



City of Leavenworth
100 N. 5th Street
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING
COMMISSION CHAMBERS
TUESDAY, NOVEMBER 12, 2024 6:00 P.M.

Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting
Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube

CALL TO ORDER – Pledge of Allegiance Followed by Silent Meditation

PRESENTATIONS AND PROCLAMATIONS:

1. Mayor’s Award
2. Small Business Saturday Proclamation (pg. 02)

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

3. Minutes from October 22, 2024 Regular Meeting **Action:** Motion (pg. 03)

Second Consideration Ordinances:

4. Second Consideration Ordinance No. 8253 Amending Code of Ordinances Chapter 44, Section 87 No Parking Anytime **Action:** Roll Call Vote (pg. 11)

No Action Taken Item from October 22, 2024:

5. Library Board Appointment **Action:** Motion (pg. 15)

NEW BUSINESS:

Public Comment: (i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak.

General Items:

6. Consider Updates to City Fee Schedule **Action:** Motion (pg. 16)

Resolutions:

7. Resolution B-2384 Kansas Region L Hazard Mitigation Plan **Action:** Motion (pg. 18)
8. Resolution B-2385 Authorizing Serving of Complimentary Alcoholic Liquor for Main Street “Alive After Five Winter Wine Walk” **Action:** Motion (pg. 23)
9. Resolution B-2386 Authorizing Serving of Complimentary Alcoholic Liquor for Main Street “Alive After Five” Events in 2025 **Action:** Motion (pg. 26)

Staff Report:

- Homelessness Discussion (pg. 29)

Consent Agenda:

Claims for October 18, 2024 through November 7, 2024, in the amount of \$2,054,239.71; Net amount for Payroll #21 effective October 18, 2024 in the amount of \$417,797.54 (Police & Fire Pension in the amount of \$7,491.38) and Payroll #22 effective November 1, 2024 in the amount of \$399,376.72 (No Police & Fire Pension). **Action:** Motion

Other:

Adjournment

Action: Motion

City of Leavenworth, Kansas



Proclamation

- WHEREAS,** *advocacy groups, public and private organizations across the country have endorsed the Small Business Saturday as a shop local campaign held on the Saturday following Thanksgiving to encourage reinvestment in small business across the country; and*
- WHEREAS,** *small businesses employ over 55 percent of America's workers either owning or working for a small business; and*
- WHEREAS,** *87 percent of consumers in the United States agree that small businesses are critical to the overall economic health of the United States; and*
- WHEREAS,** *according to research firm Civic Economics, Small Business Saturday has a positive impact on the economy and also reports that 48% of purchases at local independent businesses are recirculated locally; and*
- WHEREAS,** *National Main Street Center and Kansas Main Street are leaders in promoting Small Business Saturday throughout the country; and*
- WHEREAS,** *annually, Leavenworth Main Street hosts Shop Small Saturday on Small Business Saturday within the downtown with many businesses consistently participating. On average, \$95,000 is spent in the businesses and overall merchants collectively average \$200,000 in sales; and*
- WHEREAS,** *the City of Leavenworth wishes to recognize the contributions that small businesses make to our community and local economy.*

NOW, THEREFORE, *I, Griff Martin, Mayor of the City of Leavenworth, Kansas hereby proclaim November 30, 2024 as:*

Small Business Saturday

in the City of Leavenworth, and hereby urge all citizens to shop at and support our local businesses.

IN WITNESS WHEREOF, *I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this twelfth day of November in the year of two-thousand and twenty-four.*

Griff Martin, Mayor

ATTEST:

Sarah Bodensteiner, CMC, City Clerk



CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Griff Martin, Commissioners Nancy Bauder, Edd Hingula and Jermaine Wilson. Absent: Mayor Pro Tem Holly Pittman

Staff members present: Interim City Manager Patrick Kitchens, Assistant City Manager Penny Holler, Finance Director Roberta Beier, Fire Chief Gary Birch, Parks & Recreation Director Steve Grant, Deputy Parks & Recreation Director Brian Bailey, Public Works Director Brian Faust, Assistant Operations Superintendent Becky Beaver, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

Mayor Martin asked everyone to stand for the pledge of allegiance followed by silent meditation.

PROCLAMATIONS:

World Polio Day – Mayor Martin read the proclamation proclaiming October 24, 2024 as World Polio Day. The proclamation was accepted by several Leavenworth Rotarians.

National Family Literacy Day - Mayor Martin read the proclamation proclaiming November 1, 2024 as National Family Literacy Day. The proclamation was accepted by members of the Captain Jesse Leavenworth Chapter of the Daughters of the American Revolution.

National American Indian Heritage Month – Mayor Martin read the proclamation proclaiming the month of November as National American Indian Heritage Month. The proclamation was accepted by members of the Captain Jesse Leavenworth Chapter of the Daughter of the American Revolution.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to accept the minutes from the October 8, 2024 regular meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

NEW BUSINESS:

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

Gene Kirby, 604 E Beth St., Lansing, KS:

- Thanked the City for continuing the flower bed at Cody Park after the recent renovation
- Compassionate Friends Group upkeep the beds and they are parents who have lost a child
- Bed came about in 2005 and the Parks Department were great to work with to get that going
- Appreciate the bed being included in the renovation project

Kyle Forbes, 1934 Pottawatomie St.:

- Continued issues with neighbors behind his house having cameras pointed at their home, along the fence line
- Feels the neighbor is in violation of numerous city ordinances
- Feels harassed by the neighbor

Matthew Chinn, 1931 Ottawa St.:

- Issues with neighbors in neighborhood
- Issues began in June with motion sensors that are going off based on others property
- Neighbor put up big PVC pipes with cameras to watch neighbors
- Has videos of issues
- Wants peace in the neighborhood

Roger W. Osborne, 1931 Ottawa St.:

- Issues with neighbor pointing cameras into their yard
- Unable to have grandkids come over due to lack of peace

General Items:

Mayor's Appointment:

Mayor Martin moved to appoint to the Library Board Robert Jason Redmon to a term ending on April 30, 2028. Commissioner Hingula seconded the motion.

Commissioner Wilson:

- Asked if Mr. Redmon was present
- I don't know the nominee and would like to know more about him and his purpose

Commissioner Bauder:

- Asked why we are not supporting the applications submitted by the people who were in the position and wanted to continue to serve
- I support Melissa Davis and Becky Kellogg for their appointment
- My concern is that we put the most qualified people on the board

Mayor Martin:

- This is not against any persons who are currently serving, as Mayor it is in my purview to put forth a nomination
- The last appointment was not supported for what was looked at as a political appointment, and I accepted that from the Commission even though a previous appointment could be viewed in the same light

Attorney Waters:

- Provided legal information regarding library board appointment per Kansas State Statute and reviewed options of proceeding with a vote or tabling the matter to a future meeting

Commissioner Hingula:

- Asked wouldn't we have to state why they are not qualified

Attorney Waters:

- No that would not be required in the resolution

Mayor Martin:

- My other appointments have not been challenged

Commissioner Wilson:

- Stated he would not support a nominee who speaks out against the library and is unwilling to work with the library board
- They don't have to agree, but they can't be unwilling to compromise

Mayor Martin:

- Asked if the application that was provided caused anything into question

Commissioner Hingula:

- I was impressed by his application and his education

Commissioner Wilson:

- I would like to know his connection to the library, I think that's important
- We represent the entire community and I want people who have a connection to the library
- I'm not opposed to this individual, I just want to know more about him

Mayor Martin:

- When I ran for office, I had no connection to the city
- I was looking to add a fresh perspective
- Asked if there is precedent for a vetting process for board nominees

Attorney Waters:

- There is nothing that requires a vetting process, it's the prerogative of the Mayor to make the nomination, but at the acceptance of the governing body

Commissioner Hingula:

- Asked should we table it

Mayor Martin:

- Asked if there should be a process to review applicants
- Feels it's healthy to have fresh perspective on a board

Commissioner Wilson:

- I think it is wise if someone is wanting to serve on a board to be present and speak to their desire to serve

Attorney Waters:

- That is up to you as Mayor, there is no legal objection to the items mentioned during this discussion

Mayor Martin:

- I would still like to proceed with a vote this evening

Commissioners Wilson:

- Asked Mayor Martin to wait on the vote

Commissioner Hingula:

- I know the nominee personally and I feel that he will support the library well
- I know he has the time to serve and do the work
- If he's given a job he'll get it done, he won't slack off

Mayor Martin:

- I will proceed with a vote, because I feel if I withdraw my nomination I am questioning my decision and I am not, I am confident in my nomination

Mayor Martin called for the vote and the vote on the motion tied 2-2, with Commissioners Bauder and Wilson voting no and Commissioner Hingula and Mayor Martin voting yes.

Attorney Waters:

- As this was a tie vote, this is viewed as no action being taken, you still have 45 days starting tonight for action to be taken at a future meeting

Commissioner Wilson:

- I will be reaching out to him to have a conversation

Consider Updates to City Fee Schedule – City Clerk Sarah Bodensteiner presented for consideration updates to the City Fee Schedule regarding Parks & Recreation Fees. From time to time City staff will bring updates to the fee schedule which is adopted by the City Commission. Discussions regarding updating the Parks & Recreation fees to increase revenues and help offset operational costs began in 2023. Some direction received from the discussions with the Commission included to not go overboard with the increases, but also be aggressive enough so that we're not back here in a couple years raising fees again. Additionally, the general consensus was to avoid raising fees associated with youth activities. As such you will not see a recommendation to raise fees in our youth sports programs. Also per those discussions fees associated with non-residents were more aggressive in the fee updates. It is important to note that all of these are user fees; therefore, they do not affect the tax payers of the City of Leavenworth. The updates are hereby presented to the Commission for the City Fee Schedule for a January 1, 2025 effective date.

Commissioner Bauder:

- Thought the fees looked reasonable, and we are still lower than other communities
- Asked if we knew when was the last time the fees were increased

Mr. Grant:

- I've been here for 22 years and the fees have been the same in my tenure

- We are still the best deal in town, even with the proposed fee increases
- We also continue to provide no cost items like the splash pad

Commissioner Hingula:

- Asked if there is a way to rent the pickle ball courts

Mr. Grant:

- There is a section in the proposed fee schedule for renting the pickle ball courts with a 4 hour minimum

Commissioner Wilson:

- I played pickle ball recently and it was full of teenagers, it was a great time

Mayor Martin:

- Asked do you feel these increases are sufficient

Mr. Grant:

- Staff went to other municipalities and compared their amenities and costs, along with working with the Finance Department to come up with the best recommendation for the increases

Commissioner Bauder moved to approve the updates to the City Fee Schedule as presented and to be effective January 1, 2025. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Resolutions:

Excel Development Senior Housing Fee Waiver Request – Assistant City Manager Penny Holler presented for consideration approving a revised Resolution and Fee Waiver Letter for the 10th Avenue senior affordable housing project by Excel Development Group. Excel Development Group is planning to build affordable senior housing on 10th Avenue. The project will include 15 duplex buildings for seniors age 55 and older whose incomes are 60% or less of the Area Median Income. At the December 12, 2023 meeting, approval was provided for the project to receive Industrial Revenue Bonds, a waiver of City fees up to \$40,000 and a Resolution of support for the project. Those items were included in the submittal by Excel Development Group to the Kansas Housing Resources Corporation for Low Income Housing Tax Credits. Excel Development Group notified the City that due to the wording of the fee waiver letter of “up to \$40,000.00” they were only receiving partial credit on the scoring matrix, leaving them 1 point short of receiving approval. Excel Development Group has requested a revised fee waiver letter in the amount of \$40,000.00. Staff has reviewed the request and recommends approval for the language update.

Commissioner Bauder moved to adopt Resolution B-2383 a Resolution of support of Low Income Housing Tax Credits for Excel Development Group Housing Development at 4714 S 10th Avenue. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Commissioner Bauder moved to approve the updated Fee Waiver letter for the Excel Development Group Housing Development project at 4714 S 10th Avenue. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Bids, Contract and Agreements:

Consider Approval to Purchase Self Contained Breathing Apparatus for Fire Department – Fire Chief Gary Birch presented for consideration approval to purchase 33 Self Contained Breathing Apparatus (SCBA). The current SCBA's are 10 years old and require constant repairs. The National Fire Protection Association standards regulate safety changes every three years. These new SCBA's will meet the latest safety updates. Fire Department personnel feel the new SCBA's will enhance the safety and effectiveness of our firefighting operations. Fire Department personnel held on-site presentations and reviewed the options for the new units. The City's 2025 CIP included \$345,000 for the purchase of the SCBA equipment. Staff recommends acceptance of the quote from Conrad Fire Equipment for the SCBA's utilizing the Houston-Galveston Area Council Cooperative Purchasing Program.

Commissioner Hingula moved to approve the purchase of 33 Self Contained Breathing Apparatus (SCBA) from Conrad Fire Equipment utilizing the Houston-Galveston Area Council Cooperative Purchasing Program in an amount not to exceed \$301,257.89. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Consider Approval of Change Order No. 1 for Municipal Service Center/PD Storage Building – Public Works Director Brian Faust presented for approval Change Order No. 1 related to the construction of the Municipal Service Center/PD Storage Building at 790 Thornton Street. The 2024 CIP included \$300,000 for the construction of a storage facility at the Municipal Service Center that would be used by both the Service Center and the Police Department for storage of vehicles and/or equipment. The building was constructed by QSI for a cost of \$71,730.00. The low bid received for the concrete floor was submitted by Linaweaver Construction for \$43,494.00. The floor consisted of 6" thick portions of flooring to accommodate the specialty police vehicles and a 4" section for municipal equipment. Once construction of the building was complete, staff determined that loaded salt trucks for winter use could fit inside the building. While equipment like the pothole patch and crack seal trailers would be fine on a 4" slab, loaded dump trucks would likely cause a premature failure of the 4" slab. In addition, snow melt from the dump trucks would necessitate a floor drainage system. Staff reached out to Linaweaver Construction to provide a cost for the increase to the slab thickness and install both a road-rated floor drainage system and concrete approach. The cost of these upgrades is \$40,933.60. Staff recommends approval of the Change Order to facilitate the upgrades to the concrete slab and drainage system.

Mayor Martin:

- Asked about the electrical work estimates

Mr. Faust:

- We did have a quote for a little over 26\$k but we put \$30k in our estimate to be safe
- We also plan to put in a wall to separate the public works and police equipment/vehicles

Commissioner Wilson moved to approve Change Order No. 1 for the Municipal Service Center/PD Storage Building with Linaweaver Construction in an amount not to exceed \$40,933.60. Commissioner Bauder

seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

Consider Approval of the Design-Build Amendment for Construction of Parks & Recreation Administrative Offices – Parks & Recreation Director Steve Grant and Deputy Parks & Recreation Director Brian Bailey presented for consideration approval of the design-build amendment with Sands Construction Company for the construction of the Parks & Recreation Administrative Offices at the Riverfront Community Center (RFCC). The 2023 Capital Improvement Program allocated funds for the construction of new administrative offices for the Parks & Recreation Department at the RFCC. The area of the remodel is the south wing portion of the building on the main floor, covering approximately 2550 square feet. The new office area will include a dedicated Parks & Recreation Department entrance off Esplanade Street, a foyer waiting area, window for public service, restrooms, copy room, breakroom/kitchen, conference room and five professional offices. In March of 2023, staff solicited requests for qualifications from design-build teams for the project. At the October 10, 2023 City Commission Meeting, the City Commission approved the design-build contract with Sands Construction Company. After much design work and construction negotiation, staff and the design-build team have reached a total project design and construction cost not to \$384,923.00. During the CIP process, the City Commission approved \$385,000 for the project. The City has already spent \$1,369.14 on this project for the purpose of creating plans to be included in the bid documents. In addition, new office furniture will cost approximately \$48,000, leaving a total project cost of \$434,292.14, which is \$49,292.14 over budget. There are sufficient reserves in the CIP Sales Tax Fund to cover the additional costs of the project, and furniture will be purchased after the project is complete.

Commissioner Bauder:

- This will be great compared to what you have now

Mr. Grant:

- This will be so much better for serving the public

Commissioner Hingula:

- Asked what are you going to do with the old office space

Mr. Grant:

- That will become the headquarters for our maintenance staff and still have room for storage

Mayor Martin:

- Asked what was the driver for the overage in cost

Commissioner Bauder moved to approve the amendment between the City of Leavenworth and Sands Construction Company for the construction of Parks & Recreation Administrative Offices at the Riverfront Community Center at the Guaranteed Maximum Price (GMP) not to exceed \$384,923.00 defined in the amendment and authorize the Mayor to sign the agreement. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 4-0.

First Consideration Ordinances:

First Consideration Ordinance for Modification to Code of Ordinances Chapter 44, Section 87 No Parking Anytime – Interim City Manager Patrick Kitchens presented for first consideration an ordinance that adds a street to the No Parking Anytime section of the City Code. In September 2024, the City of Leavenworth received requests from the EMS Director and President of the University of St. Mary to restrict parking on the east side of Hughes Road from Muncie Road to McDonald Road. The Police Department Traffic Unit reviewed the request and finds the request to be reasonable. There are two events that are the precipice for the new parking restrictions. We have seen a small uptick in traffic accidents, including an ambulance that struck a parked car on the way to a call, in that area. Further, St. Mary's is constructing a new parking lot on campus with 84 new spaces that will help to alleviate some of the parking issues.

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

Consent Agenda:

Commissioner Hingula moved to approve Claims for October 4, 2024 through October 17, 2024, in the amount of \$1,373,870.76; Net amount for Payroll #20 effective October 4, 2024 in the amount of \$400,096.54 (No Police & Fire Pension). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Martin declared the motion carried 5-0.

Other:

Interim City Manager Patrick Kitchens:

- Business Symposium is on Monday October 28th at the Riverfront Community Center
- Trunk or Treat event was last Saturday at Sportsfield Park which saw over 700 children go through

Commissioner Hingula:

- Noted he failed to thank Christine Fritchen for all her efforts for the Camp Leavenworth 5k, but he does thank her very much for all her hard work and hopes she'll continue to organize the run

Commissioner Bauder:

- This evening there was a dedication of the American 250 plaque at City Hall
- Stop by and check out the plaque and it was a great event by the Captain Jesse Leavenworth Chapter of the DAR

Commissioner Wilson:

- Early voting has started, get out and vote
- God bless

Mayor Martin:

- God bless

Adjournment:

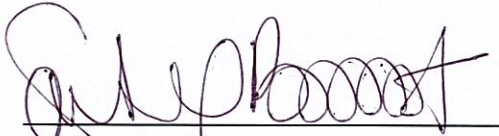
Commissioner Hingula moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 7:22 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC

**POLICY REPORT
SECOND CONSIDERATION ORDINANCE 8253
AMENDING CODE OF ORDINANCES CHAPTER 44, SECTION 87
NO PARKING ANYTIME**

NOVEMBER 12, 2024



Sarah Bodensteiner, CMC
City Clerk



Scott Peterson
City Manager

BACKGROUND:

At the October 22, 2024 City Commission regular meeting the City Commission reviewed and placed on first consideration:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS; CHAPTER 44 TRAFFIC AND VEHICLES, SECTION 44-87 NO PARKING ANYTIME RELATED TO THE EAST SIDE OF HUGHES ROAD BETWEEN MUNCIE ROAD AND MCDONALD ROAD. PROVIDING SUBSTITUTE PROVISIONS AND REPEALING THE SECTION AMENDED.

There have been no changes to the ordinance since first introduced. Ordinance No. 8253 is now presented for second consideration and requires a roll call vote.

ATTACHMENTS:

- Ordinance No. 8253

(Summary Publish in the Leavenworth Times on November 16, 2024)

ORDINANCE NO. 8253

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS; CHAPTER 44 TRAFFIC AND VEHICLES, SECTION 44-87 NO PARKING ANYTIME RELATED TO THE EAST SIDE OF HUGHES ROAD BETWEEN MUNCIE ROAD AND MCDONALD ROAD. PROVIDING SUBSTITUTE PROVISIONS AND REPEALING THE SECTION AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. That the Code of Ordinance of the City of Leavenworth, Kansas, Chapter 44 Traffic and Vehicles, Section 44-87 No parking any time, is hereby deleted in its entirety and amended to read as follows:

Sec. 44-87. No parking any time.

The parking of automobiles, motor trucks, carriages, wagons and any and all other vehicles is prohibited on the following streets at any time:

- 1) Second Avenue, west side, lying east of block E, Fackler's Addition to the city, from the north side of Linn Street to the south side of Elm Street.
- 2) Second Avenue (originally platted as Sixth Street), west side, from the intersection with Linn to the intersection with Elm.
- 3) Fourth Street, both sides, from the north side of Eisenhower Road to the south side of Metropolitan.
- 4) Fifth Avenue, east side, from a point 70 feet south of the south curblineline of Marshall Street to a point 70 feet north of the north curblineline of Marshall Street.
- 5) Fifth Avenue, east side, from the south side of Olive Street to the north side of Spruce Street.
- 6) Fifth Avenue, west side, from a point 70 feet north of the north curblineline of Marshall Street to a point 97 feet south of the south curblineline of Marshall Street.
- 7) Fifth Street, approximately eight feet adjacent to the entrance area at the dog and cat clinic located at 1101 North Fifth Street.
- 8) Sixth Avenue, west side, from James to Prospect.
- 9) Seventh Street, east side, from the south side of Walnut Street to the north side of Olive Street.
- 10) Seventh Street North, both sides, from the north side of Cheyenne Street to the south side of Metropolitan Avenue.

- 11) Seventh Street, west side, from the intersection of Spruce Street to the intersection of Olive.
- 12) Seventh Street West, west side, from the intersection of Seventh and Short to the intersection of West Seventh Street and Oak.
- 13) Seventh Street, from the north curblineline to Marshall Street, to a point 30 feet north on West Seventh Street.
- 14) Tenth Avenue, east side, from Pennsylvania to Metropolitan Street.
- 15) Tenth Avenue, both sides, from Pennsylvania to Eisenhower Street.
- 16) Tenth Street, east side, from Pennsylvania to Metropolitan Street.
- 17) 14th Street, on either side, between New Lawrence Road and a point 150 feet south of Independence Court.
- 18) 14th Street, west side, from the south side of Metropolitan Street to the north side of Cheyenne Street.
- 19) 15th Street, south, west side, from the south side of Vilas Street to the north side of Limit Street.
- 20) 20th Street, both sides, from the north side of Spruce Street to the south side of Metropolitan.
- 21) 20th Street Trafficway, both sides, north of Eisenhower to its terminus.
- 22) 21st Street, west side from Choctaw Street to Shawnee Street.
- 23) Columbia, west side, from Charles Street for a distance of 77 feet.
- 24) Commercial Street, south side, from Fourth Street to Commercial Place.
- 25) Dakota Street, north side, from the intersection of 18th Street to the city limits.
- 26) Dakota Street, both sides, from the intersection of Cheyenne curve east to the railroad tracks.
- 27) Evergreen Street, from the west side of Fourth Street right-of-way line to the west line extended of lot 5, Thompson's Subdivision.
- 28) Frontage Street, from St. Mary's Street to Ash Street.
- 29) Hughes Road, east side, from the north side of Muncie Road to the south side of McDonald Road.
- 30) Limit Street, both sides, from Grand Avenue to Fourth Street.
- 31) Limit Street, both sides, from 14th to 15th Streets.
- 32) Limit Street, both sides, from 22nd Street to 16th Street.
- 33) Limit Street, south side, from 4th Street to Wilson Avenue.
- 34) Marion Street, both sides, from Fourth Street to Wilson Avenue.
- 35) New Lawrence Road, west side, from Wildwood to Gatewood.
- 36) Ohio Street, south side, from Grand Street to Klemp Street.
- 37) Oregon Street, from east of South Fourth Street.

- 38) Ottawa Street, south side, from 20th Street to 22nd Street.
- 39) Ottawa Street, north side, from 20th Street to the entrance of the parking lot at Sports Field.
- 40) Pennsylvania Street, north side, from the west side of Fifth Avenue to the east side of Broadway.
- 41) Seneca Street, south side, from Broadway and Third Street, except where authorized by posted signs.
- 42) Seneca Street, on the south side of Seneca Street between Second Street and Third Street.
- 43) Shawnee Street, south side, from Broadway west to 10th Street.
- 44) Shrine Park Road, both sides, from the north side of Eisenhower Road to the south side of Limit Street.
- 45) Spruce Street, both sides, from the west side of 15th Street to the city limits.
- 46) Spruce Street, both sides, from the west side of Third Street to the east side of Fourth Street.
- 47) Spruce Street, south side, from the west side of Fourth Street to the east side of 15th Street, with the exception that no parking shall be allowed from the east corner of lot 29, block 35, Central Subdivision, to the east side of Newman Street.
- 48) State Street and Evergreen Street, both sides, from the west side of the Fourth Street right-of-way line to Evergreen Street and western Evergreen Street to the west line of lot 5, Thompson's Subdivision.
- 49) Terrace Road, east side, between High Street and Sherman Avenue.
- 50) Vilas Street, both sides, from 22nd Street to 16th Street.
- 51) Wilson Avenue, on both sides of the street from St. Mary's Street to a point 100 feet north.

Section 2. REPEAL. Chapter 44 Traffic and Vehicles, Section 44-87 No parking any time of the Code of Ordinances of the City of Leavenworth, Kansas, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

Section 4: EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body on this 12th day of November, 2024.

Griff Martin, Mayor

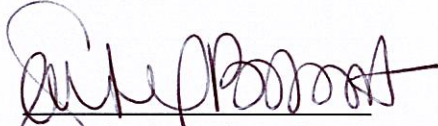
{Seal}
 ATTEST:

Sarah Bodensteiner, CMC, City Clerk

**POLICY REPORT
LIBRARY BOARD APPOINTMENT**


NOVEMBER 12, 2024

Prepared by:



Sarah Bodensteiner, CMC
City Clerk

Reviewed by:



Scott Peterson
City Manager

ISSUE:

Consider the appointment of Mr. Robert Jason Redmon to the Library Board, as introduced by Mayor Martin at the October 22, 2024 City Commission Meeting.

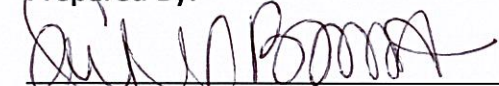
BACKGROUND:

At the October 22, 2024 meeting of the Leavenworth City Commission, Mayor Martin proffered the appointment of Mr. Robert Jason Redmon to the Library Board for a term ending on April 30, 2028. After discussion amongst the Commission, a vote of the Governing Body to confirm the appointment stalled with a 2-2 tie resulting in a “no action” taken. At that meeting, City Attorney Waters advised as to the process that should be followed as to the is appointment, specifically as it relates to K.S.A. 12-16, 128, providing that “any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or position”. As applied to the current situation with Mr. Redmon, there was a 2-2 vote, with one member of the Governing Body absent. With a 2-2 tie vote, we cannot consider the appointment to have been approved. However, because the Governing Body also did not pass a resolution of the kind referenced in the statute, and because such a resolution is a statutory requirement for disapproval, it cannot be said that the 2-2 vote resulted in disapproval. Therefore the City is left with the only other option, that no action was taken, one way or the other. In order to adhere to K.S.A. 12-16, 128, this item is being brought back to the Governing Body for consideration and action within the 45 day timeframe.

**POLICY REPORT
CONSIDER AMENDMENTS AND UPDATES TO CITY FEE SCHEDULE**

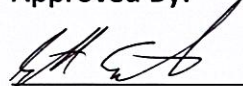
NOVEMBER 12, 2024

Prepared By:



City Clerk's Office

Approved By:



Scott Peterson, City Manager

ISSUE:

Consider amendments and updates to the City Fee Schedule of the following:

- Increasing Solid Waste Service Charges
- Increasing Sewer Service Charges

Solid Waste – Increase Collection and Disposal of Refuse Monthly fee

In the approved 2025 Budget, the collection and disposal of refuse monthly fee is set to increase by 3%.

Solid Waste		
Special pick-up for inactive residential homes:		\$ Amount
	Up to three cubic yards	100.00
	Over 3 cubic yards or requiring use of mechanized loading equipment	250.00
	Dumpster permit	10.00
Collection and disposal of refuse – Single family units and multi-family complexes –monthly		
	Monthly fee	19.89 19.31
Brush disposal site fees:		
	Car—each	2.00
	Pick-up truck—each	5.00
	Single axle dump/flat bed—each	15.00
	Tandem axle dump high side bed—each	25.00
	Truck with chipper box —each	25.00
	Trailers:	
	Up to 8 feet or fraction thereof—each	5.00
	9 to 16 feet or fraction thereof—each	10.00
	Each additional foot or fraction thereof over 16	1.00
	Additional for modified trailers or beds with walls that exceed 4 feet in height	5.00

Utilities-Sewer Service Charges

In the approved 2025 Budget, sewer service charges are set to increase by 3%.

Utilities		
Grease Discharge		\$ Amount
	Grease Discharge Permit	25.00
	Late Fee – after April 30 - each month permit is not current	25.00
Sewer		\$ Amount
	Sewer connections	
	Sewer connection outside benefit district, sewer district or development-per square foot	.30

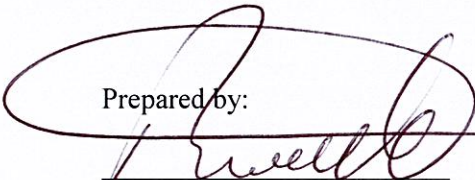
Sewer service charges		
Inside city customers with established service – monthly fee		
Minimum monthly charge		13.31 12.92
Volume charge – Per Ccf		
First 2 Ccf	Included in minimum monthly charge	
Next 13 Ccf	1,497 to 11,220 Gallons of Water	4.52 4.39
Next 285 Ccf	11,221 to 224,440 Gallons of Water	3.20 3.11
All over 300 Ccf	224,441 and up Gallons of Water	2.56 2.49
Outside city customers with established service – monthly fee		
Minimum monthly charge		14.74 14.31
Volume charge – Per Ccf		
First 2 Ccf	Included in minimum monthly charge	
Next 13 Ccf	1,497 to 11,220 Gallons of Water	4.77 4.63
Next 285 Ccf	11,221 to 224,440 Gallons of Water	3.33 3.23
All over 300 Ccf	224,441 and up Gallons of Water	2.67 2.59
New residential customer without established service– monthly fee		
Minimum monthly charge		35.92 34.87
Inside the City Extra strength surcharge for each mg/l over 350 mg/l-per month additional charge		
Biochemical oxygen demand (BOD)		0.00215228 0.00208959
Suspended solids (SS)		0.00149347 0.00144997
Outside the City Extra strength surcharge for each mg/l over 350 mg/l-per month additional charge		
Biochemical oxygen demand (BOD)		0.00230609 0.00223892
Suspended solids (SS)		0.00158141 0.00153535
Other		
Public improvement inspection fee—as percentage of total construction cost		6%

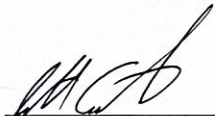
ACTION:

Motion to approve the amendments to the fee schedule as presented to be effective January 1, 2025.

**Policy Report No. 7-2024
Kansas Region L Hazard Mitigation Plan
November 12, 2024**

Prepared by:


Patrick R. Kitchens
Chief of Police


Scott Peterson
City Manager

ISSUE:

Approve the Kansas Region L Hazard Mitigation Plan.

STAFF RECOMMENDATION:

Staff recommends approval.

BACKGROUND:

Under the supervision of the Risk Analysis Branch of the Federal Emergency Management (FEMA) Johnson County, Leavenworth County, and Wyandotte County prepared and submitted our Regions Hazard Mitigation Plan.

Very simply put, in order for the City of Leavenworth to be eligible for FEMA reimbursement while recovering from a hazard the City Commission must adopt a resolution approving the plan.

The plan for Leavenworth County was completed by our County Emergency Manager Chuck Magaha with participation from all relevant entities including, but not limited to, Law Enforcement, Fire, and Public Works. I distributed the plan to all Department Directors for review.

BUDGET IMPACT:

Without approval of the plan the City of Leavenworth would bore the responsibility of recovery costs and that would have significant budget impact.

COMMISSION ACTION:

Approve the resolution that adopts the Kansas Region L Hazard Mitigation Plan. The plan is several hundred pages long. Here is a link to the proposed plan.

<https://www.leavenworthks.org/citycommission/page/city-commission-regular-meeting-171>



FEMA

October 2, 2024

Deputy Director Morgan
Kansas Division of Emergency Management
2800 SW Topeka Blvd.
Topeka, KS 66611-1287

Subject: Approvable Pending Adoption Status of the Kansas Region L Hazard Mitigation Plan

Deputy Director Morgan:

The Risk Analysis Branch of Federal Emergency Management Agency (FEMA) Region 7 Mitigation Division has determined the Kansas Region L Plan meets all applicable FEMA mitigation planning requirements except adoption, as identified in the attached Plan Review Tool. This means that your plan is **approvable pending adoption (APA)**, and the governing body of at least one of the participating jurisdictions must adopt the plan before FEMA can grant final approval of the plan.

Once the plan is adopted and FEMA Region 7 receives documentation of the adoption by at least one participating jurisdiction the plan status is changed from APA to Approved for the entire plan and for the adopting jurisdiction(s), and FEMA will send notification that the plan has been approved.

Governments with a plan status of "Approvable Pending Adoption" are not eligible for FEMA mitigation grant programs with a mitigation plan requirement until the plan has been approved. The next step in the approval process is for participating jurisdictions to formally adopt the mitigation plan and submit the resolutions to FEMA.

Participating jurisdictions that adopt the plan more than one year after APA status has been issued must either:

- Validate that their information in the plan remains current with respect to both the risk assessment (no recent hazard events, no changes in development) and their mitigation strategy (no changes necessary); or
- Make the necessary updates before submitting the adoption resolution to FEMA.

An approved mitigation plan is one of the conditions for applying for and receiving FEMA mitigation grants from the following programs:

- Hazard Mitigation Grant Program (HMGP)
- HMGP Post-Fire
- Building Resilient Infrastructure and Communities
- Flood Mitigation Assistance
- Rehabilitation of High Hazard Potential Dams Grant Program

Deputy Director Morgan
Kansas Region L Hazard Mitigation Plan – Approvable Pending Adoption
Page 2

Based on FEMA's review, the plan did not meet all elements required for the Rehabilitation of High Hazard Potential Dams (HHPD) grant program. Thus, the participating jurisdictions are not eligible for assistance from the HHPD Grant Program at this time. If any participating jurisdictions with HHPDs are interested in this assistance, they should contact the FEMA regional mitigation planner identified below to learn more about how to meet the required mitigation planning elements for this program.

We look forward to discussing options for implementing this mitigation plan. If you should have any questions or concerns, please contact Collette Linder, Mitigation Planning Supervisor, at (816) 394-6859 or collette.linder@fema.dhs.gov.

Sincerely,

LAURIE L
BESTGEN

Digitally signed by
LAURIE L BESTGEN
Date: 2024.10.02
06:39:04 -05'00'

Laurie L. Bestgen, Director
Mitigation Division

Attachment: Local Mitigation Plan Review Tool

RESOLUTION NO. B-2384

A RESOLUTION ADOPTING THE KANSAS HOMELAND SECURITY REGION L HAZARD MITIGATION PLAN.

WHEREAS, the City of Leavenworth, Kansas recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards;

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of Leavenworth, Kansas fully participated in the FEMA prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

WHEREAS, the Kansas Division of Emergency Management and FEMA Region VII officials have reviewed the Kansas Homeland Security Region L Hazard Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body; and

WHEREAS, the City of Leavenworth, Kansas desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Kansas Homeland Security Region L Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the City of Leavenworth, Kansas demonstrates the Jurisdictions’ commitment to fulfilling the mitigation goals and objectives outlined in this plan, and

WHEREAS, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS that the Kansas Homeland Security Region L Hazard Mitigation Plan has an official plan and has been appropriately adopted by Resolution of the Leavenworth City Commission.

BE IT FURTHER RESOLVED that the Governing Body of the City of Leavenworth, Kansas, will submit this Adoption Resolution to the Kansas Division of Emergency Management and FEMA Region VII officials to enable the plan’s final approval.

BE IT FURTHER RESOLED that this Resolution shall be effective from and after its passage as provided by law.

IT IS SO RESOLVED that this Resolution is passed and approved this 12th day of November, 2024.

Griff Martin, Mayor

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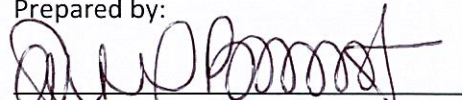
ATTEST:

Sarah Bodensteiner, CMC, City Clerk

**POLICY REPORT
RESOLUTION B-2385
TO AUTHORIZE SERVING COMPLIMENTARY (FREE) ALCOHOLIC LIQUOR
LEAVENWORTH MAIN STREET PROGRAM ALIVE AFTER FIVE WINTER WINE WALK
EVENT DECEMBER 6, 2024**

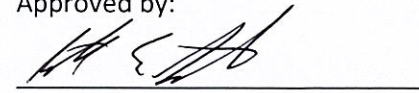
NOVEMBER 12, 2024

Prepared by:



Sarah Bodensteiner, CMC
City Clerk

Approved by:



Scott Peterson
City Manager

ISSUE:

To consider a resolution to authorize serving complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public during the “Alive After Five Winter Wine Walk Event” to be held at various businesses as sponsored by Leavenworth Main Street Program on Friday, December 6, 2024.

Leavenworth Main Street reached out to City Staff regarding their December Alive After Five Event. They advised that they wanted to move the Winter Wine Walk event from the standard Thursday evening to Friday evening this year. To accommodate this date change, a Resolution is needed.

BACKGROUND:

State statute K.S.A. 41-104 allows authorization to serve complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public on the unlicensed premises of businesses by the business owner or owner's agent. Leavenworth Main Street Program which is a non-profit 501(C)3 organization is sponsoring the “Alive After Five Winter Wine Walk Event” to be held on Friday, December 6, 2024 between the hours of 4:00 p.m. to 10:00 p.m.

The Leavenworth Main Street Program would strictly control the activity. Should the City Commission agree with this request, the governing body must approve a resolution authorizing the event as required by Alcoholic Beverage Control Division Form ABC-865.

ACTION:

Approve Resolution B-2385 as presented.

ATTACHMENT:

- Resolution B-2385

RESOLUTION B-2385

A RESOLUTION AUTHORIZING, TO THE EXTENT REQUIRED BY LAW, THE SERVICE OF ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGES ASSOCIATED WITH THE “ALIVE AFTER FIVE WINTER WINE WALK” EVENT SPONSORED BY LEAVENWORTH MAIN STREET PROGRAM, INC., A 501(c)(3) NON-PROFIT CHARITABLE ORGANIZATION.

WHEREAS, Leavenworth Main Street Program, Inc. (“Main Street”), is a Kansas not-for-profit corporation organized and operated as a charitable organization as defined in K.S.A. 17-1760 and registered as a 501(c)(3) organization under Federal law;

WHEREAS, as part of its charitable and fundraising purposes, Main Street holds and sponsors certain “Alive After Five” events at various businesses with the City of Leavenworth, Kansas (the “City”), which events are open to the public and at which events Main Street or the businesses participating in such events may serve complimentary alcoholic liquor and/or cereal malt beverages;

WHEREAS, pursuant to K.S.A. 41-719(c)(2), the drinking or consumption of alcoholic liquor on private property is permitted without the need to obtain a license by a person occupying such property as an owner or lessee of an owner (which would include businesses participating in such Alive After Five events) and by the guests of such person (which would include persons attending such Alive After Five events), if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of applicable law takes place;

WHEREAS, pursuant to K.S.A. 41-104(a)(8), nothing in the Kansas liquor control act (K.S.A. 41-101 *et seq.*), the Kansas club and drinking establishment act (K.S.A. 41-2601 *et seq.*), or the Kansas cereal malt beverage act (K.S.A. 41-2701 *et seq.*) (collectively, the “Acts”), shall prevent the serving of complimentary alcoholic liquor or cereal malt beverages at fundraising activities of charitable organizations and as qualified pursuant to 26 U.S.C. § 501(c) (such as Main Street) without a license or temporary permit; and

WHEREAS, pursuant to K.S.A. 41-104(a)(9), nothing in the Acts shall prevent the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the Governing Body of the City and whereby the director of the alcoholic beverage control has been notified thereof no less than ten (10) days in advance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. To the extent required by applicable law, including but not limited to K.S.A. 41-104, the City of Leavenworth, Kansas, hereby authorizes and approves the service, possession, and consumption of complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public on the unlicensed premises of businesses by the business owner or owner's agent

at the “Alive After Five Winter Wine Walk” event sponsored by Leavenworth Main Street Program, Inc., for the purposes of promoting the arts, with such event to be held on Friday, December 6, 2024 between the hours of 4:00 p.m. to 10:00 p.m. Main Street shall be responsible for notifying the director of alcoholic beverage control of such events no less than ten (10) days in advance of such events and for complying with any and all other applicable laws, rules, and regulations related to such events, including but not limited to the Acts.

Section 2. To the extent required by applicable law, the City hereby authorizes and approves the service, drinking, and consumption of alcoholic liquor to the extent such “Alive After Five Winter Wine Walk” event comply with other aspects of the Acts, including but not limited to K.S.A. 41-719(c)(2) and K.S.A. 41-104(a)(8), as amended. Main Street shall be responsible for complying with any and all other applicable laws, rules, and regulations related to such events, including but not limited to the Acts.

Section 3. That this resolution shall be effective upon its passage.

PASSED AND APPROVED by the Governing Body this 12th day of November, 2024.

CITY OF LEAVENWORTH, KANSAS

Griff Martin, Mayor

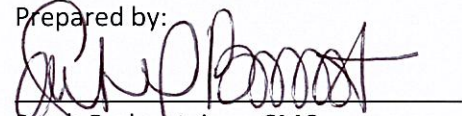
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ATTEST:

Sarah Bodensteiner, CMC, City Clerk

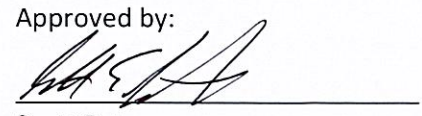
**POLICY REPORT
RESOLUTION B-2386
TO AUTHORIZE SERVING COMPLIMENTARY (FREE) ALCOHOLIC LIQUOR
LEAVENWORTH MAIN STREET PROGRAM ALIVE AFTER FIVE EVENTS IN 2025
NOVEMBER 12, 2024**

Prepared by:



Sarah Bodensteiner, CMC
City Clerk

Approved by:



Scott Peterson
City Manager

ISSUE:

To consider a resolution to authorize serving complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public during the “Alive After Five Events” to be held at various businesses as sponsored by Leavenworth Main Street Program from January 1, 2025 through December 31, 2025.

BACKGROUND:

State statute K.S.A. 41-104 allows authorization to serve complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public on the unlicensed premises of businesses by the business owner or owner's agent. Leavenworth Main Street Program which is a non-profit 501(C)3 organization is sponsoring the “Alive After Five Events” to be held on the first Thursday of each month between the hours of 4:00 p.m. to 10:00 p.m. commencing on January 1, 2025 through December 31, 2025.

The Leavenworth Main Street Program would strictly control the activity. Should the City Commission agree with this request, the governing body must approve a resolution authorizing the event as required by Alcoholic Beverage Control Division Form ABC-865.

ACTION:

Approve Resolution B-2386 as presented.

ATTACHMENT:

- Resolution B-2386

RESOLUTION B-2386

A RESOLUTION AUTHORIZING, TO THE EXTENT REQUIRED BY LAW, THE SERVICE OF ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGES ASSOCIATED WITH THE “ALIVE AFTER FIVE” EVENTS SPONSORED BY LEAVENWORTH MAIN STREET PROGRAM, INC., A 501(c)(3) NON-PROFIT CHARITABLE ORGANIZATION.

WHEREAS, Leavenworth Main Street Program, Inc. (“Main Street”), is a Kansas not-for-profit corporation organized and operated as a charitable organization as defined in K.S.A. 17-1760 and registered as a 501(c)(3) organization under Federal law;

WHEREAS, as part of its charitable and fundraising purposes, Main Street holds and sponsors certain “Alive After Five” events at various businesses with the City of Leavenworth, Kansas (the “City”), which events are open to the public and at which events Main Street or the businesses participating in such events may serve complimentary alcoholic liquor and/or cereal malt beverages;

WHEREAS, pursuant to K.S.A. 41-719(c)(2), the drinking or consumption of alcoholic liquor on private property is permitted without the need to obtain a license by a person occupying such property as an owner or lessee of an owner (which would include businesses participating in such Alive After Five events) and by the guests of such person (which would include persons attending such Alive After Five events), if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of applicable law takes place;

WHEREAS, pursuant to K.S.A. 41-104(a)(8), nothing in the Kansas liquor control act (K.S.A. 41-101 *et seq.*), the Kansas club and drinking establishment act (K.S.A. 41-2601 *et seq.*), or the Kansas cereal malt beverage act (K.S.A. 41-2701 *et seq.*) (collectively, the “Acts”), shall prevent the serving of complimentary alcoholic liquor or cereal malt beverages at fundraising activities of charitable organizations and as qualified pursuant to 26 U.S.C. § 501(c) (such as Main Street) without a license or temporary permit; and

WHEREAS, pursuant to K.S.A. 41-104(a)(9), nothing in the Acts shall prevent the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the Governing Body of the City and whereby the director of the alcoholic beverage control has been notified thereof no less than ten (10) days in advance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. To the extent required by applicable law, including but not limited to K.S.A. 41-104, the City of Leavenworth, Kansas, hereby authorizes and approves the service, possession, and consumption of complimentary (free) alcoholic liquor or cereal malt beverages to members of the general public on the unlicensed premises of businesses by the business owner or owner's agent at the “Alive After Five” events sponsored by Leavenworth Main Street Program, Inc., for the

purposes of promoting the arts, with such events to be held on the first Thursday of each month between the hours of 4:00 p.m. to 10:00 p.m. commencing on January 1, 2025, through December 31, 2025. Main Street shall be responsible for notifying the director of alcoholic beverage control of such events no less than ten (10) days in advance of such events and for complying with any and all other applicable laws, rules, and regulations related to such events, including but not limited to the Acts.

Section 2. To the extent required by applicable law, the City hereby authorizes and approves the service, drinking, and consumption of alcoholic liquor to the extent such “Alive After Five” events comply with other aspects of the Acts, including but not limited to K.S.A. 41-719(c)(2) and K.S.A. 41-104(a)(8), as amended. Main Street shall be responsible for complying with any and all other applicable laws, rules, and regulations related to such events, including but not limited to the Acts.

Section 3. That this resolution shall be effective upon its passage.

PASSED AND APPROVED by the Governing Body this 12th day of November, 2024.

CITY OF LEAVENWORTH, KANSAS

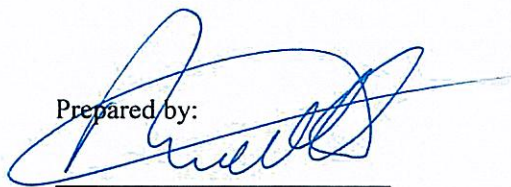
Griff Martin, Mayor

{SEAL}

ATTEST:

Sarah Bodensteiner, CMC, City Clerk

Policy Report No. 8-2024
Staff Report - Homelessness
November 12, 2024

Prepared by: 

Patrick R. Kitchens
Chief of Police



Scott Peterson
City Manager

ISSUE:

The Commission asked for a discussion on homelessness.

STAFF RECOMMENDATION:

N/A

BACKGROUND:

Over the course of the last several years the City of Leavenworth and the Police Department experienced a slight uptick in the calls for service for homeless. City staff also receive pretty consistent complaints about homeless population in the Central Business District and or small to medium size homeless camps in parks, under bridges, and wooded areas.

The staff report is designed to discuss and review our approach in dealing with the issue. I invited Myranda Agnew from Interfaith Community of Hope to speak.

BUDGET IMPACT:

No direct impact to them but there are indirect additional costs such as additional staff time and resources to deal with and address the issue.

COMMISSION ACTION:

Review and discuss the issue.