



**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, Fire Chief Gary Birch, WPC Superintendent Chuck Staples, Finance Director Ruby Maline, Public Works Director Mike McDonald, City Planner Julie Hurley, 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.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Dedeke moved to approve the minutes from the November 28, 2017 regular meeting and the December 5, 2017 Special Meeting as presented. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Second Consideration Ordinances:**

**Second Consideration Ordinance 8064 Appendix F, Schedule of Fees**— City Manager Paul Kramer presented for Roll Call vote Ordinance 8064. The ordinance was presented for first consideration at the November 28, 2017 Commission Meeting. There have been no changes since that meeting.

Mayor Bauder called the roll call vote and Ordinance No. 8064 was unanimously approved.

**Second Consideration Ordinance 8065 Amendment to Sec. 2-28 Distinction Between Commissioners; Compensation**— City Manager Paul Kramer presented for Roll Call vote Ordinance 8065. The ordinance was presented for first consideration at the November 28, 2017 Commission Meeting. There have been no changes since that meeting.

Mayor Bauder called the roll call vote and Ordinance No. 8065 was approved 4-1; Commissioner Raney voting no.

**NEW BUSINESS:**

**Citizen Participation:** none

**General Items:**

**Review of Property on Demolition List – 800 Miami Street** – City Planner Julie Hurley presented for consideration a request to grant an extension for repairs. On October 10, 2017 the City Commission passed Resolution 2179 finding eight structures to be unsafe or dangerous and directed the structures to be repaired or removed. 800 Miami Street was included in that resolution. The owner of the property, Mid First Bank/Midland Mortgage contacted staff

indicating intent to repair the property. They have provided proof of funds secured from HUD and signed the Remediation Agreement with staff with a deadline of March 1, 2018 to have all repairs complete.

Commissioner Preisinger moved to keep the property at 800 Miami on the Demlition list and review again on March 1, 2018 or first meeting after March 1, 2018. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Public Hearing for Amending the 2017 Budget**

**Open Public Hearing:**

Commissioner Dedeke moved to open the public hearing. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Staff and Public Comments:**

Finance Director Ruby Maline presented the proposed republication of the 2017 budget increasing the expenditure authority to accommodate unanticipated expenditure for the following funds according to K.S.A 79-2929 a. Municipalities are authorized to amend budgets to spend money not in the original budget as long as it does not require additional tax levies.

- Recreation Fund
- Street & Highway Fund
- Hotel Tax Increment Financing (TIF) Fund

**Summary of Amendments**

Fund	2017 Adopted Budget			2017 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Special Highway Fund			1,078,759	1,417,441
TIF-Hotels			121,981	289,277
Recreation Fund	2.602	529,562	1,573,080	1,645,082
			0	0
			0	0
			0	0

**Close Public Hearing:**

Commissioner Preisinger moved to close the public hearing. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Amendments:**

Commissioner Preisinger moved to approve the amendment to the 2017 budget as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**2018 Cereal Malt Beverage Licenses** – City Clerk Carla Williamson presented for approval the following Cereal Malt Beverage Licenses effective January 1, 2018:

Abe’s Place

5101 10<sup>th</sup> Ave

ON

AZNZ Enterprises dba Woody's Food Mart	700 Eisenhower Rd	OFF
AZAD Inc dba 7-Eleven Store	701 Metropolitan Ave	OFF
Casey's Retail Store #1261	2004 Spruce St	OFF
Casey's Retail Store #2609	950 Eisenhower Rd	OFF
Casey's Retail Store #2826	2100 S 4 <sup>th</sup> St	OFF
Dillon's #40	720 Eisenhower Rd	OFF
Eddie's Grocery	1101 Spruce St	ON
Family Bistro	227 Cherokee St	ON
Four B dba Price Chopper	2107 S 4 <sup>th</sup> St	OFF
GOJRA LLC dba K7 Stop	300 N 4 <sup>th</sup> St	OFF
Hometown Store	111 N Broadway St	OFF
Little Bar	1431 10 <sup>th</sup> Ave	ON
Murphy's USA #7486	1050 Eisenhower Rd	OFF
TA Operating LLC dba Minit Mart	3122 S 4 <sup>th</sup> St	OFF
The Towne Pub Restaurant	1001 Ottawa St	ON
Walgreens #12923	2900 S 4 <sup>th</sup> St	OFF
Walmart Store #326	5000 10 <sup>th</sup> Ave	OFF

Commissioner Preisinger moved to approve the 2018 Cereal Malt Beverage Licenses as presented. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**2018 Massage & Tattoo Establishments Licenses** – City Clerk Carla Williamson presented for approval the following Licenses effective January 1, 2018:

Bella Vita Salon & Day Spa	4516 S 4 <sup>th</sup> St	Lyndsay Hubbard
Eden's Gate	2916 S 4 <sup>th</sup> St	Rodney L. Steven II
Elemental Wellness Spa	425 Shawnee St	Roxanne Joslin
Gail Reardon Therapeutic Massage	2300 S 4 <sup>th</sup> St	Gail Reardon
Healing Touch	530 W 7 <sup>th</sup> St	Deborah Leavitt
Leavenworth Yoga Co-op	521 Delaware St	Joyce Chalmers
Life Family Chiropractic	211 B Delaware St	Dr Kristen Simpson
Oriental Massage	2920 4 <sup>th</sup> St, Suite G	Lixin Zhou & Na Dong
Serenity Hair Design & Spa	630 Cherokee St	Veronica Carroll
Teri's Hair Loft	221 ½ Delaware St	Teri Pizarro
Testament Tattoo	404 S 5 <sup>th</sup> St	Clinton Burk
Vision's Salon & Spa	516 Shawnee St	Jessica Johnson

Commissioner Dedeke moved to approve the 2018 Massage & Tattoo Establishment Licenses as presented. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Commercial Insurance Renewal for 2018** - City Clerk Carla Williamson presented for consideration the renewal quote for the 2018 City Insurance policy in the amount of \$382,997.00 effective January 1, 2018 with OneBeacon Insurance through the City's Insurance Broker, The Reilly Company.

Commissioner Preisinger moved to approve the 2018 insurance premium of as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Approval of the 2018-2022 Capital Improvement Program (CIP)** – City Manager Paul Kramer presented for consideration the 2018-2022 Capital Improvements Program for approval. There have been no changes to the CIP since the November 21, 2017 City Commission Meeting. Thornton Street is not included. Design plans have not been completed only conceptual plans. Design phase to include full design, right of way, possibly the need to acquire property and utilities. The design phase will take at least 9 months before complete. No construction could begin until spring of 2019. This will come back to the Commission in about 60 days for further discussion. The process would not have gone any faster had it been included in the CIP.

Commissioner Preisinger moved to approve the 2018-2022 Capital Improvement Program as presented. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Cancellation of the December 26, 2017, Regular Meeting** – City Manager Paul Kramer presented for consideration the cancellation of the December 26, 2017 Regular City Commission Meeting due to the Christmas Holiday. This requires that the City Commission formally cancel the meeting by motion and approval.

Commissioner Preisinger proudly moved to cancel the December 26, 2017 Regular meeting. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Resolutions:**

**Resolution B-2184 Planters II Tenant Write-off Accounts** – City Manager Paul Kramer presented for adoption a resolution to remove two uncollectable accounts.

Commissioner Weakley moved to adopt Resolution No. B-2184, Planters II Tenant Write-off accounts as presented by staff. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Resolution B-2185 Planters II Disposed Assets** – City Manager Paul Kramer presented for adoption a resolution to remove property from the assets inventory of the Leavenworth Housing Authority.

Commissioner Preisinger moved to adopt Resolution No. B-2185 Planters II Disposed Assets. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Bids, Contracts and Agreements:**

**Consider Agreement with KDOT for Community Center Stone Restoration Phase 4** – Public Works Director Mike McDonald presented for consideration and agreement with KDOT. Kanas Department of Transportation (KDOT) requires that local officials sign the Project Program Request prior to authorizing funds as verification that sufficient matching funds are available for the completion of the project.

Commissioner Dedeke moved to approve the agreement with KDOT for the Community Center Stone Restoration Phase 4. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Change Order to Contract 2017-11 with L. G. Barcus and Sons Inc. for 2<sup>nd</sup> Street Over 3-Mile Creek Bridge Replacement Project** - Public Works Director Mike McDonald presented for consideration the change order in the amount of \$48,045.43 for 4 additions to the project. Mr. McDonald reviewed the 4 items totaling \$48,045.43

Commissioner Weakley moved to approve Change Order No. 1 to the construction contract with L. G. Barcus for the 2<sup>nd</sup> Street over 3-Mile Creek Bridge Project. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0

**CONSENT AGENDA:**

Commissioner Weakley moved to approve claims for November 24, 2017 through December 8, 2017 in the amount of \$1,728,569.45; net amount for Longevity Pay effective December 1, 2017 in the amount of \$45,241.11 and Pay #25 effective December 8, 2017 in the amount of \$316,024.48 (No Police & Fire Pension). Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Other Items:**

**Presentation to Outgoing Commissioners** – Mayor Bauder, on behalf of the City and the City Commission recognized Charles Raney and Lisa Weakley for their service to the City as City Commissioners.

**Executive Session:**

**Executive Session – Attorney Client**

Commissioner Preisinger moved that the City Commission recess into executive session pursuant to the consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship exception per K.S.A. 75-4319 (b) 2 to discuss a real estate contract. The open meeting to resume in the City Commission Chambers at 8:45 p.m. by the clock in the City Commission Chambers. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

It was determined that Commissioner Preisinger's motion was to return at 8:45 and it should have been 7:45.

Commissioner Preisinger moved to resend his motion. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Commissioner Preisinger moved that the City Commission recess into executive session pursuant to the consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship exception per K.S.A. 75-4319 (b) 2 to discuss a previous real estate contract. The open meeting to resume in the City Commission Chambers at 7:45 p.m. by the clock in the City Commission Chambers. City Manager Paul Kramer and City Attorney Tom Dawson are requested to be present during the Executive Session. Commissioner Raney seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

The City Commission returned to open session at 7:45 p.m. with no action taken.

**Executive Session – Personnel Matters of Nonelected Personnel per K.S.A. 75-4319 (b) 1.**

Commissioner Weakley moved that the City Commission recess into executive session to discuss the annual performance review of the City Manager pursuant to the nonelected personnel matter exception K.S.A. 75-4319 (b). The open meeting to resume in the City Commission Chambers at 7:55 by the clock in the City Commission Chambers. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

The City Commission returned to open session at 7:55 p.m.

Mayor Bauder moved to approve a 1.5% salary increase effective December 18, 2017 for the City Manager. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

**Additional Items:**

**City Manager Paul Kramer-** No Study Sessions for December 19, 2017 or January 2, 2018 scheduled at this time.

**Commissioner Weakley –** Stated that she serviced on the Community Relations Board at Providence Hospital and the Mayor or City Manager will be contacted to appoint a new representative.

**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 7:57 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC