



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

City Commission Regular Meeting
Commission Chambers
Tuesday, January 24, 2023 6:00 p.m.

CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Jermaine Wilson, Mayor Pro-Tem Griff Martin (via telephone call-in), Commissioners Nancy Bauder, Edd Hingula and Camalla Leonhard.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Finance Director Roberta Beier, Police Chief Patrick Kitchens, Deputy Police Chief Maj. Dan Nicodemus, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to approve the minutes from the January 10, 2023 regular meeting. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8207 Approval of Special Use Permit for Residential Home Stay 723 S. 10th Street – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced on January 10, 2023.

Mayor Wilson called the roll and Ordinance No. 8207 was unanimously approved.

Second Consideration Ordinance No. 8208 Granting an Electric Franchise with Evergy Kansas Central, Inc. - City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced on January 10, 2023.

Mayor Wilson called the roll and Ordinance No. 8208 was unanimously approved.

Public Comment: *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*

Louis Klemp 1816 Pine Ridge Dr.:

- Mentioned the \$84 stormwater fee for vacant lots
- Shared his thoughts on the new Centennial Bridge
- Mentioned a protocol issue at a recent meeting

General Items:

Consider Abatement of Administrative Fees on Nuisance Special Assessment 1229 Spruce Street – City Clerk Sarah Bodensteiner presented the item for consideration and reviewed the details as follows:

- Mr. Fruechting purchased the property at the September 29, 2022 Sheriff's Sale, as the property was involved in a foreclosure action due to non-payment of a mortgage. Prior to the Sheriff's Sale there was a special assessment placed against the property for nuisance abatements totaling \$1,609.58.
- In the past, the City Commission has reduced the fees to the actual cost of the mowing incurred by the City and a \$100.00 administrative fee. This would reduce the Special Assessment from \$1,609.58 to \$209.58. Typically the Commission sees these requests come through for properties acquired at a Tax Sale, which are properties that are several years delinquent on their tax payments.
- The property was purchased to revitalize, however the special assessment amount is a larger expense that was not anticipated. The plan is to sell the property once revitalized.

Commissioner Hingula:

- Asked if these assessments are announced at the time of the sale, so the potential owner would know that

Mr. Fruechting:

- Stated he didn't know the process to check with the County tax office before the Sheriff's Sale
- Discussed his plans to revitalize and sell the property

Commissioner Leonhard moved to reduce the 2022 Special Assessments on the property at 1229 Spruce Street from \$1,609.58 to \$209.58. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Camp Leavenworth Event Management Contract – Assistant City Manager Penny Holler presented for consideration a comprehensive management contract with O'Neill Events and Marketing for the 2023 City of Leavenworth festival. In the fall of 2022, nearly 7,000 residents and visitors attended the Camp Leavenworth festival to enjoy two days of food, live music, and fun activities. Last year's event highlighted local people and businesses including food vendors, craft vendors, and musicians. It also introduced the Camp 5K Run/Walk bringing in additional visitors to the festival on Saturday. O'Neill Events & Marketing was the event organizer that facilitated the 2022 event. Their past work has also included high profile events including the Kansas City Chiefs Super Bowl Parade, the World War I Museum Centennial Event, and Kansas City's Irish Fest. The proposed contract would utilize O'Neill's knowledge of the City and the festival to facilitate the 2023 event. The 2023 Scope of Work has no fee increase from 2022. Keli Wenzel with O'Neill Events and Marketing was present for any questions.

Mayor Wilson:

- Asked if there are any big plans for 2023

Ms. Wenzel:

- Already working on ideas for 2023
- Wanted to build a solid community event first and then build on that progress

Commissioner Hingula:

- Asked if an after-action review is conducted to review items that went well and items that could be improved upon

Ms. Wenzel:

- After every event we look at what went well and what we can improve on

Commissioner Martin:

- Stated he's excited for the 2023 event and if we can get more participants for the 5K

Commissioner Hingula moved to approve the comprehensive management contract with O'Neill Events and Marketing for the 2023 City of Leavenworth Camp Leavenworth festival in an amount not to exceed \$68,200.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

The Mayor called for a 5 minute break.

The meeting resumed at 6:25 p.m.

Consider Leavenworth Attainable Housing Proposal – City Manager Paul Kramer discussed the proposal from Leavenworth Attainable Housing regarding their homeless transitional housing program, which was for the City to use American Rescue Plan Act funding for two (2) duplex housing units for the program. Leavenworth Attainable Housing is also partnering with Depaul USA to help manage the program. At the request of the City Commission, Chuck Levesque, President of Depaul USA, presented a more detailed proposal for the project at the January 3rd meeting, along with providing more information on the Depaul organization. Following that meeting, Depaul and Leavenworth Attainable Housing submitted a revised proposal, to expand the scope to include the two duplex units, as well as the intent to purchase, rehabilitate and incorporate four single-family homes into the project. The proposal is before the Commission for consideration. Mr. Kramer suggested the following structure to allocate the funds:

1. Funding for land and/or property acquisition as outlined in the proposal would happen following an agreement and prior to closing. The City Manager's Office would confirm an agreement and contract had been completed and prior to closing would issue that portion of the funding.
2. Funding for the construction would be allocated following full building permits being issued by the City. At that point, the City would expend construction funding in an amount not to exceed \$600,000.00 total (including funding provided for land and property acquisition).

Sister Vickie Perkins:

- Stated this project will help with individual housing needs, as the 7 properties already in the program are for families

Commissioner Hingula:

- Asked what the expected occupancy timeline is for people who will be staying in these properties
- Will there be rent required
- Will the ownership of the properties stay local

Sister Vickie Perkins:

- They can stay as long as they need, there is no time limit
- They have to have income to be in the program and rent will be required
- Depaul will own the property, but everything will be done locally

Commissioner Bauder:

- Stated being able to get people into housing is very important and definitely needed

Commissioner Martin:

- Thanked the group for their work on this matter

Commissioner Bauder moved to accept the proposal from Leavenworth Attainable Housing and Depaul USA, to include the funding structure as presented, and instruct the City Manager to work with the group to execute the agreement, in the amount not to exceed \$600,000.00. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Police Department License Plate Reader System – Police Chief Patrick Kitchens presented for consideration a request of the City Commission to authorize the City Manager to enter into an agreement with Flock Safety, Inc., to provide a License Plate Reader (LPR) System at major intersections in the City of Leavenworth. In the 2022 and 2023 City Commission Goals related to public safety, the Police Department identified one of our critical goals as “continue to evaluate technology to improve operations and transparency.” Over the course of the last several years we have identified a gap in our ability to reduce crime and apprehend criminals on some major crimes and cases. It is for those reasons the Police Department identified and advocated for the funding and acquisition of a License Plate Reader system at major intersections in our community. We’ve had murder cases that LPR evidence would have enhanced our investigators ability to identify, apprehend and successfully prosecute suspects. There have been significant increases in car thefts. In 2021, Leavenworth had 148 stolen automobiles and in 2022 we had 123 stolen cars. The Police Department has responded to and investigated a number of other serious crimes where the availability of LPR evidence would have helped. The Police Department prepared a Request for Proposal (RFP) and invited companies to submit for consideration. The Police Department empaneled a committee to review and assess the proposals. Reviewed the major criteria areas for the RFP. The committee reviewed all proposals based upon the criteria and are recommending Flock Safety, Inc., as best suited for our needs. The proposal submitted by Flock Safety, Inc., came in well under budget and would allow for the addition of a 5th intersection to the project. It is the committee’s recommendation that we add a 5th intersection at 4th and Limit Street.

Mayor Wilson:

- Is in favor of doing what we have to do to combat crime

Commissioner Martin:

- Concerned the public perception of lack of privacy, as everything is being tracked
- Doesn’t feel comfortable passing this without the public making that decision

Mr. Waters:

- Stated that the Kansas Open Records Act exemptions have been revised to include an exemption for data from license plate readers

Commissioner Hingula:

- Asked about an expectation of privacy being on the public streets and sidewalks

Commissioner Bauder:

- From a safety and crime standpoint, this is important

Mayor Wilson:

- Crime is increasing everywhere for everyone and this will help our Officers

Commissioner Bauder moved to authorize the City Manager to enter into a 5-year contract with Flock Safety, Inc. to provide a License Plate Reader system for five (5) intersections in amounts not to exceed the following: Year 1 - \$54,150.00, Year 2 - \$47,500.00, Year 3 - \$47,500.00, Year 4 - \$47,500.00, and Year 5 - \$47,500.00. Commissioner Leonhard seconded the motion. The motion passed 4-1 with Commissioner Martin voting no. Mayor Wilson declared the motion carried 4-1.

Consider Police Department Weapons Upgrade – Police Chief Patrick Kitchens presented for consideration approval of a sole source purchase of new handguns, holsters, sights and lights for use by Police Officers from GT Distributors, Inc. Existing handgun stock was acquired in 2012 and are in need of replacement. The Police Department typically replaces handguns about every 10 years, and this request for replacement is on schedule. The department Range Masters have done extensive research and determined it would be beneficial to maintain the Glock handgun as a standard issue weapon but switch from a .40 caliber round to a 9mm round. The most important element of this decision is accuracy. GT Distributors is the only authorized Glock representative for our region. GT Distributors provided a cost of \$27,666 for the purchase of 78 handguns, holsters, lights, sights, and magazines. We receive a trade value of \$23,098.50 for 79 handguns in use now by Officers.

Commissioner Martin moved to approve the sole source purchase of new handguns, holsters, lights, sights, and magazines from GT Distributors, Inc., in an amount not to exceed \$27,666.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

First Consideration Ordinance:

First Consideration Ordinance for Amending the Code of Ordinances regarding Towing and Impoundment of Vehicles – Police Chief Patrick Kitchens presented for first consideration amendments to the Code of Ordinances that govern Towing and Impounding of vehicles in the City of Leavenworth. The Police Department was before the Governing Body on December 6, 2022 during a study session to discuss the ordinances that govern police towing and impounding of vehicles. This was based on a concern from a citizen about excessive and unnecessary charges that resulted when a car was towed after a traffic accident. Reviewed the proposed changes to the Code of Ordinances which would amend Sections 44-85, 44-86, 44-98, 44-99, and 44-127. Further amending Chapter 44 by adding 44-220, 44-221, 44-222, 44-223, 44-224, and 44-225.

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

Consent Agenda:

Commissioner Leonhard moved to approve claims for January 7, 2023, through January 19, 2023, in the amount of \$728,036.14; net amount for Payroll #01 effective January 13, 2023, in the amount of \$375,816.63 (No Police & Fire Pension). Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- Thanked the Commission and public for ideas, feedback and suggestions regarding the Camp Leavenworth event
- At the April 4th Study Session the consultant team for the Countywide Transportation Study will be before the Commission to provide a briefing

Commissioner Martin:

- Wished everyone a good rest of the week and God bless

Commissioner Leonard:

- Be safe tomorrow with the weather

Commissioner Hingula:

- Thanked those who are working to make Leavenworth a better, safer, and fun place to live

Commissioner Bauder:

- Heard from a citizen that feels the Commission makes quick decisions and rubber stamps items. The Commission does their homework and asks questions and reads the packets. We look at everything very closely

Mayor Wilson:

- Mentioned the gym supervisor position that is open with the City
- Briefly discussed open-gym at the Riverfront Community Center

Adjournment:

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

Time Meeting Adjourned 7:22 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC