



CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Griff Martin, Mayor Pro-Tem Holly Pittman (via telephone call-in), Commissioners Nancy Bauder, Edd Hingula and Jermaine Wilson.

Staff members present: Interim City Manager Patrick Kitchens, Assistant City Manager Penny Holler, Parks & Recreation Director Steve Grant, Parks & Recreation Deputy Director Brian Bailey, Planning & Community Development Director Julie Hurley, Public Information Officer Melissa Bower and City Clerk Sarah Bodensteiner.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to accept the minutes from the July 23, 2024 regular meeting and the minutes from the August 6, 2024 special meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8247 Denial of Special Use Permit at 1701 S. 4th Street – Interim City Manager Patrick Kitchens reviewed the Ordinance adopting the recommendation of the Planning Commission to deny issuance of a Special Use Permit for a solid waste facility in the I-2 Zoning District located at 1701 S. 4th Street. There have been no changes since first introduced at the July 23, 2024 meeting.

Mayor Martin called the roll and the Ordinance No. 8247 was unanimously approved.

NEW BUSINESS:

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

Kyle Forbes, 1934 Pottawatomie St.:

- Seeking ordinance to prohibit security cameras on fixed poles, fences, etc. looking over into other people's yards
- Neighbor is putting up security cameras to look into their backyard
- Asking for help to resolve issue that has been going on for a few years

Jeremiah Perry, 1910 Pottawatomie St.:

- Issues with junk, trash, and feral cats in neighbor's backyard
- Talked to Code Enforcement about this issue, but issue is not resolved
- Issues are a nuisance and hazardous

- Sewer issue with neighbors was addressed recently
- Would ask for assistance on resolving the junk in the backyard issues

Louis Klemp, 1816 Pine Ridge Dr.:

- Mentioned Iwo Jima
- Mentioned recent Vision Zero safety meeting
- Almost got hit on 20th Street again, people are speeding excessively
- Thanked the people of Leavenworth who keep their houses well maintained and restore homes

Resolutions:

Resolution B-2374 Camp Leavenworth Special Event Street Closure for Possession & Consumption of Alcohol – City Clerk Sarah Bodensteiner presented for consideration a resolution allowing for closure of streets during the 2024 Camp Leavenworth festival to allow for the sale, possession and consumption of alcoholic liquor.

Commissioner Wilson moved to approve Resolution B-2374 as presented to close streets for the Camp Leavenworth 2024 Special Event. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Award of Contract for Skatepark Expansion Project – Parks & Recreation Director Steve Grant presented for consideration approval and award of the contract for the skatepark expansion project. At the February 20, 2024 Study Session, Staff presented potential expansion into the 40'x70' graded out area and offered a concrete bowl as the best skate amenity to utilize the area in the skatepark, after requests for updates to the park came from the local skaters. The City Commission came to a consensus to utilize money originally appropriated in the 2024 CIP for playground and parking construction at Southside Park for the skatepark expansion project. Staff publicized a Request for Proposals and proposals were opened on August 6, 2024. One proposal was received. There is \$252,000 in the 2024 CIP to cover the cost of the skatepark expansion project.

Commissioner Wilson:

- Asked if the remaining balance could be used to add lights or anything additional

Mr. Grant:

- The above ground items are already graded, so the cost to add more would far exceed the remaining budget
- Lighting is going to be a very large price tag
- Staff can look into options for any feasibility

Commissioner Hingula:

- Are there any safety features that went into the design to mitigate risk

Mr. Grant:

- There is inherent risk when you take up any activity

Commission Bauder moved to approve the contract for the Cody James Clark Skatepark Expansion Project, for construction of a concrete bowl to Sands Construction Company, in an amount not to exceed \$151,000.00. Commission Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance to Levy Special Assessments for Nuisance Abatement Costs – City Clerk Sarah Bodensteiner presented for first consideration an ordinance to levy special assessments for unpaid nuisance abatement costs. The City Code provides the tools for the City to abate nuisances such as mowing, tree removal, lot cleanup, and allows for the addition of administrative charges. The City Code also provides for the assessment of the City's costs of abatement. Property owners are invoiced for the costs incurred to abate the nuisance and are given 30 days to make payment. In many cases, properties have required multiple abatements. Staff is seeking consensus to place a special assessment ordinance on first consideration in order to recover the City's costs.

Commissioner Pittman:

- Asked what happens with the properties where the owner is listed as deceased

Attorney Waters:

- Explained the nuisances stay with the property itself
- Whether the property is sold at foreclosure, tax sale, etc., by doing this the City has the opportunity to recoup the funds they expended to abate the nuisances

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

Consent Agenda:

Commissioner Hingula moved to approve Claims for July 19, 2024 through August 8, 2024, in the amount of \$1,859,546.44; Net amount for Payroll #15 effective July 26, 2024 in the amount of \$447,352.83 (Includes Police & Fire Pension in the amount of \$7,491.38). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Other:

Commissioner Pittman:

- Have a great week

Commissioner Hingula:

- Great rest of the week

Commissioner Bauder:

- Appreciate Mr. Klemp bringing up speeding
- Knows an 18 year old who is in a coma due to a truck running a red light
- Sees people running red lights all the time
- People need to pay attention to lights and stop speeding

Commissioner Wilson:

- Special prayers for teachers and students as they all head back to school

Mayor Martin:

- Have a good week

Executive Session – Attorney Client Privilege – Mayor Martin moved to recess into executive session for a period of 15 minutes for the purpose of *discussing a real property matter with the City Attorney, under the justification for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship* K.S.A. 75-4319 (b) 2. The City Commission, Interim City Manager, and City Attorney will be present. The open meeting will resume in the City Commission Chambers at 6:46 p.m. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

The City Commission returned to open session at 6:46 p.m. Commissioner Pittman did not return to open session.

Adjournment:

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

Time Meeting Adjourned 6:46 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC