



Welcome - 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

Study Session:

1. Review Recommendations from Sidewalk Committee (pg. 2)
2. Review of Code of Ordinances Chapter 14-Professional Wrestling Matches (pg. 10)
3. Review of Charter Ordinance No. 6-Holding of Government Office by City Commissioners (pg. 18)

Special Meeting:

Open a Special Meeting

Action: Motion

4. Consider Addition of 225 Delaware to NRA District

Action: Motion (pg. 20)

Adjourn

Action: Motion

POLICY REPORT PWD NO. 18-08
REVIEW COMMISSION PRIORITIES FOR SIDEWALK COMMITTEE MULTI-YEAR PLAN

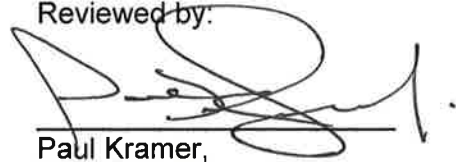
February 6, 2018

Prepared by:



Mike Hooper,
Deputy Director of Public Works

Reviewed by:



Paul Kramer,
City Manager

ISSUE:

Consider recommendations received from the Sidewalk Advisory Board for the multi-year plan for sidewalk construction and repair priorities.

BACKGROUND:

In early 2005, EBH Engineers completed a citywide sidewalk evaluation and report. The report contained findings related to existing sidewalk condition, existence of ADA ramps at intersections, and areas of missing sidewalk throughout the City. Using the recommendations included in the EBH Sidewalk Evaluation Report, the City Commission created the Sidewalk Advisory Board to provide recommendations to the City Commission reference the repair, replacement, and construction of new sidewalks with the following guidance and goals. The Sidewalk Advisory Board was recognized as a formal 7-person committee by the Commission on March 4, 2008.

The committee focuses on the following sidewalk items:

- Create and oversee the functionality of a cost share program for residential and commercial properties that want to replace, repair, or improve an existing sidewalk or install a new sidewalk in a location where one does not currently exist.
- Review and make recommendations to the City Commission concerning where sidewalks are logical to construct within the following criteria:
 - Along residential, collector, and arterial streets
 - Residential – one side
 - Collector and Arterial – both sides
 - Feeder sidewalks around schools, parks, and public buildings

The Sidewalk Advisory Board meets on a regular basis to remain involved in both the long-term planning for and the review of current activities related to sidewalk construction.

Every two years, the committee members and staff will create a list of possible locations. These locations come from their personal observations, discussions with friends and acquaintances and familiarity with other City projects. Each member ranks each proposed location as to their idea of importance (on a scale of 1-least important to 5-most important) following the established criteria.

The Sidewalk Committee uses the criteria below to identify and rate the recommended projects:

1. Is the sidewalk on a collector or arterial street?
2. Does the sidewalk serve a school?
3. Does the sidewalk serve a park or public building?
4. Does the proposed sidewalk provide for the continuation of an existing sidewalk?
5. Does the proposed sidewalk provide a connection to sidewalks that are missing sections which would tie the community network together?

6. Is the proposed sidewalk along a curb & gutter or open ditch roadway?
7. Is the proposed sidewalk constructability feasible?
8. Is the proposed sidewalk economically feasible?
9. Are there other factors related to use of a sidewalk by the public not part of the above considerations?
10. Construction of trail-width sections (where practicable and cost-effective) to promote bicycle activities, etc.

Once all rating sheets are received by staff, the rankings are tallied, and all locations with a rating of 4.5 or higher are added for consideration to the multi-year sidewalk plan. There is often considerable discussion on these projects. Staff creates a draft plan with these agreed upon locations shown in a specific year's plan based on their ranking and available funding for each year. The recommended plan is then reviewed with the City Commission.

The Sidewalk Advisory Board has identified several locations for sidewalk projects in the next few years as indicated in the attached listing for review by the Leavenworth City Commission. Recommended sidewalk projects are listed as either "new construction" or "repair" projects. The Sidewalk Advisory Board, at the direction of the City Commission, has identified more repair projects for inclusion in the program in recent years. It is important to note that some repair projects can easily be considered as complete replacements and some repair projects are in areas that can be brought up to standards with only limited section repairs.

It is typical to design slightly more sidewalk than funding is available. This allows for additional work to be added if favorable bids are received. Recent favorable bids have allowed the proposed sidewalk projects to be constructed approximately one year ahead of the original schedule. Any identified projects that are not built within the allotted budget are then recommended for inclusion into the program for the following year.

The recommended 2018 – 2021 multi-year locations are listed on the attached spreadsheet. The projects are listed in ranked order based primarily on ratings and opinions by the Sidewalk Advisory Board. All of these projects have merit and can be constructed in the order deemed appropriate by the City Commission.

The proposed plan identifies approximately \$325-\$400,000 worth of projects for work in 2018 through 2021. This will provide the necessary information for a design contract to be obtained. Staff and the Sidewalk Advisory Board will update the recommendations for future projects in 2019 based on results of this meeting and bid results.

RECOMMENDATION:

Staff recommends that the City Commission review the recommendations and identify projects for design and construction in 2018.

Attachments

Ordinance No.7763 (creating the Advisory Board)

2018/2021 Sidewalk Plan

2017 Sidewalk Ratings

ORDINANCE NO. 7763

AN ORDINANCE CREATING A SIDEWALK ADVISORY BOARD

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

Section 1. Board Purpose. There is hereby created a Sidewalk Advisory Board to make reports and recommendations to the Governing Body on all matters relating to the location, construction and maintenance of sidewalks throughout the City. The Board shall annually provide recommendations to the City Commission for a sidewalk work plan and a report on Board activities.

Section 2. Composition Appointment. The Sidewalk Advisory Board should consist of seven City of Leavenworth residents with experience as follows,

- General Contractor (1)
- Civil Engineer or Architect (1)
- USD 453 representatives (1)
- Residents of Leavenworth (4)

who shall be appointed by the Mayor, by and with the consent of the City Commission. The Director of Public Works shall facilitate all meetings and shall keep and publish minutes of the meetings.

Section 3. Term of Service. In appointing the seven voting members of the Sidewalk Advisory Board, the Mayor shall designate four to serve two-year terms and three to serve three-year terms. Terms of all subsequent appointees shall be for three years.

Section 4. Compensation. The members of the Sidewalk Advisory Board shall serve without pay.

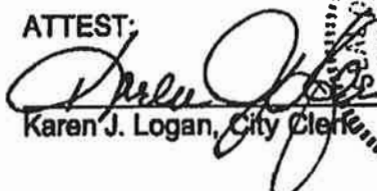
Section 5. Removal of Members. Each member of the Sidewalk Advisory Board shall be removable for cause by the recorded vote of a majority of the members of the Governing Body. Any member of the Board failing to attend four successive regular meetings without cause, acceptable and approved by the remaining Board members, shall be thereby automatically removed from the Board and the vacancy shall be re-appointed by the Mayor.


Section 6. Organization. The Mayor shall appoint the initial chairperson of the Sidewalk Advisory Board, who shall serve in this capacity for a period of one year. Thereafter, the committee shall annually elect one of its members to act as chairperson.

Section 7. Meeting Frequency. The Sidewalk Advisory Board shall meet as often as needed to facilitate the effective management of the sidewalk program, but at least quarterly at a time and place which is mutually agreeable to the members.


Section 8. That this Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

Passed by the Leavenworth City Commission on this 4th Day of March 2008.

ATTEST:

Karen J. Logan, City Clerk



CORPORATE
SEAL
LEAVENWORTH
KANSAS


Larry Dedeke, Mayor

Published in The Leavenworth Times
Date of Publication: 03-07-2008

Proposed 2017 <i>In Progress</i>			Prior Estimate	Revised Estimate	Actual Cost	
20th Street	Tonganoxie Rd. to Limit Street (West Side)			\$ 203,400.00	\$230,679.00	New
20th Street	Dakota to Metropolitan (West Side)			\$ 89,120.00	\$30,883.00	New
New Lawrence Rd.	Limit to Wildewood (East side)			\$ 81,000.00	\$34,333.00	New
Spruce Street	Columbia to 9th Ave. (South Side)			\$ 34,000.00	\$6,391.00	New in-fill
4th Street	Eisenhower to Commercial Ave. (East Side)	Lump Sum		\$ 70,000.00	\$70,000.00	New
Tonganoxie Rd. (Alternate 1)	Shenandoah Dr. to 20th Street (North/West Side)			\$ 237,150.00	\$146,176.86	New
				\$714,670.00	\$518,462.86	
			FIXED ANNUAL COSTS			
Cost Share Reserve			\$ 25,000.00	\$ 25,000.00	\$ 8,000.00	
4th & Muncie Intersection	CIP Allocated			\$ 7,500.00	\$ 7,500.00	
4th & Idaho Intersection	CIP Allocated			\$ 5,500.00	\$ 5,500.00	
2017 Design				\$ 46,212.00	\$ 46,212.00	
Total 2017			\$ 25,000.00	\$798,882.00	\$585,674.86	
AVAILABLE CONSTRUCTION PROJECT FUNDS 2017 - \$514,175.00						2017 Allocation - \$347,631.00 + 2016 Carryover - \$179,482.00= \$464,473.00
Proposed 2018 Sidewalk Plan			Prior Estimate	Revised Estimate	Actual Cost	
10th Street (2015 ratings)	Olive to Cherokee	Lump Sum		\$ 36,000.00		Repair
Congress (2017 ratings)	2nd Ave to 5th Ave.			\$ 40,000.00		Replace
Grand Ave. (2017 ratings)	Vilas to Sherman (west side)			\$ 52,000.00		New
Marion St. (2017 ratings)	Grand Ave. to 10th Ave. (south side)			\$ 35,000.00		New
Pennsylvania (moved from 2017)	2nd Ave West to the alley (South Side)			\$ 17,500.00		New in-fill
Pennsylvania (moved from 2017)	5th Ave. West to the Alley (South Side)			\$ 10,000.00		New in-fill
North Broadway School	Dakota St., 8th St. to Broadway (South side)			\$ 50,000.00		New
	Broadway, Dakota to Kiowa (West side)					New
	Kiowa, 8th St. to Broadway (North side)					New
	8th Street, Dakota to Kiowa (East side)					New
				\$ 240,500.00	\$	
			FIXED ANNUAL COSTS			
2018 Design				\$ 49,602.00		
Cost Share Reserve				\$ 25,000.00		
2019 Design				\$ 50,000.00		
Total 2018				\$ 365,102.00		
AVAILABLE FUNDS 2018 - \$366,038.00						2018 Allocation - \$380,820.00 2017 Carryover - \$-14,782.00

Proposed 2019 Sidewalk Plan			Prior Estimate	Revised Estimate	Actual Cost
Spruce St. (2015 ratings)	Grand Ave. to 15th St. (North side)	Lump Sum	\$ 254,268.00	\$ 248,400.00	Plans need additional work - New & Repair
20th St. (2017 ratings)	Spruce to Dakota (West side)			\$ 50,000.00	Repair
2nd Ave. (2017 ratings)	Pennsylvania to Thornton (west side)			\$ 100,680.00	New
			FIXED ANNUAL COSTS		
Cost Share Reserve			\$ 25,000.00	\$ 25,000.00	
2020 Design				\$ 50,000.00	
Total 2019				\$ 474,080.00	
AVAILABLE FUNDS 2019					2019 Allocation - \$378,450.00
Proposed 2020 Sidewalk Plan			Prior Estimate	Revised Estimate	Actual Cost
Dakota St. (2017 ratings)	5th St. to 10th St.			\$ 152,000.00	Replace
Eisenhower Rd. (2015 ratings)	Hughes Rd. to 4th St. (North side)	Lump Sum		\$ 155,400.00	New
			FIXED ANNUAL COSTS		
Cost Share Reserve			\$ 25,000.00	\$ 25,000.00	
2020 Design				\$ 50,000.00	
Total 2020				\$ 382,400.00	
AVAILABLE FUNDS 2020					2020 Allocation - \$384,150.00
Proposed 2021 Sidewalk Plan			Prior Estimate	Revised Estimate	Actual Cost
20th Street (2015 ratings)	Spruce to Dakota (East side)	Lump Sum		\$ 595,600.00	New
2nd Ave. (2015 ratings)	Ohio to Thornton (East Side)			\$ 522,000.00	New
			FIXED ANNUAL COSTS		
Cost Share Reserve			\$ 25,000.00	\$ 25,000.00	
2020 Design				\$ 50,000.00	
Total 2021				\$ 1,192,600.00	
AVAILABLE FUNDS 2021					2021 Allocation - \$389,850.00

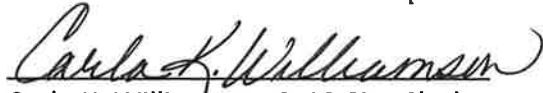
NEW CONSTRUCTION					#1	#2	#3	#4	#5	#6	# ADA Ramps	AVERAGE	Type	Cost	Rate the new sidewalks separate from the repair sidewalks. The highest rating is 5. The lowest is 1. Call if you have questions.
LOCATION	Distance	Width	Square Feet												
Spruce St (North Side)	Grand Ave. to 15th St.	2760	5	13800	5	4	5	3	5	5	4	4.5	B	\$ 248,400.00	
Spruce St (South Side)	Grand Ave. to 15th St.	2760	5	13800	3	2	5	2	2	3	8	2.8	B	\$ 248,400.00	
20th St. (East Side)	Spruce to Ottawa	4177	5	20885	2	1	4	2	5	5	14	3.2	B	\$ 375,930.00	No sidewalk on east side Ottawa to Dakota due to bridge width
2nd Ave. * (West Side)	Spruce to Pennsylvania	3428	5	17140	2	5	4	3	4	5	22	3.8	A	\$ 205,680.00	West Side - Much of this sidewalk is 4'. Remove/replace with 5' and new ADA Ramps
2nd Ave. * (West Side)	Pennsylvania to Thornton	1678	5	8390	4	4	5	5	5	5	11	4.7	A	\$ 100,680.00	West Side - Much of this sidewalk is 4'. Remove/replace with 5' and new ADA Ramps
Dakota St. *	5th St. to 10th. St.	2540	5	12700	3	3	3	5	5	5	10	4.0	A	\$ 152,400.00	
17th St.	Ottawa to Dakota	1035	5	5175	5	4	2	3	2	1	2	2.8	B	\$ 93,150.00	
2nd St. (West Side)	Elm St. to Spruce	1040	5	5200	4	5	3	3	4	3	7	3.7	A	\$ 62,400.00	
Santa Fe Trail Drive	Old Metropolitan to Hancock Ave.	3300	8	26400	1	1	1	1	3	1		1.3	B	\$ 475,200.00	
Washington Street	Spruce to Ohio	2555	5	12775	1	2	2	1	2	3	6	1.8	E	\$ 638,750.00	
Limit St. (North Side)	2nd Ave. to 10th Ave.	4100	5	20500	1	1	4	2	4	3	13	2.5	B	\$ 369,000.00	
Limit St. (North Side)	10th St. to 14th St.	3309	5	16545	3	2	4	2	5	3	7	3.2	B	\$ 297,810.00	
Limit (South Side)	14th St. to 15th St.	715	5	3575	5	5	4	3	4	5	2	4.3	A	\$ 42,900.00	
Limit St. (South Side)	Wilson Ave. to V.A. Park	1034	5	5170	4	3	1	2	3	3	3	2.7	A	\$ 62,040.00	
Limit St. (South Side)	Hughes Rd. to 5 Mile Bridge	485	5	2425	4	4	3	3	3	3	4	3.3	A	\$ 29,100.00	
Vilas St. (South Side)	10th Ave. to 15th St.	3265	5	16325	1	2	4	4	5	3	8	3.2	A	\$ 195,900.00	
4th St. (West Side)	Choctaw to Spruce	4638	5	23190	2	3	2	2	4	3	7	2.7	C	\$ 185,520.00	
4th St. (East Side)	Choctaw to Spruce	650	5	3250	5	5	2	4	4	3	4	3.8	C	\$ 26,000.00	
7th St. (West Side)	3 Mile Bridge to Spruce St.	1315	5	6575	2	3	3	4	3	1	9	2.7	B	\$ 118,350.00	
7th St. (East Side)	3 Mile Bridge to Spruce St.	1380	5	6900	2	4	3	2	3	1	9	2.5	B	\$ 124,200.00	
7th St. (West Side)	Shawnee to Metropolitan	3035	5	15175	1	1	3	2	4	3	18	2.3	B	\$ 273,150.00	
7th St. (East Side)	Shawnee to Metropolitan	2495	5	12475	1	1	3	4	5	3	14	2.8	B	\$ 224,550.00	
Ottawa St. (North Side)	10th to 13th	1322	5	6610	5	3	4	4	4	1	5	3.5	B	\$ 118,980.00	
Ottawa St. (South Side)	10th to 13th	1353	5	6765	5	2	4	2	5	1	4	3.2	B	\$ 54,120.00	
Pennsylvania St. (South Side)	5th Ave. to 10th Ave.	1320	5	6600	5	4	2	4	3	1	6	3.2	A	\$ 79,200.00	
Congress * (South Side)	2nd Ave to 5th Ave.	1008	5	5040	4	5	4	4	5	5	7	4.5	C	\$ 40,320.00	
Ohio St. (LeCompton Road)	Westwood Drive to 20th St.	4423	5	22115	1	1	1	1	1	1		1.0	E	\$ 1,105,750.00	
Grand Ave. * (West Side)	Vilas to Sherman	860	5	4300	4	3	4	5	5	5	6	4.3	A	\$ 51,600.00	
10th Ave. (East Side)	Spruce to Pennsylvania	3422	5	17110	2	1	2	2	5	3	12	2.5	A	\$ 205,320.00	

October 2017
Review

LOCATION	Distance	Width	Square Feet	#1	#2	#3	#4	#5	#6	# ADA Ramps	AVERAGE	Type		
Muncie Road (South Side) 4th Street to Marshall's Detention Center	1424	5	7120	3	1	1	2	3	3	4	2.2	A	\$ 85,440.00	
Washington Street Spruce St. to Ohio St.	1920	5	9600	2	1	3	1	3	1		1.8	E	\$ 480,000.00	
Marion * (South side) Grand to 10th	585	5	2925	5	5	4	3	5	5	5	4.5	A	\$ 35,100.00	
Broadway * (West Side) Michigan to Thornton	2140	5	10700	4	3	3	4	4	5	10	3.8	A	\$ 128,400.00	
POSSIBLE REPAIR PROJECTS														
Dakota St. 11th St. to 5th St.	7560	4	30240	1	1	2	3	3	1		1.8	C	\$ 241,920.00	Both Sides
2nd Street (East Side) Kiowa St. to Seneca Street	2420	4	9680	3	5	3	5	3	3		3.7	C	\$ 77,440.00	East side
2nd St. Seneca St. to Cheyenne St.	2816	4	11264	2	4	3	4	4	3		3.3	C	\$ 90,112.00	East Side - 2015 CDBG Project - West Side Osage to Dakota.
Osage St. (Both Sides) Broadway to Esplanade	4624	4	18496	3	2	3	2	4	1		2.5	C	\$ 147,968.00	Both Sides - 2015 CDBG Project - Both Sides 4th St. to 2nd St.
Osage Street (South Side) Broadway to Esplanade	2312	4	9248	3	4	3	4	3	1		3.0	C	\$ 73,984.00	One side (south)
10th St. (Both Sides) Olive St. to Cherokee St.	1500	4	6000	4	5	4	4	5	3		4.2	F	\$ 36,000.00	Repair only
5th Ave. (West Side) Pennsylvania St. to Spruce St.	3290	5	16450	2	3	3	3	3	1		2.5	C	\$ 131,600.00	West Side - Much of this sidewalk is 4'. Remove/replace with 5' and new ADA Ramps.
N. 20th St. (West Side) Spruce St. to Dakota St.	1125	4	4500	4	4	4	4	5	5		4.3	C	\$ 36,000.00	Sidewalk repair on west side Used number from EBH Study
18th St. Ottawa St. to Spruce St.	4000	5	20000	2	3	4	1	5	1		2.7	C	\$ 160,000.00	Much of this sidewalk is 4'. R&R total length with 5'.
Pennsylvania St. Grand Ave to 2nd Ave	4000	5	20000	2	5	2	1	3	3		2.7	C	\$ 160,000.00	
Lawrence Ave. Cherokee St. to Spruce St.	2000	5	10000	3	4	2	2	3	1		2.5	C	\$ 80,000.00	Sidewalk repair on east side
Vilas St. (North Side) 10th Ave. to Folsom St.	3512	5	17560	2	3	3	3	5	5	6	3.5	F	\$ 105,360.00	ADA Ramps and sidewalk repair
Limit St. (North Side) 14th to 15th Street	680	5	3400	5	1	4	3	5	5		3.8	F	\$ 20,400.00	
Limit St. (South Side) 10th to 14th Street	3309	5	16545	2	1	4	3	5	5		3.3	F	\$ 99,270.00	
Limit St. (South Side) 2nd Ave. to 10th Ave.	4100	5	20500	2	2	3	3	4	5		3.2	F	\$ 123,000.00	

**POLICY REPORT
STUDY SESSION
REVIEW CHAPTER 14, CODE OF ORDINANCES
ARTICLE VII – PROFESSIONAL WRESTLING MATCHES**

FEBRUARY 6, 2018


Carla K. Williamson, CMC City Clerk


Paul Kramer, City Manager

ISSUE:

Review of Chapter 14 of the City Code of Ordinances; Article VII – Professional Wrestling Matches.

BACKGROUND:

Ordinance No. 6657 was passed by the Governing Body of the City of Leavenworth on March 22, 1983 requiring the licensing of Professional Wrestling Matches held in the City of Leavenworth.

The ordinance restricted the issuance of a license to:

“bona fide patriotic, benevolent, fraternal or religious organization, or local unit thereof, which organization has been in existence and has held meetings at regular intervals during the entire year immediately preceding the application for a license.”

As the Ordinance is written, anyone holding such a match anywhere within the City, regardless of it being held on private or public property, is required to obtain a license. The license fee is \$100.00.

In late 2017 the City was approached by a promoter requesting to hold a Mixed Martial Arts (MMA) event in the City. Chapter 14, Article VII was used as the basis for the request. Upon approval by the City Commission at the November 28, 2017 regular meeting it was determined that there was a need to review this chapter of the Code of Ordinances.

Staff contacted Adam Roorbach, Boxing Commissioner for the Kansas Department of Commerce Athletic Commission. The Athletic Commission oversees boxing, kickboxing, mixed martial arts and wrestling in the State of Kansas. Mr. Roorbach was not aware of any other Cities in the State of Kansas that regulate the events in addition to those of the State. Information obtained from the Kansas Department of Commerce, Athletic Commission website is attached.

The MMA event held at the Riverfront Community Center on January 13, 2018 was a success and the promoter is planning additional events. An event is being planned at the Riverfront Community Center on March 10, 2018 and will require a waiver from the City Commission as the ordinance is currently written.

Staff is seeking guidance on the ordinance.

OPTIONS:

- Make no changes
- Revise sections of the Code
- Repeal the ordinance and let policies of the Parks and Recreation Department and/or those of Special Events govern requirements

ATTACHMENTS:

- Chapter 14, Article VII of the City Code of Ordinances
- Information from Kansas Department of Commerce Athletic Commission web-site
- Ordinance 6657, dated March 22, 1983

Chapter 14 Amusements and Entertainment

- **ARTICLE VII. - PROFESSIONAL WRESTLING MATCHES**

- **DIVISION 1. - GENERALLY**

- **Sec. 14-186. - Penalty for violation of article.**

A person violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$500.00 or confined in jail for a period not exceeding six months, or be both so fined and confined.

- **Sec. 14-187. - Conduct of match; physician to be in attendance.**

The participants as well as the conduct of any professional wrestling match must abide by the duly passed ordinances and regulations of the city, governing public events and other wise, and in addition must abide by the rules of the applicable professional society governing wrestling matches. Further, each match must be attended by a physician licensed to practice medicine in the state or person trained to provide emergency medical assistance certified by the state.

- **Secs. 14-188—14-200. - Reserved.**

- **DIVISION 2. - LICENSE**

- **Sec. 14-201. - Required.**

No professional wrestling match shall be held within the city unless a license is obtained according to the procedures set forth in this division.

- **Sec. 14-202. - Restricted to patriotic, fraternal or religious organizations.**

A license to hold a professional wrestling match shall only be issued to a bona fide patriotic, benevolent, fraternal or religious organization, or local unit thereof, which organization has been in existence and has held meetings at regular intervals during the entire year immediately preceding the application for a license under this division.

- **Sec. 14-203. - Certificate of insurance to be filed.**

Before the license to hold a professional wrestling match shall be issued, the applicant shall file with the city clerk a certificate of insurance issued by a company authorized to do business in the state and approved by the city attorney indicating liability insurance in the amount of not less than \$500,000.00, with the city named as an additional named insured.

- **Sec. 14-204. - Application for license; fee.**

An application for a license under this division along with a license fee as prescribed in appendix F shall be made to the city clerk on a form prepared by the city clerk. From and after April 1, 1983, the application must be submitted at least 30 days before the scheduled event and approved by the governing body.



Contact Us

[Return to Home Page](#)

Athletic Commission Contact:

[Adam Roorbach](#)

Boxing Commissioner

1000 S.W. Jackson St., Suite 100

Topeka, KS 66612-1354

[Email](#)

Phone: (785) 296-0596

Fax: (785) 296-6809

TTY: 711

Mission of the Athletic Commission

The Kansas Athletic Commission administers laws and regulations governing regulated sports and wrestling. The Commission continually strives to provide authorized control and official direction for professional boxing, kickboxing, mixed martial arts and wrestling, while encouraging the promotion of such sporting events in the State of Kansas. The regulatory process shall continue to facilitate the health and safety of contestants, fair and competitive bouts, in addition to protecting the general public.

Promoters

What do I need to do to promote an event in the state of Kansas?

- **Boxing/MMA/Kickboxing**
 - File an event permit with the Kansas Athletic Commission
 - Apply for a promoters license for the state of Kansas if you do not already have one
 - All other information can be found in the Promoters Checklist
- **Wrestling**
 - File an event permit with the Kansas Athletic Commission
 - All other information can be found in the Promoters Checklist

What activities are sanctioned by the Kansas Athletic Commission?

- All amateur and professional mixed martial arts, professional boxing, professional kickboxing and professional wrestling are sanctioned by the commission. Amateur kickboxing can be sanctioned by the KAC if the promoter wishes, or the promoter can bring in an outside sanctioning body approved by the commission. All jiu-jitsu, grappling and smoker events must be registered with the commission as well.

What does it cost to promote an event in the state of Kansas?

- **Boxing/MMA/Kickboxing**
 - \$40 for an event permit with the Kansas Athletic Commission
 - Minimum of \$600 for inspectors
 - \$450 for a physician
 - \$150 for a timekeeper
 - Referees and judges will depend on the classification of the event:
 - Professional – \$1,200
 - Mixed (Pro and amateur) - \$1,000
 - Amateur - \$800
 - Each promoter will be given the option of choosing either a five percent fee on gate revenue from the event or paying a flat fee to the commission. The flat rate will be determined by the commission and will be based on a number of criteria
- **Wrestling**
 - \$175 for an event permit
 - A five percent fee on the gate revenue from the event

ORDINANCE NO. 6657

AN ORDINANCE GOVERNING THE EXHIBITION OF PROFESSIONAL WRESTLING MATCHES, PROVIDING FOR LICENSING AND REGULATION THEREOF, AND PROVIDING PENALTIES FOR VIOLATION HEREOF.

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

Section 1. No professional wrestling matches shall be held within the City of Leavenworth, Kansas, unless a license is obtained according to the procedures set forth herein.

Section 2. A license to hold a professional wrestling match shall only be issued to a bona fide patriotic, benevolent, fraternal, or religious organization or local unit thereof, which organization has been in existence and has held meetings at regular intervals during the entire year immediately preceding the application for the license.

Section 3. Before the license to hold a professional wrestling match shall be issued, the applicant shall file with the city clerk a certificate of insurance issued by a company authorized to do business in the State of Kansas and approved by the city attorney indicating liability insurance in the amount of not less than five hundred thousand dollars (\$500,000.00) with the City of Leavenworth, Kansas, named as an additional named insured.

Section 4. An application for license along with a license fee of twenty-five dollars (\$25.00) shall be made to the city clerk on a form prepared by the city clerk. From and after April 1, 1983, the application must be submitted at least thirty (30) days before the scheduled event and approved by the Governing Body.

Section 5. The participants as well as the conduct of any professional wrestling match must abide by the duly passed ordinances and regulations of the City of Leavenworth, Kansas, governing public events and otherwise and in addition must abide by the rules of the applicable professional society governing wrestling matches. Further, each match must be attended by a physician licensed to practice medicine in the State of Kansas or person trained to provide emergency medical assistance certified by the State of Kansas.

Section 6. A person or organization violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed five hundred dollars (\$500.00) or confined in jail for a period not exceeding six (6) months or be both so fined and confined.

Section 7. This ordinance shall take effect upon publication in the official city newspaper.


Clyde D. Graeber, Mayor

ATTEST:


Margaret B. Strange, City Clerk

Passed and Approved: 3/22/83

Published: 3/25/83

MINUTES

Regular Meeting
Tuesday, March 22, 1983

The Governing Body met at 7:00 p.m., Tuesday, March 22, 1983 with the following present: Mayor Clyde D. Graeber, Commissioner: Lee Farnsworth, Robert Brownson, Thomas Bragg, and Clarkson Brown; Manager Harold A. Anderson, Clerk M. Jerite B. Strange, Attorney Robert Beall, Engineer David Pennington, Administrative Assistant Melissa Vossmer, and C. D. Director John Krueger.

Mayor Graeber opened the meeting with a moment of silent prayer.

The minutes of the regular meeting of March 9, 1983 and special meeting of March 15, 1983 were approved as presented on motion by Commissioner Farnsworth; seconded by Brown and the roll call vote.

Ordinance 6655, an ordinance vacating the East/West alley bounded on the North by Lots 2 through 7, Henrys Addition and on the South by Block 7, Clarks Addition of Outlots was considered for the second time, passed and approved on the roll call vote.

An ordinance establishing 4 way stop signs at the intersection of 2nd and Delaware Streets was considered for the first time.

Mayor Graeber declared the ordinance establishing 4 way stop signs an emergency and asked that it be considered for the second time.

Ordinance 6656, an ordinance establishing 4 way stop signs at the intersection of 2nd and Delaware Streets was considered for the second time; passed and approved on the roll call vote.

An ordinance governing the exhibition of professional wrestling matches, providing for licensing and regulation thereof, and providing for penalties for violation hereof, was considered.

The Governing Body was concerned about some areas of the ordinance, since the Fraternal Order of Police have scheduled a wrestling match for March 28, 1983, before it was discovered that the City had no regulations; therefore, the ordinance

should have Section III. amended to change the "Application shall be made at least 30 days before the scheduled event" to make the 30 day requirement effective after April 1, 1983.

A section should be added requiring the organization sponsoring the wrestling match provide the Governing Body with the insurance in the amount of \$500,000.00 naming the City as a party insured.

Mayor Graeber declared the ordinance an emergency and asked that it be considered the second time.

Ordinance 6657, an ordinance governing the exhibition of professional wrestling matches, providing for licensing and regulation thereof, and providing penalties for violation hereof, was considered for the second time; passed and approved on the roll call vote with five yes votes.

Following the recommendation of the Leavenworth City Planning Commission to rezone a tract of land in Block 10, Evans Addition from R-1, Single Family to R-2, Single Family, the Governing Body considered an ordinance for the first time rezoning the tract in Block 10, Evans Addition from R-1, Single Family to R-2, Single Family.

Resolution B-773, a resolution establishing the minimum standards and procedures for public display of fireworks was adopted on motion by Commissioner Farnsworth; seconded by Brownson and the roll call vote, with five yes votes.

The final plat of Dolsberry's Subdivision located at 16th and Ohio Streets was considered and following the recommendation of the Leavenworth City Planning Commission, the final plat was approved waiving the requirement for a street improvement petition for Ohio St. since the Engineers recommended such a waiver because the street would be unimproved on either end and when Ohio St. is ultimately approved the section would be unlikely to meet the new alignment. Plat approved on motion by Commissioner Farnsworth; seconded by Brown and the roll call vote.

**POLICY REPORT
STUDY SESSION
REVIEW CHARTER ORDINANCE 6
RELATED TO HOLDING OF GOVERNMENT OFFICES BY CITY COMMISSIONERS**

FEBRUARY 6, 2018



Carla K. Williamson, CMC City Clerk



Paul Kramer, City Manager

ISSUE:

Review of Charter Ordinance No. 6 relating to the holding of Government offices by City Commissioners in Leavenworth.

BACKGROUND:

On October 21, 1969 the Governing Body of the City of Leavenworth passed Charter Ordinance No. 6. *"A charter ordinance relating to the holding of government offices by city commissioners in Leavenworth, Kansas, and exempting the city from the provisions of K.S.A. 13-1802 and providing substitute and additional provisions on the same subject."*

K.S.A. 13-1802 has since been repealed by the State of Kansas however research by Staff found that K.S.A. 13-1802 stated:

"No member of the board of commissioners [of a city of the first class], or the mayor, shall hold any office of profit or trust under the laws of any state or the United States, or hold any county or other city office; nor shall the mayor or any commissioner ever be elected or appointed to any office created by, or the compensation of which was increased or fixed by, the board of commissioners, while he or she was a member thereof, until after the expiration of at least two years after he or she has ceased to be a member of said board."

The City of Leavenworth substituted the following language:

"no member of the city commission shall hold governmental office of profit under the laws of any state or United States while he is a member of the commission or until after the expiration of at least one year after he has ceased to be a member of said commission."

Staff is requesting guidance on the Charter Ordinance No. 6.

OPTIONS:

- Make no changes
- Amend the Charter Ordinance
- Repeal the Charter Ordinance

ATTACHMENTS:

- Charter Ordinance No. 6

NO. 6. - COMMISSIONERS HOLDING OTHER GOVERNMENT OFFICES⁸¹

Charter Ordinance No. 6

A charter ordinance relating to the holding of government offices by city commissioners in Leavenworth, Kansas, and exempting the city from the provisions of K.S.A. 13-1802 and providing substitute and additional provisions on the same subject.

Be it ordained by the governing body of the City of Leavenworth, Kansas:

Section 1. That pursuant to the provisions of Section 5(c) of Article 12 of the Constitution of the State of Kansas, the City of Leavenworth, Kansas, hereby elects that K.S.A. 13-1802 shall not apply to said city and provides the following substitute and additional provisions on the same subject; "no member of the city commission shall hold governmental office of profit under the laws of any state or United States while he is a member of the commission or until after the expiration of at least one year after he has ceased to be a member of said commission."

Section 2. That this ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 3. This is a charter ordinance and shall take effect 61 days after final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, Subdivision (c)(3), of the Constitution of Kansas, in which case the ordinance shall become effective if approved by the majority of the electors voting thereon.

Passed by the governing body of not less than two-thirds of the members-elect voting in favor thereof, this 21st day of October, 1969.

/s/
Ray H. Miller, Mayor

ATTEST:

/s/
Marguerite B. Strange, City Clerk

Passed and Approved: October 21, 1969

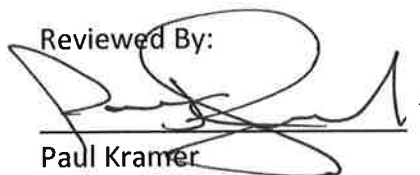
**Policy Report
Neighborhood Revitalization Area (NRA)
Addition of 225 Delaware
February 6, 2018**

Prepared By:



Taylor Tedder
Assistant City Manager

Reviewed By:



Paul Kramer
City Manager

BACKGROUND:

At the January 10, 2017 City Commission meeting, the Commission approved a renewal of the Neighborhood Revitalization Area (NRA), encompassing roughly Esplanade Street west to 10th Street, and Spruce Street north to Metropolitan Avenue. Two existing TIF areas are excluded from the NRA area. An interlocal agreement was passed by vote of both the Leavenworth County Commission and the Leavenworth School District (USD 453) to renew the NRA. The NRA area is set to expire on December 31, 2026.

At the January 23rd, 2018 City Commission meeting, the Commission approved an ordinance removing 225 Delaware from the Downtown Town Square Redevelopment District, one of the TIF areas excluded from the NRA. The property is owned by Bramlage Properties, who is remodeling/improving the Landing Theater, and the request for removal was made so they may be included in the NRA, providing a greater catalyst for redevelopment and improvement of the property.

Staff has updated the legal description of the approved NRA plan to include the property, 225 Delaware, removed from the Downtown Town Square Redevelopment District. Both Leavenworth County and the Leavenworth School District have been notified and approved of the addition of the property. This addition will not affect the overall structure of the plan, which will still be set to expire on December 31, 2026.

ACTION:

Approve addition of 225 Delaware to the Neighborhood Revitalization Area.

ATTACHMENTS:

1. Ordinance 8068
2. NRA Plan

(Published in the Leavenworth Times on January 26, 2018)

ORDINANCE NO. 8068

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS MAKING FINDINGS AND REMOVING CERTAIN PROPERTY FROM THE DOWNTOWN TOWN SQUARE REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 et seq., as amended (the "Act"), the City of Leavenworth, Kansas (the "City") is authorized to establish redevelopment districts within a defined area of the City which is an "eligible area" as said term is defined in the Act; and

WHEREAS, pursuant to the Act and Ordinance No. 7879 adopted on July 26, 2011, the governing body established a redevelopment district in the City (the "Redevelopment District") consisting of a 12 square block area located in the City, bounded on the North by the North right of way of Seneca Street, bounded on the East by the Westerly Bank of the Missouri River, bounded on the South by the Southerly right of way of Choctaw Street and bounded on the West by the Westerly right of way of Fourth Street (U.S. Highway 73) to include all street and alley rights of way along with all property lying within Blocks 1-4, 17-24 and 43-46 of Leavenworth City Proper;

WHEREAS, pursuant to the Act and Ordinance No. 7965 adopted on March 17, 2015, the governing body approved a hotel project redevelopment plan (the "Hotel Project Plan") for the Redevelopment District;

WHEREAS, pursuant to Ordinance No. 8044 adopted on July 11, 2017, which itself amended Ordinance No. 8035, the City removed certain real property from the Redevelopment District;

WHEREAS, pursuant to the Act the City desires to remove certain additional property from the Redevelopment District and has prepared a feasibility study (the "Feasibility Study") that shows that the tax increment revenue from the resulting Redevelopment District is expected to be sufficient to pay the redevelopment project costs under the Hotel Project Plan; and

WHEREAS, the City desires to remove the property legally described on Exhibit A and shown on Exhibit B from the Redevelopment District.

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

Section 1. The Governing Body hereby finds that the Feasibility Study presented to the Governing Body satisfies the provisions of K.S.A. 12-1771(i) of the Act.

Section 2. The Governing Body hereby removes the property legally described on Exhibit A from the Redevelopment District.

Section 3. The City Clerk is directed to give notice to the Leavenworth County Clerk and Appraiser to revise the base year assessed valuation of the Redevelopment District in accordance with the Act.

Section 4. 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 January 23, 2018.



Mark Preisinger, Mayor

SEAL

ATTEST:


Carla Williamson, City Clerk

APPROVED AS TO LEGAL FORM:


Thomas Dawson, City Attorney

EXHIBIT A

Parcel Tax ID	Full Legal Description	Address
052-077-25-0-34-11-004.00	Lots seventeen (17) through twenty-one (21), Block twenty-two (22), Leavenworth City Proper, in the City of Leavenworth, Leavenworth County, Kansas	225 Delaware Street, Leavenworth, Kansas 66048

Neighborhood Revitalization Plan

K.S.A. 12-17, 114 et seq.

This law authorizes any municipality covered by the cash basis law to designate an area within its boundaries as a neighborhood revitalization area and to provide rebates to taxpayers in the amount of the increases in property taxes resulting from improvements made to the property. The term "municipality" may include a city, township, school, county, or other political subdivision. The rebates are to be made within 30 days of the payment of the full taxes.

Neighborhood revitalization area means in part, an area in which buildings or improvements by reason of dilapidation or obsolescence are detrimental to the public health, safety or welfare; or an area where there is a substantial number of deteriorating or defective structures and other improvements which impairs or arrests the sound growth of a city or constitutes an economic liability; or an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance, should be preserved or restored to productive use. See K.S.A. 12-17, 115(b), (1), (2), and (3).

Prior to designation of such an area, the municipality must adopt a program for the area which shall include, among other things, any proposals for improving or expanding various municipal services within the area, criteria to be used by the governing body for eligibility for rebates and other application process. Notice and public hearings are required prior to adoption of the program.

Municipalities are authorized to create a neighborhood revitalization fund for this purpose and to place moneys in said fund from any lawful source and from the general fund. Any two or more municipalities may enter into inter local cooperating agreements to exercise the powers under this act.

Purpose:

This Neighborhood Revitalization Plan is intended to promote the rehabilitation, conservation and/or redevelopment of the designated Neighborhood Revitalization Area within the City of Leavenworth in order to protect the public health, safety and welfare of the residents of the city. A tax rebate incentive based on the incremental increase of qualified improvements will be available to property owners in the designated Neighborhood Revitalization Area in accordance with the provisions of K.S.A. 12-17, 114 et seq.

In accordance with K.S.A 12-17, 118 a tax rebate incentive will be available to property owners for certain improvements that raise the appraised value of residential and commercial property.

In accordance with K.S.A. 12-11, 114 et seq. the City Commission conducted a public hearing on January 10, 2017 and considered the Neighborhood Revitalization Plan. Accordingly, the City Commission designates that the described area meets the conditions contained in K.S.A. 12-17, 115 to be designated as a Neighborhood Revitalization Area.

Part 1: Description of Neighborhood Revitalization Area

A neighborhood revitalization area falls into one or more of three categories:

1. An area with a predominance of buildings or improvements that are dilapidated, deteriorated, obsolete, inadequately ventilated and lighted, lacking provision for sanitation and open spaces with high population densities and overcrowding, to an extent that life or property is endangered.
2. An area with a predominance of deteriorated, dilapidated, unsafe and unhealthy conditions that inhibit growth of the municipality or constitute an economic liability for the public health, safety or welfare.
3. An area with a predominance of buildings that are historic or architecturally significant and should be preserved or restored for productive use.

The Neighborhood Revitalization Area is legally described as follows:

A TRACT OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS; AS MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF 10TH ST. AND METROPOLITAN AVE.; THENCE EASTERLY ALONG THE CENTERLINE OF METROPOLITAN AVE., TO THE INTERSECTION OF THE CENTERLINES OF METROPOLITAN AVE. AND 7TH ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF 7TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 7TH ST. AND PAWNEE ST.; THENCE EASTERLY ALONG THE CENTERLINE OF PAWNEE ST., TO THE INTERSECTION OF THE CENTERLINES OF PAWNEE ST. AND 4TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 4TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 4TH ST. AND METROPOLITAN AVE.; THENCE EASTERLY ALONG THE CENTERLINE OF METROPOLITAN AVE., TO THE INTERSECTION OF THE CENTERLINES OF METROPOLITAN AVE. AND ESPLANADE ST. AS IT EXTENDS NORTH TO METROPOLITAN AVE.; THENCE SOUTHERLY ALONG THE CENTERLINE OF ESPLANADE ST., TO THE INTERSECTION OF THE CENTERLINES OF ESPLANADE ST. AND SENECA ST., THENCE WESTERLY ALONG THE CENTERLINE OF SENECA ST., TO THE INTERSECTION OF THE CENTERLINES OF SENECA ST. AND 4TH ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF 4TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 4TH ST. AND CHOCTAW ST.; THENCE EASTERLY ALONG THE CENTERLINE OF CHOCTAW ST., TO THE INTERSECTION OF THE CENTERLINES OF CHOCTAW ST. AND ESPLANADE ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF ESPLANADE ST., TO THE INTERSECTION OF THE CENTERLINES OF ESPLANADE ST. AND SPRUCE ST.; THENCE WESTERLY ALONG THE CENTERLINE OF SPRUCE ST., TO THE INTERSECTION OF THE CENTERLINES OF SPRUCE ST. AND 10TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 10TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 10TH ST. AND MIAMI ST.; THENCE WESTERLY ALONG THE CENTERLINE OF MIAMI ST., TO THE INTERSECTION OF THE CENTERLINES OF MIAMI ST. AS IT EXTENDS WEST AND 11TH ST. AS IT EXTENDS SOUTH; THENCE NORTHERLY ALONG THE CENTERLINE OF 11TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 11TH ST. AND OTTAWA ST.; THENCE EASTERLY ALONG THE CENTERLINE OF OTTAWA ST., TO THE INTERSECTION OF THE CENTERLINES OF OTTAWA ST. AND 10TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 10TH ST.; TO THE POINT OF BEGINNING.

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 22, LOT 24-32

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 19, LT 16 & W .04'(S) LT 15

And;

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City of Leavenworth
Neighborhood Revitalization Plan
Adopted January 10, 2017
Revised February 6, 2018

LEAVENWORTH, PLT ORIG S25, T08, R22E, BLOCK 19, LOTS 12-14 \$ E6' LT 15 & N1/2 VAC N/S ALLEY ADJ

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 21, LTS 20-25 & W2' LT 26

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 19, S90' LOT 17

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 20, W2' OF LTS 4-11 & ALL LTS 13-21 & VAC ALLEY AJD (SCALED)

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 21, LT 1 & PT LT 2; BEG NE COR LT2 S125', WLY7.5', N10', E2', N32'

And;

Lots 24, 25, 26, 27, 28, 29, 30,31 and 32, Block 22 of Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas

And;

A tract of land, being a part of Block 19, Plat of Leavenworth, in the City of Leavenworth, Leavenworth County, Kansas, being more particularly described as follows:

Beginning at the Northwest Corner of said Block 19, said corner being the corner of the base of the stone foundation of existing brick building, then N 79°03'30" E along the North line of said Block 19, a distance of 25.48 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 121 & 119 Delaware Street; thence S 11°32'29" E along the centerline of common foundation wall between 121 & 119 Delaware Street, a distance of 125.33 feet to the intersection of the Southerly prolongation of the common foundation wall between 121 & 119 Delaware Street and the North line of a 14' wide platted Alley; thence S 78°59'32" W along the North line of said Alley, a distance of 26.79 feet to the intersection of the North line of said Alley and the West line of said Block 19; thence N 11°23'48" W along the West line of said Block 19, a distance of 125.35 feet to the Northwest Corner of said Block 19, said point also being the Point of Beginning, and containing 3,338.29 square feet, more or less.

And;

A tract of land, being a part of Block 19, Plat of Leavenworth, in the City of Leavenworth, Leavenworth County, Kansas, being more particularly described as follows:

Commencing at the Northwest Corner of said Block 19, said corner being the corner of the base of the stone foundation of existing brick building, thence N 79°03'30" E along the North line of said Block 19, a distance of 78.56 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street, said point also being the Point of Beginning: thence N 79°03'30" E continuing along the North line of said Block 19, a distance of 73.56 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 113/115 & 109-111 Delaware Street; thence S 11°10'30" E along the centerline of the common foundation wall between 113/115 & 109-111 Delaware Street, a distance of 125.18 feet to the intersection of the Southerly prolongation of the common foundation wall between 113/115 & 109-111 Delaware Street and the South line of the North 5 feet of Lot 6, said Block 19, said South line also being the Easterly prolongation of the North line of the East/West platted Alley of Block 19; thence S 78°59'32" W along said South line of the North 5 feet of Lot 6 and said North line of said East/West platted Alley, a distance of 73.87 feet to the intersection of the North line of said Alley and the Southerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street; thence N 11°01'53" W along the centerline of the common foundation wall between 117 & 113/115 Delaware Street a distance of 125.26 feet to the intersection of the Northerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street and of the North line of said Block 19, said point also being the Point of Beginning, and containing 9,230.01 square feet, more or less.

And;

Lots 20, 21, 22, 23, 24, 25 and the West 4 feet of Lot 26, LEAVENWORTH CITY PROPER, City of Leavenworth, Leavenworth County, Kansas

And;

The South 90 feet of Lot 17, Block 19, Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas

And;

The West 2 feet of Lots 4, 5, 6, 7, 8, 9 10 and 11, AND all of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Block 20, Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas; AND the vacated East/West alley lying between Lots 12, 13, 14 15, 16 and Lots 17, 18, 19, 20 and 21, Block 20; AND the vacated North/South alley lying directly West of Lots 4, 5, 6, 7, 8, 9 10 and 11, Block 20; AND the West ½ of the vacated North/South alley lying adjacent to Lot 21, Block 20; AND the South ½ of vacated Cherokee Street lying adjacent to the North line of the foregoing.

And;

LOTS 1 AND 2, BLOCK 21, LEAVENWORTH CITY PROPER, CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS. LESS THE FOLLOWING DESCRIBED PART OF LOT 2, BLOCK 21, LEAVENWORTH CITY PROPER:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2; THENCE WEST 7.5 FEET ALONG THE SOUTH LINE OF LOT 2 TO THE POINT OF BEGINNING OF THE PARCEL; THENCE NORTHERLY 10 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE EASTERLY 2.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 32.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE WESTERLY 8.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 50.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE EASTERLY 8.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 33.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE WESTERLY 18.5 FEET ALONG THE NORTH LINE OF LOT2; THENCE SOUTHERLY 126.0 FEET ALONG THE WEST LINE OF LOT 2; THENCE EASTERLY 16.5 FEET ALONG THE SOUTH LINE OF LOT 2 TO THE POINT OF BEGINNING, IN LEAVENWORTH COUNTY, KANSAS.

And;

Lots 17, 18, 19, 20, and 21, Block 22, Leavenworth City Proper, in the City of Leavenworth, Leavenworth County, Kansas.

See Map: NRA Tax Rebate Area

Part 2: Valuation

The appraised valuation of the real estate in the Neighborhood Revitalization Area as of July 28, 2016 for each parcel by land and building values is on file in the City of Leavenworth Community Development office. The current property value is to be determined during the application process for each parcel of property that is to be improved.

	<u>Appraised</u>
Land	\$25,351,670
Improvements	\$189,673,040
Total Valuation	\$215,024,710

Part 3: Names and Addresses of Owner of Record

Each owner of record of each parcel of land is listed together with the corresponding address in file in the City of Leavenworth Community Development office.

Part 4: Zoning and Land Use

The existing zoning districts within the Neighborhood Revitalization Area boundary are as follows:

- CBD Central Business District
- GBD General Business District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- NBD Neighborhood Business District
- OBD Office Business District
- R1-6 High Density Single Family Residential District
- R1-9 Medium Density Single Family Residential District
- R-MF Multiple Family Residential District

Part 5: Eligible Improvements

The property tax rebate shall be limited to an increase in valuation due to improvements made to existing residential or commercial structures, or construction of new residential or commercial structures. Improvements to existing or construction of new accessory structures such as detached garages, gazebos, storage buildings, workshops, swimming pools, etc., shall not be eligible.

Part 6: Criteria for Determination of Eligibility

- a. A building permit must be issued on or after January 1, 2017, the date of designation of the Neighborhood Revitalization area by the City.
- b. An application for rebate must be filed prior to starting any improvements and within 30 days of the issuance of a building permit.
- c. The value of land on which an improvement is located shall not be considered in determining the incremental increase in value or in determining whether an improvement is a qualified improvement.
- d. The improvements must conform with the City of Leavenworth's Comprehensive Land Use Plan and Zoning Regulations in effect at the time the improvements are made.
- e. The new, as well as existing improvements on property, must conform with all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- f. Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.
- g. Only owners of real property are eligible for tax rebates. The rebate shall be by check issued to all of the owners of record as shown on the County tax rolls.
- h. Tax rebates transfer with ownership.
- i. Tax rebates are based on the increase of ad valorem taxes attributable to the appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of a certificate of occupancy, if required.

Part 7: Application Contents

- a. Owner's name
- b. Owner's mailing address
- c. Owner's phone number
- d. Owner's SSN or EIN
- e. Address of proposed project
- f. Legal description of property
- g. CAMA#
- h. Description of existing property
- i. Demolition plan (if proposed)
- j. Description of proposed improvements
- k. Estimated cost of improvements
- l. Names and status of tenant families or occupants (if applicable)
- m. Estimate of time frame for completion
- n. Current appraised value
- o. Most recent paid tax statement
- p. Copy of building permit
- q. Owner's signature
- r. Submission of Certificate of Occupancy upon completion

Part 8: Application Procedure

- a. The owner shall obtain an Application for Property Tax Rebate Program from the City of Leavenworth
- b. The applicant shall complete sections 1-7 and sign application.
- c. The City of Leavenworth Community Development Department shall verify the existing appraised value with the Leavenworth County Appraiser's office.
- d. The City of Leavenworth will submit the rebate application to the Leavenworth County Appraiser's Office.
- e. The owner shall notify the County Appraiser's office upon completion of improvements by submitting a copy of the Certificate of Occupancy.
- f. The County Appraiser, or such person's designee, shall conduct a visual inspection of the property improvements and shall update and/or verify the CAMA value. The County Appraiser, or such person's designee, shall enter the CAMA value for the first year of the property tax rebate, in order to calculate the increment of change.
- g. Upon determination by the Leavenworth County Appraiser's office that the improvements meet the valuation test for the rebate and the Clerk's office has determined the status of the taxes on the property, the County shall notify the City of Leavenworth that the application does or does not meet the requirements for a tax rebate and the City of Leavenworth shall notify the applicant.
- h. Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period, extending through the specified rebate period, a tax rebate will be issued for the amount of the tax increment of improved value.

Part 9: Standards for Review

- a. A building permit must be issued on or after January 1, 2017, the date of designation of the Neighborhood Revitalization area by the City.
- b. An application for rebate must be filed prior to starting any improvements and within 30 days of the issuance of a building permit.
- c. The value of land on which an improvement is located shall not be considered in determining the incremental increase in value or in determining whether an improvement is a qualified improvement.
- d. The improvements must conform with the City of Leavenworth's Comprehensive Land Use Plan and Zoning Regulations in effect at the time the improvements are made.
- e. The new, as well as existing improvements on property, must conform with all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- f. Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.
- g. Only owners of real property are eligible for tax rebates. The rebate shall be by check issued to all of the owners of record as shown on the County tax rolls.
- h. Tax rebates transfer with ownership.
- i. Tax rebates are based on the increase of ad valorem taxes attributable to the appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of a certificate of occupancy, if required.

Part 10: Program Amount and Years of Eligibility

The period for eligibility of rebate shall be determined by the total increase in valuation as follows:

<u>Valuation Increase</u>	<u>Rebate Term</u>
\$1.00 to \$99,999.00	Five Years
\$100,000.00 to \$199,999.00	Six Years
\$200,000.00 to \$299,999.00	Seven Years
\$300,000.00 to \$399,999.00	Eight Years
\$400,000.00 to \$499,999.00	Nine Years
\$500,000.00 or more or ANY property listed on the National Register of Historic Places	Ten Years

Rebate amount shall be 100% of ad valorem taxes paid on eligible improvement value.

Part 11: Additional Issues

- a. Failure to build or maintain the property to applicable codes, rules and regulations shall cause the rebate to be terminated.
- b. Failure to timely pay all property taxes and required assessments shall result in not being eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid. Late fees, fines, surcharges and the like are not eligible for rebate.
- c. No credit for partial improvement increases attributable to partial completion of a project will be allowed.