



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

City Commission Regular Meeting
Commission Chambers
Tuesday, November 10, 2020 7:00 p.m.

CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Myron J. (Mike) Griswold, Mayor Pro-Tem Nancy Bauder and Commissioners Camalla Leonhard and Mark Preisinger. The following member was present virtually via teleconference: Commissioner Jermaine Wilson.

Others present in the commission chambers: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, City Attorney David E. Waters and City Clerk Carla K. Williamson.

Other members participating via teleconference: Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Finance Director Ruby Maline and Parks & Recreation Director Steve Grant.

Mayor Griswold read the following statement from the agenda index:

In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed on Channel 2 and via Facebook Live. The public is encouraged to view the meeting using one of those options. The Leavenworth City Commission meeting is open to the public with limited seating capacity. To mitigate the spread of COVID-19 face coverings and social distancing is REQUIRED to attend the meeting. To attend the meeting in person, email cwilliamson@firstcity.org no later than 4:00 pm on November 10 to reserve a seat. Seats are available on a first come first serve basis. If you are not attending the meeting but would like to submit public comments to be read during the Public Comments portion of the meeting, or submit questions on an agenda items to be read during discussion on that topic, email your comments or questions to cwilliamson@firstcity.org no later than 6:00 pm on November 10.

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

PROCLAMATIONS:

Mayor Griswold read the following Proclamations that will then be mailed to the recipients.

- National American Heritage Month
- Shop Small-Small Business Saturday November 28, 2020

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Leonhard moved to approve the minutes from the October 27, 2020 regular meeting as presented. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance 8150 Special Use Permit 611 Miami; Two-Family Dwelling in R1-6 Zoning – City Manager Paul Kramer presented the ordinance for second consideration. There have been no changes since placed on first consideration at the October 27, 2020 meeting.

Mayor Griswold called the roll on ordinance 8150 and the ordinance passed unanimously 5-0.

Second Consideration Ordinance 8151 Price Chopper Community Improvement District (CID) – City Manager Paul Kramer presented the ordinance for second consideration. There have been no changes since placed on first consideration at the October 27, 2020 meeting. Mr. Kramer stated that Pete Heavens, attorney representing Price Chopper, was participating virtually should the Commission have any questions on this and the next two items.

Mayor Griswold called the roll on ordinance 8151 and the ordinance passed unanimously 5-0.

Second Consideration Ordinance 8152 Adopt and Approve Redevelopment Project Plan (Price Chopper TIF) – City Manager Paul Kramer presented the ordinance for second consideration. There have been no changes since placed on first consideration at the October 27, 2020 meeting.

Mayor Griswold called the roll on ordinance 8152 and the ordinance passed unanimously 5-0.

Second Consideration Ordinance 8153 Authorizing the Issuance of Taxable Industrial Revenue Bonds Super Market Developers Inc. (Price Chopper TIF) – City Manager Paul Kramer presented the ordinance for second consideration. There have been no changes since placed on first consideration at the October 27, 2020 meeting.

Mayor Griswold called the roll on ordinance 8153 and the ordinance passed unanimously 5-0.

NEW BUSINESS:

Public Comment: *emails received by the public for public comment on non-agenda items will be read at this time. No emails were received.*

William Bentley – 1912 Evergreen Street

- Propose and request resurfacing of the tennis courts at Cody Park and dedicate 6 pickle ball courts
- Would also like the city to install a windbreak
- People play throughout the day March – November
- Seldom used for tennis

City Manager Kramer and Commissioner stated that the Commission would look at this next year during CIP and the budget process as the 2021 budget and CIP was already in place. The parks advisory board will probably look at this with some input.

General Item:

Review and Discuss Mayor’s Holiday Lighted Parade – Parks and Recreation Director Steve Grant reviewed the proposed details of the Mayor’s Holiday Lighted Parade. Due to COVID-19 Staff met and

brainstormed ideas to safely hold the annual Mayor’s Holiday Lighted Parade to minimize the congregation of crowds. The event typically begins with the lighted parade and ends at Haymarket Square where people gather for a ceremony with guest speakers, choirs, holiday music and vendors prior to the countdown of the lighting of the tree by the Mayor. This year staff is recommending a proposed parade route that will start at 3rd and Seneca and pass by seven (7) city owned parking lots and end at Esplanade and Choctaw. Citizens will be encouraged to view the parade from either inside or adjacent to the vehicles. The proposed date is Friday, December 4 beginning at 5:30 pm. The Mayor’s tree and associated decorations at Haymarket will be available for the public to view throughout the holiday season, but the tree will not be lighted at this event as to discourage the congregation of crowds. No formal actions is required by the Commission just a review and discussion.

Consider Amended Fee Schedule -Wastewater Rate Increase 2021- Public Works Director Mike McDonald presented for consideration the 2021 Wastewater rates that were approved by the City Commission during the 2021 budget process. Due to the nature of the billing cycle, the proposed rates take effect on December 1, 2020 to ensure a full year of revenue is collected in 2021. Staff recommends the City Commission approve the amended fee schedule effective December 1, 2020.

Commissioner Preisinger moved to approve the wastewater rate schedule as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Resolutions:

Resolution B-2270 Non-Profit Organization “Alive After Five” 2021 – City Clerk Carla Williamson presented for approval the adoption of Resolution B-2270 authorizing the serving of complimentary (fee) alcoholic liquor to members of the general public during the 2021 Alive After Five events hosted by Leavenworth Main Street.

Commissioner Bauder moved to approve Resolution B-2270 as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance Amending Sec 44-189 Emergency Snow Routes – Public Works Director Mike McDonald presented for consideration amendments to the Emergency Snow Routes as set out in the City Code of Ordinances. Staff recommends the following updates shown in red.

East-west streets:

- a. Cherokee Street, Third Street to 20th Street.
- b. County Road 5 (Tonganoxie Road), 15th Street to Michals Road. (Added Tonganoxie Road to reflect the city street name)**
- c. Eisenhower Road, Fourth Street to 20th Street Trafficway.
- d. Kiowa Street, Third Street to Fourth Street.

- e. **Limit Street, Home Place to 20th Street Trafficway. (This street was added to the snow manual at some point but not added to the ordinance)**
 - f. **~~Marshall Street, Fifth Avenue to Broadway (Hospital).~~ (Proposed to be deleted as the hospital is now closed.)**
 - g. McDonald Road, Hughes Road to Shrine Park Road.
 - h. **~~Metropolitan Avenue, from Centennial Bridge to 20th Street.~~ (Proposed to be deleted as no other state highway in the city is covered by a similar listing, there are only a few homes, and East/West access to 20th Street interchange is available for traffic. City has normally plowed Metropolitan between 16th Street and 20th Street as an Emergency Snow Route.)**
 - i. Muncie Road, Fourth Street to 10th Avenue.
 - j. Ohio and LeCompton Road, Tenth Avenue to city limits.
 - k. Ottawa Street, Third Street to 20th Street.
 - l. Pennsylvania, Fourth Street to Tenth Avenue.
 - m. Shawnee Street, Third Street to 20th Street.
 - n. Spruce Street, Third Street to 15th Street.
 - o. Thornton Street, Fourth Street to Tenth Avenue.
 - p. Thornton Street, 17th Street to 19th Street **Terrace. (added the word "Terrace" to reflect actual roadway alignments.)**
 - q. **~~Vilas Street, Tenth Avenue to 25th Street Trafficway.~~**
 - r. **~~Vilas Street to be extended from 22nd Street to 25th Street.~~ (Combine the two Vilas Street references to a single listing from Tenth Avenue to 25th Street)**
- (2) North-south streets:
- a. Second Avenue, Congress Street to Limit Street.
 - b. Third Street, Kiowa Street to Spruce Street.
 - c. Fourth Street, Metropolitan Avenue to Eisenhower Road.
 - d. Fifth Avenue, **Spruce Olive** Street to Thornton Street. **(Change Olive to Spruce to reflect actual street signage and the connection to Seventh Street information below.)**
 - e. Fifth Street, Metropolitan Avenue to Congress Street.
 - f. Seventh Street, Metropolitan Avenue to Spruce Street.
 - g. Tenth Avenue, Spruce Street to Eisenhower Road.
 - h. Tenth Street, Metropolitan Avenue to Spruce Street.
 - i. 13th Street, Metropolitan Avenue to Cherokee Street.
 - j. 15th Street, Vilas Street to Limit Street.
 - k. 17th Street, Vilas Street to Thornton Street.

~~l. 18th Street, U.S. 73 to Metropolitan Avenue. (Delete as this street was removed when the new highway was constructed)~~

- m. 18th Street, Dakota Street to Spruce Street.
- n. 18th Street, LeCompton Road to Thornton Street.
- o. 19th Street Terrace, 20th Street Trafficway to Thornton Street.
- p. 20th Street, Metropolitan Avenue to Spruce Street.
- q. 20th Street Trafficway, Spruce Street to Eisenhower Road.
- r. Broadway, Metropolitan Street to Thornton Street.
- s. Hughes Road, Eisenhower Road to Limit Street.
- t. Lawrence Avenue, Spruce Street to Cherokee Street.
- u. Maple Avenue, Thornton Street to Limit Street.
- v. **Santa Fe Trail, Metropolitan Ave. to Hancock Ave. (This street was added to the Snow Manual at some point but was not included in the ordinance.)**
- w. Shrine Park Road, Eisenhower Road to Limit Street.
- x. Washington Street, Spruce Street to Ohio Street.
- y. Wilson Avenue, Marion to Home Place.

Staff also requests the following be added to the ordinance as they are currently being plowed as Emergency Snow Routes and are not in the ordinance:

1. Home Place, Wilson to Limit
2. Marion Street, 4th Street to Wilson

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

Amended/Added Items:

Resolution B-2271 Leavenworth County Call for Projects Application – Assistant City Manager Taylour Tedder presented for consideration Resolution B-2271. The Resolution agrees to provide the required funding for local match of the Leavenworth County Call for Projects. The City plans to submit an application for improvements to Michals Road from Tonganoxie Road to 167th Street. The city is proposing a 75%/25% cost share (County/City) with a total construction cost of \$453,867.00. The City's matching portion would be \$113,467.00. Funding would come from the pavement management program and/or the Community Improvement Program (CIP).

Commissioner Preisinger moved to adopt Resolution B-2271 Leavenworth County Call for Projects as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

CONSENT AGENDA:

Commissioner Leonhard moved to approve claims for October 24, 2020, through November 6, 2020, in the amount of \$2,432,242.49; Net amount for Payroll #23 effective November 6, 2020 in the amount of \$337,518.06 (No Police & Fire Pension). Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

City Manager Kramer

- City working to get COVID relief dollars into the Community
- First round of grants going to Leavenworth Mission, Salvation Army Food Pantry, Leavenworth Public Library, Leavenworth Country Backpack Buddies and our two higher education partners (Kansas City Kansas Community College and University of Saint Mary)

Commissioner Leonhard

- Kudos to Janet Klasinski, County Clerk and staff for the election process
- 72% election turn out; 23,617 advanced voters and 13,230 election day voters

Commissioner Wilson

- Happy Veterans Day

Commissioner Preisinger

- Politics should be taken out of the discussion about mask usage
 - Kansas numbers are going up
 - Thinks we need to consider a mask ordinance again; don't think it hurts businesses
 - National and world-wide emergency
- Discussed the demolition process
 - Process goes on too long
 - Other cities have ordinances that codify how the demolition process is handled with an official process in place that sets requirements
- 245th Birthday of the Marine Corps in addition to Veterans Day

Commissioner Bauder

- Agrees with Commissioner Preisinger about mask ordinance
 - Wants to support local business and does not want them to suffer
 - Has had businesses that would like to see a mask ordinance by the city or county

Mayor Griswold

- Thank you to all Veterans
- Agrees with fellow Commissioners about the use of masks and social distancing
- Read a thank you note from First United Methodist Church letter thanking the City for parking lot project

Executive Session:

Mayor Griswold moved to recess into executive session to discuss the annual performance review of the City Manager pursuant to the nonelected personnel matters exception K.S.A. 75-4319 (b) 1. The open meeting to

resume in the City Commission Chambers at 8:32 by the clock in the City Commission Chambers. Human Resources Director Lona Lanter is requested to attend. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

The City Commission returned to open session at 8:32 p.m.

Mayor Griswold moved to approve a 3% merit increase for City Manager Paul Kramer effective with the 1st check of the 2021 payroll. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Adjournment:

Commissioner Preisinger moved to adjourn the meeting. Commissioner Leonhard seconded the motion and the motion was unanimously approved.

Time Meeting Adjourned 8:35 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC