



CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Jermaine Wilson, Mayor Pro-Tem Myron J. (Mike) Griswold, Commissioners Nancy Bauder, Larry Dedeke and Mark Preisinger.

Others present: City Manager Paul Kramer, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Solid Waste Foreman Steve King, Police Chief Pat Kitchens, Fire Chief Gary Birch, Planning and Community Development Director Julie Hurley, Community Development Coordinator Mary Dwyer, Finance Director Ruby Maline, Deputy Finance Director Brandon Mills, Public Information Officer Melissa Bower, Deputy City Clerk Cary L. Collins, City Attorney David E. Waters and City Clerk Carla K. Williamson.

Mayor Jermaine Wilson called the meeting to order. Members from Boy Scout Troup 167 led the pledge of allegiance followed by silent meditation.

PRESENTATIONS:

Mayor's Awards

Mayor's Awards were presented to Sonya Gordon and Olivia Pratt

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Dedeke moved to approve the minutes from the July 23, 2019 regular meeting and August 6, 2019 special meeting as presented. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

NEW BUSINESS:

Citizen Participation:

Dr. Lisa Nicholson -16931 Mt Olivet Road-OB/GYN working in Leavenworth

- Discussed the recent decision of St Luke's hospital to no longer have labor and delivery services
- Discussed importance of women's health care in the community
- Would like support from the City to assist with funding

Jessica Lisk- 2039 Ottawa Street

- Must now travel 45 minutes to deliver her baby
- Suffering because OB/GYN's are leaving Kansas

Commissioner Bauder asked Dr. Nicholson to contact her directly to assist with efforts.

Elaine Gann – 1215 9th Avenue

- Addressed concerns about an incident on June 14, 2019 involving a city licensed tree trimmer

- Would like the insurance information
- Thinks the city misrepresents that tree trimmers are licensed, bonded and insured

The Commission asked Mr. Kramer to provide additional information to them.

General Items:

Review Properties on Demolition List Given 90 Day Extensions – Planning and Community Development Director Julie Hurley presented an update on properties given an extension to allow for completion of work. The extensions were given on May 14, 2019 by the Commission in conjunction with the adoption of Resolution B-2220. 795 Spruce was later given an extension after action was filed in district court by the property owner to halt demolition of the structure.

1. **905 Washington** – Single family house
Owner in process of obtaining utility disconnects to demolish the property on his own.
Jeremy Bowen – owner, lives at 113 Ethel Lane Lansing
Has been waiting on gas company to disconnect
60-day extension given
2. **1605 Terry** – Single family house
Permits issued for siding, roof, and upgraded electrical service. Work ongoing.
Kevin Lis owner - gave update on repairs
60-day extension given
3. **514 Linn** – Single family house
Permit issued for roof, which has been installed. No other visible work complete.
Marcus Bray - Pride Properties gave update on repairs and status of bids
60-day extension given
4. **603 Rees** – Single family house
No visible change, no permits issued. Work not complete.
No communication with owner
Owner not present
Proceed with Demolition
5. **795 Spruce** – Single family house
Commission approved this property for demolition on May 14, 2019. The owner subsequently filed action in district court to halt the demolition. The court was unable to hold a hearing due to the fact that any business entity is required by Kansas state law to have an attorney to appear in a lawsuit, which the owner had not done. The court continued the hearing to August 21, 2019 to allow time for the owner to either complete repairs or retain an attorney. The owner signed a remediation agreement stipulating repairs to be made by this date and a repayment plan for costs already incurred by the City. The City has been unable to verify sewer connection status of the property and has requested that the owner retain a licensed plumber to verify the connection status, which has not been done to date. The City cannot authorize water service to be reconnected until the sewer connection status is verified, and no permits have been issued.

Jed Knighten addressed the Commission

- Would like to take care of the issue and feels most work has been done
- Permit revoked because of sewer
- Outside appearance has been made better and looking good
- Would like permit to be re-instated

Staff will bring back to the Commission after court action

6. **1021 S. 2nd Street** – Single family house

No visible change, no permits issued. Work not complete.

Owner not present

Proceed with demolition

7. **1214 9th Avenue** – Single family house

All work has been completed.

Gab Connor present

Remove from demolition list

8. **305 N. 2nd Street** – Single family house

Work in process. Permits issued for interior renovations and siding.

60-day extension given

9. **326 Osage** – Single family house

Under new ownership. Work ongoing. Permits for electrical work, miscellaneous repairs, windows, interior renovations and structural repairs have been issued.

60-day extension given

10. **400 N. 5th Street** – Mixed use building

No visible change, no permits issued. Work not complete.

Mark Swope representative of the property owner present

Reviewed plan for rehabilitating the property

Will come back to the Commission in two weeks with signed remediation from the owner to consider action

11. **787 Shawnee Street** – Single family house

Under new ownership. Work ongoing. Permits issued for roof and interior/exterior renovation.

60-day extension given

12. **219 Miami** - Shed only

Minimal change, no permits issued. Work not complete.

Update from Staff that work has been completed

Remove from demolition list

Commissioner Preisinger made the motion based on the decisions by the commission: 60-day extension given to 905 Washington, 1605 Terry, 514 Linn, 305 N. 2nd Street, 326 Osage, 787 Shawnee Street; proceed with the demolition of 603 Rees, 1021 S 2nd Street; remove from the demolition list 1214 9th Avenue, and 219 Miami; 795 Spruce will come back to the Commission after action has been taken by the court; and 400

N 5th will come back to the City Commission on August 27th for review of a signed remediation agreement. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Sign Appeal 5000 10th Avenue (Walmart) – City Manager Paul Kramer stated that the item needs to be removed from the agenda and heard by the Board of Zoning appeals.

Commissioner Bauder moved to remove the sign appeal item from the agenda. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Approval of the Annual Edward Byrne Memorial Justice Assistance Grant – Police Chief Pat Kitchens presented for approval the authority to apply for the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$23,873.00. The grant will be shared with Leavenworth County as required by the grant. The City of Leavenworth will receive \$13,873.00 and Leavenworth County will receive \$10,000.00. The City must apply for the grant on behalf of both entities. The approval by the City Commission will give authority to the City Manager and City Attorney to sign an inter local agreement with Leavenworth County and will further allow the Mayor to sign an additional document entitled “Certifications and Assurances” as the Chief Executive of the applicant government.

Commissioner Preisinger moved to authorize the police department to apply for the 2019 Edward Byrne Memorial Justice Assistance Grant as presented. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Mayor’s Appointments

Mayor Jermaine Wilson moved to recommend the following appointments: to the Community Development Advisory Board reappoint Kathryn Schiller, Bobbie Snyder and Ralph Taylor to terms ending August 31, 2022. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Public Hearing 2020 Budget

Open Public Hearing:

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

Presentation of the 2020 Budget:

City Manager Paul Kramer reviewed the budget and Capital Improvements Program

Public Comments:

Matthew Nojonen- Leavenworth Library Director

- Requested an additional \$10,000 to the library budget for employee benefits

Close Public Hearing:

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

Commissioner Dedeke moved to adopt the proposed 2020 budget without amendments. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Bauder moved to adopt Resolution B-2229; Housing Budget. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Preisinger moved to adopt the proposed 2020-2024 CIP without amendments. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Resolutions:

Consider Resolution B-2230 Camp Leavenworth Festival Alcohol Friendly Special Event – City Clerk Carla Williamson presented for consideration a resolution approving the closure of streets for the 2019 Camp Leavenworth Festival and approve the area as alcohol friendly. The festival will be held September 20 - 21, 2019.

Commissioner Dedeke moved to adopt Resolution B-2230. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Inspection Contract with Affinis for Thornton Street Improvements Project – Public Works Director Mike McDonald presented for consideration the Inspection contract with Affinis for the Thornton Street Project. Staff recommends approval in the amount not to exceed \$350,142.00. Kristin Leathers from Affinis was present and answered questions posed by the city commission regarding inspections services.

Commissioner Bauder moved to approve the construction services agreement with Affinis for the inspection of the Thornton Street Improvements Project in the amount not to exceed \$350,142.00. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Renewal of the Waste Management Contract for 2020 Services - Public Works Director Mike McDonald presented for consideration the renewal of the Waste Management Contract effective January 1, 2020 at \$24.72 per ton for landfill services. The Mayor will reach out to the County to start discussions about the use of the county transfer station.

Commissioner Preisinger moved to approve the contract for landfill services with Waste Management for 2020 in the amount of \$24.72 per ton. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Change Order No. 2 to Contract 2018-69; Linaweaver, Related to 16th Terrace & Thornton Phase 1 Detention Project- Public Works Director Mike McDonald presented for approval change order No. 2 with Linaweaver for the 16th Terrace & Thornton Phase 1 Detention Project in the amount of \$1,335.00.

Commissioner Preisinger moved to approve change order No. 2 to contract 2018-69 with Linaweaver for the 16th Terrace & Thornton Phase 1 Detention Project in an amount not to exceed \$1,335.00. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinance:

First Consideration Ordinance Demolition Assessments – Deputy City Clerk Cary Collins presented for first consideration an ordinance to levy special assessments against certain properties to cover the costs incurred by the City for demolition of the structures.

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

First Consideration Ordinance Nuisance Assessments - Deputy City Clerk Cary Collins presented for first consideration an ordinance to levy special assessments against certain properties to cover the costs incurred by the City for nuisance abatements.

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

First Consideration Ordinance Uniform Public Offense Code 2019 – Police Chief Pat Kitchens presented for first consideration an ordinance to adopt the 2019 Uniform Public Offense Code (UPOC) published by the League of Kansas Municipalities. Chief Kitchens reviewed the changes to the 2019 UPOC. Staff would recommend that in addition to the changes listed in the attached draft ordinance that the City also exempt out of section 11.15 related to dangerous animals at large. By exempting out of this section, the City Code of Ordinances, which is more comprehensive and strict, would be followed. The ordinance will be modified to reflect these changes before it comes back for second consideration and approval.

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

First Consideration Ordinance Standard Traffic Ordinance 2019 - Police Chief Pat Kitchens presented for first consideration an ordinance to adopt the 2019 Standard Traffic Ordinance (STO) published by the League of Kansas Municipalities. Chief Kitchens reviewed the changes to the 2019 STO. Staff recommends omitting section 110.2.2 related to allowing solicitations of contributions from public streets. This omission is included in the draft ordinance provided in the agenda packet.

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

First Consideration Ordinance Intersection Traffic Control Device Master Index 2019 - Police Chief Pat Kitchens presented for first consideration an ordinance to adopt the 2019 Intersection Traffic Control Device Master Index published by the City. Chief Kitchens reviewed the changes associated with the West Glen subdivision.

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

CONSENT AGENDA:

Commissioner Bauder moved to approve claims for July 20, 2019 through August 9, 2019, in the amount of \$1,398,736.89; Net amount for Payroll #16 effective August 2, 2019, in the amount of \$ 354,310.46; (No Police & Fire Pension). Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- MPRA a non-profit from Fort Leavenworth completed the 3 mile creek clean up did a great job
- Camp Leavenworth website has been updated with music and events; posters will go up soon at all the local businesses
- Parks and Recreation Department repaired park benches throughout the city

Executive Session:

Executive Session – Security Matters Exception per K.S.A. 75-4319 (b) (12) (D)

Commissioner Preisinger moved to recess into executive session to discuss security measures pursuant to the *discussion of matters relating to security measures, private property or persons* exception per K.S.A. 75-4319 (b) (12) (D). The open meeting to resume in the City Commission Chambers at 9:37 pm by the clock in the City Commission Chambers. City Manager Paul Kramer, Police Chief Pat Kitchens and City Attorney David Waters are requested to be present during the Executive Session. No action is expected to be taken after the session. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

The City Commission returned to open session at 9:37 p.m. with no action taken.

Adjourn:

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

Time Meeting Adjourned 9:37 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC