



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

City Commission Regular Meeting
Commission Chambers
Tuesday, September 26, 2023 6:00 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 Jermaine Wilson, Mayor Pro-Tem Griff Martin and Commissioners Nancy Bauder, Edd Hingula and Camalla Leonhard.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Fire Chief Gary Birch, Deputy Fire Chief Mike Shore, Fire Marshall Andy Brooks, Planning & Community Development Director Julie Hurley, Community Development Coordinator Julie McKeel, Public Works Director Brian Faust, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

Fire Prevention Week October 8-14, 2023 – Mayor Wilson read the proclamation proclaiming October 8-14, 2023 as Fire Prevention Week. The proclamation was accepted by Fire Marshall Andy Brooks.

Fire Marshall Brooks:

- Cooking is leading cause of home fires in the U.S.
- 2 of every 5 fires starts in the kitchen
- Plan and practice at home escape plans
- Have working smoke alarms
- Have a fire extinguisher
- Call the fire department to have a home fire safety or get a smoke alarm

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Bauder moved to accept the minutes from the September 12, 2023 regular meeting and September 19, 2023 special meeting. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Public Comment: (*Public comment on non-agenda items or receipt of petitions – limited to 2-3 minutes*)
None.

Resolutions:

Resolution B-2347 Capital Fund Program Grant for Planters II – Planning & Community Development Director Julie Hurley presented for approval Resolution B-2347 for the 2023 Capital Fund Program (CFP) grant # KS01P06850123 for Planters II in the amount of \$205,453.00. The grant funds must be accepted annually by the City Commission.

Commissioner Leonhard moved to adopt Resolution B-2347 accepting the 2023 Capital Fund Program grant for Planters II. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Resolution B-2348 Capital Fund Program 5 Year Action Plan and Capital Fund Annual Statement for Planters II – Planning & Community Development Director Julie Hurley presented for approval Resolution B-2348 authorizing the submission of plans to the U.S. Department of Housing and Urban Development (HUD).

Commissioner Bauder moved to approve the plan and adopt Resolution B-2348 authorizing submission to HUD. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Resolution B-2349 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER) – Community Development Coordinator Julie McKeel presented for approval Resolution B-2349 approving the 2022-2023 CAPER for submission to the U.S. Department of Housing and Urban Development (HUD). Ms. McKeel provided a brief summary of the grant year to include the following:

- The CAPER is required to report goals, projections and how funds were spent
- Assisted 8 homeowners with minor repairs
- Helped with the acquisition of 5 homes for first time home buyers
- Provided rent or utility assistance to 5 public service agencies who served over 5000 individuals
- Partnered with Public works on a sidewalk project on Dakota Street
- Removed 2 unsafe or blighted structures and 4 accessory structures

Mayor Wilson:

- Asked about upcoming goals

Ms. McKeel:

- Looking at working on radon; compliance and testing

Commissioner Hingula:

Asked if people attended the public hearing for the CAPER

Asked about Habitat for Humanity being a service agency

Ms. McKeel:

- No one was at the public hearing, which is not uncommon
- The closest Habitat for Humanity is in Lawrence or Kansas City, so folks get referred there if they are looking for those services

Commissioner Bauder moved to approve Resolution B-2349 approving the CAPER 2022-2023 for submission to the U.S. Department of Housing and Urban Development (HUD). Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Award of Contract for Building Access Control System for the Fire Department – Deputy Fire Chief Mike Shore presented for consideration approval to move forward with the purchase and installation of a building access control system for both Fire Station #1 and Fire Station #2. Currently, the fire stations do not have building access control systems, which leave the stations vulnerable to unwanted intruders. Manual keypad locks are used to enter the stations from the exterior doors, however no locks are present for the doors leading to the apparatus bays into the station interiors. In order to change the manual keypad currently in place, a locksmith is required and the cost to perform the work is expensive. A building access control system will provide greater safety for our employees and our facilities. Building access will be much easier to control, there are 19 doors between the 2 fire stations, as access permissions can be added or removed quickly through the software program which applies to both locations. Wanting a scalable solution that can grow with the station. When Fire Station #3 is rebuilt, the building access control system will be installed during that construction project. Request for Proposals were published and three responses were received. The City’s 2023 CIP included \$45,000 for this project, funds saved from the overhead door opener project, \$10,000 will be used, and Reserve CIP Sales Tax Fund dollars will cover the remaining cost.

Commissioner Bauder:

- Asked if this is similar to how City Hall is set up
- Asked if the cost is for the 2 stations or 3

Mr. Kramer:

- It is similar, but more complex with 24 hour access needs

Mr. Shore:

- Project is for 2 stations, the 3rd station will be included with the Station #3 Build Project

Commissioner Hingula:

- Asked if the 19 doors are pedestrian doors or if they included the overhead doors as well

Mr. Shore:

- Replied correct, no overhead doors, just pedestrian doors

Commissioner Martin moved to award the contract for the Fire Department Building Access Control Project to INA Alert, in an amount not to exceed \$69,954.43. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Award of Bid for Traffic Calming Devices North of Leavenworth High School – Public Works Director Brian Faust presented for consideration award of bid for the construction of Traffic Calming Devices Project, north of Leavenworth High School. The City has received several requests to address concerns over excessive speed in the area north of the high school. The area is bounded by 10th, Klemp, Halderman, and Ohio Streets. In the spring of 2022, the City installed temporary “speed humps”; at two locations along Klemp Street. As these were designed for temporary use, staff removed them right after school was out for summer break. While the intention was to reinstall the humps in the fall, the significant amount of input received had the City reinstall the devices in June. As the devices installed were constructed using hard plastic/rubber, they were not designed to last for years or for the impact of snow plows. Staff received direction from the Commission to move forward with a more comprehensive traffic

calming solution. Project plans were prepared and the project was advertised for bid. The Traffic Calming Improvements are expected to begin later this fall with completion in sixty calendar days after Notice to Proceed. The project consists of new "speed humps" and signage along Klemp, Grand, and South Streets in the area north of Leavenworth High School. Funding for this project is being provided by American Rescue Plan Act dollars.

Commissioner Hingula:

- Asked if adding the speed humps will move the speeding problems to the south
- Asked if the speed humps be able to handle snow plows

Commissioner Martin:

- Asked for clarity on the number of speed humps on each street

Mayor Wilson:

- Asked about a completion time frame, if the install will be done by Christmas Break?

Commissioner Hingula moved to award the bid of the Traffic Calming Devices Project to Kaaz Construction, in an amount not to exceed \$99,569.00. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Award of Contract for Safe Streets and Roads for All Vision Zero Action Plan – Public Works Director Brian Faust presented for consideration approval of the contract for the development of the Safe Streets and Roads for All Vision Zero Action Plan. The purpose of this grant is to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries. The program focuses on development of a comprehensive safety action plan and its implementation for all users of our highways, streets, and roadways, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micro-mobility users, and commercial vehicle operators. The program provides funding to develop tools to strengthen a community's approach to roadway safety, save lives and prevent serious harm. There are two types of grants in which funding is available: Planning and Demonstration Grants and Implementation Grants. The City of Leavenworth applied for and was awarded a \$350,000 planning grant to develop a Vision Zero (Comprehensive Safety) Action Plan. The Action Plan will be a living document based on the Core Elements for Vision Zero Communities and the Vision Zero Network's Guidelines for an Effective Vision Zero Action Plan, which outlines short, mid-term and long-term goals, short-term action items, indicators to track success, strong emphasis on data and equity, public outreach/engagement, social media interaction, visual materials, technical input, meeting preparation and support, task force meeting facilitation, and preparation of written plans and documents. The Vision Zero Action Plan identifies recommended strategies and policies that will help eliminate deaths and serious injuries on our roads. These recommendations may relate to street design guidelines, funding allocations, education, and emergency responders. The Action Plan will also be used to identify and prioritize a set of Vision Zero street reconstruction projects and potential system-wide safety programs. The Action Plan will provide the documentation necessary to meet the requirements for the City of Leavenworth to apply for future Safe Streets and Roads for All Discretionary Grant Opportunities. The cost will be funded by a combination of grant and City dollars: Federal Grant funding 80%, KDOT funding 10%, and City funding 10%.

David Church with WSP USA, Inc.:

- Over last 5 years there have been 11 fatalities and 67 serious injuries in Leavenworth

- Goal is to create a safe system: safe vehicles, safe roads, safe speed, safe road users, safe post-crash care
- Community based approach
- Involve members of the community and emphasis area teams with items to focus on
- Delve into the details to come up with strategies to make a safe system and develop projects to go with those strategies
- Proven approach with reducing fatalities and serious injuries

Commissioner Martin:

- Asked what other cities and items have you worked with and what areas of emphasis

Mr. Church:

- City of Kansas City, MO was looking at speed limits in residential area
- City of Omaha, NE wanted to focus on repurposing the many one-way roads, arking options, and bike lanes in their downtown area

Commissioner Martin:

- Asked what was the catalyst to look at developing an Action Plan

Mr. Kramer:

- We are seeing a trend across transportation funding that require studies and plans, that you are required to have in place before you can even become eligible to apply for funding
- More efficient use of infrastructure dollars to fit into a community-wide plan
- Would not be eligible for grant dollars without these plans

Commissioner Hingula:

- Asked when the community outreach piece would begin

Mr. Church:

- This is at least a 12 month process
- We'd delve into data first and identify the areas were problems are now and potential problems can be
- Public meeting would occur towards the end, maybe mid-next year, but opportunities to engage with the public during the entire process

Commissioner Bauder moved to award the contract for the Safe Streets and Roads for All Vision Zero Action Plan to WSP USA, Inc., and authorize the Mayor to execute a contract in an amount not to exceed \$349,977.64. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance for Special Use Permit 722 S 5th Street to Allow Restaurant in Office Business District – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to approve a special use permit at 722 S 5th Street to allow a restaurant use in a property zoned OBD, Office Business District. Restaurant uses are allowed in the OBD zoning district with

the approval of a Special Use Permit. The property is surrounded by a mix of uses and is located approximately three blocks south of the Central Business District and one block north of Spruce Street. The applicant also previously applied for, and received, a variance to allow for a reduction in the number of required parking spaces for a restaurant use at the subject location. Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Staff has received no inquiries or comments regarding the proposed restaurant use. The Planning Commission considered the item at their September 11, 2023 meeting and voted 3-1 to recommend approval of the Special Use Permit, with the condition that the Special Use Permit only applies to the first floor of the 722 S 5th Street. Staff recommends approval of the Special Use Permit request for a restaurant use in a property zoned Office Business District based on the analysis and findings provided in the report.

Commissioner Hingula:

- Asked if it is known what kind of cuisine would be going in the space

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

Consent Agenda:

Commissioner Leonhard moved to approve claims for September 9, 2023 through September 22, 2023, in the amount of \$932,229.52; Net amount for Payroll #19 effective September 22, 2023 in the amount of \$402,946.91 (Includes Police & Fire Pension in the amount of \$7,134.65). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Other:

Commissioner Hingula:

- Advised residents to be careful while driving

Commissioner Martin:

- Enjoyed the 5k and CAMP Leavenworth

Commissioner Bauder:

- Enjoyed the kids at CAMP Crafty, it was a really nice event
- Thank you to O'Neill Events and all City Staff

Mayor Wilson:

- CAMP Leavenworth was a fun and exciting event, thanks to all who participated
- Thanked the Fire Department for their engagement at the Anthony Elementary Family Fun Night

Adjournment:

Commissioner Martin moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 6:47 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC