, Series 2021-A, (the "Series 2021-A Bonds") for the purposes of (1) permanently financing a portion of the cost of the New Lawrence Road Project, including redeeming and paying the remaining outstanding Series A2018 Notes in the principal amount of \$390,000 together with accrued interest payable thereon on May 13, 2021; (2) permanently financing the costs of the Main Trafficway Project, including redeeming and paying a portion of the Series A2019 Notes in the principal amount of \$6,040,000 together with accrued interest payable thereon on May 13, 2021; (3) permanently financing the costs of the City's 2020 General Improvements, including redeeming and paying the Series A2020 Notes in the principal amount of \$1,400,000 together with accrued interest payable thereon on June 1, 2021, (4) financing the purchase and acquisition of the Public Safety Equipment; and (5) paying the cost of issuing the Series 2021-A Bonds; and

**WHEREAS**, the City has found and hereby determines it necessary and advisable to issue and sell General Obligation Refunding Bonds, Series 2021-B, (the "Series 2021-B Bonds" together with the Series 2021-A Bonds are collectively the "Bonds") for the purposes of (1) currently refunding the Refunded Bonds in the outstanding principal amount of \$3,245,000 together with accrued interest payable thereon on September 1, 2021, and (2) paying the cost of issuing the Series 2021-B Bonds; and

**WHEREAS**, the City has found and hereby determines it necessary and advisable to issue and sell Temporary Notes, Series A2021, (the "Notes") for the purpose of temporarily financing the costs of both constructing the City's 2021 General Improvements and issuing the Notes; and

**WHEREAS**, in order to assist the City in the sale of the Notes and Bonds, it has retained the services of Raymond James & Associates, Inc., Kansas City, Missouri, as Municipal Advisor, and Nichols and Wolfe Chartered, Topeka, Kansas, Bond Counsel, to assist the City in the sale of such notes and bonds and the preparation of necessary offering materials in connection therewith.

**BE IT RESOLVED** by the Governing Body of the City of Leavenworth, Kansas:

**Section 1.** That it is hereby determined to be necessary, and it is hereby authorized, directed and ordered, that the Bonds and Notes of the City shall be sold at public sale and in the manner provided by law, on Tuesday, April 27, 2021, at 10:00 a.m. C.D.T. The Series 2021-A Bonds shall be in the approximate principal amount of Nine Million Six Hundred Thirty-five

Thousand Dollars (\$9,635,000) and shall be dated May 12, 2021. The Series 2021-B Bonds shall be in the approximate principal amount of Three Million Three Hundred Ten Thousand Dollars (\$3,310,000) and shall be dated June 3, 2021. The Notes shall be in the approximate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) and shall be dated May 12, 2021.

**Section 2.** That it is hereby further authorized, ordered and directed that the Series 2021-A Summary Notice of Bond Sale in substantially the form attached hereto and made a part hereof by reference as though fully set out herein, shall each be published one time not more than 30 days and not less than 6 days prior to the date of said sale as required by law, one time in The Leavenworth Times, the official newspaper of the City, and one time in the Kansas Register, as provided by law.

**Section 3.** That it is hereby further authorized, ordered and directed that, at the option of the City, the Series 2021-B Summary Notice of Bond Sale and the Summary Notice of Note Sale, in substantially the forms attached hereto and made a part hereof by reference as though fully set out herein, be published one time in The Leavenworth Times, the official newspaper of the City and/or one time in the Kansas Register.

**Section 4.** That the Mayor and other officers of the City are hereby authorized to provide for the preparation of an Official Statement, to be "deemed final" except for the omission of certain information as provided in the Securities and Exchange Commission Rule 15c2-12, and the Mayor and Clerk are hereby authorized to execute such Official Statement, with such changes thereto as such officials shall deem appropriate, and to use such document in connection with the offering of the Notes and Bonds.

**Section 5.** That the officers and representatives of the City are hereby authorized and directed, after consultation with Raymond James & Associates, Inc., as Municipal Advisor and Nichols and Wolfe Chartered, as Bond Counsel, to take such other action as may be necessary to carry out the offering for sale of the Notes and Bonds.

**Section 6.** That it is hereby further authorized, ordered and directed that copies of the Official Statement, Series 2021-A Official Notice of Bond Sale, Series 2021-B Official Notice of Bond Sale, Official Notice of Note Sale and the City's bid forms for this issue of Notes, the Series 2021-A Bonds and the Series 2021-B Bonds, be distributed to prospective bidders of the Notes and Bonds.

**Section 7.** That subject to the issuance of the Series 2021-B Bonds the City hereby calls the Refunded Bonds, plus accrued interest thereon to the date of such redemption without premium, for redemption and payment on September 1, 2021.

**Section 8.** That pursuant to Sections 303 of the Outstanding Bond Resolutions, at least forty-five days prior to September 1, 2021, unless otherwise waived by the Treasurer of the State of Kansas, the City Clerk of the City shall mail by certified mail to the Treasurer of the State of Kansas, 900 SW Jackson, Suite 201, Topeka, Kansas, a copy of this Resolution and a copy of the Notices of Redemption of such Series 2013-A Refunded Bonds and Series 2016-A Refunded Bonds.

**Section 9.** That the City hereby calls \$390,000 of the outstanding Series A2018 Notes maturing on June 1, 2022, plus accrued interest thereon to date of such redemption without premium, all as further described in the Series A2018 Note Notice of Redemption, for redemption and payment on May 13, 2021.

**Section 10.** That at least forty-five days prior to May 13, 2021, unless otherwise waived by the Treasurer of the State of Kansas, the City Clerk of the City shall mail by certified mail to the Treasurer of the State of Kansas, Topeka, Kansas, and Country Club Bank, Prairie Village, Kansas, a copy of this Resolution and a copy of the Series A2018 Note Notice of Redemption.

**Section 11.** That the City hereby calls \$6,040,000 of the outstanding Series A2019 Notes maturing on December 1, 2022, plus accrued interest thereon to date of such redemption without premium, all as further described in the Series A2019 Note Notice of Redemption, for redemption and payment on May 13, 2021.

**Section 12.** That at least forty-five days prior to May 13, 2021, unless otherwise waived by the Treasurer of the State of Kansas, the City Clerk of the City shall mail by certified mail to the Treasurer of the State of Kansas, Topeka, Kansas, and Hutchinson, Shockey Erley & Co., Chicago, Illinois, a copy of this Resolution and a copy of the Series A2019 Note Notice of Redemption.

**Section 13.** That the City hereby calls \$1,400,000 of the outstanding Series A2020 Notes maturing on December 1, 2021, plus accrued interest thereon to the date of such redemption without premium, all as further described in the Series A2020 Note Notice of Redemption, for redemption and payment on June 1, 2021.

**Section 14.** That at least forty-five days prior to June 1, 2021, unless otherwise waived by the Treasurer of the State of Kansas, the City Clerk of the City shall mail by certified mail to the Treasurer of the State of Kansas, Topeka, Kansas, and Central States Capital Markets, LLC, Kansas City, Missouri, a copy of this Resolution and a copy of the Series A2020 Note Notice of Redemption.

**ADOPTED THIS** 23rd day of March, 2021.

CITY OF LEAVENWORTH, KANSAS

{Seal}

\_\_\_\_\_  
Camalla M. Leonhard, Mayor Pro-Tem

ATTEST:

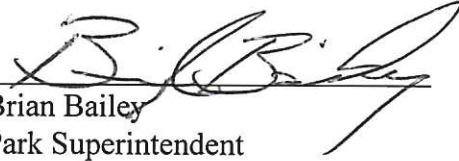
\_\_\_\_\_  
Carla Williamson, CMC, City Clerk




*City of Leavenworth, Kansas*  
**Parks & Recreation Department**  
**Bob Dougherty Park Playground**  
**POLICY REPORT NO. P&R 02-21**

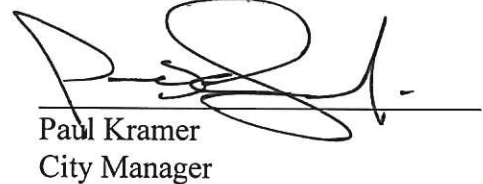
**March 23, 2021**

**PREPARED BY:**

  
Brian Bailey  
Park Superintendent

**REVIEWED BY:**

  
Steve Grant  
Parks and Recreation Director

  
Paul Kramer  
City Manager

**ISSUE:**

To review replacement of playground unit/equipment at Bob Dougherty Park.

**BACKGROUND:**

The playground composite structure at Dougherty Park was installed in 1999. In the most recent years, the manufacturer quit making or is very limited on what replacement parts are available for the existing unit. As a result, staff has had to remove sections and repair the unit with limited parts from the manufacturer. The playground unit has reached the point that its playability and overall condition of the structure has deteriorated and is in need of replacement.

As a result, staff formulated a set of guidelines for the replacement of the playground. Items taken into account were appearance, play value, vandal resistance and equipment sturdiness. With these goals in mind and after reviewing available purchasing options, staff has selected the Greenbush Cooperative Purchasing program. This program is used throughout our region for the purchase of playground equipment. This program allows us to purchase playground equipment that meets our needs through a manufacturer with a proven record of customer service in the Kansas region, and it ensures that we are receiving the best possible price while guaranteeing that standard governmental purchasing practices are followed.

**RECOMMENDATION:**

Staff recommends the proposal from Fry and Associates, Inc. on the Greenbush Cooperative Purchasing, for the purchase and installation of playground equipment for Bob Dougherty Park for the amount of \$98,328.00.

**BUDGET IMPACT:**

There is \$100,000 allocated in the 2021 Capital Improvement Program for this project.

**ATTACHMENTS:**

Fry & Associates, Inc., Greenbush Proposal # FRY64093

Fry & Associates, Inc., Renderings



# QUOTE

Fry & Associates, Inc.  
 101 E 15th Ave, North Kansas City MO 64116  
 t. 816-221-4825 f. 816-221-4831

20.6 ESC-PLAYGROUND-REC2021

**Number** FRYQ64093  
**Date** Mar 10, 2021

End User	Ship To	Bill To
<b>City of Leavenworth, KS</b> Brian Bailey Finance Department 100 N. 5th Street Leavenworth, Kansas 66048 United States	<b>City of Leavenworth, KS</b>  Leavenworth, Kansas 66048 United States	<b>City of Leavenworth, KS</b> Brian Bailey 123 N. Esplanade St. Leavenworth, Kansas 66048 United States

Here is the quote you requested.

Associates	P.O. Number	Ship Via	Terms
Margie Fry Steve Jones		Common	Net 10

Qty	Description	List Price	GB Price	Ext. Price
1	Playworld Design 211368-C	\$71,898.00	\$56,226.00	\$56,226.00
	350-2164 Playworld Challenger Structure - 1H Sale Item Playworld Systems, Inc. COLORS TO BE DETERMINED			
	ZZXX0366 UNITY DOME *PSI 1H SALE ITEM* Playworld Systems, inc.			
	ZZXX0193 UNITY ROCKR - *PSI 1H SALE ITEM* Playworld Systems, inc.			
	ZZUN8727 PLAYCUBE - GROUND LEVEL Playworld Systems, inc.			
	ZZUN6844 MODPODS QUAD - TABLETOP 4FT (2-5) Playworld Systems, inc.			
	ZZUN6847 MODPODS TRI - TABLETOP 4FT (2-5) Playworld Systems, inc.			
	ZZXX0151 SPINAMI Playworld Systems, inc.			
	ZZXX0198 UNITY SWING FRAME Playworld Systems, inc.			
	ZZXX0204 BASKET SWING Playworld Systems, inc.			
	ZZXX0818 8ft SINGLE POST SWING ASSEMBLY Playworld Systems, inc.			

Continued On Next Page ...

Qty	Description	List Price	GB Price	Ext. Price
	ZZXX0819 8ft SINGLE POST SWING ADD-A-BAY Playworld Systems, inc.			
	ZZXX0820 TODDLER SWING ADD-ON BEAM Playworld Systems, inc.			
	ZZXX0260 (4) BELT SEAT W/SILVER SHIELD CHAIN FOR 8ft Playworld Systems, TOP RAIL inc.			
1	<i>Install</i> Equipment Installation of Play Equipment <i>Fry &amp; Associates, Inc.</i> Per Dwg. #211368-C	\$21,686.00	\$21,686.00	\$21,686.00
1	<i>Wood Fiber</i> Engineered Wood Fiber Safety Surfacing <i>Zeager Bros., Inc.</i> Approximately 260 cy Delivered and Dropped as close to site as allowed. Does Not Include Installation	\$0.00	\$6,676.00	\$6,676.00
1	<i>Install</i> Installation of Wood Fiber <i>Fry &amp; Associates, Inc.</i>	\$7,800.00	\$7,800.00	\$7,800.00
1	<i>APS-WearMat-8'</i> 8' Diameter x 2" Wear Mat - 4 pieces <i>Action Play Systems, LLC</i>	\$670.00	\$500.00	\$500.00
1	<i>APS-WearMat-6'</i> 6' Diameter x 2" Wear Mat - 4 pieces <i>Action Play Systems, LLC</i>	\$395.00	\$320.00	\$320.00
4	<i>APS-SwingMat</i> 3' x 5' x 2" Swing Wear Mat - Black <i>Action Play Systems, LLC</i>	\$185.00	\$159.00	\$636.00
1	<i>Install</i> Installation of (6) Rubber Mats <i>Fry &amp; Associates, Inc.</i>	\$485.00	\$485.00	\$485.00
1	<i>Install</i> Installation of (2) Concrete Ramps <i>Fry &amp; Associates, Inc.</i> Form and Pour (2) ADA ramps, area not to exceed 6ft x 6ft Concrete will be reinforced w/ half inch rebar, placed as needed and poured at 4 to 6 inch thickness and a curing compound will be applied to the finished area. Includes Grading and Seeding of restoration area next to the new concrete. Includes all necessary permits and clean up.	\$0.00	\$2,133.00	\$2,133.00

Continued On Next Page ...

Qty	Description	List Price	GB Price	Ext. Price
Please contact me if I can be of further assistance.			<b>SubTotal</b>	\$96,462.00
			<b>Tax</b>	\$0.00
			<b>Shipping</b>	\$1,866.00
			<b>Total</b>	<b>\$98,328.00</b>

**Shipping Contact:** Brian Bailey  
**Email:** bbailey@firstcity.org

**Phone:** 913-758-6610  
**Fax:**

By Signing this I agree to the attached terms and conditions of this proposal. I also certify that I have the authority to enter the Billing Party into this agreement.

Quote Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_

Pricing is CASH pricing. 3.5% cash discount will be removed from the total for credit card transactions.  
Unless otherwise indicated all pricing good for 30 days from quote date



## Terms and Conditions

1. Fry & Associates, Inc. ("Fry") hereby offers to sell the products and services described in this Quotation (the "Goods"), but only on the terms and conditions described herein. If Buyer submits to Fry a purchase order or other documentation with terms and conditions different from or additional to the terms and conditions described in this Quotation, Fry hereby objects to those terms and does not assent to them. No such term shall be considered to be a part of any contract between the parties.
2. The quoted purchase price may be increased to the extent that Fry's cost of the Goods may be increased as a result of (1) any agreements, codes, or legislative enactments made or enacted pursuant to federal, state or municipal legislation; and (2) increase in the cost of labor or raw materials. In addition to paying the quoted purchase price, Buyer is solely liable for any excises, levies or taxes which Fry may be required to pay or collect, under any existing or future law, upon or with respect to the sale, purchase, delivery, storage, processing, use, consumption or transportation of any of the Goods, and Buyer agrees to pay the amount thereof on the same terms as it shall pay the quoted purchase price.
3. All pricing is good for 30 days from quote date unless otherwise indicated.
4. All pricing is cash pricing and includes a 3.5% discount. Use of a credit card or other non-cash basis of payment will remove this discount.
5. Cancellation of this order or part of this order will incur a restocking charge and forfeiture of any deposits made. Buyer will be responsible for any freight charges incurred. Acceptance of any returns are at the discretion of the manufacturer. No goods shall be returned for credit without first obtaining written consent from Fry.
6. Any changes to this order must be agreed to in writing and signed by both parties before they become valid.
7. Claims by Buyer for shortages, damages or errors in delivery must be made within five (5) days after the delivery of the goods. Goods are sold subject to the standard manufacturing practices of Fry's suppliers. Goods purchased on the basis of weight are subject to customary quantity variations recognized by practice in the industry.
8. Buyer shall assume all risk of loss or damage upon delivery by Fry to the carrier at the point of shipment. Scheduled dates of delivery are determined from the date of Fry's acceptance of any order or orders placed by Buyer and are estimates of approximate dates of delivery, not a guaranty of a particular date of delivery. Fry shall not be liable for any damages caused by failure or delay in shipping the Goods if such failure or delay is beyond the reasonable control of Fry.
9. This quotation may be accepted to form a binding contract upon any one of the following options: 1. Signature below and a deposit (if required) to Fry for the items listed in this quote prior to the expiration date. 2. Issuance of a purchase order to Fry referencing this quote and the terms and conditions herein prior to the expiration date above
10. Any payment terms are with approved credit. Any payment not made within terms is subject to a late payment charge of 1.5% per month (compounded) on the unpaid balance.
11. All manufacturer's warranties are honored solely under the terms set forth by the manufacturer and are not the responsibility of Fry.
12. All information presented in this quote is the responsibility of the Buyer to verify for accuracy and completeness.
13. Any agreement arising out of this transaction shall be deemed to have been made in Clay County, Missouri. The parties agree that the validity, interpretation and performance of any agreement arising out of this transaction shall be governed by the laws of the State of Missouri.
14. If Buyer requests deferral of deliveries, Fry's agreement to defer delivery shall not excuse Buyer from its obligation to pay for the goods at the same times and in the same quantities as the original delivery schedule, including interest due pursuant to these terms and conditions. In addition to adhering to the original payment schedule, Buyer shall pay such storage charges as Fry may assess for storing the goods awaiting delivery. If Buyer requests deferral prior to commencement of production, Fry may require a change in pricing based on required delivery date.
15. Fry will do its best to inform the buyer of anticipated lead times on products and services. Fry is not responsible for any changes in lead times from manufacturers and will not accept responsibility for damages due to project delays.
16. In addition to the foregoing, Buyer agrees to save and hold Fry & Associates, Inc. harmless from any claims, demands, liabilities, costs, expenses or judgments arising in whole or in part, directly or indirectly, out of the negligence or lack of care by Buyer or Buyer's customers, agents, employees or invitees involving the use of the goods supplied by Fry & Associates, Inc. This indemnification shall include all costs, attorney's fees and other expenses paid or incurred by or imposed upon Fry & Associates, Inc. in connection with the defense of any such claim.







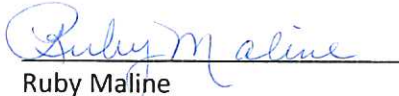




Policy Report  
Bid for Kansas State Rehabilitation Tax Credits  
March 23, 2021

Prepared by:

Approved by:



Ruby Maline  
Finance Director



Paul Kramer  
City Manager

**Issue:**

The City of Leavenworth is in possession of \$96,374.00 in Kansas State Rehabilitation Tax Credits. As the City pays no state tax, there are currently no uses for the tax credits. Therefore, to receive any benefit from the tax credit allocation, the City must sell the tax credits.

**Background**

In December 2019, the City completed \$385,495 of qualifying expenditures for the stone replacement on the Old Union Depot, now known as the Riverfront Community Center. Because of the building's historic nature, the City applied for Kansas State Rehabilitation Tax Credits to help with the repairs. In November 2020, the City was notified that it had received a credit for 25% (or \$96,374) of the total project cost. As mentioned above, the City cannot use these tax credits, and must sell them to be able to benefit from the award.

**Process**

Based on procedures the City has used before, City staff drafted an RFP for the tax credits, and generated a list of more than 15 entities, including banks, private individuals and other financial industry organizations to solicit bids. Additionally, an ad was placed in the Leavenworth Times. The RFP asked firms to indicate the maximum amount they would pay for the tax credits. The proceeds from the sale will be used to offset remaining costs associated with the project.

**Recommendation:**

The City received one bid for the tax credits from Fallbrook Tax Credits, in the amount of 91.1% or \$87,796.71. It is recommended that the City Commission accept Fallbrooks Tax Credits for \$87,796.71.

6425 SW 6th Avenue  
Topeka, KS 66615



phone: 785-272-8681  
fax: 785-272-8682  
Kshs.culturalresources@ks.gov

Kansas Historical Society

Laura Kelly, Governor  
Jennie Chinn, Executive Director

City of Leavenworth  
100 N 5th Street  
Leavenworth, KS 66048

RE: Rehabilitation Completion Certification for the rehabilitation of Old Union Depot in Leavenworth, KS (Project 1595)

Dear: City of Leavenworth

Please find enclosed a tax credit certificate, issued by the Kansas State Historical Society, acknowledging completion of a qualified rehabilitation project on a qualified historic structure. All completed work submitted for this project appears to meet the Secretary of the Interior's *Standards for Rehabilitation* and has followed the scope of work set out in the Description of Rehabilitation approved by this office. This certificate verifies that this work was completed in tax year 2019 and, therefore, the property owner(s) is/are eligible to receive a state income tax credit equal to 25% of qualifying expenses.

**As the entity holding ownership of this property is a not-for-profit entity that does not have a state income tax liability, the tax credits presented here may be transferred or sold to other taxpayers. Please contact me with any questions or if you need any assistance.**

A copy of this certificate will be provided to the KDOR. Taxpayers may claim their credits by submitting a K-35 with their Kansas state tax return. The taxpayer(s) claiming the credits are required to keep this certificate and the enclosed KDOR letter on file with their tax records.

Please contact me at 785-272-8681 or [Kshs.culturalresources@ks.gov](mailto:Kshs.culturalresources@ks.gov) with any questions or concerns.

Sincerely,

State Historic Preservation Office  
Cultural Resources Division

6425 SW 6th Avenue - Topeka KS 66615 - 1099

Phone 785-272-8681, ext. 240 - Fax 785-272-8682 - [Kshs.culturalresources@ks.gov](mailto:Kshs.culturalresources@ks.gov) - TTY 785-272-8683

[kshs.org](http://kshs.org)



**TAX CREDIT CERTIFICATE**  
**KANSAS STATE REHABILITATION TAX CREDIT PROGRAM**

<p><b><u>APPROVED PROJECT</u></b></p> <p>PROJECT NUMBER: 1595          Building Name: Old Union Depot          Address: 123 S Esplanade          City: Leavenworth          State: KS          Zip: 66048</p>	<p><b><u>OWNER OF PROPERTY</u></b></p> <p>NAME: City of Leavenworth</p> <p>EIN: 46-6034051</p>
<p><b><u>PROJECT START DATE:</u></b></p> <p style="text-align: center;">October 24, 2018</p>	<p><b><u>DATE PROJECT PLACED IN SERVICE (COMPLETION DATE):</u></b></p> <p style="text-align: center;">December 11, 2019</p>
<p><b><u>TOTAL QUALIFYING EXPENSES ALLOWED FOR CREDIT:</u></b></p> <p style="text-align: center;">\$385,495.00</p>	<p><b><u>TOTAL STATE REHABILITATION TAX CREDIT REMAINING FOR THIS PROJECT:</u></b></p> <p style="text-align: center;">\$96,374.00</p>
<p><b>TAX CREDIT CERTIFICATE NUMBER:</b>                      SH0664323200</p>	

This certificate acknowledges completion of a qualified rehabilitation project on a qualified historic structure pursuant to K.S.A. 2001 Supp. 79-32,211, as amended, and regulations set forth by the Kansas State Historical Society.

Kansas State Rehabilitation Tax Credits may be used to offset income, privilege, or premium tax liability for the year in which the qualified rehabilitation plan was placed in service. Excess amounts may be carried over for deduction from such taxpayer's income, privilege, or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from the tax liability, except that no such credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the qualified rehabilitation plan was placed in service.

A copy of this certificate will be provided to the Kansas Department of Revenue. You are required to keep this Tax Credit Certificate on file with your tax records. You may claim your credits by submitting Schedule K-35 with your income or privilege tax return. We encourage you to file your income tax return electronically. Electronic filing information can be found at [webtax.org](http://webtax.org). Please contact the Cultural Resources Division of the Kansas State Historical Society with any questions about this certificate or requests to transfer these tax credits.

Patrick Zollner, Deputy State Historic Preservation Officer  
 Cultural Resources Division  
 Kansas State Historical Society

Date Issued: November 25, 2020

**Kansas Rehabilitation Tax Credit Application**  
**Qualified Historic Structure Certification**

**RECEIVED**  
 NOV 16 2020  
 CULTURAL RESOURCES

**Part 3**

STC Project Number: 1595

Upon completion of the rehabilitation project, fill out and submit this form with photographs of the finished work, along with KDOR Schedules 1 and 2. All materials must be submitted to the Kansas State Historic Preservation Office. Type or print clearly. If there are additional property owners, please use the Additional Ownership form to submit that information. Please refer to the application instructions and photo policy for submission requirements.

Property Name: Old Union Depot (currently Riverfront Community Center)

Street: 123 S. Esplanade

City: Leavenworth

County: Leavenworth

Zip Code: 66048

**Completed Project Data:**

Project Starting Date (mm/dd/yy): 10-24-2018

Square footage before project: n/a - exterior repairs

Project Completion Date (mm/dd/yy): 12-11-2019

Square footage after project: same

Total Qualified Expenses: \$385,476.58

Total Non-qualifying expenses: \$500,000.00

**Owner Information**

Legal Property Owner(s): City of Leavenworth

Type of Ownership Entity (check one):

- Individual       Corporation       LLC/LP\*       Bank       Insurance       Non-Profit  
 Government       School Dist.       University       Fiduciary       Other

Owner's Tax ID Number: 46-6034051

SSN or FEIN (circle one)

Street Address: 100 N 5th Street


City: Leavenworth

State: KS

Zip: 66048

Daytime Phone: Mike Hooper: (913) 684-0396

Email: mhooper@firstcity.org

Signature of Owner: 

Date: 11-10-20

\*All Pass-Through entities must fill out the Additional Ownership form providing ownership information for each shareholder within the entity.

**State Office Use Only:**

The State Historic Preservation Office has reviewed the Part 2 Application for the above-named property and determines that the rehabilitation:

- The completed rehabilitation meets the Secretary of the Interior's "Standards for Rehabilitation"  
 The rehabilitation described does not meet the Secretary of the Interior's Standards for Rehabilitation.

Date:	# <u>11-25-20</u>	SHPO/Deputy SHPO Signature:	
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06.14.2011





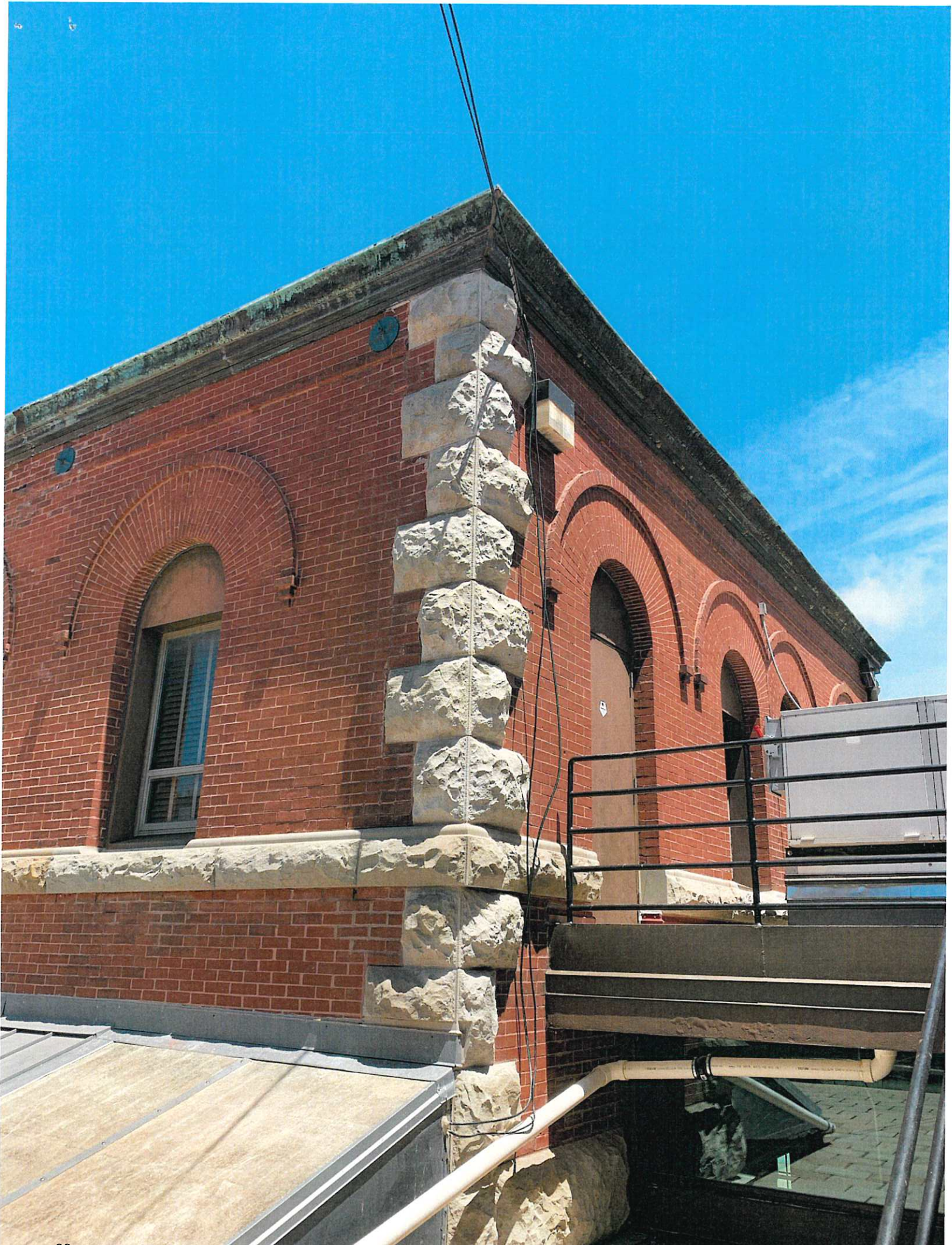
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Yugoslav

15.06.2011













## Kansas Historic Rehabilitation Tax Credits Transfer Notification Forms

This form is for use by entities currently holding Kansas Rehabilitation Tax Credits who wish to sell, transfer, assign, or otherwise convey all or part of these credits to another entity. Please complete the information below and submit to the Cultural Resources Division of the Kansas State Historical Society (KSHS) at the address below. This form may accompany a written agreement between the entities establishing the terms and conditions of the transfer.

Transfers become effective per an agreement between the two entities. Submission of this form notifies the issuing agency (KSHS) that a transfer has taken place and allows KSHS to update ownership records for tax reporting purposes. **Submission of this form should not precede the actual transfer or agreement. Submission of this form does not constitute the actual transfer. This form is for notification purposes only.** This form should be submitted to KSHS within 90 days of an agreement.

A Certificate of Transfer will be issued to the assignee indicating they are now the entity listed as owning the credits. A copy of the original certification of credits completed by the Kansas Department of Revenue's Audit Services at the time of the original credit issue will also be provided to the assignee. Copies of the Certificate of Transfer will be provided to the assignor and kept on file at KSHS. If other arrangements are necessary, please contact KSHS to discuss those arrangements. KSHS will strive to process requests for transfer within 30 days of receipt of both parts of this form and the processing fee, if assessed.

Please note that any funds received by the assignor of these credits may be considered taxable income for the assignor. Both assignors and assignees are advised to consult a tax professional before entering into an agreement.

Please note that assignees claiming the credits will be required to keep copies of the Certificate of Transfer and the KDOR certification form with their tax records. Taxpayers may claim their credits by submitting schedule K-35 with their Kansas state tax return to the Kansas Department of Revenue.

Regulations governing this program allow the KSHS to charge fees to offset the costs of processing requests to transfer, assign, sell or otherwise convey these tax credits. KSHS must receive payment of the appropriate fee before the request for transfer can be processed. A payment will be assessed per each transfer request. Fees are based on the original project total, NOT on the amount of credits generated or transferred. Each fee shall be non-refundable. Payments may be made by check (made out to Kansas State Historical Society - please put "tax credit fee" in the memo), or by credit card (please call the number below to provide credit card information).

<u>Amount of Qualified Expenditures from the original project</u>	<u>Fee Amount</u>
\$5,000--\$50,000	\$0
Over \$50,000	\$300

Kansas State Historical Society, Cultural Resources Division, 6425 SW 6<sup>th</sup> Ave Topeka, KS 66615  
785-272-8681 ext. 240



# Kansas Historic Rehabilitation Tax Credits Transfer Notification Forms

This page to be filled out by the Assignor and submitted to KSHS by mail:

### Project Information:

State Tax Credit Project Number: 1595  
Historic Building Name: Old Union Depot  
Building Address: 123 S. Esplanade  
Date Project was Placed in Service (PIS Date): December 11, 2019  
Certificate Number: SH066432300

### Assignor Information:

Current Owner of the Tax Credits: City of Leavenworth

Type of Entity (check one):

- Individual       Corporation       LLC/LP       Bank       Insurance       Non-Profit
- Government       School Dist.       University       Fiduciary       Other

Assignor's Tax ID Number: 48-6034051      SSN or FEIN (circle one)

Street Address: 100 N. 5th Street      City: Leavenworth      State: KS      Zip: 66048

Daytime Phone: 913-684-0350      Email: Rmeline@firstcity.org

Signature of Assignor: \_\_\_\_\_      Date: 18 March 2021

Are you a shareholder within a larger ownership entity transferring your portion of the credits     YES     NO

### Transfer Information:

Date of Transfer: \_\_\_\_\_

Total Credits held by Assignor before Transfer: 96,374.00

Total Credits held by Assignor after Transfer: 0

Amount of Credits being transferred to this Assignee: 96,374.00

Amount Paid for Credits: 87,796.71

Kansas State Historical Society, Cultural Resources Division, 6425 SW 6<sup>th</sup> Ave Topeka, KS 66615  
785-272-8681 ext. 240

Print Form

Revised 10/3/2013

**EXECUTIVE SESSION  
PRELIMINARY DISCUSSION OF THE ACQUISITION OF REAL PROPERTY**

**MARCH 23, 2021**

**CITY COMMISSION ACTION:**

**Motion:**

Move to recess into executive session to discuss the acquisition of real property pursuant to the *preliminary discussion of the acquisition of real property* exception per K.S.A. 75-4319 (b) (6). The open meeting to resume in the City Commission Chambers at \_\_\_\_\_. City Manager Paul Kramer, Assistant City Manager Taylour Tedder, City Attorney David E. Waters, and Mike Reilly are requested to be present during the Executive Session.