



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

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, Deputy Fire Chief Mike Shore, Parks and Recreation Director Steve Grant, Riverfront Community Center Manager Tammy Metzgar, 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 led by the American Heritage Girls Troop KS0167 followed by silent meditation.

PRESENTATIONS:

Adoption of Jefferson Park by American Heritage Girls Troop KS0167 - Steve Grant, Parks & Recreation Director presented the Adopt-A-Park sign to the American Heritage Girls Troop KS0167. The sign will be displayed at the park. Commission Bauder thanked the organization for donating their time to this program.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Weakley moved to approve the minutes from the November 14, 2017 regular meeting as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance 8063 Amendments to Appendix E, Development Regulations – City Manager Paul Kramer presented for Roll Call vote Ordinance 8063. The ordinance was presented for first consideration at the November 14, 2017 Commission Meeting. There have been no changes since that meeting.

Mayor Bauder called the roll call vote and Ordinance No. 8063 was unanimously approved.

NEW BUSINESS:

Citizen Participation: none

General Items:

Consider Request for Mixed Martial Arts (MMA) Event at the Riverfront Community Center– City Clerk Carla Williamson presented for consideration an application submitted by John Kiser, Universal Combat League, MC Productions, LLC to be held on January 13, 2018 at the Riverfront Community Center. The City Code of Ordinances has a provision for Professional Wrestling Matches which most closely relates to the MMA event. The event

coordinator plans to request a liquor license for the event and provide a concession stand. The ordinance requires City Commission approval.

The ordinance requires the following:

- Each match must be attended by a physician licensed to practice medicine in the state or person trained to provide emergency medical assistance certified by the state
- License shall only be issued to a bona fide patriotic, benevolent, fraternal or religious organization per sec. 14-202
- Applicant to provide liability insurance in the amount not less than \$500,000 with the city named as an additional insured

The ordinance does not address security however; the Police Chief recommends that the Event Coordinator provide security at the event if liquor is being served. Staff has further discussed and feels that there is a need for security regardless of the serving of liquor. If approved, the Police Chief will work with the Event Coordinator on details of the security to be provided.

Comments from Public, Staff and Commission:

John Kiser:

- Event Coordinator
- Mr. Kiser is originally from Leavenworth and would like to bring this type of event to the City
- Would like to one day open a gym in Leavenworth and have MMA available to youth

Khalil Guinn:

- Served in Marine Corps and has his own private security company licensed in Missouri
- Has been a consultant to Mr. Kiser to find a security company licensed in Kansas to work the event
- Agrees that security should be on site
- Majority of the people who work with him in Missouri are veterans

Tammy Metzgar – Riverfront Community Center Manager

- Concerns with protection of the flooring and facility are being addressed
- Liability issues are being addressed

Thomas Poulter:

- VFW Post 56 Post Commander
- Mr. Poulter is partnering with Mr. Kiser to hold the event
- Proceeds from event will benefit local youth and veterans organizations
- Raised money for suicide prevention at a recent event at Haymarket Square
- MMA is an outlet for veterans with PTSD

Commissioner Preisinger

- Asked about the in house caterer and if an outside vendor is allowed
 - Staff explained that outside vendors are allowed with a 20% outside service fee paid to the Community Center

Commissioner Weakley

- Asked about the partnership with VFW Post 56 and if the VFW would be on the license
 - Mr. Poulter stated that the VFW would not be on the license

Commissioner Weakley moved to approve the request to allow a MMA event and grant a waiver to Sec. 14-202 of the ordinance, to allow liquor to be served, to require security and to have the Police Chief and Event Coordinator work on details of the security, approval is contingent upon the Event Coordinator and the RFCC Staff's agreement on the floor plan and a plan to protect the gym floor, and to require a certificate of liability insurance to be for general liability which would include injury and property damage. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Cancellation of Outstanding Checks Prior to 2016 – City Manager Paul Kramer presented for approval the list of outstanding checks prior to 2016. There are a total of 41 checks totaling \$7,153.37. Per K.S.A. 10-816 c the funds revert back to the fund upon which the checks were originally drawn. After cancellation by the City Commission, if a check is presented for payment, the Finance Department would honor the obligation and issue a new check. The list of checks was published in the Leavenworth Times on Tuesday November 28, 2017.

Commissioner Weakley moved to cancel the list of outstanding checks prior to 2016. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Mayor's Appointment to Convention and Tourism Committee – Mayor Bauder moved to recommend for the Convention and Tourism Committee the appointment of Scotty L. Brezgiel to an unexpired term ending 01/31/2019. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Election Results from November 7, 2017 Election – City Clerk Carla Williamson presented the General Election results for City Commission and Waterworks Board held on November 7, 2017 and certified by Janet Klasinski, County Elections Officer of Leavenworth County on November 13, 2017.

The results are as follows:

City Commission:	Michael Bogner	942
	Myron J. "Mike" Griswold	1,224
	Mark Preisinger	1,052
	Charles Raney	865
	Lisa Weakley	917
	Jermaine Wilson	1,332
	Angela Luster	20
Waterworks Board:	William (Billy) Daniels III	1,470
	Richard Gervasini	1,506
	Eric O. Peterson	1,542
Waterworks Board: <i>Unexpired Term</i>	Greg D. Kaaz	2,044

Based on the results for City Commission, Candidates Wilson and Griswold will serve 4 year terms and Candidate Preisinger will serve a 2 year term.

Waterworks Board: Candidates Daniels, Gervasini and Peterson will serve 4 year terms and Candidate Kaaz will fill the unexpired term ending 2019.

Commissioner Dedeke moved to accept the results of the General Election held on the 7th day of November 2017 as certified by the County Elections Officer. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Resolutions:

Resolution B-2182 Resolution of Intent for Sidewalk Improvements at 801 N. Broadway – Assistant City Manager Taylour Tedder presented for approval Resolution B-2182. The Resolution states that the City intends to construct sidewalks around the former Broadway School located at 801 N. Broadway in connection with the renovation and development of the former Broadway School into high end loft apartments. Construction of the sidewalks by the City will be contingent upon the developer pulling building permits for the renovation project.

Commissioner Weakley moved to adopt Resolution No. B-2182 in support of the sidewalk replacement and construction for 801 N. Broadway. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Resolution B-2183 MOU between Office of State Fire Marshall & City of Leavenworth Fire Department – Deputy Fire Chief Mike Shore presented for approval Resolution B-2183 authorizing the Leavenworth Fire Department to participate in the Kansas Search & Rescue Response System as outlined in the Memorandum of Understanding (MOU) between the Office of the State Fire Marshall (OSFM) and the Leavenworth Fire Department.

Commissioner Weakley moved to approve Resolution No. B-2183; the Memorandum of Understanding with the Office of State Fire Marshall & City of Leavenworth Fire Department. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Bids for Three Mile Creek Bank Stabilization Project – Public Works Director Mike McDonald presented for consideration the bids for the Three Mile Creek Bank Stabilization Project. Staff recommends approval of the low bid submitted by Lexeco in the amount of \$332,821.55. The City will be responsible for 35% of this total bid.

Bids were opened on November 20, 2017 and are as follows:

<u>Bidder</u>	<u>Total Bid</u>
Lexeco	\$332,821.55
Linaweaver	\$385,180.00
Primetime Contracting	\$436,728.50
Engineers Estimate:	\$449,110.50

Commissioner Dedeke moved to approve the low bid submitted by Lexeco to construct the Three Mile Creek Bank Stabilization Project in the amount of \$332,821.55 at 35% of that cost. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Approval of KDOT Project Programming Request for Riverfront Community Center (RFCC) Stone Restoration Project Phase 4 – City Manager Paul Kramer addressed the Commission and asked that this item be removed from the agenda. This item must come after the approval of the CIP which will be scheduled for the December 12, 2017 regular meeting.

Commissioner Weakley moved to remove item #11 KDOT Project Programming Request from the agenda. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

First Consideration Ordinance:

First Consideration Ordinance – Amendments to Appendix F Schedule of Fees – City Clerk Carla Williamson presented for first consideration an ordinance to amend Appendix F, Schedule of fees. The fees were discussed at the November 21, 2017 Study Session and there was a consensus by the City Commission to amend the ordinance.

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

First Consideration Ordinance – Amendments to Sec. 2-28 Governing Body Salaries – City Manager Paul Kramer presented for first consideration an ordinance to amend Section 2-28 of the Code of Ordinances. During the July 2017 budget discussions the Commission by consensus approved an increase of \$100.00 per month to both the Commissioner and Mayor salaries. The change would increase the Commissioner salaries from \$4,800.00 per year to \$6,000.00 per year and the Mayor salary from \$6,000.00 per year to \$7,200.00 per year. In addition to this change staff would recommend a second adjustment related to technology expenses. It is recommended to add a \$50.00 per month Technology Allowance to use on technology costs of the Commissioners choosing to include costs such as internet, phones and etc. If approved, changes would take effect the first pay period in 2018.

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

CONSENT AGENDA:

Claims for November 11, 2017 through November 24, 2017 in the amount of \$2,280,413.72; Net amount for Pay #24 effective November 24, 2017 in the amount of \$328,079.42 (Including \$11,401.34 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:

Adjourn:

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

Time Meeting Adjourned 7:44 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC