



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, Finance Director Ruby Maline, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Fire Chief Gary Birch, Parks and Recreation Director Steve Grant, Solid Waste Foreman Steve King, WPC Superintendent Chuck Staples, City Planner Julie Hurley, Human Resources Director Lona Lanter, HR Specialist Michelle Meinert, Police Chief Pat Kitchens, Public Information Officer Melissa Bower, City Attorney Tom Dawson, Deputy City Clerk Cary Collins and City Clerk Carla K. Williamson.

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

PROCLAMATIONS & PRESENTATIONS:

Proclamations:

- National American Indian Heritage Month – Pamela Sarles was present to accept the proclamation
- Shop Small- Small Business Saturday November 25, 2017 – Wendy Scheidt of Leavenworth Main Street was present to accept the proclamation

Presentations:

- **Employee Service Awards:**

- Ten Years Awards:

- Matthew Chastain, Firefighter – Not Present
 - Andrea Cheatom, Housing Manager – Not Present
 - Nicholas Greenwood, Fire Captain
 - Tammy Herken, Telecommunications Specialist
 - Roberta Johnson, Court Clerk – Not Present
 - Jon Lemke, WPC Operator II – Not Present
 - Brandon Mance, Police Detective

- Twenty-five Year Awards

- Brian Anderson (Retired) Police Sergeant
 - Timothy Huggins, Fire Captain
 - Walter Terron (Retired) Fire Captain – Not Present

- Other Milestone Achievements recognized:

- Fifteen Years of Service

- Roberta Eddy, Telecommunications Specialist – Not Present
 - Stephen Grant, Parks & Recreation Director
 - Thomas Koch, PT RFCC Custodian

- Twenty Years of Service

- Carol Charity, Manager of Information Systems – Not Present
 - Tyler Ewert, Fire Captain – Not Present
 - Sean Goecke, Police Lieutenant
 - Danny Hall, Police Sergeant
 - Johnny Sweet II, Police Officer II – Not Present
 - Patrick Tooley, Section 8 Coordinator – Not Present

- **New Employee Welcome:**

- Benjamin Heath, Police Officer
- James Watson, Police Officer
- Harold(Albert) Wilcox, Solid Waste Collector
- Clay Seber, Solid Waste Collector
- Leticia Robinett, Police Officer
- Ryon Karpierz, WPC Operator I
- Jeremy Mitchell, Solid Waste Collector
- Christopher Mills, Zoning & Code Administrator

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Preisinger moved to approve the minutes from the October 24, 2017 regular meeting as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

NEW BUSINESS:

Citizen Participation:

Amanda Reed 604 N. 2nd Lansing KS

- Ms. Reed addressed the City Commission on behalf of her husband regarding 1214 Pottawatomie Street
- The house was put on the demolition list by the Commission by Resolution B-2179
- Ms. Reed's Mother-in-law passed away last year in a car accident
- Cleaning out her car and found a transfer of death dead
- The death certificate was filed last week with the register of deeds to transfer the property
- They were unaware the property was on the demolition list
- Have been speaking to realtors to sell to investors
- Would like to find a buyer for the property and see the house fixed up

City Planner Julie Hurley:

- Would need roof replaced, replace siding, replace doors and windows
- Interior is in better shape than expected
- Could be salvageable
- Notifications were mailed to the deceased Mother-in-law, Mary Manthe and the notice came back undeliverable; demolition notice was posted on the door of the property
- Asbestos survey has been done but the bid for the demolitions has not gone out yet
- Utilities have been disconnected but unsure if the sewer has been capped

Commissioner Preisinger

- Discussed the process and the possibility of finding a buyer
- Would be willing to remove from the demolition list if the family is willing to put in the work to repair
- Cannot in good conscious take it off the list in hopes that someone buys and repairs

There was a general discussion by the Commission regarding the property. The Commission asked if they could make a decision on the request. City Attorney Tom Dawson advised the Commission that the items would be addressed by the Commission with a majority in favor of taking action.

There was a discussion regarding the demolition lien on the property and City Special Assessments in the amount of approximately \$1,300.00 for four mowings done by the City in 2017 and some challenges that a potential new buyer may have in acquiring the property.

Commissioner Preisinger moved to keep property at 1214 Pottawatomie on the demolition list and extend the demo suspense date to January 23, 2018 and property must be sold and have a remediation agreement in place prior to January 23, 2018. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Timothy Drabick – 1234 Limit Street

- Mr. Drabick addressed the City Commission regarding the number of dogs allowed by City Ordinance
- Animal Control and Chief Kitchens recommended that he address the Commission
- Has been recommended for a PTSD service dog
- He was under the understanding that working dogs were not considered pets
- City ordinance only allows 4 dogs
- Will be difficult for the family to pick a dog to get rid of to allow the fifth dog
- Asking for an amendment to the ordinance to not allow working dogs as a pet
- Asking on behalf of everyone with a disability to allow an exemption

Mayor Bauder

- Explained that the ordinance is based on the size of the lots
- Limit on the number of animals in the City

Commissioner Preisinger

- Explained that the ordinance states dogs not pets
- 4 is the limit that has been set for the City
- Asked when Mr. Drabick is going to obtain his service dog

Commissioner Weakley

- The Commission did not take into account service dogs when the ordinance was originally written
- Would be willing to put something into the ordinance for exceptions for disability dogs
- Understands the regulation of asking about service dogs

City Manager Kramer

- Stated that the City must be careful in writing some type of ordinance that defines or put in anything about a service dog
- The City would not be allowed to ask about a service dog or proof of service and certifications of such dogs
- Making an exemption for service dogs would require the City to define a service dog and the City cannot and is not allowed to define a service dog
- City Manager Kramer stated that Cities have the right to require registration of an animal but not cannot require anyone to register a “service animal”

City Attorney Tom Dawson

Feels that service dogs are exempt from any ordinance in any city in the country under ADA rules. City Manager Kramer clarified that service dogs are exempt from any registration as a “service dog” and the city cannot require anyone to register a “service dog” but Cities can require registration, licensing and vaccination of the animal and that is a right of a city.

Chief Kitchens

- The ordinances has a provision of 5 or more dogs for a residential kennel permit

- A residential kennel permit is then defined by the lot size
- Once over 4 dogs a lot must have 2,000 square feet per animal

The item will be put on a Study Session for further consideration.

General Items:

Review Dangerous Structure- 1921 5th Avenue – City Planner Julie Hurley presented a review of 1921 5th Avenue which was given a 30 day extension by the City Commission at the October 10, 2017 meeting at the time Resolution B-2179 was adopted regarding demolition of structures. The 30 day extension period expired on November 9, 2017. The owner obtained a building permit to install new siding on November 3, 2017.

Douglas Neu, property owner, addressed the city commission and discussed the plan for repair. Vegetation has been cleared and siding permit has been pulled. Mr. Neu stated that he will need about 4 more months to complete all of the repairs to bring the property up to code.

Commissioner Dedeke moved to give a 90 day extension for 1921 5th Avenue. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Design Contract with Wilson & Company Inc. for 14th & Pawnee Culvert Repair Project – City Manager Paul Kramer gave a brief update on the condition of the property and the steps the City has taken to try and get federal assistance from the Bureau of Prisons to alleviate the flooding problems. After speaking with local prison officials Mr. Kramer stated that he also spoke to the offices of Senator Pat Roberts and Representative Jenkins and the City was unable to get any funding. Public Works Director Mike McDonald presented for consideration a contract with Wilson & Company for the design of the 14th & Pawnee Culvert Repair Project in the amount of \$33,900.00.

Commissioner Preisinger moved to accept the design contract with Wilson & Company for the design of the 14th & Pawnee Culvert Repair Project in the amount of \$33,900.00. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Design Contract with Water Resources Solutions, LLC for the 16th Terrace & Thornton Phase 1 Detention Project – City Manager Paul Kramer updated the Commission on this project and explained that this project will need to be accomplished in phases. Public Works Director Mike McDonald presented for consideration a contract with Water Resources Solutions, LLC for the 16th Terrace & Thornton Phase I Detention Project in the amount of \$38,665.00.

Commissioner Dedeke moved to approve the design contract submitted by Water Resources Solutions, LLC. For the 16th Terrace & Thornton Phase 1 Detention Project in an amount not to exceed \$38,665.00. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Bids for the Planters II Bedroom, Bathroom, and Linen Closet Door Project – City Manager Paul Kramer presented for consideration a bid of \$184,245.00 from BKM Construction LLC. Bids were opened on November 2, 2017 at the Leavenworth Housing Authority office. There was only one other bid submitted by Julius Kaaz Construction. That bid was not read as the bid did not contain all required documents.

Commissioner Dedeke moved to approve the bid for the removal and replacement of the bedroom, bathroom and linen closet doors at Planters II by BKM Construction in an amount not to exceed \$184,245.00. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinance:

First Consideration Ordinance – Amendments to Development Regulations – City Planner Julie Hurley presented for first consideration various changes to Appendix E of the Code of Ordinance, Development Regulations. The Planning Commission did review the changes at the November 6, 2017 meeting and voted unanimously to recommend approval of the amendments. The proposed changes affect the following sections:

Section 2.01 Text Amendments; subsection B
Section 2.02 Platting; subsection B.3 & 4
Section 2.04 Special Use Permits
Section 4.04 Use Standards; Subsection B.3.e
Section 4.04 Use Standards; Subsection B.4
Section 4.04 Use Standares; Subsection B.5
Section 5.02 Required Parking; Subsection A
Section 5.02 Required Parking; Subsection B
Section 5.03 General; Subsection D
Section 9.05 Administration; Subsection A & C
Section 9.16 Procedure for Demolition, Alteration or expansion
Section 9.22 Public Hearing Process
Article 12; Definitions
Appendix A; Use Table

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

CONSENT AGENDA:

Claims for October 21, 2017 through November 10, 2017 in the amount of \$ 2,194,262.85; Net amount for Pay #22 effective October 27, 2017 in the amount of \$319,271.65 (Including \$11,401.34 Police & Fire Pension) and Pay # 23 effective November 9, 2017 in the amount of \$ 303,196.72 (no Police & Fire Pension). Commissioner Weakley moved to approve the consent agenda, as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Other Items:

Commissioner Preisinger:

- At a recent County Commission meeting it was brought up by one of the Commissioners to change the intersection at 20th and Eisenhower from traffic signal to a roundabout
- There is a signed Memorandum of Understanding with the City of Leavenworth, City of Lansing and the County agreeing to a traffic signal at 20th Street and Eisenhower Road
- Feels a traffic signal is what should be installed at that intersection
- Would ask that Citizens call your County or City Commissioner and make your opinion and concerns known about this intersection
- The future road may be extended 20th Street south on the Lansing Side and a roundabout will not work
- In addition the Industrial Park will have truck traffic and a roundabout will not work

Commission Weakley

- Agreed with the thought of Commissioner Preisinger
- Safety hazard with commercial and residential traffic in the area

Commissioner Dedeke

- The addition of commercial traffic on 20th Street will be a concern
- Current County Commission must honor the past Commission agreement

Mayor Bauder

- The agreement must be honored

Adjourn:

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

Time Meeting Adjourned 8:22 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC