



City of Leavenworth
100 N. 5th Street
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING
COMMISSION CHAMBERS
TUESDAY, AUGUST 27, 2024 6:00 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 6 p.m. and midnight and available for viewing on YouTube

CALL TO ORDER – Pledge of Allegiance Followed by Silent Meditation

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

1. Minutes from August 13, 2024 Regular Meeting **Action:** Motion (pg. 03)

Second Consideration Ordinances:

2. Second Consideration Ordinance No. 8248 Approval to Levy Special Assessments for Nuisance Abatement Costs
Action: Roll Call Vote (pg. 07)

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. A signup sheet will be provided in the commission chambers for anyone wishing to speak.

Public Hearing:

3. Public Hearing Exceeding of the Revenue Neutral Rate (pg. 13)
a. Open Public Hearing **Action:** Motion
b. Staff Presentation
c. Citizen Comments
d. Close Public Hearing **Action:** Motion
e. Consider Resolution B-2375 – Approval to Exceed Revenue Neutral Rate **Action:** Roll Call Vote
4. Public Hearing on 2025 Operating and 2025-2029 Capital Budgets (pg. 15)
a. Open Public Hearing **Action:** Motion
b. Staff Presentation
c. Citizen Comments
d. Close Public Hearing **Action:** Motion
e. Adopt the 2025 Operating and Capital Budgets **Action:** Motion
f. Consider Resolution B-2376 – Approval of 2025 Housing Budget for Planters II **Action:** Motion

General Items:

5. Transient Merchant Waiver Request for Police Collectors Show at Riverfront Community Center
Action: Motion (pg. 29)

Resolutions:

6. Resolution B-2377 Summer Concert Series and Moonlight Market Special Event Street Closure for Possession & Consumption of Alcohol **Action:** Motion (pg. 31)

Bids, Contracts and Agreements:

7. Rescind Award of Bid from D’Agostino Mechanical Contractors Inc. for Fire Station No. 1 HVAC Replacement Project
Action: Motion (pg. 33)

First Consideration Ordinances:

8. First Consideration Ordinance Rezoning Certain Properties at 2nd Avenue & Santa Fe Street from RM-F to R1-6

Action: Consensus (pg. 34)

Consent Agenda:

Claims for August 9, 2024 through August 22, 2024, in the amount of \$925,267.61 Net amount for payroll #16 effective August 9, 2024, in the amount of \$405,903.87 (No Police & Fire Pension).

Action: Motion

Discussion Items:

Other:

Adjournment

Action: Motion



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:

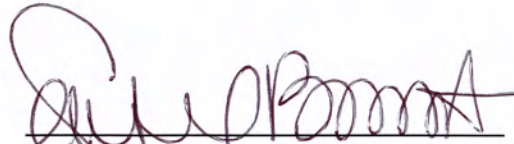
Commissioner Bauder moved to adjourn the meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved and the meeting was adjourned.

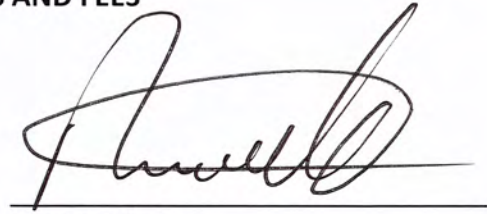
Time Meeting Adjourned 6:46 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC

**POLICY REPORT
SECOND CONSIDERATION ORDINANCE 8248
AN ORDINANCE TO LEVY SPECIAL ASSESSMENT FOR
NUISANCE ABATEMENT COSTS AND FEES**

AUGUST 27, 2024


Sarah Bodensteiner, CMC
City Clerk


Patrick Kitchens
Interim City Manager

BACKGROUND:

At the August 13, 2024 City Commission regular meeting the City Commission reviewed and placed on first consideration:

AN ORDINANCE LEVYING AND ASSESSING SPECIAL ASSESSMENTS FOR CERTAIN LOTS, PIECES AND TRACTS OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, FOR THE PURPOSE OF PAYING THE COSTS OF ABATEMENT OF NUISANCES AND PRESCRIBING FOR PAYMENT AND COLLECTION OF SAID ASSESSMENTS.

Since first consideration, the following listings have been removed, as payment has been received:

H&P Development LLC	1028 9 th Ave	\$221.62
DSV SPV3 LLC	613 N 3 rd St	\$218.42
H&S Property Investments LLC	1413 Spruce St	\$293.82

The above assessments were removed and Ordinance No. 8248 is now presented for second consideration and requires a roll call vote.

Payments will continue to be accepted by the City Clerk's office until submitted to the County Clerk and notified by the County Clerk that no more payments can be accepted by the City.

ATTACHMENTS:

- Ordinance No. 8248

(Published in the Leavenworth Times on Saturday, August 31, 2024)

ORDINANCE NO. 8248

AN ORDINANCE LEVYING AND ASSESSING SPECIAL ASSESSMENTS FOR CERTAIN LOTS, PIECES AND TRACTS OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, FOR THE PURPOSE OF PAYING THE COSTS OF ABATEMENT OF NUISANCES AND PRESCRIBING FOR PAYMENT AND COLLECTION OF SAID ASSESSMENTS.

WHEREAS, by due and legal proceedings heretofore carried into effect by the City of Leavenworth, Kansas, certain nuisances have been abated; and

WHEREAS, several lots pieces, parcels and tracts of land hereinafter set forth are legally liable to pay the costs or proportionate costs hereof as provided by the Code of the City of Leavenworth, Kansas; and

WHEREAS, the cost of such abatement has been ascertained as provided by law and fixed and distributed and apportioned as in this ordinance set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. That for the purpose of paying the costs of abatement of nuisances in the City of Leavenworth, Kansas, there shall be and hereby is apportioned to be levied and assessed on and against several lots, pieces, parcels and tracts of land liable; therefore, special assessments hereinafter set out in such amounts, as are set out as follows:

ATTACHED GRASS AND WEEDS NUISANCE ASSESSMENTS – EXHIBIT A

Section 2. Such amounts so levied and assessed are set forth in Section 1 of this ordinance, shall be due and payable from and after publication of this ordinance, and the City Clerk shall certify same to the County Clerk for collection as other special assessments are collected and such amounts so certified shall be placed on the tax rolls and collected as special assessments.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body on this 27th day of August 2024.

Griff Martin, Mayor

{SEAL}

ATTEST:

Sarah Bodensteiner CMC, City Clerk

CITY OF LEAVENWORTH, KANSAS

Tax Assessments
7/1/2023 thru 7/1/2024

EXHIBIT A

Owner	Address	Legal Desc	Parcel Id	Balance
AMNL ASSET COMPANY 2 LLC	1928 2ND AVE	REES' DONIPHANÞTON'S, BLOCK 17, Lot 15	1010102022009000	\$237.94
COX, COLINDA	1809 4TH AVE	REES' DONIPHANÞTON'S, BLOCK 15, Lot 8	1010102020005000	\$239.18
OWENS, ROBERT BRAD	1610 5TH AVE	REES' DONIPHANÞTON'S, BLOCK 5, Lot 3	1010102007002000	\$216.20
ANGELL, LINDSEY & KAREN	2022 CAMBRIDGE ST	LARKIN EST RPLT PH#1, BLOCK 1, Lot 2	1020302002025000	\$380.90
WOLTER, JOSHUA D	1435 CENTRAL AVE	INSLEY & SHIRE'S SUB, BLOCK 5, S16'LT 42 & N20'LT 43	0773504030010000	\$189.88
GALDAMEZ, CARLOS & BUEZO, DANIA GRISELL	1405 CHEROKEE ST	WHITAKERS REPLAT CENTRAL, BLOCK 54, LTS 33 & 34 & W3' LT 35	0783401012002000	\$278.76
MEYERS, LISA	729 CHESTNUT ST	LATTA'S ADDITION, BLOCK 27, Lot 3	0773501030002000	\$756.84
BERVEILER, ESTHER (DEC'D)	1017 CHEYENNE ST	HANNON'S ADDITION, BLOCK 3, Lot 12 - 19	0772602010003000	\$800.00
THOMPSON, SHARI	924 COLUMBIA AVE	DAVIS, JAMES, ADD, S35, T08, R22E, BLOCK 4, PT SE1/4 BEG 234'S OF INTER OF S LI SPRUCE ST & W LI COLUMBIA AVE, S30', W180', N30', E180' TO POB	0773504004014000	\$201.26
KOCH, HENRY S	1001 DAKOTA ST	HANNON'S ADDITION, S26, T08, R22E, BLOCK 1, Lot 1 - 6	0772603102001000	\$300.00
THREE B'S - CDS LLC	800 EISENHOWER RD	PINE MEADOW PLACE, S14, T09, R22E, Lot TRACT A, ACRES 2.79	1061400001008240	\$400.00
JOHNSON, DANIEL	709 GARFIELD ST	BONNIE LEE ADDITION, BLOCK 2, Lot 5 - 8	1010201024002000	\$272.52
NEGRETTE, RYAN	1314 GRAND AVE	STILLING'S BLKS 12-17, BLOCK 13, Lot 38	0773503022010000	\$967.60
TALLEY, DAVID R & FREDAL	530 ISABELLE ST	STILLE'S 2ND SUB, BLOCK 1, Lot 9 - 10	1010102011012000	\$320.10
ALLRED, VANCE M	1009 KENTON ST	STILLING'S BLKS 4-8, S35, T08, R22E, BLOCK 6, N125.5' LTS 19 & 20	0773503010004000	\$223.70
SALGADO-IBARRA, ALONSO & MARTINEZ, EFRAI	739 KIOWA ST	DAY & MACAULAY'S SUB, S26, T08, R22E, BLOCK 100, Lot 27 - 30	0772604102007000	\$374.52
MOWERY, MICHAEL J & MARY A	306 LIMIT ST	SOUTHSIDE PARK SUB, BLOCK 38, LTS 12-16 & S1/2 VAC ALLEY ADJ	1010104017008000	\$650.00
HARRIS, JONATHAN RYAN	404 LIMIT ST	HALSEY HEIGHTS, BLOCK 6, Lot 12 - 15	1010104016011000	\$848.16
THOMPSON, KENRICK & GIOVANNIA	520 LINN ST	FACKLERS ADDITION, S36, T08, R21E, BLOCK 29, SLY58' LT 9 & PT LT 10 BEG SW COR; NLY58', ELY20', SELY12', SLY25.7', ELY17.1', SLY23.2', W TO POB	0773603031009000	\$280.30
C & C REAL ESTATE HOLDING CO LLC	50 LOGAN AVE	SOUTHSIDE PARK SUB, BLOCK 33, Lot 12	1010104013009000	\$623.82
NEGRETTE, RYAN	407 MAPLE ST	FACKLERS ADDITION, S36, T08, R22E, BLOCK 21, LTS 3 & 4 & NLY1/2 VAC ALLEY & PORTION MAPLE ST ADJ; BEG NW COR LT 4, NE45', NW15', NE45', SE165', SW90', NW150' TO POB	0773603036003000	\$759.80
BELL, WANDA ARLENE & BAILEY, KYLEA HOPE	411 MAPLE ST	FACKLERS ADDITION, BLOCK 21, LT 5 & NLY1/2 VAC ALLEY ADJ	0773603036004000	\$578.64
PURCHASE, JUSTIN R	108 MARION ST	SOUTHSIDE PARK SUB, BLOCK 4, LT 15 & S1/2 VAC ALLEY ADJ	1010104001009000	\$236.84
MILLER, MARY L	412 MIAMI ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 52, Lot 7	0772503301003000	\$2,040.36

CITY OF LEAVENWORTH, KANSAS

**Tax Assessments
7/1/2023 thru 7/1/2024**

EXHIBIT A

TOTH, MARTIN Q	523 MIAMI ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 68, Lot 21 - 22	0772503304006000	\$596.04
AILIN, RACHEL RS	836 MIAMI ST	MIX'S SUBDIVISION, BLOCK 4, Lot 22 - 24	0772604305014000	\$724.26
BARNONE ESTATES LLC	513 N 11TH ST	EWING, ROELOFSON & CO., BLOCK 7, Lot 7	0772603014022000	\$170.34
NEXIA HOLDINGS, INC	431 N 12TH ST	CENTRAL SUBDIVISION, S26, T08, R22E, BLOCK 88, TR BLK 88 CENTRAL SUB; BEG INTER POTTAWATOMIE ST & 12TH ST; S27', W115', NWLY37.3', E143' TO POB & ABAN RR ROW ADJ	0772603016001000	\$424.80
KOCH, HENRY S	500 N 13TH ST	HERRIG'S REPLAT, S26, T08, R22E, BLOCK 89, PT HERRIG'S SUB; BEG NE COR INTER POTTAWATOMIE ST & 13TH ST, N194', SE280'(S), W204' TO POB & ABAN RR ROW ADJ (SCALED)	0772603012001000	\$816.88
JONES, HERBERT H & MARY A	501 N 13TH ST	CENTRAL SUBDIVISION, BLOCK 80, E210'(S) BLK 80 (SCALED)	0772603011005000	\$1,946.60
JL RESIDENTIAL LLC	206 N 16TH ST	HLASNEY REPLAT, BLOCK 1, Lot 5	0782704011008000	\$403.42
TONI, ANTHONY L & EVA A	336 N 20TH TER	BUSHMAN SUB, BLOCK 1, Lot 11	0782703003028000	\$1,615.65
ADVANCED SYSTEMS ADMINISTRATION INC	517 N 2ND ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 28, Lot 30 - 32	0772503103001000	\$280.10
CULBERTSON, JEFFREY A	304 N 3RD ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 26, N55' LT 14	0772503107016010	\$210.34
C & C REAL ESTATE HOLDING CO LLC	306 N 3RD ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 26, N55'LTS 15 & 16	0772503107014000	\$152.36
BROWN, CRYSTAL	408 N 5TH ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 53, N1/2 LTS 15&16	0772503211011000	\$400.00
TABOR PROPERTIES LLC	703 N 8TH ST	EWING, ROELOFSON & CO., S26, T08, R22E, BLOCK 12, PT LTS 1-5; BEG SE COR LT 1 W130'(S), N110'(S), E110'(S), S105'(S), TO POB (SCALED)	0772604205022000	\$756.12
MAVERICK MAVEN RENOVATIONS LLC	1111 OLIVE ST	CENTRAL SUBDIVISION, S35, T08, R22E, BLOCK 35, W1/2 LT 4 & ALL LT 5 & E1/2 LT 6 (SCALED)	0773502041002000	\$246.36
ELLIOTT, TERRY D	225 OLIVE ST	CLARK & REES ADDITION, BLOCK 8, Lot 6	0773602046004000	\$224.52
ARROYO, GABRIEL	403 OLIVE ST	CLARK & REES ADDITION, BLOCK 20, Lot 2	0773602044002000	\$857.08
GOINGS, JUDITH I & MICHAEL	1005 OSAGE ST	EWING, ROELOFSON & CO., BLOCK 2, Lot 10 - 12	0772603403002000	\$323.10
HIGHFILL, GEORGE E	1017 OSAGE ST	EWING, ROELOFSON & CO., BLOCK 2, LT 15 & E10'LT 16	0772603403004000	\$747.00
MEDARIS, CATHY ANN	201 OSAGE ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 26, Lot 32	0772503107001000	\$1,590.38
ALTON, TRISHA	319 OSAGE ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 41, Lot 23	0772503213006000	\$161.62
OLD CANAL FINANCIAL	323 OSAGE ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 41, Lot 21	0772503213008000	\$558.70
RANDOLPH, EDWARD C	620 OSAGE ST	LEAVENWORTH,PLT ORIG, BLOCK 79, Lot 12 - 13	0772604109008000	\$219.08
CONWAY, RICHARD W	1015 OTTAWA ST	EWING, ROELOFSON & CO., BLOCK 4, Lot 15	0772603107005000	\$175.66
ASTORGA, MANUEL	1107 OTTAWA ST	EWING, ROELOFSON & CO., BLOCK 7, Lot 12	0772603014003000	\$175.80

CITY OF LEAVENWORTH, KANSAS

**Tax Assessments
7/1/2023 thru 7/1/2024**

EXHIBIT A

STEVENSON, KIMBERLY & MENZEL, NONA	1938 OTTAWA ST	S27, T08, R22E, PT NE1/4SW1/4; BEG INTER N LI OTTAWA & E LI 20TH ST, N125', E120', S125', W120' TO POB LESS ROW	0782703001028010	\$2,104.90
ABELS PAINTING INC; SMART PROPERTY SERVI	426 OTTAWA ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 55, Lot 14	0772503205010000	\$861.48
CARLYSLE, BETTY & BILLY	934 OTTAWA ST	COCHRAN & MULLIGAN'S SUB, BLOCK 14, LT 39 COCHRAN & MULLIGAN'S SUB & LT 29 EWING,ROELOFSON & CO SUB (SCALED)	0772603105008000	\$1,302.08
PELTON, JOHNNY R & LINDA G	204 PAWNEE LN	BRIDGEPORT SUBDIVISION, S25, T08, R22E, BLOCK 2, Lot 5	0772502008019000	\$564.80
JEFFRIES, RICHARD L	525 PAWNEE ST	LEAVENWORTH,PLT ORIG, BLOCK 61, Lot 19 - 22	0772601407004000	\$1,170.48
JEFFRIES, RICHARD L	529 PAWNEE ST	LEAVENWORTH,PLT ORIG, BLOCK 61, Lot 17 - 18	0772601407005000	\$807.84
DWYER, ALLEN	733 PAWNEE ST	DAY & MACAULAY'S SUB, BLOCK 102, Lot 30	0772601409007000	\$3,489.17
NEGRETTE, RYAN	1028 POTTAWATOMIE ST	EWING, ROELOFSON & CO., BLOCK 4, LT 29 & W18' LT 30	0772603107012000	\$835.76
ALTON, TRISHA	1117 POTTAWATOMIE ST	EWING, ROELOFSON & CO., BLOCK 8, Lot 12	0772603015003000	\$323.92
ABDULLAH, MOHD ZAIHAM	429 POTTAWATOMIE ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 53, Lot 17 - 18	0772503211010000	\$500.00
BAILEY, MARIA	741 POTTAWATOMIE ST	WESTERN ADDITION, BLOCK 91, Lot 48 - 50	0772604110010000	\$2,760.75
CARLSON, ROBERT F	601 PROSPECT ST	DAY'S SUBDIVISION, BLOCK 18, Lot 1 - 2	0773603039001000	\$3,666.74
ABDULLAH, MOHD ZAIHAM	1128 QUINCY ST	STILLING'S BLKS 7-11, S35, T08, R22E, BLOCK 11, Lot 34 - 35	0773503018016000	\$229.10
WESLEY, MONTARIAL A & LAKISHA	213 S 10TH ST	CENTRAL SUBDIVISION, BLOCK 15, Lot 26	0773502010005000	\$1,959.16
SHEEDS, JOHN A III & PATTY ANN	401 S 10TH ST	CENTRAL SUBDIVISION, BLOCK 16, Lot 41 - 44	0773502011004000	\$592.66
CARROLL, JAMES R	707 S 10TH ST	CENTRAL SUBDIVISION, BLOCK 19, Lot 13 - 14	0773502034002000	\$245.66
STEPHENS, MC KINLEY IV	801 S 10TH ST	CENTRAL SUBDIVISION, BLOCK 20, Lot 11 - 12	0773502043001000	\$237.50
MULLIN, ALEXANDER GERARD	601 S 7TH ST	CLARK & REES ADDITION, BLOCK 32, Lot 8	0773602025006000	\$379.62
YSTUETA, WILLIAM F JR & YSTUETA, LINDA	665 SANTA FE ST	GREENAMYRE'S ADD, BLOCK 5, Lot 3	1010103016038000	\$366.38
TRAPP, NICOLE	800 SANTA FE ST	NEELY'S FOREST ADDITION, BLOCK 6, S23' LT 25 & ALL LT 26 & E1/2 VAC ALLEY ADJ	1010204007012000	\$281.51
WEST EAST ASSET MANAGEMENT LLC	422 SENECA ST	LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 51, Lot 10 - 16	0772503305010000	\$523.50
DERRELL, MARY T	1215 SHAWNEE ST	WOLMAN PARK REPLAT, BLOCK 41, LT8 LESS S 6'	0773502004006000	\$195.48
PAYNE-HOWARD, LULA MAE	1720 SHAWNEE ST	GIST SURVEY, PT GIST SURVEY IN SE1/4;BEG 231'E & 30'N SW COR SE1/4, N110',E100',S110',W100'TO POB	0782704018011000	\$433.34
PAJAK, KELLY	1000 SHERMAN AVE	HALDERMAN'S SUBDIVISION, S35, T08, R22E, BLOCK 25, PT LTS 6-12 & VAC ALLEY BEG SE COR LT 11, N94.17', W136.5', S45'(S), SW20'(S), S125', NE170'(S) TO POB (SCALED)	0773502012012000	\$499.12

CITY OF LEAVENWORTH, KANSAS

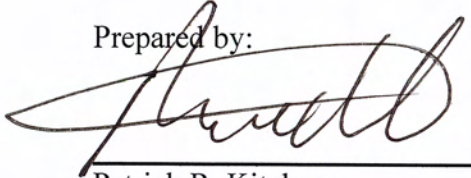
**Tax Assessments
7/1/2023 thru 7/1/2024**

EXHIBIT A

MESTA TEL AVIV LLC & ROSSINI ARIA LLC	700 SILVER LEAF ST	SHRINE PARK PUD, S11, T09, R22E, Lot 5	1011101004040050	\$475.46
MEYERS, LISA	651 SOUTH ST	REES' DONIPHANÞTON'S, BLOCK 14, LT 1 & VAC ALLEY ADJ	1010102019001000	\$2,247.76
MEYERS, LISA	653 SOUTH ST	REES' DONIPHANÞTON'S, BLOCK 14, LT2 & VAC ALLEY ADJ	1010102019001010	\$2,309.60
CLAYTON, LAURINE M	768 SPRUCE ST	LATTA'S ADDITION, S35, T08, R22E, BLOCK 1, Lot 38 - 39	0773501023017000	\$418.18
STEVENSON, KIMBERLY & MENZEL, NONA	1317 VILAS ST	HOLMAN'S SUBDIVISION, BLOCK 4, LT 10 & E1.43' LT 11	1010203007004000	\$991.80
MORCHY, ALEGRA	514 WALNUT ST	CLARK & REES ADDITION, BLOCK 25, E5' LT 12 & ALL LT 13 & W30'LT 14	0773602021009000	\$325.00
WRIGHT, MONTE L & SMITH, SINDY S	521 WALNUT ST	CLARK & REES ADDITION, BLOCK 26, Lot 6	0773602026004000	\$227.94
FISHERKELLER, WILLIAM	2404 WILSON AVE	SOUTHSIDE PARK SUB, S01, T09, R22E, BLOCK 17, LT 10 EXC BEG AT NW COR LT 10, S15',NE TO NE COR LT 10,W TO POB & ALL THAT PT OF LT 11 LYING N OF FENCE	1010104006009000	\$194.16
Total:				\$57,474.38

**2025 City of Leavenworth
Exceeding the Revenue-Neutral Rate
August 27, 2024**

Prepared by:



Patrick R. Kitchens
Interim City Manager

BACKGROUND:

Kansas Statute establishes notice and public hearing requirements for certain taxing subdivisions seeking to collect property taxes in excess of the subdivision's revenue-neutral rate (RNR). A taxing subdivision is prohibited from levying taxes exceeding its revenue-neutral rate without first approving a resolution or ordinance in accordance with the procedure provided by the bill.

SUBJECT:

As presented during the 2025 budget process, the City of Leavenworth will exceed the revenue-neutral rate. The required resolution is before the public for discussion and the City Commission for consideration.

RESOLUTION NO. B-2375

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS, APPROVING A TAX RATE OR MILL LEVY RATE IN EXCESS OF THE REVENUE NEUTRAL RATE FOR THE 2025 BUDGET YEAR.

WHEREAS, pursuant to K.S.A. 79-2988 (the "Act"), the Clerk of Leavenworth County, Kansas, has calculated and notified the City of Leavenworth, Kansas (the "City") that, for the City's 2025 budget year, the City's "revenue neutral rate" (as such term is defined by the Act) is **25.955 mills** (for informational purposes only, one mill is equal to 1/1000th of a Dollar of assessed value);

WHEREAS, the Act further provides that no tax rate in excess of the revenue neutral rate shall be levied by the Governing Body of the City except in accordance with procedures established under the Act;

WHEREAS, the Governing Body of the City, as required by the Act, called for a public hearing considering exceeding the revenue neutral rate, which public hearing was held on August 27, 2024, with an opportunity for all interested persons to be heard regarding the matter of exceeding the revenue neutral rate; and

WHEREAS, in accordance with the provisions of the Act, at such public hearing and after the Governing Body heard from interested taxpayers, the Governing Body voted on and approved this Resolution by majority roll-call vote of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. Approval to Exceed Revenue Neutral Rate; Approved Tax Rate. Pursuant to the Act, the City, by and through its Governing Body, hereby approves exceeding the revenue neutral rate. The City's approved tax/mill levy rate for the 2025 budget year is **26.962 mills**, which amount does not exceed the amount of the proposed tax rate for which notice was given as to the public hearing required under the Act.

Section 2. Effective Date. This resolution shall be effective upon its adoption by the Governing Body of the City of Leavenworth, Kansas.

ADOPTED this 27th day of August, 2024, by majority roll-call vote of the Governing Body.

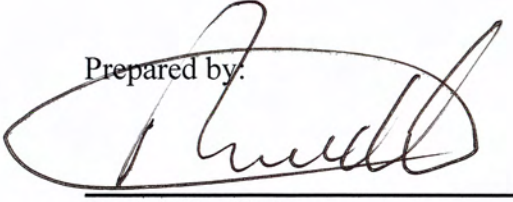
Griff Martin, Mayor

ATTEST:

Sarah Bodensteiner CMC, City Clerk
{Seal}

**2025 City of Leavenworth
2025 Operating and 2025-2029 Capital Budgets
August 27, 2024**

Prepared by:



Patrick R. Kitchens
Interim City Manager

BACKGROUND:

Kansas Statutes requires the City Commission hold a public hearing prior to considering adoption of the 2025 City budget. Along with consideration and adoption of the 2024 budget, the Commission will consider a resolution to approve the 2025 housing budget and specifically the Planters II operating budget.

SUBJECT:

The 2025 transmittal letter is attached and includes a summary of the 2025 operating and 2025-2029 capital budgets. Both documents have been available in draft form to the public since the middle of July on the City website and through hard copies available at City Hall and the Leavenworth Public Library.

ACTION:

The action before the Commission is to consider adoption of the 2025 operating and capital budgets, as well as, the resolution related to the Public Housing Authority.

CERTIFICATE

To the Clerk of Leavenworth, State of Kansas

We, the undersigned, officers of

City of Leavenworth

certify that: (1) the hearing mentioned in the attached publication was held;
(2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditures for the various funds for the year 2025; and
(3) the Amount(s) of 2024 Ad Valorem Tax are within statutory limitations.

		Page No.	2025 Adopted Budget		
			Budget Authority for Expenditures	Amount of 2024 Ad Valorem Tax	Final Tax Rate (County Clerk's Use Only)
Table of Contents:					
Allocation of MVT, RVT, 16/20M Veh Tax		2			
Schedule of Transfers		3			
Statement of Indebtedness		4			
Statement of Lease-Purchases		5			
Computation to Determine State Library Grant		6			
Fund K.S.A.					
General	12-101a	7	30,271,224	4,338,519	
Debt Service	10-113	8	3,884,624	2,197,975	
Library	12-1220	8	1,193,441	1,100,927	
Library Employee Benefit	12-16.102	9	333,175	308,765	
Police Pension Fund	13-14a01	9	179,346	6,316	
Fire Pension Fund	13-14a02	10	374,727	51,475	
Recreation Fund	12-1927	10	3,299,329	510,650	
Special Highway		11	1,661,120		
CVB		11	1,404,412		
Probation		12	302,686		
Economic Development		12	2,072,273		
Business & Technology Park		13	301,346		
CIP Sales Tax		13	4,441,500		
CountyWide Sales Tax		14	5,126,395		
Sewer		14	8,798,691		
Refuse		15	4,080,430		
Storm Water		15	1,559,503		
Auto TIF		16	820,000		
Hotel TIF		16	1,119,381		
Retail TIF		17	195,000		
911 Fund		17			
		0			
Non-Budgeted Funds-A		18			
Non-Budgeted Funds-B		19			
Non-Budgeted Funds-C		20			
Totals		XXXXXX	71,418,603	8,514,627	
Budget Hearing Notice					County Clerk's Use Only
Combined Rate and Budget Hearing Notice	21				
RNR Hearing Notice					
Neighborhood Revitalization	22				Nov 1, 2024 Total Assessed Valuation

Revenue Neutral Rate 25.955

Does budget require a resolution to exceed the Revenue Neutral Rate? YES

Assisted by: _____

Address: _____

Email: _____

Attest, _____, 2024

County Clerk

Governing Body

CPA Summary

RESOLUTION B-2376

**A RESOLUTION ESTABLISHING THE 2025 HOUSING BUDGET
AND SPECIFICALLY THE OPERATING BUDGET FOR
PLANTER'S II, LEAVENWORTH, KANSAS**

**BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION, ACTING AS
THE PUBLIC HOUSING AUTHORITY (PHA) FOR LEAVENWORTH, KANSAS, that;**

Section 1. The 2025 Operating Budget for Planter's II is hereby adopted.

Section 2. The Proposed expenditures are necessary in the efficient and economical operation of the Housing agency for the purpose of serving low-income families.

Section 3. The financial plan is reasonable in that: it indicates a source of funding to cover all proposed expenditures and it does not provide for use of federal funds in excess of that payable under the provisions of 24 CFR 890, Subpart A.

Section 4. All proposed rental charges and expenditures will be consistent with the provisions of law and the annual contributions contract.

Section 5. Pursuant to Section 960.209 of the final rule effective May 21, 1984, the PHA is re-examining the incomes of all families living in the project at least once a year.

Section 6. No PHA employee reflected in the proposed operating budget is serving in a variety of positions which will exceed a 100% allocation of his/her time.

Section 7. This resolution also adopts the budget of expenditures and revenue earnings from administrative fees associated with Section 8 - existing housing assistance payments made on behalf of participant - tenants in the certificate, voucher and HOME tenant based assistance programs.

Section 8. This resolution shall be effective January 1, 2025.

PASSED and ADOPTED this 27th day of August, 2024.

Griff Martin, Mayor

{SEAL}

ATTEST:

Sarah Bodensteiner, City Clerk, CMC



June 28, 2024

Mayor and City Commission
City of Leavenworth
Leavenworth, Kansas

Dear Mayor and Commissioners:

The City of Leavenworth Management Team is pleased to present the 2025 Operating Budget and the 2025-2029 Capital Improvement Program (CIP). The two budgets are presented together to provide a comprehensive view of all planned City financial activity. The budget connects community needs and priorities with available resources and is one of the most important documents the City prepares in a given year. Efforts have been made to produce a document that is an effective communications tool, policy document, historical record, financial plan, and operations guide for the City.

I. BUDGET OVERVIEW

The 2025 Operating Budget is balanced, as required by law, and builds on the City's goal to provide high-quality services while maintaining a sound financial standing. The budget contains revenue and expenses for all City funds and includes a "pass-through" levy as mandated by the Library Ordinance.

The 2025 Operating Budget reflects the City's healthy and stable financial position using three key revenue strategies:

- Careful and conservative approaches to estimating future revenues,
- Maintaining a practical level of reserves, and
- Avoidance of using temporary revenues for ongoing needs.

The City's administrative functions, Police and Fire Departments, Parks and Recreation Department, and scheduled capital improvement projects are highly dependent on sales tax. Sales tax is a volatile revenue source that is dependent on consumer spending within the City and County of Leavenworth. The City saw unprecedented growth in sales tax collections in 2020, 2021, and 2022, due to pandemic related federal stimulus payments. 2023 saw a pull-back from this growth and for the first few months of 2024 sales tax collections were below 2023 sales tax collections. For this reason, the 2025 budget includes conservative sales tax projections, reflecting a sales tax growth rate similar to that of the pre-pandemic years. In addition, the budget does not include reliance on one-time revenues such as federal or state grants to fund operations.

Unlike recent years when City budgets were developed with expectations of continued economic growth, the 2025 budget takes into account signals of slowing economic momentum from various factors including higher interest rates, higher housing costs, increased cost of goods, and a tight, more expensive labor market. Therefore, in addition to conservative revenue projections, the City is preparing for continued inflationary pressure on the cost of goods, construction projects, and wages.

In addition to revenue and expense forecasting and management, the Management Team continues to pay close attention to State Legislature-generated budget measures that, if passed into law, would require a fundamental shift in City budgeting. In recent legislative sessions there were two measures that were considered but did not pass that will reduce local tax collections if they pass in future legislative sessions. The first is an elimination of local sales tax on grocery items and the second is a property tax abatement for certain industries within City limits. If these measures pass in future years, the initial estimate in loss of sales and property tax revenue is \$1.5 – 2.0 million, which is equivalent to 5-6 mills of property taxes.

The last-minute nature of State tax legislation results in unpredictability for local governments. The Leavenworth City Commission is the appropriate body to make taxing decisions for the residents who, every two years, select its composition and for the businesses the City Commission represents.

The 2025 Operating Budget is a representative example of the measures taken by the current and past City Commissions in financial management and prudent taxation to deliver services at the local level. Careful consideration of expenses and a diligent building of appropriate reserve levels, along with efforts to bring about growth, have resulted in the presented 2025 Operating Budget that:

- **Provides for the third year of a pay-as-you-go pavement management program:** This program has broken the cycle of borrowing money – with the interest and issuance costs that entails – for this annual program. Over time, this effort will result in more funding going toward road improvements and maintenance and less funding going towards the servicing of debt.
- **Invests in Information Technology:** In 2023 and 2024 several Kansas City Metro Area and Kansas Municipalities were targets of cyber-attacks that crippled or shut down municipal functions for extended periods of time, making it clear that all municipalities in the region need to make IT security a top issue. In previous years, the City invested in IT infrastructure that provides efficiency of operations and a high level of service to City residents. Beginning in 2024, the City shifted its Information Technology investments to cyber-security. This investment continues with the 2025 budget which includes the creation of a Department Director of Information Technology, the addition of a full-time systems administrator, and the purchase of IT equipment and software that will enhance the City’s IT security position.
- **Invests in salary increases consistent with the Consumer Price Index (CPI):** For the 2024 Operating Budget, the Commission allocated funding to implement a sliding scale pay increase throughout the City. The labor class and entry-level positions with the lowest pay ranges received 15% pay rate increases. Positions with the highest pay ranges received the lowest pay increases of 5%. All other positions received an increase between 15% and 5%, with the increase getting smaller as pay ranges got higher. The 2025 Operating Budget includes a 3.5% pay increase for all employees, which slightly exceeds the 2023 and year-to-date 2024 CPIs of 3.4% and 3.3%, respectively.
- **Ensuring a stable reserve position:** The City’s reserve position is key to maintaining an Aa2 bond rating and provides the City with stability during periods of temporary revenue decline. Due to the 2025 Operating Budget’s conservative revenue forecast and the anticipated inflationary impact on expenditures, including wages, the 2025 budget allocates a portion of the City’s reserves to allow for expenditures in excess of revenue, should that be necessary. In spite of the budgeted spending deficit, the 2025 Operating Budget still maintains adequate and responsible reserves to be used as conditions dictate.

Based on Commission direction and action related to controlling expenses and preserving appropriate reserve levels, while also focusing on service delivery and investing in employees, the 2025 Operating Budget proposes a flat mill levy for the City and Library, combined, of 26.962 mills. The City-supported-mill levy will decrease by 0.0349 mills from 22.533 to 22.498 and the Library's mill levy will increase by 0.0349 mills from 4.429 to 4.464. Assessed values for the 2025 Operating Budget increased by \$11,802,680, or 3.9%. Of this amount, \$8,152,171 of the increase in assessed value was caused by improvements, remodeling, and changed use. Therefore, existing properties that were not significantly improved in 2023 saw an assessed value increase of only 1.2%. The 0.0349 mill decrease for the City-supported-mill levy will generate \$254,941 in additional revenue for the City, most of which will be paid by property owners with new or significantly improved properties.

Looking forward, the Management Team remains concerned that an increasing reliance, as a portion of general fund revenue, on sales tax makes the City more vulnerable to national economic conditions. In its most recent update on the City of Leavenworth's credit analysis, Moody's Investor Service cautions, "*The city's reliance on economically sensitive sales tax revenue is a credit challenge.*"

In general, sales tax is far more volatile than property tax. In addition, a portion of the growth in sales tax is tied to a 1 percent countywide sales tax that sunsets in 2035. The countywide sales tax allocation formula includes a property tax component. As the City reduces the percentage of property tax it collects, as compared to other Leavenworth County municipalities, the percentage of countywide sales tax the City receives will decrease.

The 2025 Operating Budget is impacted by the decrease in sales tax collections in 2023 and year-to-date 2024. While the Management Team feels confident that local and countywide sales tax revenue will grow at the average pre-pandemic levels of 2.8% per year, that growth, combined with the budgeted increase in property tax collections, does not make up for the deficit between the budgeted and actual sales tax collections in 2023 and 2024. If sales tax growth continues to be sluggish and the City continues to hold its mill levy flat, the trend of decreasing revenue may lead to the reduction of City services in future years. The Management Team is cautiously optimistic that the revenue trend can be reversed with new residential, commercial, and industrial development; which would provide property tax increases without an additional tax burden to existing homeowners and businesses.

The sluggish sales tax growth also impacts the 2025 Capital Improvement Projects (CIP) Budget. Therefore, the 2025 CIP Budget is focused on IT equipment improvements, necessary equipment replacements for the Police, Fire, Engineering, Public Works, and Parks departments, and park maintenance projects.

II. OPERATING BUDGET

In constructing the 2025 Operating Budget, the Management Team evaluated economic trends and forecasts, pricing trends, City Commission priorities and adopted goals, public feedback, and staff recommendations. The following issues, in context of their relation to available resources, were discussed at length in development of the 2025 budget:

- Sales tax revenue leveled off in 2023 and decreased during the first few months of 2024.
- Prices increased across the board for everything from contractual services, to mechanical equipment, fuel, chemicals, and road materials.

- Continued conservative budgeting and spending practices as directed by the Commission to maintain budget reserve goals that enable the City to maintain operations through potential economic challenges.
- Maintenance of an employee compensation plan designed to make the City competitive in recruiting and retaining employees at all levels of the organization.
- Ensure adequate coverage of employee health and welfare and retirement expenses.
- Account for potential changes in economic conditions and trends after the budget is adopted.

General Fund

The City's General Fund accounts for core municipal functions and services such as Police, Fire, Public Works, and Planning and Administration. This is an operating budget focused primarily on revenues coming and going in a particular fiscal year. The primary revenue streams that support the General Fund budget are: 1) Sales and Use Taxes; 2) Property Taxes; 3) Charges for Services; 4) Fines and Forfeitures; and 5) Franchise Fees. Fluctuations in these revenue streams affect how the City is able to pay for and maintain core services.

Revenue Highlights

- The City experienced an increase in initial assessed valuation from \$303,997,319 in 2023 to \$315,799,999 in 2024 – an increase of 3.9%. At the proposed lowered mill rate of 22.498 for the City, the increased assessed valuation will generate \$254,941 more in revenue than it generated in 2024. In spite of that increase, the General Fund will receive \$11,954 less than it did in 2024, because the General Fund's portion of the mill levy will decrease so that the Debt Service Fund's mill levy can increase to cover the first year of debt service for the new Fire Station's 2024 \$5,000,000 bond issuance.
- Total sales tax revenues, which include local and county-wide sales tax and local and county-wide compensating use tax, are budgeted to be 4.46% higher than actual 2023 sales tax revenues, generating an additional \$754,174 (*note that this includes two years of growth, 2024 actuals and 2025 budgeted*). The six-year trend has been an annual increase of 4.63%, and the four-year pre-pandemic annual increase was 2.8%; therefore, a 4.46% increase over two years (or approximately 2.23% annually) is a reasonable estimate. The increase in sales tax revenue will be allocated as follows: approximately \$515,367 to the General Fund, \$23,882 to the Economic Development Fund, and \$214,925 to Capital Improvement Projects Funds.
- Franchise revenues are budgeted to be equal to 2023 actual revenues.
- City fees for permits and inspections and court fines and fees are budgeted to remain relatively flat, at 2024 budgeted levels.

The General Fund includes a budgeted reserve of \$5,275,549 which is available to support unanticipated expenses or underperforming revenues. The 2025 budgeted reserve represents 21.15% of the General Fund's 2025 budgeted operating expenses, which is between the City's reserve minimum of 16% and the target reserve level of 30%. The ending reserve position on Dec. 31, 2023, was 45.42%, a portion of which was budgeted in 2024 to create a Grant Matching Capital Fund and provide resources to order a new \$1.3 million fire apparatus. The 2024 projection includes an operating reserve of 32%, which the Management Team has worked to keep stable through periods of economic uncertainties. Maintaining a stable and healthy reserve is critical to maintain the City's Aa2 bond rating.

Expense Highlights

- Utilities are budgeted to decrease 2.59%, across all City operations. The City continues to experience lower utility rates since the peaks in 2021 and 2022.
- The increase in information technology (IT) and connectivity expenses including telephone, internet, IT services, computer back-up fees, IT maintenance and repairs, and software continue to outpace inflation. IT expenses are budgeted to increase 32%, or \$172,000, over budgeted 2024 IT expenses. This increase in spending is a result of the City's commitment to improving cyber-security including adding a director level position to the IT Department, hiring a full-time systems administrator and investing in new hardware and software.
- City contributions to the Police and Fire KP&F State Pension system and the KPERS State Pension system for all City employees is budgeted to increase by \$245,000 over the 2024 budget due to increases in the KP&F and KPERS contribution rates, salary increases, and budgeting for full employment.
- The 2024 employee compensation plan recommends a 3.5% across the board increase. Total salaries are budgeted to increase 4.28% due to the 3.5% increase and the changes in staffing in the IT Department. When combined with high-quality medical benefits, the City remains competitive in the region for employee recruitment and retention.

Other budgets included

It is useful to consider the 2025 budget document as consisting of four separate budgets: Library Funds, Federal Grant Funds, Non-Tax Funds and Tax Funds.

Library

The Library Ordinance establishes a mill rate not to exceed 3.75 mills to support Library operations. For 2025, the Library's submitted budget includes 3.486 mills for operations, and 0.978 mills for the Library Employee Benefits Fund. The total Library levy will generate approximately \$1,409,687 for the 2025 budget.

Federal Grant Funds

The City receives grants each year for Planters II, Section 8, Community Development, and Comprehensive Improvements Assistance Program (CIAP) activities.

The 2025 Planters II expense budget decreased by \$90,000 (-6.4%). The decrease was caused by a \$140,000 decrease in capital outlay and a \$42,000 decrease in budgeted reserves, offset by an \$8,600 increase in personnel expenses and an \$84,000 increase in contractual services and commodities, combined. The financial condition of the fund is stable.

The 2025 Voucher Choice Fund expense budget increased by \$432,000. This increase is due to a 260,000 increase in voucher choice payment and a \$172,944 increase in budgeted reserves. The voucher payments increase based on the level of federal funding the program receives each year. The financial condition of the Voucher Choice Fund is stable.

The 2025 Community Development Block Grant Fund is estimated to increase \$7,000 to \$347,000. Of that total budget, approximately \$69,000 may be used for administrative purposes; the balance, or \$278,000, is used for a variety of community projects in accordance with CDBG guidelines.

Non-Tax Funds

Non-tax funds derive their financial support from sources other than ad valorem taxes. Expense budget levels for these funds are generally dependent upon the availability of revenue generated through the collection of sales tax and the pursuit of the fund’s activity. For example, the Sewer Fund expense budget is dependent upon funds generated from the sale of sewer services.

The 2025 expense base budget for this group of Funds decreases by \$16,092,394 or 30%, to \$38,178,119. This significant decrease in the non-tax funds budgets is largely attributed to a \$15.1 million decrease in the combined Capital Project Funds.

	2024	2025
CVB Fund	1,573,908	1,649,512
Probation Fund	346,258	302,686
Streets Fund	1,426,694	1,661,119
Economic Development Fund	1,910,899	2,072,274
CIP Sales Tax Fund	4,517,798	4,431,500
Countywide Sales Tax Fund	5,906,502	5,126,395
Capital Projects Fund	9,885,417	2,569,871
Streets Capital Projects Fund	8,414,731	2,319,749
Grant Matching Capital Projects Fund	3,198,334	1,472,008
Sewer Fund	8,753,980	8,798,691
Refuse Fund	3,715,444	4,080,430
Storm Water Capital Projects Fund	2,465,502	1,559,503
Auto TIF Fund	879,906	820,000
Hotel TIF Fund	1,131,016	1,119,381
Retail TIF Fund	144,124	195,000
Total	54,270,513	38,178,119

The Convention and Visitor’s Bureau Fund was established in 2014 to account for the receipt of transient guest tax revenue that had previously been accounted for in the General Fund. Transient guest tax revenue is projected to remain flat with actual 2023 revenue at \$700,000. This is \$50,000 more than 2024 budgeted revenue because occupancy rates in the City’s hotels increased in 2023 over 2022. Personnel expenses are budgeted to increase by \$16,000 (6.8%), contractual services are budgeted to increase by \$19,450 (4.2%) and the City Festival expenses are budgeted to increase by \$13,000 (5.6%). 2025 budgeted reserves increase by \$27,000 over 2024 budgeted reserves.

The Probation Fund is budgeted to decrease by \$43,572 (-12.6%) as compared to 2024. The 2024 budget included providing services to Lansing and Tonganoxie and the 2025 budget includes providing services to only Tonganoxie. The budgeted decrease is reflective of the decrease in services being provided.

The Streets Fund is budgeted to increase by 16.4% (\$234,425) because a Sidewalk and Curbs Division was added to the Streets Department in 2025. The Sidewalk and Curbs Division will employ two equipment operators who will focus on sidewalk and curb improvement and replacement. The new division is funded by a transfer from the County Wide Sales Tax Fund as a part of the City’s \$416,000 annual Sidewalk and Curb Program.

The Economic Development Fund budget increases by 8.4% or \$161,375. This is primarily due to a \$141,598 increase in the budgeted reserves, which are budgeted to be \$1,616,578 at the end of 2025.

The CIP Sales Tax and the Countywide Sales Tax Funds are set up to collect local and countywide sales and use tax and disburse those funds to various funds based on previously established City ordinances and the 2025 operating and capital improvement budgets. The primary recipients of local and countywide sales tax are the Recreation Fund, the Debt Service Fund, The Capital Projects Fund, and the Streets Capital Projects Fund. Local sales tax in these funds is budgeted to increase 2.79% (\$79,591) over 2023 actuals and countywide sales tax is budgeted to increase 2.72% (\$82,688). The transfer to the Recreation Fund is budgeted to be \$2,077,894, which is an increase of \$309,000 over the 2024 budget. The transfer to the Bond Fund is budgeted to be \$1,259,066 which is a decrease of \$141,000(-10%) from the 2024 budget because of a decrease in principal and interest payments in the Bond Fund for CIP projects. The transfer to the Capital Projects Fund is budgeted to decrease by \$635,578 (-19.8%) because fewer capital projects are scheduled for 2025. The transfer to the Streets Capital Projects Fund is budgeted to decrease by 1,613,108 (-51.8%) over the 2024 budget, because the Downtown 4th Street Project was budgeted to be completed in 2024.

The Capital Projects Fund is budgeted to decrease by \$7,315,546 (-74%) to \$2,569,871. The attached 2025 – 2029 CIP Budget provides a listing of the projects that are scheduled to be completed in 2025. The highlights include \$111,000 for necessary roof and exterior repairs to the library; \$345,000 for the replacement of all of the self-contained-breathing-apparatus for the Fire Department, \$89,000 for the purchase of a compact track loader for the Streets Department, \$334,000 for updates to the Riverfront Community Center, \$222,000 for parks projects, and \$138,000 for maintenance to the City's two pools.

The Streets Capital Projects Fund is budgeted to decrease by \$6,094,981 (72.4%) to \$2,319,750. The decrease in spending is primarily attributable to the \$5.2 million that was budgeted for the 4th Street between Choctaw and Seneca project in 2024. Reserves are budgeted to decrease by \$790,000 (100%) because starting with the 2025 budget, reserves will be held in the County Wide Sales Tax Fund until they need to be transferred to the Streets Capital Projects Fund for a specific project.

The Grant Matching Capital Projects Fund is budgeted to decrease by \$1,726,326 (54%). 2024 was the inaugural year for this fund and included the \$1,979,000 Vilas Street Project and a \$1,000,000 budgeted reserve. The 2025 budget includes a K-7/US Highway 73 surface preservation project between Rees and Poplar Streets (total cost \$594,000, City's cost \$194,000), a Downtown sidewalk intersection improvement to ADA standards project (total cost \$475,000, City's cost \$95,000), and \$326,228 in budgeted reserves.

The 2025 Sewer Fund budget is \$44,711 (0.5%) higher than 2024. Operating expenses are budgeted to increase by approximately \$195,000 and budgeted reserves decrease by \$150,823. The 2025 proposed budget includes a 3% increase in utility fees.

The 2025 Refuse Fund budget is \$364,986 (21.3%) higher than 2024. The 2025 Refuse Fund budget, as presented, is predicated upon a prospective project that may allow the City to haul its refuse to a local transfer station rather than the Johnson County Landfill. If the project comes to fruition, some expenses will increase while others decrease, with the net impact on expenses being relatively neutral. The proposed 2025 Refuse Fund budget includes personnel expenses that increase by \$70,637 (7.4%) and contractual expenses that increase by \$184,130 (19.0%). The increased cost of contractual expenses is due primarily to increased landfill fees. Commodities are budgeted to decrease by \$56,250 primarily due to a decrease in diesel fuel, which will result from hauling refuse to a local transfer station rather than the Johnson County Landfill. The Refuse Fund is budgeted to finish 2025 with a 90-day operating reserve of \$624,977 and a capital reserve of \$920,822. The Refuse Fund's capital reserves are used to

replace the oldest garbage truck in the fleet with a new garbage truck every other year (approximately \$245,000/each) and other heavy equipment needed to provide refuse collection and disposal services. The 2025 proposed budget includes a 3% increase in utility fees.

The Storm Water Capital Projects Fund is budgeted to decrease by \$905,999 (-36.7%) In 2024 a \$1,000,000 transfer to the Streets Capital Project Fund was budgeted for the storm sewer portion of the 4th Street between Seneca and Choctaw project. There is no transfer budgeted for 2025. Capital outlay is scheduled to increase by \$601,200 (92.8%) because all of the Storm Water Assessment Fees collected in 2025 are budgeted to be spent on emergency repairs. This expenditure will result in a decrease of \$448,846 (-100%) in budgeted reserves.

Recreation Fund

The Recreation Fund is supported by the following revenue sources, with the approximate 2025 proposed budget amounts appearing in parentheses: property tax (\$554,103); local sales tax which is transferred from the CIP Sales Tax Fund (\$2,077,895); one-third of the City's liquor tax (\$94,700); and charges for services such as room rentals at Riverfront Community Center (RFCC), park shelter rentals, gym memberships, and entrance fees for RFCC and Wollman Pool (\$492,500). Compared to the 2024 budget, the 2025 proposed budget mill levy is flat, there is a \$309,007 (17.47%) increase in the transfer from the CIP Sales Tax Fund, a \$44,600 (-8.30%) decrease in charges for services, and a \$64,235 projected carry forward balance. The 2025 Recreation Fund expenditures are budgeted to increase by \$167,877 (5.4%) to \$3,300,033. Sixty-eight percent (55%) of the increase in the Recreation Fund expenditures is attributed to a \$91,752 (4.52%) increase in personnel expenses. The balance of the increase is attributed to a \$54,600 (9.23%) increase in contractual services and a \$9,300 (4.08%) increase in commodities.

Bond and Interest Fund

The 2025 Bond and Interest Fund budget increased by \$297,115 (8.22%). The increase has two components. The first is a \$221,775 decrease in debt service for debt that existed as of December 31, 2023. Second is a \$606,191 increase in debt service for the \$5,000,000 G.O. bond issued in 2024 for the construction of a new fire station. Of the \$606,191 in debt service for the fire station, \$350,000 is for a principal payment and the remaining \$256,191 is interest expense. The interest expense on this bond will decrease to \$181,400 in 2026. Interest expense in 2025 is high because it includes 2024 accrued interest as well as 2025 interest expense. The Bond and Interest Fund is budgeted to finish the year with a \$112,220 reserve which is \$92,301 (-45.13%) lower than the 2024 budget.

ARPA Fund

In 2021 the City was awarded \$8,549,064 in American Rescue Plan Act (ARPA) funds from the federal government. The ARPA Fund was created to account for the revenue and expenditures associated with this grant. As of December 31, 2024, all ARPA funds will have been expended or encumbered. The only encumbrance remaining as of December 31, 2024, will be \$832,479 for a fire apparatus that is expected to be delivered in 2025. The remaining balance in the ARPA Fund as of December 31, 2025 is budgeted to be \$0.

Assessed Valuation

Based upon information recently received from the County Clerk, the City of Leavenworth experienced an increase in assessed valuation from \$303,997,319 in 2023 to \$315,799,999 in 2024. This is a 3.88% increase in assessed valuation. Tax abated properties, such as the NRA, increased from \$3,896,476 to \$3,971,027, increasing the net increase in assessed value, not including tax abated properties to 3.91%.

	2024	2025	%
	Budget	Budget	Variance
Real Property	\$288,063,525	\$299,151,561	\$11,088,036
Personal Property	2,646,929	2,789,998	142,569
State Assessed Utilities	13,286,865	13,858,940	572,075
Total	\$303,997,319	\$315,799,999	\$11,082,680

Ad Valorem Taxes

The following table illustrates the 2025 ad valorem tax levy (prior to the delinquency rate calculation) required by each City Fund.

Fund	2024	2025	%
	Budget	Budget	Variance
General Fund	\$4,368,138	\$4,338,505	-0.68%
Recreation	491,564	510,649	3.88%
Bond & Interest	1,877,791	2,197,968	17.05%
Fire Pension	98,191	51,475	-47.58%
Police Pension	14,288	6,316	-55.79%
Subtotal - City	6,849,972	7,104,913	3.72%
Library Fund	1,063,687	1,100,923	3.5%
Library Employee Benefits	282,717	308,764	9.21%
Subtotal - Library	1,346,404	1,409,687	4.70%
Total	\$ 8,196,376	\$8,514,600	3.88%

Mill Levies

The table below illustrates the 2024 mill levy rate for each City Fund requiring ad valorem tax support given the assessed valuation data provided by the County Clerk.

Fund	2024	2025	Mill	%
	Budget	Budget	Variance	Variance
General Fund	14.369	13.738	-0.631	-4.39
Recreation	1.617	1.617	0.0	0%
Bond & Interest	6.177	6.960	0.783	12.68%
Fire Pension	0.323	0.163	-0.160	-49.54%
Police Pension	0.047	0.020	-0.027	-57.45%
Subtotal - City	22.533	22.498	-0.0349	-0.16%
Library Fund	3.499	3.486	-0.013	-0.37%
Library Employee Benefits	0.930	0.978	0.048	5.16%
Subtotal - Library	4.429	4.464	0.035	0.79%
Total	26.962	26.962	-	0%

III. CAPITAL IMPROVEMENTS PLAN (CIP) BUDGET

The Capital Improvements Plan is a comprehensive investment of \$38 million over 5 years to improve and expand the City's full spectrum of services including utilities, buildings, roadways, recreation facilities, and technology. The 2025 CIP Budget includes revenue from three sources: 1) ¼ of the City's local sales tax, 2) 85% of the City's portion of the countywide sales and use tax, and 3) state and federal grants. The CIP also includes information for enterprise funds (Sewer, Refuse, and Storm Water), which are funded by user fees and a storm water impact fee. Based on current and forecasted conditions, as well as work over the past few years to establish industry standard reserve positions, the Management Team is proposing a 3% increase in refuse and sanitary sewer rates.

The CIP budget is allocated across a number of pay-as-you-go projects including upgrades to existing City buildings, the construction of new buildings, equipment purchases, operating transfers, and infrastructure projects. Projects included in the CIP are prioritized by direction from the Commission and staff's evaluation on how operations will be impacted by the condition of the City's equipment, buildings, and infrastructure. Although the CIP represents a five-year-look-ahead, the program is evaluated on a yearly basis to offer the most flexibility to the Commission and the community. The goal of the 2025 – 2029 CIP is to align the City's resources with the highest priority needs while offering transparency and accountability to the taxpayers.

Approach and Goals

Due primarily to conservative capital budgeting over the past two years, the funds carried forward for CIP projects from the 2024 budget are projected to be approximately \$3,500,000. These funds, along with sales tax collected in 2025 will allow the 2025-2029 CIP budget to continue to make investments in identified projects, while reducing the City's reliance on debt financing.

2025 CIP Highlights Include

- Continued debt service on a number of City facilities, projects and equipment, including:
 - The Leavenworth Business and Technology Park - \$357,390
 - The reconstruction of Thornton Street - \$473,388
 - The purchase of an aerial ladder fire apparatus - \$149,163
 - The final temporary-note payment for park improvements including the Havens Park restroom, the Stubby Park restroom and shelter, and the splash pad - \$279,125
- Multiple information technology upgrade projects at a cost of \$152,000.
- The replacement of thirty-two (32) self-contained breathing apparatus for the Fire Department - \$345,000
- Purchase of street equipment - \$105,000
- Improvements to the Riverfront Community Center - \$333,928
- Purchase of parks equipment - \$74,302
- Trails, parks, and pools maintenance and improvements - \$359,641
- 2025 Pavement Management Program - \$2,100,000
- Three (3) projects partially funded by grants – total project cost \$1,145,780; City's cost \$296,678
 - K-7/US Highway surface preservation from Rees to Poplar Streets
 - Airport taxi-way and apron pavement seal
 - Upgrade downtown sidewalk intersections to current ADA standards
- Wastewater Treatment Plant equipment replacement - \$1,970,000
- Refuse Fund replacement of front loader tractor - \$214,000
- Completion of seven (7) Storm Water Capital repair and/or replacement projects - \$1,249,177

IV. CONCLUSION

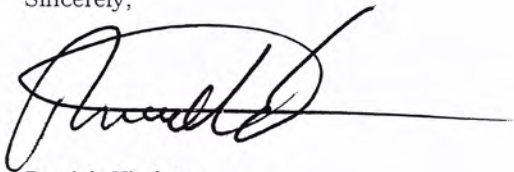
The recommended 2025 Operating Budget and 2025-2029 Capital Improvement Program (CIP) reflect a conservative approach to the fluctuations in the local, state and federal economies. The recommended budget makes responsible use of reserve levels and reduces the City-supported mill levy by 0.15 percent. The reduction in the City's mill levy is offset by an increase in the Library's mill levy by the same amount, so the City's overall mill levy remains flat in 2025. The 2025 proposed mill levy is based solely on current and 2025 forecasted conditions, and is an issue that should be analyzed each year based on new information and data. As mentioned above, local governments are subject to mandates from other levels of government that can dramatically impact the shape and composition of budgeting and tax structures without regard for local governments' ability to provide service at levels expected by residents and businesses.

The recommended budget proposes to maintain City services and offerings at current levels while providing funding for necessary maintenance, repair, and improvement projects. The 2025 budget maintains these services and offerings while holding the mill rate flat. The budget includes a 3% increase in sewer and refuse rates and makes no increase in stormwater impact fees. General Fund reserves are budgeted to decrease to approximately 21% of General Fund expenditures, which is above the established minimum reserve position of 16%, and the City, as a whole, remains in sound financial condition.

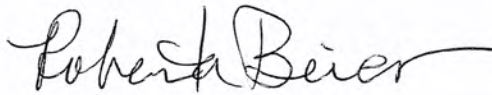
As with any budget process, certain areas were selected for enhancements, while others remained unchanged. We hope the proposed budget matches the goals and expectations of the residents of Leavenworth and the City Commission.

The City's budget process is a year-round team effort that includes the entire management team and staff at all levels throughout the City. We appreciate the support of the staff in the preparation and presentation of the Interim City Manager's recommended 2025 Operating Budget and 2025-2029 CIP and we look forward to reviewing its contents with the City Commission.

Sincerely,



Patrick Kitchens
Interim City Manager

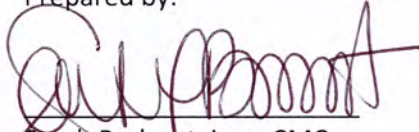


Roberta Beier
Finance Director

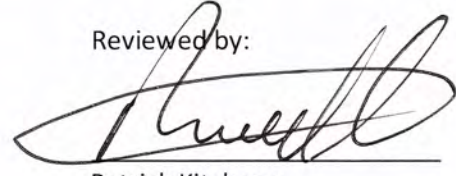
**POLICY REPORT
REQUEST A WAIVER FOR A TRANSIENT MERCHANT PERMIT
POLICE COLLECTORS SHOW
RIVERFRONT COMMUNITY CENTER**

AUGUST 27, 2024

Prepared by:


Sarah Bodensteiner, CMC
City Clerk

Reviewed by:


Patrick Kitchens
Interim City Manager

ISSUE:

Consider a waiver of a Transient Merchant Permit for the purpose of a Police Collectors Show at the Riverfront Community Center.

BACKGROUND:

Ken LaMaster submitted an application that was received in the Office of the City Clerk for a Police Collectors Show at the Riverfront Community Center on April 25 and 26, 2025. The collectables show will be a fundraiser for the Leavenworth Prison Historical Society.

All vendors have a Kansas Retail Tax number or the event coordinator will provide the vendors with a tax form to complete and return to the Kansas Department of Revenue. The City reports all events to the Kansas Department of Revenue so they can verify that taxes on admissions, booth fees and any other applicable sales are submitted as required.

The City of Leavenworth Code of Ordinances Chapter 34, Peddlers, Solicitors and Transient Merchants Sec. 34-62 States:

- A transient merchant permit shall not be issued for use in or on a city-owned property including rights-of-way, parks or open spaces or the community center, provided that the city commission may grant in specific cases a waiver of this general prohibition.
- Application and request for waiver shall be on a form provided by the city clerk and submitted to the city clerk at least 30 days prior to the date of the activity to be placed on the agenda of the next regular meeting of the city commission.

The City of Leavenworth Codes of Ordinances Chapter 34, Peddlers, Solicitors and Transient Merchants Sec. 34-1 Definitions, defines a transient merchant as:

- *Transient merchant, itinerant merchant or itinerant vendor* are defined as any person, whether as owner, agent, consignee or employee, whether a resident of the city or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within such city, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, or public room in hotels, lodging houses, apartments, shops or any street, alley or other place within the city, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction. Such definition shall not be construed to include any person who, while occupying such temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only. The person so engaged shall not be

relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer. A transient merchant is not a person who has a permanent business presence in Leavenworth and conducts sales or activities similar as described herein on a temporary basis.

Fee for Transient Merchants:

- A Transient Merchant, Itinerant Merchant or Itinerant Vendor Permit fee is \$50.00 per day. The permit is not to exceed 5 days; and no more than two licenses may be issued during a calendar year.

If the City Commission should grant the waiver all applicable fees and insurance requirements would still apply, the waiver just allows the sale to be held on city property, specifically the Community Center which is prohibited by ordinance. The applicant is also required to provide a certificate of liability insurance prior to the date of the event along with any fees required by the Community Center.

CITY COMMISSION ACTION:

Grant a waiver of a Transient Merchant Permit for use of the Community Center for a Police Collectors Show on April 25 and April 26, 2025;

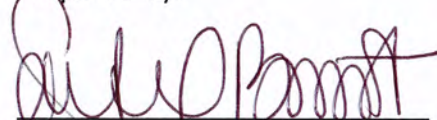
Or

Deny the request for a Transient Merchant Permit

**POLICY REPORT
LEAVENWORTH MAIN STREET
SUMMER CONCERT SERIES AND MOONLIGHT MARKET SPECIAL EVENT
CONSIDER ADOPTION AND APPROVAL OF RESOLUTION B-2377 – ALCOHOLIC LIQUOR**

AUGUST 27, 2024

Prepared by:


Sarah Bodensteiner, CMC
City Clerk

Reviewed by:


Patrick Kitchens
Interim City Manager

ISSUES:

Consider approval of Resolution B-2377 approving a Special Event known as Summer Concert Series and Moonlight Market sponsored by Leavenworth Main Street to include the closing of a portion of Cherokee Street from 7th Street to the entrance of the Water Department to motor vehicle traffic and allowing for the possession and consumption of alcoholic liquor.

Leavenworth Main Street will be hosting a Special Event on Saturday, September 14, 2024 from 12:30 p.m. to 10:00 p.m. to hold the Summer Concert Series and Moonlight Market. The event will take place at Haymarket Square located at 649 Cherokee Street, and will also include a portion of Cherokee Street from 7th Street to the entrance of the Water Department to have the Midnight Market vendor event.

In order for the event to have beer and/or alcohol within the street and sidewalk as designated above, a Resolution by the Governing Body is required as per K.S.A. 41-719.

The following street will be closed during the hours of the festival per the resolution.

- A portion of Cherokee Street from 7th Street to the entrance of the Water Department

The street will be closed by the Leavenworth Police Department on or around noon the day of the event.

The “alcohol friendly” area will be clearly marked within the boundaries of the festival.

ACTIONS:

Adopting and approving Resolution B-2377 as presented.

ATTACHMENTS:

Resolution B-2377

RESOLUTION B-2377

**A RESOLUTION APPROVING A SPECIAL EVENT KNOWN
AS SUMMER CONCERT SERIES AND MOONLIGHT
MARKET SPONSORED BY LEAVENWORTH MAIN
STREET.**

WHEREAS, the City of Leavenworth, Kansas (the “City”) is approving a Special Event sponsored by Leavenworth Main Street known as Summer Concert Series and Moonlight Market.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special event to be held on designated public streets, alleys, and sidewalks when a temporary permit has been issued by the Kansas Division of Alcoholic Beverage Control (ABC) and the governing body has approved the event as required by K.S.A 41-719 and amendments thereto.

Section 2. Having considered the request to allow the possession and consumption of alcoholic liquor, the governing body hereby approves the event to be held beginning at 12:30 p.m. through 10:00 p.m. on Saturday, September 14, 2024, provided Leavenworth Main Street secures appropriate permitting from ABC and complies with all state laws and ordinances regulating alcoholic liquor.

Section 3. A portion or all of the following street(s) shall be closed to motor vehicle traffic during the date(s) and time(s) identified in section 2:

- A portion of Cherokee Street from 7th Street to the entrance of the Water Department

Pursuant to K.S.A. 41-719, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means (“Designated Barricaded Area”).

Section 4. Event attendees may purchase, possess and consume alcoholic beverages within the Designated Barricaded Area. Pursuant to K.S.A 41-719 no alcoholic liquor may be removed from the Designated Barricaded Area or consumed inside vehicles while on public streets or alleys at the event.

Section 5. This Resolution shall take effect and be in force after its approval by the governing body.

ADOPTED AND APPROVED by the Governing Body on this 27th day of August, 2024.

(SEAL)

Griff Martin, Mayor

ATTEST:

Sarah Bodensteiner, CMC, City Clerk

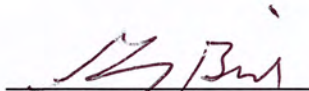
POLICY REPORT No. FD # 2024-04
REJECTION OF BID RECEIVED FOR THE FIRE STATION NO. 1 HVAC
REPLACEMENT
August 27, 2024

Prepared by:



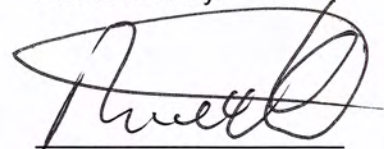
Mike Shore
Deputy Chief

Reviewed by:



Gary Birch
Fire Chief

Reviewed by:



Patrick Kitchens
Interim City Manager

ISSUE:

Consider rejection of the bid for the Fire Station No.1 HVAC replacement.

BACKGROUND:

Fire Station No. 1 is 24 years old and is currently utilizing the original air conditioning system. This system has reached the end of its useful life. Repairs are becoming much more frequent and costly as well as the difficulty obtaining replacement parts.

The City of Leavenworth published an RFP for the HVAC system replacement project with a due date of June 27, 2024 at 5pm. We received only one bid for the project.

Company	Address (City/State)	Bid
D'Agostino Mechanical Contractors, INC.	4440 Oliver Street Kansas City, KS 66106-3763	\$87,950.00

Less than one week after the City Commission's approval to award the contract to D'Agostino Mechanical, we received a phone call from the contractor stating they had made an error with their estimate for the project and they would not be able to do the project for that price. They were requested to give us an unofficial updated cost. The new cost was **\$20,287.00** higher than their original bid.

RECOMMENDATION:

Staff recommends that the City Commission reject the bid for the Fire Station No.1 HVAC replacement and allow staff to re-evaluate the project and go back out for bids.

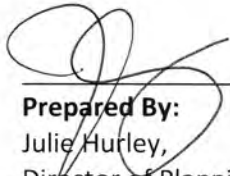
CITY of LEAVENWORTH, KANSAS

**POLICY REPORT
FIRST CONSIDERATION ORDINANCE
2024-17 REZ
2nd AVENUE & SANTA FE**

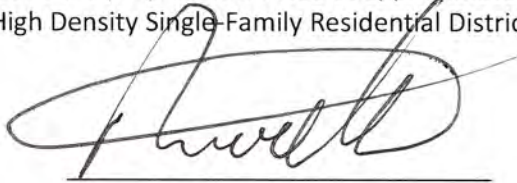
AUGUST 27TH, 2024

SUBJECT:

Place on first consideration an ordinance to rezone the properties located at approximately 2nd Avenue & Santa Fe from RM-F, Residential Multi Family, to R1-6, High Density Single-Family Residential District.



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



Reviewed By:
Patrick Kitchens,
Interim City Manager

ANALYSIS:

In recent years, the City of Leavenworth has received multiple rezoning and special use permit requests for properties occupied by existing non-conforming uses. Typically, these requests originate from the intention of the property owner to either sell or expand the existing non-conforming use on the property, which necessitates bringing the property into conformance with existing development standards. It has been the general desire of the Planning Commission and city staff facilitate these applications in instances where no action of the property owner has caused the property to become non-conforming.

In an effort to further facilitate the bringing of non-conforming properties into conformance without any additional burden to property owners, staff has identified an area suitable for a city-initiated rezoning. State statute grants authority to municipalities to initiate a rezoning process for privately owned properties. The identified area consists of an existing neighborhood containing 15 individual properties all developed with single-family homes, which is currently zoned RM-F, Residential Multi Family. The area lies east of 2nd Avenue, roughly between Santa Fe and Sheridan Streets. The RM-F zoning designation makes all of the existing single family homes non-conforming, as single-family homes are not allowed either by-right or with approval of an SUP in the RM-F zoning district. Staff proposes to rezone the properties within the identified area to R1-6, High Density Single-family Residential District, which will bring all properties included into conformance with current development standards.

The 15 properties included in the rezoning request are all currently occupied by single-family homes, and include the following addresses:

- | | |
|-----------------------------|------------------------------|
| 1. 535 Santa Fe | 9. 510 Sheridan St |
| 2. 529 Santa Fe | 10. 506 Sheridan St |
| 3. 523 Santa Fe | 11. 2605 2 nd Ave |
| 4. 517 Santa Fe | 12. 547 Sheridan St |
| 5. 513 Santa Fe | 13. 537 Sheridan St |
| 6. 507 Santa Fe | 14. 527 Sheridan St |
| 7. 2531 2 nd Ave | 15. 517 Sheridan St |
| 8. 514 Sheridan St | |

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

- a) The character of the neighborhood;

The subject property is located east of 2nd Street, between Santa Fe and Sheridan. The area is occupied by existing single-family homes, with a mix of single-family and two-family homes to the north, south, and west. To the east, across a creek and wooded area, are the State Street Apartments.

- b) The zoning and use of properties nearby;

The property to the north is zoned R1-6 and is occupied by two-family homes (existing non-conforming use). The property to the south is zoned RM-F and is occupied by two-family homes. The properties to the west are zoned R1-6 and are occupied by a mix of single-family and two-family homes. The properties to the east are zoned RM-F and are occupied by the State Street Apartments and a single-family home.

- c) The suitability of the subject property for the uses to which it has been restricted;

The subject properties have always been occupied by single-family homes, with no plans to demolish or convert the existing homes to multi-family housing.

- d) The extent to which removal of the restrictions will detrimentally affect nearby property;

The proposed rezoning will have no detrimental effect upon surrounding properties. There is no proposed change in the use of the properties, they will continue to function as single-family homes. The proposed rezoning will bring the existing structures into conformance with the adopted Development Regulations and allow home owners to modify, expand, sell or refinance their single-family homes without the need to obtain a variance or rezoning.

- e) The length of time the subject property has remained vacant as zoned;

The subject properties are not vacant.

- f) The relative gain to economic development, public health, safety, and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;

The proposed rezoning will not affect the value of the landowners' properties. The properties are currently classified and taxed as single-family residential units, which will not be impacted by the rezoning.

- g) The recommendations of permanent or professional staff;

Staff recommends approval of the rezoning request.

- h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;

The area is identified as appropriate for single-family uses on the Comprehensive Land Use Plan.

- i) Such other factors as may be relevant to a particular proposed amendment. The factors considered in taking action on any proposed amendment shall be included in the minutes or otherwise be made part of the written record.

No other factors

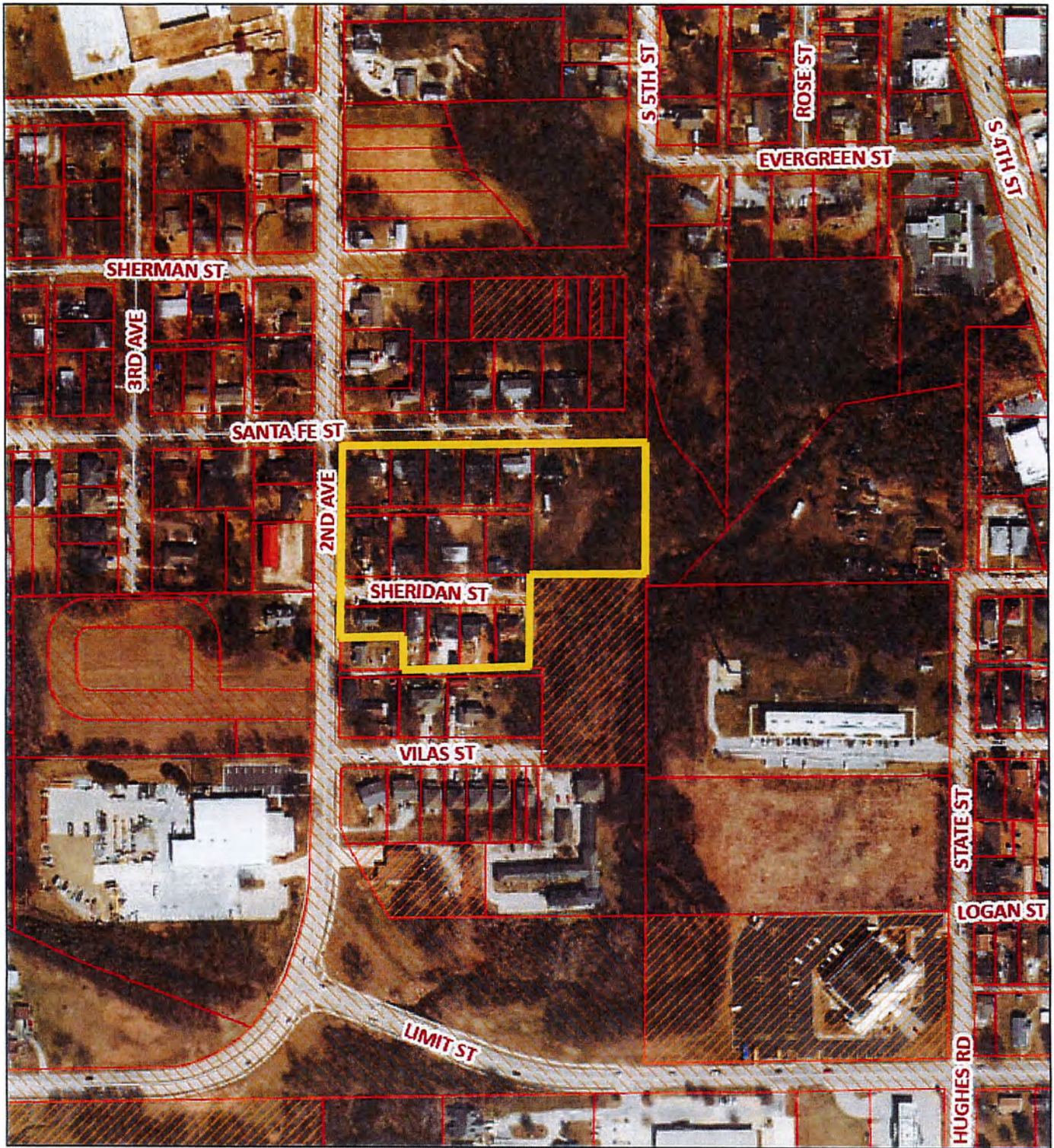
After the required public notices were sent to property owners within 200' as required by Kansas State Statute, staff received inquiries from 4 individuals pertaining to the nature of the request. No complaints or comments were received.

The Planning Commission took action on this item at their August 5th, 2024 meeting and voted 4-0 to recommend approval of the Rezoning request. Several affected property owners spoke during the meeting with questions regarding the request.

REZONING ACTION/OPTIONS:

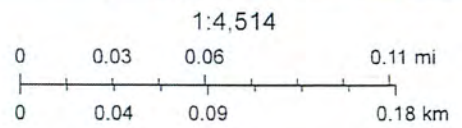
- Place an ordinance on first consideration to approve the request to rezone the noted properties from RM-F to R1-6.
- Deny the request to rezone the noted properties from R-MF to R1-6.
- Remand the request to rezone the noted properties from R-MF to R1-6 to the Planning Commission for further consideration.

City Initiated Rezoning



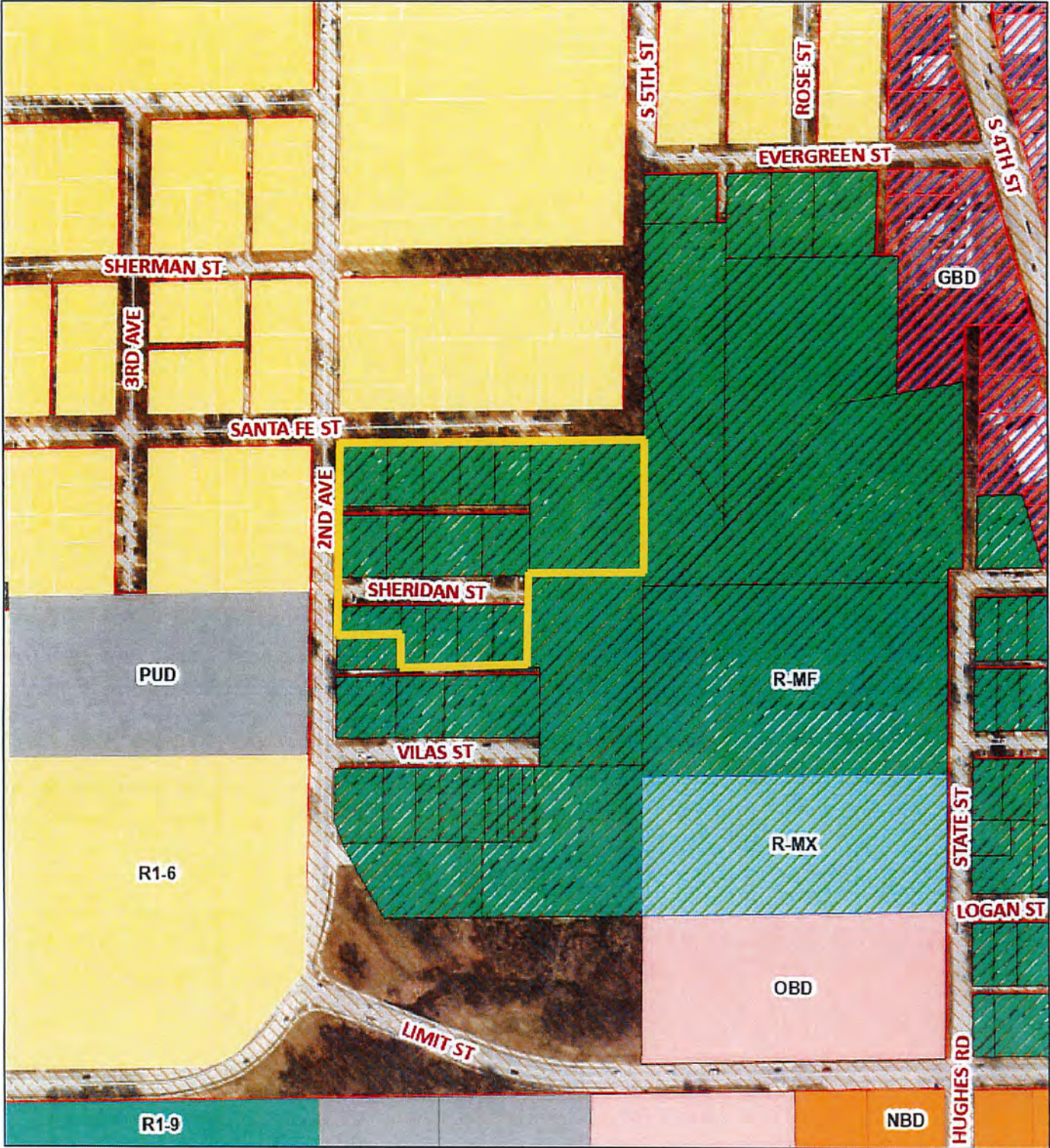
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- Override 1
- Leavenworth City Limits
- Parcels (City Owned)
- City Right-of-Way
- Parcels_Current
- RoadCenterline



Esri, HERE, Garmin, (c) OpenStreetMap contributors and the GIS user community

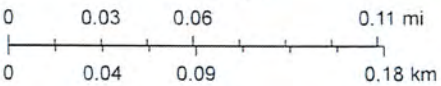
City Initiated Rezoning - Zoning



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- Override 1
- PUD
- Parcels (City Owned)
- Zoning_CURRENT
- R-MF
- Parcels_Current
- GBD
- R-MX
- Leavenworth City Limits
- I-1
- R1-6
- City Right-of-Way
- NBD
- R1-9
- RoadCenterline
- OBD

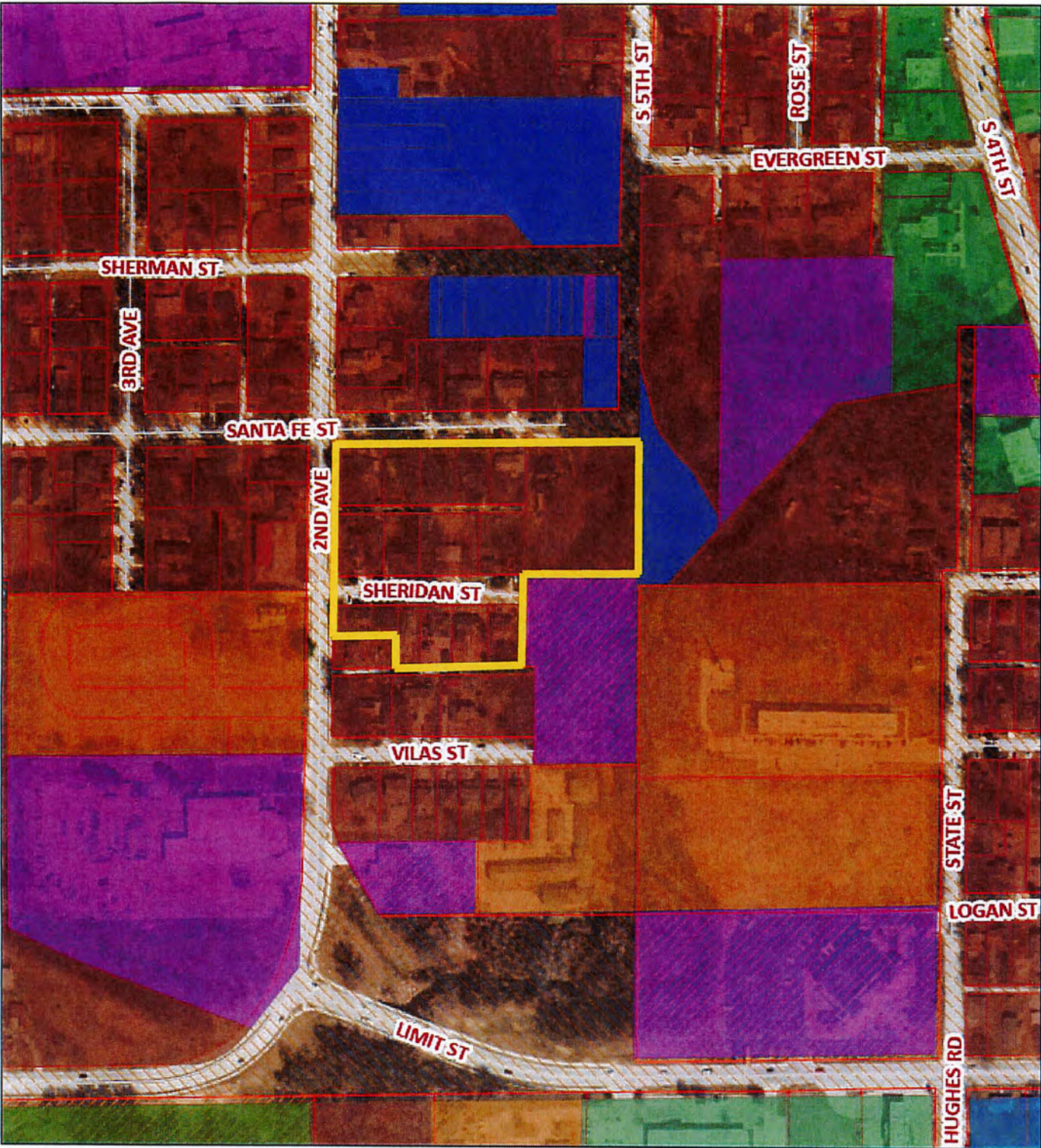


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Web AppBuilder for ArcGIS

Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA |

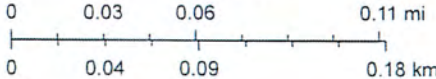
City Initiated Rezoning - Future Land Use



5/30/2024, 12:17:44 PM

1:4,514

- Override 1
- Public/Semi-Public
- Single-Family
- Commercial
- Conservation/Open Space
- Mixed Use
- Multi-Family
- Park
- Parcels (City Owned)
- Parcels_Current
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



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CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, August 5, 2024
6:00 PM

CALL TO ORDER:

Commissioners Present

Brian Stephens
Don Homan
Sherry Whitson
Maryann Neeland

Commissioners Absent

Bill Waugh
Kathy Kem

City Staff Present

Julie Hurley
Michelle Baragary

Chairman Stephens called the meeting to order at 6:02 p.m. and noted a quorum was present.

APPROVAL OF MINUTES: July 1, 2024

Chairman Stephens asked for questions, comments or a motion on the minutes presented for approval: July 1, 2024. Commissioner Homan moved to approve the minutes as presented, seconded by Commissioner Whitson, and approved by a vote of 4-0.

OLD BUSINESS

None

NEW BUSINESS:

1. 2024-17 REZ – CITY-INITIATED REZONING

Conduct a public hearing for Case No. 2024-17 REZ, wherein the City is requesting to rezone the properties located at approximately 2nd Avenue & Santa Fe from RM-F, Residential Multi Family, to R1-6 High Density Single Family Residential District.

Chairman Stephens called for the staff report.

Planning Director Julie Hurley stated this is a city-initiated request to rezone properties located at approximately 2nd Avenue & Santa Fe from RM-F, Residential Multi Family, to R1-6 High Density Single Family Residential District.

In recent years, the City of Leavenworth has received multiple rezoning and special use permit requests for properties occupied by existing nonconforming uses. Typically, these requests originate from the intention of the property owner to either sell or expand the existing nonconforming use on the property, which necessitates bringing the property into conformance with existing development standards. It has been the general desire of the Planning Commission and city staff to facilitate these applications in instances where no action of the property owner has caused the property to become nonconforming.

In an effort to further facilitate the bringing of nonconforming properties into conformance without any additional burden to property owners, staff has identified an area suitable for a city-initiated rezoning. State statute grants authority to municipalities to initiate a rezoning process for privately owned properties. The identified area consists of an existing neighborhood containing 15 individual properties all developed with single-family homes, which is currently zoned RM-F, Residential Multi Family. The area east of 2nd Avenue, roughly between Santa Fe and Sheridan Streets. The RM-F zoning designation makes all of the existing single-family homes nonconforming, as single-family homes are not allowed either by-right or with approval of an SUP in the RM-F zoning district. Staff proposes to rezone the properties within the identified area to R1-6, High Density Single Family Residential District, which will bring all properties included into conformance with current development standards.

The 15 properties included in the rezoning request are all currently occupied by single-family homes, and include the following addresses:

- | | | | |
|----|--------------------------|-----|-----------------------------|
| 1. | 535 Santa Fe | 9. | 510 Sheridan St |
| 2. | 529 Santa Fe | 10. | 506 Sheridan St |
| 3. | 523 Santa Fe | 11. | 2605 2 nd Avenue |
| 4. | 517 Santa Fe | 12. | 547 Sheridan St |
| 5. | 513 Santa Fe | 13. | 537 Sheridan St |
| 6. | 507 Santa Fe | 14. | 527 Sheridan St |
| 7. | 2531 2 nd Ave | 15. | 517 Sheridan St |
| 8. | 514 Sheridan St | | |

Ms. Hurley further stated that as staff was looking for areas that would be appropriate for a city-initiated rezoning, this area came up because staff had a request from one of the individuals who lives in this neighborhood at one of these addresses. That individual was looking to refinance her home and could not get that refinancing done because staff could not provide a letter to the financial institution stating that it was conforming and could be rebuilt as-is if the home were destroyed by more than 50% of its fair market value.

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

- a) The character of the neighborhood;

The subject properties are located east of 2nd Avenue, between Santa Fe and Sheridan. The area is occupied by existing single-family homes, with a mix of single-family and two-family homes to the north, south, and west. To the east, across a creek and wooded area, are the State Street Apartments.

- b) The zoning and use of properties nearby;

The property to the north is zoned R1-6 and is occupied by two-family homes (existing nonconforming use). The property to the south is zoned RM-F and is occupied by two-family homes. The properties to the west are zoned R1-6 and are occupied by a mix of single-family and two-family homes. The properties to the east are zoned RM-F and are occupied by the State Street Apartments and a single-family home.

- c) The suitability of the subject property for the uses to which it has been restricted;

The subject properties have always been occupied by single-family homes, with no plans to demolish or convert the existing homes to multi-family housing.

- d) The extent to which removal of the restrictions will detrimentally affect nearby property;

The proposed rezoning will have no detrimental affect nearby properties. There is no proposed change in the use of the properties; they will continue to function as single-family homes. The proposed rezoning will bring the existing structures into conformance with the adopted Development Regulations and allow home owners to modify, expand, sell or refinance their single-family homes without the need to obtain a variance or rezoning.

- e) The length of time the subject property has remained vacant as zoned;
The subject properties are not vacant.
- f) The relative gain to economic development, public health, safety and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;
The proposed rezoning will not affect the value of the landowner's properties. The properties are currently classified and taxed as single-family units, which will not be impacted by the rezoning.
- g) The recommendations of permanent or professional staff;
Staff recommends approval of the rezoning request.
- h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;
The area is identified as appropriate for single-family uses on the Comprehensive Land Use Plan.
- i) Such other factors as may be relevant to a particular proposed amendment. The factors considered in taking action on any proposed amendment shall be included in the minutes or otherwise be made part of the written record.
No other factors.

After the required notices were sent to the affected property owners as required by Kansas State Statute, staff received inquiries from 4 individuals pertaining to the nature of the request. No complaints or comments were received.

REZONING ACTION/OPTIONS:

- Recommend approval of the rezoning request from RM-F to R1-6 to the City Commission.
- Recommend denial of the rezoning request from RM-F to R1-6 to the City Commission.
- Table the issue for additional information/consideration

Chairman Stephens asked the commissioners for questions about the staff report.

Commissioner Homan asked for clarification that single-family homes cannot be built in multi-family zoning districts.

Ms. Hurley responded in the affirmative stating single-family homes are not allowed by-right or with the issuance of a SUP in multi-family zoning districts.

Commissioner Whitson asked staff to go over the R1-6 and RM-F standards again for clarification.

Ms. Hurley responded that the R1-6 zoning district does not allow multi-family, and the RM-F zoning district does not allow single-family homes.

Commissioner Homan asked if he is correct by stating the R1-6 zoning district does not allow for duplexes but the RM-F zoning does allow duplexes.

Ms. Hurley responded that in the R1-6 zoning district, you can apply for a special use permit to have a two-family home, but in the RM-F zoning district, you cannot apply for a special use permit to have a single-family home.

Commissioner Whitson is hung-up on the “rebuild as-is”. Is this at the time of what the construction is warranting?

Ms. Hurley responded that she is not sure how the lending laws are, but this is just what staff has been finding from folks. Obviously, with every property that is sold, purchased or refinanced, staff does not get a request for a zoning verification letter for every single property. For the requests that staff does get, if we cannot provide that letter stating that the house is conforming and could be rebuilt, then some of these folks are unable to sell, purchase or refinance their home. For example, say one of the property owners of the subject properties were trying to sell or refinance their home, and they needed a zoning verification letter for their lending institution, staff could not provide a letter stating the home is conforming and could be rebuilt.

Commissioner Whitson stated the reason she asked this question is that she lives in a historical home, and had a difficult time getting her lender insurance to say that they could rebuild the home because they obviously cannot rebuild it as 1875, but they can rebuild it to the standards of today.

Ms. Hurley again stated she is not sure what it is with the lending institutions but it is something with the use of the property. If the existing use is nonconforming and the structure cannot be replaced, that is where folks are running into the problem.

Chairman Stephens stated that this city-initiated rezoning will match the single-family use to the proper zoning of R1-6, which will make these 15 homes conforming, and saves each property owners \$350 as well.

Commissioner Whitson asked staff if anyone was against this rezoning request.

Ms. Hurley responded that staff had four individuals call to ask questions about the rezoning, but after staff explained it to them, nobody had any complaints or concerns.

With no further questions or discussion from the commissioners about the staff report, Chairman Stephens opened the public hearing.

Sylvia Arvizu, 2531 2nd Ave., asked what are the limitations that are imposed on them with this zoning change. There are a couple lots included in the zoning request that could potentially have another house built on it or apartments.

Chairman Stephens replied that as it is zoned now, if one of those houses were to be destroyed, the owner of that property could build a duplex or any other multi-family housing on that parcel even though it is a single-family dwelling now. If the rezoning is approved, and these 15 properties are rezoned to what they should be, which is R1-6, then if any of these houses are destroyed, then they can only be replaced with a single-family dwelling. This is not the government infringing on anybody to create any type of hardship. This rezoning is helping so that if any of these property owners had their home destroyed, they could rebuild their single-family dwelling without going through some ridiculous government red tape.

Ms. Arvizu stated that some of her neighbors have large enough lots that they could build or continue to build on their lots.

Commissioner Homan stated they would have to come back to this commission to divide their lot.

Ms. Hurley stated the limitation would be that only single-family homes could be built on any of these lots. A property owner could apply for a special use permit to build a duplex, but that is it.

Ms. Arvizu stated that 507 Santa Fe is a large lot, and that property owner could potentially put a trailer on that lot.

Chairman Stephens stated if the property owner of 507 Santa Fe wanted to build an apartment complex, they could do that with the current zoning, but if the zoning changes to R1-6, then only single-family homes could go there. There are also requirements on how many outbuildings that are permitted for single family zoning districts.

Commissioner Whitson stated the way 507 Santa Fe is zoned right now the property could potentially build multi-family dwelling units. If the rezoning is approved to R1-6, then only single-family homes are permitted.

Ms. Arvizu asked if those lots would change back to multi-family.

Commission Homan responded in the negative stating they would have to request a special use permit that would either be accepted or denied. He further stated they could split the lot and build another single-family home, or build an outbuilding on their property.

(Inaudible. Everyone is talking over each other).

Ms. Hurley stated that with the R1-6 it would be single-family zoning, and all the regulations that go with single-family zoning would apply.

Commission Neeland stated she believes what is being asked is what happens if the owner of one of these larger lots wants to split their lot for example, to build two more homes that will be rentals. The property owner would need to come before this board, and notices would be mailed to property owners within the radius per Kansas statute. At the time of the public hearing, people would have the opportunity to speak in favor of or against the request.

Ms. Hurley stated 507 Santa Fe is a larger lot with 1.5 acres. It is certainly big enough that they could split it down the middle and sell that other half to build another single-family home. Except right now, they could not do that because it is zoned multi-family. Additionally, they cannot put another single-family home on the same lot as the existing single-family home because that does not meet the definition of multi-family. That would be two single-family homes one lot, which is not allowed by the zoning district.

Carla Herbert, 517 Santa Fe, stated that when she read the letter she was confused with the language "high density single family residential".

Chairman Stephens responded that is a category so we know what is rural, what is highly rural, etc. High density would be smaller lots in a more populated area.

Ms. Herbert asked what this zoning change will do to her taxes.

Chairman Stephens responded that the county handles the taxes, and taxes would not change with this rezoning request.

Ms. Hurley further stated that the county assesses the taxes based on the actual use, and not how the city has it zoned. These 15 properties are taxes as single-family homes, and that will not change.

Nicolas Rodriguez, 523 Santa Fe, stated he and his wife just moved into this home and it is the first home they have owned. He asked for clarification between conforming and nonconforming.

Chairman Stephens replied that conforming is when the property and any structures are conforming to the Development Regulations. Nonconforming is when they are not conforming to the regulations. Nonconforming would not come into play until something happens or you pull a permit, etc. The rezoning action would bring the properties into a conforming status with the city's zoning.

Mr. Rodriguez asked if he wanted to install a fence, would he need a special permit.

Chairman Stephens stated that permit does not go through this board but rather through the permitting process.

Mr. Rodriguez stated it sounds like the city is trying to help the homeowners in this neighborhood by rezoning the properties.

With no one else wishing to speak, Chairman Stephens closed the public hearing and called for discussion among the commissioners or a motion. Based on the findings as stated and conditions as presented, Commissioner Whitson moved to recommend approval of the rezoning request from R-MF to R1-6 to the City Commission, seconded by Commissioner Homan, and passed by a vote of 4-0.

Ms. Hurley stated this item will go to the City Commission for first consideration on Tuesday, August 27th.

OTHER BUSINESS:

With no other business, Chairman Stephens called for a motion to adjourn. Commissioner Whitson moved to adjourn, seconded by Commissioner Homan, and approved 4-0.

Ms. Hurley stated we will have a meeting in September, which will be the second Monday in September because of the holiday.

Meeting adjourned at 6:37 p.m.

Minutes taken by Planning Assistant Michelle Baragary.

(Summary Published in the Leavenworth Times on _____)

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING CERTAIN PROPERTIES IN THE CITY OF LEAVENWORTH, KANSAS FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM-F) TO HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-6).

WHEREAS, under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to amend, supplement or change existing zoning regulations within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Code of Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 5th day of August 2024 in the Commission Room, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas. The official date and time set as was published in the Leavenworth Times newspaper on the 11th day of July 2024 and notice of the public hearing was mailed to all property owners as required by K.S.A. 12-757(b); and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request Rezoning certain properties in the city of Leavenworth Kansas from Multiple Family Residential District (RM-F) to High Density Single Family Residential District (R1-6); and

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to rezone the property described herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1: That the following described properties, to-wit, are hereby rezoned from Multiple Family Residential District (RM-F) to High Density Single Family Residential District (R1-6).

Lots 25, 26, 27 and 28, Block 1, CHERRY HILL SUBDIVISION, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 535 Santa Fe Street**, Leavenworth, Kansas

LOTS NUMBERED 29, 30, AND 31, IN BLOCK 1, "CHERRY HILL" A SUBDIVISION OF LOTS 12 AND 13, IN JOHNSON'S SUBDIVISION, IN THE CITY OF LEAVENWORTH, COUNTY OF LEAVENWORTH, STATE OF

KANSAS. And **more commonly referred to as 529 Santa Fe Street**, Leavenworth, Kansas

Lots 32, 33 and 34, Block 1, CHERRY HILL aka CHERRY HILL SUBDIVISION, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 523 Santa Fe Street**, Leavenworth, Kansas

Lots 35 through 37, Block1, Cherry Hill, City of Leavenworth, Leavenworth County, Kansas, according to the recorded plat thereof. And **more commonly referred to as 517 Santa Fe Street**, Leavenworth, Kansas

Lot numbered Thirty-eight (38), Thirty-nine (39) and Forty (40), in Block numbered One (1), in Cherry Hill Addition to the City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 513 Santa Fe Street**, Leavenworth, Kansas

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 41, 42, 43, 44, 45, 46, 47 AND 48 ALL IN BLOCK 1, CHERRY HILL ADDITION, A SUBDIVISION IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS. And **more commonly referred to as 507 Santa Fe Street**, Leavenworth, Kansas

Lots 21, 22, 23 and 24, Block 1, CHERRY HILL, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 2531 2nd Avenue**, Leavenworth, Kansas

Lots 18, 19 and 20, Block 1, Cherry Hill, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 514 Sheridan Street**, Leavenworth, Kansas

Lots 13, 14, 15, 16, and 17, Block 1, CHERRY HILL SUBDIVISION, City of Leavenworth, Leavenworth, Kansas. And **more commonly referred to as 510 Sheridan Street**, Leavenworth, Kansas

Lots 9, 10, 11 and 12, Block 1, CHERRY HILL SUBDIVISION, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 506 Sheridan Street**, Leavenworth, Kansas

The North One-half (N1/2) of Lots numbered Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), and the North One-half (N1/2) of the West Eight (W.8) feet of Lot numbered Thirty (3) in Block numbered One (1) n Rush and Ettenson's Subdivision of Lot Eleven (11), Johnson's Subdivision of the City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 2605 2nd Avenue**, Leavenworth, Kansas

The East 17 feet of Lot 30, all of Lot 31, and Lot 32, less the East 17 feet, Block 1, Rush and Ettenson's Subdivision of Lot Eleven (11) Johnson's Subdivision, City of Leavenworth, Leavenworth County, Kansas. And **more commonly referred to as 547 Sheridan Street**, Leavenworth, Kansas

Lots Thirty-two (32), Thirty-three (33) and Thirty-four (34), all in Block One (1) in RUSH & ETTENSON'S SUBDIVISION of the City of Leavenworth. And **more commonly referred to as 537 Sheridan Street**, Leavenworth, Kansas

LOTS 35, 36 AND 37, BLOCK 1, RUSH AND ETTENSON'S SUBDIVISION OF LOT 11 JOHNSON'S SUBDIVISION, CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS. And **more commonly referred to as 527 Sheridan Street**, Leavenworth, Kansas

LOTS 38, 39 AND 40, BLOCK 1, RUSH AND ETTENSON'S SUBDIVISION, IN THE CITY OF LEAVENWORTH, ACCORDING TO THE RECORDED PLAT THEREOF, IN LEAVENWORTH COUNTY, KANSAS. And **more commonly referred to as 517 Sheridan Street**, Leavenworth, Kansas

Section 2: That the "Zoning District Map" adopted under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas shall be and the same is hereby amended to conform to the rezoning as set forth in Section 1 above.

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and summary publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

PASSED and APPROVED by the Governing Body on the ___ day of ____, 2024.

Griff Martin, Mayor

{Seal}

ATTEST:

Sarah Bodensteiner, CMC, City Clerk