



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

City Commission Regular Meeting
Commission Chambers
Tuesday, April 11, 2023 6:00 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 Jermaine Wilson, Mayor Pro-Tem Griff Martin, Commissioners Nancy Bauder and Edd Hingula. Absent: Commissioner Camalla Leonhard.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Planning & Community Development Director Julie Hurley, City Planner Bethany Falvey, Police Chief Patrick Kitchens, Battalion Chief Bill McKeel, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

National Public Safety Telecommunicators Week April 9-15, 2022 – Mayor Wilson read the proclamation. The proclamation was accepted by Police Chief Patrick Kitchens and Battalion Chief Bill McKeel.

Leavenworth Spring Clean Up Day April 22, 2023 – Mayor Wilson read the proclamation. The proclamation was accepted by Public Information Officer Melissa Bower.

National Library Week April 23-29, 2023 – Mayor Wilson read the proclamation. The proclamation was accepted by Leavenworth Public Library Director Matt Nojonen.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Martin moved to approve the minutes from the March 28, 2023 regular meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8210 Approval of Special Use Permit to Allow Two-Family Dwelling at 113 Seneca Street – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced on March 28, 2023.

Mayor Wilson called the roll and Ordinance No. 8210 was unanimously approved.

Second Consideration Ordinance No. 8211 Rezoning 3523 10th Avenue from Multi-Family Residential District to Medium Density Single Family Residential District – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced on March 28, 2023.

Mayor Wilson called the roll and Ordinance No. 8211 was unanimously approved.

Public Comment: *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*
None.

Public Hearing:

Public Hearing for Unsafe and Dangerous Structures

Open Public Hearing:

Commissioner Bauder moved to open the public hearing. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Review of Properties by Staff and Public Comment:

Planning & Community Development Director Julie Hurley and City Planner Bethany Falvey reviewed the following properties. Property owners within a 200' radius were also notified of the public hearing date and were invited to provide comment.

612 N 2nd Street – Single family house, last water service 1/3/2022. No change, no contact from owner. According to County records, it appears the property has new ownership.

Owner Jerry Wesley, 823 Miami Street

- Evicted previous tenant
- Requesting 60 days to make progress
- Water was turned on today

Mayor Wilson:

- Asked what could be completed in 60 days

Mr. Wesley:

- A new roof, new windows and doors

There was consensus by the Commission to extend to June 13, 2023.

710 S. 7th Street – Single family house and accessory structure, no active water service since 2008. Owner signed remediation agreement and has indicated intent to repair. No change, no active building permits.

Owner Kevin Lis, 4424 Broadway Terrace

- Intends to demolish the building
- Having a survey done

There was consensus by the Commission to extend to June 13, 2023.

817 N. 16th Street – Single family house and accessory structures, last water service was 2/19/2021. No change, no contact from owners. Neighbor called and stated they are “in favor of the demolition.”

Owner not present

There was consensus by the Commission for staff to proceed with demolition after 10 days.

701 Chestnut Street – Single family house and accessory structure, last water service 10/30/2009. Owner signed remediation agreement and has indicated intent to repair. No active building permits, but appears to be working on the rear addition.

Owner Kevin Lis, 4424 Broadway Terrace

- Intends to repair the structure
- Roof should be repaired in 60 days

There was consensus by the Commission to extend to June 13, 2023.

776 Miami Street – Accessory structure. Owner obtained a demolition permit and demolished structure as of 2/21/2022.

Owner not present

There was consensus by the Commission to remove the property from the demolition list.

1030 Miami Street – Single family house and accessory structures, last water service 08/05/2020. No change, no active building permits or contact from owner.

Owner not present

There was consensus by the Commission for staff to proceed with demolition after 10 days.

212 Olive Street – Single family house and accessory structure, last water service 4/29/2021. No change, no active building permits.

Owner not present

There was consensus by the Commission for staff to proceed with demolition after 10 days.

200 Osage Street – Accessory structure. Owner indicated intent to repair the property. No change, but has an active building permit to remove the second story of the garage and rebuild roof.

Owner not present

There was consensus by the Commission to extend to June 13, 2023.

229 Osage Street – Single family house, last water service 2/14/2022. There are active building permits and work is occurring. No contact from owner.

Owner Shaman Baird, 6722 NE Agnes Circle, Gladstone MO

- Advised the framing is complete
- Electrical inspection is scheduled
- Roof should be going up pretty soon

There was consensus by the Commission to extend to June 13, 2023.

1128 Quincy Street – Single family house, last water service 10/09/2019. No change, no active building permits.

Owner not present

Neighbor Peggy Holmes, 1136 Quincy Street

- Squatters have been in the home
- Drug activity has occurred
- Had to contact the police multiple times
- In favor of demolition

There was consensus by the Commission for staff to proceed with demolition after 10 days.

Close Public Hearing:

Commissioner Hingula moved to close the public hearing. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Consider Resolution B-2331 Demolition or Extension to Repair:

Commissioner Martin moved to adopt Resolution B-2331 proceeding with demolition or giving extension as agreed to by consensus of the commission after review of each property and as annotated by the City Clerk. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Commissioner Martin:

- Asked if the demolition list could be longer in the future to tackle more blight

Ms. Hurley:

- Goal is get homes back to home owners, so staff review all the properties that are identified to see if any would be appropriate for the land bank, and those brought forward to the Commission have reached the point where demolition or substantial repair is required

General Items:

Mayor's Appointments:

Mayor Wilson moved to reappoint to the Leavenworth Preservation Commission Richard L. Gibson and Edward Otto to terms ending April 15, 2026 and to appoint to the Library Board Lisa Weakley and Myron "Mike" Griswold to terms ending April 30, 2027. Commissioner Bauder seconded the motion. The motion did not pass, with Mayor Wilson and Commissioner Bauder voting in favor of the motion and Commissioners Hingula and Martin abstaining from the vote.

City Attorney Waters advised the Commissioners that they have a duty to vote and if a conflict of interest is present, they would need to state that and remove themselves from the dais during this particular proceeding. If no conflict of interest exists, the Commissioner need to vote either yea or nay.

The Commission reconsidered the item.

Mayor Wilson moved to reappoint to the Leavenworth Preservation Commission Richard L. Gibson and Edward Otto to terms ending April 15, 2026 and to appoint to the Library Board Lisa Weakley and Myron "Mike" Griswold to terms ending April 30, 2027. Commissioner Bauder seconded the motion and the motion was approved. Mayor Wilson declared the motion carried 3-1 with Commissioner Martin voting against no.

2023-2024 City Commission Goals – City Manager Paul Kramer presented for consideration and approval the 2023-2024 City Commission Goals. The City Commission met on Friday, March 24, 2023 for their annual goal setting session. The goals for 2023-2024 have been updated and finalized based on input from the Commission. The Goals document was presented for approval and the following updates were discussed:

Economic Development

Added:

- Explore opportunities, partnership and other methods to increase traffic in the downtown, including events and arts and cultural attractions

Modified:

- Advocate for renovation and reuse of existing Bureau of Prisons facilities
- Continue and expand the City’s small business symposium
- Add “downtown park enhancements” to item (b)(iii)

Community Improvement

Removed:

- Explore a more accessible, attractive and functional recycling center
- Use the City’s Solid Waste Citizen’s Task Force to evaluate and make recommendations on refuse collections

Modified:

- Implement the City’s transit service program and track metrics to monitor usage data

Public Safety

Modified:

- Placing an emphasis on fentanyl and opioids
- Successfully complete the replacement of Fire Station No. 3

Roadways and Infrastructure

Modified:

- Continue to push for the full funding and expedient replacement of Centennial Bridge in Kansas KY 2026

Deleted:

- Improvements West of Centennial Bridge
- Supporting Projects that lead to annexation
- 90 day emergency reserve in Wastewater
- Complete condition assessment for the WWTP
- Complete condition assessment for traffic signals

Outreach and Transparency

Added:

- Revise and update City Reserve Policy
- Update and revise financial policies related to cooperative purchasing
- Create a multi-year budgeting and cash forecasting tool

Other Items Receiving General Support

Added:

- Prioritize and explore all efforts related to employee recruitment and retention
- Annual update for Workforce Partnership
- Annual update for Guidance Center
- Semi-Annual update for the Chamber of Commerce

Commission Bauder moved to approve the 2023-2024 City Commission Goals as presented. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

First Consideration Ordinances:

First Consideration Ordinance to Rescind Special Use Permit at 1830 S. Broadway St. – City Manager Paul Kramer presented for first consideration an Ordinance that would rescind the special use permit allowing a convalescent nursing or rest home facility at 1830 S. Broadway Street. As the previous tenant of the building has since relocated and the property has been rezoned, the current zoning and use of the property no longer necessitate the need for the Special Use Permit.

There was consensus by the Commission to place the ordinance on first consideration.

Consent Agenda:

Commissioner Bauder moved to approve claims for March 25, 2023, through April 7, 2023, in the amount of \$1,582,117.72; net amount for Payroll #07 effective April 7, 2023, in the amount of \$358,488.52 (No Police & Fire Pension). Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Other:

Commissioner Hingula:

- Hoped everyone had a happy and joyous Easter
- Commented on the great weather

Commissioner Bauder:

- Noted that the Ride LV transit busses are running
- You can call to schedule or use the app to schedule

Mayor Wilson:

- Stated God bless and have a good week

Executive Session – Preliminary Discussion of Acquisition of Real Property – Mayor Wilson moved to recess into executive session for a period of 20 minutes for the purpose of discussing 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 City Commission, City Manager, and City Attorney will be present. The open meeting will resume in the City Commission Chambers at 7:15 p.m. Commissioner Bauder seconded the motion and the motion as unanimously approved. Mayor Wilson declared the motion carried 4-0.

The Leavenworth City Commission returned to open session at 7:15 p.m.

Adjournment:

Commissioner Hingula moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was approved and the meeting was adjourned.

Time Meeting Adjourned 7:15 p.m.
Minutes taken by City Clerk Sarah Bodensteiner, CMC