



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

City Commission Regular Meeting
Commission Chambers
Tuesday, December 8, 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, Finance Director Ruby Maline, Planning and Community Development Director Julie Hurley, Deputy Finance Director Brandon Mills and City Clerk Carla K. Williamson.

Members participating via teleconference: City Attorney David E. Waters, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper.

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 are REQUIRED to attend the meeting. To attend the meeting in person, email cwilliamson@firstcity.org no later than 4:00 pm on December 8 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 December 8.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Leonhard moved to approve the minutes from the November 19, 2020 special meeting and November 24, 2020 regular meeting. 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 8156 to Amend Sec. 18-94 Land Disturbance Fees and Bonds– City Manager Paul Kramer presented the ordinance for second consideration. There have been no changes since placed on first consideration at the November 24, 2020 meeting.

Mayor Griswold called the roll on Ordinance 8156 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 and no one was present in person for comment.*

Nominations:

Nominations for Mayor, Mayor Pro-Tem and Financial Claims Reviewer with Terms December 8, 2020 – December 14, 2021

Mayor Griswold moved to nominate Commissioner Bauder as Mayor from December 8, 2020 to December 14, 2021. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Preisinger moved to nominate Commissioner Leonhard as Mayor Pro-tem from December 8, 2020 to December 14, 2021. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Griswold moved to nominate Commissioner Wilson as Financial Claims Reviewer from December 8, 2020 to December 14, 2021. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Public Hearing:

Public Hearing for Amending the 2020 Budget

Open Public Hearing: Commissioner Preisinger moved to open the public hearing. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Staff and Public Comments:

- **Staff Comments:**

Community Grant Fund

The proposed amendment would add 2020 spending authority by \$1,000,000 to cover grants made to community organizations and businesses that were negatively impacted by the COVID-19 pandemic. The funding for these increased expenditures will come from a transfer from General Fund.

Home Depot TIF Fund

The proposed increase in this fund comes from additional TIF revenues received (\$112,699) that will need to be paid out.

Sewer Fund

The proposed amendment would increase the 2020 spending authority by \$3,192,149 to cover the transactions related to the debt refunding that was completed in June 2020. The additional funding comes from the bond proceeds.

Business and Technology Park

The proposed amendment would provide spending authority for the maintenance of the Business and Technology Park (\$30,000). The funding comes from the reserves in this fund.

Refuse Restricted Fund

The proposed amendment increases the budget authority for the Refuse Restricted Fund to account for transactions resulting from KDHE activities related to the old City Landfill and the old Municipal Service Center (\$32,264). The funding for these expenses will come from a transfer from the Refuse Fund.

Storm Water Fund

The proposed amendment will increase spending authority to cover transactions related to storm water projects (\$3,533,311). These projects were funded by bond proceeds.

Debt Service Fund

The proposed amendment would increase the 2020 spending authority for the Debt Service Fund by \$536,513 to cover transactions related to the bond refunding that was completed in June 2020.

Hotel TIF

The proposed amendment would increase the Hotel TIF Fund spending authority by \$250,188 due to increased revenues that need to be paid out.

Table of Contents:			2020 Amended Budget		
			Amount of 2019 Tax that was Levied	Adopted 2020 Expenditures	Proposed Amended 2020 Expenditures
Fund	K.S.A.	Page No.			
Business & Technology Park		2			30,000
Community Grant Fund		3			1,000,000
Sewer Fund		4		6,126,264	9,318,413
Refuse Restricted		5		18,714	50,978
Storm Water		6		1,100,000	4,633,311
Debt Service Fund	10-113	7	1,676,329	4,174,762	4,711,275
Hotel TIF		8		537,451	787,639
Home Depot TIF		9		307,084	419,783
Totals		x	1,676,329	12,264,275	20,951,399

Public Comment: none

Close Public Hearing: Commissioner Preisinger moved to close the public hearing. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Preisinger moved to approve the 2020 budget amendments as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

General Item:

Review Unsafe and Dangerous Structures Given Extensions on October 27, 2020 – Planning and Community Development Director Julie Hurley presented the following updates properties on the demolition list that was adopted on July 14, 2020 by Resolution B-2257.

1914 W 7th Street – Single-family house – Building permit issued on 10/8/2020 for installation of new siding, foundation repair, and interior renovations. New roof and windows have been installed, new siding currently being installed. Ownership has changed to Glynne Taylor and Trisha Alton.

Owner - Trisha Alton (609 S. Hickory Trail, Lansing KS) present

- Exterior should be complete this week
- Exterior took a little longer due to customer windows needed
- Interior complete in 3 weeks and on the market in 4 weeks

Commissioner Preisinger stated that there is still a lot of trash in the back of the property that needs to be cleaned up and hauled off. Property can be cited as code violations when removed from demolition list. Ms. Alton stated that she would talk to the contractor tomorrow and get it taken care of.

Consensus to remove from the Demolition list.

504 Miami Street – Single-family house – Building permit issued on 5/11/2020 for exterior and interior renovations. Front porch has been removed and replaced and upstairs window on front of house has been replaced. Roof, siding and windows still in need of repair or replacement.

Owner - Ramon Muhammad (1208 W 21st Street, Lawrence KS) present

- Will finish renovation and get ready to rent out
- Finished front-stairs and railing are complete
- Will focus on back and roof next
- Is waiting on more funding before roof can be completed
- Currently tied up for the next three weeks working on a job in Lee's Summit
- Should have the revenue from other project to complete the job
- Has put \$8,000 into the property at this point
- Wants to get the property up and running and rented
- Needs additional 60 days and feels it will be complete

- Commissioner Griswold stated that this has been going on since the summer and knows he has other projects in other cities but the Commission's focus is this property. Commissioner Griswold is not in favor of giving additional extension. Would be willing to give 60 days but it must be done or proceed with demolition but not confident that it will be done in 60 days. If items are not done will not give any further extensions.
- Commissioner Leonhard asked if the entire roof needs replaced or just a portion.
 - It was stated the entire roof needs to be replaced.
- Commissioner Wilson asked how long is needed to finish the roof and finish repairs.

- Will need another 60 days - feels it will be done in 60 days.
 - Commissioner Wilson suggested 60 day extension since he is making progress
- Mayor Bauder stated that the Commission was told at the last meeting that the roof would be done.
- Commissioner Preisinger stated that he reviewed the tapes from the last two times he has been before the commission. At the October 27 meeting, Mr. Muhammad stated he had Christina Brothers lined up to do the roof and would be completed by December 8 and did not happen. Is not in favor of giving any more extensions, but is not in favor of keeping it on list and order demolition. He could keep working and if done in 30 days would stop the demolition process. Has only done porch and a couple windows. Is the city being played again? Pulled a permit on May 11th and all that has been done is a porch and a front door in a seven-month period.

Ms. Hurley stated that if the Commission moves forward with the demolition the City starts incurring costs, staff cannot administratively take it off it must come back to the commission to stop the demolition.

Mr. Kramer also stated that it is difficult to find demolition companies to bid on our projects if we continue to take properties off once they have gone through the bid process.

There was a consensus to review at the February 9, 2021 meeting.

824 Osage Street – Single-family house and detached garage – Building permit issued on 5/22/2020 for roof. Roof on front portion of house has been repaired, new front steps installed, paint applied to front of house and porch area. Roof, siding, and windows/doors still in need of repair or replacement.

Owner Darlene Derringer (112 East Kay, Lansing KS) and Daughter Missy Ironwood (1012 Atchison Street, Atchison KS) present.

Ms. Derringer:

- Redid porch and front of house is all done
- “Little house on top” of front of roof has been fixed
- Does not need new siding just needs paint
- Husband has been in the hospital
- Has spent all money on buying shingles
- Is in the process of buying shingles
- Nothing seems to be good enough
- Purchased paint but was told paint would not be good enough

Ms. Ironwood:

- Willing to take 401K out but worried that if she takes it out it will still be demolished
- Wants to save the house
- Thinks she can draw the money out of 401K after the first of the year
- Did not know the house was at this stage
- Watched one of the meetings online and wanted to get involved

- Needs to find the right person who will not just take their money
- Mother hired someone to do some work and then got scammed

The Commission agreed that it is critical that the roof be completed for the commission to consider additional extensions.

Ms. Hurley stated that there is more than the roof and reviewed all the other items that needs to be addressed in addition to a detached garage. Ms. Hurley provided a copy of all the items that needed to be completed to Ms. Ironwood.

There was a consensus to review at the February 9, 2021 meeting with expectation that all work would be done.

Commissioner Preisinger moved to proceed with the properties as discussed and agreed to by the Commission and as annotated by the City Clerk. Commissioner Griswold seconded the motion. The motion passed 4-1 with Commissioner Preisinger voting no. The Mayor declared the motion carried.

Cereal Malt Beverage Licenses for 2021 – City Clerk Carla Williamson presented the following Cereal Malt Beverage licenses for renewal effective January 1, 2021. Staff recommends approval of the licenses as presented.

Establishment	Address	ON/OFF Premise
Abe’s Place	5101 10 th Ave	ON
Eddie’s Grocery	1101 Spruce St	ON
Little Bar	1431 10 th Ave	ON
Towne Pub Restaurant	1001 Ottawa St	ON
AZAD Inc dba 7-Eleven Store	701 Metropolitan Ave	OFF
Casey’s Retail Store #1261	2004 Spruce St	OFF
Casey’s Retail Store #2609	950 Eisenhower Rd	OFF
Casey’s Retail Store #2826	2100 S 4 th St	OFF
CVS Pharmacy #5268	390 Limit St	OFF
Diamond Oil 2	1031 Metropolitan Ave	OFF
Dillon’s #40	720 Eisenhower Rd	OFF
Four B dba Price Chopper	2107 S 4 th St	OFF
Hometown Store	111 N Broadway St	OFF
GOJRA, LLC dba K7 Stop	300 N 4 th St	OFF
Minit Mart #579	3122 S 4 th St	OFF
Murphy’s USA #7486	1050 Eisenhower Rd	OFF
Star Gas	788 Spruce St	OFF
Walgreens #12923	2900 S 4 th St	OFF
Walmart Store #26	5000 10 th Ave	OFF
Woody’s Food Mart	700 Eisenhower Rd	OFF

Commissioner Preisinger moved to approve the issuance of the 2021 Cereal Malt Beverage Licenses as presented. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Cancellation of the December 22, 2020 Regular Meeting – City Manager Paul Kramer requested the cancellation of the December 22, 2020 Regular Meeting due to the Christmas holiday. There will be a Special Meeting included with next week’s Study Session on December 15 to address some year-end items.

Commissioner Leonhard moved to cancel the December 22, 2020 regular meeting. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Resolutions:

Resolution B-2273-Resolution to Delete Uncollectable Tenant Accounts (Planters II) – Planning and Community Development Director Julie Hurley presented for adoption Resolution B-2273 authorizing the deletion of uncollectable tenant accounts.

Commissioner Preisinger moved to adopt Resolution B-2273 deleting uncollectable tenant accounts. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Resolution B-2274-Resolution Authorizing the Disposal of Property from the Inventory of the Leavenworth Housing Authority (Planters II) – Planning and Community Development Director Julie Hurley presented for adoption Resolution B-2274 authorizing the removal of property from the Planters II Inventory.

Commissioner Preisinger moved to adopt Resolution B-2274 removing disposed assets at Planters II. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Bids for Demolition Project CD2020-02 – Planning and Community Development Director Julie Hurley presented for consideration the sole bid from Denton Excavating dba Midland Wrecking in the amount of \$52,415.00 for the demolition of the following properties:

- 407 N 20th Street
- 1612 W 7th Street
- 420 Ottawa Street
- 934 Ottawa Street
- 713 S 3rd Street

Commissioner Griswold moved to approve the bid by Denton Excavating dba Midland Wrecking for \$52,415.00. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Purchase of 2 Monroe Spreaders from American Equipment – Public Works Director Mike McDonald presented for consideration the purchase of two (2) salt/sand spreaders from American

Equipment Co for a total cost of \$31,315.00. The bids were obtained through the Sourcewell Cooperative Purchase contract.

Commissioner Griswold moved to accept the bids for two spreaders for a total cost of \$31,315.00 for the Monroe salt/sand spreader from American Equipment Company. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Purchase of ExecuTime Time Clock/Scheduling Software – Finance Director Ruby Maline presented for consideration the purchase of the ExecuTime time management software (a time keeping product offered by Tyler Technologies) in an amount not to exceed \$42,826.00.

Commissioner Griswold moved approve the purchase of the ExecuTime time management software in an amount not to exceed \$42,826.00. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Janitorial Services Contract – Deputy Finance Director Brandon Mills presented for consideration a one year agreement for Janitorial Services with the option of two (2) one-year renewals for subsequent fiscal years with Jani-King of Kansas City for a total amount not to exceed \$75,384.00 per year.

Commissioner Preisinger moved to approve the a one-year agreement for with Jani-King for Janitorial Services with the option of two (2) one-year renewals for subsequent fiscal years for a total amount not to exceed \$75,384.00 per year. 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 November 21, 2020, through December 4, 2020, in the amount of \$1,203,598.68; Net amount for Longevity Pay effective November 27, 2020 in the amount of \$43,755.38 ; and Payroll #25 effective December 4, 2020 in the amount of \$337,784.69 (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:

Ribbon cutting for the completion of the Thornton Street project will be in front of the Service Center at 2:00 on Friday, December 11.

Commissioner Preisinger:

- Discussed the process of the Commission selecting a Mayor, which is done each year based on our form of government; The people of Leavenworth chose this form of government in the 1960's or 1970's
- Would like a clear ordinance on the demolition process to include requirement for a plan to fix the property and financial ability to do so; Most cities have such an ordinance
- Congratulations to Deputy Public Works Director, Mike Hooper, he is retiring in a couple weeks and was instrumental in getting historic tax credits and grant for a fuel system at the airfield.

Commissioner Griswold:

- Agreed with Commissioner Preisinger on the need for a demolition process for evaluating properties
- Discussed COVID-19 numbers that went down somewhat, but are now back up; continue to wear masks, wash hands and social distancing

Mayor Bauder:

Alerted Citizens about fraudulent Department of Labor unemployment claims and provided information on filing reports

Adjournment:

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

Time Meeting Adjourned 8:33 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC