



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

City Commission Regular Meeting
Commission Chambers
Tuesday, April 9, 2024 6:00 p.m.

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

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Fire Chief Gary Birch, Police Chief Patrick Kitchens, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

Sexual Assault Awareness Month – Mayor Martin read the proclamation declaring the month of April as Sexual Assault Awareness Month. The proclamation was accepted by Katie Irvin of Alliance Against Family Violence.

National Library Week – Mayor Martin read the proclamation declaring April 7-13, 2024 as National Library Week. The proclamation was accepted by Leavenworth Public Library Director Matt Nojonen.

National Public Safety Telecommunicators Week – Mayor Martin read the proclamation declaring April 14-20, 2024 as National Public Safety Telecommunicators Week. The proclamation was accepted by Fire Chief Gary Birch and Police Chief Patrick Kitchens.

Spring Clean Up Day – Mayor Martin read the proclamation declaring April 20, 2024 as Leavenworth Spring Clean-up Day. The proclamation was accepted by Public Information Officer Melissa Bower.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to accept the minutes from the March 26, 2024 regular meeting and April 2, 2024 special meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8240 Rezoning 46 Limit Street from Medium Density Single Family Residential to High Density Single Family Residential – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced at the March 26, 2024 meeting.

Mayor Martin called the roll and the Ordinance No. 8240 was unanimously approved.

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

Gerard Overbey, 4108 Grand Ave:

- Requested support for appointment to Library Board
- Steward of taxpayer dollars
- Wants the Library Board to work in conjunction with the City and not in contrast

General Items:

Mayor's Appointments:

Mayor Martin moved to appoint to the Library Board Gerard Overbey to a term ending April 30, 2028 and to Reappoint Melissa Davis to a term ending April 30, 2028. Commissioner Hingula seconded the motion. The motion failed 2-3, with Commissioners Bauder, Wilson, and Pittman voting no. Mayor Martin declared the motion failed 2-3.

Resolutions:

Resolution B-2363 Spring Clean Out Sidewalk Sale Special Event Street Closure for Possession & Consumption of Alcohol – City Clerk Sarah Bodensteiner presented for consideration a resolution allowing for closure of the 400 to 600 block of Delaware Street and 5th Street from Shawnee Street to Cherokee Street for the First City Creatives Spring Clean Out Sidewalk Sale special event to allow for the sale, possession and consumption of alcoholic liquor.

Commissioner Hingula moved to approve Resolution B-2363 for the First City Creatives Spring Clean Out and Sidewalk Sale Special Event as presented. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Resolution B-2364 Stay Fired Up Gravel Grinder Special Event Street Closure for Possession & Consumption of Alcohol - City Clerk Sarah Bodensteiner presented for consideration a resolution allowing for closure of the 400 block of Delaware Street and 5th Street from Shawnee to Cherokee for the Santa Fe Trails Bicycle & Coffee Shop Stay Fired Up Gravel Grinder special event to allow for the sale, possession and consumption of alcoholic liquor.

Commissioner Pittman moved to approve Resolution B-2364 for the Santa Fe Trails Bicycle & Coffee Shop Stay Fired Up Gravel Grinder Special Event as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Resolutions for Commonwealth Development Corporation Low Income Housing Tax Credit Project – Assistant City Manager Penny Holler presented that the City has been working with Commonwealth Development Corporation on a multifamily affordable housing project for consideration under the Low Income Housing Tax Credits program from the Kansas Housing Resources Corp (KHRC). The proposed development would be submitted through KHRC for competitive award. As part of the process, Commonwealth Development Corporation approached the City about providing local support for an application to the State for residential development on 2nd Avenue. The development would be 43 affordable housing units. Along with a resolution of support, KHRC requires that the local government waive development fees up to \$40,000 and indicate willingness to issue Industrial Revenue Bonds to

exempt the tangible personal property and services purchased in connection with the construction of the project from sales tax. Ms. Holler introduced Danny DiFrancesco with Commonwealth Development Corporation who provided details about the project to the City Commission.

Commissioner Bauder:

- Asked if the buildings will be on slab
- Asked if the community center will also serve as a tornado shelter

Mr. DiFrancesco:

- Building will be slab on grade
- The community center will be designed with being utilized as a storm shelter in mind

Commissioner Pittman:

- Asked what rent would be
- Asked if there will be local partnering during the process

Mr. DiFrancesco:

- Rents would utilize Area Median Income, it would be a range
- We recognize the importance of local partnership

Commissioner Bauder:

- Asked if the units will be handicap accessible

Mr. DiFrancesco:

- There will be some units, but they are all built with future accessibility needs in mind

Mayor Martin:

- Asked about maintenance standards

Mr. Kramer:

- They would be required to meet our property maintenance standards
- There could be landscape, stormwater, grass/weeds requirements that they would be required to comply with

Commissioner Bauder moved to adopt Resolution B-2365 a Resolution of support of Low Income Housing Tax Credits for Commonwealth Development Corporation Multifamily Housing Development at 2604 2nd Avenue. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Commissioner Bauder moved to adopt Resolution B-2366 a Non-Binding Resolution of intent to Issue Industrial Revenue Bonds for the Commonwealth Development Corporation Multifamily Housing Development. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Commissioner Bauder moved to approve the Fee Waiver letter for the Commonwealth Development Corporation Multifamily Housing Development. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Approval of the City of Leavenworth 2024 Title VI Plan – Assistant City Manager Penny Holler presented for approval the update to the City’s Title VI Plan. Title VI of the City Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs that receive federal funding. The Federal Transportation Administration requires state and local transportation agencies demonstrate compliance with Title VI requirements. The Kansas Department of Transportation is the state agency that requires cities provide an updated Title VI Plan every five years to avoid withholding of funding. The City of Leavenworth’s previous Title VI Plan was last approved more than five years ago and requires a renewal. The revised plan has been reviewed by the Kansas Department of Transportation’s Office of Civil Rights Compliance and is recommended for approval.

Commissioner Bauder moved to approve the City of Leavenworth 2024 Title VI Plan. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance to Rescind Special Use Permits – City Clerk Sarah Bodensteiner presented for first consideration an ordinance to rescind the Special Use Permit (SUP) allowing auto salvage or junk yard at 235 Marion Street, and to rescind the Special Use Permit (SUP) allowing a child care center at 2715 Olde Creek Court. The Special Use Permit allowing auto salvage or junk yard at 235 Marion Street was approved on April 23, 1985 by passage of Ordinance 6771. The auto salvage owner has advised staff that they have closed the business and will not be renewing the Special Use Permit. As such, the Special Use Permit is no longer applicable to the property. The Special Use Permit allowing a Child Care Center at 2715 Olde Creek Court was approved on January 10, 2006 by passage of Ordinance 7683. The child care center owner has advised staff that they have closed the child care center and will not be renewing the Special Use Permit. As such, the Special Use Permit is no longer applicable to the property.

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

First Consideration of General Obligation Bond Ordinance – City Manager Paul Kramer presented for consensus to place on first consideration an ordinance authorizing the issuance of \$5,000,000.00 aggregate principal amount of General Obligation Bonds, Series 2024-A. The Bond and Note sale will be on Tuesday, April 23, 2024 and results will be presented to the Commission with final numbers and request for approval of the ordinance on second consideration.

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

Consent Agenda:

Commissioner Hingula moved to approve Claims for March 22, 2024 through April 4, 2024, in the amount of \$1,161,487.94; Net amount for Payroll #6 effective March 22, 2024, in the amount of \$406,640.95 (Police & Fire Pension in the amount of \$7,491.38). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- Mentioned Cody Park Pickelball Complex project
- Baseball/softball registration has exploded
- Stubby Park Shelter has been a huge addition to the community
- Pavement Management work will start in May
- Best partnership with Leavenworth Soccer Association, going extremely well
- Trails and sidewalk repairs are going very well
- Lifeguard participation is going strong, great leadership at Wollman
- Gearing up for the 2nd season at the splash pad

Commissioner Hingula:

- Excited for all the great things going on

Commissioner Pittman:

- Asked if we need more park shelters with how well they are doing
- Plugged the Leavenworth Education Foundation meat raffle this weekend at The Eagles

Commissioner Wilson:

- Thanked Mr. Kramer for the updates
- God bless have a great weekend

Mayor Martin:

- Asked the Commission about the library appointee motion that failed
- We make decisions based on world views
- Your voice can be heard
- Hope to see you all out at the Spring Clean Up

Adjournment:

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

Time Meeting Adjourned 6:47 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC