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Welcome To Your City Commission Meeting - Please turn off or silence all cell phones during the commission meeting.  
*Meetings are televised everyday on Channel 2 at 7 p.m. and midnight*

**Call to Order – Pledge of Allegiance Followed by Silent Meditation**

**PRESENTATIONS:**

1. New Employee Welcome Ceremony (pg. 2)

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**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from February 27, 2018 Regular Meeting **Action:** Motion (pg. 4)

**Second Consideration Ordinances:**

3. Second Consideration Ordinance 8071 to Amend Sec. 110-40 Trafficways **Action:** Roll Call Vote (pg. 9)
4. Second Consideration Ordinance 8072 to Amend Chapter 78 Peddlers & Solicitors  
**Action:** Roll Call Vote (pg. 12)

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**NEW BUSINESS:**

**Citizen Participation:** *(i.e. Items not listed on the agenda or receipt of petitions- Please state your name and address)*

**General Items:**

5. Public Hearing – Fire Damaged Structure 850 Sherman Ave. (pg. 21)
  - a. Open Public Hearing **Action:** Motion
  - b. Comments from Public and Staff
  - c. Close Public Hearing **Action:** Motion
  - d. Consider Authorizing Staff to Release Insurance proceeds upon Completion **Action:** Motion
6. Review Property on Demolition List - 800 Miami Street **Action:** Motion (pg. 22)
7. Consider Downtown Street Closure for Homecoming Parade **Action:** Motion (pg. 36)

**Bids, Contracts and Agreements:**

8. Consider Bids for Purchase of Tractor for Parks Department **Action:** Motion (pg. 42)
9. Consider Sole Source Purchase of Extrication Rescue Tools for Fire Dept. **Action:** Motion (pg. 50)
10. Consider Bids for Replacement Police Vehicles **Action:** Motion (pg. 55)

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**Consent Agenda:**

Claims for February 24, 2018 through March 9, 2018 in the amount of \$1,199,901.25; Net amount for Pay #5 effective March 2, 2018 in the amount of \$316,523.72 (No Police & Fire Pension). **Action:** Motion

**Other Items:**

**Adjourn:** **Action:** Motion

**POLICY REPORT 18-01**  
New Employee Welcome Ceremony  
**March 13, 2018**

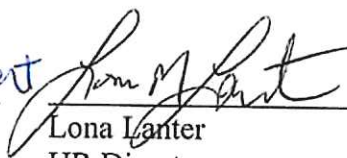
Prepared by:

Reviewed by:

Reviewed by:



Michelle Meinert  
HR Specialist



Lona Lanter  
HR Director



Paul Kramer  
City Manager

**ISSUE:** To welcome newly hired regular full time and part time City of Leavenworth employees.

**BACKGROUND:** The City has established a program of welcoming new employees to the City Team. As part of this program, each new employee is asked to attend a regular meeting of the Leavenworth City Commission. At the meeting each employee will be introduced by the Mayor or the Mayor Pro Tem and will be presented with a City of Leavenworth pin. Brief background information of each employee listed below is attached.

**EMPLOYEES TO BE WELCOMED:**

**Robert Turner**  
**Jamie Wilder**  
**Cherri Benson**  
**Chase Hundley**  
**Cameron Davenport**  
**John Baragary**

**Solid Waste Collector**  
**Solid Waste Collector**  
**Records Clerk**  
**Firefighter**  
**Solid Waste Collector**  
**Equipment Operator I – Streets**

**Robert Turner** - Robert was hired on September 21, 2017, as a Solid Waste Collector. Robert graduated from Woodland High School and was previously employed as a Farm Laborer for Campo Lindo Farms.

**Jamie Wilder** - Jamie was hired on November 2, 2017, as a Solid Waste Collector. He graduated from Leavenworth High School and was previously employed as a Cutting Operator for Precision Cutting & Coring.

**Cherri Benson** - Cherri was hired on November 16, 2017, as a Records Clerk. Cherri is a graduate of Leavenworth High School and previously worked for Remprex, LLC as a Terminal Manager.

**Chase Hundley** - Chase was hired on November 30, 2017, as a Firefighter. Chase graduated from Bonner Springs High School and previously worked at Futamura as an Operator.

**Cameron Davenport** - Cameron was hired on December 14, 2017, as a Solid Waste Collector. Cameron graduated from Goose Creek High School and was previously employed by First Transit as an Operator.

**John Baragary** - John was hired on January 25, 2018, as an Equipment Operator I for the Streets Department. John graduated from Pleasant Ridge High School and previously worked as a Sales Rep for Living Nutrition.



**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, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, City Planner Julie Hurley, Community Development Coordinator Mary Dwyer, Finance Director Ruby Maline, Police Chief Pat Kitchens, Public Information Officer Melissa Bower, City Attorney David E. Waters, Deputy City Clerk Cary Collins and City Clerk Carla K. Williamson.

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

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Bauder moved to approve the minutes from the February 13, 2018 regular meeting as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Second Consideration Ordinances:**

**Second Consideration Charter Ordinance No. 58 Exempting the City from K.S.A. 12-3101 et seq** – City Manager Paul Kramer stated that the Charter Ordinance was introduced at the January 23, 2018 meeting on first consideration and at the February 13, 2018 meeting the City Commission tabled the item for further review by staff and the City Attorney. Minor changes were made and Charter Ordinance was presented for second consideration.

Mayor Preisinger called the roll and Charter Ordinance No. 58 was unanimously approved 5-0.

**Second Consideration Charter Ordinance No. 59 Repealing Charter Ordinance No. 6** – City Manager Paul Kramer stated that the Charter Ordinance was introduced on first consideration at the February 13, 2018 meeting. Charter Ordinance No. 6 relates to the holding of government office by City Commissioners in Leavenworth and exempting the City from the provisions of K.S.A. 13-1802. Charter Ordinance No. 59 was presented for second consideration.

Mayor Preisinger called the roll and Charter Ordinance No. 59 was unanimously approved 5-0.

**Second Consideration Ordinance No 8069 Franchise Contract Agreement Southwestern Bell Telephone Company D/B/A AT&T Kansas** - City Manager Paul Kramer stated that the Ordinance was introduced on first consideration at the February 13, 2018 meeting. Ordinance No. 8069 was presented for second consideration and roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8069 was unanimously approved 5-0.

**Second Consideration Ordinance 8070 Repealing Chapter 14; Article VII Professional Wrestling Matches -** City Manager Paul Kramer stated that the Ordinance was introduced on first consideration at the February 13, 2018 meeting. Ordinance No. 8070 was presented for second consideration and roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8070 was unanimously approved 5-0.

#### **NEW BUSINESS:**

##### **Citizen Participation:**

###### **Vernon Ferguson-2400 Spring Garden:**

Wanted to get on record that the City Commission was in agreement with the determination by City Manager Paul Kramer that there was no further action the City was going to take on the lack of enforcement of the issue brought to the Commission at the last meeting.

Mayor Preisinger stated that Mr. Kramer did review the item with him and the rest of the Commission and he was satisfied with the City Manager's actions in the matter.

##### **General Items:**

**Consider Approval of Tattoo Establishment at 2920 S. 4<sup>th</sup> Street**– City Clerk Carla Williamson presented for consideration a request for a Tattoo Establishment License for Righteous Tattoo Studio. Typically the approval comes to the City Commission after the business has been inspected and approved by the Chief of Police and City Health Inspector. The applicant has asked for approval contingent upon passing all inspections prior to signing the lease and starting construction.

Commissioner Griswold moved to approve the Tattoo Establishment License for Righteous Tattoo Studio at 2920 S. 4<sup>th</sup> Street contingent upon passing all inspections. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Review Transportation Study Kansas City Area Transportation Authority (KCATA)** – City Planner Julie Hurley introduced the three speakers that reviewed the study through a PowerPoint presentation.

Laura Machala Mid-America Regional Council (MARC) Transportation Planner - reviewed the Smartmoves program and the benefits of transit.

Shawn Strate – (KCATA) Planning Manager - reviewed the RideKC System and alternatives.

Cory Davis Kansas Department of Transportation (KDOT) Comprehensive Transportation Planning Manager spoke about funding and the application process.

The City Commission discussed the presentation and the need for a transit system, the cost and funding opportunities available. The Commission would like further discussion during a study session and would like to work toward making an application later in the fall.

City Manager Paul Kramer reiterated that this is a countywide study and the need for the county to partner along with all the communities within the county. The service may begin with the City of Leavenworth as a first step but the City would be the first spoke in a countywide system.

**Review Port Authority Board Appointments** – City Manager Paul Kramer presented for consideration two appointees for the Leavenworth County Port Authority (LCPA) Board. The LCPA was created in 1969 and an agreement between the Leavenworth Board of County Commissioners (BOCC) and the Governing Body of the City of Leavenworth was executed that includes how board members are appointed. The appointments require a joint approval by the two parties. At the February 6, 2018 (BOCC) meeting the BOCC nominated two candidates to fill vacant positions. The nominations and votes to appoint for terms ending January 1, 2022 were as follows:

- Reappoint Bob Patzwald – vote of 2-1 for approval
- Appoint Vernon Fields - vote of 2-1 for approval

Commissioner Dedeke moved to approve the reappointment of Bob Patzwald to a term ending January 1, 2022. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Mayor Preisinger discussed the nomination of Vernon Fields who is a council member for the City of Basehor. There may be concerns about a conflict of interest. There has never been a member that is also an elected official. Mayor Preisinger brought up that there could be some time constraints since Mr. Fields is running for U.S. House of Representative. Mayor Preisinger would like Mr. Fields to come to a City Commission meeting so the Commission could talk with him before considering the nomination. All commissioners were in agreement.

No action was taken on the appointment of Mr. Fields. City Manager Kramer will reach out to Mr. Fields to invite him to a meeting.

#### **Mayor's Appointments:**

Mayor Preisinger moved to appoint:

- To the Convention and Tourism Committee, reappoint Carolyn Kelly and Edna Wagner to terms ending January 1, 2021; and
- To Grow Leavenworth County, appoint Jacob Dale to an unexpired term ending May 31, 2018; and
- To the Sister City Advisory Board, reappoint Bobbie Bower to a term ending December 31, 2020

Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

There was a discussion amongst the Commission regarding boards, process of finding members, approving appointments and the number of boards.

#### **Resolution:**

**Resolution B-2189 - Approving the Kansas Department of Health and Environment (KDHE) Annual Stormwater Report for 2017** – Public Works Director Mike McDonald presented Resolution B-2189 for consideration and approval.

Commissioner Bauder moved to adopt Resolution B-2189 approving the KDHE Stormwater Report for 2017. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Resolution B-2190 - Approving the City Stormwater Management Program** – Public Works Director Mike McDonald presented Resolution B-2190 for consideration and approval.

Commissioner Bauder moved to adopt Resolution B-2190 approving the Stormwater Management Program. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Bids, Contracts and Agreements:**

**Consider Bids for The Arborway Lighting Project** – Public Works Director Mike McDonald presented for consideration the bids for the Arborway Lighting Project. Staff recommends approval of the low bid from Torgeson Trenching in the amount of \$27,477.56. Bids were opened on February 14, 2018 and were as follows:

<b>Bidder</b>	<b>Address (City/State)</b>	<b>Bid</b>
Torgeson Trenching	Topeka KS	\$27,477.56
Schuetz Construction	Bonner Springs KS	\$34,600.00
Engineer's Estimate		\$45,000.00

Commissioner Griswold moved to approve the low bid submitted by Torgeson Trenching to complete the Arborway Lighting Project in the amount of \$27,477.56. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Design Contract with Napier Engineering LLC for the New Lawrence Road Improvement Project**– Public Works Director Mike McDonald presented for consideration the design contract with Napier Engineering LLC for the New Lawrence Road Improvements Project in the amount of \$35,300.00. The road requires upgrade to prepare for the additional traffic from the West Glen Subdivision currently under construction.

Commissioner Dedeke moved to approve the design contract with Napier Engineering LLC for the New Lawrence Road Improvements Project in an amount of \$35,300.00. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**First Consideration Ordinances:**

**First Consideration Ordinance Amending Chapter 110; Article II; Section 110-40 Main Trafficways** – City Manager Paul Kramer presented for first consideration an ordinance to amend and designate trafficways within the City.

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

**First Consideration Ordinance to Amend Chapter 78; Peddlers, Solicitors and Transient Merchants –** City Clerk Carla Williamson presented for first consideration an ordinance to amend chapter 78 of the City Code of Ordinance related to Peddlers, Solicitors and Transient Merchants. The current ordinance was reviewed by the Commission at the October 17 and November 17, 2017 Study Session.

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

**CONSENT AGENDA:**

Commissioner Griswold moved to approve Claims for February 10, 2018 through February 23, 2018 in the amount of \$588,646.01; Net amount for Pay #4 effective February 16, 2018 in the amount of \$319,957.76 (Includes Police & Fire Pension of \$11,572.36). Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Other:**

Commissioner Dedeke stated that he was asked by a Councilman with the City of Lansing about the possibility of broadcasting each other's meetings on each city's Channel 2. City Manager Kramer stated that staff will prepare some information on the process and add as an agenda item for review and approval at a future meeting.

**Adjourn:**

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

Time Meeting Adjourned 8:34 p.m.

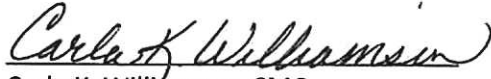
Minutes taken by City Clerk Carla K. Williamson, CMC



**POLICY REPORT  
SECOND CONSIDERATION  
ORDINANCE 8071  
AMENDING SECTION 110-40 MAIN TRAFFICWAYS**

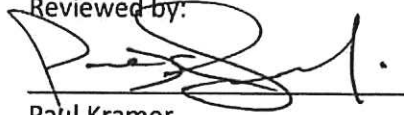
**MARCH 13, 2018**

Prepared by:



Carla K. Williamson, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**BACKGROUND:**

At the February 27, 2018 City Commission meeting the City Commission reviewed and placed on first consideration;

**AN ORDINANCE RELATING TO THE DECLARATION OF STREETS AS MAIN TRAFFICWAYS;  
AMENDING AND REPEALING EXISTING LEAVENWORTH MUNICIPAL CODE OF  
ORDINANCES SECTION 110-40—MAIN TRAFFICWAYS; AND PROVIDING SUBSTITUTE  
PROVISIONS THEREFOR.**

**RECOMMENDATION:**

Staff would recommend approval of Ordinance No. 8071

**ACTION:**

Ordinance No. 8071 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8071

(Published in the Leavenworth Times on March 16, 2018)

**ORDINANCE NO. 8071**

**AN ORDINANCE RELATING TO THE DECLARATION OF STREETS AS MAIN TRAFFICWAYS; AMENDING AND REPEALING EXISTING LEAVENWORTH MUNICIPAL CODE OF ORDINANCES SECTION 110-40—MAIN TRAFFICWAYS; AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.**

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

**Section 1.** That Chapter 110, Article II, Section 110-40 of the Municipal Code of Ordinances for the City of Leavenworth, Kansas, is hereby amended to read as follows:

**SECTION 110-40. - Main trafficways.**

The governing body has deemed it for the best interest of the city to declare the following streets main trafficways:

*2nd Street*, from the north line of Poplar Street to the north side of Marion Street.

*4th Street*, from Metropolitan Avenue to Eisenhower Road.

*10th Avenue*, from the south side of Spruce Street to the north right-of-way of Eisenhower Road.

*10th Street*, from the south side of Spruce Street to the south side of Metropolitan Avenue.

*20th Street Trafficway*, from south right-of-way line of Eisenhower Road northerly to the north line Metropolitan Avenue; thence northerly (also known as Santa Fe Trail, being maintained by the Kansas Department of Transportation and Leavenworth County) to the Hancock Avenue gate of Fort Leavenworth and thence northerly to north city limits.

*Cherokee Street*, from Broadway to Lawrence Avenue to include the intersection of Lawrence Avenue, Sherman Avenue and Cherokee.

*Eisenhower Road*, from the west line of 4th Street west to the west city limits, subject to the provisions of that certain agreement dated March 24, 2016, by and among the city, the City of Lansing, Kansas, and the Board of County Commissioners of Leavenworth, County, Kansas, related to Eisenhower Road and certain improvements thereto and the future maintenance thereof;

*Hughes Road*, from the north line of Eisenhower Road to the south line of Limit Street.

*Idaho Street*, beginning from 4th Street to the east side of the Frontage Road a distance of approximately 100 feet.

*Limit Street*, from west line of Wilson Avenue to the west side of 22nd Street.

*Marion Street*, from the east line of 4th Street to the west line of Wilson Avenue.

*Metropolitan Avenue*, from the west abutment of Centennial Bridge to the west side of 16th Street; and from west side of 16th Street to west side of 20th Street and Pawnee Street; and from west side of 20th Street west to west side of 22nd Street

*Muncie Road*, from 600 feet east of center of 4th Street west to 100 feet west of west line of New Lawrence Road.

*New Lawrence Road*, from 20th Street Trafficway east to the north line of the intersection of 14th Street and New Lawrence Road.

*Ottawa Street*, from the west line of 10th Street to the east line of 20th Street.

*Pennsylvania Street*, from the west line of Broadway to the east line of 10th Avenue.

*Shawnee Street*, from the west line of 10th Street to the east line of 20th Street.

*Shrine Park Road*, from the north side of the right-of-way of Limit Street south to the center line of Eisenhower Road.

*Spruce Street*, from the east side of 3rd Street to the west city limits.

*Thornton Street*, from west line of 4th Street to the East line of 10th Avenue.

*Vilas Street*, from the east side of 10th Avenue to the west side of 22nd Street.

**Section 2.** This Ordinance shall take effect and be in force from and after its passage by the Governing Body, and its publication once in the official City newspaper.

**PASSED AND APPROVED** by the City Commission of the City of Leavenworth, Kansas, on March 13, 2018.

\_\_\_\_\_  
Mark Preisinger, Mayor

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, City Clerk

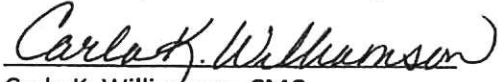
APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
David E. Waters, City Attorney

**POLICY REPORT  
SECOND CONSIDERATION  
ORDINANCE 8072  
AMENDING CHAPTER 78  
PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS**

**MARCH 13, 2018**

Prepared by:



Carla K. Williamson, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**BACKGROUND:**

At the February 27, 2018 City Commission meeting the City Commission reviewed and placed on first consideration;

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF  
LEAVENWORTH, KANSAS, CHAPTER 78 PEDDLERS, SOLICITORS AND TRANSIENT  
MERCHANTS AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.**

**RECOMMENDATION:**

Staff would recommend approval of Ordinance No. 8072

**ACTION:**

Ordinance No. 8072 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8072

(Summary Publish in the Leavenworth Times on March 16, 2018)

**ORDINANCE NO. 8072**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF LEAVENWORTH, KANSAS, CHAPTER 78 PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.**

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

**Section 1.** That the Code of Ordinances, City of Leavenworth, Kansas, Chapter 78 Peddlers and Solicitors, be amended to read as follows:

**Chapter 78 –PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS**

**Article I – In General**

**Sec. 78-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Peddler* means any person, whether a resident of this City or not, traveling from house to house, or from street to street traveling by foot or by any other means of conveyance, who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, carrying or transporting goods, wares, merchandise or personal property of any nature and offering the same for sale.

*Peddling* as used in this chapter shall include all activities ordinarily performed by a peddler.

*Person* as used in this chapter shall mean any individual, firm, partnership, corporation, company, religious sect or denomination, society, organization or league and includes any trustee, director, member, partner, officer, receiver, assignee, employee, agent or other similar representative thereof.

*Solicitor* means any person, whether a resident of this City or not, traveling from house to house, or from street to street traveling by foot or by any other means of conveyance who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares or other personal property of any nature for the future delivery, or for services to be performed in the future. This definition also includes any person who, without invitation, goes upon private property, to request contribution of funds or anything of value.

*Solicitation* as used in this chapter shall include all activities ordinarily performed by a solicitor.

*Transient Merchant* means 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.

Sec. 78-2. Permit and fees required.

No person, Peddler, Solicitor or Transient Merchant, shall operate within the corporate limits of the City without having first obtained the required permits from the City Clerk. The fee for such permits shall be prescribed in Appendix F and are not prorated, refundable or transferable.

Sec. 78-3. Exclusions to the permit requirement.

The provisions of this chapter shall not apply to:

- (1) Sales at wholesale to retail merchants by commercial travelers or selling agents in the usual course of business;
- (2) Wholesale trade shows or conventions when conducted in conformance to the zoning ordinance;
- (3) Any general fair, auction, or bazaar sponsored by any church, religious, non-profit organization or a local permanent business;
- (4) Garage sales held on premises devoted to residential use having obtained the needed permits as allowed in Chapter 90 of the City Code of Ordinances;
- (5) Sales of agricultural goods raised or produced by the seller;
- (6) Solicitations, sales or distributions made by charitable, educational or religious organizations sponsored bazaars and sales, and concessions at school athletic events;
- (7) Sidewalk sales when conducted under the appropriate provisions of the City Code;
- (8) The sale of Christmas Trees;
- (9) Festivals, fairs and carnivals as allowed by the Governing Body on public property;
- (10) Federal, State, County or City census takers or political candidates or their agents.

Sec. 78-4. Misrepresentation of goods or services.

It shall be unlawful for any Peddler or Solicitor, or Transient Merchant to make false or fraudulent statements concerning the quality or nature of the goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

Sec. 78-5. Revocation of permit.

The City Clerk or Chief of Police may revoke any permit issued under this chapter, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for permit.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this chapter.
- (4) Conducting the business as defined herein in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the City. Notice of the revocation of a license shall be in writing to the applicant by the City Clerk and shall set forth the grounds of revocation.
- (5) Unauthorized use of the public right-of-way for sale or display of merchandise, or for display of an advertising sign.
- (6) Violation of a site plan requirement for an existing land use or violation of any applicable provisions of the zoning ordinance.

Sec. 78-6. Use of streets.

No Peddler, Solicitor or Transient Merchant shall have any exclusive right to any location on the public streets or right-of-ways, nor be permitted a stationary location on the public street or right-of-way. No Peddler, Solicitor or Transient Merchant shall be permitted to operate in any congested area where his or her operations might impede or inconvenience the public. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

Sec. 78-7. - 78-17. Reserved.

**Article II Peddlers and Solicitors**

Sec. 78-18. Peddler and Solicitor permit required.

No person shall engage in the activities of a Peddler or Solicitor as defined in section 78-1, within the corporate limits of the city, without first obtaining a permit as allowed and regulated herein. Any applicant for a permit under this article shall file an application with the City Clerk. Application shall be accompanied by the fee set out in appendix F.

Application for a Peddler or Solicitor permit shall be submitted at least two (2) business days prior to the days of peddling or soliciting to process the application. Application fee is non-refundable and permit is non-transferable.

Application shall be made on a form furnished by the City Clerk, which shall provide the following information:

- (1) Name and date of birth of applicant.
- (2) Valid Kansas sales tax number or proof of exemption from the collection of Kansas sales tax.
- (3) Credentials from the person, firm or corporation or association whom the applicant is employed by or represents and name and address of such person, firm, corporation or association.
- (4) A copy of the applicant's government-issued photo identification
- (5) Period of time for which the permit is applied.
- (6) Address of the applicant's present place of residence.
- (7) A brief description of the nature of the business and the goods to be sold and/or services to be offered or provided.
- (8) A description of the motor vehicle including make, model, year, color and tag number if a motor vehicle will be used.
- (9) Whether or not the applicant has ever been convicted of a crime involving moral turpitude or any felony convictions, misdemeanor or ordinance violations involving force, threat of force, violence, theft, dishonesty, fraud, sexual misconduct or the violation of any laws regulating the act of soliciting or peddling with the past five years in this state or any other state or subdivision thereof or of the United States.
- (10) Two (2) 2" x 2" photographs of the applicant showing the head and shoulders of the applicant in a clear and distinguishing manner taken within sixty days prior to the date of filing the application.
- (11) A statement that the applicant understands and agrees that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer of the City.
- (12) A statement as to whether or not the applicant has ever had a peddler or solicitor permit, license or registration revoked or suspended under the ordinance of the City of Leavenworth or any other city.
- (13) A statement by the applicant attesting to the truthfulness of all information contained in the application and that the license will be displayed at all times while peddling/soliciting.

#### Sec. 78-19. Issuance of Peddler or Solicitor permit.

Upon determination of compliance with the requirements herein, the City Clerk shall issue a permit. Such permit shall contain the signature of the City Clerk or designee and city logo.



Permit shall include the name of the licensee, the date of issuance, length of time the license shall be valid, and the nature of the business involved.

Peddlers and Solicitors shall be issued a badge which shall be worn by the permittee in such a way as to be conspicuous at all times while the permittee is peddling or soliciting in the City.

Sec. 78-20. Refusing to leave premises.

Any Peddler or Solicitor who enters upon premises owned, leased or rented by another and refuses to leave such premises after having been notified by the owner or occupant of such premises, or agent, to leave the premises and not return to such premises, shall be deemed guilty of a misdemeanor.

Sec. 78-21. Entrance to premises restricted.

It shall be unlawful for any Peddler or Solicitor to enter upon any private premises when such premises is posted with a sign stating "No peddlers allowed" or "No solicitations allowed" or other words to such effect.

Sec. 78-22. Hours of operation.

It shall be unlawful for any Peddler or Solicitor to engage in the business of peddling or soliciting within the City between the hours of one half-hour before sunset and 8:00 a.m. the following morning, or at any time on Sundays, except by specific appointment with or invitation from the prospective customer.

Sec. 78-23. - 78-38. Reserved.

### **Article III Transient Merchants**

Sec. 78-39 Transient Merchant permit required.

No person shall engage in the activities of a Transient Merchant as defined in section 78-1, within the corporate limits of the City without first obtaining a permit as allowed and regulated herein. Any applicant for a permit under this Article shall file an application with the City Clerk.

Application shall be accompanied by the fee set out in appendix F. Application for Transient Merchant permit shall be submitted at least two (2) business days prior to process the application except as stated in Sec 78-40 (Additional conditions Transient Merchants use in or on City owned property). Application fee is non-refundable and license is non-transferable.

Application shall be made on a form furnished by the City Clerk, which shall provide the following information:

- (1) Name and address of applicant.
- (2) Valid Kansas sales tax number or proof of exemption from the collection of Kansas sales tax.

- (3) Credentials from the person, firm or corporation or association whom the applicant is employed by or represents and name and address of such person, firm, corporation or association.
- (4) A copy of the applicant's government-issued photo identification
- (5) Period of time for which the permit is applied.
- (6) Address of the applicant's present place of residence.
- (7) A brief description of the nature of the business and the goods to be sold.
- (8) A description of the motor vehicle including make, model, year, color and tag number if a motor vehicle will be used.
- (9) Whether or not the applicant has ever been convicted of a crime involving moral turpitude or any felony convictions, misdemeanor or ordinance violations involving force, threat of force, violence, theft, dishonesty, fraud, sexual misconduct or the violation of any laws regulating Transient Merchants within the past five years in this state or any other state or subdivision thereof or of the United States.
- (10) A statement that the applicant understands and agrees that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer of the City.
- (11) A statement as to whether or not the applicant has ever had a Transient Merchant permit, license or registration revoked or suspended under the ordinance of the City of Leavenworth or any other city.
- (12) A statement by the applicant attesting to the truthfulness of all information contained in the application and that the license will be displayed at all times during the permit period.

Sec. 78-40. Additional conditions Transient Merchant use in or on City owned property.

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 Governing Body of the City 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 Governing Body.

Application and request for waiver of use of City owned property shall include the following information:

- (1) Name and address of applicant.
- (2) Valid Kansas sales tax number or proof of exemption from the collection of Kansas sales tax.

- (3) Statement that any vendors associated with the event may be subject to Kansas sales tax and the City will inform the Kansas Department of Revenue (KDOR) of the event.
- (4) Credentials from the person, firm or corporation or association whom the applicant is employed by or represents and name and address of such person, firm, corporation or association.
- (5) City property requested to be used.
- (6) Period of time for which the permit is applied.
- (7) A brief description of the nature of the business and the goods to be sold and/or services to be offered or provided.
- (8) A statement that the applicant understands and agrees that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer of the City.
- (9) A statement as to whether or not the applicant has ever had a Transient Merchant permit, license or registration revoked or suspended under the ordinance of the City of Leavenworth or any other city.
- (10) A statement by the applicant attesting to the truthfulness of all information contained in the application and that the license will be displayed at all times during the permit period.

Sec. 78-41. Insurance Certificate Required for Transient Merchant use in or on City owned property.

Every Transient Merchant before obtaining any permit as provided herein for use in or on city property, shall cause a certificate of insurance to be posted with the City Clerk of bodily injury liability in the amount of \$1,000,000.00 per incident, and such certificate shall also provide that the policy of insurance shall not be canceled, amended, changed or altered without giving the City Clerk ten days' written notice thereof. Such certificate shall further provide for the indemnification of any person who shall incur damage claimed as a result of use of the public way under the permit issued under this division and hold the City harmless and indemnify the City for any claim for damages as a result of such use.

Sec. 78-42. Issuance of Transient Merchant permit.

A Transient Merchant permit shall be valid for a period not to exceed five days. Not more than two (2) permits may be issued to any Transient Merchant in a calendar year. The City Clerk shall keep a permanent record of all such licenses issued. The permittee shall display the permit at all times.

Upon determination of compliance with the requirements herein, the City Clerk shall issue a permit. Such permit shall contain the signature of the City Clerk or designee, city logo and shall show the name of the licensee, the date of issuance, place and length of time the license shall be operative, and the nature of the business involved.

Sec. 78-43. - Setbacks.

Display of merchandise and parking of vehicles for the sale or display of merchandise shall be within an enclosed structure and subject to the building setback requirements of the zoning district in which any activity subject to the provisions of this chapter is being conducted.

Sec. 78-44. - Signs.

Signs shall be limited to those allowed in the City Development Regulations and shall be subject to applicable sign fees.

Sec. 78-45. - 78-60. Reserved.

**Section 2.** That all sections of Chapter 78 amended herein and all other sections in conflict herewith are hereby repealed.

**Section 3.** That this Ordinance shall take effect and be in force from and after its passage and publication once in the official City newspaper.

Passed by the Leavenworth City Commission on this 13th day of March, 2018.

---

Mark Preisinger, Mayor

{Seal}

ATTEST:

---

Carla K. Williamson, City Clerk, CMC

APPROVED AS TO LEGAL FORM:

---

David E. Waters, City Attorney

**PUBLIC HEARING FOR UNSAFE STRUCTURE  
850 SHERMAN AVENUE**

March 13, 2018

Prepared by:



Harold D. Burdette,  
Chief Building Inspector

Reviewed by:



Michael G. McDonald, P.E.  
Director of Public Works

Reviewed by:



Paul Kramer,  
City Manager

**ISSUE**

Conduct a Public Hearing regarding the unsafe or dangerous structure located at 850 Sherman Avenue.

**BACKGROUND**

The structure at 850 Sherman was damaged by fire on November 5th, 2017.

On January 23, 2018, the City Commission was presented a resolution regarding setting a date for a public hearing related to the structure located at 850 Sherman Avenue that was damaged by fire. The Commission approved Resolution No. B-2186, setting March 13, 2018, as the date for a public hearing for the purposes of Chapter 50, Article I, Section 50-5, of the City Code of Ordinances.

A demolition permit was issued on February 26, 2018. The structure has been removed, but the site still needs to be graded and seeded.

The city receives portions of the insurance proceeds due to state law. When structures are damaged by fire and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used to either remove the structure if the owner decides not to repair it, or returned to the property owner once repairs have progressed to a reasonable point or are completed and the structure is ready for occupancy.

The City received proceeds from the insurance company for this property in the amount of \$5,716.64. Once the demolition process is completed and the site has been graded and seeded, staff will return the money to the property owner.

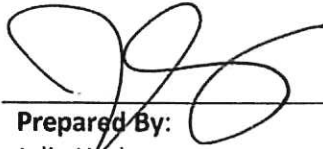
**RECOMMENDATION**

Staff requests that the City Commission authorize staff to release the money received from the insurance company to the owner once the demolition and restoration process has been completed.

**POLICY REPORT**

**Review of Property on Demolition List  
800 Miami**

**MARCH 13, 2018**



**Prepared By:**  
Julie Hurley,  
City Planner



**Reviewed By:**  
Paul Kramer,  
City Manager

**DISCUSSION**

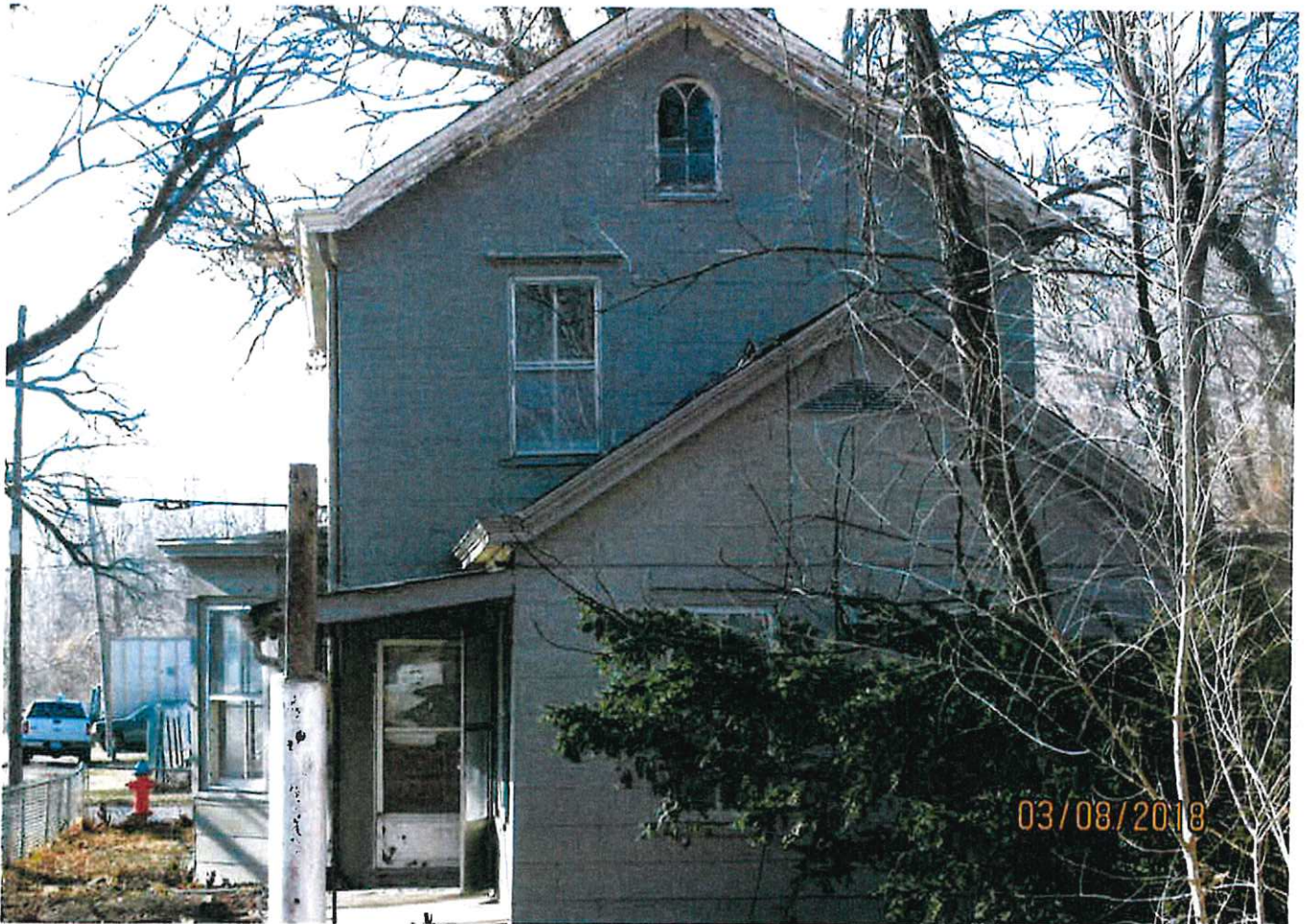
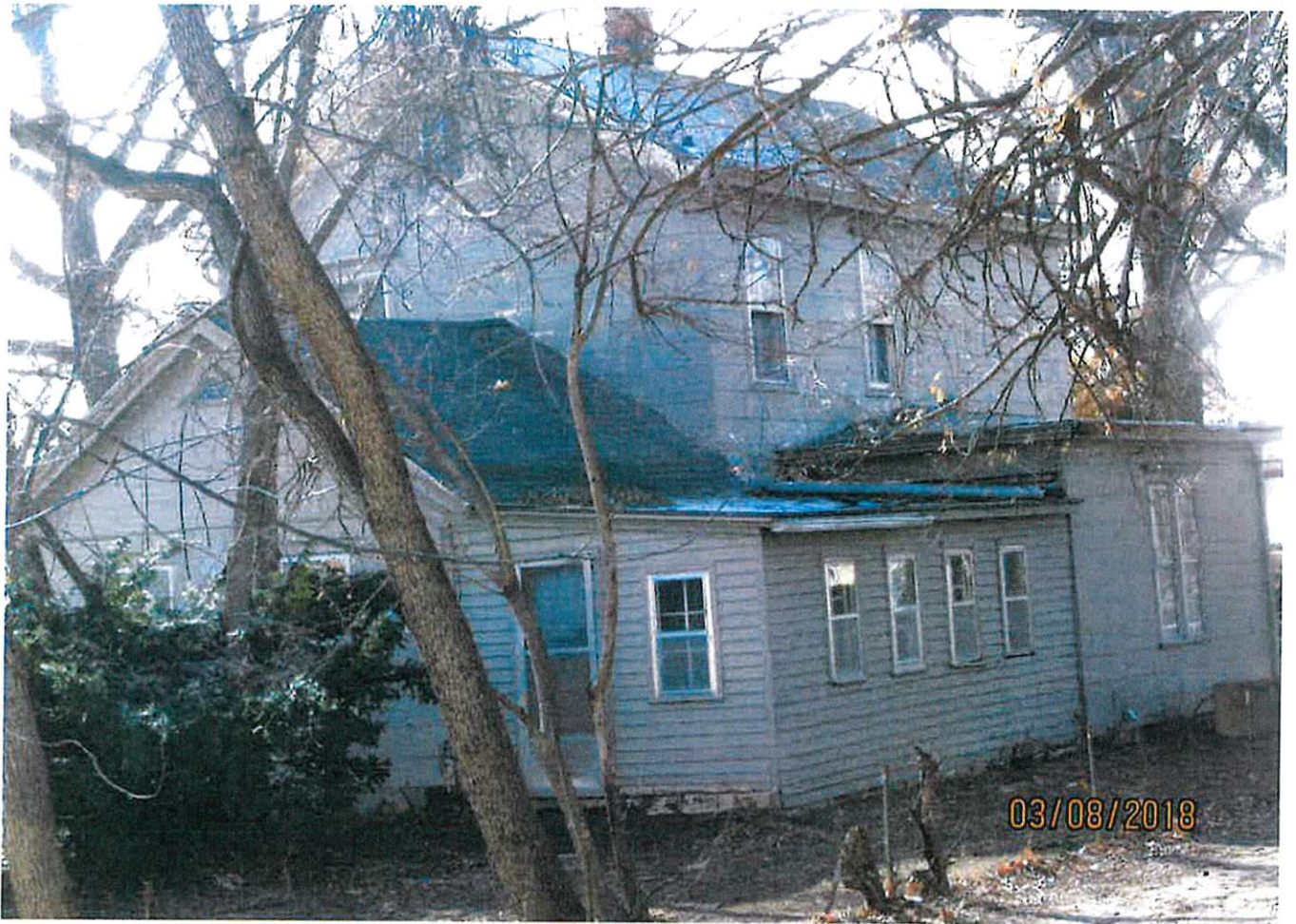
On October 10, 2017, the City Commission passed Resolution B-2179 finding 8 structures, including the property located at 800 Miami Street, to be in an unsafe or dangerous condition and directing the structures be repaired or removed. The resolution directed the owners of such structure to commence repair or removal within 10 days from the date of the publication of the resolution. After that time, representatives of the owner of the property, Mid First Bank/Midland Mortgage, made contact with staff indicating intent to repair the property and have presented proof of funds secured from HUD to make such repairs. Mid First Bank signed a Remediation Agreement prepared by staff, with a deadline of March 1, 2018 to have all repairs complete.

On December 12, 2017, the City Commission considered the request for extension and voted to grant an extension until March 1, 2018 for repairs to be made to the property per the signed Remediation Agreement. Since that time, the owner has made repairs to include doors and windows, siding, and painting. A permit to replace the roof was obtained on March 1, 2018. As of Thursday, March 8, the roof had not been replaced and the soffits/eaves had not been repaired. Photos will be taken on March 13th to reflect any work done in the interim and provided during the City Commission meeting.

**RECOMMENDED ACTION**

Remove property located at 800 Miami Street from demolition list.

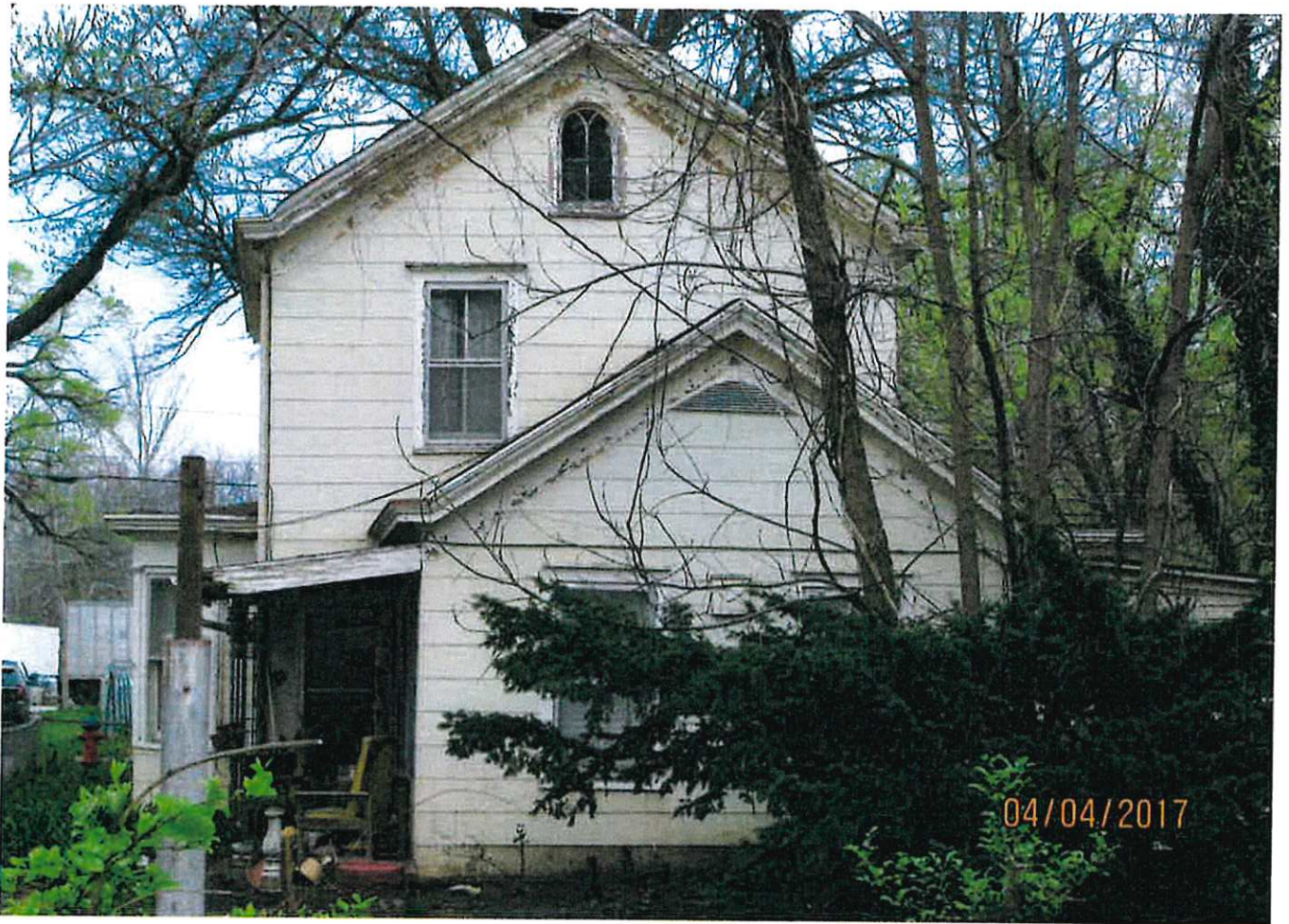














**PROPERTY REMEDIATION AGREEMENT**

Owner: Mid-First Bank  
 Site Address: 800 Miami Street  
 Leavenworth, KS 66048

The owner(s) of the property located at 800 Miami Street recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

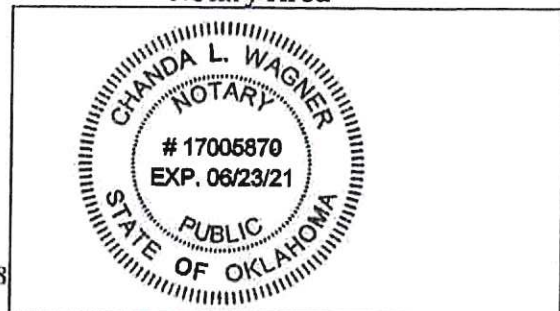
	DEADLINE	TASK
1)	03/01/18	Roof - replace entire roof.
2)	03/01/18	Siding - replace/repair all exterior walls and sidings. Soffits & eaves - replace/repair all soffits & eaves. Guttering -- replace
3)	03/01/18	Windows & doors - repair/replace all windows & doors.
4)	03/01/18	Paint - remove ALL peeling paint and repaint.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

I (Print the Owner's Name) MidFirst Bank agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Maenad Apple  
 Signature

11/27/17  
 Date

Notary Area



100 N. 5<sup>th</sup> Street • Leavenworth, Kansas 66048  
[www.lvks.org](http://www.lvks.org)

Property Remediation Agreement  
800 Miami St Leavenworth KS 66048

State of Oklahoma County of Oklahoma

Subscribed and sworn to (or affirmed) before me  
this 27th day of November 20 17.

By Michael Adel

Personally known  OR produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_

[Signature]  
Notary Name Here, Notary Public

My Commission Expires 06/23/21



Overallowables Screen

<b>Case Information</b>		<b>Mortgage Information</b>		<b>Functions</b>	
Case Number	103-002751	Name	MIDFIRST BANK	<a href="#">Add Attachments</a>	
Current Step	11-Pre-Conveyance	ID Number	[REDACTED]	<a href="#">Add Notes</a>	
Address	800 MIAMI ST	Loan Number	[REDACTED]	<a href="#">Send Email</a>	
City,St,Zip	LEAVENWORTH, KS 66048	<b>Disposition Information</b>			
<b>Request Information</b>		Date of Vacancy	02/16/2017		
Number	6	Date of Ercis Deed/Trust Sale			
Created Date	09/25/2017	Date Deed Recorded			
Created By	JASON FOWLER-HAMMACK	Expected Conveyance Date	09/30/2017		
Request Created Email	<a href="mailto:jason.fowler-hammack@midfirst.com">jason.fowler-hammack@midfirst.com</a>	<b>Inspection Information</b>			
Status	Partial Approval	Inspection Required	No		
Status Date	10/05/2017	Inspection Complete	No		
Submit For MCM Review	Yes				

1 | 2 (26 Record(s) found)

Category	Description	Qty	Unit	Mortgage Cost (each)	Mortgage Total Cost	Mortgage Remarks	Estimator Total Cost	Difference	Approved	Approved Qty
Yard Maintenance	Code Violation - Remove and Bag Non Poisonous Vines	240.00	ea	2.50	600.00	Code Violation - Remove vines from chainlink fence around property. Includes haul away of clippings			Yes	1.00
Yard Maintenance	Code Violation - Remove and Bag Non Poisonous Vines	1.00	ea	54.26	54.26	Code Violation - Remove vines on right side of house			No	
Yard Maintenance	Code Violation - Trim Tree	1.00	ea	455.34	455.34	Code Violation - Trim huge tree off of roof and remove resulting debris			Yes	1.00
Yard Maintenance	Code Violation - Trim Fence Line Shrubs	40.00	ea	4.68	187.20	Code Violation - Trim shrubs off of chainlink fence			Yes	1.00
Yard Maintenance	Code Violation - Remove Tree	1.00	ea	391.14	391.14	Code Violation - Remove tree on right side of garage encroaching on siding and roof. Growing too close to foundation			Yes	1.00
Other	Code Violation - Replace Siding	5.00	ea	3.38	16.90	Code Violation - Install siding where missing in small section on second story of house			Yes	5.00
Other	Code Violation - Gutter Cleaning and Repair	180.00	ea	1.00	180.00	Code Violation - Clean all gutters and repair where needed			Yes	100.00
Other	Code Violation - Remove Fascia Board	25.00	ea	0.68	17.00	Code Violation - Remove rotted on left side of house			Yes	25.00
Other	Code Violation - Replace Fascia Board	25.00	ea	5.99	149.75	Code Violation - Replace rotted fascia			Yes	25.00
Other	Code Violation - Replace Gutters and Downspouts	55.00	ea	5.94	326.70	Code Violation - Replace where missing left side of house after installing new fascia			Yes	55.00
Other	Code Violation - Paint Exterior Walls	2338.00	ea	1.59	3,717.42	Code Violation - Paint - Remove ALL exterior peeling paint and repaint			No	
Other	Code Violation - Remove Soffit Board	40.00	ea	0.81	32.40	Code Violation - Replace/repair all soffits and eaves where needed			Yes	40.00
Other	Code Violation - Replace Soffit up to 24" Projection	40.00	ea	7.63	305.20	Code Violation - Replace/repair all soffits and eaves where needed			Yes	40.00
Other	Code Violation - Remove Exterior Door	1.00	ea	24.75	24.75	Code Violation - Remove brown wooden exterior door that is rotted and has surface peeling off			Yes	1.00
Other	Code Violation - Replace Exterior Door	1.00	ea	346.61	346.61	Code Violation - Install new exterior door			Yes	1.00
Other	Code Violation - Remove Exterior Door	1.00	ea	24.75	24.75	Code Violation - Remove damaged garage entry door			Yes	1.00
Other	Code Violation - Replace Exterior Door	1.00	ea	346.61	346.61	Code Violation - Replace garage entry door			Yes	1.00
Other	Code Violation - Re-Glaze Window	60.00	ea	1.50	90.00	Code Violation - Re-glaze window in detached garage that is currently boarded			Yes	60.00
Other	Code Violation - Replace Door/Window Trim	3.00	ea	3.73	11.19	Code Violation - Bottom right of garage door trim rotted needs replaced			Yes	3.00
Other	Code Violation - Replace Siding	4.00	ea	3.38	13.52	Code Violation - Bottom right of garage door missing needs replaced			Yes	4.00

(3 Record(s) found)   

Expended Cost to Date	
Category	Cost to Date
Other	2,015.00
Property Inspections	20.00
Yard Maintenance	160.00
<b>Grand Total</b>	<b>2,195.00</b>

[Close](#); [Print OverAllowables](#)




<b>Decision</b>	Appeal (1)	Case History (7)	Notes	Attachments (7)	Emails (4)
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Type	Submit Date	Review Date	Decision	Reviewer	Comments
Initial Review	09/26/2017	10/02/2017	Partial Approval	BILLY SUTTLES	To cure violation. Please review the approved line items on the OA and read each comment carefully.
First Appeal	10/04/2017	10/05/2017	Partial Approval	ZUBAIRA CHOWDHURY	see new approval
Final Appeal					

HUD v1.0.177, Dated: January 5, 2017  
 tKW4F60  
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Overallowables Screen

<b>Case Information</b>		<b>Mortgage Information</b>		<b>Functions</b>
Case Number	183-002751	Name	HDFIRST BANK	<a href="#">Add Attachments</a>
Current Step	11-Pre-Conveyance	ID Number	[REDACTED]	<a href="#">Add Notes</a>
Address	800 MIAMI ST	Loan Number	[REDACTED]	<a href="#">Send Email</a>
City, St, Zip	LEAVENWORTH, KS 66048	<b>Disposition Information</b>		
<b>Request Information</b>		Date of Vacancy	02/16/2017	
Number	6	Date of Frclsr Deed/Trust Sale		
Created Date	09/25/2017	Date Deed Recorded		
Created By	JASON FOWLER-HAMMACK	Expected Conveyance Date	09/30/2017	
Request Created Email	<a href="mailto:jason.fowler-hammack@midfirst.com">jason.fowler-hammack@midfirst.com</a>	<b>Inspection Information</b>		
Status	Partial Approval	Inspection Required	No	
Status Date	10/05/2017	Inspection Complete	No	
Submit For MCM Review	Yes			

1 | 2 (26 Record(s) found)   

Category	Description	Qty	Unit	Mortgage Cost/each	Mortgage Total Cost	Mortgage Remarks	Estimator Cost/each	Estimator Total Cost	Difference	App
Other	Code Violation - Remove Roof Shingles	1854.00	ea	0.23	426.42	Code Violation - Bottom right of garage door missing needs replaced				
Other	Code Violation - Remove Roof Sheathing	1854.00	ea	0.31	574.74	Code Violation - Remove Damaged Sheathing				
Other	Code Violation - Replace Sheathing/Decking	1854.00	ea	1.83	3,392.02	Code Violation - Replace roof sheathing/decking				
Other	Code Violation - Replace Felt Underlayment	1854.00	ea	0.53	982.62	Code Violation - Replace Felt Underlayment				
Other	Code Violation - Replace Asphalt Shingle	1854.00	ea	2.51	4,653.54	Code Violation - Replace Asphalt Shingles				
Other	Code Violation - Replace Ridge Vent	80.00	ea	23.69	1,894.40	Code Violation - Install New Ridge Cap				
<b>Grand Total</b>					<b>19,215.28</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

(3 Record(s) found)   

Expended Cost to Date	
Category	Cost to Date
Other	2,015.00
Property Inspections	20.00
Yard Maintenance	160.00
<b>Grand Total</b>	<b>2,195.00</b>

[Close](#) [Print Overallowables](#)

<b>Decision</b>	<a href="#">Appeal (1)</a>	<a href="#">Case History (7)</a>	<a href="#">Notes</a>	<a href="#">Attachments (7)</a>	<a href="#">Emails (4)</a>
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Type	Submit Date	Review Date	Decision	Reviewer	Comments
<a href="#">Initial Review</a>	09/26/2017	10/02/2017	Partial Approval	BILLY SUTTLES	To cure violation, please review the approved line items on the OA and read each comment carefully.
<a href="#">First Appeal</a>	10/04/2017	10/05/2017	Partial Approval	ZUBAIRA CHOWDHURY	see now approval
<a href="#">Final Appeal</a>					

HUD v.1.0.177, Dated: January 5, 2017  
 IKW4F60  
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property.

6. A **wood detached garage** on the property located at **715-717 6th Avenue**, legally described as the North ½ of Lot 10 and the North ½ of the West 25 feet of Lot 9 and the North 35 feet of the East 35 feet of Lot 9, Block 27, Latta's Addition to the City of Leavenworth, according to the recorded plat thereof, AND ALSO the South ½ of Lot 10 and the West 25 feet of the South ½ of Lot 9, Block 27, Latta's Addition to the City of Leavenworth, according to the recorded plat thereof, in Leavenworth County, Kansas. CAMA No. 0773501030004000.
  - a. City Planner Julie Hurley stated that the owner has voluntarily demolished the structure.
  - b. Owner not present.
  - c. Mayor and Commissioners agreed to remove the wood detached garage from the demolition list.
7. A **two-story wood frame house and any accessory structures** on the property located at **800 Miami Street**, legally described as Lots 37 and 38, Block 4, Mix's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772604305023000.
  - a. City Planner Julie Hurley stated that the owner requested a copy of the Remediation Agreement on September 25, 2017 but there has been no contact since.
  - b. Owner not present.
  - c. Mayor and Commissioners discussed the issue and agreed to demolish the two-story wood frame house and any accessory structures on the property.
8. A **one-story wood frame house and any accessory structures** on the property located at **1609 Lawrence Avenue**, legally described as Tract I: The West 1/2 of the West 1/2 of Block 6, Marshall's Subdivision, of the City of Leavenworth, according to the recorded plat thereof, less any part thereof taken, used or occupied by the railroad. Tract II: A tract of land lying in Block 6 of Marshall's Subdivision, in the City of Leavenworth, described as follows: Beginning at the intersection of the Southerly line of said Block 6 with the Southwesterly property line of the Atchison, Topeka and Santa Fe Railway Company, said point being distance North 88° 45' East (bearing assumed for the purpose of this description) 64.00 feet from the Southwest corner of said Block 6; thence North 88° 45' East along said Southerly line of Block 6, a distance of 15.60 feet to a point in a line parallel with and distance Northeasterly 14.34 feet measured at right angles from said Southwesterly property line; thence North 24° 27' 30" West along said parallel line, 192.21 feet to a point in the Easterly line of Lawrence Ave.; thence South along the Easterly line of Lawrence Avenue 34.63 feet to said Southwesterly property line; thence South 24° 27' 30" East along said Southwesterly property line, 154.54 feet to the point of beginning, said property also lying within the Northeast 1/4 of Section 2, Township 9 South, Range 22 East, both being in Leavenworth County, Kansas. CAMA No. 1010201008001000.
  - a. City Planner Julie Hurley stated that the owner has voluntarily demolished the structure.
  - b. Owner not present.
  - c. Mayor and Commissioners agreed to remove from the demolition list.
9. A **one-and-a-half-story wood frame house and any accessory structures** on the property located at **1921 5th Avenue**, legally described as Lots 10 and 11, Block 19, Rees, Doniphan and Thornton Subdividing, a subdivision in Leavenworth County, Kansas. CAMA No. 1010102023011000.
  - a. City Planner Julie Hurley stated that the owner signed a Remediation Agreement on October 6, 2017 and provided a letter that he believes he can have the repairs complete the repairs in 8-10 Months and have overgrown vegetation removed in the next two weeks. No permits pulled at this time and no work has started.
  - b. Owner not present.
  - c. Mayor and Commissioners discussed the issue and agreed to give a 30 day extension for repairs to the one-and-a-half-story wood frame house and any accessory structures on the property. The Commission



**CALL TO ORDER** - The Governing Body met in regular session and the following commission members were present: Mayor Nancy D. Bauder, Mayor Pro-Tem Mark Preisinger, Commissioners Larry Dedeke, Charles Raney and Lisa Weakley.

**Others present:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Fire Chief Gary Birch, WPC Superintendent Chuck Staples, Finance Director Ruby Maline, Public Works Director Mike McDonald, City Planner Julie Hurley, Public Information Officer Melissa Bower, City Attorney Tom Dawson, Deputy City Clerk Cary Collins and City Clerk Carla K. Williamson.

Mayor Bauder 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 November 28, 2017 regular meeting and the December 5, 2017 Special Meeting as presented. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Second Consideration Ordinances:**

**Second Consideration Ordinance 8064 Appendix F, Schedule of Fees**— City Manager Paul Kramer presented for Roll Call vote Ordinance 8064. The ordinance was presented for first consideration at the November 28, 2017 Commission Meeting. There have been no changes since that meeting.

Mayor Bauder called the roll call vote and Ordinance No. 8064 was unanimously approved.

**Second Consideration Ordinance 8065 Amendment to Sec. 2-28 Distinction Between Commissioners; Compensation**— City Manager Paul Kramer presented for Roll Call vote Ordinance 8065. The ordinance was presented for first consideration at the November 28, 2017 Commission Meeting. There have been no changes since that meeting.

Mayor Bauder called the roll call vote and Ordinance No. 8065 was approved 4-1; Commissioner Raney voting no.

**NEW BUSINESS:**

**Citizen Participation:** none

**General Items:**

**Review of Property on Demolition List – 800 Miami Street** – City Planner Julie Hurley presented for consideration a request to grant an extension for repairs. On October 10, 2017 the City Commission passed Resolution 2179 finding eight structures to be unsafe or dangerous and directed the structures to be repaired or removed. 800 Miami Street was included in that resolution. The owner of the property, Mid First Bank/Midland Mortgage contacted staff

indicating intent to repair the property. They have provided proof of funds secured from HUD and signed the Remediation Agreement with staff with a deadline of March 1, 2018 to have all repairs complete.

Commissioner Preisinger moved to keep the property at 800 Miami on the Demlition list and review again on March 1, 2018 or first meeting after March 1, 2018. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Public Hearing for Amending the 2017 Budget**

**Open Public Hearing:**

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

**Staff and Public Comments:**

Finance Director Ruby Maline presented the proposed republication of the 2017 budget increasing the expenditure authority to accommodate unanticipated expenditure for the following funds according to K.S.A 79-2929 a. Municipalities are authorized to amend budgets to spend money not in the original budget as long as it does not require additional tax levies.

- Recreation Fund
- Street & Highway Fund
- Hotel Tax Increment Financing (TIF) Fund

**Summary of Amendments**

Fund	2017 Adopted Budget			2017 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
	Special Highway Fund			
TIF-Hotels			121,981	289,277
Recreation Fund	2.602	529,562	1,573,080	1,645,082
			0	0
			0	0
			0	0

**Close Public Hearing:**

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

**Consider Amendments:**

Commissioner Preisinger moved to approve the amendment to the 2017 budget as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**2018 Cereal Malt Beverage Licenses** – City Clerk Carla Williamson presented for approval the following Cereal Malt Beverage Licenses effective January 1, 2018:

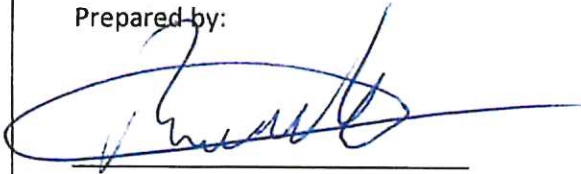
Abe’s Place

5101 10<sup>th</sup> Ave

ON

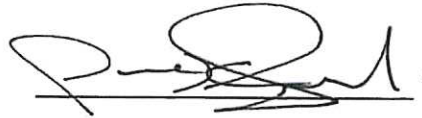
**Policy Report No. 4-2018**  
**Leavenworth School District Parade Application**  
**March 13, 2018**

Prepared by:



Patrick R. Kitchens, Chief of Police

Approved by:



Paul Kramer, City Manager

**ISSUE:**

Approve the Leavenworth School District parade permit that would hold the 2018 Homecoming Parade in the Central Business District on Friday, September 28, 2018.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

For many years, up until 2016, the Leavenworth School District held the annual Homecoming Parade on 10<sup>th</sup> Avenue between Warren Middle School and Leavenworth High School. On July 11, 2017 the School District requested to move the parade to the Central Business District and at the August 17, 2017 City Commission meeting the application was approved. On October 6, 2017 the parade was held downtown and was very successful.

On February 21, 2018 the School District applied for a parade application to have the Homecoming Parade in the central business district on Friday, September 28, 2018. (map attached)

Staff has been given a previous directive by the City Commission based on a consensus developed at the October 6, 2015 study session that any events in the Central Business District that require street closures should be approved by the City Commission except the annual Veteran's Day parade and the St. Patrick's Day parade. (notes attached) Given the success of the Homecoming Parade it appears this will be an annual event and staff is requesting to exempt this from annual approval of the City Commission.

**BUDGET IMPACT:**

The costs associated with this event can be absorbed by the Police Department operation budget.

**COMMISSION ACTION:**

Approve the Leavenworth School District parade application for 2018 and add it to the exemption list of annual events approved for the Central Business District.



## SPECIAL EVENT APPLICATION

Parades, Walks, Runs, Races, Street and/or Parking Lot Use/Closure

City of Leavenworth

Office of the City Clerk  
100 N 5<sup>th</sup> Street  
Leavenworth KS 66048

Phone: 913-682-9201  
Fax: 913-651-7143  
City Code Chapter 102

Fee: \$25.00 (non-refundable)

Parade     
  Walk/Race/Run     
  Bike Race     
  Other: \_\_\_\_\_

Applications shall be filed with the City Clerk eight (8) weeks prior to the time of the event

Name of event: Homecoming Parade      Location of Event: Downtown  
 Date(s) of Event: 9/28/18      Time of event: 2:00 pm  
 Event Coordinator: Amy Sloan      Address: 200 N 4<sup>th</sup> St.  
 Daytime Phone: 913-684-1400      Email: amy.sloan@LUpioneers.org  
 Event Route (attach map): Attached

Event will require street closure      
 Event will include food vendors      
 (Include temporary food service applications)

Estimated number of People, Vehicles and/or Bikes participating in event: \_\_\_\_\_

Event will include amusement rides or bounce house(s)      
 (Valid permit issued by the State of Kansas required)

No Candy, Gum, or other items shall be thrown, tossed or otherwise distributed from vehicles or individuals in a parade

**Liability Insurance Information:**

The applications for street, sidewalk or public property use shall be accompanied by a Certificate of Insurance listing the City of Leavenworth as a co-insured in the amount of \$500,000 for liability insurance coverage for property damage, personal injury or death. No application will be considered unless accompanied by said Certificate of Insurance.

Name of Insurance Company: Travelers      Policy No. 630-3D302272

*Certificate shall be of standard form as required by the State of Kansas, and carry a uniform endorsement providing for the actual notice to the City of any changes thereof. The insurance certificate cannot be canceled without giving ten (10) days written notice to the city clerk. The certificate shall be retained by the city clerk. (an example of certificate will be provided)*

The above information is true and correct to the best of knowledge, and I realize that making a false application will automatically void my privilege to this permit. I understand the City Ordinance /Regulations that govern the event for which I am applying:

Applicant Signature: [Signature]      Date: 2/1/18

Permit Paid Date: 2-21-18

Received By: B Wilson

City Use	
<input checked="" type="checkbox"/>	Insurance Certificate received
<input checked="" type="checkbox"/>	Route Map (if applicable)
<input type="checkbox"/>	Food Vendors (if applicable)
<input type="checkbox"/>	Amusement Ride Certificate (if applicable)
<input type="checkbox"/>	KDOR Packet
<input type="checkbox"/>	Approved Police Chief
<input type="checkbox"/>	Approved Fire Chief
<input type="checkbox"/>	Approved City Manager

Public Parking

# LHS Homecoming Parade Friday, September 28th @ 2 PM

7th Street

Stret

EMB/Reilly's

6th Street

Shawnee 5th Street

Shawnee 3rd Street

Shawnee 2nd Street

Delaware

4th Street

Delaware

Judge Table

South

Start

Public Parking

Public Parking

Landing Theatre  
Public Parking

Public Parking

Cherokee

Cherokee

Cherokee

Water Dept  
Hay Market Square  
School Bus Parking Only

6th Street

5th Street

Choctaw

Choctaw

Choctaw

6th Street

5th Street

Walnut

Custer

Walnut

7th Street

PARADE STAGING

Staging

Short Street

Load Area

Public Parking

Public Parking

Public Parking

Public Parking

Public Parking

Public Parking

Public Parking

End

ESPLANADE RIVERFRONT COMMUNITY CENTER

SCHOOL DESIGNATED LOCATION TO WATCH THE PARADE AND BUS PICKUP



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
2/21/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> The Rilly Company LLC 608 Delaware St. P.O. Box 9 Leavenworth KS 66048-0009	<b>CONTACT NAME:</b> Susan Putman <b>PHONE (A/C, No, Ext):</b> (913) 682-1234 <b>E-MAIL ADDRESS:</b> susan.putman@reillyinsurance.com	<b>FAX (A/C, No):</b> (913) 682-8136
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Leavenworth USD #453 200 N. 4th St. Leavenworth KS 66048	<b>INSURER A:</b> Travelers <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	<b>NAIC #</b>

**COVERAGES**      **CERTIFICATE NUMBER:** Master 2017      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR LTR	TYPE OF INSURANCE	ADDL SUBR INDR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		630-30302272	7/19/2017	7/19/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Eg, occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		BA3D238792	7/19/2017	7/19/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <b>DED</b> <b>RETENTION \$</b>		NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	NOT APPLICABLE			PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 RE: 9/28/18 Homecoming Parade for Leavenworth High School

<b>CERTIFICATE HOLDER</b> (913) 682-3874  City of Leavenworth 100 No. 5th Street Leavenworth, KS 66048	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b>  Susan Putman/SUSAN <i>Susan Putman</i>
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POLICY REPORT

CLOSURE OF PUBLIC STREETS AND CITY PARKING LOTS

October 6, 2015

Submitted By:

  
\_\_\_\_\_  
J. Scott Miller, City Manager

SUBJECT:

At the June 9, 2015 regular business meeting the City Commission discussed whether they wanted to rescind their approval on the closing of the street (Cherokee between 4th and 3rd Streets) and the City parking lot for the Leavenworth Main Street Event (BBQ Contest) and Hometown Welcome. It was the consensus of the Commission to leave their approval as voted on at the April 28, 2015 regular business meeting for the event. However, it was the consensus of the Commission to discuss at a later date the closing of public streets and City parking lots for special events; particularly in the City's downtown. Mayor Lisa Weakley stated that this topic would be scheduled for review and discussion at an upcoming study session.

JSM/



## Standard Operating Procedures – Closure of Public Streets, Parking Lots & Sidewalks

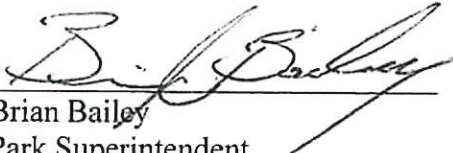
- Mayor Weakley stated this was something the City Commissioners wanted to discuss
  - Concerns with street closures involved with the recent events such as the Bar-b-que and Hometown Welcome
  - Where do we want to take this and use of Haymarket Square
- Commissioner Preisinger
  - Two events to close streets: Veteran's Day Parade and St. Patrick's Day Parade
  - Closing streets for 24 or 48 hours should not be entertained for any reason – only consider 6<sup>th</sup> Street to Cherokee
  - No one attended the 2015 Hometown Welcome this year held in September
    - August was a better time to hold the Hometown Welcome
  - Dead against closing streets or any length of time with the exception of some parades
- Commissioner Raney
  - Agree with Commissioner Preisinger
- Commissioner Dedeke
  - Agree with both Commissioners Preisinger and Raney
  - Discussed the closure of 4<sup>th</sup> Street and the problems
- Mayor Weakley
  - Bar-b-que and Hometown Welcome are not compatible
    - Need to welcome the military at an event such as Haymarket Square and the concert series
  - Go back to Main Street and recommend separating the events
  - Encourage use of Haymarket Square or use of the parks
  - Close streets temporarily for parades only or runs

Mayor Weakley consensus to proceed with the recommendations


*City of Leavenworth, Kansas*  
**Parks & Recreation Department**  
**2018 Tractor Replacement**  
**POLICY REPORT NO. 04-18**

**March 13, 2018**

**PREPARED BY:**

  
Brian Bailey  
Park Superintendent

**REVIEWED BY:**

  
Steve Grant  
Parks and Recreation Director

  
Paul Kramer  
City Manager

**ISSUE:**

The Parks Department is requesting approval to purchase one John Deere Tractor 5090M manufactured and furnished to our specifications, utilizing a cooperative purchasing program standard set forth by the Finance Department.

**BACKGROUND:**

In 1993 (25 years ago), the Parks Department bought a Case International tractor. This tractor has served the parks system very well. However, in the last few years, this tractor has begun to show its age with some cost prohibited repairs. In 1994, a Ford Tractor was purchased. This tractor, now 24 years old, has served the parks system very well also, but in the recent years, it has shown its age as well. Both of these tractors are used to mow large areas with our batwing mower and three-point-hitch ditch mower, and they aid in the Sportsfield and soccer complex turf renovations. The attachments we use for these tractors are at maximum operating capacity, which is a major contributor to some of the failures. Without these tractors, we are unable to keep up on key components of our operation such as mowing ditch-ways, cutting back the trail-ways, turf renovations and cleaning up brushy areas.

After reviewing available purchasing options, department staff chose to utilize the State of Kansas Cooperative Purchasing program statutory authority KSA 12-2901 as the cooperative purchasing. This program is handled administratively by the State of Kansas and is used throughout our region for the purchase of agricultural equipment. This program allows us to purchase equipment that meets our needs from a local

dealer and a manufacturer with a proven record of customer service in the Kansas City region. It ensures that we are receiving the best possible price (additional 22.5% discount from MSRP for utilizing the cooperative purchasing program) while guaranteeing that standard governmental purchasing practices are followed. Furthermore, this program will expedite the procurement process, rather than delaying it for months while specifications are prepared and all of the other steps required for competitive bids and proposals are satisfied.

Staff developed a set of specifications for a tractor that would replace the two aforementioned tractors. The new tractor will be equipped with the ability to perform all aspects of maintenance required by the Parks Department. The tractor on the state cooperative bid that meets these requirements is the John Deere 5090M Utility Tractor in the amount of \$52,396.04. Heritage Tractor of Smithville, Missouri is the local dealer for this tractor.

**RECOMMENDATION:**

Staff recommends the purchase of one (1) 2018 John Deere 5090M Utility Tractor in the amount of \$52,396.04 from Heritage Tractor.

**BUDGET IMPACT:**

There is \$55,000 allocated for this in the 2018 CIP equipment purchase.

**ATTACHMENTS:**

Heritage Tractor Quote # 16677995

Quote Id: 16677995

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**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089  
816-873-3385

---

Prepared For:

City Of Leavenworth



Proposal For:

**Delivering Dealer:**

Phil Wemhoff

Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089

**Quote Prepared By:**

PHIL WEMHOFF  
pwemhoff@heritagetractor.com

Date: 18 January 2018

Offer Expires: 02 April 2018

---

*Confidential*



**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**  
 Deere & Company  
 2000 John Deere Run  
 Cary, NC 27513  
 FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**  
 Heritage Tractor, Inc.  
 1300 S. Us-169 Highway  
 Smithville, MO 64089  
 816-873-3385

**Quote Summary**

**Prepared For:**  
 City Of Leavenworth  
 123 Sesplanade  
 Leavenworth, KS 66048  
 Business: 913-682-9201

**Delivering Dealer:**  
**Heritage Tractor, Inc.**  
 Phil Wemhoff  
 1300 S. Us-169 Highway  
 Smithville, MO 64089  
 Phone: 816-873-3385  
 pwemhoff@heritagetractor.com

**Quote ID:** 16677995  
**Created On:** 18 January 2018  
**Last Modified On:** 01 March 2018  
**Expiration Date:** 02 April 2018

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 5090M Utility Tractor	\$ 65,113.60	\$ 50,468.03 X	1 =	\$ 50,468.03
PowerGard Protection Plan		\$ 1,928.00 X	1 =	\$ 1,928.00
<b>Contract:</b> KS Lawn Equipment Contract 44069 (PG 18)				
<b>Price Effective Date:</b> February 7, 2018				
<b>Sub Total</b>				<b>\$ 52,396.03</b>
<b>Equipment Total</b>				<b>\$ 52,396.03</b>

\* Includes Fees and Non-contract items

<b>Quote Summary</b>	
Equipment Total	\$ 52,396.03
Trade In	
SubTotal	<b>\$ 52,396.03</b>
Est. Service Agreement Tax	\$ 0.00
Total	\$ 52,396.03
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 52,396.03</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_



# Selling Equipment

Quote Id: 16677995      Customer Name: CITY OF LEAVENWORTH

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089  
816-873-3385

## JOHN DEERE 5090M Utility Tractor

Contract: KS Lawn Equipment Contract 44069 (PG 18)

Suggested List \*

Price Effective Date: February 7, 2018

\$ 65,113.60

Selling Price \*

\$ 50,468.03

\* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
252CLV	5090M Utility Tractor	1	\$ 59,589.00	21.00	\$ 12,513.69	\$ 47,075.31	\$ 47,075.31
<b>Standard Options - Per Unit</b>							
0202	United States	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	ENGLISH	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
1394	32F/16R PowrReverser Hi-Lo (40k) with Creeper	1	\$ 4,341.00	21.00	\$ 911.61	\$ 3,429.39	\$ 3,429.39
2005	Premium Isolated Open Operator Station	1	\$ 511.00	21.00	\$ 107.31	\$ 403.69	\$ 403.69
2120	Air Suspension seat	1	\$ 849.00	21.00	\$ 178.29	\$ 670.71	\$ 670.71
2400	Less Instructional Seat	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
2500	Less Rear View Mirrors	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
3020	Vertical Exhaust	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
3326	3 Mechanical Stackable Rear SCV	1	\$ 886.00	21.00	\$ 186.06	\$ 699.94	\$ 699.94
3420	2 Stackable Mid SCVs with Mechanical Joystick control	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
3820	Two Speed PTO - 540/540E	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
4030	Electronic Hitch Control with Remote Control on LH Fender	1	\$ 475.00	21.00	\$ 99.75	\$ 375.25	\$ 375.25
4110	Telescoping Draft Links with Ball End - Cat.2	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
4160	LH Only Adjustment Lift Link	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
4210	Mechanical Center Link with Ball Ends - Cat. 2	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
4420	LH & RH Stabilizer Bar	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
5192	19.5L-24 In. 10PR R4 Bias	1	\$ -2,106.00	21.00	\$ -442.26	\$ -1,663.74	\$ -1,663.74
5999	No Rear Tire Brand Preference	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00



**JOHN DEERE**

# Selling Equipment

Quote Id: 16677995

Customer Name: CITY OF LEAVENWORTH

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089  
816-873-3385

6040	MFWD Front Axle	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
6133	12.5/80-18 In. 12PR R4 Bias	1	\$ -1,533.00	21.00	\$ -321.93	\$ -1,211.07	\$ -1,211.07
6799	No Front Tire Brand Preference	1	\$ 0.00	21.00	\$ 0.00	\$ 0.00	\$ 0.00
8015	Front Fenders - Turnable (Axle Mounted)	1	\$ 850.00	21.00	\$ 178.50	\$ 671.50	\$ 671.50
8300	Cold Weather package - Coolant heater	1	\$ 88.00	21.00	\$ 18.48	\$ 69.52	\$ 69.52
8458	70 mm Hitch lift cylinder	1	\$ 342.00	21.00	\$ 71.82	\$ 270.18	\$ 270.18
8725	Beacon Lighting RH mounted - LH side traffic (UK...)	1	\$ 208.00	21.00	\$ 43.68	\$ 164.32	\$ 164.32
8955	Front Weight Support - (55 kg/121 lbs.)	1	\$ 189.00	21.00	\$ 39.69	\$ 149.31	\$ 149.31
<b>Standard Options Total</b>			<b>\$ 5,100.00</b>		<b>\$ 1,071.00</b>	<b>\$ 4,029.00</b>	<b>\$ 4,029.00</b>
<b>Dealer Attachments/Non-Contract/Open Market</b>							
BW16765	Hood Guard	1	\$ 424.60	22.50	\$ 95.54	\$ 329.07	\$ 329.07
<b>Dealer Attachments Total</b>			<b>\$ 424.60</b>		<b>\$ 95.54</b>	<b>\$ 329.07</b>	<b>\$ 329.07</b>
<b>Value Added Services</b>							
	PowerGard Protection Plan	1	\$ 1,928.00			\$ 1,928.00	\$ 1,928.00
<b>Value Added Services Total</b>			<b>\$ 1,928.00</b>			<b>\$ 1,928.00</b>	<b>\$ 1,928.00</b>
<b>Suggested Price</b>							<b>\$ 53,361.38</b>
<b>Additional Discounts</b>							
	Misc. Additional Discount	1			\$ 965.34	\$ -965.34	\$ -965.34
<b>Additional Discount Total</b>					<b>\$ 965.34</b>	<b>\$ -965.34</b>	<b>\$ -965.34</b>
<b>Total Selling Price</b>			<b>\$ 65,113.60</b>		<b>\$ 14,645.56</b>	<b>\$ 50,468.03</b>	<b>\$ 52,396.04</b>

**Extended Warranty Proposal**
**PowerGard™ Protection Plan**

<b>Tractors - Utility</b>					
<b>Date :</b> March 1, 2018					
<b>Machine/Use Information</b>		<b>Plan Description</b>		<b>Price</b>	
Manufacturer	<b>JOHN DEERE</b>	Plan Type:	New	Deductible:	\$ 250
Equipment Type	Tractors - Utility	Coverage:	Comprehensive	Quoted Price	\$ 1,928.00
Model	5090M	Total Months:	48		
Country	US	Total Hours:	2000	Date Quoted	February 20, 2018
MFWD/Tracks	N				
<b>Scraper Use</b>					
<small>THIS PROPOSAL IS VALID FOR 30 DAYS FROM DATE ISSUED. GRACE pricing is only good during the first 95 days or 100 hours of ownership for new Gator Utility Vehicles and Golf and Turf equipment during the John Deere basic warranty period. After this period, DELAYED pricing can be purchased up to the first 12 months or 300 hours with an applied surcharge. The Total Months and Hours listed above include the John Deere Basic Warranty of 24 months or unlimited hours for Golf and Turf products. Most Gator Utility Vehicles have a John Deere basic warranty of 12 months or 1000 hours. Limited Plan coverage = Engine and Powertrain only. Comprehensive Plan coverage = Full Machine.</small>					

**PowerGard Protection Proposal Prepared for:** *I have been offered this extended warranty and*

Customer Name - Please Print \_\_\_\_\_  **I ACCEPT** the PowerGard Protection  
 **I DECLINE** the PowerGard Protection

Customer Signature \_\_\_\_\_ *If declined, I fully understand that my equipment listed above is not covered for repair expenses due to component failures beyond the original basic warranty period provided by John Deere.*

**Note :** This is not a contract. For specific PowerGard Protection coverage terms and conditions, please refer to the actual PowerGard Protection Plan contract for more information and the terms, conditions and limitations of the agreement.

**What PowerGard Protection is :**  
 The PowerGard Protection Plan is an **extended warranty** program for reimbursement on parts and labour for covered components that fail due to faulty material or original workmanship that occur beyond the John Deere Basic Warranty coverage period. The agreement is between Deere & Company and the owners of select John Deere Commercial and Agricultural equipment, who purchase the PowerGard Plans for the desired coverage as indicated in this proposal.

**What PowerGard Protection is not :**  
 PowerGard Protection is **not insurance**. It also does not cover routine maintenance or high wear items, or insurance-related risks/perils such as collision, overturn, vandalism, wind, fire, hail, etc. It does not cover loss of income or loss of value of crops during or after an equipment failure. See the actual product-specific PowerGard Protection Plan agreement for a complete listing of covered components, and limitations and conditions under the program.



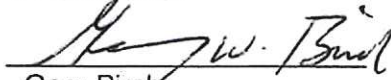
**Features/Benefits:**

PowerGard protection include the following features and benefits under the program :


- Pays for parts and labour costs incurred on failed covered components (less any applicable deductibles),
- Does not require pre-approval before repairs are made by the authorized John Deere dealership,
- Payments are reimbursed directly to the dealership with no prepayment required by the contract holder.
- PowerGard Protection agreements ensure that only Genuine John Deere Parts are used in all repairs,
- PowerGard coverage is fully transferable to future owners, with no transfer fees when coverage remains,
- PowerGard ensures higher resale value and makes equipment more marketable during the sale or trade-in,
- PowerGard allows you to budget your total cost of ownership, with financing available through John Deere Credit or other sources,
- PowerGard helps prevent large,unexpected repair bills during later years of equipment ownership,in exchange for a smaller protection fee up front.

**POLICY REPORT NO FD # 2018-01  
REQUEST FOR APPROVAL TO PURCHASE EXTRICATION RESCUE TOOLS  
FOR THE FIRE DEPARTMENT  
March 13, 2018**

Prepared by:

  
Gary Birch  
Fire Chief

Reviewed by:

  
Paul Kramer  
City Manager

**ISSUE:**

The Fire Department is requesting approval to move forward with the purchase of the Hurst Rescue tools (Jaws of Life) to include Air Bags and controller as funded in the 2018 CIP to replace one of our older hydraulic sets located at Fire Station 3 while standardizing our equipment and keeping us compatible with other departments in the area.

**BACKGROUND:**

These types of Rescue tools are primarily used for quick, efficient, and effective extrication of patients trapped inside wrecked vehicles. They can also assist with the extrication of victims entangled in other types of machinery.

Until recent years, these types of hydraulic tools were operated off of a gas powered hydraulic unit connected to hydraulic hoses.

The new eDraulic tools are powered by batteries and just as powerful as the tools powered by hydraulic pumps. Since the tools are self-contained and use batteries, they are quicker to deploy and more portable. Standard hydraulic systems are limited by the length of their hoses and the location of the pump. These tools and batteries are also compatible with several regional departments who have made the switch to these eDraulic tools (Fort Leavenworth, KCK).

We currently have a set of Hurst eDraulic tools at station 1 and station 2. The first set was funded through a MARC homeland security grant.

Manufactures of rescue tools, in this case (HURST), have regional distributors with territories so getting competitive bids for these specific eDraulic tools was not possible.

We were able to request price quotes for the "Air Bags and Controller"

<i>FELD Fire -</i>	<i>Paratech set with controller</i>	<i>\$4,234.00</i>
<i>Conrad Fire Equipment -</i>	<i>Paratech set with controller</i>	<i>\$4,324.74</i>
<i>Danko Emergency Equipment-</i>	<i>Vetter set with controller</i>	<i>\$4,350.00</i>

**POLICY REPORT NO FD # 2018-01  
REQUEST FOR APPROVAL TO PURCHASE EXTRICATION RESCUE TOOLS  
FOR THE FIRE DEPARTMENT  
March 13, 2018**

**RECOMMENDATION:**

We recommend a sole source purchase of the Hurst Rescue tools through "Danko Emergency Equipment" in the amount of \$26,472.38 and the purchase of the Paratech 3 air bag set with controller from FELD fire in the amount of \$4,234.00.

**FINANCIAL:**

The total purchase for extrication equipment would be \$30,706.38  
The City's 2018 CIP included \$32,000 for the purchase of extrication equipment.



# CONRAD FIRE EQUIPMENT, INC.

887 N. Jan-Mar Court Olathe, KS 66061  
 www.CONRADFIRE.com  
 (913) 780-5521  
 (800) 779-5521  
 (913) 780-5251 Fax

## QUOTATION 133436

CUSTOMER NO.  
1441

**BILL TO:**

**SHIP TO:**

LEAVENWORTH FIRE DEPT  
 3600 S. 20 ST TRAFFICWAY  
 LEAVENWORTH, KS 66048

LEAVENWORTH FIRE DEPT  
 3600 S. 20 ST TRAFFICWAY  
 LEAVENWORTH, KS 66048

PHONE: 913/682-3346  
 FAX: 913/680-2770

PAGE 1

DATE	SHIP VIA	F.O.B.	TERMS
01/19/18	GROUND		NET 30 DAYS
PURCHASE ORDER NUMBER	ORDER DATE	SALESPERSON	OUR QUOTE NUMBER
PARATECH AIR BAGS	01/19/18	137 137	133436

QUANTITY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
ORDERED				
1	PAI.22-889048G2	MODEL 48, 3 LIFT BAG SET	2,977.32	2,977.32
1	PAI.22-890351G2-150	BASIC CONTROL KIT, G2 150	1,347.42	1,347.42

Product Total	Discount	Freight	Taxable Amount	Tax	Misc. Amt.	QUOTATION TOTAL
4,324.74	0.00	0.00	4,324.74	0.00		4,324.74

**"WE APPRECIATE YOUR BUSINESS"**

RETURNED GOODS WILL NOT BE ACCEPTED WITHOUT PRIOR RETURN AUTHORIZATION NUMBER FROM CONRAD FIRE EQUIPMENT. ALL RETURNS ARE SUBJECT TO A RESTOCKING FEE.



**Danko Emergency Equipment**

PO Box 218

Snyder, NE 68664-0218 USA  
 Phone: 402-568-2200  
 sales@danko.net  
 www.danko.net

**Quote No: 16136**

Friday, January 19, 2018

Page 1 of 1

*Account Address:*

**Attention: GARY BIRCH**  
**LEAVENWORTH FIRE DEPARTMENT**  
 3600 S 20TH ST  
 LEAVENWORTH, KS 66048  
 Phone: 913-758-6738

*Shipping Address:*

**LEAVENWORTH FIRE DEPARTMENT**  
 3600 S 20TH ST  
  
 LEAVENWORTH, KS 66048

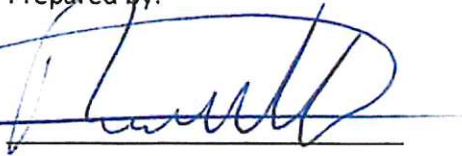
Ship Via	Shipping Terms	Prices are Valid Until
SALESMEN DELIVERY	Prepay and Add	Sunday, February 18, 2018

Line #	Part ID	Description	Qty	Price	Extended
1	HUR	HURST HUR-106R147 Rescue Set (12 bar/174 PSI) 3 bag 47 US tons INCLUDES Lifting bags 1- V 10, 1-V 12, 1- V 20 2 inflation hoses 12 bar, 5 m, yellow and red (174 psi, 16.4 ft.) Air CU lighting, dead man controller Pressure regulator: Inlet pressure 413 bar (6,000 psi) Outlet pressure 13.78 bar (200 psi)	1.00	3,222.22	3,222.22
2	HUR106R148+	HURST VETTER RESC 5 BAG KIT, 106 TON DEMO Lifting bags V 10, V 12, 2 x V 20, V 33L 2 inflation hoses 12 bar, 5 m, yellow and red (174 psi, 16.4 ft.) Air CU lighting, deadman controller Pressure regulator : Inlet pressure 413 bar (6,000 psi) Outlet pressure 13.78 bar (200 psi)	1.00	4,350.00	4,350.00
<div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); opacity: 0.5;"> </div>					

<i>Contact</i>		Sub Total	<b>\$7,572.22</b>
Salesperson:	Ron Wetter	Tax	<b>\$0.00</b>
Contact Phone:	402-380-5038	Total Price	<b>\$7,572.22</b>
Email:	rwetter@danko.net		

**Policy Report No. 3-2018  
Replacement Police Vehicles  
March 13, 2018**

Prepared by:



Patrick R. Kitchens, Chief of Police

Approved by:



Paul Kramer, City Manager

**ISSUE:**

The Police Department is requesting approval to purchase three (3) police patrol sedans from Olathe Dodge in the amount of \$88,248.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

Each year, the police department reviews the police vehicle fleet and asks for replacement of vehicles with high mileage and/or vehicles that are cost prohibitive to repair. In preparation for the 2018 CIP police vehicle replacement program, staff identified three police patrol vehicles that need replaced. These three patrol cars have reached the end of their useful lifecycle. Staff prepared bid documents and they were sent to local and regional vehicle dealers.

Two bids were received and are listed below:

Three (3) Police Patrol Sedans

- 2018 Dodge Charger
  - Olathe Dodge \$88,248 total
- 2018 Police Interceptor AWD
  - Zeck Ford \$84,000 total

The vehicle submitted by Zeck Ford does not meet the minimum specifications outlined in the bid documents in two areas. The bid called for a full-sized vehicle with a V8 engine. The Ford is a mid-sized vehicle with a V6 engine. Additionally, the bid calls for a built in screen that allows for the operation of the department's Mobile Data Terminal. The Ford vehicle does not have that option.

**BUDGET IMPACT:**

Funds were allocated in the 2018 CIP budget in the amount of \$118,500 for three police patrol vehicles plus their equipment and installation. The cost for these three vehicles is \$88,248. The remainder of the approved 2018 CIP funds, not to exceed \$30,252 will be allocated to purchase and install equipment into the vehicles. Bids for that equipment will be handled separately and, if necessary, brought back to the commission in the future.

**COMMISSION ACTION:**

Approve the purchase of three (3) 2018 Dodge Charger 4-dr sedans from Olathe Dodge at a price of \$29,416 each. Total cost is \$88,248.



CITY OF LEAVENWORTH  
BID # 01PD-2018-04  
BID SHEET

MAKE & MODEL: Ford Police Interceptor - Taurus

COST FOR VEHICLE: 28,000 x 3 \$ 84,000

COST OF MANUALS: \$ —

WARRANTY ATTACHED COMPLY YES  NO

PROJECTED DELIVERY DATE: 2nd Quarter

FIRM SUBMITTING BID: Zeck Ford

ADDRESS: 4501 S. 4th St.

CITY, STATE, & ZIP CODE: Leavenworth, Kansas 66048

AUTHORIZED SIGNATURE: John Sandercox

PRINTED NAME: John Sandercox

TELEPHONE NUMBER: 913-777-1650 FAX NUMBER: 913-351-3945

DATE BID EXPIRES: 3-1-18

SPECIAL NOTES: \_\_\_\_\_

CITY OF LEAVENWORTH  
BID # OIPD-2018-04  
BID SHEET

MAKE & MODEL: 2018 AWD Charger

COST FOR VEHICLE: \$ \$29416.X3 = 88248

COST OF MANUALS: \$ \_\_\_\_\_

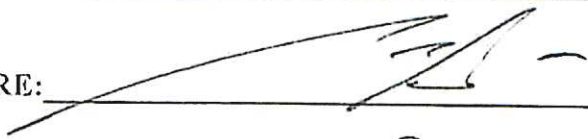
WARRANTY ATTACHED COMPLY YES  NO

PROJECTED DELIVERY DATE: 8 to 10 weeks from Order Date

FIRM SUBMITTING BID: Olathe Dodge -

ADDRESS: 15500 W 117th

CITY, STATE, & ZIP CODE: Olathe Ks. 66062

AUTHORIZED SIGNATURE: 

PRINTED NAME: Tom Phan

TELEPHONE NUMBER: 913-953-7295 FAX NUMBER: 913-225-9086

DATE BID EXPIRES: 2/20/18

SPECIAL NOTES: \_\_\_\_\_