



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

City Commission Regular Meeting
Commission Chambers
Tuesday, September 28, 2021 7:00 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 Nancy D. Bauder, Mayor Pro-Tem Camalla Leonhard, Commissioners Myron J. (Mike) Griswold, Mark Preisinger and Jermaine Wilson.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Police Chief Patrick Kitchens, Fire Chief Gary Birch, Housing Manager Andrea Cheatom, Community Development Coordinator Mary Dwyer, City Attorney David E. Waters Deputy City Clerk Cary Collins and City Clerk Carla K. Williamson.

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

Proclamation:

Fire Prevention Week October 3-9, 2021 – Fire Chief Gary Birch was present to accept the proclamation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Preisinger moved to approve the minutes from the September 14, 2021 regular meeting and September 20 and 21, 2021 special meetings. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance 8175 – Adopt 37th Edition Uniform Public Offense Code – City Manager Paul Kramer presented the ordinance for second consideration. Since first consideration on September 14, 2021 there has been no changes to the ordinance.

Mayor Bauder called the roll and the ordinance passed 5-0.

Second Consideration Ordinance 8176 – Adopt 48th Edition Standard Traffic Ordinances – Police Chief Patrick Kitchens presented the ordinance for second consideration. Since first consideration on September 14, 2021 there has been no changes to the ordinance.

Mayor Bauder called the roll and the ordinance passed 5-0.

Second Consideration Ordinance 8177 – Adopt 2021 Intersection Traffic Control Device Master List – Police Chief Patrick Kitchens presented the ordinance for second consideration. Since first consideration on September 14, 2021 there has been no changes to the ordinance.

Mayor Bauder called the roll and the ordinance passed 5-0.

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

Bella Whitlock – 1108 S Broadway

- Miss Leavenworth Teen Volunteer
- Platform is fire safety
- Was burned in a fire this summer and spent several weeks in KU Hospital and has fully recovered

Thomas Gould - 208 Miami

- 1050 10th Avenue on demolition list
- Was unable to attend at the public hearing
- Has repaired siding and trouble finding a roofer

City Manager Paul Kramer recommended he contact code enforcement. Mr. Gould stated that his father has contacted code enforcement.

Vicky Kaaz 3660 Tonganoxie Road

- Wanted to thank the Commission for Camp Leavenworth
- Was a volunteer at the event
- People had a wonderful time
- Very positive response
- Great use of the Transient Guest Tax to put on the event

Public Hearing:

Public Hearing Waiver of Temporary Liquor License for St. Joseph Church 306 N Broadway

Open Public Hearing:

Commissioner Preisinger moved to open the public hearing. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Review of Properties by Staff:

City Clerk Carla Williamson reviewed the request for the waiver

- City Code allows for a waiver to permit alcoholic liquor to be sold or served from a location within 300 feet of any church, school, nursing home, library or hospital
- St Joseph Church located at 306 N Broadway is having its annual German Fest Dinner and Dance on Saturday October 23, 2021 and is requesting a waiver to apply for a temporary liquor license
- Letters were sent to all property owners within 300 feet of the location notifying them of the public hearing

Public Comment:

- Mr. Leo Fink addressed the Commission with the history of the church and the event

Close Public Hearing:

Commissioner Wilson moved to close the public hearing. Commissioner Preisinger seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Commissioner Preisinger moved to approve the request to waive the 300 foot requirement from any church, school, nursing home, library or hospital for this event. Commissioner Griswold seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

General Items:

Consider Cereal Malt Beverage License for Ava's Island Café 732 Shawnee Street – City Clerk Carla Williamson presented for consideration a request for an on premise Cereal Malt Beverage license for Ava's Island Café located at 732 Shawnee Street. The request has been approved by the Police Department.

Commissioner Leonhard moved to approve the issuance of a 2021 on premise consumption Cereal Malt Beverage license for Ava's Island Café at 732 Shawnee Street. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Resolutions:

Resolution B-2295 2021 Planters II Capital Fund Program Grant – Housing Manager Andrea Cheatom presented for approval Resolution B-2295 for the 2021 Capital Fund Program (CFP) grant # KS01P06850121 for Planters II in the amount of \$163,585.00. The grant funds must be accepted annually by the City Commission acting as the Leavenworth Housing Authority Commission.

Commissioner Griswold moved to adopt Resolution B-2295 accepting the 2021 CFP grant for Planters II. Commissioner Preisinger seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Resolution B-2296 2021-2025 Capital Fund Program Five-year Action Plan and the Capital Fund Annual Statement/Performance and Evaluation Report – Housing Manager Andrea Cheatom presented for approval Resolution B-2296 authorizing the submission of the plans to the U.S. Department of Housing and Urban Development (HUD).

Commissioner Preisinger moved to approve the plan and adopt Resolution B-2296 authorizing submission to HUD. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Resolution B-2297 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER) – Community Development Coordinator Mary Dwyer presented for approval Resolution B-2297 approving the 2020-2021 CAPER for submission to the U.S. Department of Housing and Urban Development (HUD).

Commissioner Preisinger moved to approve Resolution B-2297 approving the CAPER 2020-2021 for submission to the U.S. Department of Housing and Urban Development (HUD). Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Purchase of New Police Radios – Police Chief Patrick Kitchens presented for consideration and approval the purchase of replacement hand-held police radios from Motorola Solutions in the amount of \$201,237.00. The police department planned to submit the request in the 2023 Capital Improvements Program for the replacement however, the police department was notified by Motorola Solutions that they will no longer accept orders for replacement batteries for the existing radios. The State of Kansas as well as Johnson County Kansas conducted separate bids in which the City of Leavenworth can use. The Johnson County bid was lower and will be used. A trade-in of 50 of the radios will allow for a credit of \$15,000.00.

Commissioner Griswold moved to approve the purchase of replacement hand-held police radios in an amount not to exceed \$201,237.00 from Motorola Solutions. Commissioner Preisinger seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Consent Agenda:

Commissioner Wilson moved to approve claims for September 11, 2021, through September 24, 2021, in the amount of \$486,040.71; Net amount for Payroll #19 effective September 24, 2021 in the amount of \$374,744.27 (includes Police & Fire Pension in the amount of \$9,624.04). Commissioner Preisinger seconded the motion and the motion was unanimously approved. Mayor Bauder declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- Trunk or Treat this year October 23
- Thanked parks department, refuse crews, and police department for the assistance with Camp Leavenworth
- Great interaction with city staff and public

Commissioner Preisinger:

- Comments on Camp Leavenworth and a successful event
- Flu shots are available at the VA as a drive through clinic

Commissioner Griswold:

- 2021 event took into account updates and changes from the 2019 event and learning with each event

Commissioner Leonhard:

- Thank you to all volunteers at Camp Leavenworth
- Police department did a great job

Commissioner Wilson:

- The community needed the Camp Leavenworth after 2020 and lock down

Mayor Bauder:

- Spoke to local businesses and they did very well with the amount of people that the festival brought in
- Local restaurants and food trucks were invited to apply to attend the festival

Adjournment:

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

Time Meeting Adjourned 7:58 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC