



**CALL TO ORDER** - The Governing Body met in regular session and the following commission members were present: Mayor Nancy D. Bauder, Mayor Pro-Tem Mark Preisinger, Commissioners Larry Dedeke, Charles Raney and Lisa Weakley.

**Others present:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Police Chief Pat Kitchens, Human Resources Director Lona Lanter, HR Specialist Michelle Meinert, Riverfront Community Center Manager Tammy Metzgar, Fire Chief Gary Birch, Finance Director Ruby Maline, Public Works Director Mike McDonald, City Attorney Tom Dawson and City Clerk Carla Williamson.

Mayor Bauder opened the meeting with the pledge of allegiance followed by silent meditation.

**Proclamations & Presentations:**

**Proclamations:**

- Constitution Week September 17-23, 2017 – Kimberly Lee was present to accept the proclamation
- United Way Months September and October 2017 – Larry Martin was present to accept the proclamation

**New Employee Welcome Ceremony**

The following new employees were recognized:

- Matthew Phillips – Police Officer
- Deante Finnie - Police Officer
- Nicholas Sanchez – Firefighter (not present)
- Wendy Hall – Administrative Clerk Streets
- John Erzen – Firefighter (not present)
- Bryce Scott – Firefighter (not present)
- Shawn Sivyer – Firefighter (not present)
- Tanya Washington – Administrative Clerk Solid Waste/Garage (not present)
- William Corbet, Jr. – Inspector II
- Geoffrey Hanson – Mechanic
- Steven Wechsler – Police Officer

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Dedeke moved to approve the minutes from the August 22, 2017 regular meeting as presented. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

**Second Consideration Ordinances:**

**Second Consideration Ordinance 8052 Rezoning 801 N Broadway** - City Manager Paul Kramer presented for second consideration an ordinance rezoning 801 N. Broadway to R-MF Multiple Family Residential District. This

was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8052 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8052 was unanimously approved.

**Second Consideration Ordinance 8053 Uniform Public Offense Code 2017** – Police Chief Pat Kitchens presented for second consideration an ordinance to adopt the 2017 Public Offense Code. This was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8053 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8053 was unanimously approved.

**Second Consideration Ordinance 8054 Standard Traffic Ordinance 2017** - Police Chief Pat Kitchens presented for second consideration an ordinance to adopt the 2017 Standard Traffic Ordinance. This was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8054 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8054 was unanimously approved.

**Second Consideration Ordinance 8055 Intersection Traffic Control Devices 2017** - Police Chief Pat Kitchens presented for second consideration an ordinance to adopt the 2017 Intersection Traffic Control Devices Master List. This was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8055 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8055 was unanimously approved.

**Second Consideration Ordinance 8056 Repeal Chapter 58 Human Relations** - City Manager Paul Kramer presented for second consideration an ordinance to repeal Chapter 58 of the City Code of Ordinances related to Human Relations. This was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8056 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8056 was unanimously approved.

**Second Consideration Ordinance 8057 Amend Chapter 42 Emergency – Alarm Systems** - City Clerk Carla Williamson presented for second consideration an ordinance to amend Chapter 42 Article II of the City Code of Ordinances related to Alarms. This was presented for first consideration at the August 22, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8057 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8057 was unanimously approved.

#### **NEW BUSINESS:**

##### **Citizen Participation:**

Mike Gould 1054 10<sup>th</sup> Avenue

Over 60 days ago brought to the Commission's attention an area on Shawnee between Broadway and 10<sup>th</sup> that still has not been addressed. Mr. Gould would like substantial cuts to Code Enforcement and Planning & Zoning budget due to lack of response.

##### **General Items:**

**Request for a Waiver for use of the Community Center for a Shopping Event** – City Clerk Carla Williamson presented a request for a Transient Merchants Licenses. Cay Prescott has requested the use of the Riverfront Community Center (RFCC) for a ladies shopping event, “Shop-a-Palooza” to be held November 18, 2017. Ms. Prescott held this shopping event July 15, 2017 at the Riverfront Community Center. RFCC Staff inadvertently failed to inform Ms. Prescott about the need for a waiver per City ordinance. Ms. Prescott is holding another event at the Heritage Center on September 28, 2017 in which a portion of the proceeds will be used as fundraising donations. Ms. Prescott was unaware that such events required a Transient Merchants License. The Code states that Transient Merchant events are not to exceed 5 days and not more than one license may be issued during any 6 month period of time. Ms. Prescott is asking for a waiver to use the community center for her November 18, 2017 event and to waive the 6 month limitation to hold the scheduled events on September 28 and November 18, 2017. This will require two actions by the City Commission.

Jennifer Lemons addressed the City Commission and asked why the ordinance was put into place for these requirements. She does these types of events weekly in other cities. Most of the vendors are direct sales consultants who live within the community and work from home. Many are military spouses.

Commissioner Dedeke recommended discussing the ordinance with the City Clerk who could explain the reason for the ordinance.

Commissioner Preisinger addressed the ordinance and the protection of local merchants who pay property taxes at brick and mortar locations. Many smaller cities have the same restrictions.

Commissioner Preisinger moved to waive the 6 month limitation for the Shop-a-Palooza this time only. Commissioner Raney seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Commissioner Preisinger moved to allow the use of the Community Center for the Shop-a-Palooza event in November 2017. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

**Request for Reduction in Special Assessments on 1220 Kingman** - City Clerk Carla Williamson presented for consideration a request from Jeremy Haas of 1221 Kingman for the reduction of nuisance fees on the property located across the street from his property at 1220 Kingman. Mr. Haas is considering purchasing 1220 Kingman from the County. This property has been on the County Tax Sales and there were no bidders. The County keeps these properties available to anyone who is willing to make an offer. Mr. Haas is requesting a reduction of the city nuisance fees on the property before purchasing. In the past the City Commission as approved the reduction of the fees to the actual cost incurred by the City and a \$100.00 administrative fee per year of the special assessment. In this case the fees on the property total \$5,547.08. If the City Commission were to reduce the fees to that actual cost and \$100.00 per year, the new amount due would be \$557.08.

Mr. Haas addressed the City Commission and stated that his plans for the property are to keep it maintained and possibly put a garden on the lot as it is too small to build on. Mr. Haas agreed to mow the property by Monday September 18, 2017.

Commissioner Preisinger moved to reduce the special assessment fees on 1220 Kingman Street from \$5,547.08 to \$557.08 with the stipulation that if the property is not mowed by September 18 that the City will mow the property. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

**Employee Benefits Plan Renewal** – HR Director Lona Lanter presented for consideration the recommendation for employee benefit coverage to be effective December 1, 2017. The Employee Council met several times and discussed the renewal of medical, dental and vision coverage.

There was a consensus by the Employee Council to remain with United Health Care (UHC) as the City’s health care provider. UHC has offered a renewal increase with a slight plan design change to the prescription drug coverage of 7.86% which is well under the 10% budgeted for 2018. The new prescription drug plan will remain a 3-tier plan however, the new plan will increase from \$12/\$30/\$50 to \$15/\$35/\$70.

The City renewed dental coverage with Delta dental last year with no premium increase and a 6% rate cap guaranteed for 2018. The final renewal for Delta for 2018 came in with no premium increase and no plan design changes. In addition Delta has provided a 5% rate cap guaranteed for the next two years.

The City’s current vision provider is VSP. No premium increase and no plan design changes for 2018.

Staff recommends that the City change it’s current provider for Flexible Spending Accounts from Wage Works to Infinisource. The new plan year for Flex Spending Accounts would be January 1, 2018.

Staff is also requesting approval for a portion of the budget savings on the cost of coverage be applied to a formal compensation study. The study was discussed at the 2018 budget meetings but the funding was unable to be included without a negative impact.

Commissioner Weakley moved to approve the employee benefits renewals as presented and to approve a portion of the savings to be used for a formal compensation study. Commissioner Raney seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

**Resolutions:**

**Resolution B-2176 a Resolution of Support Fulson Housing Group for Hillcrest Manor** – City Manager Paul Kramer presented for consideration a resolution of support for Fulson Housing Group for their application to the Kansas Housing Resources Corporation for Low Income Housing Tax Credits. Fulson Housing Group plans a complete interior and exterior renovation of the Hillcrest Manor property located at 3414 Hughes Road. This item is being heard by the City Commission as the Leavenworth Public Housing Board.

Tarold Davis of Fulson Housing Group addressed the City Commission and discussed the project.

Commissioner Weakley moved to approve Resolution B-2176 a resolution of support for Fulson Housing Group for Low Income Housing Tax Credits from the Kansas Housing Resources Corporation. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

**First Consideration Ordinances:**

**First Consideration Ordinance to Amend Chapter 54, Article III Food** – City Clerk Carla Williamson presented for first consideration an ordinance to amend Chapter 54 Health & Safety, Article III Food. At the August 1, 2017 and September 5, 2017 Study Sessions, Staff reviewed various changes to the Article in an effort to clearly define food related services/establishments. Amendments include areas related to Mobile Food Vendors, Temporary Food Vendors, and Ice Cream Vendors.

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

**CONSENT AGENDA:**

Claims for August 19, 2017 through September 8, 2017 in the amount of \$1,630,162.51; Net amount for Pay #18 effective September 1, 2017 in the amount of \$307,108.91 (No Fire & Police Pension). Commissioner Weakley moved to approve the consent agenda, as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion duly carried.

**Adjourn:**

Commissioner Dedeke moved to adjourn the meeting. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor then declared the motion carried and the meeting adjourned.

Time Meeting Adjourned 7:56 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC