



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

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Director Public Works Mike Hooper, WPC Superintendent Chuck Staples, Human Resources Director Lona Lanter, Fire Chief Gary Birch, Police Chief Pat Kitchens, Public Information Officer Melissa Bower, City Attorney Tom Dawson and City Clerk Carla Williamson

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes – Commissioner Preisinger moved to approve the June 14, 2016 Regular Meeting minutes, as presented. Commissioner Weakley seconded the motion and was unanimously approved.

Second Consideration Ordinances:

Ordinance No. 7999 Amending Chapter 18, Animals, Article IV Cruelty –Police Chief Kitchens stated that there were no changes to the ordinance since the June 14, 2016 meeting.

Mayor Dedeker called for the roll call vote and Ordinance No. 7999 was unanimously approved.

NEW BUSINESS:

Citizen Participation:

Tim Young 33014 187th Street Leavenworth KS

Enjoyed the discussion on Tobacco 21 but did not enjoy the way the Commission went about the process. Referenced a quoted by Abraham Lincoln regarding doing for the community what they cannot do for themselves. His question to the Commission was what authority or statute did they have that allowed them to pass this ordinance. Members from outside Leavenworth spoke in favor of Tobacco 21. Discussed basic responsibilities of Cities; feels this is a state authority not city; Brought up discussion on seatbelts, helmets for motorcyclists and drinking age. Feels this was an infringement on individual civil liberties; asked that as a Commission, they take ethics into consideration in future decisions.

Commissioner Preisinger thanked Mr. Young for his comments and stated that the City Attorney was consulted and the decision was within the authority of the City Commission.

General Items:

Recommended Revisions to Personnel Policy Manual - Human Resources Director Lona Lanter presented for consideration changes to the City Personnel Policies & Procedures Manual; Housekeeping issue to accurately reflect the 2008 changes to Personnel Ordinance 7772. There is no change required to the ordinance. Change is to the Personnel Manual- Appendix III, Civil Service System, to reflect the same wording as the ordinance.

Commissioner Weakley moved to approve the proposed revisions to the Policy and Personnel Manual as presented by the HR Director. Commissioner Bauder seconded the motion and was unanimously approved.

Leavenworth Main Street BBQ Event – Item removed from the agenda per the request of Leavenworth Main Street.

Bids, Contracts & Agreements:

Contract No. 2016-51 Sole Source Emergency Repair Contract with Linaweaver Construction for Repairs at 5 Mile Creek East of the Waste Water Treatment Plant (WWTP) – Public Works Director Mike McDonald presented for consideration a sole source emergency repair contract with Linaweaver Construction. On May 27, 2016 WWTP staff noticed water running out of the bank when there were high flows in the sewer lines. Staff dyed lines and approximately 15 minutes later dye was seen entering 5 Mile Creek east of WWTP. The leak in a 48” sewer pipe poses an emergency situation and Linaweaver Construction was contacted and responded immediately. Total cost for repairs: \$79,254.56.

Commissioner Preisinger moved to approve the sole source contract with Linaweaver Construction in the amount of \$79,254.56 for emergency sanitary sewer repairs at 5 Mile Creek east of the Waste Water Treatment Plant. Commissioner Raney seconded the motion and was unanimously approved.

Contract No. 2016-50 Sole Source Emergency Repair Contract with Linaweaver Construction for Sanitary Sewer Repairs at 5 Mile Creek at Shrine Park Road – Public Works Director Mike McDonald presented for consideration a sole source contract for emergency sewer repairs. On Sunday, June 5, 2016 a citizen called about the creek through Cody Park looking and smelling like sewer. City Staff found the break near the creek at Shrine Park Road. Heavy and continuous rainfall caused significant bank erosion and the sewer line collapsed into the creek. Staff contracted with Water Resource Solutions (WRS) to review and analyze the damage and to assist Linaweaver Construction in correcting the failure. KDHE permits were obtained. Total cost for repairs: \$29,476.10.

Commissioner Preisinger moved to approve the sole source contract with Linaweaver Construction in the amount of \$29,476.10 for emergency sanitary sewer repairs at 5 Mile Creek at Shrine Park Road. Commissioner Raney seconded the motion and was unanimously approved.

Change Order No 1 to Contract 2016-39; 2016 Pavement Management – Public Works Director Mike McDonald presented for consideration Change Order No. 1 with McAnany in the amount not to exceed \$15,000.00. The change order would allow for the paving of the parking lot at Ray Miller Park. The new contract total would be \$1,298,954.25.

Commissioner Bauder moved to approve Change Order No. 1 for paving of the parking lot at Ray Miller Park in an amount not to exceed \$15,000 increase. Commissioner Raney seconded the motion and was unanimously approved.

Change Order No 2 to Contract 2016-24; 2015 Sanitary Sewer Rehabilitation and Replacement Linaweaver Construction – Public Works Director Mike McDonald presented for consideration Change Order No. 2 in the amount of \$16,500.00 for the 2015 Sanitary Sewer Rehab and Replacement. This area is under 4th Street next to the bridge crossing 5 Mile Creek.

Commissioner Preisinger moved to approve Change Order No. 2; Contract No 2016-24 received from Linaweaver Construction in an amount not to exceed \$16,500 for the 2015 Sanitary Sewer Rehabilitation and Replacement Project. Commissioner Raney seconded the motion and was unanimously approved.

First Consideration Ordinance:

Ordinance Amending Chapter 50 Fire Prevention and Protection, relating to Insurance Proceeds and Repealing Ordinance 7318 – City Clerk Carla Williamson presented for first consideration an ordinance amending Chapter 50 of the code of ordinance. HB 2446 amends K.S.A 40-3901 and expands the ability of municipalities to place a lien on the

proceeds of any covered claims for damage to structure in excess of 75% of the face value of the insurance policy. Prior law was limited to claims for wind, fire, and explosion damage. The language also increases the number of days from 20 days to 30 days the time the chief building inspector has to determine whether the city shall initiate proceedings under the provisions of K.S.A. 12-1750. Changes go into effect July 1, 2016.

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

CONSENT AGENDA:

Claims for June 11, 2016 through June 24, 2016 in the amount of \$420,463.21; Net amount for Pay #13 effective June 24, 2016 in the amount of \$373,074.17 (including Police & Fire Pension \$11,232.85). Commissioner Raney moved to approve the consent agenda, as presented. Commissioner Bauder seconded the motion and was unanimously approved.

Other Items:

- Commissioner Bauder discussed the Youth Achievement Battle fund raiser. Thanked members from police, fire and the Assistant City Manager for participating.
- Commissioner Preisinger discussed the upcoming weather over the 4th of July holiday with possible heavy rains. He mentioned the 4th of July holiday and the fireworks display and events at Fort Leavenworth.
- City Manager Paul Kramer announced that there will be no study session on Tuesday, July 5, 2016.

Executive Session for Land Acquisition - Commissioner Preisinger moved to go into executive session for Land Acquisition for 15 minutes and return to open session at 7:55 P.M. Commissioner Raney seconded the motion and was unanimously approved. At 7:55 Commissioner Preisinger moved to extend the executive session until 8:07. Commissioner Bauder seconded the motion and the motion carried. The commission returned to open session at 8:07 p.m.; no action was taken.

Adjourn – Commissioner Bauder moved to adjourn the meeting. Commissioner Preisinger seconded the motion and was unanimously approved.

Time Meeting Adjourned 8:07 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC