



City of Leavenworth
100 N. 5th Street
Leavenworth, Kansas 66048

CITY COMMISSION STUDY SESSION
COMMISSION CHAMBERS
TUESDAY, JANUARY 3, 2023 6:00 P.M.

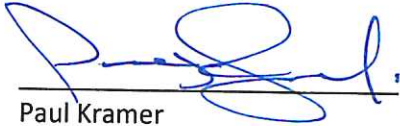
Welcome to your City Commission Study Session – Please turn off or silence all cell phones during the meeting
Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube and Facebook Live

Study Session:

1. Presentation by Depaul USA (pg. 2)
2. Continued Discussion of American Rescue Plan Act (ARPA) Funding (pg. 3)
3. State Legislative Agenda for 2023 (pg. 5)
4. Leavenworth 2030 Comprehensive Plan Update (pg. 32)

Policy Report
Presentation by Depaul USA
January 3, 2023

Prepared by:



Paul Kramer
City Manager

Background

At the Dec. 6 City Commission Study Session, Sister Vickie Perkins, representing Leavenworth Attainable Housing, briefed the City Commission on efforts by the group to build a homeless transitional housing program in the City.

As part of that presentation, a request was made for City American Rescue Plan Act (ARPA) funding for two duplex housing units for the program.

Following the presentation, the City Commission requested more information about Depaul USA, the non-profit homeless services non-profit that Sister Vickie indicated would eventually take over management of the program.

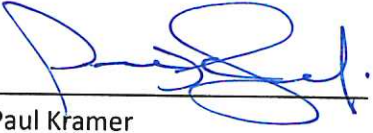
Issue:

Chuck Levesque, President of Depaul USA, will provide a briefing to the City Commission.

Policy Report

Continued discussion of American Rescue Plan Act (ARPA) funding
January 3, 2023

Prepared by:



Paul Kramer
City Manager

Issue

Provide an update on American Rescue Plan Act (ARPA) overall program funding status and relevant project updates.

Attachments:

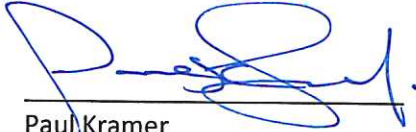
ARPA spending overview

City of Leavenworth ARPA Spending Ledger

PROGRAM OVERVIEW	Budget	Actual	ARPA Balance
Total initial ARPA revenue	\$8,549,063	\$ 8,549,063.00	
2021 Expenses Beyond Revenue		\$ (1,152,219.83)	\$ 7,396,843.17
Approved projects			
Sewer plant improvements	\$ 3,050,000.00		\$ 4,346,843.17
Fire Truck Replacement	\$ 832,794.44	\$ 832,794.44	\$ 3,514,048.73
Refuse Program Change Set Aside	\$ 645,000.00		\$ 2,869,048.73
Fire Suppression/ADA Grants	\$ 200,000.00		\$ 2,669,048.73
Wollman Aquatic Center Upgrades	\$ 346,660.00	\$ 3,340.00	\$ 2,322,388.73
Traffic Calming Pilot Project	\$ 195,370.00	\$ 4,630.00	\$ 2,127,018.73
City Hall Condensate Pipe Replacement	\$ 300,000.00		\$ 1,827,018.73
Police Radio Encryption (appv. 7-12-22)	\$ 42,876.64	\$ 42,876.64	\$ 1,784,142.09
City Hall HVAC Unit (approved 9-13-22)	\$ 100,500.00	\$ 100,500.00	\$ 1,683,642.09
Total	\$ 5,612,701.08		\$ 1,683,642.09
Potential projects			
Housing project	\$ 600,000.00		\$ 1,083,642.09
Youth-related program	\$ 200,000.00		\$ 883,642.09
Relocation of RFCC offices	\$ 348,685.00		\$ 534,957.09
Wilson Avenue Widening	\$ 1,125,000.00		\$ (590,042.91)
Total	\$ 2,273,685.00		\$ (590,042.91)
Other discussed projects			
Solar panel for the RFCC	\$ 500,000.00		
New weight and cardio equipment	\$ 110,000.00		
Misc 1	\$ -		
Misc 2	\$ -		
Total	\$ 610,000.00		\$ -

Policy Report
State Legislative Agenda for 2023
Jan. 3, 2023

Prepared by:



Paul Kramer
City Manager

Subject:

The Kansas Legislature begins the 2023 legislative session January 9. Prior to the session, the League of Kansas Municipalities (LKM) has released its Statement of Municipal Policy (SMP), which provides an overview of topics that could affect Kansas cities in 2023.

During the session, City staff will: 1) monitor bills and issues that move forward in the house and senate; 2) bring those bills that have a positive or negative impact on the City to the City Commission for support/opposition; 3) per the City Commission's goals, staff will make every effort to bring requests for letters of support or opposition to City Commission meetings as specific agenda items.

The 2023 Statement of Municipal Policy includes more than 100 issues in six (6) separate categories. The inclusion of so many areas of interest illustrates the complexity of the legislative process and the full scope of how actions at the state level can affect local governments. In the 2023 statement, the league does an excellent job of providing a condensed list of ten (10) "priority" items, which are selected based on potential impact as well as insight on issues that might see action during the session.

All ten (10) priority items are relevant to the City, but highlighted below are four (4) specific items, either because they are new or because they have could have a broad impact on local operations.

1. Home Rule

The elected City Commission of the City of Leavenworth is the most appropriate legislative body to determine what is the best way to represent the residents of Leavenworth. Every two years, a majority of the governing body is before the residents for election. This system provides the ultimate in terms of accountability and local control.

From the SMP: "Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communications, particularly local tax and revenue decisions."

2. Countywide Sales and Use Tax

The current formula (which has been in place for more than 40 years) to divide countywide sales and use tax is defined in KSA 12-192, and, in brief defines that distribution is determined by:

1. "In the proportion that the total tangible property tax levies made in such county in the preceding year..."
2. "In the proportion that the population of each city bears to the total population of the county..."

For the City of Leavenworth, as the sales tax generating engine of Leavenworth County, the more advantageous formula would relate to proportion of population and proportion of sales tax generated, however the existing formula is adequate and does provide a direct allocation to the cities.

The alternative to this that has been talked about at the state level would be for the funding to come to the County to determine allocation. Countywide sales tax funds and the votes needed to pass these initiatives are largely driven by commercial activity and population in cities. Therefore, cities should receive direct allocations. The City should oppose any change to the allocation formula or allocation process that ends required distributions to cities.

3. Property Taxes

All property taxing authorities, including cities, counties, the state, school districts, special districts and community colleges should be equally transparent, and have to abide by the same limitations, restrictions and requirements. Any additional transparency measures should not be burdensome or costly. The City of Leavenworth encourages the state and local governments to work on making government more efficient and recognize the need to work together on innovative approaches to reduce the reliance on property taxes.

4. Housing

The lack of quality housing across the state creates an impediment to growth and economic development. The City supports programs that encourage access to quality housing. Entities in the city have used state tax credit programs to bring in a diverse offering of housing options, and we support the use of those programs.

Additional item for consideration

In addition to the SMP items, I would like to bring two items to the attention of the commission.

1. Deferred Retirement Option Program (DROP)

This program is designed to keep KP&F eligible employees (Police and Fire) working beyond retirement eligibility. In the DROP program, a retirement eligible KP&F employee would see their pension freeze at retirement level, and future retirement benefits would accumulate in a DROP account. This program benefits the organization by keeping vital Police and Fire department positions filled for a few years longer, while also not increasing retirement/pension obligations. KPERS has determined that this program is revenue neutral and does not impact the state's pension liability. The program is currently being offered to Kansas Highway Patrol employees. It is recommended by staff that the City endorse the legislature to continue to evaluate the program and determine if implementation statewide for KP&F employees is feasible in the near future.

2. Commercial Driver's License (CDL) requirements

Recent state testing requirements to obtain CDL permits and/or licenses went into effect on February 7, 2022, with very little notification or clarification of these new requirements. In addition, the costs for the required testing is unreasonable (approximately \$3,500 per person) for employers that have to hire a large number of employees that currently require a CDL. In addition, the expanded requirements under the FMCSA (Federal Motor Carrier Safety Administration) that went into effect in 2020, have created additional tracking and reporting requirements with additional costs to meet these new requirements.

Legislation (HB 2295) was passed last year that added a sixth exemption from requirements of the Kansas Uniform Commercial Driver's License Act. Municipal motor grader vehicles operated by an employee of a municipality, if such employee is operating the motor grader vehicles within the boundaries of such municipality, are now exempt from the CDL requirements.

The City would recommend the exemptions for CDL requirements be reviewed and that HB2295 be expanded to exempt ALL municipal vehicles and equipment that are operated within the boundaries of each municipality.

Attachment – 2023 Statement of Municipal Policy



2023 Statement of Municipal Policy



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Mission Statement

The mission of the League shall be to strengthen and advocate for the interests of the cities of Kansas to advance the general welfare and promote the quality of life of the people who live within our cities.



GOVERNING BODY



President
J. Michael Wilkes
City Manager, Olathe



Vice President
Troy Tabor
Council Member, Andover

Past Presidents

Mike Boehm, Mayor, Lenexa
Sara Caylor, Commissioner, Ottawa
Daron Hall, City Manager, Pittsburg
David McDaniel, Mayor, Ellis
Terry Somers, Mayor, Mount Hope

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Bob Becker, Commissioner, Stockton
Thomas Brown, Mayor, McPherson
Roy Cessna, Mayor, Garden City
Tyrone Garner, Mayor, Unified Government
of Wyandotte County/Kansas City
Nick Hernandez, City Manager, Dodge City
Katie Jackson, City Attorney, Manhattan
Jenny Landers, Mayor, Otis
Amy Lange, City Manager, Concordia
Ty Lasher, City Manager, Bel Aire
Stan Luke, Mayor, Burlington
Michael Padilla, Mayor, Topeka
Christy Pyatt, City Clerk, Greensburg
Curt Skoog, Mayor, Overland Park
Austin St. John, City Administrator, Marysville
Brandon Whipple, Mayor, Wichita

Interim Executive Director

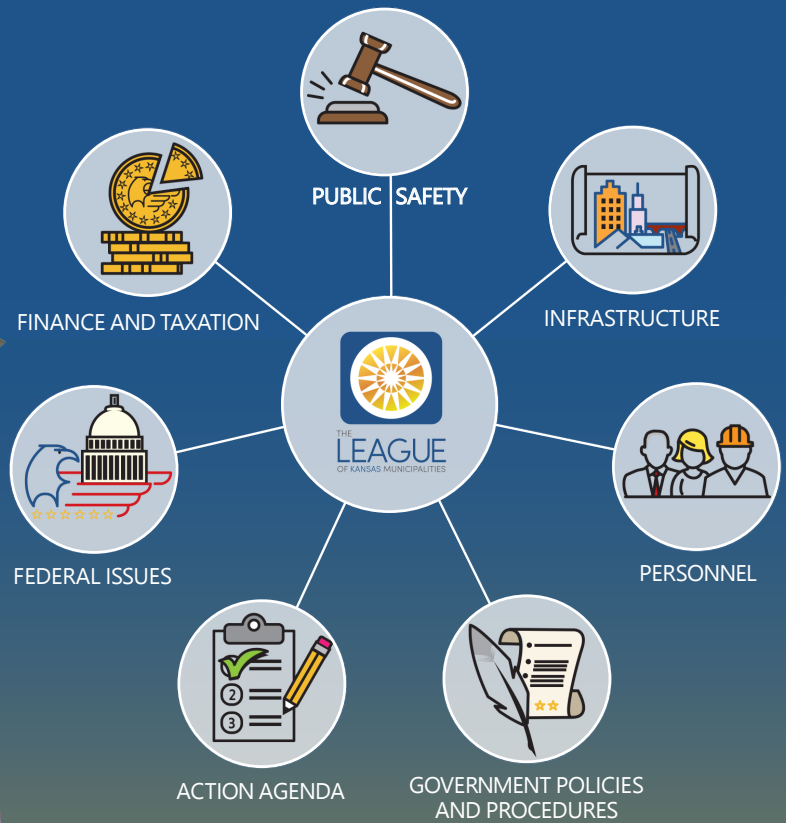
John Deardoff



ABOUT THE LEAGUE

SUPPORTING KANSAS CITIES

The League of Kansas Municipalities is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and has a clear purpose of strengthening Kansas communities. Since 1910, the League has been a resource for cities across Kansas and has acted as a body to share ideas, facilitate communication between members and provide information on best practices in city operations.





LEGISLATIVE PRIORITIES

The prosperity of the State of Kansas is absolutely dependent upon the prosperity of our cities. Over 84% of Kansans live in an incorporated city. In an effort to promote healthy and sustainable communities, the elected and appointed city officials of Kansas hereby establish the following as our legislative priorities for 2023:

HOME RULE. Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

COUNTYWIDE SALES AND USE TAXES. Since 1977, Kansas has successfully used a city-county revenue sharing formula for the benefit of all. The existing formula benefits both city and county taxpayers and ensures there is a fair method to distribute funds that are generated primarily in cities.

GOVERNMENT COMPETITION. Local governments should continue to retain local control over the services that they provide to their residents and businesses. We recognize that free markets, under normal circumstances, are the best vehicle for allocating goods and services. However, there are circumstances where the free market either does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In such instances, it falls to government to respond to the will of the people to provide the good or service. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to allow those services at a low cost.

PROPERTY TAXES. We recognize in areas of the state there is a large reliance on property taxes to fund local and state government. All property taxing authorities, including cities, counties, the state, school districts, special districts, and community colleges should be equally transparent, and have to abide by the same limitations, restrictions and requirements. Any additional transparency measures should not be burdensome or costly. We encourage the state and local governments to work on making government more efficient and recognize the need to work together on innovative approaches to reduce reliance on property taxes.

UNIFORM TRAFFIC CODE. We support a comprehensive review and recodification of the Uniform Traffic Code.

MENTAL HEALTH. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

AMBULANCE ATTENDANTS. We support allowing non-certified attendants to drive ambulances for inter-facility patient transfers with one attendant providing patient care. These staff should be trained to operate emergency vehicles. We continue to support the use of certified attendants for emergency situations.

HOUSING. The lack of quality housing across the state creates an impediment to growth and economic development. The League supports programs that encourage access to quality housing.

SALES TAX REVENUE IN STAR BOND DISTRICTS. The reduction and elimination of the state food sales tax threatens the financial success and viability of existing STAR Bond project districts that include groceries by eliminating a source of revenue pledged to repay the bonds. We support creation of a long-term funding mechanism to ensure state reimbursement of lost funds caused by the reduction and elimination of the state share of food sales tax in impacted STAR Bond districts.

WATER. Access to water is paramount for the continued growth and viability of our communities. Government at all levels should aggressively pursue the conservation, protection, and development of current and future water supplies to ensure access to clean, safe, and affordable water for all Kansas residents. We support state action, in consultation with municipal providers, to address surface and groundwater resources.



FINANCE & TAXATION

An adequate source of revenue is necessary to fund the essential services of city government. Each city is unique in both services provided and the ability to pay for such services; maximum flexibility should be granted to local governing bodies to determine the amount and source of funding for city services.

TAX/SPENDING LID. Local spending and taxing decisions are best left to the local officials representing the citizens that elected them. We strongly oppose any state-imposed limits on the taxing and spending authority of cities.

TAX POLICY. The League supports the long-established philosophy of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide the services citizens want and need. Changes to tax policies should not be undertaken without a full understanding of the overall impact upon all taxpayers, taxing entities, and the sources and amounts of tax revenues to be generated or eliminated by such policy changes.

PROPERTY TAXES. We recognize in areas of the state there is a large reliance on property taxes to fund local and state government. All property taxing authorities, including cities, counties, the state, school districts, special districts, and community colleges should be equally transparent and have to abide by the same limitations, restrictions and requirements. Any additional transparency measures should not be burdensome or costly. We encourage the state and local governments to work to make government more efficient and recognize the need to work together on innovative approaches to reduce reliance on property taxes.

PROPERTY TAX EXEMPTIONS. We support a broad tax base and believe the existing property tax base should be protected. We encourage the legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support the current statutory definition of machinery and equipment and the exemption should not be expanded. The legislature should actively review existing exemptions to determine if they should continue or be repealed.

PROPERTY VALUATION. We support appraisals based on fair-market value as historically used in Kansas. We oppose any caps in property valuations and limitations on valuation methods that shift the property tax burden, benefiting one category of property to the detriment of all others, as unconstitutional and inequitable.

LAVTR. The state legislature, as required by Kansas statutes, should help to relieve the burden on property taxpayers by funding the Local Ad Valorem Tax Reduction (LAVTR) program.

TAXES PAID UNDER PROTEST. Due to the effect that taxes paid under protest and large property tax exemptions can have on cities, the state and the county where the city is located should be required to notify cities when taxes, including compensating use and ad valorem taxes, are paid under protest or a large tax exemption is filed so that cities have accurate data when making budgetary decisions.

MANDATORY SPENDING. We oppose any law that requires a city spend a certain threshold to receive and maintain state dollars. All spending decisions should remain at the local level.

COUNTYWIDE SALES AND USE TAXES. Since 1977, Kansas has successfully used a city-county revenue sharing formula for the benefit of all. The existing formula benefits both city and county taxpayers and ensures there is a fair method to distribute funds that are generated primarily in cities.

SALES TAX. Kansas should have a broad sales tax on all goods and services. Cities should be able to impose voter-approved local sales taxes. Sales tax exemptions should be limited to those for which the benefit outweighs the tax dollars lost.



ALTERNATIVE REVENUE SOURCES. Cities should be authorized to approve alternative revenue sources in order to maintain appropriate levels of funding for the health, safety and welfare of our citizens.

BUDGET TIMELINE. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year. We support legislation to allow the adoption of City budgets by November 30.

FINANCE POLICIES. Cities should be allowed to set financial policies in-line with bond rating requirements and other generally accepted best practices for municipal management.

EMS/HOSPITAL FUNDING. Municipal hospitals and emergency medical services (EMS) are challenged in meeting their communities' needs. We support the expansion of Medicaid in Kansas to allow such entities access to federal funding, helping cities maintain and provide critical services for their citizens. If the legislature fails to approve Medicaid Expansion, additional state funding needs to be made available to rural hospitals in order to retain businesses and their employees and sustain the health and lives of Kansans.

UNFUNDED MANDATES. We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates should be accompanied by an appropriate level of funding.

CITY AND COUNTY REVENUE SHARING. The State Legislature should fund existing city and county revenue sharing programs as required by Kansas statutes.

TELECOMMUNICATIONS TAXES. We support cities' continued ability to impose and collect taxes and fees on telecommunications providers.

FEDERAL LOAN PROGRAMS. We support changes to allow local governments to participate directly in federal loan programs.

BANKING AND INVESTMENT RESTRICTIONS. We support maximum banking and investment choices for local government. At a minimum, all cities, counties and school districts should have the same banking and investment authority the state has granted to itself.

LIBRARY FUNDING. We support Kansas statutes being modernized to reflect revenue neutral rate requirements when determining a public library's eligibility for state funding.





PUBLIC SAFETY

Cities play a critical role in the protection of the health and safety of the citizens of Kansas. Because mandated programs are costlier and less efficient, government at all levels should cooperate in the development of health and safety programs.

LAW ENFORCEMENT AND PUBLIC SAFETY. We believe cooperative efforts, rather than state and federal mandated requirements, are vital to the efficient and effective development of local law enforcement and public safety programs.

ASSET FORFEITURE. We support the use of asset forfeiture as an important component in reducing financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of the same, should remain with the local government that seizes the property.

MUNICIPAL COURT. Municipal courts serve a vital role protecting an individual's right to equal protection under the law following arrest or detainment. We support the local control of, and judicial authority of, municipal courts. All assessed court funds under a municipal court order, other than restitution collected and payable to a third party and state assessments paid under K.S.A. 12-4117, shall be retained by the local municipality. We support municipalities' ability to set appropriate fines and fees.

EMERGENCY 911 SERVICES. Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both wireline and wireless communications. We support legislation providing flexibility for local governments to utilize these funds to provide emergency services. 911 funds should not be diverted by the legislature for other uses.

EMERGENCY MANAGEMENT. Because cities play a crucial role in effective emergency management, implementation strategies must promote cooperative efforts between federal, state and local governments. Changes to the Emergency Management Act should consider the role of the city in responding to disasters.

MEDICAL CHARGES. The cost of health care services for prisoners and individuals in custody is a growing concern for cities. We strongly believe the first person responsible for the payment of medical costs should be the individuals in custody. Another needed change, to begin addressing these costs, is to clarify that the entity charging for a crime is responsible in the event those costs cannot be recovered. We support the pooling of resources between all state and local law enforcement agencies.

LAW ENFORCEMENT DISCRETION. We support local governments' discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

SERVICE ANIMAL FRAUD. We recognize the important role service animals play for the disabled community. The use of such animals is being tainted by service animal fraud. We support strengthening and redefining the crime of service animal fraud to disincentivize individuals from asserting their animal is a service animal in order avoid vicious animal, exotic, livestock, or breed-specific ordinances.





ALCOHOL & CMB REGULATION. We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments. Additionally, we support changes to the common consumption statutes to allow more local control regarding the necessity of street closure.

MEDICAL MARIJUANA. The legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources. In addition, medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Also, cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and should not allow residential grow operations of any sort. In addition, Kansas should delay implementation to give time to study any issues that might result from the passage of medical marijuana legislation.

FIREARMS AND WEAPONS. We support the local regulation of firearms and weapons.

HOMELAND SECURITY. First responders at the local level serve as the front-line defense in the prevention and response to terrorism and other security risks. Local governments should be granted maximum flexibility and discretion over implementation of monies and strategies regarding homeland security.

REGULATION. Any regulation should balance the costs to the benefit of the regulation. Existing regulations that no longer pass this balancing test should be repealed.

CYBERSECURITY. Organizations of every size constantly face cyber-related incidents. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber-attacks on cities. Cities will use information provided by the state government to determine best practices and policies for municipal implementation.

SCRAP METAL. Cities are currently preempted from regulating scrap metal. We support a narrowing of this preemption so that cities can address issues at the local level.

MENTAL HEALTH. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.





INFRASTRUCTURE

Cities construct, manage, operate and maintain numerous infrastructure components that provide a high quality of life. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are all dependent on the ability of local officials to self-determine what's appropriate for their own communities. This self-governance relies on the expectation of cooperation from the state government and full funding as required by law under current statutory programs from both the state and federal government.

TRANSPORTATION

CONNECTING LINKS. The State should maintain KDOT's funding for connecting link programs at the FY 2020 level for cities to provide for the maintenance of state highways within city limits. We support full funding of the City Connecting Link Improvement Program (CCLIP).

CITY-COUNTY HIGHWAY FUND. The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles, as directed by K.S.A. 9-3425i. The proceeds from any increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.

COMPREHENSIVE TRANSPORTATION PROGRAM. We support full funding of the Eisenhower Legacy Transportation Program. We oppose any use of these funds to balance the State's General Fund budget. Any reduction in funding jeopardizes existing programs.

TRANSPORTATION SAFETY. The State should work in cooperation with local governments to continue to provide safe roads and bridges within Kansas. The State should focus on all users of the transportation systems and recognize that a system that is designed for use by pedestrians, bicycles, and vehicles is safer and more economically prosperous for all Kansans.

TRANSPORTATION MAINTENANCE. Because transportation infrastructure is critical to state and local development activities, we support the continued maintenance of the transportation infrastructure in Kansas. We further support continued funding to support multimodal transportation networks, including for mass transit, biking, and walking infrastructure.

TRANSPORTATION DEVELOPMENT DISTRICTS. We support the continued ability of cities to establish transportation development districts to meet the economic development and transportation infrastructure needs in the community.

ELECTRIC CHARGING STATION INFRASTRUCTURE. We support the expansion of electric charging station infrastructure throughout the state in order to increase the pace of electric vehicle adoption and positively impact local communities.

AIRPORT FUNDING. We support the continued use of state economic development dollars (EDIF funds) to enhance airport facilities and services.

RECREATIONAL TRAILS. We support the development of recreational trails, including rails to trails, aquatic trails, and hike-and-bike on levee trails projects, and oppose any legislation that would make such development more burdensome or costly.

RAIL SERVICE. We support existing and enhanced passenger and freight rail service in Kansas and seek a strong partnership with the state and federal government to achieve meaningful improvements.

UNIFORM TRAFFIC CODE. We support a comprehensive review and recodification of the Uniform Traffic Code.



UTILITIES

BROADBAND. Access to reliable broadband service is increasingly important to the economic health of Kansas cities. We support the establishment of the Broadband Deployment Grant to facilitate broadband expansion in Kansas. Guidance for the grant program and broadband-related statutes must recognize the important role local governments play in such expansion and not remove important planning and right of way authority from local governments.

SERVICE TERRITORY. Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. Cities should have the freedom and flexibility to grow and expand their service territories. The current statutory framework should be reviewed.

MUNICIPAL OPERATION. We support the ability of cities to operate municipal gas, water, electric, sewer, telecommunications, broadband, solid waste, stormwater or other utility services. We further support the ability of cities to set and control the rates for locally owned and operated utilities.

RIGHT OF FIRST REFUSAL. We support municipal utilities having the ability to invest in new electric/transmission projects in order to provide reliable, affordable service to local customers. We oppose efforts prohibiting competition for transmission projects in Kansas.

FRANCHISE AUTHORITY. We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.

MANDATES. We oppose unfunded federal and state mandates regulating the operation of municipal gas, water, electric, sewer, telecommunications, solid waste, stormwater utilities or other utility services. Any mandates passed down to cities should not be imposed without a cost-benefit analysis and should be accompanied by appropriate funding. In addition, regulations should provide for a reasonable implementation schedule.

PUBLIC WATER SUPPLY SUPERVISION PROGRAM. We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal cost concerns and recognize the state has a responsibility to contribute to these important public health matters. In addition, we recognize a need to update standards to meet federal clean drinking water standards.

RIGHT-OF-WAY. Cities must maintain their ability to regulate the public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by overreaching federal mandates. We oppose efforts to codify, at the state level, federal directives limiting cities' powers.



ENERGY

ELECTRIC UTILITY DEREGULATION. Community-owned and operated municipal electric utilities make long-term power supply decisions and investments with the goal of benefiting their overall community. We support continued local control over power supply decisions.

STATEWIDE ENERGY POLICY. We support the development of a coordinated and comprehensive Energy Plan. Further, we support creative and cooperative implementation of renewable energy and energy efficient technologies that are environmentally sustainable and economically successful.

ENERGY EFFICIENCY. Energy efficiency saves money, drives investment across all sectors of the economy, creates jobs, and reduces the environmental impact of energy use. Accordingly, we support public and private incentives to encourage energy efficiency and renewable energy.

BUILDING CODES. We oppose any measures to preempt local building codes. Further, cities should continue to be allowed to shape local codes to incentivize net zero or net-zero ready building requirements.

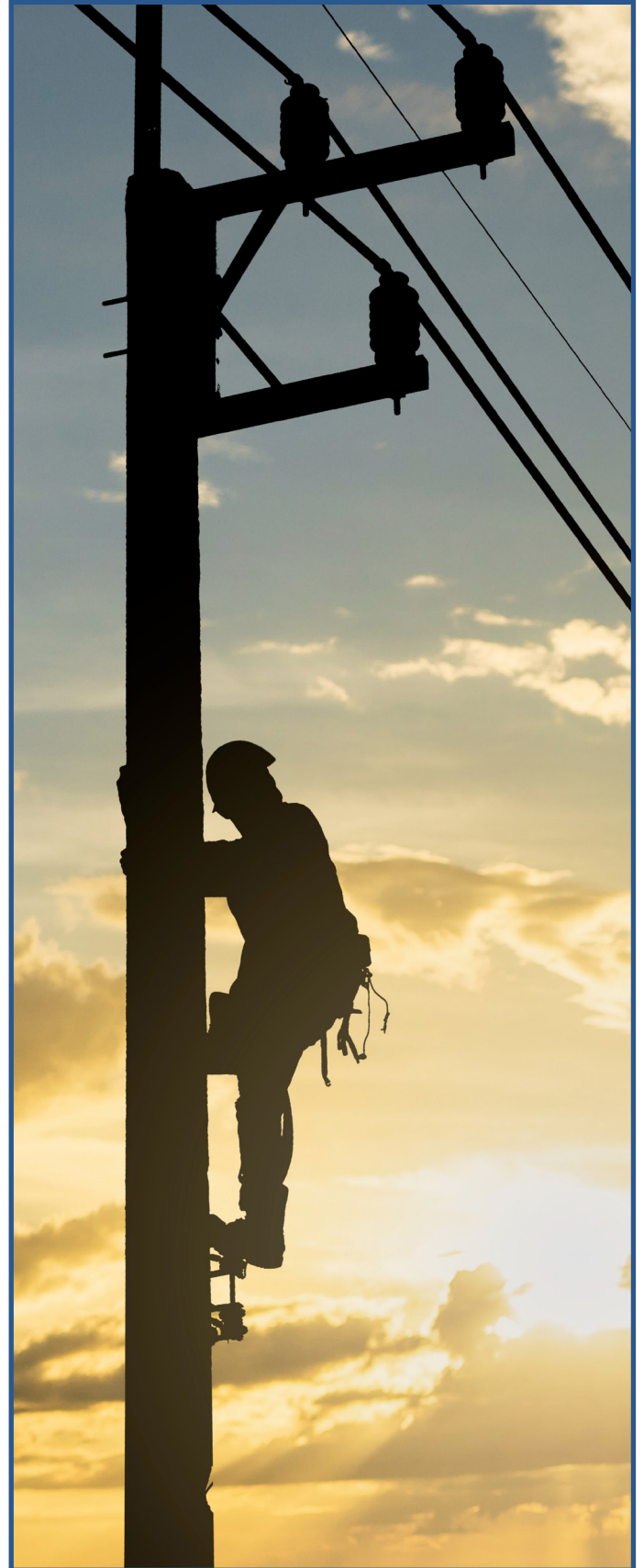
PROPANE. We support cities' authority to protect public safety by regulating the capacity of propane units/facilities for residential or commercial purposes.

WATER AND ENVIRONMENT

WATER QUALITY. We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse regional and cooperative solutions to water quality challenges that address point and non-point source pollution while balancing municipal cost concerns.

WATER QUANTITY. Government at all levels should aggressively pursue the conservation, protection and development of current and future municipal water supplies. We support cost-effective efforts to extend the life of reservoirs and to expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address surface and groundwater resources while respecting priority of water rights. The water rights management tools that have been developed in recent years should be modified or expanded so that they provide the same type of flexibility and authority to any water rights holder regardless of class.

WATER PLANNING. We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.



INFRASTRUCTURE FUNDING. We support increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs. In addition, we call for loan terms of up to 40 years when the useable lifespan of an improvement will exceed the term of the loan.

STORMWATER MANAGEMENT. We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution. We further endorse state measures to incentivize and enable investment in green infrastructure (e.g., street trees, use of native plants, etc.) to support sustainable communities.

SOLID WASTE. The Home Rule powers of cities to dispose of and manage municipal solid waste should not be restricted. This includes local control and decision-making surrounding recycling and composting programs.

HAZARDOUS WASTE. We support a comprehensive state-local approach to provide assistance in identifying hazardous wastes and to develop programs to monitor and dispose of such wastes. We encourage state agencies to work cooperatively with local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Further, appropriate education and training should be provided prior to the implementation of such programs.

CLEAN AIR. We support air quality controls and a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.

WATER AND WASTEWATER CERTIFICATION. We support improved certification programs that better align the necessary skillsets for real world water and wastewater system operation with the content of the corresponding exams. We support review of water and wastewater certification to ensure validity and reliability. These certifications need to continue to be protective of the public health and environment. We encourage contracting and collaboration to help utilities acquire the knowledge, skills, abilities, and certifications needed to effectively and efficiently serve Kansas rate payers.





HUMAN RESOURCES

City employees are the foundation of effective city government. City governing bodies must have the authority to develop local personnel policies to attract and maintain a high-quality public workforce.

WORKERS' COMPENSATION. We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.

KPERS & KP&F. We support the full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments that have been made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should not impact a city's ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees.

PUBLIC EMPLOYER-EMPLOYEE RELATIONS ACT (PEERA)/COLLECTIVE BARGAINING. We oppose any federal or state mandate requiring collective bargaining at the local level.

PERSONNEL MANDATES. We oppose state and federal mandates involving public personnel.

WEAPONS AND FIREARMS. We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while they are engaged in their work.

PREVAILING WAGE. We oppose federal and state mandates requiring or prohibiting the payment of prevailing wage.

HEALTH CARE & OTHER BENEFITS. We support cooperation and active study of ways to relieve the financial burden of securing employee health care coverage, including the continued option for cities to participate in the state health care program.

UNEMPLOYMENT. We support reasonable and just benefits for employees who are qualified individuals under the Kansas Employment Security Law. We oppose the finding that volunteers, who are paid a nominal stipend, are considered a qualified individual. We support legislation to define "volunteer" in Kansas employment law such that it is consistent with federal law.

AMBULANCE ATTENDANTS. We support allowing non-certified attendants to drive ambulances for inter-facility patient transfers with one attendant providing patient care. These staff should be trained to operate emergency vehicles. We continue to support the use of certified attendants for emergency situations.





GOVERNMENT POLICIES & PROCEDURES

Abiding by the longstanding constitutional Home Rule authority of Kansas cities, there is a need to ensure local governments maintain autonomy and the authority of self-governance to create a safe and sustainable quality of life for residents. In an effort to construct appropriate policies for their community, such as economic and community development initiatives, cities should be committed to implementing procedures which ensure ethical and transparent governance from their officials.

HOME RULE. Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected city officials making decisions for their communities, particularly local tax and revenue decisions.

GOVERNMENT COMPETITION. Local governments should continue to retain local control over the services that they provide to their residents and businesses. We recognize that free markets, under normal circumstances, are the best vehicle for allocating goods and services. However, there are circumstances where the free market either does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In such instances, so it falls to government to respond to the will of the people to provide the good or service. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to allow those services at a low cost.

PROTECTION OF THE FIRST AMENDMENT. The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

POLICE POWERS. We support the authority of cities to regulate in order to protect the health, safety, and welfare of the public.

NON-DISCRIMINATION. We oppose discrimination against any person by reason of their race, color, religion, sex (including pregnancy, gender identity, or sexual orientation), age, national origin, ancestry, disability, military/veteran status, or genetic information.

CITY ELECTIONS. We oppose any action by the state or federal government that would threaten the ability of cities to hold non-partisan elections.

FILING FOR OFFICE. In order to encourage a higher number of candidates to file for office, we support the filing location for city elections being available in the city clerk's office. The state should evaluate remote filing options in the future.

FILLING OF VACANCIES. The current statutes for filling vacancies have served the state well for over fifty years. Vacancy filling should remain the responsibility of local governing bodies made up of duly elected officials.

ANNEXATION. The ability of cities to grow is inherent in the economic growth and development of the state. Therefore, we support local jurisdictions' ability to make their own decisions regarding orderly growth through annexation.

SIGN REGULATION. We support the authority of local government to regulate signs in compliance with federal law.

PUBLIC PROPERTY & RIGHTS-OF-WAY. We support the ability of cities to control and manage public property and rights-of-way and to impose franchise or use fees on those entities that utilize the rights-of-way.

EMINENT DOMAIN. Eminent domain is a fundamental municipal power. The authority to acquire property through condemnation proceedings is critical for public improvement projects. We support increased flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

GOVERNMENTAL IMMUNITY. We support continued immunity for cities from tort liability and legislation strengthening the Kansas Torts Claims Act.

INTERLOCAL COOPERATION. We support the principle of voluntary cooperation among all levels of government.

CITY/COUNTY CONSOLIDATION. We support processes for local consolidation without undue statutory barriers. We further believe the issue of consolidation is an inherently local one and the voters should be allowed to determine whether consolidation with another unit of government occurs.

SUMMARY PUBLICATION OF RESOLUTIONS. We support legislation allowing cities to publish a summary of a resolution, with the full text of any resolution posted on the city's official website, in lieu of publication of the full resolution.

PRIVATE CEMETERY LIABILITY. We support legislation removing the requirement for cities to care for and maintain formerly private cemeteries that have been dissolved.

COMMUNITY DEVELOPMENT

HOUSING. The lack of quality housing across the state creates an impediment to growth and economic development. The League supports programs that encourage access to quality housing, including but not limited to, the Housing Investor Tax Credit Act, the Kansas Affordable Housing Tax Credit Act, the Kansas Rural Home Loan Guarantee Act, guaranteeing appraisals in rural counties, the Historic Kansas Act, and the Kansas Rural Housing Incentive District Act.

RURAL HOUSING INCENTIVE LOAN FUND. We support the creation of a State low interest revolving loan fund to finance development in Rural Housing Incentive Districts.

ABANDONED AND BLIGHTED HOUSING. We support legislation that streamlines and expedites the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance, foreclosed housing, and commercial structures to protect the rights and property values of surrounding property owners.

HOUSING-RENTAL INSPECTIONS. We support giving cities the authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners.

REVITALIZATION TOOLS. We support the continued use of the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act to promote local neighborhood development.

ECONOMIC DEVELOPMENT PARTNERSHIPS. State and regional partnerships are vital to the sustained growth of the state and should be supported by policy and with adequate funding.

TAX ABATEMENTS. We support the authority of cities to offer tax abatements to encourage business investment in their communities.

TAX INCREMENT FINANCING (TIF). We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility and allow for efficient use by communities.

STAR BONDS. We support the ability of cities to utilize STAR bonds to promote economic development in their communities.

LAND USE AND ZONING. We support the ability of local officials to make land use and zoning decisions within their community, including decisions about the location, placement, size, appearance and siting of transmission and receiving facilities and any other communications facilities.



Relationships Are the Cornerstone of Effective Advocacy



1

Make Contact Prior to Legislative Session

- Eggs & Issues, town halls, etc.
- Communicate the city's agenda and priorities.
- Invite them to a League Legislative Dinner.



2

Follow the Legislative Session

- *League News*
- List serves
- News media
- www.lkm.org



3

Participate in Local Government Day January 25, 2023

- Make appointments to visit with your legislators in the morning.
- Invite them to the League reception.



4

Make Contact During Legislative Session

- Watch for alerts about key bills/issues.
- Follow the issue, not the bill number.
- Be specific; give your city's unique insight into the legislation.
- Don't waste time and political capital on meaningless bills that have no chance of becoming law.



5

Make Contact Following the Legislative Session

- Thank your legislator for their hard work.
- Be honest and express concern when bills negatively affect your city.



• Know your legislators on a first-name basis



• Always be respectful and avoid personal attacks



• Ask your legislator how he or she prefers to be contacted (email, phone, texts, etc.)



• Share your contact information



• Follow legislators' communications



• Sign up for emailed newsletters



• Follow legislators' Twitter accounts



• Send legislators your newsletter/updates

TOURISM. We support cooperative ventures between the state and local government in Kansas to promote tourism as an industry that is vital to growth and development all across the state.

TAX CREDITS. We support the continued availability of tax credits as a tool for economic development.

SALES TAX REVENUE IN STAR BOND DISTRICTS. The reduction and elimination of the state food sales tax threatens the financial success and viability of existing STAR Bond project districts that include groceries by eliminating a source of revenue pledged to repay the bonds. We support creation of a long-term funding mechanism to ensure state reimbursement of lost funds caused by the reduction and elimination of the state share of food sales tax in impacted STAR Bond districts.

TRANSPARENCY IN GOVERNMENT

OPEN MEETINGS. All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

OPEN RECORDS. All levels of government should be subject to the same open records requirements. State laws governing open records should balance the public's right of access, with the necessity of protecting the privacy of individual citizens, and the ability of public agencies to conduct their essential business functions. We support a city's ability to recoup reasonable costs associated with open records requests.

INTERGOVERNMENTAL DIALOGUE. Communication between all levels of government is critical to the successful delivery of public services to the citizens of Kansas. Representatives from cities provide facts and information crucial to intergovernmental relations, and as such, should have the same rights and responsibilities as private interest lobbyists. We support current law regarding the use of state and local public moneys to provide information and advocate on behalf of our cities and citizens. Any reporting system should not increase the administrative burden on local governments.

BODY CAMERAS. We support the ability of local governments to determine when and how body cameras will be used by law enforcement officers. We support the establishment of reasonable regulations concerning public access to recordings, balancing the needs of law enforcement and the individuals whose images are captured in the recordings.





FEDERAL ISSUES

Local officials welcome the opportunity to work together with federal and state officials on policies impacting local communities. Federal agencies should research and understand the fiscal impact on local units of government when implementing new guidelines or laws. Cities manage their finances, infrastructure and personnel more effectively without unfunded federal mandates.

LOCAL CONTROL. We support local elected officials making decisions for their communities. Though the Home Rule powers granted cities in the Kansas Constitution do not affect federal powers, we call on our representatives and federal agencies to look at federal legislation and regulations with local control in mind.

POLICE REFORM. We support the work of our local police departments to make our communities safer for all. Any federal or state proposals for police reform should be focused on providing resources for local law enforcement, incentivizing transparency, and encouraging good police practices, including equity and justice.

FEDERAL RECOVERY MONEY FOR CITIES. Federal funding from the CARES Act and the American Rescue Plan Act have been critical for local governments to both respond to the negative impacts of the pandemic and support the economic recovery. As cities work on plans to best help their residents, Congress should not move to take back these funds.

FEDERAL BIPARTISAN INFRASTRUCTURE LAW (BIL). Federal funding from the Bipartisan Infrastructure Law (BIL) will be important for local governments to support critical city services and economic recovery. The League supports funding to municipal programs that enhance a better quality of life for all residents.

ADVANCED REFUNDING OF BONDS. In order to allow cities to quickly recover from this current recession, we urge Congress to allow cities to issue tax exempt advance refunding municipal bonds. Cities refinancing bonds will be able to free much needed cash flow to reduce taxes or create capital investments.

COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG). We support continued funding for Community Development Block Grants, Community Service Block Grants and HOME Grants. These programs' funding is an essential component of cities' strategies to fund critical community services and infrastructure needs.

MUNICIPAL BONDS. We support the removal or modification of overly burdensome and costly restrictions affecting the issuance of municipal bonds. Further, we support the continued tax-exempt status for municipal bonds.

BROADBAND DEPLOYMENT & MUNICIPAL OVERSIGHT. Access to reliable broadband service is increasingly important to the economic health of Kansas cities. However, federal action via legislation or orders from federal agencies must recognize the key role local governments play in such expansion, and it must not remove important planning and right of way authority from local governments. Cities must be afforded the continued right to address safety, health and welfare for both their citizens and other entities with valuable infrastructure in the right of way. In addition, the right of way serves as an important resource for citizens, and the right to offset costs of management and levy taxes should not be limited.

ENERGY SPIKES. We support federal review and investigation of the extraordinary energy price spikes seen throughout the Midwest in Winter 2021. Based on the information gathered, we encourage Congress and federal, regional and state agencies to make appropriate changes in laws and regulations governing natural gas and electricity production and sales in order to promote stability in energy prices.

IMMIGRATION REFORM. We support a federal solution to immigration reform. Any immigration policy should not negatively impact local governments with additional law enforcement or administrative burdens. We support Congress continuing assistance to under-served areas with large immigrant populations, who are attempting to remain in compliance with the United States Citizenship and Immigration Services.

MEDICARE REIMBURSEMENT RATES. We encourage the federal government to establish reasonable reimbursement rates.

TRANSPORTATION. We support consistent federal funding of the nation's multimodal transportation with increased support to critical regional infrastructure priorities.

EVERY DAY COUNTS INITIATIVE. We support the U.S. Department of Transportation's Every Day Counts initiative to enhance roadway safety, integrate automation, reduce traffic congestion, and shorten project delivery processes in order to save time, money, and resources.

STORMWATER. We support simple and flexible federal regulations of municipal stormwater run-off that allow for orderly and cost-effective development. The federal government should appropriate funds for research and for the development of pilot projects on stormwater management.

WATER QUALITY. We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse federal investments and cooperative solutions that address water quality challenges and take into account municipal cost concerns.

HAZARDOUS WASTE. We urge federal agencies to work cooperatively with state and local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Appropriate education and training should be provided prior to the implementation of such programs.

TELECOMMUNICATIONS DATA. We support the continued ability of public safety officials to access data from telecommunications companies in times of emergencies to assist investigations.

RAIL SERVICE. We support existing and enhanced passenger and freight rail service in Kansas. In many cases, this service is the only affordable alternative to highway transportation in communities. Changes to Amtrak service should not sacrifice this alternative nor the investments in the service by cities.

RAILROAD QUIET ZONES. We urge Congress to reexamine the Train Horn Rule with the Federal Railroad Administration. Rules for implementing quiet zones should be less burdensome and allow for differences in community circumstances while continuing to protect public safety. We also request Congress provide federal funds for the purpose of establishing quiet zones and consider new technology which may enhance the safety of quiet zones while minimizing or eliminating train horn noise.



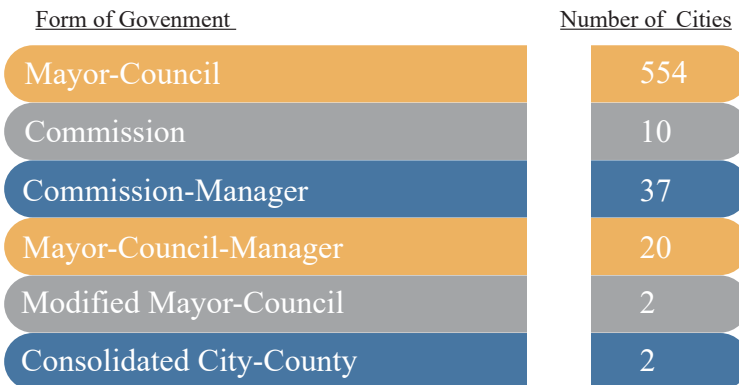
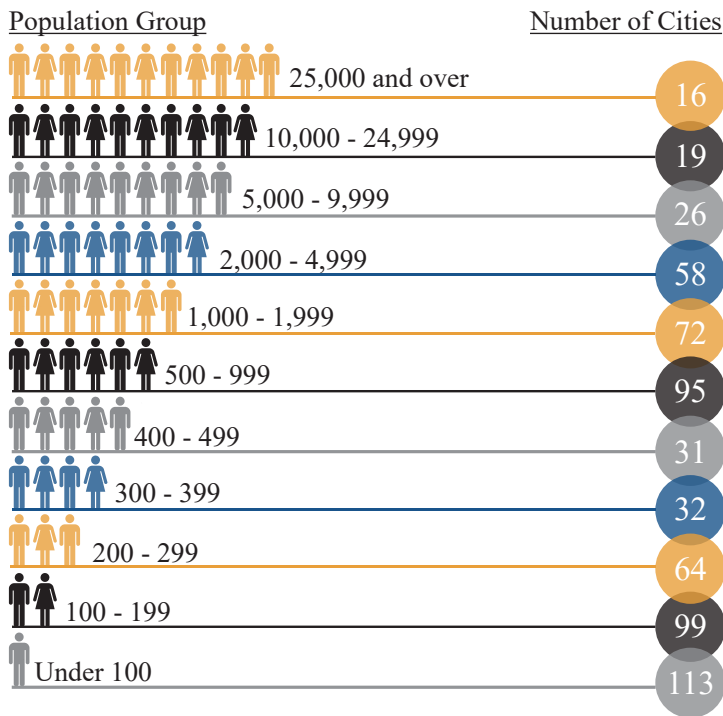
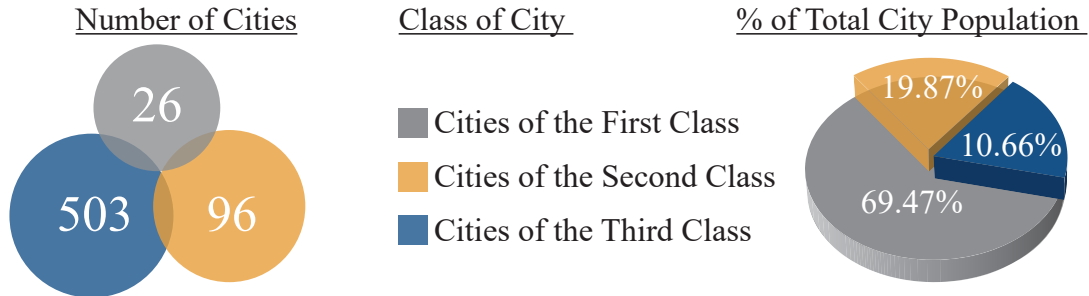
CITY FACTS

Total Number of Incorporated Cities = 625

Total Population of the State = 2,913,805

Total City Population = 2,420,761

83.08% of the state's population resides in an incorporated city.





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POLICY DEVELOPMENT

This *Statement of Municipal Policy* was developed by city officials through the League's policy committees. There are three policy committees that are focused in specific areas: Finance & Taxation, Public Officers & Employees, and Utilities & Environment. The fourth committee, the Legislative Policy Committee, reviews the entire *Statement* and the recommendations of the three specific committees. The *Statement* is then submitted to the Governing Body and is ultimately adopted by the Convention of Voting Delegates at the League's Annual Conference. For more information about the League policy committees or process, check out the League website at www.lkm.org or contact us at (785) 354-9565.

THE LEAGUE ADVOCATES FOR CITIES

The League advocates on our members’ behalf to sponsor and encourage beneficial legislation for cities and oppose legislation that would be detrimental to our members’ interest.



THE LEAGUE OFFERS GUIDANCE

Member cities can contact the League with a legal inquiry or question. Additionally, we provide sample ordinances and guidance on legislation and rulemaking from both the state and federal level.

COMMUNICATIONS & OUTREACH

Since 1914, the League has published the *Kansas Government Journal*, a publication for city, county and state government officials that is printed ten times a year. The League publishes a weekly e-newsletter, researches municipal issues affecting Kansas communities and develops programs for cities to use to engage their residents and reinforce the importance of civic engagement.



MUNICIPAL TRAINING & EDUCATION

The League offers members a variety of education and training opportunities throughout the year. Our annual conference brings together leaders in municipal government to offer innovative ideas for cities. Throughout the year, the League works with professionals in the field to train, inspire and solve problems facing municipal leaders at all levels. The League offers over 30 manuals and publications on municipal issues ranging from finance and budgeting, personnel, planning, economic development, open meetings and open records to traffic ordinances.

CONTRACT SERVICES

The League offers members a competitive rate to have the League engage in contract services, which include codification services, executive personnel search program (LEAPS) and personnel policies.





THE
LEAGUE
OF KANSAS MUNICIPALITIES

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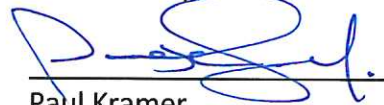
POLICY REPORT
Leavenworth 2030 Comprehensive Plan Update
January 3, 2023

Prepared By:



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Assistant City Manager

Reviewed By:



Paul Kramer
City Manager

ISSUE:

Receive update on activity towards implementing the Leavenworth 2030 Comprehensive Plan.

BACKGROUND:

The Leavenworth 2030 Comprehensive Plan, approved in June 2021, was the result of an extensive process to determine the future vision for the City. The update from the 2011 plan had high levels of community engagement through public meetings, a focus group, City staff and governing body participation, and citizen surveys. The 161-page document contains six chapters that cover broad areas of direction. Each chapter contains goals, strategies, and local actions. This update will provide further information on action taken since plan approval to move the City towards achieving the listed goals.

The Comprehensive Plan - 6 Chapters:

1) Community Identity

a. Historic and Cultural Resources

- i. Goal 1 - Preserve our historic, welcoming and inclusive community that celebrates its past, plans for its future and provides opportunities for all people.

Strategies:

1. Promote the City's historic and cultural resources, and the values of historic and cultural preservation
 - a. *Added two benches in City's pocket park in partnership with Leavenworth Main Street. [Local Action to Expand signage, historical markers, and preservations awards to raise awareness]*
 - b. *Installed historical marker for women's suffragette activity in Leavenworth on North Esplanade (in partnership with the Leavenworth County Historical Society). [Local Action to Expand signage, historical markers, and preservations awards to raise awareness]*
 - c. *Working with the Frontier Army Museum and the Buffalo Soldier Association to further plans to build a new museum that better captures local military history and promotes tourism.*
 - d. *Completed online directory of historic districts on the Planning and Community Development web page.*
 - e. *Convention and Visitor's Bureau promoted historic and cultural resources in social media. [Local Action to Improve social media presence of historic resources]*
2. Preserve our historic and cultural resources, creating places people want to live, work, gather and visit.
 - a. *Hired state historic preservation-experienced City Planner. [Local Action to Continue to use tools and resources from the Kansas State Historic Preservation Office, Kansas Preservation Alliance and Kansas Historical Society]*
 - b. *City staff exploring state tax credits for registered historic buildings including City Hall and the Riverfront Community Center.*
 - c. *In 2022, sale completed and redevelopment began on 600 Cherokee Street in the Downtown Historic District with a business that will draw people into the City and preserve a historic building.*
 - d. *Volunteers are restoring and promoting City-owned Greenwood Cemetery to maintain local history. [Local Action to Protect and build community understanding of significant cultural and historic sites and resources]*

- e. *New CVB Coordinator updating cultural and historic listings on CVB website. [Local Action to Protect and build community understanding of significant cultural and historic sites and resources]*
 - f. *Renewed HUD Section 106 Programmatic Agreement between State Historic Preservation Office (SHPO) and the City July 2022. [Local Action to Continue to support the Preservation Commission and their efforts for preservation in Leavenworth]*
3. Incentivize historic and cultural preservation
- a. *Established pilot grant program for business improvement and expansion using ARPA funds for fire suppression and interior ADA improvements to existing buildings [Local Action to Highlight cases in which preservation has increased property owner options rather than restricted them]*
 - b. *Economic development office promoted state and federal grant and tax advantaged programs to businesses considering historic building purchase.*
 - c. *Economic development website updated to better highlight Neighborhood Revitalization Area (NRA) property tax refund program. [Local Action to Expand funding mechanisms to include tax abatement, conservation districts and crowdsourcing]*
 - d. *Added new website to encourage businesses, including those in historic buildings, to implement front door accessibility through ADA ramps and handrails, sharing grant availability as well.*
 - e. *Supported Network Kansas/Grow Leavenworth County low-interest loan program for building purchase and other entrepreneurial expenses. [Local Action to Work with local lending institutions to establish low-interest loans and other incentives to encourage property maintenance and preservation]*
 - f. *RFP being issued early 2023 for update to Downtown Historic District boundaries. Currently under review by SHPO to leverage state grant funds. [Local Action to Explore historic survey and assessment opportunities for existing facilities and districts]*
- ii. Goal 2- Preserve our historic, welcoming and inclusive community that celebrates its past, plans for its future and provides opportunities for all people.
- Strategies:
- 1. Encourage all residents to participate fully in social, cultural and economic life in the community.
 - a. *The Recognition Sign project at Ray Miller Park on 4th Street is in progress and will better display the highest achievements of Leavenworth locals from various backgrounds and in multiple genres of success.*

- b. *Planning to host educational event about downtown historic district as part of the historic district survey project*
 - c. *Public Information Office researched and shared events on social media accounts. [Local Action to Improve social media presence of historic resources]*
 - d. *Continued City support for the annual Veteran's Day Parade.*
 - e. *City staff participating in and supporting Leadership Leavenworth-Lansing. [Local Action to Implement citizen and leadership academies that help people more successfully participate in and influence decision-making in the community]*
 - f. *CVB staff conducted outreach to local businesses and cultural/historic sites to amplify marketing outreach. [Local Action to Explore partnership opportunities for tourism and visitor promotion]*
 - g. *CVB promoted and supported Main Street events including summer concerts and Alive After Five. [Local Action to Collaborate with Downtown Main Street Program for community events]*
 - h. *Adding pavilion space to already popular Stubby Park. [Local Action to Create places throughout the community and neighborhoods where people can gather]*
 - i. *Pavilion activity at Hawthorn Park increased in 2022 with the addition of the Splash Pad. [Local Action to Create places throughout the community and neighborhoods where people can gather]*
2. Enhance and celebrate the community's diversity and respect differences in race, ethnicity, gender, sexual orientation, age, abilities and beliefs.
- a. *City recognized Juneteenth as an official holiday for staff and the community.*
 - b. *Provided letter of support for Nez Perce monument project in Riverfront Park [Local Action to Emphasize the importance of documenting specific cultural groups such as African Americans, American Indians and Hispanics]*
 - c. *Public Information Office creating a series of "Diversity Stories" webpages where staff can add information on a regular basis for various religious and minority groups, such as a page for the City's historic Jewish temple.*
 - d. *City Clerk coordinated proclamation requests to celebrate Native American Heritage Month and other recognitions.*
- iii. Goal 3 – Preserve our historic, welcoming and inclusive community that celebrates its past and provides opportunities for all people. Strategies:
- 1. Expand unique attractions and amenities in Leavenworth to draw residents Downtown and promote tourism.

- a. *City provided an annual funding investment to Leavenworth Main Street to draw residents downtown.*
- b. *CVB supported marketing efforts of downtown and other businesses/organizations through its tourism grant program.*
- c. *Camp Leavenworth welcomed nearly 7,000 residents and tourists to the City's signature event. [Local Action to Create a designated festival and event space that is accessible for all, no matter their ability or background]*
- d. *Leavenworth Preservation Commission reviewed and approved the "First City Passageways" annual art competition sponsored by Leavenworth Main Street.*
- e. *Website link for the CVB event calendar added onto the City's main webpage. [Local Action to Continue to promote facilities and activities through the Convention and Visitors Bureau and other local and regional partners]*
- f. *Greater staff focus on updating the CVB event calendar as well as including events in the printed 2022 Visitors Guidebook [Local Action to Create a yearly calendar of events so people know what is happening and have time to plan on attending]*
- g. *CVB pursued a website refresh – delayed due to website hosting company changes in late 2022/early 2023. [Local Action to Collaborate with the Convention and Visitors Bureau for updated and modernized branding of promotional materials and website]*
- h. *Parks and Recreation added new programs in 2021 and 2022. [Local Action to Create programming and events for all people, conduct a survey to gain an understanding of what people are interested in seeing in the city]*

2) Built Environment

- a. **Neighborhoods and Housing**
 - i. **Goal 1 – Leavenworth will be a place that attracts and supports a wide range of population groups in diverse neighborhoods that are well-maintained, clean, safe, and efficiently functioning. Strategies:**
 - 1. **Maintain current share of the county's population within Leavenworth. As the county grows, so does the city.**
 - a. **Development Review process facilitated discussions with residential developers on plans for new housing.**
 - 2. **Increase the variety of housing types, sizes, and price points available to meet changing needs of emerging markets in the region.**
 - a. *Updated Development Regulations in 2022 to include definition and parameters for construction of tiny homes. [Local Action to Allow for alternative housing types (e.g., patio homes, tiny homes, co-housing, and multi-generational housing) to serve a variety of needs]*

- b. *Rental Registration Program tracked rental housing owners and local agents to maintain contact information. [Local Action to Encourage an increase in the number of available quality, market-rate rental housing units]*
- 3. Improve the condition of deteriorating housing, making the neighborhood safer and more desirable.
 - a. *CDBG funds supported home repairs to 41 homes from January 2020 to December 2022. The Home Repair Program is currently active and advertised. [Local Action to Provide incentives and information about available assistance programs to encourage property owners to rehabilitate homes]*
 - b. *CDBG funds assisted in removal of 22 dangerous and/or blight structures in the City from 2020 to December 2022.*
 - c. *Code enforcement utilized the Property Maintenance Code to promote upkeep of properties. [Local Action to Strengthen property owner maintenance codes and enforcement, including consideration of periodic proactive code enforcement in targeted areas where City service requests are greatest. Define minimum requirements to ensure Code Official inspections consistently meet City standards.]*
 - d. *Developed and implemented Land Bank program. Contact was made with 5 property owners for potential property acquisition.*
- 4. Increase the occupancy rate of existing housing.
 - a. *CDBG funds have assisted in acquisition of 15 homes in support of homeownership from January 2022 to December 2022. The Home Ownership Program is currently active and advertised.*

b. Mobility

- i. Goal 1 – Better connect people within our city and the region with a complete transportation system offering a variety of different transportation modes.

Strategies:

- 1. Provide a modern transportation system that is connected, safe and efficient. Measures: baseline function and satisfactory levels of capacity.
 - a. *City participating in the development of the Leavenworth County transportation plan. [Local Action to Strengthen current partnerships with other agencies to advance the goal of a unified community transportation network and combat a deterioration of community assets]*
 - b. *Held meetings with KDOT to ensure Centennial Bridge project meets local transportation needs. [Local Action to Partner with the Kansas Department of Transportation, MARC, Leavenworth County and Platte County, Missouri to reconstruct the Centennial Bridge while widening it to 4-lanes]*

- c. *Leavenworth Transit Program expected to begin in early 2023 in partnership with The Guidance Center and KCATA.*
 - d. *In 2022, continued engineering design phase of the 4th Street/K7 Reconstruction Project. [Local Action to Incorporate safe, convenient, accessible and attractive design features that beautify the community and promote walking and biking (e.g., sidewalks, bike street furniture, bicycle facilities, street trees, gateway monuments, and wayfinding signage)]*
 - e. *Funding increased in 2022 budget for Pavement Management Plan (PMP). [Local Action to Grow the \$2 million annual program to repair or reconstruct commercial and neighborhood roadways]*
 - f. *Through partnership with Leavenworth County, added stoplight to better facilitate traffic flow at growing southwest corridor (20th Street and Eisenhower).*
 - g. *City social media shared Leavenworth County Council on Aging information. [Local Action to Raise awareness of the Senior Express Transportation and Rider's Right as a public transportation service for the community]*
2. *Invest in sustainable roadways, wide sidewalks along thoroughfares and recreational trails along streamways to encourage walking and biking.*
- a. *CIP planning process used to allocate budget funds for specific sidewalk and trail improvements.*
 - b. *Creating analysis on the potential for "pay as you go" Pavement Management Plan financing rather than borrowing/increasing debt.*
 - c. *Extensions considered for three mile creek trail and five mile creek trail. [Local Action to Connect community spaces and neighborhoods with a recreational trail system parallel to natural streamways]*
 - d. *Pursuing implementation of city-wide trail master plan.*
 - e. *4th Street/K7 "road diet" design would widen sidewalks to provide more room for pedestrians to walk safely as well as possibly add shade trees. [Local Action to Improve street vibrancy with walk-up business enhancements, outdoor seating, a cooling shade from trees, and water bottle filling stations. Capitalize on existing localized shopping plazas through installation of innovative outdoor seating, turf play areas, fountains, rest areas, trail connectivity and a new exterior face-lift]*
 - f. *Creative art and design options being explored with engineers for Centennial Bridge project. [Local Action to Express the character of the community through art and other gateway features during Centennial Bridge reconstruction]*

- ii. Goal 2 – Improve the transportation system to increase employment opportunities, particularly among populations that may not have personal vehicles. Strategies:
 - 1. Reduce the number of sidewalk segments where gaps mean a disconnected system for walking. Focus on connecting neighborhoods to schools.
 - a. *City applied for and received over a million dollar KDOT Transportation Alternatives grant for Vilas Street sidewalk and accessibility improvements. [Local Action to Continue applying for local, state, and federal grants to supplement City funding to fill gaps and expand sidewalk segments]*
 - b. *CDBG funds are expected cover sidewalk repair, replacement, and address disconnected gaps (ex. ADA compliant ramps) along sections of Dakota and Kiowa east of 4th Street in 2023. [Local Action to Continue applying for local, state, and federal grants to supplement City funding to fill gaps and expand sidewalk segments]*
 - c. *ADA needs are considered in the design of planned City sidewalk projects in 2023 and 2024 [Local Action to Upgrade existing and construct new sidewalks in compliance with the Americans with Disabilities Act (ADA) specification]*
 - 2. Evolve the transportation system to take advantage of new technologies.
 - a. *Leavenworth Transit Program will utilize cell phone app technology provided through KCATA for ease of reserving rides.*
 - b. *Installing conduit on road projects to allow for future fiber installation. Fiber will connect signals for smoother and more efficient traffic flow and will likely integrate with CAVs (Connected and Automated Vehicles) in the future.*
 - c. *Applied for KDOT Innovative Technology Program funding.*
 - d. *Member of Operation Green Light.*
 - 3. Ensure that areas with high job density are accessible to employees via one or more travel modes (automobile, transit, bicycling, walking)
 - a. *Pilot electric scooter program in 2022 showed some neighborhood travel activity that may have connected residents to employment and services. Pilot program ended summer 2022.*

c. Infrastructure and Utilities

- i. Goal 1 – Invest in Leavenworth to promote growth, revitalization and high quality of life for all. Strategies:
 - 1. Maintain and invest in quality infrastructure that supports growth.
 - a. *Around \$3 million in ARPA funds approved for Wastewater Treatment Plant maintenance and improvements. [Local Action*

to Upgrade and maintain existing infrastructure and facilities to meet future needs and demands]

- b. Pursuing State Revolving Funds (SRF) from the EPA government for long-term Wastewater Treatment Plant needs [Local Action to Upgrade and maintain existing infrastructure and facilities to meet future needs and demands]*
- c. \$3.5 million stormwater project on 2nd Street and Chestnut Street began in 2022. [Local Action to Upgrade and maintain existing infrastructure and facilities to meet future needs and demands]*
- d. Additional stormwater projects were completed in 2021 and 2022 including 741 Pottawatomie, all using collected stormwater fee revenues. [Local Action to Upgrade and maintain existing infrastructure and facilities to meet future needs and demands]*
- e. Public Works pursuing street quality study (PCI) that will inform future road investments. [Local Action to Conduct regular pavement condition assessments to prioritize maintenance and reconstruction projects]*

2. Upgrade city design standards with recent development in sustainability to protect water quality, reinstall necessary pipes and install green infrastructure.

- a. City requires new development to address both water quantity and water quality to help ensure that stormwater runoff from the site does not negatively impact downstream properties and waterways.*
- b. Improvements to City's solid waste collection systems will improve stormwater infrastructure impacts. [Local Action to Promote the concept that stormwater systems connect directly to streams so any motor vehicle residuals, trash, illegally disposed liquids or lawn chemical runoff that enters a storm inlet leads to direct damage of the community's stream habitats]*

3. Apply technology to City infrastructure and utility improvement projects to attract technology-based companies and the renewable energy production sector.

- a. Installing conduit/fiber-optics along the City's main corridors will help provide high speed access to technology-based companies. [Local Action to Work with internet providers to increase access, reliability, speed and internet user experience at a reasonable cost]*

d. Public Facilities

- i. Goal 1 - Provide natural spaces and facilities for active and cost-effective living.
Strategies:

1. Increase energy efficiency and reduce building maintenance costs for existing and new public facilities.
 - a. *Staff exploring solar energy possibilities at Riverfront Community Center. [Local Action to Consider incorporating energy efficient improvements and green building strategies into public facility construction and renovation projects]*
 2. Provide high quality public facilities and services for existing and future residents, workforce and businesses.
 - a. *City Hall HVAC replacement project approved. [Local Action to Maintain City Hall to ensure highest level of services]*
 - b. *Public Works began switching from compact florescent lighting to LED for reduced cost and longer life.*
 - c. *Splash Pad added in Hawthorn Park*
 - d. *New restroom facilities added in Stubby Park and Havens Park*
 - e. *New picnic shelter/pavilion added in Stubby Park.*
 - f. *Pavement Management Plan for 2022 included Leavenworth Public Library parking lot improvements.*
 - g. *Riverfront Community Center provided information on programs, services, and event space available to the community through the website, social media, and quarterly newsletters. [Local Action to Continue promoting the use of community facilities as "third places" where residents of all ages can connect with programming and services, volunteer opportunities and opportunities for civic engagement]*
 3. Leverage technology to improve facility management, maintenance and operations.
 - a. *City Clerk's Office increased availability of online submission and payment services for licenses and permits.*
 - b. *Municipal Court staff pursuing online payment system for fees/fines.*
 - c. *The Executime payroll system was implemented to increase efficiencies.*
- ii. Goal 2 – Maintain reliable and sustainable infrastructure and public facilities for future generations. Strategies:
1. Ensure public facilities and spaces throughout the community are equitably distributed and designed to be safe, served by different transportation modes, and accessible to visitors with mobility impairments.
 - a. *Staff updated GIS mapping in 2022 to help visually assess location of key City areas/uses.*
- e. Community Appearance
- i. Goal 1 - Develop a vibrant community with a welcoming image and attractive physical appearance that celebrates community heritage through quality new

development, appropriate redevelopment, and preservation of historic and cultural resources. Strategies:

1. Provide attractive gateways and corridors in the community.
 - a. *The Recognition Sign Project, in progress, will reduce the eclectic mix of signage along the City's 4th Street corridor. [Local Action to Develop design standards for public infrastructure that reflects quality development]*
 - b. *LED information sign installed along 4th Street in front of Stubby Park. [Local Action to Increase signage and monumentation along major roadways to welcome people to Leavenworth]*
 - c. *A number of aesthetic improvements are being designed into the 4th Street Reconstruction Project between Choctaw and Seneca. [Local Action to Continue to maintain and enhance the Downtown District]*
 - d. *Solid Waste improvements including use of poly-carts will improve the overall community appearance and perception by reducing large trash piles along common areas of travel.*

3) Harmony with Nature

a. Natural Resources

- i. Goal 1 - Reduce greenhouse gas emissions, energy and water usage and increase the use of renewable energy and mitigate impacts of climate change.

Strategies:

1. Provide recreational and education resources that promote healthy lifestyles.
 - a. *Continued to upgrade and maintain amenities at City parks including the Hawthorn Park Splash Pad, a place to cool off for children who live in non-air conditioned homes as Leavenworth experiences hotter summers.*
 - b. *Four electric vehicle charging stations at City facilities continued to show high use in 2022.*
 - c. *Reducing greenhouse gas emissions through implementation of Enterprise Fleet Lease Program 2021/2022 that annually increases fuel efficiency through technology gains.*

b. Sustainability

- i. Goal 1 – Restore, connect, and protect natural habitats and sensitive lands and waterways. Strategies:

1. Stabilize floodplains and creek/riverbanks.
 - a. *Work conducted on Five-Mile Creek Trail bank stabilization project at 10th Avenue Park. [Local Action to Assess the needs of local waterways]*
 - b. *7th and Pottawatomie stormwater project completed in 2022 which added new soil and improved drainage.*

- c. *Three-Mile Creek monthly cleanup activities continued due to City grant funding. [Local Action to Assess the needs of local waterways]*
 - d. *Conducted City-wide cleanup in the spring that reduced impacts to land and water resources from trash. [Local Action to Incentivize trash cleanup with local competitions and prizes]*
2. Plan for the impacts of climate change.
- a. *Projects funded through stormwater fees address current flooding and issues as well as better prepare the City for future environmental fluctuations. [Local Action to Make infrastructure improvements to ensure they can withstand local climate emergencies]*

4) Resilient Economy

a. Economic Activity and Workforce

- i. Goal 1 – Attract progressive and sound private enterprises by offering affordable living, a high-quality workforce, and business resources to help nurture and support a thriving and sustainable economy. Strategies:

- 1. Pursue, promote, and secure economic growth opportunities, while promoting and supporting existing businesses.

- a. *Worked with economic development partners including LCDC to promote availability of Business and Technology Park. [Local Action to Promote continuing development of the Business and Technology Park for future employers]*
- b. *Provided annual investment into Leavenworth County Development Corporation (LCDC) to encourage business development.*
- c. *Gained access to Location One/LOIS property listings to help commercial building/land owners connect local properties to new businesses (LCDC partnership item). [Local Action to Encourage technology opportunities that enhance the business community]*
- d. *Partnered with LCPA on building loan program that helped bring MAPS Inc to the Gary Carlson Business Park in 2022.*
- e. *Worked through Grow Leavenworth County Development Corporation to provide two loans and a grant to new child care business in 2022.*
- f. *Conducted 2022 Business Symposium that brought top-level experts to local businesses and entrepreneurs to encourage business creation and growth. [Local Action to Promote and support local businesses that serve the needs of the community and are aligned with the community's vision]*
- g. *Camp Leavenworth social media, in conjunction with City social media, promoted local food truck and craft vendors that would be participating in the event.*

- h. *Convention and Visitor Bureau staff continue to meet regularly with the CVB Advisory Committee to gain feedback on how the CVB can better promote tourism locations. [Local Action Continue to promote Leavenworth's restaurants, retailers and lodging to the County and region through the Leavenworth Visitors and Convention Bureau]*
- i. *Continued to provide Small Business Economic Development Grant program to support local businesses with improvements.*
- j. *Had 2017 Economic Incentives Policy reviewed by City Financial Advisor Greg Vahrenberg in December 2022 for suggested updates.*

b. **Jobs and Workforce**

- i. **Goal 1 - Ensure the employability of the entire workforce. Strategies:**
 - 1. **Develop and expand workforce development programs in technical education and retraining. Focus should be on helping the broad category of workers upgrade their skills, education and credentials.**
 - a. *Continued partnership and communication with Kansas City Kansas Community College and University of St. Mary's.*
- ii. **Goal 2 – Maintain a diverse and valuable tax base. Strategies:**
 - 1. **Encourage the Professional, Scientific, Technological labor sector as the region attracts more of these jobs with these highly skilled jobs.**
 - a. *Applied for nearly million dollar state grant (BASE) for improvements to Business and Technology Park to increase desirability for professional, scientific, and technological labor sectors to locate in Leavenworth.*

5) Healthy Community

a. **Public Health and Well-Being**

- i. **Goal 1 – Support a healthy community by promoting healthy development, healthy behaviors and wellbeing for all people and stages of life. Strategies:**
 - 1. **Provide recreational and education resources that promote healthy lifestyles.**
 - a. *Parks and Recreation provided recreational and educational programs and events and marketed them through signage at schools, social media, the City website, and newsletters. [Local Action to Create a marketing plan to increase awareness of parks and recreation programs]*
 - b. *Boxing and Glass Plate Fusing (art) were two classes added to the City's Riverfront Community Center offerings for regular fitness and wellness classes. [Local Action to Expand healthy lifestyle programming for all ages and abilities at City parks and facilities]*
 - c. *A Splash Pad was installed at Hawthorn Park to encourage physical activity for children unable to swim and greater use of the park.*

- d. *Creating plans to move the Parks and Recreation Administrative Offices to the south wing of the community center to provide for better public access and service.*
 - 2. Remove barriers to physical and mental health care.
 - a. *Arranged regular updates from St. John's Hospital regarding state of health and mental health in the community. [Local Action to Collaborate with Leavenworth County, health care providers and community agencies to increase the accessibility and availability of mental health services]*
 - b. *Anticipated Leavenworth Transit Project will better connect those without transportation to physical and mental care. [Local Action to Increase low or no-cost transportation options to health care facilities]*
 - c. *City social media accounts and Channel 2 regularly share information from the Leavenworth County Health Department, Interfaith Shelter, Council on Aging, Saint Vincent Clinic and Saint John Hospital. [Local Action to Develop educational programming and marketing about health care services and resources]*
- b. Public Safety
 - i. Goal 1 – Create an environment which people and visitors of Leavenworth feel safe and have access to outstanding and effective fire, police and other emergency services. Strategies:
 - 1. Continue to reduce the City's crime rate which is trending down.
 - a. *License plate reader project is on track for early 2023 implementation after approval.*
 - b. *Police Department purchased upgraded software system. [Local Action to Continue to grow and expand the Police Department's crime analysis and mapping initiative through technological enhancements]*
 - c. *2021 Police Department Annual Report showed lower crime trends.*
 - 2. Improve the City's ability to recruit and retain quality public safety personnel.
 - a. *Police and Fire Department salary adjustments raised the minimum starting pay to keep Leavenworth competitive with other municipalities and retain tenured staff. [Local Action to Adopt pay plan for the City's public safety personnel that is competitive with departments in surrounding communities]*
 - b. *Fire Department implementing a Career Development Program.*
 - 3. Continue to build better relationships between the City's police officers and the community they serve.
 - a. *Police Department continues to be regularly involved in community events (PD Summer Camp, Coffee with a Cop, etc.).*

[Local Action to Continue cultivating trust between the community and the police department through community engagement efforts and transparency]

4. Continue providing high quality fire protection and emergency medical services.
 - a. *Fire Department continuously reviewing requirements to maintain current ISO rating. [Local Action to Ensure the Department is prepared to maintain its ISO 2 rating]*
 - b. *New pumper truck purchased with ARPA funds to update current fleet.*
 - c. *Developing plans to replace fire station 3 [Local Action to Replace Fire Station Number 3]*

c. Recreation and Leisure

- i. Goal 1 – Create a community that celebrates, welcomes and supports recreational activities and amenities. Strategies:
 1. Increase green and open space
 - a. *Considering the potential for land acquisition in south and southwest areas of the city to accommodate urban expansion recreational and open space needs.*
 2. Increase resident and visitor participation in recreational activities and community events
 - a. *Continue to increase marketing of activities and events through email blasts, Peach Jar system through Leavenworth schools, yard signage, Facebook postings, Stubby LED sign postings, etc. [Local Action to Create a marketing plan to increase awareness of parks and recreation programs]*
 3. Increase resident and visitor use of parks and recreational amenities
 - a. *Event Brite online payment system implemented [Local Action to Streamline registration, reservation, and payment process for Parks and Recreation]*
 4. Increase equitable access and proximity to parks and recreation amenities
 - a. *Ensuring playground and restroom facilities are accessible.*
 - b. *Implementing aspects of city-wide trails master plan that increase access to parks.*
 - c. *Maintaining all parks and facilities annually. [Local Action to Continue to maintain all existing park and recreation facilities to continue to provide quality service to Leavenworth residents]*

6) Land Use and Community Design

a. Growth

- i. Goal 1 – Promote growth and development that is sustainable, responsible, and meets the needs of future generations. Strategies:
 1. Increase infill residential development appropriate to the character of the neighborhood

- a. Planning working on draft language to increase opportunities for infill development in 2023 Text Amendments. [Local Action to Promote infill development, where appropriate, to support more compact urban form and avoid needless and costly sprawl]*
2. Annex additional land outside the city limits when the development fully funds city funding invested to provide infrastructure.
3. Ensure a balanced land-use mix of created and preserved areas unique in character.
 - a. BZA approved multiple variance requests to allow continued use of existing non-conforming properties after change in business or ownership.*