



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

**City Commission Regular Meeting**  
**Commission Chambers**  
**Tuesday, September 10, 2024 6:00 p.m.**

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

**Staff members present:** Interim City Manager Patrick Kitchens, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Interim Police Chief Major Dan Nicodemus, Fire Captain Isaiah Maher, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

**PROCLAMATIONS:**

**Suicide Prevention Month** - Mayor Martin read the proclamation proclaiming the month of September as Suicide Prevention Month in honor of Darius Jamal Williams. The proclamation was accepted by friends and family members of Darius Jamal Williams.

**Leavenworth Awareness Walk** - Mayor Martin read the proclamation recognizing and commemorating the significance of the Leavenworth Awareness Walk. The proclamation was accepted by members of Pi Omicron Lambda Chapter of Alpha Pi Alpha Fraternity, Inc.

**Constitution Week** – Mayor Martin read the proclamation proclaiming September 17-23, 2024 as Constitution Week. The proclamation was accepted by Heather Bisson and Cindy Henry.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Pittman moved to accept the minutes from the August 27, 2024 Regular Meeting and September 5, 2024 Special Meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**Second Consideration Ordinances:**

**Second Consideration Ordinance No. 8249 Rezoning Certain Properties at 2<sup>nd</sup> Avenue & Santa Fe Street from RM-F to R1-6** – Interim City Manager Patrick Kitchens reviewed the Ordinance. There have been no changes since first introduced at the August 27, 2024 meeting.

Mayor Martin called the roll and Ordinance No. 8249 was unanimously approved.

**NEW BUSINESS:**

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

None.

**Public Hearing:**

**Public Hearing for Unsafe Fire Damaged Structure 3851 Tonganoxie Drive**

**Open Public Hearing:**

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

**Review of Property by Staff and Public Comments:**

Chief Building Inspector Harold Burdette reviewed the property:

- Structure was damaged by fire on May 24, 2024
- City received insurance proceeds
- Staff has spoken with the owner and contractor regarding the repairs
- A building permit has been issued
- Staff recommends giving 90 days for owner/contractor to make repairs to the structure

Lindsey Blancarte with BELFOR Property Restoration:

- Company has completed demolition on project
- Started cleaning on the project
- Roofing and additional work will be starting on the 30<sup>th</sup> of this month
- House work will be done before the garage will be worked on so the owners can get back in the home
- Will be well on their way at the 90 day mark

**Close Public Hearing:**

Commissioner Hingula moved to close the public hearing. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**Consider Resolution B-2378 Directing Structure to be Repaired or Removed:**

Commissioner Hingula moved to adopt Resolution B-2378 giving the owner 90 days to complete the demolition or repair of the property. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**General Items:**

**Mayor's Appointments**

Mayor Martin moved to appoint to the Leavenworth Main Street Board Ron Booth to a term ending August 15, 2027. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**Request for Feasibility Study Funding Frontier Museum of the U.S. Army Foundation** – Interim City Manager Patrick Kitchens introduced Mr. George Pettigrew and Bryan Wampler of the Frontier Museum of the U.S. Army Foundation who presented to the City Commission a request of \$47,500 from the Frontier Museum of the U.S. Army Foundation for a feasibility study for a new museum outside the access gates of

Fort Leavenworth. The Kansas Department of Commerce approved tourism funds of \$47,500 for a feasibility study and professional renderings. That approval provided matching funds for the estimated \$90,000 cost. A feasibility study would provide estimated attendance and financial impacts that would help with project development and a capital campaign. The Frontier Museum of the U.S. Army Foundation has requested the City of Leavenworth fund the matching \$47,500. Should the City Commission agree to fund the full request, the funding would come from the Convention & Visitors Bureau reserve funds.

Commissioner Bauder:

- Like that it is an all-encompassing museum
- Received great feedback from those who saw the presentation at the last meeting
- Supports the project and supports the funding request

Commissioner Pittman:

- Asked about the current Frontier Museum on the Fort
- What is an anticipated build date
- Asked about the hours of operation
- Will there be opportunities/space to bring in speakers and/or presenters

Mr. Pettigrew:

- 2027 to coincide with the bicentennial of the Fort
- Hours will be dictated by the Army
- Yes there will be space for speakers and presenters

Mayor Martin:

- Asked how long will the feasibility study take

Mr. Pettigrew:

- A few months is anticipated for the study

Mr. Kitchens:

- Asked if the Commission is agreeable to the funding request, that the City Manager's office is directed to enter into an agreement with the Frontier Museum of the U.S. Army Foundation

Commissioner Hingula:

- Asked if the Foundation is going to work with and meet with all the museums

Commissioner Wilson:

- Supports the funding request and the mission of the foundation

Commissioner Bauder moved to approve the funding request for the Feasibility Study for the Frontier Museum of the U.S. Army Foundation in an amount not to exceed \$47,500.00 to be funded from the Convention & Visitors Bureau Reserve Funds, and authorize City Staff to enter into an agreement with the Frontier Museum of the U.S. Army Foundation. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**Employee Benefit Plan Renewal** – Human Resources Director Lona Lanter reviewed the recommended employee benefit coverages to be effective December 1, 2024. The renewal bid for United Health Care (UHC) came in at a 9.9% premium increase with no plan design changes. The renewal for Delta Dental came in with a 5% premium increase and no plan design changes, and were provided a 2-year rate guarantee. The renewal for UHC Vision came in with a 5% premium increase and no plan design changes, and were provided a 3-year rate guarantee.

Commissioner Bauder:

- Stated we should budget more than 5% for next year

Mayor Martin:

- Asked if there was a tone change with UHC regarding the renewal

Ms. Lanter:

- With starting at a 30% increase and getting to 9.9% at the final number is a great indication of the tone and willingness to work with us

Commissioner Hingula:

- Applaud the HR department for their work on the renewal as he's heard from other businesses that they are all looking at 30% increases

Commissioner Bauder moved to approve the benefit plan renewal as presented, with UHC for both medical and vision coverage and renew with Delta Dental for dental coverage, with no plan design changes to any of the plans, with a plan renewal date of December 1, 2024. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

### **Bids, Contract and Agreements:**

**Consider Award of Bid for Fire Station No. 2 HVAC Replacement Project** – Fire Captain Isaiah Maher presented for consideration award of bid for the HVAC replacement project at Fire Station No. 2. Fire Station No. 2 is 23 years old and is currently utilizing the original air conditioning system. This system has reached the end of its projected useful life. Over the last several years repairs have become more frequent and more costly. The new HVAC system will utilize more efficient equipment and be more cost efficient to maintain. The City's 2024 CIP included funds for the replacement of the HVAC equipment at Fire Station No. 2 in the amount of \$59,650.00. Noted that Fire Station No. 1 HVAC project is being re-bid next month.

Commissioner Hingula:

- Asked about a timeline for completion

Commissioner Pittman moved to approve the bid of the Fire Station No. 2 HVAC Replacement Project to Rand Construction Company, in an amount not to exceed \$48,646.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

**Consider Acceptance of Land Donation 110 N 10<sup>th</sup> Street** – Assistant City Manager Penny Holler presented for consideration acceptance of donated land at 110 N 10<sup>th</sup> Street. The owners of two vacant lots at 110 N 10<sup>th</sup> Street contacted the City with an offer to transfer the ownership of the lots at no cost to the City.

Maintenance on the lots has become more difficult and the owners wanted to eliminate that work. The lots are adjacent to a City-owned lot and across the street from Fire Station No. 2. The lots are nearly unbuildable as one goes directly over Three Mile Creek and other is in the FEMA identified flood plain. City ownership of the lots would allow for future stormwater projects to be conducted at that location and eliminate any access or other issues associated with private ownership.

Commissioner Bauder moved to accept the donation of the two vacant lots at 110 N 10<sup>th</sup> Street and authorize the Mayor or City Staff to execute any necessary transfer documents. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

### **First Consideration Ordinances:**

**First Consideration Ordinance to Adopt Standard Traffic Ordinance 51<sup>st</sup> Edition** – Interim Police Chief Major Dan Nicodemus presented for consideration the adoption of the 51st Edition of the Standard Traffic Ordinance as published by the League of Kansas Municipalities with amendments and omissions adopted with previous editions.

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

**First Consideration Ordinance to Adopt Uniform Public Offense Code 40<sup>th</sup> Edition** – Interim Police Chief Major Dan Nicodemus presented for consideration the adoption of the Uniform Public Offense Code 40<sup>th</sup> Edition as published by the League of Kansas Municipalities with amendments and omissions adopted with previous editions.

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

### **Staff Report:**

**Camp Leavenworth Update** – Assistant City Manager Penny Holler provided an update regarding the Camp Leavenworth Event happening on September 20<sup>th</sup> and 21<sup>st</sup>. Updates included the following:

- 5k run is on Saturday the 21st
- The event provides free parking
- Yard signs are out around town
- Flyers are up
- 5k door hangers are going out
- Great music, Camp's got Talent, and Silent Disco with Glow Party are happening
- 20 Local vendors
- Fun activities: inflatables and Camp Crafty
- Would love volunteers
- Check out [Campleavenworth.com](http://Campleavenworth.com) for updated information, volunteer signups, etc.

### **Consent Agenda:**

Commissioner Hingula moved to approve Claims for August 23, 2024 through September 5, 2024, in the amount of \$5,830,189.34; Net amount for Payroll #17 effective August 23, 2024 in the amount of

\$419,696.84 (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:**

Interim City Manager Patrick Kitchens:

- Next week's study session has been cancelled

Commissioner Hingula:

- The pickleball court ribbon cutting event was a huge success, well attended, and looks like a lot of fun

Commissioner Pittman:

- Mentioned the attendance of the Special Meeting on September 5, 2024
- Mentioned the pickleball event and it was a great success
- Excited to get out there and play

Commissioner Bauder:

- Mentioned that pickleball has been around Leavenworth for a long time thanks to Ron Kenton
- It's a great sport and the Parks Department did a great job with the project

Commissioner Wilson:

- God bless and have a great week

Mayor Martin:

- Appreciate all who came out for the ribbon cutting
- Hope all have a great week ahead

**Executive Session – Personnel Matter of Non-Elected Personnel** – Mayor Martin moved to recess into executive session for a period of 15 minutes for the purpose of *discussion of a personnel matter, under the justification to discuss personnel matters of non-elected personnel* K.S.A. 75-4319 (b) 1. The City Commission, Human Resources Director and Interim City Manager will be present. The open meeting will resume in the City Commission Chambers at 7:18 p.m. Commissioner Pittman 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 7:18 p.m. Commissioner Wilson did not return to open session.

**Adjournment:**

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

Time Meeting Adjourned 7:18 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC