



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

CITY COMMISSION REGULAR MEETING
COMMISSION CHAMBERS
TUESDAY, JANUARY 23, 2024 6:00 P.M.

Welcome to your City Commission Meeting – 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

CALL TO ORDER – Pledge of Allegiance Followed by Silent Meditation

OLD BUSINESS

Consideration of Previous Meeting Minutes:

1. Minutes from January 16, 2024 Special Meeting **Action:** Motion (pg. 2)

Second Consideration Ordinances:

2. Second Consideration Ordinance No. 8233 Allowing a Special Use Permit for Child Care Center at 1913 Choctaw Street **Action:** Roll Call Vote (pg. 15)
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NEW BUSINESS:

Public Comment: (i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak.

General Items:

3. Acceptance of Land for Public Utilities for Dollar Tree – Leavenworth, Final Plat **Action:** Motion (pg. 18)
4. Recommendation for Revisions to the Personnel Policy Manual **Action:** Motion (pg. 21)

Bids, Contracts and Agreements:

5. Consider Approval of Contract Change Order No. 1 for 2023 Pavement Management Project – Crack Sealing & Micro-Surfacing Program **Action:** Motion (pg. 23)
6. Consider Agreement with The Guidance Center for Mental Health Co-Responder Program **Action:** Motion (pg. 28)

First Consideration Ordinance:

7. First Consideration Ordinance Amending Chapter 8, Animal Control and Regulation, of the Leavenworth Code of Ordinances **Action:** Consensus (pg. 53)

Staff Report:

- Form of Government and Swearing in Process Discussion (pg. 109)
 - Goal Setting and Budget Calendar Presentation (pg. 112)
 - Leavenworth 2030 Comprehensive Plan Update (pg. 114)
 - Food Truck Survey Results (pg. 134)
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Consent Agenda:

Claims for January 5, 2024, through January 18, 2024, in the amount of \$1,183,403.34; Net amount for Payroll #1 effective January 12, 2024 in the amount of \$427,614.59 (No Police & Fire Pension). **Action:** Motion

Other:

Adjournment

Action: Motion



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

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Finance Director Roberta Beier, Planning & Community Development Director Julie Hurley, Public Works Director Brian Faust, Police Chief Patrick Kitchens, Public Information Officer Melissa Bower and Deputy City Clerk Whitney Matzeder.

Mayor Martin asked for a motion to open a Special Meeting.

Commissioner Bauder moved to open the special meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to accept the minutes from the December 12, 2023 regular meeting. Commissioner Pittman seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8231 Amending Article X Chapter 10 of the Code of Ordinances – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced at the December 12, 2023 meeting.

Mayor Martin called the roll and Ordinance No. 8231 was unanimously approved.

Second Consideration Ordinance No. 8232 Amending Article XI Chapter 10 of the Code of Ordinances– City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced at the December 12, 2023 meeting.

Mayor Martin called the roll and Ordinance No. 8232 was unanimously approved.

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

Ronald Grossman 1421 Columbia Ave:

- Handed out letter addressing his speaking points in regards to Religious Equality and a Request for funding and action memo
- Requested placement of a Menorah and Kinara

Joana Scholtz 4914 Girard St.:

- Leavenworth NAACP does not support Mr. Grossman's proposal for the following reasons:
 - They do not engage in the poison pen behavior
 - Most minorities within this community are Christian and look for the cross to be a Christian symbol and do not consider the Christmas Tree to be a religious symbol
 - NAACP has not had a feasibility study for a Kwanza celebration
 - NAACP believes that Leavenworth is a very diverse community
 - If you consider looking at celebrations, religious or cultural, we should get together a diverse committee to ensure that all of our celebrations are culturally sensitive and inclusive

Public Hearing:

Public Hearing for Unsafe and Dangerous Structure 407 Maple Street

Open Public Hearing:

Commissioner Bauder moved to open the public hearing. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Review of Properties by Staff and Public Comment:

Planning & Community Development Director Julie Hurley reviewed the property. Property owners within a 200' radius were also notified of the public hearing date and were invited to provide comment.

407 Maple Street – Single Family Structure

- Structure damaged by fire in July 2021 and March 2023
- No active building permits
- Owner, who resides in California had indicated plans to take it down on his own, but at some point he just stopped communication with city staff
- Property owner did submit a letter in which he asked for leniency with time, but did not provide a specific plan

Commissioner Pittman:

- Asked if the property owner would still own the land after demolition of the structure

Ms. Hurley:

- The property owner would still own the land and all costs associated with the demolition would be assessed against the property

Commissioner Hingula:

- Asked if there was any insurance on the house when it burned the first time

Ms. Hurley:

- The City did not receive any insurance proceeds

Mayor Martin:

- Asked how many extensions have been given

Ms. Hurley:

- There haven't been any extensions on this, as it hasn't been placed on a demolition list
- It has just been an ongoing process trying to work with the property owner over the last couple of years

Commissioner Hingula:

- Asked about a timeframe for removal

Ms. Hurley:

- It can be a fairly lengthy process
- There are requirements regarding environmental and ensuring the utilities turned off
- Roughly 60 days

Mayor Martin:

- Would be ok with 60 to 90 day extension to see some type of work done
- There was no ultimatum laid out in this letter nor a closing date

Mr. Kramer:

- The other problem we have had is just the inability to get a hold of this individual
- A month and a half ago they called us to see if the fire department wanted to use it for training, but haven't respond to anything related to fixing up the property

Mayor Martin opened the floor for public comment. No further comments were made.

There was consensus by the Commission for staff to proceed with demolition after 10 days.

Close Public Hearing:

Commissioner Bauder moved to close the public hearing. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Resolution B-2358 Demolition or Extension to Repair:

Commissioner Hingula moved to adopt Resolution B-2358 proceeding with demolition as agreed to by consensus of the commission after review of the property and as annotated by the Deputy City Clerk. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

General Items:

Mayor's Appointments

Mayor Martin moved to reappoint to the Convention & Tourism Committee Brendan Sheehan, Jordan Throckmorton, Edna Wagner and Lisa Weakley to a term ending January 31, 2027 and appoint James (Zachary) Light to an unexpired term ending January 31, 2025; reappoint to the Parks & Community Activities Board Stephanie Ingels and Jennifer Brennehan Tobey to a term ending January 15, 2027; and appoint to the Grow Leavenworth County Development Corporation Board Alyssa Smith to an unexpired

term ending May 31, 2024. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Cereal Malt Beverage Licenses for JK Mart, Eddie’s Grocery, and Shop Smart #2 – City Manager Paul Kramer presented for consideration the request to approve and issue renewal 2024 Cereal Malt Beverage Licenses for the following entities: Leavenworth Mart LLC dba JK Mart located at 300 N 4th Street, Shop Smart #2 located at 700 Eisenhower Road, and Eddie’s Grocery located at 1101 Spruce Street. The Police Department performed a records check and approved the applicants for renewal.

Commissioner Pittman moved to approve the Cereal Malt Beverage Licenses for 2024 as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Update for Unsafe and Dangerous Fire Damaged Structure 805 N 18th Street – Chief Building Inspector Harold Burdette reviewed the structure located at 805 N 18th Street that was damaged by fire on January 21, 2023. The City received a check from insurance proceeds for \$33,939.63. A public hearing was held on July 11, 2023 and the City Commission adopted Resolution B-2339 stating the owner was given 90 days for repair or removal of the structure. Additional time to resolve the issue was given at the October 10, 2023 and December 12, 2023 Commission meetings. The exterior repairs have been completed. The interior has progressed to the point that all rough-in inspections have been approved and the wall finishes have started to be installed. Staff recommends that the City Commission approve releasing the funds back to the property owner.

Commissioner Bauder moved to release the funds back to the property owner. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Update on Unsafe & Dangerous Structures; Given 60 Day Extension at October 24, 2023 Meeting – Planning & Community Development Director Julie Hurley provided the current status of each property granted a 60-day extension at the October 24, 2023 meeting:

200 Osage Street – Accessory Structure

- Active building permit for removal of 2nd story and rebuild of roof for a 1-story outbuilding
- Work is nearing completion
- Roof structure is completed, but still needs shingles

229 Osage Street – Single Family House

- Active building permit for interior and exterior renovations
- Work is ongoing and progress has been made since the last update
- All items in violation have been abated

Commissioner Hingula moved to remove 200 Osage Street and 229 Osage Street from the Unsafe and Dangerous Structure demolition list. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Resolutions:

Resolution B-2359 Kansas Municipal Investment Pool – Finance Director Roberta Beier presented a request for authorization to invest in the State of Kansas Municipal Investment Pool. The City currently invests its funds that are not immediately needed for their intended purposes, in CDs, Treasury Notes, Treasury Bonds, and a Repurchase Agreement Account at Country Club Bank. The City earns competitive interest rates on all of these investments except for the Repurchase Agreement Account which earns approximately 0.8% annually. The State of Kansas, through the Pooled Money Investment Board, maintains a Municipal Investment Pool that is available to Kansas Municipalities. The Investment Pool earns significantly higher interest rates than the Repurchase Agreement Account. Because of the significantly higher interest rates in the Municipal Investment Pool, Staff recommends moving the funds that are currently in the Repurchasing Agreement Account to the State of Kansas Municipal Investment Pool. Prior to moving the funds to the Investment Pool, Staff will offer the funds to eligible banks, savings & loans, and federally chartered savings bank which have home offices or branches in the City of Leavenworth. If the financial institutions will not match or exceed the rates offered by in the Municipal Investment Pool, the City will invest in the Pool. Prior to investing in the Municipal Investment Pool, the Pooled Money Investment Board requires a resolution that approves the establishment of an account in the name of the City of Leavenworth.

Mayor Martin:

- Asked what did the REPO interest rate look like a year ago

Ms. Beier:

- It's been low
- In 2019, 2020, and 2021 when interest rates were low, it was actually doing better than the Kansas Municipal Pool

Commissioner Bauder:

- Asked why the longer term rate appears lower, when previously when we go to get CD's, etc. renewed, the shorter term is always a lower rate than the longer term

Ms. Beier:

- The reason for that is because they are predicting that interest rates are going to go down
- They don't want money tied up at a higher interest rate for a longer period of time

Commissioner Hingula:

- Asked if there was a policy at one time that allowed the City to invest in the investment pool

Ms. Beier:

- There was, however in October 2019 the City's account became inactive
- Because it became inactive, they closed the account
- To re-open the account, a Resolution is needed

Commissioner Hingula moved to adopt Resolution B-2359 approving the establishment of an account in the City of Leavenworth's name in the Kansas Municipal Investment Pool. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Contract for 2024 Camp Leavenworth Event – Assistant City Manager Penny Holler presented for consideration a comprehensive management contract with O’Neill Events and Marketing for the 2024 City of Leavenworth festival. The City’s signature event, Camp Leavenworth, is scheduled for September 20th and 21st. This will be the fifth year for the festival that brings thousands of residents and visitors together. Last year’s event saw attendees enjoy two days of music, activities and food. Tourists experiences the First City through local food trucks, two downtown breweries, twenty local craft vendors, a chalk art activity, a 5k run and local dance performances. O’Neill Events and Management has been the event organizer for several years. They have been integral in finding creative ways to highlight Leavenworth and make the event unique. The 2024 Scope of Work includes the same \$3,300 financial management fee as last year and an increased festival event management fee of \$68,002. Prior to 2024, fees from O’Neill had been unchanged for several years.

Commissioner Hingula:

- Asked if the event will continue to remain free to all attendees

Ms. Holler:

- That is correct

Commissioner Hingula:

- Asked about other ways to market the event; specifically an idea to have City Officials do an interview with local news media to promote the event

Ms. Holler:

- We are always looking for ways to let people know about the event
- Sometimes that’s word of mouth, sometimes that’s a billboard
- Working with radio and news media is a great way to do that as well

Mayor Martin:

- What does the financial management fee consist of

Ms. Holler:

- There is a separate \$3,300 fee, they do all the bookkeeping for the event
- There is a consolidated financial system at the event
- They handle all of the financial aspects

Commissioner Pittman:

- Asked for more clarity on the sponsorship aspect
- Doesn’t recall there being many sponsorships for the event

Ms. Holler:

- Initially the goal was that we would be able to utilize sponsorships
- That happened the year that we had Melissa Etheridge and we saw an increase in sponsorships and buy-ins

- Since we've gone to more regional bands, we haven't seen that kind of sponsorship participation

Commissioner Bauder moved to approve the comprehensive management contract with O'Neill Events and Marketing for the 2024 City of Leavenworth Camp Leavenworth festival in an amount not to exceed \$71,302.00. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Contract for Easement and Right-of-Way Acquisition Services for the Vilas Street and Sidewalk Project – Public Works Director Brian Faust presented for approval the proposal for easement and right-of-way acquisition services associated with the Vilas Street and Sidewalk Project between 10th and 22nd. The City of Leavenworth initially submitted two Transportation Alternatives grants to KDOT on March 1, 2022 and during the review process, KDOT asked that the two projects be combined into one grant application. The City was notified that the project was selected to receive federal funds, and the City formally accepted the KDOT grant. The City is financially responsible for the preliminary engineering, design, right-of-way and utility relocation along with the 20% local construction match. Mr. Faust reviewed the project information. Easement acquisition services following KDOT and Federal requirements will cost between \$1,195 and \$1,395 per tract. This is in addition to the amount each property owner will be compensated for the taking. Currently, there are 34 tracts that need easements. Cost for the acquisition service will be approximately \$41,000.00. These funds are available in the General Fund and the 2024 Budget includes a transfer from the General Fund to the Grant Matching Fund.

Mayor Martin:

- Asked how the needed easements were lessened

Mr. Faust:

- Tightened the construction limits
- Will make the contractor work a little harder to stay within the existing rights-of-way

Commissioner Hingula:

- Asked if any other vendors considered

Mr. Faust:

- They are very skilled at this type of work
- They did our acquisition services on the 4th Street project
- With this being done with Federal Funds, there is a process that we have to follow that is much more challenging

Commissioner Pittman:

- Asked if owners were notified

Mr. Faust:

- Yes, we held a public meeting in December and notified all the residents along the roadway
- We walked them through the project and impacts to their property
- If this is approved this evening, they will be sending a notification to the affected property owners of what the process is and what their rights are

Commissioner Hingula moved to approve the proposal for Easement and Right-of-Way Acquisition services for the Vilas ADA and Sidewalk Improvement Project from Orrick & Erskine LLP, in an amount not to exceed \$41,000.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Award of Bid for City Hall HVAC Hydronic & Mechanical Piping Replacement – Public Works Director Brian Faust and Chief Building Inspector Harold Burdette presented for award the bids for the City Hall HVAC Hydronic & Mechanical Condensate Piping Replacement project. The piping that is being replaced dates back to the 1970s. It has deteriorated over time and there have been numerous leaks in the last few years. Most of the piping on the first and second floors was replaced during the renovation in 2003, but there are six locations where 1970-era piping will be replaced in the walls of finished office spaces that will require removal and replacement of some wall and ceiling finishes as well. The project was advertised for bid and three bids were received; however, one bidder was deemed non-responsive due to an incomplete bid packet. ARPA funds will be used to cover project expenses. \$318,910.00 was budgeted in the 2024 CIP for this project. As this project will include tearing into walls of a 100-year old structure, it is likely that unplanned issues will be encountered. It is probably that these unplanned conditions will result in project change orders.

Mr. Kramer:

- The City's purchasing policy caps the City Manager's authority at 10% or \$25,000
- With the nature of this project and the bids where they were, it made more sense to increase the cap on this item
- We would alert you of any funds beyond the \$176,320.00, should you approve that part of the motion

Mayor Martin:

- Asked if the bidders were aware that there could be change order requests

Mr. Faust:

- We were pretty specific on what to bid in the bidding documents
- We did not go into any of the unplanned or contingencies within the bidding documents

Mr. Kramer:

- Normally if we don't approve this, we would have to stop work or it would be something that we would have to bring to you as an emergency should they find something
- This just keeps the project moving along

Commissioner Hingula:

- Asked when do we expect to see start and end of work

Mr. Faust:

- Looks like we will start in April and end within a couple of months

Commissioner Bauder moved to award the bid for the City Hall HVAC Hydronic & Mechanical Condensate Piping project to Rand Construction, in an amount not to exceed \$176,320.00, and authorize the City Manager to approve change orders, if needed, for an additional \$44,000.00. Commissioner Pittman

seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Bids for Water Pollution Control Division 2024 Chemical Purchase – Public Works Director Brian Faust presented for consideration the bids for WPC chemicals. Staff recommends approval of the low bids for the following chemicals Ferrous Chloride, in an amount not to exceed \$1.69/lb., Hydrogen Peroxide, in an amount not to exceed \$0.45/lb., Sodium Hypochlorite, in an amount not to exceed \$3.42/gal, Sodium Hydroxide, in an amount not to exceed \$0.335/lb. and Polymer, in an amount not to exceed \$2.64/lb.

Chemical	Price Paid 2022	Price Paid 2023	Cost for 2024	Vendors for 2024
Ferrous Chloride	\$0.95/lb. Fe	\$1.29/lb. Fe	\$1.69/lb. Fe	Pencco, Inc.
Hydrogen Peroxide	\$0.35/lb.	\$0.39/lb.	\$0.45/lb.	Brenntag Mid-South
Sodium Hypochlorite	\$1.66/gal	\$3.30/gal	\$3.42/gal	Edwards Chemicals
Sodium Hydroxide	\$0.32/lb.	\$0.64/lb.	\$0.335/lb.	Edwards Chemicals
Polymer	\$2.53/lb.	\$2.77/lb.	\$2.64/lb.	Atlantic Coast Polymers

Mayor Martin:

- Asked if there is an explanation for the increase and decreases in Hydrogen Peroxide and Sodium Hydroxide

Mr. Faust:

- We were not provided any explanation for rates
- These are some of the same bidders we have every year
- They have been pretty consistent across the board

Commissioner Pittman moved to accept the low bids for chemicals as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Consider Contract for the Redesign of the 4th Street Improvement Project – Public Works Director Brian Faust presented for consideration the contract for redesign of the 4th Street Improvements Project. In March of 2019, the City submitted two applications to KDOT for projects along 4th Street. KDOT notified the City in July of 2020 that our project between Choctaw and Delaware was selected. While the section between Delaware and Seneca was not selected, the City felt it was important to include in a larger project to improve our downtown. The City entered an agreement with BHC and KDOT for the design of the improvements. With KDOT’s participation in the project, there were a number of additional steps and paperwork required before the project was bid. Many of these items are above and beyond what is required if the project was funded using only city funds. KDOT opened bids for the project on December 13, 2023 and bids were higher than the budget and engineer’s estimate. In addition to the bid cost, project inspection, anticipated change orders and future landscaping would push the project to nearly \$2 million per block. Based on direction received during the December 19, 2023 Study Session, the City notified KDOT that we would not be moving forward with the project as designed. Staff worked with BHC design consultant to arrive at a modified design scope for a project that will still provide the needed upgrades to the street, while limiting the needed subsurface replacement of the sanitary and storm lines. The design will focus on reducing all construction related costs to the existing budget of \$4.2 million or less. Mr. Faust

reviewed the revised design. It is anticipated that the project will be ready for bidding in late spring with construction starting during the summer. The design costs for a road construction project typically range from 10% to 15% of the estimated construction value. The smaller the project, the higher the design cost. For our project, 10% or \$420,000 is reasonable. For 4th Street with the survey work completed and with a portion of the previous design being reusable, BHC is looking to complete the design, including new drawings and bidding documents for \$202,844.00, this is 4.8% of the estimated construction related costs.

Commissioner Hingula:

- Asked when do you estimate completion

Mr. Faust:

- It would be this year
- The challenge would be the traffic signals, because there could be a 6 to 8 month lead time to get the signals

Commissioner Hingula:

- Outside of detours we don't anticipate any impacts to Camp Leavenworth and the Christmas events

Mr. Faust:

- In September, it'll still be under construction but should be minor detours at that time
- Hoping to have everything done by the Veterans Day Parade
- The long lead items are the traffic signals

Mr. Kramer:

- KDOT requires mast arms over a state highway with a dedicated turn lane
- Right now we have the standard poles

Commissioner Bauder moved to authorize the Mayor to sign a contract with BHC for the redesign of the 4th Street Improvement between Choctaw and Seneca, in an amount not to exceed \$202,844.00. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

First Consideration Ordinance:

First Consideration Ordinance for Special Use Permit to Allow a Daycare at 1913 Choctaw Street – Planning and Community Development Director Julie Hurley presented for first consideration an ordinance allowing a Special Use Permit for operation of an in-home day care at 1913 Choctaw Street. City code does allow for child care centers in R1-9 zoning districts with issuance of a special use permit. The item was first considered by the Planning Commission at their November 6, 2023 meeting. During the November 6th meeting, staff was asked by the board member to provide data generated by a speed survey that was currently being undertaken by the Leavenworth Police Department, as well as information regarding property values near existing home daycares and potential signage or other traffic calming measures for the area. The request for additional information was made based upon concerns raised by neighbors during the meeting. The item was again considered at the December 4, 2023 Planning Commission meeting, where the requested additional information was presented. During the November 6th Planning Commission meeting, multiple individuals spoke both in favor of and opposition to the Special Use Permit.

After the November 6th Planning Commission meeting, staff received 4 letters in support of the Special Use Permit. During the December 4th Planning Commission meeting, 2 individuals spoke in opposition to the Special Use Permit, and 2 individuals spoke in favor of the Special Use Permit. The Planning Commission took action on this item at their December 4, 2023 meeting and voted 5-1 to recommend approval of the Special Use Permit. Ms. Hurley reviewed the Conditions of Determination and Commission Findings. Staff recommends approval of the Special Use Permit request based on the analysis and findings included herein, subject to the following conditions:

- A minimum of 1,200 square feet of open space 100% enclosed by a minimum 4' high fence or wall shall be provided and maintained in good condition
- A copy of the permanent Group Day Care Home license shall be provided annually upon renewal by the State of Kansas
- The operation shall be limited to a maximum of 12 children
- No additional home occupations may be carried out at the residence

Commissioner Hingula:

- Asked to whom shall the copy of the Group Day Care Home license be provided

Ms. Hurley:

- It would be provided to the City, that is our standard requirement
- Any home daycare has to provide their license to us and the Clerk's office takes care of that

Commissioner Pittman:

- Asked for clarification regarding the first speed study

Chief Kitchens:

- The assertion was that the time was off; during the 2 weeks that it was up the first time, we did the fall back time change, so the time was off by an hour
- The other issue asserted was that people went through the neighborhood to tell everyone that we were doing a speed study and that somehow would have altered driving behavior and that they would not have been speeding
- That is part of the reason I put it up the second speed study
- We didn't tell anybody, we just put it back up
- As you can see, the data was virtually identical
- Those were the two principal issues that was asserted

Commissioner Bauder:

- I've never seen this much push back against a daycare center since I've been here

Mr. Kramer:

- We had one last year in the Branches subdivision that had similar response from a few neighbors
- They came to meetings and met with me individually

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

Consent Agenda:

Commissioner Hingula moved to approve the claims for December 9, 2023, through January 4, 2024, in the amount of \$3,482,688.80; Net amount for Payroll #25 effective December 15, 2023 in the amount of \$423,929.11 (Includes Police & Fire Pension in the amount of \$7,134.65) and Payroll #26 effective December 29, 2023 in the amount of \$413,118.76 (No Police & Fire Pension). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- Thanked the Commission and the public for being flexible with us on these meetings due to weather cancellation
- Asked the public bear with us on the refuse pickup during this weather and extreme cold
- Our crews really do strive to meet the service levels that the public expects
- We are fully staffed as far as collectors and labor positions
- The vast majority of feedback has been positive and I think they understand
- Appreciate the patience and grace that everyone has shown

Commissioner Wilson:

- Recognized the refuse waste collectors for their hard work and commitment as they provide services to all the citizens during this brutal cold
- Had an opportunity to celebrate the life and legacy of Dr. King
- Ended his comments with a quote from Dr. King

Commissioner Pittman:

- Thanked the City crews for doing what they do; it's been a lot of late hours and long hours
- Mentioned a Dr. Martin Luther King Jr. Celebration event that was scheduled, but had to be postponed due to the cold; it has been rescheduled to this Saturday at United Methodist Church from 2 to 3
- Thanked the shelter for all their work making sure people have a safe and warm place to go during this cold

Commissioner Hingula:

- Winter is definitely here, it was freezing out the other day when my garbage was picked up
- Refuse collectors were in really good humor
- Thanked everybody who toughed out the weather to get here to the Commission meeting

Commissioner Bauder:

- Was going to mention the Dr. King event on Saturday, too bad they had to reschedule it but I hope they have a good turnout
- Would like to give credit to the Guidance Center regarding Ride LV
- They are out there every day, even out in this cold and snow
- Reviewed the ways you can pay to use the service

Mayor Martin:

- Echoed the comments of the Commissioners regarding the City crews for street clearing and refuse pickup
- Would like to talk about potentially combining the study session with regular meetings
- In favor of having fewer meeting but have impactful content
- If there is a path there or interest, would like to go ahead and re-visit this

Commissioners discussed the topic of ceasing the Study Session the 3rd Tuesday of the month, no action was taken.

Close Special Meeting:

Commissioner Hingula moved to close the special meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Adjournment:

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

Time Meeting Adjourned 8:05 p.m.

Minutes taken by Deputy City Clerk Whitney Matzeder

**POLICY REPORT
SECOND CONSIDERATION ORDINANCE 8233
ALLOWING A SPECIAL USE FOR A CHILD CARE CENTER AT 1913 CHOCTAW STREET**

JANUARY 23, 2024



Sarah Bodensteiner, CMC
City Clerk



Paul Kramer
City Manager

BACKGROUND:

At the January 16, 2024 City Commission special meeting the City Commission reviewed and placed on first consideration:

**AN ORDINANCE ALLOWING A SPECIAL USE FOR A CHILD CARE
CENTER TO BE LOCATED AT 1913 CHOCTAW STREET IN THE CITY
OF LEAVENWORTH, KANSAS.**

There have been no changes to the ordinance since first introduced. Ordinance No. 8233 is now presented for second consideration and requires a roll call vote.

ATTACHMENTS:

- Ordinance No. 8233

(Summary Published in the Leavenworth Times on January 27, 2024)

ORDINANCE NO. 8233

AN ORDINANCE ALLOWING A SPECIAL USE FOR A CHILD CARE CENTER TO BE LOCATED AT 1913 CHOCTAW STREET IN THE CITY OF LEAVENWORTH, KANSAS.

WHEREAS, under Appendix A of the City of Leavenworth Code of Ordinances, Development Regulations of the City of Leavenworth, Kansas, Sec 2.04, the Governing Body of the City of Leavenworth is given the power to locate special uses in each zoning district by ordinance within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 6th day of November, 2023 in the Commission Room, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas. The official date and time set as was published in the Leavenworth Times newspaper on the 11th day of October, 2023 and mailed to all property owners within 200 feet of the said property were given notice of the public hearing; and

WHEREAS, upon a motion made, duly seconded, and passed, the City Planning Commission adopted findings of fact and recommended approval of the request for a child care center at 1913 Choctaw Street, Leavenworth, Kansas.

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to allow special use for a child care center for the property described herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. That a special use permit be issued for a child care center on the following described property:

Lot 4, Cune-White Replat II, City of Leavenworth, Leavenworth County, Kansas. And more commonly referred to as 1913 Choctaw Street, Leavenworth, Kansas.

Section 2. That this special use permit is subject to the following:

- a.) A minimum of 1,200 square feet of open space 100% enclosed by a minimum 4' high fence or wall shall be provided and maintained in good condition;
- b.) A copy of the permanent Group Day Care Home License shall be provided annually upon renewal by the State of Kansas;
- c.) The operation shall be limited to a maximum of twelve (12) children; and
- d.) No additional home occupations may be carried out at the residence.

Section 3: That this Ordinance shall take effect and be in force from and after its passage by the Governing Body, and its summary publication once in the official City newspaper.

PASSED AND APPROVED by the Leavenworth City Commission of the City of Leavenworth, Kansas on this 23rd day of January, 2024.

Griff Martin, Mayor

{Seal}

ATTEST:

Sarah Bodensteiner, CMC, City Clerk

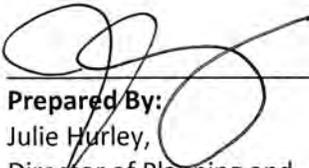
**POLICY REPORT
LEAVENWORTH CITY COMMISSION
2023-34-SUB**

**DOLLAR TREE - LEAVENWORTH
FINAL PLAT**

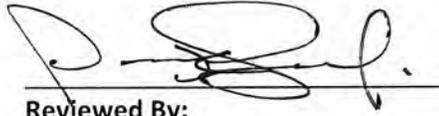
JANUARY 23, 2024

SUBJECT:

Acceptance of land for public utilities for Dollar Tree - Leavenworth, Final Plat



Prepared By:
Julie Hurley,
Director of Planning and
Community Development



Reviewed By:
Paul Kramer,
City Manager

ANALYSIS:

The subject property is located at 2017 S. 4th Street and owned by Great Western Manufacturing Co., plat prepared by OWN, Inc. The property is currently unplatted, and the plat is being requested in order for a vacant portion of the parcel owned by Great Western Manufacturing to be separated and sold for development to Dollar Tree. The plat also includes dedication of easements for public utilities.

The plat was reviewed at the November 16, 2023 Development Review Committee meeting, all comments have been addressed.

Staff recommends accepting the dedication of land for public utilities for the Dollar Tree – Leavenworth final plat.

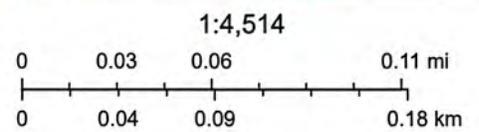
ACTION/OPTIONS:

Accept the dedication of land for public utilities as part of Dollar Tree - Leavenworth, Final Plat.

Dollar Tree Final Plat



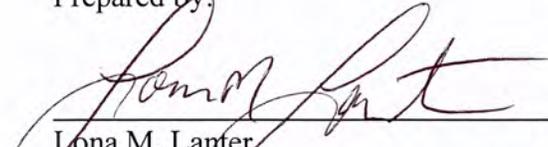
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Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

POLICY REPORT 24-01
Recommendation for Revisions to the
Personnel Policy Manual
January 23, 2024

Prepared by:



Lona M. Lanter
HR Director

Reviewed by:



Paul Kramer
City Manager

ISSUE:

Review and approve policy revisions to the City Personnel Policies & Procedures Manual, submitted by the Human Resources Director.

STAFF RECOMMENDATION: Staff recommends approval of the proposed revisions that would be effective immediately.

BACKGROUND:

Periodically changes to The City of Leavenworth Personnel Manual are recommended. These changes can originate in any number of ways. The revisions listed below have originated from submission from Staff to update the policy to be more consistent with the City Manager form of government and allow for more timely updates and revisions.

The majority of the revisions to the Personnel Manual are primarily housekeeping items to outline or more clearly identify the processes and procedures that are currently in place or minor revisions to more accurately reflect the intent of the policy, such as revisions to reflect changes to the insurance policy coverage or updates to the government organization to reflect staff changes. There are occasional revisions to maintain compliance due to changes within federal, state or local laws and/or regulations.

REVISIONS TO CURRENT POLICY:

SECTION II – INTRODUCTION

II-3. DEPARTMENT REGULATIONS.

The director of any department may formulate, in writing, reasonable administrative regulations for the conduct of the department which shall be available to all departmental employees. Department regulations approved by the City Manager may be more restrictive than the City Personnel Rules and Regulations; however, this does not grant any department director the authority to adopt regulations in violation of, or in conflict with, these Personnel Rules and Regulations approved and adopted by the ~~Leavenworth City Commission~~ City Manager.

II-4. MAINTENANCE OF THE RULES AND REGULATIONS

The personnel manual may be revised and updated at any time during the year upon the approval of the City Manager. Should a modification become necessary, input will be solicited from the Employee Council and Department Managers prior to any change becoming effective. All Personnel Manual revisions will be updated electronically through the Employee Self-Serve (ESS) portal. Notification will be sent electronically when updates are available and employees can either access through ESS or print the updates from ESS if they prefer paper copy. ~~Each year the manual will be reviewed in its entirety by the City Manager, Department Heads, and Employee Council Representatives. After the review, Any proposed significant revisions, as well as and/or administrative updates approved by the City Manager will be presented to the City Commission for their approval~~ *summarized and provided to the Commission.*

In case of conflict, Federal, State, and Local laws shall take precedence over all Personnel Rules and Regulations.

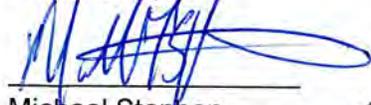
POLICY REPORT PWD NO. 24-06

CONSIDER APPROVAL OF CONTRACT CHANGE ORDER NO. 1
FOR THE 2023 PAVEMENT MANAGEMENT PROJECT
(CRACK SEALING & MICRO-SURFACING PROGRAM)

City Project 2022-990

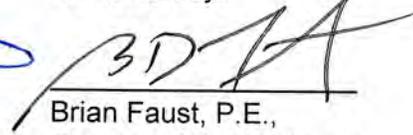
January 23, 2024

Prepared by:

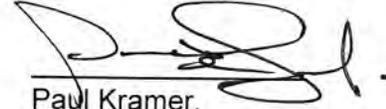


Michael Stephan,
Project Manager

Reviewed by:



Brian Faust, P.E.,
Director of Public Works



Paul Kramer,
City Manager

ISSUE:

Consider approval of Contract Change Order No. 1 for the 2023 Pavement Management – Crack Sealing & Micro-Surfacing Program.

BACKGROUND:

On March 28, 2023, the City Commission approved a construction contract with Vance Brothers for the 2023 Crack Sealing & Micro-Surfacing component of the Pavement Management Program.

For 2023, the City Commission authorized a combination of General Improvement Bonds, Sales Tax and Capital Reserves for the annual maintenance of public streets. The components of the 2023 program included micro-surfacing, mill and overlay, parking lot upgrades and major repair and maintenance work beyond the scope of the Streets Division. Inspection was by City Staff.

BUDGET IMPACT:

The 2023 budget included \$2M for all components of the Pavement Management Program.

The Crack Sealing and Micro-Surfacing Program for 2023 included the City streets listed in Attachment 1. The awarded contract of 507,790.04 was \$67,274.96 under the Engineer's estimate of \$575,065 for this project. The engineering department came up with a list of additional streets to add to the project that would put the total closer to the engineer's estimate. Attachment 2 maps out all the streets sealed in 2023.

Upon completion of the project, the final square yards of material placed was measured and a final change order created based on the actual measured quantities. For the micro-surfacing project, quantities were slightly higher than originally estimated. The final project cost with the additional streets ended up at \$580,845.92. This is \$73,055.88 over the awarded contract amount.

RECOMMENDATION:

Staff recommends that the City Commission approve Change Order No. 1 with Vance Brothers for the Crack Sealing and Micro-Surfacing in the amount of \$73,055.88.

ATTACHMENTS:

- Attachment 1: Original Micro-Surfacing Street List
- Attachment 2: Final Map included added streets.
- Attachment 3: Change Order No. 1 Form

**City of Leavenworth, Kansas
2023 PMP – Crack Sealing & Micro-Surfacing**

The following streets shall be crack sealed and micro-surfaced under the Base Bid:

- High Street (15th St. to Grand Ave.)
- Olive Street (Casey Court to Grand Ave.)
- Newman Street (Spruce St. to High St.)
- 3rd Street (Linn St. to Spruce St.)
- Columbia Avenue (Frank St. to Spruce St.)
- Columbia Avenue (Michigan St. to Ohio St.)
- Ohio Street (Western St. to Stoneleigh Court.)
- Ottawa Street (13th Ter. to 12th St.)
- Dakota Street (2109 W. Dakota to 20th St.)
- Muncie Court (Muncie Rd. to Cul-de-sac)
- Lincoln Court (Richmond Dr. to Dixie Dr.)
- Garland Avenue (Village St. to Deerfield St.)
- Village Street (Cul-de-sac to Broadway Ter.)
- Parkway Drive (Muncie Rd. to Dead End)

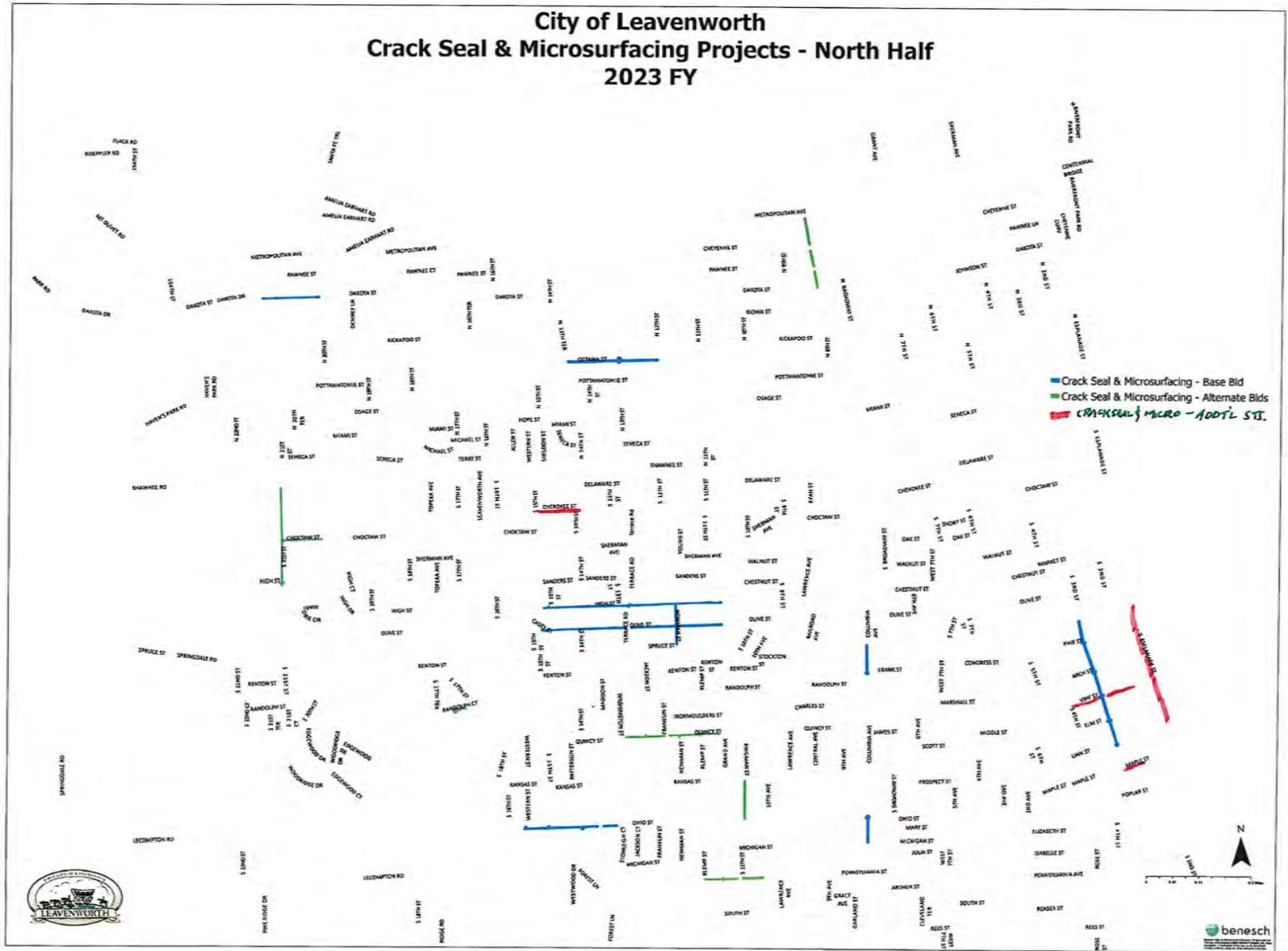
The following streets are being bid as Alternates:

- 8th Street (Dakota St. to Metropolitan Ave.)
- Kingman Street (Ohio St. to Kansas St.)
- Quincy Street (Washington St. to Grand Ave.)
- Pennsylvania Street (Klemp St. to 10th Ave.)
- 21st Street (High St. to Shawnee St.)
- Choctaw Street (21st St. to 20th St)
- Randolph Court (Cul-de-sac to 17th St.)

Pavement Marking – Work includes replacement of pavement markings that are covered on the following streets that are scheduled for "Crack Seal" and "Micro-Surfacing" (See Attachment 2 – Micro Plan and Marking Plan and Attachment 3 – Quantity Summary Lists, both included at the end of this manual):

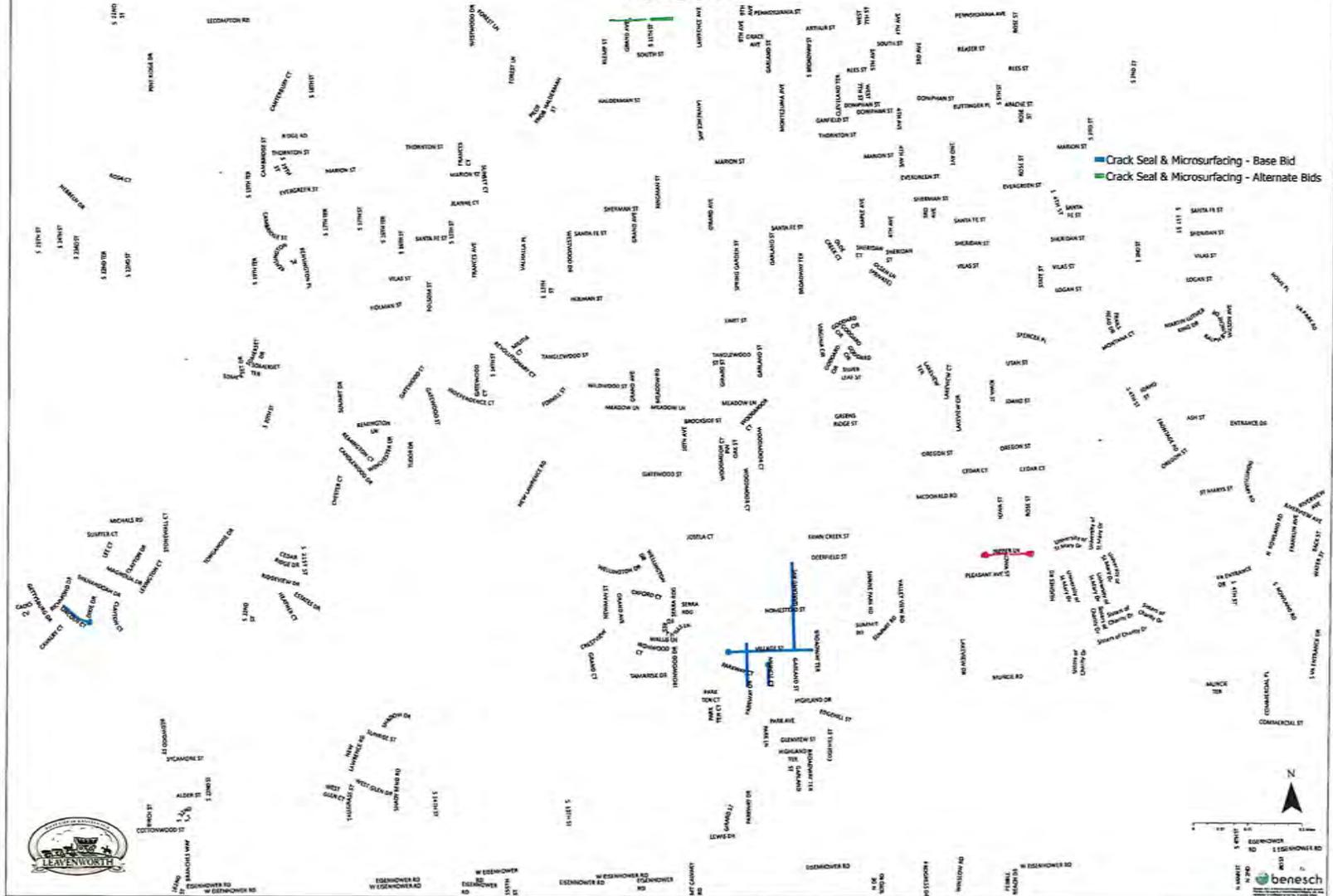
- 8th Street (Cheyenne to Metropolitan)
- Pennsylvania Street (11th to 10th)

City of Leavenworth Crack Seal & Microsurfacing Projects - North Half 2023 FY



ATTACHMENT 2

City of Leavenworth Crack Seal & Microsurfing Projects - South Half 2023 FY



CITY OF LEAVENWORTH
CHANGES IN PLANS AND CONSTRUCTION
CHANGE ORDER NO. 1

Project Name: 2023 PMP Micro-Surfacing
 Project Location: City of Leavenworth
 Purchase Number: 20230064
 Contract Date: March 28, 2023
 Date Prepared: December 15, 2023

The following changes to the original contract amount were required to cover cost incurred by the Contractor or to reflect savings realized by the Contractor as a result of a change in the actual constructed quantities from the estimated quantities shown on the Bid Proposal.

Start Date: September 25, 2023
 Performance Period: _____
 Net Adjustments: \$ 73,055.88
 Completion Date: December 12, 2023
 Page Number: 1

REQUIRED CHANGES IN PRESENT CONTRACT

Contract or Previous Quantity	Contract or Previous Unit Price	Contract or Previous Amount	Unit	Item Description	New or Adjusted Quantity	New or Adjusted Unit Price	New or Adjusted Amount
	\$	\$		Change Order Request # 1		\$	\$ 73,055.88
	\$	\$		(Line Item Overruns & Addition of Streets)		\$	\$
	\$	\$				\$	\$
	\$	\$				\$	\$
	\$	\$				\$	\$

Previous Total: \$ 507,790.04

Adjusted Total: \$ 580,845.92
 Net Change: \$ 73,055.88

Statement of Contract

Original Contract Amount	\$ 507,790.04
Net Amount of Previous Additions and Deductions	\$ 0
Net Contract Amount Prior to This Request	\$ 507,790.04
Amount of This Request	\$ 73,055.88
New Contract Amount	\$ 580,845.92
Percent Change in Contract Amount	14.3 %

CONTRACTOR:

Company: Vance Brothers
 City, State: Kansas City, Missouri
 Signed by: *Alta Vana*
 Date: December 18, 2023

PROJECT OBSERVER:

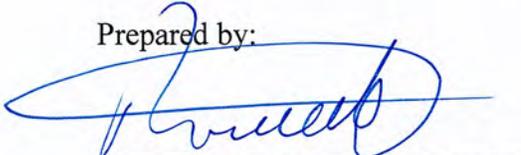
Company: CITY OF LEAVENWORTH
 Recommended by: Brian Faust *BFA*
 Date: December 15, 2023

ACCEPTED BY CITY OF LEAVENWORTH, KANSAS:

Mayor/City Manager: _____
 City Clerk: _____
 Date: _____

Policy Report No. 1-2024
Agreement with The Guidance Center – Leavenworth to facilitate a Mental Health Co-Responder Program
January 23, 2024

Prepared by:


Patrick R. Kitchens, Police Chief

Approved by:


Paul Kramer, City Manager

ISSUE:

The Police Department is requesting the City Commission authorize an agreement with The Guidance Center – Leavenworth to establish a Mental Health Co-Responder Program.

BACKGROUND:

The issue of mental health is very difficult and complicated. Until recently, there was steady decline in funding of services and programs available to people who were suffering from mental illness. The results of those funding cuts and loss of programs pushed those people out into the community and became the responsibility of Police Officers, Jails, and Emergency rooms. Those entities don't have the proper infrastructure to help effectively. They are suited for and designed to deal with the crisis but not the long-term resolution.

In the last 3 years, the Leavenworth Police Department responded to 302 calls for service relating to Mental Health. We define that as a person calls 9-1-1 reporting they have:

- taken steps to injure themselves (pills, weapons, etc)
- threatening to commit suicide or having suicidal thoughts
- threatening suicide and to harm other people
- family or friends call on their behalf
- having a crisis related to mental health often in combination with substance abuse

These kind of calls are difficult, complicated and dangerous. They require significant resources that can include 4 or 5 patrol officers, the SWAT Team and/or Crisis Negotiators. Tragically, they are not resolved peacefully especially if the person is armed. There have been some very high profile cases involving the Police and the way they handled a person suffering a mental health crisis.

Another significant component of these types of calls for service is substance abuse. Very often, first responders are dealing with a person who is suffering a mental health crisis while under the

influence of drugs or alcohol. This makes the event significantly more complicated and harder to resolve.

The Mental Health Co-Responder Program is designed to help expand our tool bag when dealing with these mental health calls and the after effects. This is a pilot program created in a collaborative effort between the Police Department and Senior Staff at the Guidance Center. The primary goal of the program is the safety of everyone involved.

Police officers are given basic levels of training in recognition of mental health symptoms but it's difficult to go beyond that. The availability of a highly trained mental health professional at the time of the crisis presents a greater possibility of resolving the matter. Further, this person would be available to follow-up in the days after the crisis to ensure the person receives more comprehensive resources. The Mental Health Co-Responder will also have a critical role in helping the Police Department deal with mental health issues that are associated with or have substance abuse issues.

The Program (Job Description and MOU attached)

The Mental Health Co-Responder will be an employee of the Guidance Center but will be assigned to the Leavenworth Police Department and principally work from headquarters. The Police Department will supply an office, phones and computer equipment. We have outlined a 40-hour work week that includes some evening and weekend hours.

Here are some of the elements that are outlined in the job description:

“Collaborates with the Police Department. Crisis Co-Responder in the community, with or at the request of Police Department Officers. Duties may include crisis intervention, safety planning, service assessment and referral, resource navigation, and brief case management services to assist with the continuity of care.”

“Assist with Mental Health Training including CIT for LEO Staff”

“Ensure that all interventions are documented and tracked appropriately according to all agency standards and governing regulations. Maintaining timely documentation, understanding the data collection is vital to the goal of identifying the service needs of the community.”

BUDGET IMPACT:

The City of Leavenworth's portion of this project will be funded with the use of Opioid Settlement funds. On December 14, 2021, the City Commission adopted resolution B-2302 which allows the City of Leavenworth to receive funds associated with opioid litigation under the supervision of the Kansas Attorney General. (Attached)
The City of Leavenworth has received three separate allocations:

August 8, 2022 - \$8,830.67

February 2, 2023 - \$83,280.21
October 12, 2023 - \$17,017.95

Totaling \$109,128.83 which remains available. We are informed the City of Leavenworth will receive some allocations of funding for the next 16 years as part of these settlements. We are not informed of specific amounts.

In early 2022, we received the guidelines and instructions that establish ways in which the funds can be spent. (Attached)

Section 2. Allowed Opioid Remediation Uses – General Guidelines

- a. All allowable Opioid Remediation Uses refer to the following general guidelines.
Use or Program:
 - iii. Focuses on Individuals with Opioid Use Disorder (OUD) and possible co-occurring Substance Use Disorder (SUD)/Mental Health Disorder (MHD) who are uninsured or whose insurance does not cover the needed service.

Section 4. Schedule B – Approved Uses

- b. Support People in Treatment and Recovery
 - xii. Hire or train behavioral health workers

The proposed agreement calls for the City of Leavenworth to provide The Guidance Center – Leavenworth annual funding to hire the Mental Health Co-Responder. The allocation would be \$50,000 in 2024. It then calls for the City of Leavenworth to give between \$25,000 to \$50,000 in 2025 and 2026. Ideally, the City of Leavenworth will give the Guidance Center \$50,000 each year to assist in hiring the Mental Health Co-Responder.

The agreement was prepared in collaboration with our City Attorney, The Guidance Center Attorney, Senior Staff at the Police Department and Senior Staff at the Guidance Center. Additionally, The Finance Director, Roberta Beier, played a critical role in helping ensure we meet the reporting requirements to the Kansas Attorney General.

STAFF RECOMMENDATION:

Staff recommends approval.

COMMISSION ACTION:

Authorize the City of Leavenworth to enter into an agreement with The Guidance Center – Leavenworth to establish a Mental Health Co-Responder program.

**LEAVENWORTH MENTAL HEALTH CO-RESPONDER
MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is a collaboration between the **City of Leavenworth, Kansas** (the "City"), and **The Guidance Center, Inc.**, a Kansas not for profit corporation (the "Center"), to address potential mental health and co-occurring substance use disorder issues in the community by sharing resources and expenses to fund a shared Co-Responder position dedicated to the City (herein referred to as the "Project"). The City and the Center are collectively referred to herein as the "Parties" or individually as a "Party".

1. Purpose.

- (a) The purpose of the Project is to find ways that the mental health and criminal justice systems of Leavenworth County, specifically within the City, can work in partnership to improve service response to individuals who suffer from mental health issues and have co-occurring substance use disorders, or who are in danger of becoming alcoholics or drug abusers, specifically by providing for the services of a Qualified Mental Health Professional (the "Co-Responder").
- (b) The purpose of this MOU is to:
 - (i) delineate the responsibilities of the parties to the Project;
 - (ii) maximize interagency cooperation; and
 - (iii) formalize the relationships between the parties and their employees regarding Project operations, policies, planning and training.

2. Effective Date, Duration, Termination, and Funding.

- (a) Term. This MOU shall become effective upon execution by all Parties. Subject to early termination as provided below, the term of this MOU and the duration of this Project shall be one (1) year, commencing as of January 1, 2024. This MOU may be extended or renewed for additional years upon written agreement of the Parties.
- (b) Termination. Notwithstanding the foregoing, and in addition to any remedies in the event of default, either Party may terminate its relationship with the Project and withdraw from the Project and this MOU at any time, by written notification to the other Party at least (60) days prior to termination. The terminating Party will be responsible for its pro rata share of the costs of the Project up to, and including, the last date of its participation, regardless of the use of the Co-Responder. Notice of termination shall be delivered to the Project Leadership Team.
- (c) Funding. Notwithstanding anything in this MOU to the contrary, the City's ability to participate in the Project is dependent on funding allocated to and actually received by the City from the National Opioid Settlements Implementation Administrator and through the State of Kansas. For the 2024 calendar year, the City has allocated and agrees to contribute to the Project a sum not to exceed Fifty Thousand and No/100 Dollars (**\$50,000.00**), which sum shall be paid by the City in equal monthly installments of **\$4,166.66**. Should this MOU be renewed or

extended for the 2025 and 2026 calendar years, the City agrees to contribute to the Project a sum of not less than \$25,000.00, but not more than \$50,000.00, subject to allocations received.

Such amounts shall be used by the Center solely for purposes of the Project and for paying the costs and expenses of the Co-Responder, including but not limited to salary, retirement, expenses, disability, and all other employment-related benefits incident to the Co-Responder's employment with the Center. All other and additional costs and expenses in excess of the amount allocated and paid by the City shall be the responsibility of the Center.

- (d) Cash Basis and Budget Laws. Expenditure of funds as part of the Project will be subject to the respective budgetary processes of each Party. To the extent that this MOU is interpreted as requiring any expenditure of funds by any City, the Parties acknowledge that the City is subject to the provisions and limitations of the Kansas cash-basis law, K.S.A. 10-1101 *et seq.*, as amended, and the Kansas budget law, K.S.A. 79-1935, as amended, and the City is obligated only to pay expenditures as may lawfully be made from (i) funds budgeted and appropriated for that purpose during that City's current budget year, or (ii) funds made available from any lawfully operated revenue producing source.

3. Organizational Structure, Control, and Responsibilities.

(a) Organizational Structure.

- (i) The oversight of the Project will be cooperatively provided by the Parties.
- (ii) Each Party will designate one individual to be that Party's point of contact. These points of contact will make up the Project Leadership Team.
- (iii) The Parties will facilitate regular meetings of the Project Leadership Team and any other appropriate individuals to address the progress of the Project, as well as other justice and mental health related projects or issues.

(b) Roles and Responsibilities of the Parties.

- (i) The Center will hire, employ, and supervise one Co-Responder as part of the Project. The Parties acknowledge and agree that additional Co-Responders may be added under this MOU upon written agreement between the City and the Center.
- (ii) The Center expressly represents and warrants to the City that the Co-Responder is not and shall not be construed to be an employee of the City and that the status of the Center is that of independent contractor for the City and that the Center is solely responsible for Co-Responder's actions and inactions. The Center also agrees that neither it, nor the Co-Responder may enter into contracts or agreements on behalf of the City or to otherwise create obligations of the City to third parties.

- (iii) The City may participate in the interview and hiring process with the Center, though the Center will retain the ultimate decision-making authority regarding the hiring and employment of the Co-Responder.
- (iv) The Center shall provide the Co-Responder with, or ensure that the Co-Responder has, a vehicle and cell phone for the Co-Responder's use in his/her Project duties.
- (v) The Co-Responder will work in cooperation with the City to assist the City with individuals who suffer from mental health issues and co-occurring substance use disorders and who are contacted by law enforcement.
- (vi) The Co-Responder will report to the Center for administrative matters (e.g., leave, pay, benefits) and for other matters unrelated to the case-specific work assignments of the Project. The Co-Responder will coordinate with the City with regard to respective case-specific work assignments.
- (vii) It shall be the joint responsibility of the Center and the Co-Responder to regularly and in a timely manner inform the City of scheduled vacation, training, annual leave, or sick leave. The Co-Responder will observe holidays as set by City government. When the Co-Responder is on leave for any reason, back-up coverage will not be provided.
- (viii) The Co-Responder shall be subject to the personnel policies and procedures of the Center. To the extent they are not in conflict with Center policies, the City's personnel policies shall also apply to the Co-Responder when he/she is working in or coordinating with the City. It shall be the responsibility of the City to inform or train the Co-Responder on the personnel policies applicable to him/her. Performance appraisals will be handled by the Center, except that the City will be given the opportunity to provide written comments for discretionary use by the Center in the appraisal process.
- (ix) The Center and the City will each provide a work station designated for the use of the Co-Responder. The City will provide the Co-Responder with a portable police radio. The City will provide him/her a computer and any other equipment necessary to fulfill Project duties.
- (x) The Co-Responder position will be a salaried exempt position which will work full-time (40 hours per week), allocating work time as calls for service and workload requires.
- (xi) As law enforcement officers respond to the scene of a call and it is determined that assistance of the Co-Responder will aide in the disposition of the call, the responding officer will work jointly with the Co-Responder, either directly or through dispatch.
- (xii) Co-Responder training shall be provided by the Center including, but not limited to, issues related to confidentiality. Additional training, as appropriate, may be provided as needed by the City.

- (xiii) The City will provide training to the Co-Responder and their respective employees on the Project with regard to Project goals and protocols, including communication protocols for determining the need for the Co-Responder, situational awareness training, and information security training and credentialing as required by Criminal Justice Information System (CJIS) and KCJIS (Kansas Criminal Justice Information System).
 - (xiv) If the Co-Responder has complaints, suggestions, comments, or concerns regarding the policies, procedures, practices or decisions of the City, the Co-Responder is to first present such concerns to his or her immediate Center supervisor who may, in turn, pursue discussions with the City. However, it is permissible and encouraged for the Co-Responder to communicate with City staff regarding daily issues pertaining to efficient and effective case processing.
 - (xv) In any instance in which the Co-Responder, in the judgment of the City, may have engaged in misconduct or failure to fulfill the mission or purpose of the Project as requested, the City shall notify the Center, in writing, of the details of the alleged misconduct or failure. The Center shall then undertake an appropriate review of the allegations and, in the event the allegations are confirmed, implement any necessary or appropriate discipline up to, and including, termination of the Co-Responder, after discussion with the Project Leadership Team, as deemed appropriate.
 - (xvi) Should the Project be terminated for any reason, the Center is solely responsible for any and all decisions as to whether to continue to employ a Co-Responder. The Co-Responder shall have no recourse against the City for any employment decision(s) made by the Center, including termination of the Project or termination of the Co-Responder.
 - (xvii) Equipment and other tangible property provided to the Co-Responder by the City as part of the Project will remain property of the City and must be returned to the City immediately upon termination of the Co-Responder, or within thirty (30) days of the termination of the Project, unless otherwise agreed to in writing.
 - (xviii) The Co-Responder shall, to the extent practical, keep a general account of time spent working for the City, including types of activities, police calls, and training.
 - (xix) Each Party shall comply with all federal, state, and local laws, ordinances, and regulations applicable to the Project and this MOU.
- (c) Confidentiality; Inquiries.
- (i) The Parties shall adhere to all applicable laws and policies regarding the confidentiality of data or information obtained during the Project. To the extent required by law, the Parties shall comply with HIPAA, and are to maintain the confidentiality of personal health information (PHI), sharing that PHI only to the extent necessary to coordinate treatment or disposition of the crisis situation.

- (ii) As a general rule, all outside inquiries regarding the Project shall be directed to the City's Public Information Officer. Any inquiries involving mental health case supervision issues shall be directed to the Center.

4. Insurance and Indemnity.

- (a) Insurance. Unless otherwise waived in writing, and except as provided below, each of the Parties shall procure and maintain in effect throughout the duration of this MOU insurance coverage not less than the types and amounts specified in this section.
 - (i) Commercial General Liability Insurance with limits of \$1,000,000 per occurrence and \$1,000,000 aggregate, written on an "occurrence" basis. The policy shall be written or endorsed to include the following provisions:
 - (A) Severability of Interests Coverage applying to Additional Insureds
 - (B) No Contractual Liability Limitation Endorsement
 - (C) Additional Insured Endorsement, ISO form CG20 10, or its equivalent.
 - (ii) Workers' Compensation Insurance, as required by statute, including Employers Liability with limits of \$500,000 disease-policy limit and \$100,000 disease-each employee. Provided, however, it is understood and agreed by the Parties that the Co-Responder shall be covered by the Center's Workers' Compensation and Employer's Liability self-insurance and excess insurance coverage.
 - (iii) Commercial Automobile Liability Insurance: with a limit of \$1,000,000 per occurrence, covering owned, hired, and non-owned automobiles. Coverage provided shall be on an "any auto" basis and written on an "occurrence" basis. This insurance will be written on a Commercial Business Auto form, or acceptable equivalent, and will protect against claims arising out of the operation of motor vehicles, as to acts done in connection with the MOU.
 - (iv) The Center shall carry Professional Liability Insurance with limits per claim and annual aggregate of \$1,000,000.
 - (v) The City shall carry Law Enforcement Liability Insurance with \$1,000,000 combined single limit for bodily injury, personal injury, and property damage liability per occurrence, and \$1,000,000 annual aggregate.

The policies listed above may not be canceled until after thirty (30) days written notice of cancellation to the other Party, ten (10) days in the event of nonpayment of premium. Each Party's Commercial General and Automobile Liability Insurance specified above shall name the other Party as additional insured for the services performed under this MOU. Each party shall provide to the other at execution of this MOU a certificate of insurance showing all required endorsements and additional insureds. All insurance coverage must be written by companies that

have an A.M. Best's rating of "B+V" or better and are licensed or approved by the State of Kansas to do business in Kansas.

- (b) Indemnification for Negligence. To the extent permitted under applicable law, including but not limited to the Kansas tort claims act, as amended, the Parties shall indemnify and hold each other harmless and any of their agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs and expenses, including reasonable attorneys' fees, arising out of any negligent acts or omissions in connection with this MOU, caused by the other party, its employees, agents, subcontractors or caused by others for whom the party is liable, in the performance of the services under this MOU.

5. Default and Remedies.

- (a) The occurrence of any of the following events by either Party for thirty (30) days after receipt by the defaulting party of written notice thereof and defaulting Party's failure to cure, or to diligently commence the cure of, the same, shall deem that party in material default of this MOU:
 - (i) Failure to comply with any of the material provisions required of either party under this MOU; or
 - (ii) The suspension, revocation or termination of any power, license, permit, or authority that has the effect of preventing either party from performing under this MOU; or
 - (iii) Nonpayment by either party of any sums required to be paid or remitted herein.
- (b) If either Party shall be in default or breach of any provision of this MOU, the non-defaulting Party may terminate this MOU, suspend the defaulting Party's performance, withhold payment, or invoke any other legal or equitable remedy.

6. Assignability or Subcontracting.

The Center shall not subcontract, assign or transfer any part or all of the Center's or the Co-Responder's obligations or interests under this MOU without the City's prior approval.

7. Miscellaneous.

This MOU shall inure to the benefit of, and shall be binding upon, the Parties and their respective successors. This MOU may be executed in one or more counterparts, including by facsimile, each of which when compiled in its entirety shall together constitute one and the same instrument. Except as specifically provided in this MOU, all of the provisions of this MOU shall be severable. In the event that any provision of this MOU is found by a court of competent jurisdiction to be unconstitutional or unlawful, the remaining provisions of this MOU shall be valid unless the court finds that the valid provisions of this MOU are so essentially and inseparably connected with and so dependent upon the invalid provision(s) that it cannot be presumed that the Parties to this MOU could have included the valid provisions without the invalid provision(s); or unless the court finds that the valid provisions, standing alone, are incapable of being performed in accordance with the intentions of the Parties. Unless stated otherwise in this

Agreement, no provision of this Agreement may be waived, modified, or amended except in writing signed by both Parties. This Agreement shall be construed and governed in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, the City and the Center have caused this MOU to be duly executed as set forth below.

CITY OF LEAVENWORTH, KANSAS

THE GUIDANCE CENTER, INC.

By: _____
Griff Martin, Mayor

By:  _____

Date: _____

Printed Name: William A. Warnes

ATTEST:

Title: CEO

By: _____
Sarah Bodensteiner, CMC, City Clerk

Date: 12/18/2023

THE GUIDANCE CENTER, INC.
500 Limit Street
Leavenworth, KS 66048

POSITION DESCRIPTION

Position Title	Mental Health Co-Responder
Position Summary	A Co-Responder is a licensed Master's level mental health professional who is embedded within local law enforcement agencies in Leavenworth. This position will respond with police to 911 calls and conduct outreach after.
Reports To	Chief Clinical Officer (CCO)
Supervises	N/A
Indirectly Supervises	N/A
Classification	Exempt
Scope	Full time
Work Hours	Minimum 40 hours/week, including some evening and weekend hours- Flexible Schedule
Travel	Occasional (30-60% of time)
Effective Date of PD	January 1, 2024

I. PRIMARY RESPONSIBILITIES:

1. Collaborates with the Police Department. Crisis Co-responder will respond in the community, with or at the request of, Police Department Officers. Duties may include crisis intervention, safety planning, service assessment and referral, resource navigation, and brief case management services to assist with continuity of care.
2. Coordinates services and develops local systems of care for individuals with behavioral health needs who have come to the attention of law enforcement officials and maintain good relationships with those local systems of care.
3. Using a Strengths Based perspective to assess individuals' circumstances to identify needs and/or determine resource eligibility.
4. Provide Case Management services to individuals including coordination to Medication Assisted Treatment for individuals with Opioid Use Disorder
5. Adhere to all safety guidelines and officer directives regarding safety or scene security when approaching, on, or leaving a scene/call for service with law enforcement.
6. Coordinate and promote integration of the program with other agency programs to enhance client outcomes.
7. Assist with Mental Health Trainings including CIT for LEO staff
8. Ensure that all interventions are documented and tracked appropriately according to all agency standards and governing regulations. Maintain timely documentation, understanding the data collection is vital to the goal of identifying service needs within our community.
9. Provide or assist with training and consultation on behavioral health issues for Police Department. Collect/Review data from collaborative agencies as needed
10. Inform CCO of all relevant issues related to staffing, client care, and programming.
11. Maintain on a secure network drive a spreadsheet of client information, as develop in coordination with CCO for the purposes of organizing necessary data for providing regular reports to state agencies.
12. Work additional hours when needed to complete required work.
13. Ensure that all clinical services provided are following clinical guidelines of The Guidance Center and regulatory bodies
14. Provide documentation (i.e., notes, reports, other professional products, and grant reports) which complies with TGC's Quality Improvement standards and the requirements of all funding sources.
15. Organize work to meet performance expectations and Center requirements
16. Maintain effective and cooperative working relationship with TGC staff as well as referral sources and community partners.
17. Adapt to changing work priorities and a fast-paced environment while maintaining professionalism
18. Meet supervision requirements and expectations as determined with immediate supervisor.

Position Description

Mental Health Co-Responder

19. Participate in training as directed by the immediate supervisor or TGC management staff.
20. Meet HIPAA standards for confidentiality of medical records
21. Comply with TGC's Corporate Compliance Policy and all laws, rules, regulations, and standards of conduct relating to the Corporate Compliance Policy. The employee understands that he/she has a duty and obligation to report any suspected violations of the Corporate Compliance Policy to the Corporate Compliance Officer or the Executive Director.
22. Abide by the Personnel Policies and Practices of TGC, including ethical standards, as adopted by the Governing Board, and to represent the Center positively to the community.
23. Perform other related duties as assigned by the immediate supervisor or TGC management staff.
24. Regular and reliable attendance is required.

II. PERFORMANCE STANDARDS:

As outlined in scorecard attached to this position description

III. QUALIFICATIONS:

EDUCATION AND LICENSURE:

Master's Degree (or higher) in Psychology, Social Work, Counseling, or related Behavioral Health field of study

EXPERIENCE:

1. Equivalent work experience in the human services field, or a combination of work experience in the human services field and education, with one year of experience substituting for one year of education, may be considered.
2. Two years volunteer or paid experience working with individuals in the community.
3. Valid Driver's License and proof of auto insurance.
4. Crisis intervention experience.
5. Must be able to pass a background check as required by Leavenworth Police Department

SKILLS AND ABILITIES:

1. Individual must successfully complete background checks including information contained within the records of Kansas Bureau of Investigation, Office of Inspector General, Child Abuse Registry, Adult Abuse Registry, and National Practitioner Data Bank.
2. Confirmation of employee history and satisfactory job performance from at least two (2) professional references.
3. Demonstrated excellent organizational skills
4. Computer proficiency, including demonstrated ability to use Microsoft Office or similar applications, and ability to learn use of electronic medical record
5. Demonstrated well-developed oral and written communication skills
6. Access to reliable transportation in order to provide After-Hours services
7. Training and experience in diagnosis and delivery of psychotherapy services, including psychopathology, diagnostic criteria, theory-based therapeutic interventions
8. Comply with the Center's Drug Free Workplace policies

Functional Requirements

Never = 0%, Occasionally = 1% - 33%, Frequently = 34% - 66%, Constantly = 67% - 100%
--

Position Description

Mental Health Co-Responder

<i>Functional Requirement</i>	<i>Never</i>	<i>Occasionally</i>	<i>Frequently</i>	<i>Constantly</i>
Bending/Stooping		X		
Twisting/Turning		X		
Squatting/Crouching		X		
Kneeling		X		
Crawling	x			
Sitting			X	
Standing			X	
Walking			X	
Balancing			X	
Hearing				X
Seeing				X
Speaking				X
Pushing/pulling (specify maximum pounds)		25 LBS		
Lifting (specify maximum pounds) <ul style="list-style-type: none"> • Floor to waist • Waist to shoulder • Above shoulder 		25 LBS 25 LBS 15 LBS		
Carrying (specify maximum pounds)		25 LBS		
Reaching <ul style="list-style-type: none"> • To floor • Waist to shoulder • Above shoulder 		x x x		
Climbing	x			
Fine hand manipulation			x	
Travel (may involve driving)		x		
Environmental exposure (cold, noise, etc.)		x		
Problem Solving				X
Cognitive Reasoning				X
Memorization				X
Reading				X
Math		X		
Supervising	X			
Staff development (e.g., training, coaching, etc.)		x		
Interpersonal skills				X
Writing				X
Telephone Skills				X

Position description was discussed on	Date
Revisions were made?	<input type="checkbox"/> Yes <input type="checkbox"/> No

I have read, fully understand, and agree to fulfill this job position.
Position Holder:

Position Description

Mental Health Co-Responder

Title	
Signature	
Date	
Supervisor:	
Title	
Signature	
Date	



Co-Responder Model & Evidence Based Practices

The co-responder team model is a police-based intervention that pairs trained police officers with mental health professionals to respond to incidents involving individuals experiencing behavioral health crisis. The co-responder will be trained in evidence – based crisis interventions including crisis intervention, Intensive community-based crisis intervention, suicide prevention, trauma informed crisis response, and person-centered approach.

Research on Co-Responder Models has shown promising effects of enhancing crisis de-escalation; increasing individuals' connection to services; reducing pressure on the criminal justice system by reducing arrests and time spent by officers in service calls; reducing pressure on the healthcare system; and promoting cost-effectiveness.

The co-responder clinician will provide onsite de-escalation for community members, complete necessary screens for treatment needs, support Law Enforcement while modeling therapeutic and trauma informed interactions with community members experiencing mental health crisis and provide after- event care and coordination.

Community members will be connected to long-term case management, recovery services, outpatient therapy, and Medication-Assisted Treatment which is a proven pharmacological treatment for opioid use disorder and Recovery Services for outpatient treatment related to substance use.

When co-responders are not in the field responding to a 911 call with LEO, they typically will engage with stakeholders and community members to provide training on effective ways to prevent opioid overdose in their communities, education on mental health disorders, and provide resources in the area.

This model continues to expand in cities and states across the nation. More research is being conducted to prove the effectiveness of the model and outcomes.

□ J. DAVID KAAZ MEMORIAL CAMPUS
500 Limit Street Phone: (913) 682-5118
Leavenworth, KS 66048 Fax: (913) 682-4664

□ ATCHISON COUNTY CENTER
201 Main St. Phone: (913) 367-1593
Atchison, KS 66002 Fax: (913) 367-1627

□ JEFFERSON COUNTY CENTER
1102 Walnut Street Phone: (785) 214-4084
Oskaloosa, KS 66066 Fax: (785) 214-4107

For after-hours emergencies, please call (888) 260-9634.



References

[Co-Responder Models in Policing: Better Serving Communities - National Policing Institute](#)

[Developing and Implementing Your Co-Responder Program | Bureau of Justice Assistance \(ojp.gov\)](#)

[Co-Responder Programs | Behavioral Health Administration \(colorado.gov\)](#)

[SJCResponding to Individuals.pdf \(theiacp.org\)](#)

[Developing and Implementing Your Co-Responder Program - CSG Justice Center](#)

[Evidence-Based Strategies for Preventing Opioid Overdose: What's Working in the United States | Drug Overdose | CDC Injury Center](#)

[Recovery is Possible: Treatment for Opioid Addiction | Feature Topics | Drug Overdose \(cdc.gov\)](#)

[Therapeutic Approaches to Opioid Use Disorder: What is the Current Standard of Care? - PMC \(nih.gov\)](#)

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RESOLUTION NO. B-2302

A RESOLUTION OF THE CITY OF LEAVENWORTH, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.00.

WHEREAS, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing municipalities such as the City of Leavenworth, Kansas (the "City") to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the City's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

WHEREAS, the City believes it has sustained damages related to the opioid epidemic and could potentially recover such damages (the "Claims"); and

WHEREAS, to the extent required by the Act, the City desires to enter an agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

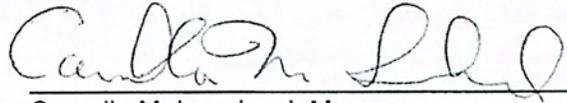
Section 1. Authorization of the Agreement. To the extent required by the Act, the City hereby authorizes the release of its legal Claims arising from covered conduct to the Attorney General, and the assignment of any future legal Claims arising from covered conduct to the Attorney General, pursuant to an agreement to be entered into by and between the Attorney General and the City, in such form as the City Manager and the City Attorney, working with the Attorney General, shall negotiate consistent with the provisions of this resolution (the "Agreement").

Section 2. Execution of the Agreement. The Mayor, City Manager, and other appropriate officers of the City are hereby authorized and directed to execute, seal, attest and deliver the Agreement and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this resolution.

Section 3. Certification of Costs and Expenses. The City hereby certifies that it believes it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500.00 and that the City can utilize the opioid litigation settlement funds for the lawful purposes established in the Act and the Agreement. The Mayor, City Manager, and other appropriate officers of the City are hereby authorized to execute, seal, attest and deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of the City.

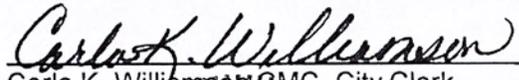
Section 4. Effective Date. This resolution shall be in full force and effect from and after its adoption.

ADOPTED this 14th day of December, 2021, by majority vote of the Governing Body.



Camalla M. Leonhard, Mayor

ATTEST:



Carla K. Williamson, City Clerk

{Seal}



Opioid Abatement Settlement Funds

Eligible Uses and Other Information

August 18, 2022

1. Summary

- a. We will receive settlement funds over the next 18 years
- b. Use of funds is covered under the Kansas Fights Addiction Act (**KFAA**). The State puts the money in the Municipalities Fight Addiction Fund. The MOU for the fund stipulates how money is allowed to be spent.
- c. Per the MOU, the money:
 - i. Must go toward opioid abatement – as defined by the fund.
 - ii. Must be managed separately from other funds (we set up project # 32290- xxxx-G2202).
 - iii. Must be accounted for and all expenditures must be reported to the state. Annual reporting to the Kansas Attorney General's Office is required. Additional guidance will be forthcoming prior to the first reporting deadline.
 - iv. Must be spent towards achieving an opioid abatement goal:
 1. The money cannot be used for general programs such as public safety or public health – unless there is a specific abatement purpose behind the expenditure.
 2. The money must be used on specific and identified abatement programs as outlined in Exhibit E, List of Opioid Remediation Uses (attached).
- d. We are encouraged to consolidate funds with neighboring jurisdictions to maximize impact.
- e. We can apply for additional opioid abatement funds by applying for grants – 25% of settlement proceeds is automatically going to municipalities, 75% goes into a state fund to be distributed through grants.
- f. More information is available at <https://ag.ks.gov/opioids>

EXHIBIT E – List of Opioid Remediation Uses – OVERVIEW
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2. Allowed Opioid Remediation Uses – General Guidelines

- a. All allowable Opioid Remediation Uses refer to the following general guidelines. Use or program:
 - i. Must be **evidence based** or **evidence informed**
 - ii. Expansion of training refers to: first responders, law enforcement, schools, community support groups, and families
 - iii. Focuses on individuals with Opioid Use Disorder (**OD**) and possible co-occurring Substance Use Disorder (**SUD**)/Mental Health Disorders (**MHD**) who are uninsured or whose insurance does not cover the needed service. For the sake of brevity, the word individual in the following summary will refer to individuals with OUD and possible co-occurring SUD/MHD

- iv. Treatment includes recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and wrap-around services such as housing, transportation, placement/training, and childcare
- v. Full continuum-of-care of treatment and recovery services includes: supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
- vi. Exhibit E outlines core strategies and divides approved uses into three categories: **treatment**, **prevention**, and **other uses**.
- vii. There is a focus on education to school based and youth-focused programs
- viii. **SBIRT** refers to Screening, Brief Intervention, and Referral Treatment
- ix. **MAT** refers to Medication-Assisted Treatment
- x. Appendix A contains the names of model programs, as cited by the guidelines

PART ONE: TREATMENT

- 3. Schedule A – Core Strategies: priority shall be given to the following core strategies
 - a. **Naloxone or other FDA-approved drug to reverse opioid overdoses**: Expand training and increase distribution to uninsured/underinsured individuals
 - b. **Medication-Assisted Treatment (MAT)**: Increase distribution, provide education, provide treatment and recovery support services
 - c. **Pregnant and Postpartum Women**: Expand SBIRT services, treatment and recovery services, and comprehensive wrap-around services
 - d. **Expanding Treatment for Neonatal Abstinence Syndrome (NAS)**: Expand support and services for continuum of care, expand long-term treatment and services
 - e. **Expansion of Warm Hand-Off Programs and Recovery Services**: Expand services to begin MAT in hospital ER departments, expand warm hand-off services to transition to recovery services, broaden scope to include individuals with SUD/MHD, provide wrap-around services, hire additional social workers.
 - f. **Treatment for Incarcerated Population**: Provide treatment and recovery support for individuals within and transitioning out of criminal justice system, increase funding for jails to provide treatment to inmates with OUD
 - g. **Prevention Programs**: Media campaigns, prevention programs in schools, medical provider education regarding best prescribing practices, community drug disposal programs, and first-responder training (pre-arrest diversion programs and post-overdose response teams).
 - h. **Expanding Syringe Service Programs**: Provide syringe services programs with more wrap-around services.
 - i. **Data Collection and Research Analyzing the Effectiveness of the Abatement Strategies Within the State**

- 4. Schedule B – Approved Uses
 - a. **Treat OUD and co-occurring SUD/MHD**
 - i. Expand availability of treatment

- ii. Expand telehealth to increase treatment, including counseling & recovery support services
- iii. Improve oversight of Opioid Treatment Programs (OTPs)
- iv. Support mobile services
- v. Provide treatment for trauma
- vi. Support withdrawal management services
- vii. Provide training on MAT
- viii. Support workforce development for addiction professionals
- ix. Offer fellowships for addiction medicine specialists
- x. Offer scholarships and supports for behavioral health practitioners
- xi. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000)
- xii. Disseminate web-based training curricula
- xiii. Develop and disseminate new curricula

b. Support People in Treatment and Recovery

- i. Provide wrap-around services
- ii. Provide full continuum-of-care treatment and recovery services
- iii. Provide housing and housing assistance programs
- iv. Provide community support services, including social and legal services, to assist in deinstitutionalizing individuals
- v. Provide employment training or educational services
- vi. Identify and provide support to successful recovery programs
- vii. Engage non-profits, faith-based communities, and community coalitions to support individuals with OUD and co-occurring SUD/MHD
- viii. Provide training and development to government staff
- ix. Support stigma reduction
- x. Create or support culturally appropriate services
- xi. Create and/or support recovery high schools
- xii. Hire or train behavioral health workers

c. Connect People Who Need Help to the Help They Need (Connections to Care)

- i. Ensure health care providers are screening for OUD and how to appropriately counsel, treat, or refer a patient for OUD treatment
- ii. Fund SBIRT programs, including SBIRT services for pregnant women
- iii. Provide training and long-term implementation of SBIRT in key systems (i.e. health, schools, criminal justice, and probation) with a focus on youth and young adults
- iv. Purchase and support automated versions of SBIRT
- v. Expand services such as navigators and on-call teams to begin MAT in ER rooms
- vi. Provide training for ER personnel
- vii. Support hospital programs that transition individuals with OUD into follow-up care
- viii. Support crisis stabilization centers

- ix. Support the work of Emergency Medical Systems to connect individuals to treatment
- x. Provide funding for peer support specialists or recovery coaches
- xi. Expand warm hand-off services
- xii. Create or support school-based contacts for parents
- xiii. Develop and support best practices on addressing OUD in the workplace
- xiv. Support assistance programs for health care providers with OUD
- xv. Support centralized call centers

d. Address the Needs of Criminal Justice-Involved Individuals

- i. Support pre-arrest or pre-arraignment diversion and deflection strategies
- ii. Support pre-trial services
- iii. Support treatment and recovery courts
- iv. Provide treatment to incarcerated individuals
- v. Provide treatment and support services to individuals that are leaving jail or prison, have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
- vi. Support critical time interventions (CTI)
- vii. Provide training on best practices for addressing the needs of criminal justice-involved individuals

e. Address the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome (NAS)

- i. Support treatment, recovery services, and prevention services for pregnant women
- ii. Expand treatment for uninsured women up to 12 months post-partum
- iii. Provide training for obstetricians
- iv. Expand treatment for NAS babies
- v. Provide training for health-care workers who work with pregnant woman
- vi. Provide child & family supports
- vii. Provide support for children and family who suffered trauma as a result of OUD in the family
- viii. Offer home-based wrap-around services
- ix. Provide support for Children's Services

PART TWO: PREVENTION

f. Prevent Over-Prescribing and ensure Appropriate Prescribing and Dispensing of Opioids

- i. Fund best prescribing practices training for medical providers
- ii. Train health care providers regarding prescribing, dosing and tapering off
- iii. Continuing Medical Education (CME) on prescribing opioids
- iv. Provide support for non-opioid pain treatment
- v. Support improvements to Prescription Drug Monitoring Programs (PDMPs)
- vi. Increase electronic prescribing to prevent diversion or forgery

- vii. Educate dispensers on appropriate opioid dispensing

g. Prevent Misuse of Opioids

- i. Fund media campaigns
- ii. Corrective advertising or affirmative public education campaigns
- iii. Public education relating to drug disposal
- iv. Drug take-back disposal or destruction programs
- v. Fund community anti-drug coalitions that engage in drug prevention efforts.
- vi. Support community coalitions
- vii. Engage non-profits & faith-based communities as systems to support prevention
- viii. Fund prevention programs in schools and community education programs
- ix. Create or support community-based education or intervention services for at-risk youths and adolescents
- x. Support programs and curricula that address mental health needs of young people who may be at risk of misusing opioids or other drugs
- xi. Support great access to mental health services for young people

h. Prevent Overdose Deaths and Other Harms (Harm Reduction)

- i. Increase availability and distribution of naloxone
- ii. Public health entities provide free naloxone to anyone in the community
- iii. Support training and education regarding naloxone and similar drugs
- iv. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training & support
- v. Expand, improve or develop data tracing software for overdoses/naloxone revivals
- vi. Public education related to emergency responses to overdoses
- vii. Public education relating to immunity and Good Samaritan laws
- viii. Educate first-responder regarding immunity and Good Samaritan laws
- ix. Syringe service programs and other programs to reduce harms associated with IV drug use
- x. Expand access to testing and treatment for diseases such as HIV and Hep C resulting from IV drug use
- xi. Support mobile services that offer harm reduction services & treatment
- xii. Provide training in harm reduction strategies
- xiii. Support screening for fentanyl in routine clinical toxicology testing

PART THREE: OTHER STRATEGIES

i. First Responders

- i. Educate law enforcement and first responders regarding appropriate practices and precautions when dealing with fentanyl and other drugs
- ii. Provide wellness and support services for first responder who experience secondary trauma association with opioid-related emergency events.

j. Leadership, Planning & Coordination

- i. Statewide, regional or community planning to identify root causes of addiction and overdose, goals for reducing harms, and populations with greatest need for treatment intervention services
- ii. Create or support a dashboard to share reports, recommendations, plans, and results
- iii. Invest in infrastructure or staffing to support collaborative, cross system coordination
- iv. Provide resources to staff government oversight and management of opioid abatement programs
- k. **Training** – support training to abate the opioid epidemic
 - i. Provide funding for staff training to improve capability of government, community, and not-for-profit entities to abate the opioid crisis
 - ii. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse
- l. **Research** – support opioid abatement research
 - i. Monitor and evaluate opioid abatement programs and strategies
 - ii. Research non-opioid treatment of chronic pain
 - iii. Research improved service delivery of SBIRT and similar programs
 - iv. Research novel harm reduction and prevention efforts such as the provision of fentanyl test strips
 - v. Research innovative supply-side enforcement efforts
 - vi. Expand research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice system
 - vii. Geospatial analysis of access barriers to MAT

Appendix 1: Cited Programs used to illustrate accepted uses

1. FDA’s Real Cost campaign – example of media campaign used to prevent youth from misusing tobacco
2. American Academy of Addiction Psychiatry’s Provider Clinical Support Service for Medication-Assisted Treatment
3. Angel Programs
4. Police Assisted Addiction Recovery Initiative (**PAARI**)
5. Drug Abuse Response Team (**DART**) model
6. “Naloxone Plus” strategies: which ensure individuals who have received Naloxone to reverse the effects of an overdose are linked to treatment and other services
7. Low Enforcement Assisted Diversion (**LEAD**) model
8. Lean County, Florida Adult Civil Citation Network
9. Chicago Westside Narcotics Diversion
10. Hawaii HIPE
11. Dakota 24/7
12. Arrestee Drug Abuse Monitoring (ADAM) system



G/L ACCOUNT DETAIL

Org: 32290 Object: 5899 Project: G2202
Other - Miscellaneous 3932-90-30-290-5899-G2202

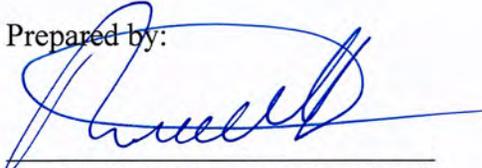
YEAR	PER	JOURNAL	EFF DATE	SRC TR	PO/REF2	REFERENCE	AMOUNT	POSTED
2023	10	435	10/12/2023	GCR 1		ACH-OPIOID	-17,017.95	Y
2023	02	182	02/02/2023	CRP 1	123841		-83,280.21	Y
2022	08	423	08/08/2022	CRP 1	116618		-8,830.67	Y

Total Amount: -109,128.83

** END OF REPORT - Generated by Dan Nicodemus **

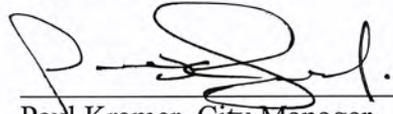
Policy Report No. 2-2024
Revisions to Municipal Code of Ordinances
Chapter 8 Animal Control and Regulations
January 23, 2024

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

ISSUE:

The Police Department is requesting the city commission place an ordinance on first consideration that makes changes to Municipal Code of Ordinances: *Chapter 8. Animal Control and Regulation.*

BACKGROUND:

In the latter part of 2023, the Municipal Court Attorney and the staff at the Animal Control Facility undertook a significant review of the Municipal Court Ordinances that govern Animal Control. The primary purpose of the review is to extend the Municipal Court Judge more latitude in dealing with the variety of circumstances that are dealt with in Municipal Court. Further, to clean up some out of date language and establish a more defined permitting process and the appeal process.

To aid the Municipal Court Judge in rendering the most appropriate decision the following language is proposed throughout the ordinance where it is relevant:

“In addition, the court shall also have the authority to impose the following requirements: order the animal impounded, order the animal into quarantine or a continuation of quarantine, order the quarantine to be served at a specific location, such as a licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animal in the home; place limitations of other animals in the home, order sterilization of the animal, order microchipping of the animal; order requirement of muzzling and kenneling of the animal; order repayment of the kennel fees and other expenses related to the care of animal or other animals; order removal from the city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.”

“In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this ordinance.”

Staff is proposing language that requires a permit for Livestock and Bees.

Section 8-105

- A. Unless regulated elsewhere in the city zoning requirements, a person wanting to own, keep, harbor or shelter any of the following in a residentially zoned area shall be required to apply for and obtain a permit as stated in Article 5 of this Chapter:*
- 1. Livestock, including but not limited to cattle, horses, mules, donkeys, goats, swine, Llamas, Alpacas, sheep, and/or other herd animals.*
 - 2. Bee, unless being owned, kept, harbored, or maintained in an area zoned agricultural and more than 100 yards from a residentially zoned areas.*

The permitting process is more clearly defined and establishes the appeals process through the Chief of Police to the City Manager. (see 8-506)

8-506 Appeals; Fee

- A. Any person aggrieved by or dissatisfied with any of the decisions, rulings, actions or findings by the Chief of Police or his designated representative in regard to denial, revocation or suspension of a permit may, within ten (10) days thereafter, file a written notice or statement of appeal from said decision, ruling, action or finding to the Leavenworth City Manager, or other designee of the Governing Body.*
- B. An administrative fee of \$75 shall be paid to the City Clerk and is required for each appeal to the Leavenworth City Manager, or other designee of the Governing Body, and no appeal shall be set for hearing until such fee has been paid. No appeal shall be set for hearing if it is filed more than ten (10) days after said action, decision, ruling or findings of the Chief of Police or his designated representative from which the party is appealing.*
- C. An appeal shall be scheduled for hearing within forty-five (45) days after the request and fees are received by the City Clerk.*
- D. The filing of an appeal under this subsection shall not stay any action taken pursuant to this chapter.*
- E. The decision of the Leavenworth City Manager, or other designee of the Governing Body, to either affirm or reverse the determination previously made by the Chief of Police regarding the issuance of a permit shall be final.*

Staff is proposing language to 8-601 Feeding Wildlife Prohibited

“The prohibition on feeding wildlife includes the feeding of feral animals and cats.”

BUDGET IMPACT:

There is no budget impact.

STAFF RECOMMENDATION:

Staff recommends approval.

COMMISSION ACTION:

Place an ordinance on first consideration that makes changes to Municipal Code of Ordinances: Chapter 8 Animal Control and Regulation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 (ANIMAL CONTROL AND REGULATION), ADDING NEW AND SUBSTITUTE PROVISIONS THERETO, AND REPEALING THE PREVIOUS CHAPTER AND SECTIONS SO AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. Chapter 8 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

CHAPTER 8. ANIMAL CONTROL AND REGULATION

- Article 1. General Provisions Concerning Animals**
- Article 2. Care for Animals**
- Article 3. Offenses Generally**
- Article 4. Animal Attacks and Dangerous Animals**
- Article 5. Permits and Licensing**
- Article 6. Wildlife**
- Article 7. Livestock**
- Article 8. Shelter, Impoundment and Disposition**
- Article 9. Administration and Enforcement**

ARTICLE 1. GENERAL PROVISIONS CONCERNING ANIMALS

8-101 FINDINGS OF THE GOVERNING BODY

The Governing Body of the City of Leavenworth, Kansas hereby finds that to protect and preserve the public health, safety, and welfare it is necessary to prohibit the ownership of certain animals within the City and to establish regulations governing the ownership of animals allowed within the City.

8-102 DEFINITIONS

As used in this Chapter:

- A. “Abandon” shall mean to leave an animal without demonstrated or apparent intent to recover or resume custody; to leave an animal for more than 24 hours without providing adequate food and shelter for the duration of the absence; failure to pick an animal up within 4 business days from the animal shelter; or to turn out or release an animal for the purpose of causing it to be impounded. (See also K.S.A. 47-1710)
- B. “Animal Shelter”, “animal control”, or “pound” means a facility which is used or designed for use to house, contain, impound, or harbor

any seized stray, homeless, relinquished, or abandoned animal or a person who acts as an animal rescuer, or who collects and cares for unwanted animals or offers them for adoption. This includes any facility operated by the city or its authorized agent meeting the above definition. Animal shelter, control, or pound also includes a facility of an individual or organization, profit or nonprofit, maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing, or maintaining the animals or offering the animals for adoption.

- C.
 - 1. “Cat” shall mean any member of the zoological class, *Felis domesticus*, unless otherwise described herein.
 - 2. “Feral cat” shall mean a non-domesticated feline or cat.
- D. “Dangerous animal” shall mean and include:
 - 1. Any mammal, amphibian, fish, reptile or fowl which is of a species which, due to size, vicious nature or other characteristics would constitute a danger to human life, physical well-being, or property, including but not limited to, lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is 20 pounds or more, foxes, elephants, alligators, crocodiles, and snakes which are venomous or otherwise present a risk of serious physical harm or death to human beings as a result of their nature or physical makeup including, but not limited to, boa constrictors, Madagascar ground boas, green and yellow anacondas, Cuban boas, Indian pythons, reticulated pythons, African rock pythons, Amethystine pythons, Boelen's pythons and all members of the family pythonidae that exceed six feet in length.
 - 2. Any animal having a disposition or propensity to attack or bite any person or animal without provocation. For the purposes of this chapter, where the official records of the Chief Animal Control Officer indicate an animal has aggressively bitten any person or persons, it shall be prima facie evidence that said animal is a dangerous animal.
 - a. A dangerous animal may also be designated as such by the court.
 - b. Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who at the time such injury or damage was sustained,

was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime, or if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

3. Any domesticated dog that has in its known genetic history and/or formal pedigree crossbreeding with the wolf species to include, but not be limited to, animals referred to as wolf-hybrids or wolf-mix breeds or the breed known as Tundra Shepherd. The registration of an animal at any time in any jurisdiction as a wolf-hybrid, wolf mix or Tundra Shepherd shall constitute prima facie evidence the animal is a dangerous animal. For the purposes of this section all references to animals described herein shall be to wolf-hybrids. (See also 8-403)
- E. "Dog" shall mean all animals of the canine species, unless otherwise specifically described herein.
- F. "Domesticated" shall mean bred for and adapted to living dependently in an urban household setting.
- G. "Humane" shall mean a manner of care including, but not limited to, protection from harm, providing of shelter with adequate protection from the elements, ventilation, sanitation, and appropriate food and potable water consistent with the requirements and habits of the animal's species, type, size, age, and condition.
- H. "Kennel" shall mean a place of business where four or more animals are brought, sold, bred, raised, or kept for the purpose of boarding, sale, resale, training or teaching, and which business is done commercially and for profit.
- I. "Livestock" shall mean cattle, horses, mules, donkeys, goats, swine, Llamas, Alpaca, sheep, or other herd animals.
- J. "Officer" shall mean City Animal Control Officer or City Police Officer.
- K. "Own" or "Owning" shall mean to keep, maintain, harbor, shelter, manage, possess, control, sell, trade, buy or have a part interest.
- L. "Owner" shall mean the person who owns, keeps, harbors, shelters, manages, controls, or possesses an animal or specified animal. A parent or legal guardian shall be deemed to be an owner of an animal or specified animal owned or maintained by a minor in the parent's or guardian's charge. Owner shall include a person

who has lawful title, is named on the microchip of the animal, has registered the animal, or has picked the animal up from the shelter or custody of the police department.

- M. "Person" shall mean and include any natural person, association, partnership, organization, or corporation.
- N. "Spay", "neuter", or "sterilize" shall mean to render permanently incapable of producing offspring.

8-103 OWNING CERTAIN ANIMALS PROHIBITED

It shall be unlawful for any person(s) to own, within the City limits, any animal except as excluded in Section 8-104.

8-104 ANIMALS EXCLUDED FROM PROHIBITION

The following list of animals excluded from prohibition under Section 8-103 are also subject to any city zoning requirements.

Animals excluded from the prohibition under Section 8-103, include the following:

- A. Domestic dogs, except:
 - 1. Those hybridized with wild canines; or
 - 2. Those that are "dangerous animals", as defined in Section 8-102(D), unless the owner has complied with all requirements set forth in Section 8-404 Dangerous Animal Permit of this Chapter.
- B. Domestic cats, except:
 - 1. Those hybridized with wild felines; or
 - 2. Those that are "dangerous animals", as defined in Section 8-102(C), unless the owner has complied with all requirements set forth in Section 8-404 Dangerous Animal Permit of this Chapter.
- C. Domesticated rodents.
- D. Domesticated European ferrets.
- E. Rabbits.
- F. Birds and fowl including chickens, ducks, geese, turkey, guineas, and pigeons, except for species protected by state or federal law.

Must be fewer than 15, none maybe roosters, and kept at least 75 feet from any dwelling, other than the owner or tenant thereof.

- G. Nonvenomous snakes less than six (6) feet in length, except that such snakes shall be required to be maintained on the owner's premises or property.
- H. Nonvenomous lizards.
- I. Turtles, except for species protected by state or federal law.
- J. Amphibians.
- K. Fish.
- L. Invertebrates including bees, restrictions and other zoning requirements apply.
- M. Potbellied pigs, restrictions and other zoning requirements apply.
- N. Any animal in the ownership of a veterinary clinic operated by a licensed veterinarian, provided that the animal is properly restrained.
- O. Any animal in the ownership of a person designated and licensed as an animal rehabilitator by the Kansas Wildlife and Parks Department, provided that the animal is properly restrained.
- P. Any animal in the ownership of a person temporarily transporting such animal through the city, provided that the animal is properly restrained.
- Q. Any animal in the ownership of a bona fide medical institution or accredited educational institution, provided that the animal is properly restrained.
- R. Any animal temporarily owned by a facility licensed by the Kansas Animal Health Department for the purpose of impounding, sheltering, or caring for animals, provided that the animal is properly restrained.

8-105

ANIMALS PROHIBITED IN RESIDENTIALLY ZONED AREAS

- A. Unless regulated elsewhere in the city zoning requirements, a person wanting to own, keep, harbor or shelter any of the following in a residentially zoned area shall be required to apply for and obtain a permit as stated in Article 5 of this Chapter:

1. Livestock, including but not limited to cattle, horses, mules, donkeys, goats, swine, Llamas, Alpaca, sheep, and/or other herd animals.
2. Bees, unless being owned, kept, harbored, or maintained in an area zoned agricultural and more than 100 yards from a residentially zoned area.

8-106 LIMIT ON NUMBER OF ANIMALS

A. Except for domesticated rodents, fish, and invertebrates, it shall be unlawful for any person(s) to own, keep or harbor any combination of more than six (6) non-prohibited animals at the same address or on the same premises within the City limits. Of the six (6) animals, no more than four (4) dogs or four (4) cats will be allowed in combination under this limit. This does not include dogs or cats under four (4) months of age.

B. No more than 15 domestic fowl shall be allowed at one time, none of which may be roosters. It is unlawful to keep domestic fowl within 75 feet of any dwelling other than that of the owner or tenant thereof.

8-107 CONFISCATION OF PROHIBITED ANIMAL

An Animal Control Officer, Police Officer, or designee of the Police Chief may take any animal being kept in violation of this chapter into custody and then file a notice to appear and complaint pursuant to 8-906. The Municipal Judge may order the confiscation of any animals being kept in violation of the prohibitions of this chapter. Upon the conviction of a person for owning an animal as prohibited by this chapter, the Municipal Court Judge may order the animal confiscated and transferred to an appropriate licensed animal shelter or care facility. The Municipal Court Judge may order the release of the animal to the owner provided that the animal will not be kept within the city limits, or under any other restrictions or mandates the Court feels is appropriate considering the circumstances of the case.

8-108 PENALTY

Violation of this article shall be a municipal offense for which a mandatory court appearance is required, and upon conviction, the defendant shall be fined no less than \$90.00 nor more than \$500.00 per offense and/or animal plus applicable court costs and/or up to 30 days jail.

In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the

animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

ARTICLE 2. CARE FOR ANIMALS

8-201

CARE FOR ANIMALS (see 11.11 of the UPOC also)

A. Cruel acts and conditions enumerated:

1. It shall be unlawful for any person:

- a. To willfully or maliciously kill, maim, disfigure, or torture, strike, hit or beat with a stick, board, chain, club, or other object; mutilate, burn, or scald with any substance; or drive over any domesticated animal, or cruelly set an animal upon another animal, except that reasonable force may be employed to drive off vicious or trespassing animals; or
- b. By any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with harmful or poisonous substances (it is not the intent of this subsection to prohibit the use of poisonous substances for the control of vermin of significance to the public health); or
- c. To fail, refuse or neglect to provide any animal in said person's charge or custody as owner or otherwise, with proper food, drink, shade, care, or structurally-sound weatherproof shelter appropriate for the type, age and/or size of the animal; or
- d. To drive or work any animal cruelly; or
- e. To leave any animal confined in a vehicle for more than thirty (30) minutes in extreme weather conditions, defined as less than thirty (30) degrees Fahrenheit; or more than five (5) minutes when its more than eighty (80) degrees Fahrenheit; or
- f. To transport an animal in the trunk of a vehicle; or
- g. To cause, instigate, stage, or train any animal to fight or permit any fight between any animal and another animal or human; or

- h. To give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade; or
 - i. To attach chains or other tethers, restraints or implements directly to an animal without the proper use of a collar, harness, or other device designed for that purpose and made from a material that prevents injury to the animal; or
 - j. To continuously picket, tether or stake an animal (excluding those used by businesses for security during non-business hours) for more than four (4) continuous hours, except that tethering or staking of the same animal may resume after a hiatus of one (1) continuous hour, for up to eight (8) hours total time on a tether or stake per day; provided that for the purpose of tethering or staking an animal, a chain, leash, rope or tether shall be at least 10 feet in length; or
 - k. To use a chain, leash, rope, collaring device, tether, or any assembly or attachments thereto to picket an animal that shall weigh more than one-eighth (1/8) of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area picketed; or
 - l. No animal shall be tethered or staked in such manner as to permit it within 10 ft of a public sidewalk or street; or
 - m. To picket an animal in such a manner as to cause injury, strangulation, or entanglement of the animal on fences, trees, or other man-made or natural obstacles.
2. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report any injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law

enforcement agency or animal control agency.

B. Exceptions

Nothing in Subsection (A) of this Section shall:

1. Be deemed to prohibit any action by a licensed veterinarian done in accordance with accepted standards of veterinary medicine, or any action taken by a law enforcement officer pursuant to the interests of public health and safety; or
2. Be interpreted as prohibiting any act done in self-defense or done to defend another person; or
3. Bona fide experiments carried out by recognized research facilities; or
4. Rodeo practices accepted by the rodeo cowboys' association and approved by the city animal control supervisor; or
5. Killing, attempting to kill, trapping, catching, or taking of any animal or fowl in accordance with the provisions of K.S.A. Chapter 32 and 47; or
6. The humane killing of an animal or fowl diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of the city, or the owner thereof within the city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an animal control agency, or by the operator of an animal shelter or pound, or by a local or state health officer, or by a licensed veterinarian four business days following the receipt of any such animal at such society, shelter, or pound.
7. With respect to farm animals or fowl, normal or accepted practices of animal husbandry; or
8. An animal control officer trained in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal or fowl is vicious or could not be captured after reasonable attempts using other methods.

PROCEDURES FOR CARE FOR ANIMALS; FINES

- A. Any public health officer, animal control officer, law enforcement officer, code enforcement officer, or licensed veterinarian may take into custody any animal, upon either private or public property, which clearly shows evidence of violations of care for animals as defined in Section 8-201; provided that entry upon private property shall only be accomplished with the assistance of a law enforcement officer. Such officer, agent or veterinarian may inspect, care for, or treat such animal or place such animal in the care of any facility with which the City has contracted for animal sheltering services or a licensed veterinarian for treatment, boarding or other care or, if an officer of such animal sheltering facility or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane destruction.
- B. The owner or keeper of an animal destroyed pursuant to subsection (A) shall not be entitled to recover damages for the destruction of such animal unless the owner proves that such destruction was unreasonable and unwarranted.
- C. Expenses incurred for the care, treatment or boarding of any animal taken into custody pursuant to subsection (A) pending prosecution of the owner or keeper of such animal for the violations of care for animals as defined in Section 8-201 shall be assessed to the owner or keeper as a cost of the case if the owner or keeper is adjudicated guilty of such crime.
- D. If a person is adjudicated guilty of violations of care for animals as defined in Section 8-201 and the court determines that such animal owned or possessed by such person would be in the future subject to any cruelty to animals, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society, animal shelter or control or licensed veterinarian for sale, adoption, or other disposition.
- E. Unless the animal obtained pursuant to this Section is the evidentiary subject of a pending prosecution or other order of the court, the owner or keeper of the animal shall have a maximum of four (4) business days after the animal is taken into custody to obtain the animal from the veterinarian or the animal sheltering facility having custody of the animal. The veterinarian or the animal sheltering facility shall notify the owner or keeper of the animal, if known or reasonably ascertainable. The failure of the owner or keeper to obtain custody of the animal in the time provided shall provide the Municipal Judge authority to declare that the animal be

disposed of, by the veterinarian or the animal sheltering facility, through either adoption or destruction. (See also K.S.A. 47-1710)

- F. PENALTY. Violation of this article, unless stated elsewhere, shall be a municipal offense for which a mandatory court appearance is required, and upon conviction, the defendant shall be fined not less than \$90.00 nor more than \$1,000.00, plus applicable court costs, per offense. In addition, the defendant may also be sentenced up to a maximum six (6) months in jail or both fine and jail. The court also has authority to confiscate the animal and other animals within the home, prevent the owner from owning or harboring other animals in the city limits, pay all associated costs of care, and any other penalty or restriction as allowed by law.

In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

ARTICLE 3. OFFENSES GENERALLY

8-301 ANIMAL NUISANCES

- A. It shall be unlawful for any person to:
1. Own any animal, including a dog or cat, which by frequent or long continued noise shall disturb the comfort or repose of any person within the vicinity of such animal; or
 2. Own any animal, including a dog or cat, which shall by the nature of their maintenance or by the numbers of the same shall create an offensive odor so as to be objectionable to surrounding residences; or
 3. Own any dog or cat, which is in heat, unless such animal is confined in a secure and sufficiently enclosed area; or
 4. Own a deceased animal and fail to remove and dispose of the carcass within 24 hours of death.

Violation of this Section shall be a municipal offense and upon conviction shall be punishable by a fine of at least \$90.00 up to \$500, plus applicable court costs, per offense and/or animal. See 8-311 for additional penalties and requirements as may be ordered by the court.

8-302 ABANDON OR SURRENDER ANIMAL

- A. It shall be unlawful for any person to:
1. Abandon any animal within the city limits or fail to retrieve an animal after four (4) days at animal control. (See also K.S.A. 47-1710)
 2. Surrender an animal to animal control, animal control officer, or a police officer under false pretenses.

8-303 RESPONSIBILITY FOR REMOVAL OF ANIMAL EXCREMENT

- A. It shall be unlawful for any person to appear with an animal upon the public right-of-way, within public places or upon the property of another, absent that person's consent, without some means for removal of excrement that may be deposited by the animal.
- B. It shall be unlawful for any person who is an owner or possessor of an animal in their care to fail to remove any excrement deposited by the animal upon any public or private property, other than the property of the owner of the animal.

- C. The provisions of this Section shall not apply to persons who have a physical disability or visual impairment, who are using a service animal.

Violation of this Section shall constitute a municipal offense and upon conviction shall be punishable by a fine at least \$90.00 up to \$500, plus applicable court costs, per offense. See 8-311 for additional penalties and requirements as may be ordered by the court.

8-304 ANIMALS RUNNING AT LARGE; FINES

- A. It shall be unlawful for any person to own or keep a dog or other animal which runs at large in the City. Knowledge or acquiescence by the owner or keeper is not an element of the offense.
- B. An animal shall not be deemed to be running at large if:
 - 1. The animal is firmly attached to a leash or chain under the physical control of its owner or keeper; or
 - 2. The animal is within a structure or within a fence enclosure with the permission of the owner or keeper of the structure or fence enclosure; or
- C. Any animal on property without the permission of the property owner shall be deemed to be an animal at large and the owner of such animal shall be in violation of this section.
- D. Cats, domestic or feral, are excluded from this section.
- E. Any person found guilty of a violation of this Section shall be fined as follows: \$50.00 for the first offense; \$100.00 for the second offense; \$150.00 for the third offense; and \$200.00 for the fourth and subsequent offense(s). The fine shall be in addition to any applicable court costs and/or impoundment fees. See 8-311 for additional penalties and requirements as may be ordered by the court.

8-305 HABITUAL VIOLATOR; ANIMAL AT-LARGE

- A. It shall be a separate municipal offense for any person to receive four (4) or more citations for violation of Section 8-304 within a twenty-four (24) month consecutive period. Such person may then be cited as a habitual violator.
- B. Violation of this Section shall be a municipal offense for which a mandatory court appearance is required. Any person found guilty of a violation of this Section shall be fined not less than \$200.00 nor

more than \$500.00, plus applicable court costs and or/impoundment fees, for each habitual violator citation. In addition, the Municipal Judge shall have the authority to sentence the individual to up to thirty (30) days in jail, or both fine and jail. It shall be a defense to an alleged violation of this Section for the defendant to have been adjudged not guilty, or the charge dismissed, for a specific citation issued under Section 8-303.

In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

8-306 PURSUIT ONTO PRIVATE PROPERTY

A law enforcement officer or animal control officer shall have the right of entry upon any private unenclosed lots or lands to pursue and capture any animal, including a dog or cat, found to be running at large or whose presence is in violation of any article of this chapter.

8-307 IMPOUNDING, REDEMPTION AND DISPOSITION

A dog or other animal found running at large or in violation of the articles within this chapter, situated within the corporate limits of the City, may be taken up by the officer or brought in by a member of the public and may be impounded at any facility with which the City manages or has contracted for animal sheltering services. The officer shall make a record of all dogs or other animals so impounded with their description, date of impoundment and rabies vaccination number if available. If, within four (4)

business days from the date any dog or other animal is impounded and the owner of such dog or animal shall appear and claim his or her dog or animal, said dog or animal may be released upon payment of the applicable impoundment fees as set forth by the City and/or the facility providing the sheltering services. All fees required by this Section shall be payable to the City, and no animal shall be released until the animal's owner proves that the animal, if a dog or other animal, is currently immunized against rabies, is properly licensed pursuant to Article 5 of this Chapter, and all impoundment and board fees have been paid in full to the City, unless some other arrangement is agreed to between the parties to accomplish this goal, such as a payment plan or a scheduled veterinarian appointment.

Rabies immunization and licensing are not required until the animal is over four (4) months of age. If said animal is over four (4) months of age and is not currently immunized against rabies and licensed as required, then the owner shall be issued citations for failure to license an animal and for failure to provide proof of rabies immunization. In addition, the owner shall pay for the purchase of a City license tag for the animal, in accordance with the provisions of Article 5 of this Chapter.

Any owner or keeper of a dog or other animal who resides within the city limits of Leavenworth, Kansas and wishes to forfeit or otherwise terminate their ownership of said animal may bring the animal to the Leavenworth City Animal Control for surrender. At such time, the owner shall complete a written statement (including the animal's behavioral history and medical records, if available) irrevocably surrendering ownership of the animal and shall at that time pay a \$100.00 surrender fee to the City. The City expressly reserves the right to refuse to accept custody of any animal offered for surrender.

Any administrative, kennel, boarding, pickup, care, or surrender fees shall be set by the board of commissioners of the city and shall be assessed and collected from the owner of the animal.

8-308

FILING COMPLAINT; ENFORCEMENT

It is hereby made the duty of the animal control officer, or anyone having the authority of an animal control officer, including but not limited to law enforcement officers, to enforce the terms and provisions of this chapter. Pursuant to Charter Ordinance No. 61, and other lawful authority, the animal control officer is authorized to issue citations to the owner of and/or impound any dog or other animal found in violation of the terms of this Chapter. The Chief of Police may appoint persons to be known as animal control officers, whose duties it shall be to assist in the enforcement of this Article as defined by K.S.A. 12-4113(j) and to work under the immediate supervision and direction of the Police Department. (See also Chapter 8, Article 9)

8-309

TRANQUILIZER/STUN GUN/LETHAL FORCE

The Chief of Police or his/her designate shall be authorized to use a tranquilizer gun, Taser, pepper spray, baton, or other lethal force in the enforcement of this chapter. He/she shall be authorized to tranquilize/stun an animal which is impractical or impossible to catch or capture. In circumstances where the officer or another human being is in threat of great bodily harm from an animal, or an animal has been critically injured, lethal force maybe employed against the animal.

8-310

ANIMAL BITES, COMMUNICABLE DISEASE; QUARANTINE

- A. Any animal bite which results in medical treatment of that person by a medical professional shall be reported within 24 hours of the incident to the Leavenworth Police department or animal control office by the treating physician or medical personnel.

- B. **OWNER KNOWN:** Upon receipt of notification from a duly licensed practitioner of medicine or registered nurse that an animal bite incident has occurred, or upon the receipt of reliable and verifiable information that an animal is believed to have rabies or some other serious communicable disease, an officer shall make reasonable efforts to contact the owner of the animal involved in the incident. The owner shall be advised, in conjunction with investigation of the exposure to rabies or other communicable disease of a human or other mammal by another nonhuman mammal, the isolation of the mammal causing exposure shall be as follows:
 - 1. An owned or wanted dog, cat or ferret shall be isolated for ten (10) days at one of the following locations, as determined by the Chief of Police or his/her designee:
 - a. The residence of the owner of the dog, cat or mammal;
 - b. In a veterinary hospital or clinic; or
 - c. At a facility holding a current state pound and shelter license.

At the conclusion of the isolation period, if no symptoms of rabies appear, the Chief of Police or his/her designee shall authorize the release of the dog, cat, or mammal upon payment by the owner of the boarding fee.

If the dog, cat, or mammal is isolated at the residence of the owner, the owner shall allow the Chief of Police or his/her designee access

to animal during the isolation period to verify the isolation.

If the dog, cat, or ferret is isolated in a veterinary hospital, upon isolation the owner shall notify the Chief of Police or his/her designee of the name, address, and phone number of the veterinary hospital.

- B. **FAILURE TO COMPLY:** Any owner who shall fail to comply with the provisions of this Section, within twenty-four (24) hours or one (1) business day of notification, shall be deemed in violation of this Article and the Chief of Police or his/her designee shall take such animal into custody and commit it for the above-described confinement period.
- C. **DISCOVERED OWNER:** If an unknown owner of a suspected dog, cat, or mammal becomes known during the isolation period and seeks to claim the animal, the provisions of subsection (A) shall govern the isolation of the animal.
- D. **STRAY, UNCLAIMED, OR UNWANTED:** Dogs, cats, or other mammal may be sacrificed immediately, and the head may be submitted for laboratory examination for evidence of rabies or other communicable infection.
- E. The management of horses, cattle, and sheep shall be determined by the Chief of Police.
- F. Mammals, other than dogs, cats, ferrets, horses, cattle, or sheep, including the offspring of wild species cross-bred with domestic dogs and cats, skunks, foxes, raccoons, coyotes, bats, and other species known to be involved in the transmission of rabies, whether owned or unowned, shall be sacrificed immediately and the mammals head submitted for laboratory examination for evidence of rabies or other communicable infection. Any mammal that has been vaccinated may be sacrificed and tested if the period of virus shedding is unknown for that species.
- G. Mammals, including rabbits, hares, gerbils, guinea pigs, hamsters, mice, rats, squirrels, chipmunks, and other species not known to be involved in the transmission of rabies, need not be sacrificed and submitted for laboratory examination for evidence of rabies infection, unless the circumstances of the potential exposure to rabies incident, in the judgment of the Chief of Police or his/her designee, indicate otherwise.
- H. The disposition of mammals that are not known to be involved in the transmission of rabies and that are maintained in zoological

parks, shall be in accordance with the judgment of the Chief of Police or his/her designee.

- I. Quarantine of mammals exposed to rabies by a known or suspected rabid mammal shall be as follows:
 1. Stray, unclaimed, or unwanted dogs, cats, or ferrets may be sacrificed immediately.
 2. Dogs, cats, or ferrets that have an owner, are wanted by that owner, and are not immunized against rabies shall be quarantined for six (6) months at one of the following locations, as determined by the Chief of Police or his/her designee:
 - a) in a veterinary hospital; or
 - b) at a facility holding a current state pound and shelter license. These dogs, cats, or ferrets shall be immunized against rabies one month before release from quarantine. All fees for the boarding of the animal must be prepaid.
 3. Dogs, cats, ferrets, horses, cattle, and sheep that have an owner and are wanted by that owner, and for which the owner produces rabies vaccination certificates that contain the following information shall be immediately revaccinated and kept under the owner's control and observed for 45 days:
 - a) the expiration date of the rabies vaccination; and
 - b) positive identification for each of these mammals showing that the mammals are currently vaccinated by a licensed veterinarian with an approved vaccine for that species.
 4. Horses, cattle, and sheep not vaccinated with an approved vaccine for that species may be sacrificed immediately or quarantined for six months under conditions satisfactory to the Chief of Police or his/her designee.
 5. Other mammals may be sacrificed immediately, except for those mammals currently vaccinated with an approved vaccine for that species. Mammals that have been appropriately vaccinated may be immediately re-vaccinated and quarantined for at least 90 days under conditions satisfactory to the Chief of Police or his/her designee.

8-311**PENALTY**

Unless otherwise specified herein, upon a conviction for a violation of any section of this Article, a defendant shall be fined at least \$90.00 up to \$500, plus applicable court costs and fees, and/or imprisonment for not more than thirty (30) days. Each consecutive day's violation shall constitute a separate punishable offense.

In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

ARTICLE 4. ANIMAL ATTACKS and DANGEROUS ANIMALS

8-401 PROHIBITIONS

It shall be unlawful for an animal to attack a domestic animal or human in any of the following ways:

- A. Aggressive animal attack without contact shall mean when an animal, without provocation, exhibits aggression or combativeness toward a person or another domestic animal.
- B. Aggressive animal attack with contact shall mean when an animal, without provocation, exhibits aggression or combativeness that results in scratches, nips, or minor bites to another domestic animal or person that may require medical treatment, but does not meet the definition of a dangerous attack.
- C. Dangerous animal attack shall mean when an animal, without provocation, attacks any human or domestic animal and causes great bodily harm, disfigurement, or death.

8-402 PENALTIES

A violation of Section 8-401 shall be a municipal offense for which a mandatory court appearance is required.

- A. Any person found guilty of a violation of section 8-401(A) shall be fined not less than \$50 nor more than \$200.
- B. Any person found guilty of a violation of section 8-401(B) shall be fined not less than \$100 nor more than \$500.
- C. Any person found guilty of a violation of section 8-401(C) shall be fined not less than \$200 nor more than \$1,000. In addition to the fine imposed, the court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days, or such fine and imprisonment.

Under Section 8-401, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits;

order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

Failure to produce the animal for quarantine in accord with article 8-310 shall result in additional fines and penalties being levied by the court.

DESIGNATION AS DANGEROUS. The court may designate an animal as dangerous pursuant to an attack under 8-401 when it considers the following: the seriousness of any attack or wound; the past history of attacks by the animal; the potential propensity of the animal to attack or inflict wounds in the future; the conditions existing when the animal attacked (such as a trespass or assault by the victim); and the conditions under which the animal is kept and maintained.

If the animal is designated as dangerous, it shall not be returned to the owner unless the court allows its return and orders the owner to comply with 8-404. Failure to comply with section 8-404 within the time frame ordered by the court shall result in the immediate removal of the animal and forfeiture of all rights in the animal.

8-403 DANGEROUS ANIMAL. Except as provided elsewhere in this article, no person shall own, keep, or harbor any Dangerous Animal, as defined in Section 8-102(D) of this Chapter, in the City of Leavenworth.

8-404 EXCEPTIONS; PERMIT AND REGISTRATION REQUIREMENTS
The prohibition on Dangerous Animals in Section 8-403 of this Article shall NOT extend to the following situations, provided that any person or organization desiring to own, harbor or have charge, custody, control, or possession of a Dangerous Animal pursuant to the following subsections has first secured a permit pursuant to Article 5 of this Chapter:

- A. The keeping of such animals in zoos, bona fide educational or medical institutions, museums or any other place where they are kept as live specimens for the public to view, or for the purpose of instruction or study;
- B. The keeping of such animals for exhibition to the public of such animals by a circus, carnival or other exhibit or show;
- C. The keeping of such animals in a bona fide, licensed veterinary hospital for treatment;
- D. Commercial establishments possessing such animals for the purpose of sale or display;

- E. The keeping of a Dangerous Animal as defined in Section 8-102 (D)(2) and (D)(3) herein, provided that the following additional requirements are met for each such animal to be kept pursuant to this subsection, and said permit may only be re-issued on an annual basis, but only after reinspection and confirmation of the following:
1. Each animal shall at all times be securely confined in one of the following manners:
 - a. Indoors, inside a residence or structure equipped with windows and doors that prevent the animal from exiting the structure on its own volition; or
 - b. Outdoors, in a securely enclosed and locked pen or kennel having: six (6) secure sides, which are either anchored to a secure floor or embedded at least two (2) feet into the ground; a secure top attached to the sides; and access controlled by a keyed or combination lock. Said structure must comply with all City building and zoning regulations and must be adequately lighted and ventilated and kept in a clean and sanitary condition;
 - c. If a dog owner uses a dog run to confine an animal, the following minimum requirements apply:
 - 1 dog = 80 sq ft
 - 2 dogs = 96 sq ft
 - 3 dogs = 140 sq ft
 - 4 dogs = 192 sq ft
 - d. Outdoors, outside its kennel or pen but securely restrained with 1) a muzzling device sufficient to prevent the animal from biting persons or other animals, and 2) a leash no longer than four (4) feet in length. Said leash must at all times be under the physical control of a person and shall not be attached to inanimate objects such as trees, posts, buildings, etc.
 - e. Animal must be sterilized.
 2. The owner, keeper or harbinger of an animal under this subsection shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog," or "Beware of _____ (indicate

animal).” In addition, a similar sign shall be posted on the kennel or pen of such animal.

3. Each animal owned, kept, or harbored pursuant to this subsection shall be registered with the City according to the requirements of Article 5 of this Chapter.
4. Each animal owned, kept, or harbored pursuant to this subsection shall be micro-chipped indicating the owner of the animal.
5. The owner, keeper, or harborer of an animal under this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide proof to the Chief of Police, or designee, of public liability insurance in a single incident amount of \$300,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. This shall require a special insurance rider. At the time of application for permit renewal, the owner, keeper, or harborer must show proof of insurance for the present registration period and proof that there was insurance coverage throughout the period of the prior registration year.
 - a. In the event said liability insurance is canceled, lapsed, or for any other reason becomes non-enforceable, said owner, keeper, or harborer shall be in violation of the provisions of this ordinance and subject to the penalties provided herein.
6. The owner, keeper, or harborer of an animal pursuant to this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide to the Chief of Police, or designee, two color photographs of the registered animal clearly showing the color and approximate size of the animal and shall have the animal microchipped.
7. The owner, keeper, or harborer of an animal pursuant to this subsection shall, within ten (10) days of the occurrence of any of the following events, report such event to the Chief of Police, or designee, in writing:
 - a. Death of the animal;
 - b. Birth of offspring of the animal; or

- c. The new address of the animal owner should the owner move within the corporate City limits.

Any animal found to be the subject of a violation of any of the provisions of this subsection shall be subject to immediate seizure and impoundment and shall be delivered to a place of confinement, which may be with any organization which is authorized by law to accept, own, keep, or harbor such animals. In addition, failure to comply will result in the revocation of the license for such animal and the permit providing for the keeping of such animal resulting in the immediate removal of the animal from the City, or euthanasia of the animal, and may result in criminal penalties against the owner of such animal as provided for elsewhere in this Chapter.

8-405 FAILURE TO COMPLY

It shall be unlawful to fail to comply with the permit requirements in 8-404.

8-406 EXEMPTIONS

The provisions of this Article shall not apply to the transportation of such animals through this City, when such transporter has taken adequate safeguards to protect the public and has notified the local law enforcement agency of the proposed route of transportation and the time thereof and shall not apply to dogs kept by law enforcement agencies.

8-407 SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof.

8-408 VIOLATIONS AND PENALTIES

Unless otherwise stated herein, a violation of any provision of this Article shall be a municipal violation for which a mandatory court appearance shall be required. Upon conviction in the Municipal Court, a defendant shall be fined not less than \$50.00 nor more than \$1,000.00, plus applicable court costs and fees, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days, or such fine and imprisonment. In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the

animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

8-409

COSTS TO BE PAID BY RESPONSIBLE PARTIES

Any reasonable costs incurred by the Chief of Police or his/her designated representative in seizing, impounding, confining, or disposing of any dangerous or wild animal, pursuant to the provisions of this Article shall be charged against the owner, keeper, or harbinger of such animal.

ARTICLE 5. PERMITS AND LICENSING

8-501

PERMIT REQUIRED FOR MORE THAN SIX ANIMALS

Any person or organization wishing to own, keep or harbor more than six (6) animals, specifically more than four (4) dogs or cats or other non-prohibited animals or combination of non-prohibited animals at the same address or on the same premises shall be required to obtain a City permit for said ownership.

- A. An application for any permit required pursuant to this Section shall be made to the City Clerk in writing and upon a form furnished by the City Clerk. Said application shall be verified by the person who desires to have, keep, maintain, or have in his/her possession or under his/her control, in the City, the animals for which a permit is required, and shall set forth the following:
1. Name, address, and telephone number of the applicant.
 2. The applicant's interest in such animals and justification why such number of animals should be allowed in the City.
 3. The proposed location, and the name, address, and telephone number of the owner of such location, and of the lessee, if any.
 4. The number and general description of all animals for which the permit is sought.
 5. Any information known to the applicant concerning aggressive or dangerous propensities of all such animals.
 6. The housing arrangements for all such animals with particular details as to safety or structure, locks, fencing, etc.
 7. Safety precautions proposed to be taken.
 8. Noises or odors anticipated in the keeping of such animals.
 9. Prior history of incidents involving the public health or safety involving any of said animals.
 10. Proof of insurance to cover those who may be injured or killed by said animal.
 11. A statement, signed by the applicant, indemnifying the City and its agents and employees for any and all injuries that may result from said animal.

12. Any additional information required by the Chief of Police or his/her designated representative at the time of filing such application or thereafter.

In addition, the applicant shall allow the Chief of Police or his designated representative the ability to inspect the animals and/or property where the animals are to be kept.

- B. The fee for a permit application shall be \$25.00 per permit. The fee is nonrefundable. Said fee shall be payable to the City Clerk at the time of filing the permit application.
- C. Upon the submission of a fully and properly completed application for permit and fees, the City Clerk shall forward the permit application to the Chief of Police or his/her designee. The matter shall be set for hearing not later than 45 days after submission and acceptance of a fully and properly completed application for permit and the appropriate fees.
- D. No permit shall be granted except upon an explicit finding by the Chief of Police or his/her designee, that the issuance of a permit will not be contrary to the public health, safety, and general welfare. The Chief of Police or his/her designee may consider, but is not limited to the following factors in making his/her determination: the possible impact on neighbors and the surrounding area; the possibility of harm to the general public; detriment to the health of the animal(s) or neighboring animals; public nuisance, sanitary or offensive conditions; the noises from the animals and possible odors; the number of animals; planning and zoning requirements; etc. The Chief of Police or his/her designee may attach requirements and conditions to the issuance of the permit which the applicant will be required to comply with.

8-502

PERMITS; OTHER

Any permit which is required under the provisions of this Chapter and not specified elsewhere, shall be subject to the following provisions:

- A. An application for such permit shall be made to the Chief of Police in writing and upon a form furnished by the Chief of Police. Said application shall be verified by the person who desires to have, keep, maintain, or have in his/her possession or under his/her control, in the City, the animal for which a permit is required, and shall set forth the following:
 1. Name, address, email, and telephone number of the applicant.

2. The applicant's interest in such animal and justification why such prohibited animal should be allowed in the City.
3. The proposed location, and the name, address, and telephone number of the owner of such location, and of the lessee, if any.
4. The number and general description of all animals for which the permit is sought.
5. Proof the animal has been micro-chipped.
6. Proof of compliance with keeping a dangerous dog, if applicable, under 8-404.
7. Any information known to the applicant concerning aggressive or dangerous propensities of all such animals.
8. The housing arrangements for all such animals with particular details as to safety or structure, locks, fencing, etc.
9. Safety precautions proposed to be taken.
10. Noises or odors anticipated in the keeping of such animals.
11. Prior history of incidents involving the public health or safety involving any of said animals.
12. Proof of insurance to cover those who may be injured or killed by said animal. Dangerous dog requires a \$300,000 rider policy.
13. A statement, signed by the applicant, indemnifying the City and its agents and employees for any and all injuries that may result from said animal.
14. Any additional information required by the Chief of Police or his/her designated representative at the time of filing such application or thereafter.

In addition, the applicant shall allow the Chief of Police, or his/her designated representative, the ability to inspect the animal and/or property where the animal is to be kept.

- B. The fee for a permit application shall be \$25.00 per permit. The fee is nonrefundable. Said fee shall be payable to the Chief of Police at the time of filing the permit application.

- C. Upon the submission of a fully and properly completed application for permit and fees, the Chief of Police or his/her designated representative shall begin an investigation to determine whether or not the permit should be issued.
- D. No permit shall be granted except upon an explicit finding by the Chief of Police that the issuance of a permit will not be contrary to the public health, safety, and general welfare. The Chief of Police may consider, but is not limited to the following factors in making his/her determination: the possible impact on neighbors and the surrounding area; the possibility of harm to the general public; detriment to the health of the animal(s) or neighboring animals; public nuisance; sanitary or offensive conditions; the noises from the animals and possible odors; the number of animals; planning and zoning requirements; etc. The Chief of Police, or designee, may attach requirements and conditions to the issuance of the permit which the applicant will be required to comply with.

8-503 PERMIT, TERM AND RENEWAL

No permit required by this chapter shall be granted for a period in excess of one year. An application for renewal of any permit shall be made not less than 45 days prior to the expiration thereof and shall be accompanied by a \$25.00 renewal fee. To receive a permit, the owner must agree to provide ongoing authority to the city during the term of the permit and application process to inspect the animal and enclosures.

8-504 PERMIT; INSPECTIONS, INVESTIGATIONS, AND ISSUANCE OF RENEWAL

Prior to the annual renewal of any permit issued hereunder and at least once, the Chief of Police, animal control officer or a designated representative shall inspect the premises subject to such permit to determine whether the person to whom it has been issued is complying or continuing to comply with all of the conditions specified in this Article. In addition, the officer or representative shall investigate the past history of the permit holder to determine whether during the past permit period the permit holder was in compliance with all of the conditions specified in this Article. The investigation may include a review of department records and interviews with the permit holder and neighbors. If the officer or representative determines during any such inspection and investigation that any of the conditions therein specified are being violated or have been noted during the past permit period, he/she shall recommend denial of a renewal of any such permit, and/or he/she shall recommend revocation of such permit in the event that such violation is not corrected within such period of time as she/he shall direct. Upon completion of the investigation and review process provided herein, the Chief of Police or his/her designated representative shall, in the case of a multiple animal permit, recommend to the City Clerk that the permit be renewed or that the

renewal application be denied, and in the case of any other permit required pursuant to this Chapter, either renew or deny the permit.

8-505

PERMIT; REVOCATION AND SUSPENSION

The Chief of Police may, for good cause, revoke any permit or modify any terms or provisions thereof and may, in the event it is reasonably necessary to protect against an immediate threat or danger to the public health or safety, suspend any permit or portion thereof without hearing. Failure to comply with any of the provisions of this chapter shall be considered good cause for revocation or suspension of a permit.

8-506

APPEALS; FEE

- A. Any person aggrieved by or dissatisfied with any of the decisions, rulings, actions or findings by the Chief of Police or his designated representative in regard to a denial, revocation or suspension of a permit may, within ten (10) days thereafter, file a written notice or statement of appeal from said decision, ruling, action or finding to the Leavenworth City Manager, or other designee of the Governing Body.
- B. An administrative fee of \$75.00 shall be paid to the City Clerk and is required for each appeal to the Leavenworth City Manager, or other designee of the Governing Body, and no appeal shall be set for hearing until such fee has been paid. No appeal shall be set for hearing if it is filed more than ten (10) days after said action, decision, ruling or findings of the Chief of Police or his designated representative from which the party is appealing.
- C. An appeal shall be scheduled for hearing within forty-five (45) days after the request and fees are received by the City Clerk.
- D. The filing of an appeal under this subsection shall not stay any action taken pursuant to this chapter.
- E. The decision of the Leavenworth City Manager, or other designee of the Governing Body, to either affirm or reverse the determination previously made by the Chief of Police regarding the issuance of a permit shall be final.

8-507

VIOLATIONS AND PENALTIES

Unless otherwise stated herein, the failure to obtain any permit required pursuant to this Article shall be a municipal violation for which a mandatory court appearance may be required. Upon conviction in the Municipal Court, a defendant shall be fined up to \$1,000.00, plus applicable court costs and fees, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the

county jail for a period not to exceed 30 days, or both such fine and imprisonment. In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

8-508

LICENSING; VACCINATION

No person shall own or have custody of any dog over four (4) months of age unless such dog is licensed as herein provided.

- A. Before a license will be issued, the animal owner must produce satisfactory evidence from a licensed veterinarian, that the dog has been vaccinated against rabies with either of the following:
 - 1. Killed tissue vaccine (also known as "one-year" vaccine) within the 12 months previous to the date of the issuance of the license.
 - 2. Modified live virus vaccine (also known as "three-year" vaccine) within the 36 months previous to the date of the issuance of the license.
- B. The license fee shall be \$20.00 for each dog; however, if spayed or neutered the license fee shall be \$10.00 for each. If the dog is spayed or neutered and microchipped, then the fee shall be \$8.00.
- C. All licenses shall be valid from the date of issuance through March 30th of each year. A late fee of \$10 will be charged for re-issued licenses requested after March 30th, this excludes new animal license requests. The office of the Chief of Police, or designee, city clerk, animal control, or area veterinarian is authorized to issue dog

licenses.

- D. Each person shall, upon purchase of the required license, cause such animal to wear a durable tag furnished by the city for the particular animal for which the license is issued, and bearing the animal's assigned number. In case of the loss of any tag, the police department shall, upon presentation of the original receipt, issue a duplicate tag for a nominal fee. No person shall place upon any animal a City-issued tag other than the one given for the particular animal for which it is issued. Animal tags are non-transferrable to other animals or owners.
- E. It shall be unlawful for an owner or keeper of a dog to fail to:
1. Procure and maintain current rabies vaccination(s) on said animal; and/or
 2. Purchase the annual City license for said animal,

Penalty. 8-508 E(1) and E(2) shall be considered separate offenses and, upon conviction, shall be punishable by a fine of at least \$50 up to \$200, plus applicable court costs and fees. Ongoing non-compliance may result in the court ordering additional penalties that may include: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and kenneling of the animal; order repayment of kennel fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this ordinance.

ARTICLE 6. WILDLIFE

8-601 FEEDING WILDLIFE PROHIBITED.

It is unlawful for any person to feed a wild animal unless licensed to do so, with the exception of small seed eating birds, squirrels, and chipmunks. It is unlawful to place out mineral blocks or salt licks unless they are intended for authorized domestic livestock or part of the Urban Deer Management Program. This prohibition on feeding wildlife includes the feeding of feral animals and cats.

Penalty. Any person, firm or corporation violating any of the provisions of this title shall upon conviction thereof be fined a sum not to exceed \$1,000.00.

8-602 CONTROL OF PIGEONS AND OTHER BIRDS.

(a) Pigeons and other birds roosting or lingering on property or buildings pose a health hazard in addition to the offending of aesthetic senses by pigeon and other bird contamination. Such roosting or lingering is declared to be a public nuisance.

(b) Whenever a written complaint is received by the police department alleging pigeons or other birds lingering or roosting upon the property of the complainant, the police department shall refer such complaint to the health authority. The health officer or his designee shall investigate and, if it is determined that a public nuisance exists, may undertake eradication of the nuisance or authorize the complainant to proceed in a manner to be prescribed in writing by the health officer or his designee to eradicate the problem.

(c) The health officer or other designee may cause a nuisance under this section to be abated as provided in Chapter 28.

Penalty. Any person, firm or corporation violating any of the provisions of this title shall upon conviction thereof be fined a sum not to exceed \$1,000.00.

8-603 URBAN DEER MANAGEMENT; BOW AND ARROW HUNTING AUTHORIZED.

It is unlawful to hunt deer in the city with a bow and arrow except in compliance with the provisions of this article.

8-604 PERMIT REQUIRED; POLICE DEPARTMENT TO ISSUE; NO PERMIT ISSUED TO PERSON UNDER 18 YEARS OF AGE.

(a) Only the owner of a designated private property or persons with the owner's written permission shall be eligible to receive a city permit to bow hunt. The city police department is authorized to issue city deer hunting permits; provided, however, that no permit for hunting shall be issued for hunting on parcels under three acres or for hunting on city property shall be issued without a waiver approved by the city commission.

(b) Application for a permit under this section shall be made to the city police department, on forms provided by the department and shall be accompanied by a valid state deer hunting license and deer tag issued to the applicant and by a permit fee in the amount provided in the city fee schedule. Issuance of the city permit may be limited to a time and area more restrictive than the state license allows.

(c) No city permit will be issued to any person under the age of 18.

8-605 TRANSFER; DENIAL FOR FAILURE TO COMPLY; REVOCATION.

City permits under this division are not transferable. Failing to comply with the requirements of this division may result in the denial of future permits. The police department may revoke the city hunting permit if a hunter violates this division. Revocations may be appealed to the city manager.

8-606 RESTRICTIONS ON USE OF PERMIT.

(a) *Only permit holder may use permit.* Hunting shall only be by the person listed on the city permit. No person shall make any payment to any person for the right to hunt or be listed on the state license and city permit.

(b) *Hunting after consumption of alcoholic beverages prohibited.* No bow hunting will be allowed by license holder that has consumed cereal malt beverages, alcoholic liquor or any controlled substances two hours prior to hunting or during hunting activities.

(c) *Permit and valid photo identification to be carried when hunting.* Persons shall at all times when hunting, pursuant to the city permit, carry valid photo identification and a copy of the city permit and the state license.

(d) *Location restrictions.* No arrow or other object used to hunt deer pursuant to the city permit may be discharged or projected at such an angle or distance as to land on public or private property not described in the permit. No hunting shall be allowed closer than 500 feet to the property boundary of school property which contains a public school or an accredited non-public school during periods when students are in attendance or participating in school activities.

(e) *Use of tree stands required.* All hunting shall be conducted from an elevated tree stand that is at least ten feet in height and faces the interior of the property. The tree stands and shooting lanes will be located in such a way as to direct arrows to the interior of the property and to prevent any arrow from landing closer than 50 yards to any property line. The deer management committee may waive the elevation requirement for a hunter that is unable to climb into an elevated tree stand due to a disability. The urban deer management committee shall take public safety into consideration before granting such a waiver.

(f) *Transport of carcasses.* The transportation of a carcass along any public right-of-way, is prohibited, unless it is covered or hidden from public view.

(g) *Field dressing.* Any activity performed in conjunction with the issuance of the permit, including, but not limited to, field dressing or other handling of the carcass, must occur on the property specified in the city permit. Entrails shall not be left on the property where the deer is killed.

(h) *Time of hunting.* Bow hunting will be allowed one half-hour before sunrise to one half-hour after sunset.

(i) *Type of deer.* An antlerless deer must be harvested before an antlered deer can be harvested.

(j) *Wounded animals.* It shall be the responsibility of a bow hunter to inform the police department by telephone that a wounded deer has left the property and to inform the police department of the deer's probable location. The hunter shall make an attempt to contact the property owner of any adjacent properties prior to entering that property to search for a wounded deer. It shall ultimately be the responsibility of the hunter to find and remove any deer who leave the property.

(k) *Report of harvesting.* Each hunter who successfully harvests a deer will report the hunter's name, the gender of the animal and the location where harvested to animal control in person at the designated city office or by telephone to city animal control during normal business hours.

8-607

PENALTIES.

Violation of this section shall be a Class C public offense.

ARTICLE 7. LIVESTOCK

8-701 RUNNING AT LARGE PROHIBITED; IMPOUNDMENT.

No person shall permit any livestock or domestic fowl to run at large within the city limits, and the animal control office shall take up any livestock or domestic fowl found running at large upon any of the streets, avenues, alleys, sidewalks, parks, or other public grounds in the city for confinement in a pen, building or enclosure designated by the Chief of Police or designee. (See also 8-304)

8-702 KEEPING OF SWINE; POTBELLIED PIGS.

(a) *Prohibited.* It is unlawful for any person to raise or keep any swine in the city except as provided in this section.

(b) *Exception for special events.* Exhibitions of a temporary duration, such as a county fair or at locations provided by the city, may be permitted by the city commission if the swine are being kept by a participant in an educational project of a farm youth program such as 4-H or Future Farmers of America. Such approval shall designate the number of swine which may be kept and shall terminate when the educational program is completed. Approval may be denied by the city if such keeping of swine at the particular location would cause problems of sanitation or would affect the neighbors' enjoyment of their property. The decision of the animal control supervisor shall be final and conclusive.

(c) *Exception for potbellied pig.* It is lawful for a person to own, keep, or harbor in the city not more than one potbellied pig per residential or dwelling unit within the city limits, subject to the following restrictions:

(1) *Spaying or neutering required.* It is unlawful for any person to own, keep, or harbor a potbellied pig within the city limits that is not spayed or neutered within 30 days after attaining the age of three months.

(2) *Registration required.* Potbellied pigs must be registered with the city on or before March 31 of each year. Application for registration shall be made to the city clerk on a form provided by the clerk. The application shall be accompanied by a statement from a licensed veterinarian certifying that the animal is a potbellied pig and that the pig has been spayed or neutered and is in acceptable health, free from diseases.

(3) *Fee.* The application shall also be accompanied by a registration fee in the amount provided in the city fee schedule. An additional fee as provided in the city fee schedule will be charged for late registration after March 31. All fees shall be paid either to a local licensed veterinarian or the animal control facility. From each registration fee collected by a local licensed veterinarian, \$2.00 will be retained by the veterinarian as a service fee.

(4) *Being at large prohibited.* It is unlawful for any person to allow or permit any potbellied pig which is owned, kept, or harbored by him to run or be at-large in or upon the private premises of others or upon the streets, highways, and other public places of the city.

(5) *Property damage prohibited; remedies.* It is unlawful for the owner of a potbellied pig to allow or permit his potbellied pig to damage property of others or cause bodily injury. If the owner is adjudged guilty of a violation of this section, the court may, in addition to the penalty provided for the violation of this Code, order such disposition or destruction of the offending potbellied pig as may seem reasonable and proper.

(6) *Excessive noise prohibited.* It is unlawful for any person who owns, keeps, or harbors, maintains, or permits on any parcel of land or premises under his control any potbellied pig which by loud, continued or frequent oinking, squealing, or grunting shall annoy or disturb the peace and comfort of the inhabitants of any resident or neighborhood or interfere with any person in the reasonable and comfortable enjoyment of life or property. This section shall not apply to the animal control or veterinarians.

8-703

SANITARY REGULATIONS FOR KEEPING LIVESTOCK AND DOMESTIC FOWL

(a) It is unlawful for any person to provide a shelter, barn, stable or building to keep livestock or domestic fowl in the city unless the barn, stable, building or structure is so constructed or equipped with sewage disposal facilities approved by the animal control officer or city-county health department, together with flyproof windows and such other sanitary requirements as may be ordered by the city-county health department or animal control officer.

(b) All pens, yards, barns and other places in which any livestock or domestic fowl are kept in the city limits shall be kept and maintained in a clean and sanitary condition and free from all filth and manure and shall be open and subject to inspection by the police and sanitary officers of

the city-county health department and shall be subject to such orders as the police and sanitary officers of the city-county health department may give relative to keeping the same clean and sanitary and the removal of all filth and manure therefrom.

8-704 KEEPING LIVESTOCK NEAR RESIDENTIAL AND COMMERCIAL BUILDINGS RESTRICTED.

It is unlawful for any person to keep cows, calves, horses, mules, donkeys, goats, kids, sheep or other livestock or farm animals in the city in a building or lot within 200 feet of any residential or commercial building other than that of the owner of such animals. The ratio of the animals to area shall not be greater than one animal per two acres of pasture or field area.

8-705 GRAZING RESTRICTED.

It is unlawful for any person to graze or cause to be grazed any cows, calves, horses, mules, donkeys, goats, kids, sheep or other such animals on any private property, street or parking areas inside the limits of the city. Stock may graze upon private property with the written consent of the owner of such property; however, the ratio of the animals to area shall not be greater than one animal per two acres of pasture or field area. No grazing shall be permitted within 200 feet of any residential or commercial building other than that of the owner of the animal.

8-706 SALES AREAS OR STOCKYARDS PROHIBITED IN FIRE ZONE NO. 1.

No person shall keep or maintain within Fire Zone No. 1 any sales area or stockyard where horses, mules, asses, jennies, sheep, swine, cattle or other animals shall be confined for sale or other purposes.

8-707 HORSEBACK RIDING.

(a) It is unlawful for any person to engage in horseback riding on public or private property within the city except as provided in this section.

(b) It is unlawful for any person to engage in horseback riding on private property within the city without the express consent of the owner of such property.

(c) It is unlawful for any person to engage in horseback riding in public parks or other public grounds unless expressly authorized by the police chief.

(d) It is unlawful for any person to engage in horseback riding in that portion of the public right-of-way adjacent and parallel to public streets commonly referred to as parkings, being that portion of the right-of-way not open to vehicular traffic.

(e) The city manager or police chief may authorize horseback riding for special events upon the completion of an application with the city clerk's office.

8-708

IMPOUNDMENT AND DISPOSITION OF LIVESTOCK

(a) *Applicability of procedure.* The procedure provided in this section shall apply only to livestock and domestic fowl.

(b) *Duty of animal control officer to impound and provide appropriate care.* It is the duty of the animal control officer to take up any livestock or domestic fowl found running at large upon any of the streets, avenues, alleys, sidewalks, street parking areas, parks or other public grounds in the city. The animal control supervisor is the keeper of the shelter, pen, building or enclosure used for the housing of impounded livestock and domestic fowl and shall provide suitable and necessary food and shelter for impounded animals.

(c) *Sale of unredeemed animals; notice of sale.* An animal taken up and impounded under this article may be sold at public sale by the animal control supervisor at any time after the expiration of five days from the time of impoundment. The animal control supervisor shall give at least five days' previous notice of the time and place of such sale in the official city paper.

(d) *Clerk to attend sales, keep records.* The city clerk, or someone authorized to act in the city clerk's stead, shall attend all sales of animals under this section and keep a record of such sale with a description of the animal, the date of sale, the price paid, and identity of the purchaser. It shall be the duty of the animal control officer to notify the city clerk of the time and place of sale of any animals.

(e) *Deposit of net sale proceeds into city treasury.* The proceeds arising from sales of animals under this section, after deducting the costs of impoundment and care shall be paid to the city clerk.

(f) *Redemption by owner; fees.* The owner of impounded livestock or domestic fowl may redeem the animal prior to sale by making application to the animal control officer and paying the greater of:

- (1) The actual cost of impoundment, care and feeding, including veterinary care; or
- (2) An impoundment fee and a daily upkeep fee in the amount provided in the city fee schedule.

(g) *Payment of net sale proceeds to owner after sale.* If the owner's application for redemption is made after sale of the animal and the owner presents satisfactory proof of ownership, the owner may receive the net sale proceeds upon the following terms and conditions:

- (1) If application is made by the owner before payment of the sale proceeds into the city treasury, the sale proceeds, after deducting the costs of taking up and impounding the animal, shall be paid to the owner. The owner shall sign a receipt for such proceeds which shall be delivered to the city clerk.
- (2) If application is made by the owner after deposit of the sale proceeds into the city treasury, the animal control supervisor shall certify the facts to the city commission, including the costs of taking up and impounding the animal and the total sale proceeds. The city commission may then direct that the net proceeds, after deduction of impoundment costs, be paid to such claimant in the manner provided by law.

8-709

PENALTIES

Unless otherwise stated herein, a violation of this Article shall be a municipal violation for which a mandatory court appearance may be required. Upon conviction in the Municipal Court, a defendant may be fined up to \$1,000.00, plus applicable court costs and fees, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days, or both such fine and imprisonment. In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the

animal; order microchipping of the animal; order requirements regarding muzzling and keeping of the animal; order repayment of impoundment fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony fees necessitated by the enforcement of this ordinance.

ARTICLE 8. SHELTER, IMPOUNDMENT AND DISPOSITION

8-801 ANIMAL SHELTER RECORDS AND REPORTS.

The animal control supervisor shall keep accurate account of all animals received at the animal shelter and released to the owner or purchaser, showing the date and from whom received, the description of the animal, and the name and address of the person releasing or purchasing. The supervisor shall keep an accurate account and description of all animals destroyed, and an accurate and complete account of all moneys received during the months under the provisions of this chapter, together with a statement of the number of animals received, the number destroyed, the number released or adopted, and the number on hand at the end of the month.

8-802 REGISTRATION OF PERSONS DELIVERING ANIMALS TO SHELTER; ADOPTION PROGRAM FEES.

(a) The animal control supervisor shall not receive an animal into the animal shelter from any person unless the person shall submit proof of identification and give his full name and place of residence, which shall be registered and a proper record thereof kept by the animal control supervisor.

(b) It is unlawful for any person delivering to or receiving any animal from the animal shelter to give any false information concerning such animal. Any animal given to the pound by its owner, harbinger or keeper for disposition may immediately be adopted or destroyed in a humane manner.

(c) The animal shelter will accept animal owner relinquishments of their own animal and abandoned animals. The animal surrendered or abandoned will be accompanied with vaccination papers and any other medical history documentation to the extent available. (See also 8-302)

(d) The owner will complete a background form to facilitate direct entry of the animal into the adoption program and pay the fee therefor in the amount provided in the city fee schedule.

8-803 ADOPTION OF UNCLAIMED ANIMALS FROM SHELTER; SPAYING OR NEUTERING REQUIRED.

(a) An animal may be adopted by any person that agrees in writing to furnish proper care to the animal in accordance with this chapter and pays all required fees, including any medical care costs, incurred during impoundment. Adoption fees are as set out in the city fee schedule and

may be waived by the police chief or city manager. It is unlawful for any person to fail to fulfill the terms of the written agreement required by this section.

(b) Pursuant to K.S.A. 47-1731, no dog or cat may be transferred to the permanent custody of a prospective owner by the animal shelter unless:

(1) The animal has been surgically spayed or neutered before the physical transfer of the animal occurs; or

(2) The prospective owner signs an agreement to have the dog or cat spayed or neutered and shall be given a voucher covering the cost of spay or neutering with a city contracted veterinarian. The prospective owner shall spay or neuter the dog or cat within the time specified in the agreement and provide proof of such completed requirement; provided, however, that nothing in this section shall be construed to require sterilization of a dog or cat which is being held by the animal shelter and which may be claimed by its rightful owner within the holding period established in K.S.A. 47-1710.

8-804

TRANSFER TO ANOTHER ANIMAL CONTROL AGENCY OR APPROVED ANIMAL PROGRAM.

(a) An animal eligible for adoption may be transferred to an animal control agency or approved animal program under the following criteria:

(1) The animal control agency or animal program must be licensed by the governmental body in which they operate.

(2) The animal control agency or animal program must be approved by the city police chief for transfer of such animals.

(3) The animal control agency or animal program must guarantee that the transferred animal will be spayed or neutered according to state statute and city ordinance.

(4) The animal control agency or animal program must guarantee to provide any necessary veterinary care for transferred animals and agrees city animal control and the city will not be responsible for any such care that the animal may need from the time of transfer forward.

(5) The animal control agency or animal program agrees that any transferred animal becomes their property and is not eligible for return to the city animal control facility.

(b) The city may cancel any transfer arrangement developed under this section for any reason, at any time.

(c) The animal control agency or animal program requesting transfers under this section will receive no priority access to any animal available for adoption or transfer, beyond the ability to test available animals for suitability for any special animal program and they may accept or reject them based upon these tests.

(d) There will be no fees associated with transfers to animal control agencies or animal programs approved under this section, however the animal control agency or program will be responsible for and shall pay at or before the time of transfer any medical costs incurred by the city during impoundment.

8-805

DISPOSITION OF IMPOUNDED ANIMALS.

(a) If the owner, harborer, or keeper of any animal impounded by the city shall fail to demonstrate an apparent intent to recover or resume custody of such animal within four business days from the time the city takes possession of the animal, the city shall notify the owner, harborer or keeper in writing that, if the owner, harborer, or keeper does not make arrangements to recover or resume custody of the animal within three business days, the animal will be placed for adoption or destroyed as an abandoned animal. (See also K.S.A. 47-1710)

(b) The three business days shall be counted beginning at the conclusion of the initial four-business-day period. If the owner, harborer or keeper fails to make such arrangements within such time, the animal shall be placed for adoption or destroyed in accordance with this chapter and the owner, harborer or keeper will be responsible for providing impoundment and care costs incurred during the impoundment period.

(c) Notice in writing shall be delivered by U.S. Mail postage prepaid at the address listed with animal control or public record. In the event the notice by mail is not returned it shall be presumed delivered.

(d) This section shall not apply when specific requirements for impoundment and disposition of particular classes of animals are provided elsewhere in this chapter.

(e) In no event shall the impoundment facility release an animal to an owner if the owner has failed to pay a fine or has failed to appear in municipal court for the adjudication of a violation of this chapter.

8-806

WRONGFULLY ATTEMPTING TO CAUSE ANIMAL IMPOUNDMENT.

(a) It is unlawful for any person to turn loose or cause to be turned loose from any pen or enclosure any animal for the purpose of causing such animal to be impounded.

(b) It is unlawful for any person to take or drive any animal from any enclosed lot or track of ground or from or out of any stable or other building, to any pound in the city, with the intent that such animal shall be impounded, or to drive or entice any animal from beyond the limits of the city into any such pound, or to aid or abet the same.

8-807 INTERFERENCE WITH IMPOUNDMENT OR IMPOUNDED ANIMALS.

(a) It is unlawful for any person to obstruct, hinder or prevent the impounding of any animal running at large, contrary to the provisions of this chapter.

(b) It is unlawful for any person to break open, destroy or injure the city pound, or any door, gate, fence, or enclosure thereof, or to take or attempt to take any animal impounded by the city, or assist, advise or counsel another person to do the aforementioned acts, without city approval and without first paying all fees and costs of impoundment.

8-808 PENALTY.

Unless otherwise stated herein, a violation of this Article shall be a municipal violation for which a mandatory court appearance may be required. Upon conviction in the Municipal Court, a defendant may be fined up to \$1,000.00, plus applicable court costs and fees, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days, or both such fine and imprisonment. In addition, the court shall also have authority to impose the following requirements: order the animal impounded; order the animal into quarantine or a continuation of a quarantine; order the quarantine to be served at a specific location, such as licensed veterinary office, animal shelter, or home of the owner; order registration and vaccination of the animal and other animals in the home; place limitations of other animals in the home; order sterilization of the animal; order microchipping of the animal; order requirements regarding muzzling and keeping of the animal; order repayment of impoundment fees and other expenses related to the care of the animal or animals; order removal of the animal from city limits; order the surrender of the animal; order revocation of registration; order revocation of the ability to own or register an animal in the city limits; designate the animal as dangerous; order euthanasia of the animal; and order such other requirements as deemed necessary by the court to ensure the health and safety of the community.

In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care, and testimony fees necessitated by the enforcement of this ordinance.

ARTICLE 9. ADMINISTRATION AND ENFORCEMENT

8-901 ENFORCEMENT OFFICIALS.

Except where otherwise provided, it shall be the duty of the animal control supervisor, with the assistance of staff and police, to administer and enforce the provisions of this chapter. It shall be the duty of the police to assist the animal control supervisor and the staff of the animal control supervisor with their enforcement efforts, and the police shall have full authority to enforce the provisions of this chapter.

8-902 AUTHORITY OF ANIMAL CONTROL OFFICERS; ENTRY ONTO PRIVATE PROPERTY.

(a) *Invitation by owner.* The animal control officer or police officer shall be permitted to enter on private property to capture an animal when the animal control officer is invited onto the property by the property owner or person having charge of such animal.

(b) *General power of enforcement officers.* In addition, when necessary to make an inspection, to enforce any of the provisions of this chapter, or when there is reasonable cause to believe that there exists in any building or upon any premises any condition or violation which creates an unsafe, dangerous or hazardous condition, the animal control supervisor, police officer, or appropriate code enforcement officer or the authorized representative of such officer may enter such building or premises at all reasonable times to inspect such building or premises so as to perform any duty imposed by this chapter, provided that:

(1) If the building or premises is occupied, the officer shall first present proper credentials and request entry. If the building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

(2) If entry is refused, the animal control supervisor, police officer, or appropriate code enforcement officer or the authorized representative of such officer shall have recourse to every remedy provided by law to secure entry.

(c) *Inspection warrants.* When the animal control supervisor, police officer, or appropriate code enforcement officer or the authorized representative of such officer shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having the charge, care or control of any building or premises shall fail or neglect, after proper

request is made as provided in this section, to promptly permit entry therein to the animal control supervisor, police officer, or appropriate code enforcement officer or their authorized representative for the purpose of inspection and examination pursuant to this chapter.

(d) *Implied consent to enter upon private property for enforcement.* In the interests of animal control enforcement, animal rescue, and open violation enforcement, any person keeping or harboring any animal in this city by so doing does authorize the animal control supervisor or appropriate code enforcement officer or their representatives, or police officers, to enter without warrant upon private property, except inside any residential structure, which such person owns or controls and where such animal is to be found, in plain sight, for the purpose of enforcement of this chapter, and to seize such animal from the private property to abate an ordinance violation.

(e) *Neglected, abused or suffering.* By the authority of the city to so provide and by the authorization stated in this section, any animal that is deemed by the animal control supervisor to be neglected or abused in violation of this chapter, and suffering, may be seized from the property of its owner or keeper to abate the suffering of that animal, and it may be confined at the animal shelter for disposition under the terms of this chapter.

8-903 PROCEDURE FOR PROSECUTION OF VIOLATIONS.

(a) For purposes of this Chapter the term “City of Leavenworth Officer or Employee” shall mean: a law enforcement officer, clerk of the municipal court or duly appointed representative, or animal control officer. No provision of this Chapter shall be construed to empower the clerk of the municipal court or duly appointed representative, or animal control officer with the powers of arrest, search, detention, or other powers of law enforcement officers, except as provided by law.

8-904 COMPLAINT; SERVICE; NOTICE TO APPEAR OR WARRANT; FAILURE TO ISSUE.

(a) A copy of the complaint shall be served, together with a notice to appear by a “City of Leavenworth Officer or Employee” upon the accused person, and forthwith, the complaint shall be filed with the municipal court, except that a complaint may be filed initially with the municipal court, and if so filed, a copy of the complaint shall forthwith be delivered to the city attorney. If a warrant is to issue, it shall only be served by a law enforcement officer in the same manner as prescribed herein.

(b) If a city attorney fails either to cause a notice to appear or to request a warrant to be issued, on a complaint initially filed with the municipal court,

the municipal judge may, upon affidavits filed with him or her alleging the violation of an ordinance, order the city attorney to institute proceedings against any person. Any such municipal judge shall be disqualified from sitting in any case wherein such order was entered and is further prohibited from communicating about such case with the municipal judge pro tem appointed by the municipal judge to preside therein.

8-905

NOTICE TO APPEAR; CONTENTS; FORM.

A notice to appear shall describe the offense charged, shall summon the accused person to appear, shall contain a space in which the accused person may agree, in writing, to appear at a time not less than five (5) days after such notice to appear is given, unless the accused person shall demand an earlier hearing. A notice to appear may be signed by a municipal judge, the clerk of the municipal court, the city attorney, or a "City of Leavenworth Officer or Employee."

A notice to appear shall be deemed sufficient if in substantially the form of the notice to appear, to wit:

IN THE MUNICIPAL COURT OF _____, KANSAS
The City of _____, Kansas
vs.

(Accused person)

(Address)

NOTICE TO APPEAR

The City of _____, Kansas, To The Above Named Accused Person.
You are hereby summoned to appear before the Municipal Court of _____, Kansas, on the ____ day of _____, 20__, at _____ o'clock, _m., to answer a complaint charging you with

If you fail to appear a warrant will be issued for your arrest.
Dated _____, 20__.

Signature of Official

Title of Official

I agree to appear in said Court at said time and place.

Signature of Accused Person

RETURN

The undersigned hereby certifies that on the ____ day of _____, 20__, the notice to appear was served, mailed or delivered.

Law Enforcement Officer,
City of Leavenworth Officer or Employee

8-906

UNIFORM COMPLAINT AND NOTICE TO APPEAR.

(a) A complaint and notice to appear, as described in Section 8-904 and 8-905, maybe issued by a uniform complaint and notice to appear that substantially incorporates the required information in each section.

(b) A Uniform Complaint and Notice to Appear shall be served upon the accused person by delivering a copy to the accused personally, or by leaving it at the dwelling house of the accused person or usual place of abode with some person of suitable age and discretion then residing therein, or by mailing it to the last known address of said person.

(c) The Uniform Complaint and Notice to Appear may be served by a "City of Leavenworth Officer or Employee" within the state and, if mailed, shall be mailed by such "City of Leavenworth Officer or Employee." Upon service by mail, the "City of Leavenworth Officer or Employee" shall execute a verification to be filed in Municipal Court with the copy of the notice to appear. Said verification shall be deemed sufficient if in substantially the following form:

The undersigned hereby certifies that on the ____ day of _____, 20__, a copy of the Uniform Complaint and Notice to Appear was mailed to _____ (the accused), at _____ (address of the accused).

Signature of Leavenworth City Officer or Employee

(See Charter Ordinance No. 61)

Section 2. Chapter 8 of the Leavenworth Code of Ordinances in existence as of and prior to the adoption of this ordinance, is hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

PASSED and APPROVED by the Governing Body of the City of Leavenworth on the ____ day of _____, 2024.

Griff Martin, Mayor

(SEAL)

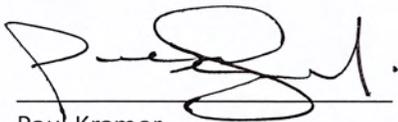
ATTEST:

Sarah Bodensteiner, CMC, City Clerk

Policy Report

Staff report – Form of government and swearing in process
January 23, 2024

Prepared by:



Paul Kramer
City Manager

Issue:

The City Commission has expressed an interest in formalizing the current practice regarding the annual selection of Mayor and Mayor Pro Tem. The City Manager's Office and City Attorney will outline the general issue and indicate how that change can be incorporated into existing City Code.

In addition, following the 2023 decision to remove the first meeting of each month (A Study Session occurring on the first Tuesday), a special meeting was required to swear in newly elected officials in December 2023. City Code requires that newly elected officials take the oath of office on the first Tuesday of December. Therefore, staff would like to discuss with the governing body whether that special meeting would still be the preferred method for swearing in newly elected officials, or if City Code should be changed to another date – possibly at a regularly scheduled meeting.

ORDINANCE NO. _____

AN ORDINANCE REGARDING THE SELECTION OF THE MAYOR FOR THE CITY, AMENDING SECTION 2-22 (MAYOR AND MAYOR PRO TEM) OF ARTICLE II (CITY COMMISSION) OF CHAPTER 2 (ADMINISTRATION) OF THE LEAVENWORTH CODE OF ORDINANCES, AND ESTABLISHING A NEW AND REPLACEMENT SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. Section 2-22 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

Sec. 2-22. – Mayor and mayor pro tem.

- (a) The city commission shall have a chairperson to serve for a one (1) year term, and the chairperson shall have the title of mayor during the year of office, to the end that the city shall have an official head on formal occasions. The city commission shall also have a vice-chairperson to serve for a one (1) year term, and the vice-chairperson shall have the title of mayor pro tem during the year of office, to the end that the city shall have an official head on all formal occasions in the absence of the duly elected mayor.
- (b) Commencing with the first Tuesday in December 2023, the then-current mayor pro tem shall serve as mayor for the upcoming year until the first Tuesday in December 2024. Commencing with the 2023 general election and every subsequent general election thereafter, the candidate receiving the largest number of votes (elected for a four-year term) shall serve as mayor pro tem commencing as of the first Tuesday in December immediately following such last general election, and until the first Tuesday in December of the following year. Commencing with the first Tuesday in December 2024, and then commencing with the first Tuesday of every December thereafter, the then-current mayor pro-tem shall serve as mayor for the upcoming year until the first Tuesday in December of the following year.
- (c) In case of a vacancy in the office of mayor occurring by reason of resignation, death, removal from office or when the mayor no longer resides in the city, the mayor pro tem will fill the vacancy by serving as mayor through the expiration of the then-current term. The mayor pro tem shall then serve as mayor for his or her own term as provided in subsection (b) above.
- (d) In case of a vacancy in the office of mayor pro tem occurring by reason of resignation, death, removal from office or when the mayor pro tem, the governing body shall elect, by a majority of those commissioners present, a new mayor pro tem from those commissioners serving at the time of the vacancy within thirty (30) days from the vacancy to serve through the expiration of the then-current term. The mayor pro tem shall then serve as

mayor for his or her own term as provided in subsection (b) above. In the event of a tie vote in the selection of a new mayor pro tem, the tie shall be broken by a coin flip.

Section 2. Section 2-22 of the Leavenworth Code of Ordinances in existence as of and prior to the adoption of this ordinance is hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

PASSED and APPROVED by the Governing Body on the _____ day of _____, 2023.

Jermaine Wilson, Mayor

{SEAL}

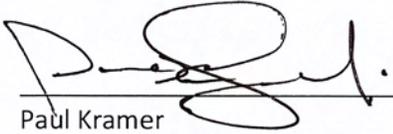
ATTEST:

Sarah Bodensteiner, CMC, City Clerk

Policy Report

Staff report – Goal-setting and budget calendar
January 23, 2024

Prepared by:

A handwritten signature in black ink, appearing to read 'Paul Kramer', written over a horizontal line.

Paul Kramer
City Manager

Issue:

The City Manager will present a draft of the 2024 City Commission goal-setting and budget calendar for discussion.

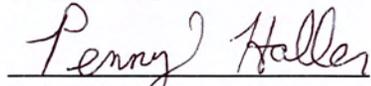
Attachment: Calendar draft

Preliminary 2025 Budget Calendar

Feb 2 (Friday)	Budget Team meeting: Pre-budget planning for roll-out.
Feb 14 (Wednesday)	Distribute 2024 Budget Excel workbooks to Department Teams.
Feb 14 – Apr 26	Department Teams develop their 2025 budgets. Finance will be available for analytical support as requested. Completed workbooks are due to Finance no later than Friday, April 26th.
Mar 4 (Monday)	Budget Team meeting: 2025 budget planning (we expect to receive assessed values on or about February 28 th)
Mar 22 (Friday)	Half-day Goal Setting meeting with City Commission
Mar 29 (Friday)	Deadline for 2025 – 2029 CIP requests. CIP requests must indicate if the item being requested is already present on the 2024 – 2028 CIP Program or if it is a new item.
April 8 (Monday)	Finance forwards 1 st draft of CIP Budget to City Manager and Assistant City Manager.
Apr 10, 11, 12 (Wed, Thu, Fri)	Director Teams meet with Budget Team to review and prioritize CIP requests
Apr 26 (Friday)	Deadline for Department Teams to deliver completed 2025 excel budget workbooks to Finance. This is also the deadline for 2025 notes to be complete. Deadline for CIP changes.
May 3 (Friday)	Finance forwards 2nd draft of CIP Budget to City Manager and Assistant City Manager.
May 13 (Monday)	Finance forwards 1 st draft of 2025 operating budget to City Manager and Assistant City Manager. Schedule Budget Team meetings as necessary.
May 21 Study Session	CIP Budget Meeting with City Commission
May 22 – 24 (Wed, Thu, Fri)	Director Teams meet with Budget Team to review operating budget requests and make any discuss potential CIP changes.
May 31 (Friday)	Deadline for Department Teams to submit operating budget changes prior to Finance printing the budget books. (We expect to receive County Clerk’s budget information, including RNR, on or about June 7 th)
Jun 18 Study Session	City Manager presents 2025 Budget Overview PowerPoint to City Commission. Budget books will be available for pick-up by Commissioners at this meeting
Jun 28 (Friday) All Day Meeting	All day budget meeting with City Commission and all Department Heads.
Jul 1 (Monday)	Finance begins process of creating 2025 Kansas Budget Book and entering the budget into Munis. This must be completed by Friday, July 26 th .
Jul 23 (Tuesday) Commission Mtg	City commission considers resolution for public hearing to exceed the revenue neutral rate.
Jul 24 (Wednesday)	Notify County Clerk of intention to exceed the revenue neutral rate.
Jul 26 (Friday)	Finance Department’s deadline to have Kansas Budget Book and Munis 2025 budget complete.
July 30 (Tuesday)	Publish notice of hearing to exceed revenue neutral rate and adopt 2025 budget.
Aug 27 (Tuesday) Commission Mtg	Public Hearing to Exceed Revenue Neutral Rate and Adopt 2025 Budget
Sep 16 (Mon)	Finance forwards adopted 2024 budget to County Clerk

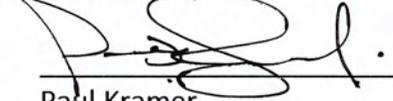
STAFF REPORT
Leavenworth 2030 Comprehensive Plan Update
January 23, 2024

Prepared By:



Penny Holler
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 in the last year 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. *Worked with the 9th and 10th Cavalry/Buffalo Soldier Association on continued planning for a new museum (Frontier Museum of the U.S. Army).*
 - b. *Convention and Visitor's Bureau promoted historic and cultural resources on Facebook, including event promotions. [Local Action to Improve social media presence of historic resources]*
 - c. *Awarded CVB tourism marketing grant for the First Nations Cultural Festival held September 30, 2023 [Local Action to Emphasize the importance of documenting specific cultural groups such as African Americans, American Indians and Hispanics]*
 - d. *CVB promoted historic and cultural events in its tourism magazine and emailed newsletters [Local Action to Develop newsletter content to spread awareness and keep recipients informed of historic and cultural news and events]*
2. Preserve our historic and cultural resources, creating places people want to live, work, gather and visit.
 - a. *Volunteers continued to restore and promote City-owned, historic Greenwood Cemetery, providing information and tours. [Local Action to Protect and build community understanding of significant cultural and historic sites and resources]*
 - b. *After City involvement in redevelopment, the 1890 building at 600 Cherokee Street in the Downtown Historic District opened as a brewery in 2023, drawing locals and tourists to the site for regular business and the Octoberfest street festival.*
3. Incentivize historic and cultural preservation
 - a. *Continued ARPA-funded pilot grant program that supports fire suppression and ADA improvements for existing buildings. [Local Action to Highlight cases in which preservation has increased property owner options rather than restricted them]*
 - b. *2023 Business Symposium included the Kansas Department of Revenue addressing state tax credits and programs for historic and other building work. [Local Action to Coordinate public*

outreach opportunities to include historic preservation opportunities.]

- c. *Participated in Grow Leavenworth County/Network Kansas lender lunches for banks, including those working with entrepreneurs considering a building purchase for their business venture. [Local Action to Work with local lending institutions to establish low-interest loans and other incentives to encourage property maintenance and preservation]*
 - d. *RFP issued and contract awarded in 2023 for an update to Downtown Historic District boundaries. Survey completed in September 2023. Currently under review by SHPO to leverage state grant funds. [Local Action to Explore historic survey and assessment opportunities for existing facilities and districts]*
 - e. *Historic City Hall had the rooftop HVAC unit replaced in 2023 and Human Resources expanded through re-use of a conference space. [Local Action to Encourage renovations of public facilities to decrease new construction.]*
- 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. *Recognition Signs that highlight hometown honorees with outstanding achievements scheduled for completion Spring 2024 in Ray Miller Park.*
 - b. *Educational event planned in 2024 as part of the historic district survey project.*
 - c. *Public Information Office researched and shared events in 2023 on City social media including Facebook and Next Door. [Local Action to Improve social media presence of historic resources]*
 - d. *City staff including the Police Department and Fire Department supported the November 2023 Veteran's Day Parade.*
 - e. *Finance Director Roberta Beier and Deputy Finance Director Andrew See participated in the Chamber of Commerce's Leadership Leavenworth-Lansing program. [Local Action to Implement citizen and leadership academies that help people more successfully participate in and influence decision-making in the community]*
 - f. *The Convention and Visitors Bureau continued regular outreach to historic/cultural sites to provide updated information on the website, on social media, and to visiting tour groups. [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. *Opened new restroom and picnic shelter at Stubby Park in 2023. [Local Action to Create places throughout the community and neighborhoods where people can gather]*
 - i. *The Splash Pad at Hawthorn Park drove increased pavilion reservations for events and gatherings in 2023. [Local Action to Create places throughout the community and neighborhoods where people can gather]*
 - j. *Fire Department provided local business and food truck safety inspections in 2023, providing a safer and welcoming experience for visitors and residents.*
2. Embrace and celebrate the community's diversity and respect differences in race, ethnicity, gender, sexual orientation, age, abilities and beliefs.
- a. *City's website is compatible with Google Translate services. [Local Action to Improve access to city information and services for people of all disabilities, cultural backgrounds and for those who are not English speakers]*
 - b. *CVB continued work with the organization pursuing a 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. *City Clerk coordinated proclamation requests to celebrate Native American Heritage Month and other recognitions.*
 - d. *The City's event space, Haymarket Square, was available to all individuals and organizations and supported diverse events in 2023.*
 - e. *Camp Leavenworth 2023 celebrated the Leavenworth community in various aspects [Local Action to Offer annual events that celebrate Leavenworth's people, history and culture]*
 - f. *The federal Juneteenth holiday was incorporated into the City's official holiday calendar.*
 - g. *The Trust Talk initiative allowed the public direct access to police officers and senior leadership to express concerns relating to crime in our community. [Local Action to Support community dialogues to help all community members voice their concerns, find common ground and set the state for a more inclusive community]*
 - h. *The Police Department conducted annual training on issues related to unconscious bias and fair policing. [Local Action to Conduct regular training for City staff on issues such as the*

meaning of equity, unconscious bias and how to create a supportive workplace for all]

- 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 increased the annual funding investment to Leavenworth Main Street to draw guests downtown through programming and activities. [Local Action to Increase promotion of Downtown Leavenworth’s attractions, amenities and events]*
 - b. *CVB Tourism Grant Program provided nearly \$35,000 in Tourism Grant Funds for event promotions including those downtown. [Local Action to Increase promotion of Downtown Leavenworth’s attractions, amenities and events.]*
 - c. *Around 5,000 attendees came to Leavenworth’s riverfront area for Camp Leavenworth – the 4th year of the festival. [Local Action to Create a designated festival and event space that is accessible for all, no matter their ability or background]*
 - d. *CVB regularly updated the online event calendar and included large events in the printed 2023 Visitors Guidebook [Local Action to Create a yearly calendar of events so people know what is happening and have time to plan on attending]*
 - e. *City reviewed current ordinances applicable to parking food trucks on the street and in City-owned parking lots. [Local Action to Adjust local policy to make it easier for people to host diverse events and attract people to the city]*
 - f. *Parks and Recreation began developing Gazebo Park Master Plan to create a park/gazebo gathering venue downtown at the City-owned lot on 3rd and Delaware.*
 - g. *Parks and Recreation continued to provide diverse programming in 2023. [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. *Continued to promote the Neighborhood Revitalization Area property tax rebate program to maintain existing residential housing in north Leavenworth.*

2. Increase the variety of housing types, sizes, and price points available to meet changing needs of emerging markets in the region.
 - a. *City provided \$600,000 in ARPA funds for the DePaul USA affordable housing project to develop new residential units. [Local Action to Ensure the number of available housing units aligns with workforce growth in the community]*
 - b. *Facilitated plans for low-income senior housing development next to Walmart on 10th Avenue through the waiver of City fees and support of IRBs. [Local Action to Incentivize residential developments to provide varied housing types, connections to existing infrastructure, and subdivision amenities]*
 - c. *Rental Registration Program continued to be successful in 2023, providing a mechanism to work with property owners on rental properties. [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 9 homes in 2023. 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 7 dangerous and/or blighted structures in the City in 2023.*
 - c. *Code enforcement utilized the Property Maintenance Code in 2023 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. *Land Bank program continued to be available in 2023. Planning conducted outreach to potential property owners.*
4. Increase the occupancy rate of existing housing.
 - a. *The CDBG program provided funds for 4 families to purchase homes in 2023.*

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 approved the final Leavenworth County Transportation Plan in 2023. A working group will continue efforts in 2024 to request grant funds for listed projects. [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. *Applied for and received a \$400,000 grant to conduct mill and overlay on 4th Street between Rees and Poplar. [Local Action to Continue to utilize Kansas Department of Transportation's City Connecting Link Improvement Program (CCLIP) to restore pavement along KDOT routes through the City]*
- c. *Continued work with consultant Alfred Benesch to develop a long-range pavement management plan. [Local Action to Take an inventory of which major roadways and which neighborhood roadways have an obvious issue with pavement maintenance requiring major construction]*
- d. *Through discussions including City staff and KDOT in 2023, design work progressed on Centennial Bridge to include widening to 4 lanes. [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]*
- e. *RideLV transit program launched in April 2023 in partnership with The Guidance Center and KCATA. Monthly ridership over 1,500 was standard by the final months of 2023.*
- f. *The RideLV advisory committee that included the United Way, Veterans Administration, and Interfaith Shelter of Hope representatives discussed additional needs and future program possibilities. [Local Action to Strengthen current partnerships with other agencies to advance the goal of a unified community transportation network and combat the deterioration of community assets]*
- g. *City applied for an innovative technology grant from KDOT to add fiber along 4th Street. Not awarded funding in 2023 but other opportunities are being assessed. [Local Action to Consider use of technology and vehicle detection on major roadways (4th, 20th, Metropolitan, Eisenhower)]*
- h. *Comprehensive traffic signal assessment done by Public Works identified possible technology that the City could consider in the future. [Local Action to Consider use of technology and vehicle detection on major roadways (4th, 20th, Metropolitan, Eisenhower)]*
- i. *Design and bid work for the reconstruction of 4th Street (K7) continued in 2023. [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]

- j. Extended bicycle trail that includes routes through Leavenworth was approved in 2023. Printed materials and wayfinding signs are part of next steps. [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]*
 - k. City had \$2 million programmed into the budget for annual pavement management projects (PMP). [Local Action to Grow the \$2 million annual program to repair or reconstruct commercial and neighborhood roadways]*
 - l. 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. Constructing connector trail from parking lot area at 10th Avenue Park to the existing trail along 5 Mile Creek. [Local Action to Connect community spaces and neighborhoods with a recreational trail system parallel to natural streamways]*
 - b. Added to the asphalt trail system in Havens Park in 2023, as well as changed traffic patterns to restrict vehicle traffic and promote walking and biking trails (adding signage and mapping).*
 - c. Pursuing implementation of city-wide trail master plan.*
 - d. \$300,000 programmed into the City's CIP budget for sidewalk maintenance and expansion. [Local Action to Connect community spaces and neighborhoods with a recreational trail system parallel to natural streamways]*
 - e. Finance Department created "pay as you go" Pavement Management Plan that reduces borrowing estimated to save City \$175,000 in future interest expenses.*
 - f. Creative art and design options 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]*
 - g. A traffic calming project was completed near Leavenworth High School in 2023 which should improve conditions for pedestrians. [Local Action to Consider pairing improvements for pedestrian*

crossings with traffic calming options. Pedestrian Refuge Islands, Raised Crosswalks, Raised Intersections, On-Street Parking with Curb Extension and Street Trees between the curb and sidewalk are common options for traffic calming]

- h. In 2023, City hired consultant to design approximately 100 sidewalk ramps in the downtown to allow for their replacement in upcoming years. [Local Action to Ensure the connective infrastructure like trails and sidewalks are accessible to people of all abilities]*
 - i. Staff attended PROWAG webinar to learn updated ADA standards for public infrastructure including pedestrian signals. Signal replacement projects will have both audible and tactile signal detection. [Local Action to Update pedestrian crossings with audible pushbuttons, shorter pedestrian crossings, high visibility retroreflective pavement markings and signs and activated warning lights]*
- 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 awarded contract for Kimley Horn and WSP to start the Vision Zero project. The goal of this grant funded project is to develop an overall transportation plan for pedestrian, bicycle, and road travel that ends or reduces transportation injuries and deaths. Public feedback meetings will occur Spring 2024. [Local Action to Take inventory of sidewalk gaps and areas of priority]*
 - b. City applied for and received over a million dollar KDOT Transportation Alternatives grant for Vilas Street sidewalk and accessibility improvements near Henry Leavenworth Elementary School. Work will begin in 2024. [Local Action to Continue applying for local, state, and federal grants to supplement City funding to fill gaps and expand sidewalk segments]*
 - c. CDBG funded project completed in 2023 that added 4,240 square feet of new concrete sidewalk with 9 ADA compliant sidewalk ramps on Dakota Street from 5th to 7th Streets. [Local Action to Continue applying for local, state, and federal grants to supplement City funding to fill gaps and expand sidewalk segments]*
 - d. City hired contractor to assess ADA needs of all intersections downtown in 2023. [Local Action to Upgrade existing and construct new sidewalks in compliance with the Americans with Disabilities Act (ADA) specification]*

- e. Public Works staff provided oversight on new and replacement sidewalk projects to ensure ADA PROWAG standards were included. [Local Action to Upgrade existing and construct new sidewalks in compliance with the Americans with Disabilities Act (ADA) specification]
 - f. Sidewalk evaluation completed in 2023 to allow City's GIS mapping to display current sidewalks and sidewalk gaps. [Local Action to Take inventory of sidewalk gaps and areas of priority]
2. Evolve the transportation system to take advantage of new technologies.
 - a. *Users of the RideLV transit system used the IRIS cell phone application to reserve travel in 2023.*
 - b. *The traffic signal at 4th and Eisenhower was tied into MARC's "Operation Green Light" to keep traffic flowing. [Local Action to Consider deployment of traffic signal technology that adapts the green time to maximize coordination]*
 - c. *The possibility of adding electric vehicle charging stations was part of the 2024 budget process. Public works added conduit in the east City Hall parking lot to ease future installation. [Local Action to Take inventory of locations that would benefit from charging stations for electric vehicles]*
 3. Ensure that areas with high job density are accessible to employees via one or more travel modes (automobile, transit, bicycling, walking)
 - a. *Staff applied for CCLIP grants, TA grants, Innovative Technology Grants, and bridge grants. [Local Action to Continue applying for local, state and federal grants to supplement City funding and to accommodate multiple modes of transportation (e.g. sidewalks, bike lanes, roads)]*
 - b. *RideLV program partially funded with outside grant funds. [Local Action to Continue applying for local, state and federal grants to supplement City funding and to accommodate multiple modes of transportation (e.g. sidewalks, bike lanes, roads)]*
- 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. *City worked with State of Kansas to promote funding that will implement the bridge as designed. [Local Action to Obtain funding for replacement of the Centennial Bridge over the Missouri River]*
 - b. *Maintenance and improvements to support the Wastewater Treatment Plant occurred in 2023, utilizing a portion of the City's ARPA funds. [Local Action to Upgrade and maintain*

- existing infrastructure and facilities to meet future needs and demands]*
- c. *A complete assessment of the wastewater plant equipment was finished. [Local Action to Continue to update the Wastewater Master Plan]*
 - d. *\$3.5 million stormwater project on 2nd Street and Chestnut Street completed in 2023. [Local Action to Upgrade and maintain existing infrastructure and facilities to meet future needs and demands]*
 - e. *Public Works continued work on already identified stormwater projects as funding allowed. [Local Action to Continue to progress through the previously identified priorities for the Stormwater Management Program]*
 - f. *Public Works utilized technical skills of Stantec to provide street quality study (PCI) that will be used in CIP budget development. [Local Action to Conduct regular pavement condition assessments to prioritize maintenance and reconstruction projects]*
 - g. *Both the WWTP and MSC used technology to monitor equipment and the fleet in 2023. [Local Action to Utilize technology monitoring systems for utilities that track performance and notify Public Works of an issue]*
 - h. *City addressed pollution concerns in stormwater by public education and outreach, submitting a report every year to meet permit standards. [Local Action to Consider policies that reduce utility maintenance issues and reduce water and pollution]*
 - i. *Stormwater standards were monitored and provided to KDHE. [Local Action to Partner with Kansas Department of Health and Environment (KDHE) to continue to revise the stormwater permitting process in the future and ensure the City is in good standing]*
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. Outreach conducted in 2023 as needed.*
 - b. *Implementation of Citywide polycart program for solid waste collection in 2023 expected to reduce stormwater impacts from loose trash entering waterways and streams. [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]

- c. Stormwater inlets were labelled with "drains to stream" markers. [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 to the community's stream habitats]*
- d. Solid Waste portions of the City's website outlined the acceptable items for the recycling center. [Local Action Promote proper etiquette for acceptable recyclable materials to decrease contamination which prevents recycling for 25% of items]*
- e. City continued yearly program to replace failing pipe and manholes. [Local Action to Reduce pollutants from the stormwater system and wastewater system by continuing to transition segments of the 100-year-old pipes and manholes]*
- f. Water quality and quantity considerations exist for all new development. Rain gardens and bioswales are options. [Local Action to Follow updated guidelines for green infrastructure systems which allow for greater capture of rainwater for ecological restoration with minimal need for post-construction maintenance]*

- 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. All light fixtures on the lower level of the Riverfront Community Center scheduled to be replaced in 2024 with energy efficient LED fixtures. [Local Action to Consider incorporating energy efficient improvements and green building strategies into public facility construction and renovation projects]*
 - b. Many lights at three fire stations switched out to LED bulbs. [Local Action to Consider incorporating energy efficient improvements and green building strategies into public facility construction and renovation projects]*

- c. *Fire Department upgraded the HVAC control system at Station 1 and installed more energy efficient boilers in the last few years. [Local Action to Consider incorporating energy efficient improvements and green building strategies into public facility construction and renovation projects]*
 - d. *Fire Station 1 equipped with water saving hot water circulating pump in 2023. [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. *Had first full year of operation of newly opened Splash Pad at Hawthorn Park in 2023.*
 - c. *New restroom and picnic shelter added in Stubby Park.*
 - d. *In 2023, began planning for replacement of dilapidated sports courts at Cody Park with dedicated pickleball courts and a basketball court scheduled for 2024.*
 - e. *Pavement Management Plan for 2023 included City Hall's East parking lot.*
 - f. *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]*
 - g. *Public Works continued switching from compact florescent lighting to LED for reduced cost and longer life.*
3. Leverage technology to improve facility management, maintenance and operations.
- a. *Municipal Court and IT completed work on the CitePay online payment system for fees and fines, scheduled to launch publicly February 2024.*
 - b. *MUNIS financial software was updated to latest standards for security and financial tracking.*
 - c. *Online payment for licenses and permits continued for the City Clerk's Office in 2023.*
 - d. *Hired IT Director to review all City systems and encourage better technology coordination. [Local Action to Whenever possible, integrate major systems (e.g. HVAC, security cameras, keycard entry systems) throughout all City owned buildings, making sure*

they are consistent/compatible with each other when existing facilities are renovated or new facilities are constructed]

- 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. *Parks and Recreation Department ensured newly installed restrooms met ADA guidelines for accessibility. [Local Action to Evaluate ADA accessibility of facilities and develop phasing plan for improvements where needed]*
 - b. *RideLV transit program allowed low cost transportation to City facilities and parks in 2023. [Local Action to Ensure public facilities and spaces are served by different transportation modes]*
 - c. *GIS mapping provided visual assessment of distribution of public facilities and spaces.*

- 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, scheduled for Spring 2024 completion, will reduce the eclectic mix of signage along the City's 4th Street corridor. Concrete bases were installed at Ray Miller Park in 2023. [Local Action to Develop design standards for public infrastructure that reflects quality development]*
 - b. *Design for the reconstruction of 4th Street continued in 2023. The project will aesthetically improve the appearance of the downtown. [Local Action to Continue to maintain and enhance the Downtown District]*
 - c. *Solid Waste improvements including use of poly-carts that began in 2023 contributed to a more positive community appearance 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.*

- b. *Four electric vehicle charging stations at City facilities were utilized regularly in 2023.*
- c. *Reduced greenhouse gas emissions through growth of Enterprise Fleet Lease Program that increased vehicle 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. *Three-Mile Creek monthly cleanup occurred every month in 2023 through local non-profit organizations due to City grant funding. [Local Action to Assess the needs of local waterways]*
 - b. *Conducted City-wide cleanup in April with free t-shirts and donuts 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]*
 - b. *Economic Development Office discussed disaster mitigation and business continuity with Leavenworth County Emergency Management. Resources will be shared with local businesses. [Local Action to Assess what the needs of the community would be during a climate emergency and use the information to prepare for a climate emergency]*

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. Nearly 80 attendees participated in the 2023 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]*
- e. Camp Leavenworth social media, in conjunction with City social media, promoted local food truck and craft vendors that would be participating in the event.*
- f. 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]*
- g. Continued to provide Small Business Economic Development Grant program to support local businesses.*

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.*
- 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. Staff met with Animal Health Corridor experts to examine top needs of their new and expanded businesses in order to better market the Business and Technology Park to scientific and pharmaceutical companies.*

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. A Splash Pad was installed at Hawthorn Park to encourage physical activity for children unable to swim and greater use of the park.*
- c. Plans created in 2023 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 shared information from the Leavenworth County Health Department, Interfaith Shelter, Council on Aging, Saint Vincent Clinic and Saint John's 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 was implemented in 2023.*
- b. Annual statistics were provided that reflected a majority of crimes trending down.*
- c. The Police Department operated a crime mapping program that offers crime statistics for the Leavenworth community. [Local Action to Continue to grow and expand the Police Department's crime analysis and mapping initiative through technological enhancements]*
- d. Police enforcement efforts have focused on dangerous drugs. [Local Action to Continue the Department's efforts to reduce drug crimes in high-risk areas through targeted initiatives]*
- e. The City applied for and received several grants such as the federal Byrne Grant and the BVP that assisted with acquiring equipment and resources. [Local Action to Seek grant funding for equipment and training when grant programs are available]*

- f. *The Fire Department created plans to enhance safety through a Building Access Control System scheduled to be implemented in 2024. [Local Action to Enhance external public safety features on all City facilities, such as lighting, security cameras]*
 - g. *The Police Department made recommendations regarding additional funding for each new project the City undertook for measures such as security cameras. [Local Action to Ensure development regulations support site and building design to improve public safety and employ prevention through design (PtD) principles]*
 - h. *The Police Department met statutory requirements for 40 hours of annual training and encourages 75 hours for each officer. [Local Action to Ensure adequate funding for the ongoing training and professional development of all police and fire personnel]*
 - i. *Mental health calls were tracked and evaluated and the data informed discussions on needed support resources. [Local Action to Track mental health related incidents to identify the need for additional support]*
 - j. *The Police Department created a new program that utilizes mental health professionals alongside officers on calls for service. [Local Action to Improve the City's ability to address mental health and addiction directly through staff training and/or through partnerships with local agencies]*
 - k. *The first phase of a citizens service portal will be launched Spring 2024 to allow citizens to file a police report from their home, lowering the travel barrier for reporting crimes.*
 - l. *Human Resources and the Police Department analyzed and was approved for enhanced compensation and benefits for police officers to remain competitive in the marketplace. [Local Action to Improve the City's ability to recruit and retain quality public safety personnel]*
 - m. *Municipal Court continued work with the Guidance Center on Competency Evaluations and Restorations.*
 - n. *Probation and Court Services Office facilitated offender supervision across multiple court jurisdictions and programs, including the newly launched Leavenworth County Veteran's Court.*
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*

Create a marketing plan to increase awareness of parks and recreation programs]

b. Marketing activities increased through Facebook postings, Peach Jar system through Leavenworth schools and Stubby Park LED sign postings. [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 continued to be successful in encouraging registrations in 2023. [Local Action to Streamline registration, reservation, and payment process for Parks and Recreation]

b. The addition and upgrade of park facilities dramatically increased 2023 usage.

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 looked for opportunities for infill development through evaluation of potential Text Amendments. [Local Action to Promote infill development, where appropriate, to support more compact urban form and avoid needless and costly sprawl]

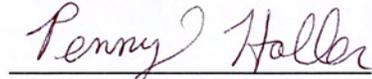
2. Annex additional land outside the city limits when the development fully funds city funding invested to provide infrastructure.

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.

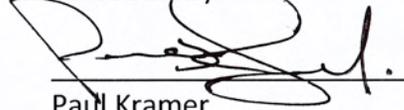
STAFF REPORT
Food Truck Survey Results
January 23, 2024

Prepared By:



Penny Holler
Assistant City Manager

Reviewed By:



Paul Kramer
City Manager

ISSUE:

Receive written feedback from food truck survey.

BACKGROUND:

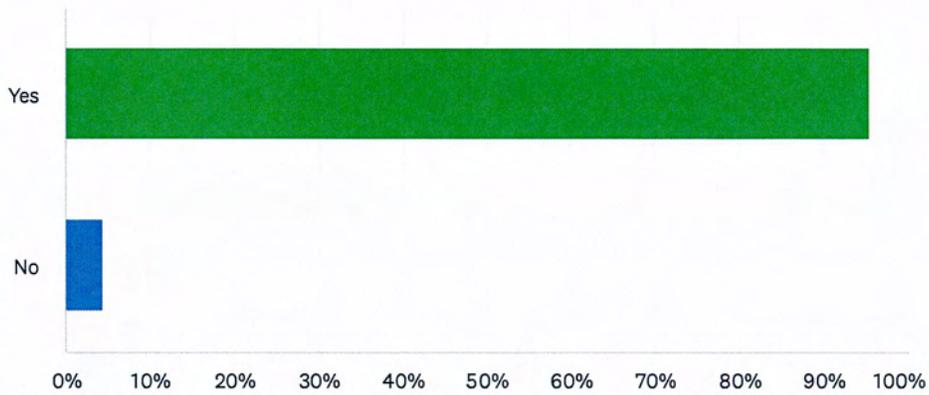
At the December 19, 2023 Study Session, current ordinances related to mobile food vendor regulations were presented. The Commission requested further public feedback on possible ordinance updates to allow food truck parking in City parking spaces (on street and parking lots). Staff will provide the results of a recent public survey.

ATTACHMENTS:

Food Truck Survey Results

Q1 Would you support allowing a food truck in on-street parking or a City owned parking lot for less than 5 hours (short-term) occasionally for a special event? (Yes or No)

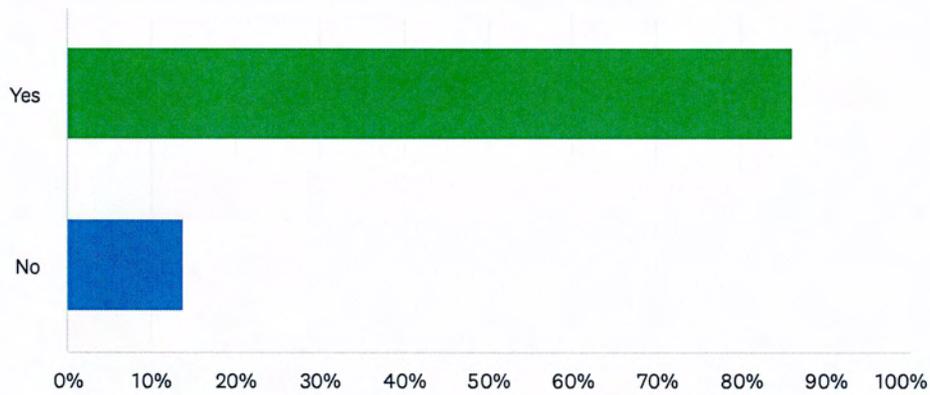
Answered: 1,549 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	95.55%	1,480
No	4.45%	69
TOTAL		1,549

Q2 Would you support allowing a food truck in on-street parking or a City owned parking lot for more than 5 hours and multiple days per week (long-term)? (Yes or No)

Answered: 1,549 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	86.12%	1,334
No	13.88%	215
TOTAL		1,549

City of Leavenworth requests feedback on food trucks

Survey Question 3: Do you have any questions or concerns about food trucks operating on City property including along the street or in a public parking lot in the downtown?

933 Written Comments	Level of Support
Why are we bringing in outside businesses instead of opening up downtown leavenworth or building more. This needs to grow instead of staying stagnant like it has for the past what 70 80 years?	Concerns for existing businesses
Would they be required to meet sanitation standards like other restaurants?	Concerns for existing businesses
Food trucks from outside Leavenworth take revenue that could go to local merchants.	Concerns for existing businesses
theres businesses that have invested a lot of money and time plus the taxes that they pay to the city that would be hurt if the food trucks would be a permanent fixtures downtown.	Concerns for existing businesses
I am against anything competing with property tax paying businesses.	Concerns for existing businesses
Yes,The Concern would be the overall negative impact on the multiple businesses that serve food in the downtown area. I am not for them being there whenever they see fit and also taking up parking spaces along the streets where businesses need the parking for their own customer use. IF this were passed I would hope it would be restrictive and not all the time. If a business wants food, maybe they should build a kitchen instead of relying of food trucks taking up parking, revenue and overall business away from restaurants right across the street from their own business.	Concerns for existing businesses
What about downtown businesses who are struggling as is? There goes the revenue once more.	Concerns for existing businesses
Do they pay taxes?	
Is there rent for use of the spot?	Concerns for existing businesses
Takes away business that should go to our restaurants that have buildings	Concerns for existing businesses
They do not pay rent or mortgage while other businesses do. Unfair advantage and less taxes to city.	Concerns for existing businesses
Downtown businesses WILL suffer.	Concerns for existing businesses
Support the downtown businesses we already have. No need to saturate the downtown with food trucks. This is not the way to grow the downtown.	Concerns for existing businesses
Yes... how will the food trucks business affect the brick and mortar restaurants amount of business? It seems likely the brick and mortar restaurants would see a decrease in sales.	Concerns for existing businesses
If there was a food truck parked in front of my business for more than five hours per day, multiple days per week, it would obstruct the view of my store from the street. Customers would not see my business, my signage, my sales, etc. During special events and in city-owned parking lots only? The vendor should be required to clean-up any messes left by customers, haul away trash, etc. I would not want a rodent/bug problem started in my store due to there being a food vendor out back	Concerns for existing businesses
They should not compete with brick and mortar restaurants.	Concerns for existing businesses
taxes? lost business to local restaurants, mess they make	Concerns for existing businesses

Cleanup should be a priority. Shouldn't duplicate existing restaurants. Don't want to overwhelm local businesses.	Concerns for existing businesses
For short term us, being able to use a city parking lot would be nice but only for short periods of time. Overall, I believe this would not be a positive benefit for the downtown area as a whole, its worth a try but nothing permanent. My fear would be all of these food trucks would be coming from KC or the surrounding area and take away food business from already established restaurants and places that serve food. Maybe you should make the business that wants a food truck directly in front of their business pay the city for the parking/space if they want it bad enough. If someone would like food in there business it may be better if they figure out a way to serve food out of their own business or collaborate with already existing businesses in town. Just Sayin...	Concerns for existing businesses
I am against this because parking can be a premium during any day of the week and to have what is essentially a business take up parking spaces isn't smart. There is also a potential issue of trash generated by patrons of the food truck when they have finished their food and drop wrappings, containers and napkins on the ground when a refuse bin is not readily available. There would also be some businesses who would not benefit from food truck patrons walking around with food that is then brought into their stores. Many of those food trucks are also very noisy if running their operation off a generator. I think that's a nuisance. The business that has proposed the addition of food trucks in the downtown area does not have a kitchen and their web site encourages people coming into their taproom to drink to bring their own snack/food. This proposed change to the city ordnance governing food trucks has the appearance to be more self serving on this business' part than beneficial to the entire downtown area. Thank you for allowing me to express my opinion on this matter.	Concerns for existing businesses
I am not interested in anything that puts any brick and mortar store in jeopardy. Brick and mortar stores have considerable expense/investment in their "place of business". Allowing any business (food or not) to set up a temporary location during peak time/season would show short sidedness on the part of the city. Imagine letting a food truck sit outside of the Nu-Way 11:30-1:30 every day. What would happen to this long established business? Or an outside music store to set up a "instrument rental truck " outside The Tune Shop in the month of September. What do you think will happen to this long established business? A short sided policy like this will destroy the things we like about our town. 2) Food trucks pay no property tax, are notorious for not paying sales tax, can pull up stakes and move to another town when revenue dips. Kill the brick and mortar restaurants and we will be stuck standing outside and eating food standing up. 3) Very few people who respond to this survey will think unlimited food trucks are a bad idea. People love the idea of new stuff. Very few will consider the effect on the community. This is not a good idea for our community.	Concerns for existing businesses
In the downtown area, especially along Delaware & Cherokee the operators would need to be cognizant of taking up parking spaces intended to be utilized by customers supporting the established businesses. While a variety of options will attract people, I would not want to see a bunch of trucks for large franchises possibly taking away from local eateries.	Concerns for existing businesses

<p>I do not find that it is fair to the Brick and Mortar food business's or Reg. Business's when it takes up their parking or blocks the view of their business fronts. I do think that it is perfectly fine for special events such as for the city, Downtown, or a specific event associated with a downtown Brick and Mortar store etc. etc.)</p>	<p>Concerns for existing businesses</p>
<p>How do these places get health inspections? Why don't they have handwashing signs? There are some really dirty people out there...and food trucks need the same safety rules and enforcement as free standing restaurants. How do these places have running water? How do the employees go to the restroom? Why would the city want to get involved with restaurants that are not inspected, permitted, and don't pay property tax? Do all the restaurants in town that have their own kitchens get to have a truck out there too? At least we know they have a physical kitchen. People can get sick from an restaurant...but food trucks are called roach coaches for a reason. Can a church have a hot dog cart? Can non-profits have a hot dog cart? A lemonade stand? A popcorn popper on wheels to wheel around? I mean can a non-profit operate at these food truck events without an inspection? Can all the churches and clubs around town set up little displays about their projects and charities and sell stuff? I mean, what about insurance? Raffles? Can the legion take old flags in? Can the lions set up their eyeglass donation box? Can the scouts sell their stuff whatever they are selling nowadays? Can the community theater do something? What about casa and big brothers and big sisters and the YWCA? I don't know why we have to limit this to just food trucks...you should include all the non-profits for this insurance/health inspection free-for-all. I hope you understand that I am not calling people dirty but I wish these places had insurance and paid taxes.</p>	<p>Concerns for existing businesses</p>
<p>Question 1. Is this a city wide event or just a single business event? I feel the general population will look at this survey differently than someone who has a brick and mortar business in downtown Leavenworth. Just to start the conversation everyone should read the city's code of ordinances, chapter 22, article 11, division 4. I have found that no one I have talked to has read the code. I see requests for mobile clothing trucks, mobile jewelry and gift trucks, and mobile trucks selling art work being sponsored by shops. These might be local trucks or non-local trucks. This conversation can go on and on to include property taxes, how many parking spaces, Delaware Street, 5th street, sales tax collection. The people making the request are good people, but this opens up a very large can of worms.</p>	<p>Concerns for existing businesses</p>
<p>My only concern would be to make sure that it does not interfere with the current downtown operating restaurants.</p>	<p>Concerns for existing businesses</p>

<p>I don't know what kind of permits they have to have to sell and the cost of said permits but we must consider that is taking away from our as Tom Beal puts it Hobby Owners business. I did mark yes for special events but I did so with hesitation. We need to look at our Hobby Owners as Family. How will the food trucks affect our Family? So I just changed my answer on number 1 to No. Thinking about this as a Family, we need to take care of them first, let the food trucks gather together in an area close to the event but not next. I think we need to invite Tom and is groupies to a meeting and approach him with the family theory. Most (all) of our food places aren't doing this as a hobby, it's their the business. They are having problems finding workers Tom doesn't understand that. The people doing the food trucks, they are the hobby or maybe retiree. We need to take care of our family first. Don't know it this will ask but I will tell you, I'm Pam Wright.m</p>	<p>Concerns for existing businesses</p>
<p>We already don't have enough parking downtown. This will just take up more space that we could use. So I would vote for a no.</p>	<p>Does Not Support Food Trucks</p>
<p>It hurts local food businesses. It is detrimental to our revenue!</p>	<p>Does Not Support Food Trucks</p>
<p>Having food trucks that are parking on private property with permission seems to be working. City Property might increase how many food venders would be around. Too many venders just cause more congestion, and could take away too much business from current vendors, and from the bricks and mortar establishments. Trying to encourage and support business that rent buildings should be the bigger goal.</p>	<p>Does Not Support Food Trucks</p>
<p>Special events I have no problem with. If it's private property parking that is up to the owner. But public parking besides special events no.</p>	<p>Does Not Support Food Trucks</p>
<p>I think they should be allowed public events; where are supporting the event! But not on public property for solely their convivence and profiting.</p>	<p>Does Not Support Food Trucks</p>
<p>Great for downtown events but not day to day unless a multiple day event!</p>	<p>Does Not Support Food Trucks</p>
<p>I am all for a variety of food trucks. However, I would not want a food truck parked outside of another eating establishment or where it would affect another restaurant or eating establishments business.</p>	<p>Support with restrictions</p>
<p>I'm all for food trucks as long as they are not in front of or next to a brick and mortar food business that's paying taxes to be there. Do not compete with the small businesses close to their establishment. I think having a big event downtown with some food trucks is good, it draws more people downtown. Just don't park next to the established business.</p>	<p>Support with restrictions</p>
<p>That they do not impede traffic, create safety hazards, or disrupt an established business they are parked near. They also should not be able to park in front of other food establishments in on-street parking.</p>	<p>Support with restrictions</p>
<p>Would food trucks be allowed to park at city parks and sell their food? Would they be allowed to park near a school during sporting events and sell food? A minor concern that it would not only compete with concession stands, but also block valuable parking spaces at limited parking space events. I'm all for the food trucks! Have a huge Food Truck Friday downtown or all weekend! I would just keep concession stands for schools and parks in mind and not knock their business out completely, but it would also make for shorter lines if there were options.</p>	<p>Support with restrictions</p>

Less than 5 hours would be good for special events. Long term seems like they would take away from local restaurants that pay taxes and support the city more permanently	Support with restrictions
I think the time on street should be limited and if in public parking lot there should be a limit on how many trucks allowed within a certain distance from a brick and mortar restaraunt. Maybe only allow one truck per lot. So it doesn't limit parking spots for customers.	Support with restrictions
takes away from local businesses, so if they were local and paid taxes in town then yes, who cleans up the mess from them and the people who get the food?	Support with restrictions
I would not be opposed to food trucks in parking lots for special events. We are so limited to on street parking, we do not need several parking spaces taken up during the day. We are so fortunate to have many great eating places downtown. I hate to run them out of business with an onslaught of food trucks.	Support with restrictions
During special events, I feel the trucks should not be allowed to set up in front of brick and motar food shops. There is room in town for everyone but to obscure ex I feel the food trucks should not be allowed to park in front of brick and mortar food shops. It's not fair for those shop owners to have their shop obscured from view by a mobile unit. There should be one parking lot that could be used as a food truck court.	Support with restrictions
Would like to see them as a local business, nothing from the metro area, if not I think it will effect the already struggling business that we do have.	Support with restrictions
Except for special events, it seems unfair to brick and mortar. However, we have do many gaps in food here maybe this is our only way to the future.	Support with restrictions
I would recommend that food trucks not be permitted in front of or within a specified distance from a similar brick and mortar restaurant. For example, a Mexican food truck could not park within a specified distance of Tampico, or LaCaretta, unless in connection with a special event.	Support with restrictions
As long as they don't become a "fixture," as in they never leave and begin to look like an abandoned trailer.	Support with restrictions
Assuming they are paying "rent" or some other kind of fees, I'm alright with it. However, I wouldn't want the trucks to get so popular that they causes current restaurants/diners to close who are paying property taxes and other expenses a food truck at not have. If its only allowed for special events, I'm fine with it. Otherwise they need to pay their fair share just as brick and mortar owners do.	Support with restrictions
Downtown should have parking for businesses who are paying property taxes. If a food truck wants to setup downtown they should utilize parking lots and reserve a spot etc. Let's respect the permanent businesses and parties who live and pay in this community first. We've got to pay attention to who is here trying to make it first... with overhead costs and employees, etc. I'm all for fun, but give some incentives and opportunities to business owners also. It'd be tacky to have a food truck park right in front of a restaurant.	Support with restrictions

<p>The amount of city property tax for brick & mortar buildings to operate who sell food/drinks is a burden on those businesses whom invest in the city. Allowing food trucks to come in with fast food-no connection to our city, no overhead of resources and at no cost-- adds additional burden for the established food businesses operating with expensive licensing and property taxes. If there are establishments that don't serve food due to not having licensing and want to offer food then they should partner with local food establishments for carry in.</p> <p>On occasion for festivals and other larger events food-trucks bring additional opportunity to feed larger amounts of people at one time. They should still have to pay a vendor fee or a percentage of sales back to the city to come & operate.</p>	Support with restrictions
<p>I see food trucks now operating with out hair restraints, gloves and no Leavenworth food handler permits for actual individuals serving and handling food. When ask to view it is the rare person who can produce one. Using gloved hand to wipe nose and then using same gloved hand to prep and serve the food. Does the city have enough people to monitor and enforce the current mobile food truck ordinances?</p>	Support with restrictions
<p>My major concerns would be which city properties/streets. You obviously don't want them in a position that they are blocking traffic either through the width of the truck or because their customers are not staying on the safe side of the truck. Also, there should always be enough garbage cans, pick up of garbage, and probably even restrooms in the very near area.</p>	Support with restrictions
<p>My concerns are the availability of public parking spaces where food trucks would be on a long term basis. So long as there is plenty of public parking and accessibility there is no issue with where the food trucks park.</p>	Support with restrictions
<p>Only concern I would have is to limit on street in high traffic areas to prevent traffic issues. I like having food trucks here in Leavenworth.</p>	Support with restrictions
<p>As long as they abide by the County Health Dept guidelines, no.</p>	Support with restrictions
<p>As long as they do not interfere traffic. Also make sure that they follow policy to keep health code.</p>	Support with restrictions
<p>Operating from street parking would be a safety concern. I support operating from public parking lots.</p>	Support with restrictions
<p>No concerns if short term parking. Must comply with health and safety codes. Proper trash containers and liter control.</p>	Support with restrictions
<p>Potholes. Park in lots only, parking on streets for food trucks is dangerous to pedestrians.</p>	Support with restrictions
<p>How would it impact traffic if people are standing in line for the food truck in the street? Also I would hate to see them make it hard for exciting eateries. But for special events, I think it's a great idea.</p>	Support with restrictions
<p>My only concern would be blocking traffic and safety for customers</p>	Support with restrictions
<p>I don't have a problem with them in a parking lot or on a main road that's closed during an event (like the awesome Christmas market). On the main roads where parking is scarce already, not during an event, it would be frustrating to not get a spot because there's a food truck taking up multiple spaces. (They would need at least 3 to accommodate the truck and the clients...)</p>	Support with restrictions

Just be fair with fees for operating in this town. They need to make money. Just look at what's happened to our downtown. Rent is so dang high that business are struggling.	Support with restrictions
No, as long as people can still drive on the street. I think food trucks are wonderful!	Support with restrictions
No, the food truck owner should be responsible and respectful. If not then they should not be allowed.	Support with restrictions
Locally owned trucks should have precedent over large corporate trucks.	Support with restrictions
As long as they are not causing traffic disruptions or other public nuances Leavenworth should promote any additional food venues that would appeal to local residents and promote tourism opportunities or the drAw of influencers to the city to highlight what Leavenworth has to offer as a community	Support with restrictions
As long as they have all the required permits it's completely fine to operate any where	Support with restrictions
There should be reasonable permits for purchase available for food trucks to work public and or private lots. Concerning the sometimes authoritarian associations that serve Leavenworth brick and mortars there should be considerations to integrate new personnel to implement these permits. There are many venerable prospects in entrepreneurship and small business in Leavenworth County that would be interested in supporting and working with city zoning. New businesses would feel welcomed and bring more customers for our brick and mortar businesses as well.	Support with restrictions
Am not in favor of food trucks taking up too much on street parking, but am supportive of on City property. City needs to bring in more food trucks! We have just a few and it's such an awesome business.	Support with restrictions
No! I think it would be great to have more variety in dining options, so long as stringent health codes are followed!	Support with restrictions
Why do city ordinances work so hard to make it difficult for small businesses to even start up? Example: being unable to charge pre-existing signs on roofs.	
The only place I would not want to see a truck is angled street parking like along the south side of Delaware.	Support with restrictions
No issue with short term food trucks or the location for those. As for the longer term, I would prefer those to only operate on the outer parking lots/street locations, allowing those closest to the shopping be left to shoppers/tourists.	Support with restrictions
Public parking lot much better option than on street, but I'll assume the food side of the truck is on the sidewalk side (details matter) which would be just fine.	
Long-term should prohibit "permanent" or non-mobile trucks.	Support with restrictions
As long as they are heath inspected no problem.	Support with restrictions
My main concern would be them taking up spots in locations with limited parking for nearby things. Other than that happy to support them using public areas.	Support with restrictions
Food trucks bring a positive vibe to the area. I would only caution those that might take up permanent residence in a location. They should be mobile.	Support with restrictions

As long as they are not blocking anyone or blocking the streets, I am fine with it.	Support with restrictions
Only that many trash cans are provided close to the trucks.	Support with restrictions
As long as they pass health inspection, let them conduct business.	Support with restrictions
City owned parking lots they should allow with light regulation. On-street should have stricter regulation or not be allowed unless for special events with road closures and permits	Support with restrictions
As long as the have the correct permits, licenses, are clean and pass inspections, we need to have them at big events. Hopefully inspires more local food trucks.	Support with restrictions
These questions are somewhat misleading. I would support the food trucks in parking lots, but not in the street.	Support with restrictions
Yes for public areas but not residential areas where there is limited parking as it is, but definitely somewhere like Hay Market Square or down by the riverfront, would be nice to be able to grab a snack or coffee.	Support with restrictions
As long as they are insured and licensed to operate a business I'm fine with them trying to earn a living.	Support with restrictions
I think utilizing the public parking lots would be more ideal than street parking. Also: is Haymarket considered a public lot?	
As a local business owner I love the idea of highlighting a section of downtown and drawing in walking traffic.	Support with restrictions
While I am generally supportive of food trucks, it seems reasonable to restrict them from certain busy areas (i.e.: streets with less parking like the 400 and 500 block of Delaware St.; and parking lots that are regularly full - like the lot west of Riverfront Community Center); and restrict them from areas that have a concentration of loft apartments.	Support with restrictions
Bring them on. Let the open market decide if food trucks or a good idea or not. There are plenty of parking, except for Delaware	Support with restrictions
If it is going to be long term it should be a parking lot but other than that I think getting some new choices of food around here is great.	Support with restrictions
As long as it's not a permanent spot food trucks are supposed to be moving.....able to be mobile. Have a night in the summer where all food trucks gather for our community and make it a regular thing with a band.....	Support with restrictions
In a parking lot seems safer & less likely to block traffic than along a street. Food trucks would bring fun options for grabbing food.	Support with restrictions
They should have to be directly in front of the business they are called to serve. They should come only at the request of a business, not at their own free will. They should complete with all rules & regulations under the FDA. They should not prohibit other food establishments from starting up or extending hours/services*** If businesses aren't able/willing to provide these services, food trucks are a good alternative to bring business downtown.	Support with restrictions

There are some really good food trucks around the country. Let's put Leavenworth on their map. They are like an Easter egg when you see them! The only restriction would be may be the number of times a month each truck can park.	Support with restrictions
Honestly, I wish they would stay in selected spots. It's hard to find them. I know of one that's really good and a few spots I can find it, but not all the time. It would be nice to know where they're parked.	Support with restrictions
No concerns, as long as the food truck is not impeding those who use the lot to park. Bringing more food options to LVCO residents would be a benefit to all.	Support with restrictions
No. I guess if it's not blocking any resident's parking spot, then rock on for local business!	Support with restrictions
100% good with this as long as parking is not obstructed	Support with restrictions
Regarding question #2: I wouldn't mind a food truck parked in one place for 5 hours or more during their approved day of operation, it gives me more time to get there. But maybe no food trucks in the same location more than 3 days a week?	Support with restrictions
You already don't support local food trucks for local festivals. Are you willing to support our local food trucks and businesses more for local events and festivals? Last Camp Leavenworth there was one local food cart. I would support food trucks parking in city lots for short periods of time. However, they should absolutely not be allowed to use on street parking due to already limited space to park in the city and the safety problems it poses for pedestrians. People already can't see around corners due to bad sign placement and some sections of street parking such as the corner of 7th and seneca	Support with restrictions
It is already difficult enough finding parking downtown so there may need to be a limit on how many food trucks would be allowed.	Support with restrictions
Allow them on parking lots, not on public streets impeding traffic.	Support with restrictions
In my opinion, food trucks should NOT be on streets (unless the street is blocked for an event) but am OK with them in parking lots. Maybe renting the space to pay for cleanups?	Support with restrictions
I would exclude parking at city hall, fire stations, the justice center.	Support with restrictions
Health inspections should be similar to restaurants located in the city.	Support with restrictions
The city should also consider a "Food Truck Court" with proper credentials like other cities provide. This allows all food trucks to gather in one location and sell their food.	Support with restrictions
As long as are city health inspected no problem.	Support with restrictions
Make sure that that have a valid food handlers license.	Support with restrictions
Yes, you/we have no idea how many trucks will participate in such a program and the impact on traffic flow, vehicular safety, and pedestrian safety. Having the trucks along certain streets and public parking lots for 5 hours or less during special events is the way to proceed. It would serve as a proof of principle or pilot program, which if successful could be expanded to multiple days per week per your second question in this survey.	Support with restrictions
This should only be open to locally owned food trucks and not trucks from all over the place. Again if certain businesses want food trucks so bad maybe they should build a kitchen.....	Support with restrictions

Hay market square when not in use and another area south of downtown for convenience of other employees.	Support with restrictions
Just don't let them stay where parking is limited (like Delaware). City lots that are empty would be great spots, and will add to the business of downtown,	Support with restrictions
I would only support food trucks parking in public or city -owned parking lots. I don't feel they should park in on-street parking unless there is a special event going one.	Support with restrictions
As long as they abide by safe food prep protocol, I am good with it.	Support with restrictions
Parking lot would be better. Don't need to take away parking from local businesses	Support with restrictions
My main concern with question 2 would be the safety of a food truck being on on street parking. I would imagine the additional cars parking to get food could cause accidents or traffic issues. For this, I would recommend approving certain on street locations to minimize the impact. Also, please keep doing surveys!	Support with restrictions
I would like to see the trucks in different places each week to benefit all the business in that area. Also advance notice so that we can promote the truck and any specials we may have during that time. Long term parking should it become a permanent business is acceptable if it does not impede customer parking. Actually it would benefit the city more if we would help these business get into an open location for the 1st 6 months and owners reduce rent for the 1st year and then increase 5% each year. This way the new business can establish a clientele as it grows	Support with restrictions

<p>Food truck/vendors must comply with all existing city ordinances and state and federal laws, in addition to the below, unless superseded by new ordinances established to control food truck/vendor operations:</p> <p>The food truck/vendor must be owned by a resident of the city of Leavenworth.</p> <p>The food truck/vendor must not be allowed to park overnight nor attempt establishing a preferred location/space to the exclusion of other vendors.</p> <p>The food truck/vendor may not use city power sources (e.g. electric, natural gas) at any time whatsoever.</p> <p>Food truck/vendors may not park in established loading zones.</p> <p>Food truck/vendors may not park except in marked parking spaces. (Not in the middle of a parking lot approach to parking spaces, nor in alleys so as to block traffic through the alley.)</p> <p>Owners of food trucks/vendors hiring employees must comply with the same employment laws and rules as owners of brick and mortar/permanent structures.</p> <p>A limited number of specific spaces to be used by food truck/vendors in city owned parking lots and Haymarket Square should be designated to avoid overdoing it in any single location.</p> <p>Food truck vendors must provide for collection of waste papers and other garbage near the truck, such as the use of garbage cans. Food truck/vendors may not use city owned public garbage receptacles for their own business use. Food truck/vendors garbage cans/receptacles may not block other parking spaces that are not blocked by the vehicle itself.</p> <p>No portable, nor permanent, tables and chairs may be placed in the area of the food truck/vendor's vehicle, except where already placed by the city, such as at the strip of grass along the South edge of Haymarket Square.</p>	
That's all I can think of for the moment	Support with restrictions
Vendors license and permits should be required	Support with restrictions
As long as the trucks don't take up valuable parking spots or block cars from moving freely.	Support with restrictions
Let's catch up with the times and be consistent with other cities in the surrounding areas. They must be expected to pass the same health department guidelines and standards as Leavenworth restaurants.	Support with restrictions
As long as they are passing health department inspections/permits, go for it!	Support with restrictions
My only concern is that we give preference to food trucks owned and operated by local residents. If additional space is available then allow out of towners	Support with restrictions

No as long as licensed to operate via state and city codes for sanitation and cleanliness.	Support with restrictions
As long as they have a permit issued to allow this I see no problem.	Support with restrictions
Please follow ordinances set forth in similar cities where food trucks are thriving.	Support with restrictions
No as long as the people in line are safe	Support with restrictions
As long as they are professional, have a good handlers license and are clean...nope. No questions or concerns	Support with restrictions
Local food trucks need to take priority over outside food trucks.	Support with restrictions
Preference should be given to locals	Support with restrictions
As long as they don't become an obstruction for other traffic or safety hazard they should be allowed on city parking when available, multiply times during the week depending on demand. Food trucks from Leavenworth County should receive preference over parking/ selling arrangements or may be the only food trucks allowed on regular basis in the inner city. This would still make it fair to restaurants in the area. Not to forget parking on school property. Given staff the ability of choice in food. As well as during school sports function. Allowing more healthier food options verses fast food is a plus. Often Food trucks bring trendier choices over fast food.	Support with restrictions
Making sure they are inspected and held to a restaurant standards.	Support with restrictions
Food trucks would be cool in city lots. And on streets as long as it is not main routes.	Support with restrictions
As long as they don't block other businesses.	Support with restrictions
As long as a permit is issued and they are following appropriate codes, please allow for food trucks and the expansion of more food offerings.	Support with restrictions
As long as it's not impeding traffic, I don't see an issue with it. Especially if it means more variety of food choices.	Support with restrictions
I think as long as they have all their licenses and inspections then why would we not allow them to provide a service to people in the community	Support with restrictions
As long as they do not cause congestion I think they are great.	Support with restrictions
Nope. As long as on-street parking doesn't interfere with the flow of traffic and there was some type of communication that would let the community know where they are, it would be great.	Support with restrictions
I would support trucks parking in city owned parking lots for more than five hours, but not on streets.	Support with restrictions
Possible impacts on traffic and how that would be managed, but I'm completely and 100% for food trucks.	Support with restrictions
Just make sure they are legit and licensed.	Support with restrictions
You're asking two questions in one. Would you support long term street parking? No. Long term parking on city property? Yes.	Support with restrictions

If/when businesses that serve food are closed after certain times of night, or if businesses do not serve food but have drinks and entertainment, food truck availability for the open businesses would be a huge plus for our city.	Support with restrictions
As long as they have a permit and allowed to serve food.	Support with restrictions
Licensed and sanitary....let them earn a living and serve the public	Support with restrictions
I think it would be great if they could come for a day or weekend. I wouldn't want them to park there permanently or for a month or anything.	Support with restrictions
Only concern is the noise created when multiple trucks have generators running at the same time. Is it possible for some/all to have access to electrical hookups?	Support with restrictions
No as long as they clean up and offer plenty of trash cans for people to use. And do not encourage the homeless to flock to these areas making it unsafe for kids due to their trash of needles etc. also do not want their generators running at all hours	Support with restrictions
Not as long as they pass basic health inspections	Support with restrictions
As long as it doesn't impede traffic, it's a good idea for a variety of foods not currently available in LV.	Support with restrictions
As long as they are not creating a hazard, blocking traffic, creating blind spots etc...	Support with restrictions
As long as they are licensed.	Support with restrictions
They should be allowed but well regulated.	Support with restrictions
I think a maximum amount of days in a row should apply per truck. For fairness.	Support with restrictions
I responded "yes" but I don't believe that they should be allowed for On-Street parking except for special events where the road would be closed off because of it being a safety issue. I'm all for allowing them to park in both public and private lots.	Support with restrictions
I would vote for food trucks being able to park 2-3 hours a day on street or in city lots.	Support with restrictions
so long all the stores that have the food truck in front of buildings have notice and agree	Support with restrictions
Needs to be permitted so there is some control. If a problem arises the permits could be used to control any problems.	Support with restrictions
Keep them in parking lots. Not streets.	Support with restrictions
The street parking would need to be very restricted to certain areas. Same with public lots!	Support with restrictions
The only concern would be obstructing the view of traffic making turns unsafe. This could be mitigated by designating spots to park	Support with restrictions
I would think public lots would be better than actually on the street. But it should be longer than 5 hours. Five hours isn't enough to capture both lunch and dinner crowds. But I don't think the food trucks should be there overnight unless it's a special event.	Support with restrictions
Just keeping the area free from trash.	Support with restrictions
Yes as long as they will be equal treated. And they have proper food handle and safety permits.	Support with restrictions

For short term. YES! For long term, perhaps consider creating a designated area in the city for food trucks.	Support with restrictions
Only support if they have a proper food handlers license and permits and does not block city streets from traffic are causing backups and traffic and if in city owned parking spaces, have a \$25 vendor fee to help pay for parking lot maintenance	Support with restrictions
No as long as they can pass health inspections!	Support with restrictions
No, as long as they obtain proper qualifications and local food trucks should get priority over out of town or big corporations.	Support with restrictions
Yes, they must pay a fee or percentage of sales.	Support with restrictions
As long as they are licensed and inspected	Support with restrictions
Long term stay is better outside pubs and non-food serving establishments not just in a random space. Short term for events or street fairs are perfect!	Support with restrictions
no to street yes to parking lots but not during 6 Am to 6 Pm. why not several trucks get together and rent haymarket square. do this on a set day. A lot of the restaurants are closed on Mondays so start a food truck hub	Support with restrictions
No but there should be an application or permit request process to ensure safety of proposed location for vendors and patrons.	Support with restrictions
As long as they are checked weekly the health inspector	Support with restrictions
That they have some type of licensing and inspections.	Support with restrictions
would need to be a regulated amount of licenses that are given out...	Support with restrictions
Food trucks only in parking lots. Parking is very limited as it is do not let them take up street parking spaces.	Support with restrictions
Keep them up north of the city since you seem to divert any new business to the south side of the city. As long as they can pass health regulations and pay their taxes I have no issue with them.	Support with restrictions
No if it's only a day a week. Not a permanent address for their business.	Support with restrictions
As long as it is temporary, I am okay with it. I would prefer a specific area in town where food trucks can rotate in and out of. They are supposed to be temporary.	Support with restrictions
Consider limiting the number of food trucks per public parking lot as well as on public streets. I would also like to see a designated area for food trucks during events such as the German Christmas festival	Support with restrictions
I wouldn't want to see it limited to special events, but multiple days would be concerning.	Support with restrictions
I think there should be a designated spot/lot for food trucks. A family could possibly go and have a variety of choices. Perhaps the city could charge a small (\$10 -\$20) charge to use the lot. College (USM - KCKCC) students would be more apt to visit as well if a one stop variety was offered. Perhaps try it 3 or so nights a week.	Support with restrictions
Approval of management on site to make sure it doesn't disturb normal business.	Support with restrictions
My only concern is that the health inspectors ensure food safety.	Support with restrictions

The only concern that I would have is would that hamper the parking situation for people who would be visiting downtown?	Support with restrictions
As long as they don't take crucial parking spots, I'd have no issue.	Support with restrictions
No. As long as they clean up after themselves.	Support with restrictions
I think for them to park in a city parking lot is OK but not in street parking spaces	Support with restrictions
Just that they are licensed and inspected	Support with restrictions
I dont think they should be allowed on the street. But if they are allowed I think they should pay a parking fee to the city to use infrastructure our tax dollars pay for.	Support with restrictions
Operating from street parking would be a safety concern. I support operating from public parking lots.	Support with restrictions
I believe we have enough parking lots to accommodate food trucks without blocking streets. But should you find the need please put them in front of some of these empty store fronts. Maybe use Haymarket 1 day a week during working hours for food truck day Have trucks parked allowing the outside of the pavilion and tables under it. Just remember these will take away business from our downtown restaurants. Will these businesses be apart of Mainstreet or The Chamber? Will the money spent with them stay local to help build our economy? We need to stop spending our money with businesses that take it to other counties and states to spend it there to boost their economy. If you put the truck in front of a business will the business get a percent of the profits since it is impeding their customer parking? What about clean up after? Will the city have a cleaning crew to police the sidewalks and streets or will the businesses be responsible for that? What about the fumes from the trucks wafting Into other business while they are running? I am All for bringing people to our down town and during events I see no issue . I love the idea of more street festivals and in that case put the food trucks at each end and but the tenants up against each other in the street with all electrical running between them. This way customers can shop not only the tents but also all the store fronts as well. Nothing be blocked and every is visible to all customers.	Support with restrictions
Parking is limited downtown. Places like Haymarket Square or the park near Riverfront Community Center would be good places for food trucks to set up.	Support with restrictions
Should not be parked on the street just city owned lots	Support with restrictions
Parking can be limited downtown anyway, so I would just want to make sure any food truck doesn't take up too many on street or lot spaces during g the normal business week.	Support with restrictions
I think they sound great in a parking lot. On the main streets might not be great for traffic, depending on the street.	Support with restrictions

No issues with them in parking lots but not on city streets taking away parking spaces and causing congestion around them	Support with restrictions
Don't know about public parking lot, only if there is plenty of room for shopping customers and parking for food truck customers-	Support with restrictions
Just as long as it's not in a residential area.	Support with restrictions
Even better would be a dedicated food truck "court" in a lot downtown. We seem to have lots that don't get used much.	Support with restrictions
Why can't the city designate a lot as a food truck park? Many other cities do this and it is very successful.	Support with restrictions
No. Force downtown restaurants to compete. Open the city up to new ideas...this is a no-brainer.	Supports food trucks
Allowing food Trucks can add diversity to the food choices and may lead to a brick and mortar restaurant	Supports food trucks
I think if we had food trucks 2-3 days per week wouldn't hurt the other stores but having them on Sundays and Mondays would be awesome as there isn't much choice on these days.	Supports food trucks
Fully support this, look at KCK and food trucks on Central and how that's supported local businesses without harming brick and mortar restaurants.	Supports food trucks
No. I think it would bring a much needed culinary aspect to our town. Most ideal would be a city lot for food trucks with minimal fees to help grow the businesses. Successful food trucks very often turn into brick and mortar restaurants.	Supports food trucks
Allowing food trucks is a great way to support local small businesses! I support this 100%! Having a brick and mortar establishment may not be every restaurant owner's goal— and operating from a truck does not indicate lesser quality. I also feel that having awesome food trucks would increase foot traffic downtown.	Supports food trucks
I think food trucks allow people who might otherwise be unable to start restaurants Jumpstart what may eventually become physical restaurants in town.	Supports food trucks
Nope. Really would like more around since they give us food options that a brick and mortar location might not have enough sales for.	Supports food trucks
Food trucks are legitimate businesses, that have the potential to grow into a brick and mortar. And to limit them would be to stunt the growth of potentially successful businesses within the town.	
Also if we can't be bothered to clear the streets of vehicles during the Veterans day parade how can food trucks even considered a problem.	Supports food trucks
No I think this should be encouraged, many food trucks turn in brick and mortar locations	Supports food trucks

I appreciate having the variety and options of the food trucks in Leavenworth. I hope that The city personal continue to promote these businesses. As I was very disappointed to hear that We no longer have the ice cream trucks in Leavenworth, due to the high city taxes. Please help promote more to our community rather than turning businesses away. We need some growth in this City, has We are seeing it all around us in our surrounding cities, while WeThe city of Leavenworth is back sliding. Sad that We only have 1 clothing and apparel store. Thank you, for taking the time to allow the community to fill out a survey. I look forward, to hopefully, seeing that our opinions matter in our community!	Supports food trucks
None!!!! I think this is a great idea, lots of cities do this with great success. Let's do something good for our community!	Supports food trucks
None. I support open rules about this and don't think it should be regulated as to Where they can park	Supports food trucks
No because the downtown area can use some more reasons to shop or visit that area!	Supports food trucks
Food trucks are Great	Supports food trucks
None! They bring a variety, meet a need especially for special events when local facilities get overwhelmed.	Supports food trucks
I think food trucks are a great idea. They are a welcome convenience to citizens.	Supports food trucks
No, it's a great idea! Let's support small, local businesses.	Supports food trucks
This is a great thing.	Supports food trucks
Not at all. Brings in city revenue.	Supports food trucks
No I think that would be the best thing to happen to Leavenworth	Supports food trucks
Please. This is a poor low income town that is a inaccessible good dessert for the many people on the down town side. Please bring and allow food trucks there.	Supports food trucks
No we are limited on dining options. This would be a great opportunity for diversity.	Supports food trucks
No concerns at all and actually welcome the diversity of food that food trucks bring	Supports food trucks
No, I think it would be a good idea for everybody involved,,, I would let a business have one in there parking lot to help promote both parties	Supports food trucks
No concerns, I enjoy food trucks. Deliciousness on wheels	Supports food trucks
I think it would be great to have more small businesses and food options in Leavenworth.	Supports food trucks
No....but don't screw this up, let food truck in.	Supports food trucks
No., I think food trucks are a good addition to the dining options already available	Supports food trucks
No, I like food trucks.	Supports food trucks
Keep the food truck coming!	Supports food trucks
I think food trucks would be a benefit to the city.	Supports food trucks
Nope! I think allowing food trucks to park in normal parking spaces is fine. After all, they pay taxes too! If I can park there, why can't they?!?	Supports food trucks

It is a good opportunity to start small businesses. This provide people opportunities!	Supports food trucks
No questions. Variety is the spice of life!! I think it was in Colorado they just recently opened a food truck court, with a centralized seating area but food trucks around the outside. Genius!!	Supports food trucks
It would be great if there was a specific place they could post and list when/where/when they would be around. Like a Leavenworth specific Facebook food page.	Supports food trucks
No questions. I would love to see some food trucks.	Supports food trucks
I think it would be beneficial allowing food trucks downtown, it would attract more people for the current small businesses.	Supports food trucks
No! Definitely need to allow them!	Supports food trucks
No why not let them. It gives us options.	Supports food trucks
I believe that it would help the community much more than hurt the community, don't put strict restrictions so they won't setup and do business	Supports food trucks
I think it would enhance downtown business esp during festivals!!	Supports food trucks
Please allow this	Supports food trucks
Nope. Allow the food trucks.	Supports food trucks
Tell chick-fil-a to come back too please!! I support!!	Supports food trucks
Full support	Supports food trucks
I have absolutely no concerns. Let's support small businesses!	Supports food trucks
No concerns. Would love to have options.	Supports food trucks
No. Let them do it.	Supports food trucks
Not at all I think this is a great idea	Supports food trucks
Creating more flexibility for food trucks would be an immensely positive thing for not only the food truck businesses but to the overall atmosphere of Leavenworth thus creating further growth for our existing businesses and community.	Supports food trucks
None. We need more food trucks operating here.	Supports food trucks
None. They be a great addition	Supports food trucks
No concerns - city owned parking lots and streets belong to the tax payers - we want food trucks	Supports food trucks
No concerns, only excitement.	Supports food trucks
No. More options brings in more traffic for the city. Hopefully funding food truck operations and other small businesses	Supports food trucks
The city needs to do more and make it easier for locals to create new food businesses! Dedicate an empty lot to allow food trucks to populate like near Haymarket Square! Brings people downtown!	Supports food trucks
I eat at food trucks at least twice a week.I love them. Please keep it going!!!	Supports food trucks

No bring them on!!!	Supports food trucks
Those entrepreneurs shouldn't have to ask your permission to earn a living. Said ordinances should be repealed immediately. Further there should be no regulation of these people by the city.	Supports food trucks
Nope! We need more selection on our town! And food trucks are popular in so many areas!	Supports food trucks
Bring more food options to town!!	Supports food trucks
not at all, the food is delicious and they should be able to earn an honest living doing so.	Supports food trucks
No. It's a shame they've been prevented in the first place. Anything (especially entrepreneurial) that attracts folks downtown or to LV on general should be encouraged!	Supports food trucks
No, I think the citizens of this town need additional choices, and what a great way to provide.	Supports food trucks
If food trucks are allowed, PLEASE, PLEASE, PRETTY PLEASE have good food. I retired in California and I miss a good taco/burrito from an awesome food truck.	Supports food trucks
I think it supports small businesses and may bring even more to Leavenworth and that would be great for the City! It is also a big draw for the military community and their families.	Supports food trucks
Food trucks are currently the best food options in Leavenworth. Absolutely let them park in city lots or on the street.	Supports food trucks
I think it would be a wonderful addition and would be great for when people are exploring downtown!!!	Supports food trucks
I see only positives. Give people a reason to come downtown. Hay market square would be a great place for a food truck event on days when there's no farmers market. Or have them come in after the market closes	Supports food trucks
No but I have concerns of why this is even an issue.	Supports food trucks
No we need more food in Leavenworth 😊	Supports food trucks
No, do it. In fact, create a food truck event. The more the merrier	Supports food trucks
The city needs to stay out of micro management and regulations of small businesses like this. Westport thrives with food trucks, there doesn't even need to be a survey on this! Economically if the city supports it they will with their wallets, if they don't likewise as well.	Supports food trucks
No. We need more of this!!	Supports food trucks
No, sounds like a great way to bring a "food court" style of options to downtown. Using the lil Haymarket area actually would be great and picnic tables could always be added there and around it to make use of the space year-round	Supports food trucks
Leavenworth is so limited on food options, it's nice to have people come in and sell. Imagine a food truck festival downtown!! It would bring so much money to the businesses!	Supports food trucks
no absolutely not active duty military loves the food trucks on lunch helps people stay and keep the money in LV	Supports food trucks
Allow food trucks to have greater access to the public.	Supports food trucks
No, but I think they would be a great asset to the city.	Supports food trucks

Food trucks can help bring business to other local business nearby thus boosting sales for more than just the food truck. Additionally, food trucks have a lower barrier of entry for budding entrepreneurs. City would make some additional tax revenue.	Supports food trucks
No concerns. They are providing a food choice and generating tax revenue for the city.	Supports food trucks
More business equals more tax dollars. More tax dollars gives the city more opportunities. Why is this even a question?	Supports food trucks
No. I support small business to include food trucks.	Supports food trucks
No-it would be nice to have other options!	Supports food trucks
Lot's of opportunities for Leavenworth residents to eat local if this is Passed there are only so many places you can go and not get tired of the same places. Many people leave town to eat because of the limited amount of places. Food trucks also add people downtown which can help businesses.	Supports food trucks
Let's support more opportunities for residents to start a business and enjoy some delicious food. Make it easier not harder.	Supports food trucks
Let them park!	Supports food trucks
No I do believe its good for everyone.	Supports food trucks
no, bring on the trucks!	Supports food trucks
Allowing the food trucks to sell their products is a great idea and gives our town a diverse selection of food. Currently we only have fast food restaurants that are more expensive and unhealthy. Food trucks are a small business that also need to be supported by our town.	Supports food trucks
I think it's a great idea!	Supports food trucks
No. I just really like food trucks.	Supports food trucks
If leavenworth can't attract decent restaurants, then bring on the food truck. Choices are limited. Especially for dinner.	Supports food trucks
No, you let it happen every buffalo bill days.	Supports food trucks
No concerns with food trucks. We need a better variety of food choices. They need to stay open longer.	Supports food trucks
No, I think it's a great idea. I go downtown often and see many open spaces for them to park.	Supports food trucks
Love the idea	Supports food trucks
No, I think this is a good idea to draw more to the downtown area.	Supports food trucks
no, they are a great addition to any event or just a regular day as another option!	Supports food trucks
None! Let's support small businesses!	Supports food trucks
I have no concerns about loosening the current restrictions.	Supports food trucks
No. Leavenworth does not have that many food places. Bring the food trucks please	Supports food trucks

Could they set up in Haymarket Square around the perimeter when it is not being used for an event? That would give us a mobile food court and attract more people downtown which is desperately needed. Please give them more freedom.	Supports food trucks
No, I think they should be able to do that I mean everybody has a dream right?	Supports food trucks
None at all. Taxes for businesses are entirely too high and having an array of foods and making them accessible to residents is important for variety and happiness.	Supports food trucks
Bring more food trucks!!	Supports food trucks
I think having good trucks here world be great. There aren't many food choices in Leavenworth and of the ones that exist they are sub par. I feel like they have no competition so they have no desire to serve decent food. Bring on the food trucks!!!!	Supports food trucks
No concerns. Let people be free to do what they want.	Supports food trucks
No, I think that we should remove as much red tape as possible to get these food trucks in and running and adding to the many diverse food options in the area. These trucks often times are the startups for small business owners that can grow our local business footprint and improve the city!	Supports food trucks
No. We need more dining variety so bring the food trucks!	Supports food trucks
Worry about something else. They are just trying to make a living like everyone else	Supports food trucks
Great idea so bars and breweries can support food trucks	Supports food trucks
I'm happy with supporting small business	Supports food trucks
No! Let them come! Great way to bring new foods to our town without the owners being tied down to a building	Supports food trucks
Just as long as they're open past 5pm, I'm all for it!	Supports food trucks
Nope, we need to start doing different things in this city.	Supports food trucks
No. It would be nice though to know what food trucks there are and when and where they are. With a lot of our restaurants not being open for dinner, this would be a nice option.	Supports food trucks
No concerns. Let's make this happen. Open up the city for more small businesses to give it a go.	Supports food trucks
Nope. I love food trucks.	Supports food trucks
Let them come and see what the market does. Some will be successful and some won't	Supports food trucks
I Love the variety that food truck add to different kind of foods in Leavenworth it is a great benefit to our community!!!	Supports food trucks
None they should be encouraged	Supports food trucks
Would definitely love this. Love food trucks	Supports food trucks
No, the more variety the better!	Supports food trucks
No. We need more, it is a must for the city, park them by downtown and they can shop and eat! Food trucks are the best. Also we do not need any more car washes or anything else!	Supports food trucks

Nope let the food truck one city streets and parking lots.	Supports food trucks
None but would love to see more good truck vending events like quarterly or monthly if not already offered.	Supports food trucks
No. I support it! Brings more venders, potential more building spaces being filled if successful. Also could bring loyal customers from outer cities.	Supports food trucks
No questions. I'm all for it.	Supports food trucks
I would love to see a vacant lot turned into a spot for food trucks. Like between Home Depot and U-Haul. It would act as a whole new restaurant with ever changing menus.	Supports food trucks
Yes! Allow the various drinking establishments to have at least one food truck able to be parked within one block of the establishment!	Supports food trucks
I think it is a great idea. Thank you for asking our opinion	Supports food trucks
No let them come in! Bring business and great eats!	Supports food trucks
No it would be great to have food trucks, think of all the people it would draw for downtown and surrounding businesses.	Supports food trucks
it would be nice if one of the lots like 5th and choctaw was set up as a permanent food truck court like many other cities have	Supports food trucks
No, for the Love of God get out of the way of these hard working people. Support Local Business. No over regulation.	Supports food trucks
No, for the Love of God get out of the way of these hard working people. Support Local Business. No over regulation.	Supports food trucks
This would be awesome to support the local businesses	Supports food trucks
No concerns! Food trucks would be great!	Supports food trucks
No. This city needs stuff like this. And the food trucks that are here are VERY popular. Let's not ruin this.	Supports food trucks
More variety, selection of food, the better.	Supports food trucks
Bring on all the food trucks!	Supports food trucks
No- LOVE food trucks!!	Supports food trucks
No, and the city shouldn't either.	Supports food trucks
Just that it would bring a lot more commerce and traffic downtown which is a very good thing and support local businesses	Supports food trucks
It would be nice if the city could reach out to some of the Greater Kansas food trucks to see if they would like to come to Leavenworth.	Supports food trucks
Think this would be a great addition	Supports food trucks
yes. LEAVE THEM ALONE to make a living. THAT IS The American Way. TRASH your stupid ordinances.	Supports food trucks
No. Leave them be. Anything that brings more options other than McDonalds and Taco bell is welcomed. I would be more concerned with the roads said trucks need to use.	Supports food trucks

No when we have activities going on it would be nice to have food truck for us to enjoy like we did back in the 90's on Delaware	Supports food trucks
I think they bring variety and reasons to visit the area that they are in. Advertisement would be my only concern. Making sure it is well known that they are there with the time and date.	Supports food trucks
Should be allowed	Supports food trucks
No concerns. I fully support food trucks in Leavenworth.	Supports food trucks
Great way to bring more people to the city. The more attractions we have the better growth for buissness.	Supports food trucks
No. We need more options	Supports food trucks
No.. and why would you.. let people make a living	Supports food trucks
No questions or concerns let them do it wont hurt And it helps the community and i dont have to cook its a win win	Supports food trucks
Exception - Food trucks could be allowed for more than 5 hrs /multiple days in the case of special events for downtown businesses and City festivals	Supports food trucks
Think it will be a great addition. Especially if they are open on Monday...when the majority of the restaurants downtown LV are closed...buy people still need to eat	Supports food trucks
No. Food trucks are awesome and I would like them to be more accessible.	Supports food trucks
Don't nickel and dime the food trucks	Supports food trucks
No the food trucks we have are great and they're not hurting anyone...	Supports food trucks
It's hard out here, let them make money.	Supports food trucks
Let them be there as long as they want! It supports our local small businesses and would encourage people to wander around more	Supports food trucks
No questions, food trucks draw people which draw spending in the areas they populate. Thus, bringing people to our downtown area.	Supports food trucks
We need more local business in LVN! Food truck festivals/evenings are common in KC, and not once have I regretted attending one! Food is delicious, patrons get to walk around, and I usually leave with more than just dinner!	Supports food trucks
I think food trucks would be a great addition. Not everyone can go and sit someplace for lunch. This allows fast fresh food.	Supports food trucks
What about other areas around town or even pop up kitchens?	Supports food trucks
No! I love food trucks!	Supports food trucks
No I think it's a great idea and people would probably get out more to do things. I feel it will help the community.	Supports food trucks
Please bring in more food trucks.	Supports food trucks
I think food trucks would be a valuable asset to this community	Supports food trucks

Leave the food trucks alone. These are people who are barely making ends meat. They don't live off government checks and section 8 housing. So they need to be treated as well as a regular restaurant. Leave em alone!	Supports food trucks
An occasional food truck will draw more business. There are always more individuals within a household who enjoy eating different things. I believe the restaurants would benefit from a food truck being near them. More people would visit the downtown.	Supports food trucks
None. We love having food trucks in Leavenworth!	Supports food trucks
No. Its a great idea.	Supports food trucks
No I think you could do like a food truck round up at Haymaker on Friday nights and bring a ton of people to the area.	Supports food trucks
I love having food trucks in Leavenworth!!!	Supports food trucks
Food trucks will bring new business and excitement to town. The Christmas Market showed that people will show up for opportunities and excitement.	Supports food trucks
No questions. Food trucks are fun eating venues and would probably increase foot traffic for businesses.	Supports food trucks
It's about time!!! We are like 20 years behind times.	Supports food trucks
No concerns! Allow more!!!	Supports food trucks
for god's sake, bring us FOOD TRUCKS!	Supports food trucks
No, I think they would be great for the citizens of Leavenworth. We haven't had a lot of food choices for a long time	Supports food trucks
No! It would be a great benefit to the city to allow them around town!	Supports food trucks
Bring on the food trucks	Supports food trucks
No I think it'd be a great addition to our town! We need more options!	Supports food trucks
Long term should be okay for full day and multiple day events.	Supports food trucks
I've live in other city that allows food Truck on city streets and parking lots. By doing this it brings people to the down towns and help economic growth! Leavenworth need to catch up with the times!	Supports food trucks
Let food trucks come to Leavenworth and park on city property. We have nothing in this town, that's why everyone goes into KC. We have multiple chain fast foods and a few small restaurant locations and that's it.	Supports food trucks
Love the idea this will help bring ppl out to enjoy our city	Supports food trucks
No - the more the better --- food options in Leavenworth are terrible. Food trucks would be a nice change	Supports food trucks
None. It would be nice to have more variety available	Supports food trucks
This would awesome to add for local breweries to have close!	Supports food trucks
None! Would love to have food trucks as am option.	Supports food trucks

No. Allow them, please.	Supports food trucks
No. I enjoy food trucks and having them in various locations around town.	Supports food trucks
I support these businesses bringing different options to our town.	Supports food trucks
no i do not. they're not harming nothing.	Supports food trucks
Food truck owners are small businesses. As a city, we should support all small and local businesses.	Supports food trucks
No, I think they bring people downtown. More people downtown the better businesses will do!	Supports food trucks
I wanna see more of them!!	Supports food trucks
Nope. I'd love to see them there!	Supports food trucks
We need more as options for eating in lv are limited	Supports food trucks
No. Quit crying about how people make money	Supports food trucks
No, I would love to see more come to town!	Supports food trucks
No concerns! It would be great to have more food options.	Supports food trucks
Nope, let's bring in more	Supports food trucks
The more food trucks the merrier.	Supports food trucks
I love food trucks!! Bring more to town!	Supports food trucks
Absolutely no concerns. Let them park where they want. Supporting local businesses is more important than continuing ordinances that want to make people's lives more difficult and complicated. There are more important issues to address than causing unnecessary stress to food truck owners. Let them park wherever they can get a good flow of customers. It helps the economy and keeps people happy when they have convenient access to delicious food.	Supports food trucks
No concerns! Bring in more food trucks!!	Supports food trucks
this would bring more diversity of food to the area.	Supports food trucks
None at all, I don't see that many food trucks.....	Supports food trucks
Bring on the food trucks! We need more options in this town that aren't the same old fast food places!	Supports food trucks
Food trucks have been a great think for the city and area. Let's get out of their way and encourage their business instead of trying to hold it back.	Supports food trucks
I think this will only help grow the community!	Supports food trucks
Gluten free, celiac safe options would be great since there is only 1 restaurant in Leavenworth/Lansing that cares about Celiac safety & has options. Having to drive 30-45 min for every meal is annoying & a missed opportunity for sales/income.	Supports food trucks
I think food trucks are great!	Supports food trucks
More food trucks!	Supports food trucks
No, let them come!	Supports food trucks

I would like to see more food trucks. They have been a boon to on post and would be received warmly in the city	Supports food trucks
I think they are a great idea as long as they are affordable	Supports food trucks
Absolutely NO issue with Food Trucks!! As long as they have permission to be there, they should be allowed to park wherever, whenever. If you need a spot for food trucks to park, then reach out to me at Flatland Vapes	Supports food trucks
No, my only thing is if you aren't going to enforce the don't back into stalls signage, (THEY SHOULD BE REMOVED IF NOT BEING ENFORCED) then there should be no issue of a food truck parking in a safe manner to serve people.	Supports food trucks
No - I say bring them on!	Supports food trucks
We love them. It's a real treat for our family. We love them	Supports food trucks
None, I love our food trucks and wish there were more.	Supports food trucks
Nope I think we should have more food trucks!!	Supports food trucks
No, i love food trucks. We need more of them.	Supports food trucks
None whatsoever. The local, popular food trucks to our area are ran by amazing people and have brought out of town foot traffic to the area. In a time of so much anxiety, stress, and uncertainty, there are bigger concerns for our local government than trying to prevent local people who make great food and bring joy to the community and visitors alike with their amazing food. Please make better use of your time and our tax dollars.	Supports food trucks
I love food trucks!	Supports food trucks
My only concern is that the city will force them to be confined to where the city says	Supports food trucks
This would be great for the city!	Supports food trucks
Our food trucks are absolutely amazing and such a great option for food we are lucky to have them!	Supports food trucks
No concerns. We need more food trucks.	Supports food trucks
We need to support food trucks in anyway we can. It is the wave of the future.	Supports food trucks
No.	
I gladly invite more food trucks here! We need more options!!	Supports food trucks
Anything to bring something new and fresh to the city. LV is dying, we need a Target, Chipotle and ChikFilA, too many small businesses are killing this town, they don't employ many and don't provide wanted or needed services. That's why they can't stay in business. Bring in real retail chains for shopping and dining	Supports food trucks
This would be great!	Supports food trucks
No. Let them do it. A food truck by the breweries would be great!	Supports food trucks
Would fully support this	Supports food trucks
No. Small businesses are always welcome!	Supports food trucks
No, we need great options! More business for downtown. Absolutely love the German market and hope it only gets better each year!!	Supports food trucks

Would love to be able to have food trucks on the city streets	Supports food trucks
No, it would be a great option for residents to help out our local businesses!	Supports food trucks
Yummy Yummy food it's time for Leavenworth to get with the rest of world encourage more entrepreneurs	Supports food trucks
No. It'd be a great addition to the city.	Supports food trucks
I think we should have a larger variety and let them run their business in publicly accessible areas without interference from the city or state. They already have a business license.	Supports food trucks
No, not if it brings people and business downtown. Not permanent parking but recurring would be fine.	Supports food trucks
We should have designated lot for food trucks. Make a destination to draw people to Leavenworth	Supports food trucks
I support Food Trucks. We should allow them in on-street parking or city owned parking every day and have them purchase a permit.	Supports food trucks
No question or concerns. Just food for thought several city's have areas just for food trucks to set up. An brings lot of extra business to the town. Special city permits. It would be great	Supports food trucks
I think a food truck park or lot could be kinda cool too.	Supports food trucks
Nope! Food trucks are great and offer an awesome way to experience downtown during an afternoon of shopping.	Supports food trucks
I do not have any concerns, I believe this adds to Leavenworths attraction and diversity! I also believe there should be maybe a designated food truck lot where people can maybe go park and enjoy the many different foods they all provide. Like worlds of food truck in Orlando Florida. This would be a huge destination/attraction to Leavenworth.	Supports food trucks
None at all. But I would suggest a designated area, so we always know where to look!	Supports food trucks
I have always wanted to start a food truck lot, parking for trucks and customers, park like with picnic tables, rest rooms Revenue or "rent" from the trucks pay for maintenance. Great location would be right outside the fort.	Supports food trucks
No concerns. More food trucks for Leavenworth!	Supports food trucks
No concerns or questions. Leavenworth needs more food trucks.	Supports food trucks
No, I fully support the idea of food trucks operating downtown.	Supports food trucks
Love this idea!	Supports food trucks
This would be awesome	Supports food trucks
No concerns. Food trucks are great and should be allowed.	Supports food trucks
No ~ it's a great idea	Supports food trucks
No they do it in other cities with no problem	Supports food trucks
No concerns at all. I would love to see more food trucks.	Supports food trucks
No concerns. Great idea for our downtown!	Supports food trucks
No concerns.	Supports food trucks

No they do it in other cities with no problem	Supports food trucks
No they do it in other cities with no problem	Supports food trucks
No concerns	Supports food trucks
No! They're great!	Supports food trucks
Why has this ordinance lasted so long? Bring in more food diversity and business to the city.	Supports food trucks
No. They would be awesome.	Supports food trucks
No concerns	Supports food trucks
No concerns.	Supports food trucks
No concerns	Supports food trucks
No. We need more good ones	Supports food trucks
No, I think it would be great	Supports food trucks
No. We need more varieties.	Supports food trucks
No. Let them	Supports food trucks
No issues	Supports food trucks
No concerns	Supports food trucks
None I love food trucks!	Supports food trucks
Leav needs a change. WhT is it costing leav if they follow rules given	Supports food trucks
No. Bring it on.	Supports food trucks
No. I approve of the food trucks.	Supports food trucks
No please we need this	Supports food trucks
No concerns	Supports food trucks
No concerns at all	Supports food trucks
No Concerns at all	Supports food trucks
No questions. It's a great idea	Supports food trucks
No, I think it is fine	Supports food trucks
No concerns	Supports food trucks
100% support	Supports food trucks
No concerns	Supports food trucks
No. Sounds fine to me.	Supports food trucks
Traffic issues.	Unknown support
How many food trucks will be allowed per day? Will this everyday or only weekends?	Unknown support

Are they locally owned food truck businesses?	
Sanitation in and around the food trucks?	
Does the "on-street" parking mean they could park outside another restaurant which could affect their business by taking customers away and/or blocking access?	Unknown support
Where do they go to the bathroom?	
Hygiene!!!	Unknown support
Parking in the downtown area is at a premium. What will happen if the parking spots were taken up by food trucks?	Unknown support
What about food and health inspections?	Unknown support
My main concern would be to address if they park on more heavily trafficked roads. Safety for both patrons and workers of the food truck would need to be addressed, which may mean a restriction on which streets they can park on if they are considered high traffic areas.	Unknown support
Some appear to be legal businesses subject to health codes that are paying taxes. One comes to mind that is not.	Unknown support
Cleanliness	Unknown support
Do all the food workers attend food safety and handling class?	Unknown support
When at an event the Food truck need to be supplied with a Generator that they all use so there are not 10 little generators running all over the place causing noise pollution during a event. The city could set up a large generator and provide power at a cost and block the noise by a moveable wall.	Unknown support
What food handling and preparation requirements would be in place for such establishments?	Unknown support
If they parked in city owned space would that cause a tax increase?	Unknown support
Health standards	Unknown support
Would there be some inspector for food trucks? To be sure they are clean and food is safe to consume.	Unknown support
Concern: Some streets are not wide enough to accommodate both food trucks and traffic.	Unknown support
Need more public parking available before any long term food truck parking. Barely enough parking as is. Especially near the post office. Event areas with larger space like the community center or schools could be an exception.	Unknown support
Cleanliness	Unknown support
Who is responsible for ensuring the truck is hygienic and the food is safe to eat?	Unknown support
There is at least one current food "truck" that operates late evenings in a parking lot by a bar and for all I can tell has flown under the radar with any sort of compliance with food service or health code ordinances. I've personally seen this individual take bites of the food off plates to be served, touch it with bare hands, lick their fingers and touch the food again, sweat dropping from the brow on to food, etc. Food trucks of ANY kind (truck, smoker, grill whatever) should be inspected and held to health and safety standards. They should be licensed with the city and state alike.	Unknown support

Yes, a lot of our streets downtown are built over tunnels and are already crumbling because we got rid of the truck route. Now you want to let these large food trucks block the limited parking and add more wear and tear? Why not make a designated area for them?	Unknown support
Food poisoning is my biggest concern. Some appear to be salmonella on wheels.	Unknown support
I would rather see them in a parking lot than one side street blocking traffic.	Unknown support
None, as long as it wouldn't disrupt traffic	Unknown support
No other than security needs to be really present because some food trucks have had their generators stolen.	Unknown support
No concerns as long as they keep it clean and traffic is still doable wherever they are...	Unknown support
yes, health permits, mess they make ,fees paid to city?	Unknown support
Long term on the street could be problematic because of the gathering of people around a food truck could cause traffic issues and safety issues.	Unknown support
We would need to either have the food trucks or the city provide and trash can so that we do not create street trash	Unknown support
If against law how about the cactus truck. Watch where it parks	Unknown support
Can we include clothing trucks in a new survey?	Unknown support
Don't raise our taxes just to have food trucks here please!	Unknown support
Please leave small businesses alone. Let consumers decide if they want food trucks. Thank you	Unknown support
There are several city owned spaces that are not fully utilized, I think using Haymarket square or certain other areas would be more suitable to food trucks.	Unknown support
Would the food truck operator have to sign a waiver releasing the city of all liability (ie: damage, injury, etc.)? The food truck owner and/or operator would assume all liabilities and be responsible for clean up.	Unknown support
Does the health department check regularly to make sure they are following the same rules that standing restaurants have to meet?	Unknown support
Pass all safety and food requirements	Unknown support
Would prefer if they were grouped together in one area (as they do at Lake Fayetteville, Arkansas: https://www.experiencefayetteville.com/eat/lake-fayetteville-food-trucks). This allows for easier policing, community feel, and standardized hours (if that is decided as most appropriate).	Unknown support
only parking space during busy times	Unknown support
They should be removed when no actively serving	Unknown support
I would like to see regulations on this. Maybe local (Leavenworth) vendors with lower permit rates. Also check for them collecting sales tax local	Unknown support
Street parking is fairly limited at times, but city parking lots seem to have plenty of empty spots.	Unknown support

They should pay a few as restaurant holders	Unknown support
I think there would still need to be a limit to the number of hours just to regulate it but more than 5 is reasonable	Unknown support
Making sure that there is enough parking for residents, visitors, and workers.	Unknown support
Yes. Lack of parking in some locations would cause problems.	Unknown support
The streets and lights are already busy and people run red lights. Safety needs to be a high level consideration.	Unknown support
I worry about possible injuries. Especially if the food truck would have a fire on city property.	Unknown support
Do they have to have a license or parking permit to operate on City property?	Unknown support
Will they be required to have a license or certificate that require them to pass food handling safety?	Unknown support
Will they need a parking permit from the city?	Unknown support
Health department certification?	Unknown support
Trash/refuse clean up after. Cooking Oil containment.	Unknown support
Would they be required to meet sanitation standards like other restaurants?	Unknown support
Cleanliness.	Unknown support
The city should be more concerned with other things rather policing food trucks.	Unknown support
Will they have food permits	Unknown support
Will they have food permits	Unknown support
Will they be allowed to set up close to other restaurants? That are not open that day?	Unknown support
Would increase revenue	Unknown support
Would these said food trucks be allowed to participate in, say, a downtown wide German style Christmas market without needing permits on top of permits?	Unknown support
Don't want food truck to clutter up city streets blocking traffic if vision of traffic.	Unknown support
Do I get a discount at said food trucks if I prove I answered positively in this survey?	Unknown support
Kidding. I'm kidding. (Unless they DO offer discounts.)	Unknown support
Is there going to be a permit requirement? If so what is the money to be collected going to be used for ?	Unknown support
No, but I'm a healthy middle aged woman. I could see where it might be problematic for someone that didn't want to walk very far when there is an event. With that said, if there is an event, people should expect to have to walk further than normal.	Unknown support
I only have a problem with the vendors being taxed or feed anything above the current standard	Unknown support
Not a chance for many to participate	Unknown support
Haymarket is a great place for food trucks	Unknown support

What food trucks will be allowed?	Unknown support
368 Responses of "No/No concerns/No I don't/NA/Nope/Not at all/No questions/None/No questions at this time/I do not/Sure"	