



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

City Commission Regular Meeting
Commission Chambers
Tuesday, April 23, 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 Pro-Tem Holly Pittman, Commissioners Nancy Bauder, Edd Hingula and Jermaine Wilson. Absent: Mayor Griff Martin.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Interim City Manager Patrick Kitchens, Community Development Coordinator Julie McKeel, Human Resources Director Lona Lanter, Parks & Recreation Deputy Director Brian Bailey, Planning & Community Development Director Julie Hurley, Public Information Officer Melissa Bower, Public Works Director Brian Faust, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

Mayor Pro-Tem Pittman asked everyone to stand for the pledge of allegiance followed by silent meditation.

PROCLAMATIONS:

Arbor Day – Mayor Pro-Tem Pittman read the proclamation declaring April 26, 2024 to be Arbor Day. The proclamation was accepted by Parks & Recreation Deputy Director Brian Bailey.

Small Business Week – Mayor Pro-Tem Pittman read the proclamation declaring April 28 – May 4, 2024 as National Small Business Week. The proclamation was accepted by Leavenworth Main Street Executive Director Haley Shaw.

Historic Preservation Month – Mayor Pro-Tem Pittman read the proclamation declaring May 2024 to be Leavenworth Historic Preservation Month. The proclamation was accepted by Rik Jackson and Ed Otto of the Leavenworth Preservation Commission.

National Drinking Water Week – Mayor Pro-Tem Pittman read the proclamation declaring May 5-11, 2024 as National Drinking Water Week. The proclamation was accepted by Leavenworth Waterworks General Manager Joel Mahnken.

Provider Appreciation Day – Mayor Pro-Tem Pittman read the proclamation declaring May 10, 2024 to be Provider Appreciation Day. The proclamation was accepted by Pastor and Dr. Sharon Walker.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Wilson moved to accept the minutes from the April 9, 2024 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8241 Rescinding Certain Special Use Permits – Interim City Manager Patrick Kitchens reviewed the Ordinance. There have been no changes since first introduced at the April 9, 2024 meeting.

Mayor Pro-Tem Pittman called the roll and the Ordinance No. 8241 was unanimously approved.

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

Sharon Whisler, 217 Pine Street:

- Dangerous intersection at 2nd and Pine Street
- Construction Company parks their vehicles on the street
- Requests a 4-Way Stop

General Items:

2024-2025 City Commission Goals – City Manager Paul Kramer presented for consideration and approval the 2024-2025 City Commission Goals. The City Commission met on Friday, March 22, 2024 for their annual goal setting session. The goals for 2024-2025 have been updated and finalized based on input from the Commission. The Goals document was presented for approval and the following updates were discussed:

Completed and/or Removed

- Exploring a partnership with Big Brothers Big Sisters or like organizations
- Replacing the Fire Department RMS
- Streamlining registration, reservation and payment processes (these are complete)
- Two finance goals to update various policies (all done in 2023/24)
- Removed a goal about a login portal for document access for Commissioners (deemed not to be a need anymore)
- Removed quarterly updates and moved the USD 453 and LCDC to semi-annual

Added or edited

- Moved from *implementing* to *tracking and reporting* on the progress of RideLV
- Added the pursuit of safety improvements for motorists and pedestrians to the “Roadways and Infrastructure” section
- Added the pursuit of grant funding for projects and operational elements at Sherman Army Airfield

Commissioner Bauder moved to approve the 2024-2025 City Commission Goals as presented. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Leavenworth Attainable Housing Update – City Manager Paul Kramer presented for consideration the readjustment of some of the budget allocation for Leavenworth Attainable Housing. At the January 24, 2023 City Commission meeting, the Commission approved \$600,000.00 in funding to Depaul USA through Leavenworth Attainable Housing for homeless transitional housing in the City. As Depaul USA and Leavenworth Attainable Housing have been working on the project, they have seen a few conditions change, related to land availability, housing stock, material cost, and opportunity. There is no request for additional funds or to fundamentally change the use of the Funds. Sister Vickie discussed their plans with the Commission. The discussion items included the following:

- Bought and rehabbed 3 houses
- Opportunity to purchase 6 homes for \$75,000

- Would rehab those homes
- Requesting the approval to alter the plan that would provide a bigger benefit for the community

Commissioner Bauder:

- Thinks it's a wonderful idea and would make a great impact in the neighborhoods

There was consensus by the Commission that the budget reallocation within the approved categories meets the original intent of the funding.

Consider Cereal Malt Beverage License for Little Bar at 1431 10th Avenue – City Clerk Sarah Bodensteiner presented for consideration approving the issuance of a 2024 Cereal Malt Beverage (CMB) License to Little Bar, located at 1431 10th Avenue. Due to the sale of the Little Bar to a new owner, a new Cereal Malt Beverage License is required to continue the locations operations. The new owner has submitted the application for an on premise consumption Cereal Malt Beverage License for the location in town. The Police Department has reviewed and approved the application.

Commissioner Bauder:

- Stated the presence of the Little Bar is a fixture in that neighborhood

Commissioner Hingula moved to approve the issuance of a 2024 on premise consumption Cereal Malt Beverage License for Little Bar, located at 1431 10th Avenue. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

2024-A General Obligation Bonds Issuance Proceedings – Finance Director Roberta Beier stated that the General Obligation Bonds sale was held at 10:00 a.m. on Tuesday, April 23, 2024.

The City's Financial Advisor, Greg Vahrenberg reviewed the Bond Process for selling of the Bonds:

- Authorizing Resolution (March 26, 2024 meeting)
- Official Statement (financial prospectus)
- Bond Rating from Moody's
- City received the Aa2 Rating, City has maintained this rating for several years
- Rating methodology and scorecard factors

General Obligation Bonds, Series 2024-A in the amount of \$5,000,000.00 the following bids were received with Robert W. Baird & Co., Inc. being the winning low bid:

- | | |
|---------------------------------|-----------|
| • Robert W. Baird & Co., Inc. | %3.313059 |
| • FHN Financial Capital Markets | %3.392783 |
| • StoneX Financial Inc. | %3.407789 |
| • Hilltop Securities | %3.417580 |
| • The Baker Group | %3.449956 |
| • TD Securities | %3.452767 |
| • Stifel, Nicolaus & Co., Inc. | %3.578309 |

*The winning bidder, Robert W. Baird & Co., Inc., offered a premium of \$247,471.10. The premium was used to offset the issuance costs of \$132,471.10. The remaining premium plus the bond issuance of \$4,885,000.00 equaled a total of \$5,000,000.00 to be deposited into the project fund

At 6:31 p.m., the commission made the following motions and approvals.

Commissioner Bauder moved to accept the proposal from Robert W. Baird & Co., Inc. for General Obligation Bonds, Series 2024-A as presented. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Second Consideration Ordinance 8242 General Obligation Bonds, Series 2024-A.

Mayor Pro-Tem Pittman called the roll and Ordinance 8242 was unanimously approved

Commissioner Bauder moved to adopt Resolution B-2367 Issuance of General Obligation Bonds, Series 2024-A. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Resolutions:

Resolution B-2368 Community Development Block Grant Annual Action Plan – Community Development Coordinator Julie McKeel presented for consideration the 2024-2025 Annual Action Plan. Leavenworth is an entitlement city that receives CDBG Funds and must submit an annual action plan with HUD. The report is composed of needs assessments of the community's housing stock, homelessness issues, public facilities, infrastructure, and community development assets. The award figures at this time are projected, as Congress has not voted upon the funds and once that happens HUD will advise what the award amount will be and the true total award will be updated. The Community Development Advisory Board has voted for a pro-rata configuration once the true award total is given.

Commissioner Bauder:

- Asked if CDBG funds can be used to help build ramps at homes

Ms. McKeel:

- Those funds can be used for that

Mayor Pro-Tem Pittman:

- Asked when will you know what the dollar figure is

Ms. McKeel:

- It hasn't been approved by Congress yet, but hopefully soon

Commissioner Hingula:

- Asked if any citizens attended the public hearing meetings
- Asked when will we develop a new 5 year grant plan

Ms. McKeel:

- There were no citizens at the meetings
- At the end of the 2027 grant year we'll need a new plan

Commissioner Wilson moved to approve Resolution B-2368 adopting the 2024-2025 Annual Action Plan and submission of the plan to HUD. Commission Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Resolution B-2369 Authorizing Serving of Complimentary Alcoholic Liquor for Main Street “Alive After Five” Events – City Clerk Sarah Bodensteiner presented for approval and adoption Resolution B-2369. The resolution allows unlicensed businesses to serve complimentary alcoholic liquor or cereal malt beverages to members of the general public during Leavenworth Main Street Program “Alive After Five” events in 2024.

Attorney David Waters:

- Touched on the maze of Kansas Liquor Laws and how the new Resolution would encompass any of the categories Main Street may fall under to continue to hold their Alive After Five events as they have added a call out for events that promote the arts

Scott O’Neil, Main Street Member:

- Noted that they were contacted by KS ABC regarding the language in the Resolution and that it needed to include promoting the arts

Commissioner Hingula moved to approve Resolution B-2369 as presented. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Bids, Contracts and Agreements:

Consider Approval of Executive Search Firm Services – Human Resources Director Lona Lanter presented for approval the use of an Executive Search Firm for the recruitment and selection of a City Manager. Staff prepared and distributed an RFP on March 29, 2024 with a submission deadline of April 17, 2024. A total of six proposals were received and reviewed. The proposals were reviewed and evaluated on criteria identified in the RFP. The top two proposals were identified and based on the scope of services being offered within the proposal, staff has selected SGR to enter into an Agreement for executive search firm services. The Agreement would further clarify and outline the objectives, scope of work, services provided, process timeline and payment terms. Staff recommends favorable consideration of entering into a contract with Strategic Government Resources (SGR) for Executive Search Firm services to fill the City Manager vacancy.

Commissioner Bauder:

- Likes that the firm has more experience in the Midwest region

Mayor Pro-Tem Pittman:

- Asked if SGR would meet with the Commission

Ms. Lanter:

- Yes, and that will be defined as part of the contract

Commissioner Bauder moved to enter into an Agreement for Executive Search Firm services with Strategic Government Resources (SGR), and authorize the Mayor to execute the Contract, in an amount not to

exceed \$28,900.00. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Consider Award of Bid for Municipal Service Center Building Partial Remodel— Public Works Director Brian Faust presented for approval a contract for a partial remodel of the Municipal Service Center. The Municipal Service Center is in need of several repairs and additional secure office spaces. The upgrades include removing five old outdated block cubicles and replacing with seven cubicles, metal studs, insulated sheet-rocked offices with fire-rated doors, updated electrical, and updated media/computer cables and outlets. The construction includes finishing a large area of acoustical drop ceiling that was never completed in part of the office area. This will drastically cut down on wasted heat and air conditioning costs, along with noise pollution and odors coming from the garage area. The front entrance will continue to be welcoming to citizens, but at the same time keep the administrative assistants safe and secure. There will be four entrance doors coming into the office area that will be access controlled. The 2024 CIP includes funding in the amount of \$120,000 for the remodeling of the office area. The cost for the remodel, without the bathroom and floor) is \$119,202. The bathroom remodel and floor refinishing will be evaluated for a possible future project.

Commissioner Bauder moved to approve the bid from the remodel of the Municipal Service Center from BKM Construction, LLC, in an amount not to exceed \$119,202.00. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

First Consideration Ordinances:

First Consideration Ordinance to Rezone 707 Pawnee from OBD to R1-6 – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to rezone the property located at 707 Pawnee Street from Office Business District to High Density Single Family Residential District. The owner is requesting the rezoning in order to bring the property into conformance with development standards for a single-family home. The existing single-family home was previously damaged by fire and was repaired. The home as it exists is considered legal nonconforming, and no action is required by the City of Leavenworth in order for the property to continue to function as it is. The owner is intending to sell the property, and currently lending and insurance standards frequently require that a property be in conformance with applicable local development standards, which has led the owner to opt to apply for a rezoning to make the property conforming. No additions or new construction is planned at this time. The Planning Commission considered this item at their April 1, 2024 meeting and voted 5-0 to recommend approval of the rezoning. Ms. Hurley reviewed the Conditions of Determination that were referenced in the Policy Report.

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

First Consideration Ordinance for Special Use Permit for a College or University at 4100 S 4th Street – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to allow the operation of a College or University in the R1-9 zoning district. The subject property is occupied by the University of Saint Mary, which was established on the site in 1923. College or University uses are allowed in the R1-9 district with approval of a Special Use Permit. The University is currently intending to construct a new dormitory facility on the existing campus. The University is considered an existing

nonconforming use, as there is no existing Special Use Permit. Any new construction or expansion of existing facilities associated with the University requires the approval of a Special Use Permit. Approval of a Special Use Permit will bring the property into conformance with regards to land use and allow for future university-related construction on the property without the need for additional Special Use Permits. The Planning Commission considered this item at their April 1, 2024 meeting and voted 5-0 to recommend approval of the Special Use Permit. Ms. Hurley reviewed the Conditions of Determination that were referenced in the Policy Report.

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

Consent Agenda:

Commissioner Hingula moved to approve Claims for April 5, 2024 through April 18, 2024, in the amount of \$1,263,299.15; Net amount for Payroll #7 effective April 5, 2024, in the amount of \$393,466.23 (No Police & Fire Pension). Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 4-0.

Other:

City Manager Paul Kramer:

- Read a prepared statement thanking the Commission during his tenure at the City of Leavenworth

Commissioner Hingula:

- Thanked Mr. Kramer for all his work during his tenure

Commissioner Wilson:

- Learned a lot from Mr. Kramer and considers him a friend
- Thanked Mr. Kramer for all he's done for the community

Commissioner Bauder:

- Stated we're going to miss Mr. Kramer
- Noted the Library board members serve 4 years terms and the Mayor serves on the Library Board
- Lisa Weakley, Mike Griswold, and she have all served on the board
- As Mayor, she nominated both Republicans and Democrats to serve on the board; not all nominations were appointed
- Wants to see people on the board who are dedicated to the board
- Supports Ms. Kellogg and Ms. Davis to serve on the Library Board

Mayor Pro-Tem Pittman:

- It has been great working with Mr. Kramer and thanked him for his service

Adjournment:

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

Time Meeting Adjourned 7:07 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC