



CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Mark Preisinger, Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder, Larry Dedeke and Myron J. (Mike) Griswold.

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

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

Presentation to out-going Mayor Nancy Bauder – Mayor Preisinger presented on behalf of the City Commission a plaque to Commissioner Nancy Bauder for her term as Mayor from January 10, 2017 to January 8, 2018.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Bauder moved to approve the minutes from the January 8, 2018 special meeting and the January 9, 2018 regular meeting as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8066 to Vacate a Portion of Linn Street – City Clerk Carla Williamson stated that since the ordinance was placed on first consideration at the January 9, 2018 City Commission meeting the only change has been the correction of the spelling of Linn Street on attachments A & B. Ordinance 8066 was presented for Roll Call Vote.

Mayor Preisinger called for the roll call vote and Ordinance No. 8066 was unanimously approved.

Second Consideration Ordinance No. 8067 to Vacate an Easement, Tract C, Branches Addition 2 - City Clerk Carla Williamson stated there have been no changes since the City Commission placed this on first consideration at the January 9, 2018 City Commission meeting. Ordinance 8067 was presented for Roll Call Vote.

Mayor Preisinger called for the roll call vote and Ordinance No. 8067 was unanimously approved.

Second Consideration Ordinance No. 8068 to Remove 225 Delaware from the Downtown Town Square Redevelopment District - City Clerk Carla Williamson stated there have been no changes since the City Commission placed this on first consideration at the January 9, 2018 City Commission meeting. Ordinance 8068 was presented for Roll Call Vote.

Mayor Preisinger called for the roll call vote and Ordinance No. 8068 was unanimously approved.

NEW BUSINESS:

Citizen Participation:

Bruce Simpson – Head Coach American Legion Baseball League

- Bill Geiger has agreed to sponsor the league
- 13-15 year olds in league
- Choice to go to paid league and pay year round or
- Move up to compete in senior league young men up to 19
- Sportsfield one is the only field that they can play on
- Fees for use of the field for practice and games
- American Legion is a non-profit and cannot afford to pay the field fees
- Has discussed with Parks Department
- American Legion is not considered a city sponsored league by city
- All boys on American Legion are from Leavenworth
- Currently practice at Lansing field and West Middle School field
- Need a regulation field to practice and play
- Would like to work with the City to be able to use Sportsfield one
- Would like to start practice in March
- March to middle of July use of field
- Request is to use the fields for practice and games

Mayor Preisinger

- \$2.6 million upgrade to Sportsfield several years ago
- Professional field
- Will not disallow practice but we do charge for use of the field due to the expense and upkeep of the field
- Do not allow anyone else to do the cleanup of the field because of the special needs for the upkeep
- Checked with other cities regarding the use of bigger fields
- Other cities require the same type of fees for use of fields
- Do not allow Leavenworth High to use the field
- City fields by Eagles will be improved this spring; will have a mound and full field; will be available for practices

Commissioner Bauder

- Referenced other park areas and fields and if they could be used

Mayor Preisinger

- Not sufficient size for this age of players
- Suggested possibly contacting the school
- City field by Eagles ready possibly in April

Commissioner Wilson

- Asked how many home games are played
- Would the commission be able to waive fees for non-profits

Commissioner Preisinger

- Just because non-profits do not waive fees
- Many non-profits use and pay for the field

Commissioner Griswold

- Asked if we could have a study session in the future

Commissioner Preisinger

- If a consensus could have a study session but he is not in favor
- City has a policy and we have followed it in the past
- Charge is \$50.00 per game
- We are not doing anything out of the ordinary with regards to the fees for use of the field

Mayor Preisinger wanted to go on record that he would personally sponsor and pay for one of the games out of his own pocket.

There was a consensus to put this on a study session to review

General Items:

Consider Request for a Waiver of a Transient Merchants License-Military Memorabilia Show at Riverfront Community Center (RFCC) on February 17, 2018 – City Clerk Carla Williamson presented for consideration a request for a Transient Merchants License for a Military Memorabilia Show at the Riverfront Community Center on February 17, 2018. Chapter 78 of the City Code of Ordinances requires a waiver by the City Commission for a Transient Merchants License to be issued for use in or on city owned property. This show has been at the RFCC for the past 11 years. The waiver allows the event to be held on city property and all applicable fees will still be required. The Transient Merchants License is \$50.00 per day. The City notifies the Kansas Department of Revenue (KDOR) of all events held on city property and the City and KDOR work hand in hand on the collection of applicable sales taxes.

Commissioner Dedeke moved to grant a waiver of a Transient Merchants Permit for use of the Community Center for the Military Collectors Show on February 17, 2018. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Approval of a Cereal Malt Beverage License for Main Street events at Haymarket Square – Deputy City Clerk Cary Collins presented for consideration an on-premises Cereal Malt Beverage License for 2018 Main Street events held at Haymarket Square.

Commissioner Bauder moved to approve the 2018 on premises Cereal Malt Beverage License for Leavenworth Main Street at Haymarket Square. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Request for Waiver of a Temporary Liquor License; St. Joseph Church and Immaculate Conceptions Church - Deputy City Clerk Cary Collins presented for consideration a waiver of the code requirement that prohibits alcoholic liquor from being sold or served from a location within 300 feet of any church, school, nursing home, library or hospital. The waiver would be for a temporary liquor license for the following locations and dates:

- Immaculate Conception Church, 711 N. 5th Street, Sunday March 11, 2018 for their annual Corned Beef and Cabbage Dinner
- St. Joseph Church, 306 N. Broadway, Saturday, June 2, 2018 for their annual Germanfest Dinner and Dance

Leo Fink from the Church was present but no comments were made.

Commissioner Bauder moved to approve the request to waive the 300 foot requirement for a liquor permit for these events as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Review of Properties on Demolition List – 2608 S. 4th Street and 1214 Pottawatomie Street – City Planner Julie Hurley presented an update on the two properties placed on the demolition list on October 10, 2017 by passing Resolution B-2179.

On October 10, 2017 2608 S. 4th Street was given a 90 day extension to complete repairs. Roger Eagle has since purchased the property and permits to replace the roof and reconnect gas service have been obtained. Roof has been mostly replaced with some additional work needed.

On November 14, 2017 Amanda Reed appeared on behalf of her husband, the owner of 1214 Pottawatomie and indicated their intent to sell the property to be rehabilitated. The City Commission granted an extension until January 23, 2018 to have the property sold and a signed remediation agreement in place. At the January 9, 2018 Ms. Reed appeared before the City Commission during Citizen Participation and informed the Commission that a buyer had been found and asked that the property be removed from the demolition list. Ms. Reed was directed to return to the January 23, 2018 meeting with the buyer so the Commission could take action.

Mr. Eagle, owner of 2608 S. 4th Street stated that weather permitting he should have it habitable soon. Will be installing vinyl siding. Mr. Eagle would like the property removed from the demolition list. He is unable to obtain insurance on the property while on the demolition list.

Commissioner Dedeke moved to remove 2608 S, 4th from the demolition list. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

The new owner of 1214 Pottawatomie, Kristina Russell, stated they have started on the inside and want to check the electricity before it is turned back on. A remediation agreement has been signed. Ms. Russell said she cannot guarantee when it will be completed until they gut the inside. Plan is to have it back on the market by spring.

Commissioner Dedeke moved to remove 1214 Pottawatomie Street from the demolition list. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Resolution:

Resolution B-2186 to Set Public Hearing for Dangerous Structure Damaged by Fire at 850 Sherman Avenue – Public Works Director Mike McDonald presented for consideration Resolution B-2186 to set a public hearing regarding 850 Sherman Avenue. The multi-family structure was damaged by fire on November 5, 2017. The City has been in contact with the owner and the owner's intent is to demolish the structure. Resolution B-2186 would set the public hearing for March 13, 2018.

Commissioner Bauder moved to adopt Resolution B-2186 setting March 13, 2018 as the date of the public hearing regarding the unsafe structure located at 850 Sherman Avenue. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Bids for Police SWAT Vehicle – Police Chief Pat Kitchens presented for consideration the purchase of one SWAT vehicle from LDV Custom Specialty Vehicles in the amount of \$126,063.00. This would be a replacement of the SWAT vehicle purchased in 2000. The Police Department staff prepared specification and sought bids from three different companies and received the following bids:

- LDV \$126,063.00
- Summit Truck Group \$136,570.00
- Summit Bodyworks \$195,830.00

Commissioner Bauder moved to approve the purchase of the SWAT replacement vehicle from LDV in the amount of \$126,063.00. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Sole Source Bid for a Laser Scanner for Police Department – Police Chief Pat Kitchens presented for consideration the approval to purchase one 3D HW LS Focus 70 Laser Scanner from FARO Technologies, Inc. in the amount of \$44,548.23. The sole source is requested due to the specific nature of the technology and the ability to be involved in a user group with other law enforcement agencies in the region that use the same equipment. Additionally the technology will allow the incorporation of our drone(s) to further enhance the information collected.

Commissioner Bauder moved to approve the sole source purchase of one 3D HW LS Focus 70 Laser Scanner from FARO Technologies, Inc. for no more than \$44,548.23. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Change Order to the 2017 WPC Landfill Contract with Hamm Quarry – Public Works Director Mike McDonald presented for consideration the approval of a change order in the amount of \$8,923.76 to the contract with Hamm Quarry for the 2017 landfill services for dewatered sludge.

Commissioner Bauder moved to approve the change order for the 2017 contract to Hamm’s Landfill for the disposal of dewatered sludge in the amount of \$8,923.76. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Design Contract with TreanorHL for Phase 4 of the Riverfront Community Center (RFCC) Stone Replacement Project – Deputy Public Works Director Mike Hooper gave a brief history of the stone restoration to this point. Mr. Hooper then presented for consideration and approval the design contract with TreanorHL for Phase 4 of the Riverfront Community Center Stone Replacement Project in an amount not to exceed \$66,300.00. Julia Manglitz, project manager with TreanorHL gave a PowerPoint presentation on the history of the Community Center.

Commissioner Bauder moved to approve the design contract with TreanorHL for Phase 4 of the Riverfront Community Center Stone Replacement Project in an amount not to exceed \$66,300.00. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Charter Ordinance related to Stormwater Program –City Clerk Carla Williamson presented for first consideration a charter ordinance exempting the city from K.S.A. 12-3101 et. seq. to create a Stormwater Management Program for the City of Leavenworth.

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

CONSENT AGENDA:

Commissioner Griswold moved to approve claims for January 6, 2018 through January 19, 2018 in the amount of \$1,258,959.08; Net amount for Pay #2 effective January 19, 2018 in the amount of \$322,656.38 (Including Police & Fire Pension of \$11,572.36). Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

Commissioner Wilson stated that he spoke with County Attorney Todd Thompson about the police shooting and it is still being investigated.

Mayor Preisinger encouraged all Citizens to contact representatives about the government shutdown.

Assistant City Manager Tylour Tedder stated that March 6th will be the first available meeting for discussion of Sportsfield.

Adjourn:

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

Time Meeting Adjourned 8:46 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC