



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

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Police Chief Pat Kitchens, Fire Chief Gary Birch, HR Director Lona M. Lanter, HR Specialist Michelle Meinert, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Chief Building Inspector Hal Burdette, City Planner Julie Hurley, Finance Director Ruby Maline, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Carla K. Williamson.

Mayor Mark Preisinger opened the meeting with the pledge of allegiance followed by silent meditation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Dedeke moved to approve the minutes from the August 14, 2018 regular meeting as presented. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Charter Ordinance No. 60 Transient Guest Tax – City Manager Paul Kramer stated that there have been no changes to the ordinance since it was first introduced on August 14, 2018.

Mayor Preisinger called the roll and Charter Ordinance No. 60 was unanimously approved 5-0.

Second Consideration Ordinance No. 8084 Uniform Public Offense Code (UPOC) 2018 – City Clerk Carla Williamson stated that since the ordinance was first introduced on August 14, 2018, the following changes were made:

- There was a consensus by the Governing Body to eliminate the section of the City code regarding Littering. The Uniform Public Offense Code (UPOC) now addressed Criminal Littering in Sec 6.8. That has been removed.
- Sec. 9.9.2 Possession of Drug Paraphernalia and Simulated Controlled Substances
 - Statutory reference has been added.
- Sec 10.23 Trafficking in Counterfeit Drugs
 - Section has been removed from the ordinance. The UPOC contains identical language and therefore unnecessary to include as an amendment.
- Sec 10.6 Air Gun, Air Rifle, Bow and Arrow, Slingshot or BB Gun

This section remains in the ordinance with language unchanged. It has been moved within the ordinance to keep it in sequential order. Ordinance No. 8084 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8084 was unanimously approved 5-0.

Second Consideration Ordinance No. 8085 Standard Traffic Ordinance (STO) 2018 - City Clerk Carla Williamson stated that there have been no changes to the ordinance since it was first introduced on August 14, 2018. Ordinance No. 8085 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8085 was unanimously approved 5-0.

Second Consideration Ordinance No. 8086 Intersection Traffic Control Device Master Index 2018 – Police Chief Pat Kitchens stated that since the ordinance was first introduced on August 14, 2018, the only change is the addition of a stop sign at N 14th Street and Seneca Street. Ordinance No. 8086 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8086 was unanimously approved 5-0.

NEW BUSINESS:

Citizen Participation: none

Bids, Contracts and Agreements:

Employee Benefits Renewal – HR Director Lona Lanter presented for approval the recommendations for employee benefit coverage to be effective December 1, 2018. The current providers, United Health Care for medical coverage and Delta Dental for dental coverage will remain the same. The vision coverage provider is currently VSP and the proposed change is with United Health Care. The new plans are as follows:

- United Health Care – Medical: No plan design change and a 7.33% premium increase (6.83% with vision line coverage).
- Delta Dental: No plan design change and a 5% premium increase.
- United Health Care – Vision: Plan design change includes once a year eye exam with a \$10.00 copay but enhanced the frames/lenses/contacts benefit to once a year up to \$130.00 allowance with a \$25.00 copay and an 8% increase in our current premium with VSP. In addition UHC offers a 0.5% decrease in the medical premium for this second line of coverage and reduce the medical renewal to 6.83%.

Commissioner Bauder moved to approve the proposal the Employee Benefit Plan Renewal as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Bids Fire Station No 1 HVAC Upgrade – Fire Chief Gary Birch presented for consideration the bids for HVAC upgrades to Fire Station No. 1. Staff recommends approval of the bid from Control Service Company, Inc. in the amount of \$54,770.00 for the base bid only. The alternate will

not be required as there is a current ventilation system in place. Bids were opened on August 23, 2018 and were as follows:

Bidder	Address	Base Bid	Alternate
C & C Group	Lenexa KS	\$55,100.00	\$4,200.00
Control Service Company Inc.	Lee's Summit MO	\$54,770.00	\$7,571.00
Engineer's Estimate:		\$80,000.00	

Commissioner Bauder moved to approve the bid from Control Service Company Inc. in the amount not to exceed \$54,770.00. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Other Items:

Rental Inspection Review and Discussion – City Planner Julie Hurley presented for review and discussion options for inspections of residential rental units.

- Housing stock in the City of Leavenworth is comprised of over 50% rental units
- Approximately 6,100 addresses that are rentals
- Staff is frequently contacted by tenants with reports of substandard conditions of units
- The City currently contracts with Welcome Central to mediate tenant/landlord issues
- In 2009 the City adopted a Rental Registration ordinance
- Ordinance requires a one-time registration of property by owners but does not address any type of inspection or minimum standard
- Exterior inspections of all residential units (rental and owner occupied) are handled by Code Enforcement
- Other Cities in Kansas have enacted rental inspection programs to address concerns with living conditions and life-safety issues in residential rental units
- In 2016 the State of Kansas enacted a statute prohibiting the periodic interior inspection of residential property
- The statute specifically allows a lawful occupant to request an interior inspection by the City
- Positive effects of rental inspection programs can include:
 - Increase accountability for property owners
 - Decrease in code violations
 - Central point of contact for property owners and tenants
 - Better oversight of life-safety issues in rental units
- Potential cons may include:
 - Program may not be 100% self-funding
 - Increased burden on staff time
 - Difficulty identifying all rental units and gaining compliance

Commission and Staff Comments:

Commissioner Wilson:

- Sister Vickie said there is a need for a rental inspection program and she is in favor of an inspection program

- He also heard from many Citizens during the campaign that there is a need for an inspection program
- Some landlords just don't care
- Is in favor of a program to protect the safety of tenants who have landlords that do not properly take care of their properties
- This is not to be a burden on the good landlords in town
- Just clarifying if this not a pre-rental inspection

Commissioner Preisinger:

- Discussed the inspection process and how much time it would take staff to do this
- Discussed the current mediation process
- Does not want a program that will handcuff the good landlords
- Good for those tenants that are living in rentals that are not being taken care of
- Look at those Landlords that are habitual offenders

Commissioner Dedeke:

- Would like to know what type of inspection is being considered
- There are three code enforcement officers that drive the streets; should not take that much time to look at properties while they are on their routes
- Are we going to tell them what color paint to paint, type of floors, etc.
- Would support six things in an inspection:
 - Securable doors
 - Sanitary sewer operational
 - Hot and cold running water
 - No mold
 - Windows operational
 - Furnace operational
- Concerned about additional fees on the landlord
- Asked how many hours per day code enforcement are in the field

Commissioner Bauder:

- Does not see a need for an inspection between rentals
- Concerns with renters who have been there a while and cannot get things fixed
- Would like the data from Sister Vickie on the number of calls and issues
- Does not want to see a lot of fees put on Landlords
- Does not see a need for a big rental inspection program

Commissioner Griswold:

- Agrees this would be a big job
- Would like to see a program to enhance the appearance of the City
- Health, safety and welfare of the tenants is main concern
- Would like to see more information on the other Cities programs

City Manager Kramer:

- Where do we stand on the licensing process
- This is a first step to start a discussion

- Renters are reluctant to call the city

Comments from Landlords/Citizens:

Sandra Van Hoose: (Welcome Central)

- Put together the program for Welcome Central the Landlord tenant program with the city
- Needs more regulation
- More advocacy for tenant rights
- Also sympathetic to Landlords
- Discussed a recent complaint from a family with a young baby
 - Hole in windows
 - Cockroaches
 - Peeling paint
 - This is not representative of most landlords

Bruce Wiley: (Landlord)

- Compliment on good common sense on the Commission
- In business since 1992
- Delivers a good product
- If you don't do it right you will be out of business
- Always bad apples in any type of business
- All for punishing any landlords that are not providing a good product

Chris Urban: (Landlord)

- Very instrumental in getting landlord association going in 2009
- In rental business since 1978
- Would like to see the landlord association work with the commission

Wayne Shehorn: (G & W properties)

- 1980 started his rental business
- Started that the rental registration program put into place in 2009, was so the police would know who owned the properties
- Inspectors are inspecting the outside of the property now and doing a good job
- Mildew vs black mold-- there is a difference; Property owners need to be aware of the problem to fix it
- Not in favor of an inspection between renters
- In favor of internal inspections

Debbie Asher: (Property Manager)

- Property managers in addition to landlord/tenant
- Property managers manage many properties but do not make the financial decision on property maintenance
- Many occasions have call code enforcement on the tenant to get them to comply
- Feels the code enforcement officers do a good job
- Property owners are contacted not the property manager

- Loophole in the city process that leaves the property manager out of the process to be able to fix problems
- Would like to be part of the landlord association to help correct issue
- Would like to see number of occupants within a structure addressed by the City
 - *Mayor Preisinger stated that there are laws that prohibit the city from placing restrictions on occupancy*
- Concerns with the increase in the number of bedbug infestations

Phil Urban:

- Agrees with some of the things that have been discussed
- Scrap third party mediation; Let the City deal with the problems
- Sometimes tenants don't tell Landlords about problems and leaks lead to mold that owners are unaware of

CONSENT AGENDA:

Commissioner Griswold moved to approve claims for August 4, 2018 through August 24, 2018 in the amount of \$970,282.37; Net amount for Pay #17 effective August 17, 2018 in the amount of \$348,692.09; (Includes Police & Fire Pension of \$11,572.36). Commissioner Dedeker seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

Commissioner Griswold:

Discussed the first Podcast presented by the City Manager and Mayor. Available on the City website to listen to.

Mayor Preisinger:

Tour of Towne Place Suites last week

Passed out a copy of an article about the City of Pittsburg. They painted school crosswalks with a grant and assistance from the students from the University. Would like to see the City do the same in Leavenworth.

Adjourn:

Commissioner Dedeker moved to adjourn the meeting. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor declared the motion carried and the meeting adjourned.

Time Meeting Adjourned 8:41 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC