



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

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Deputy Public Works Director Mike Hooper, Superintendent of City Operations Ed Davis Jr., Finance Director Ruby Maline, City Planner Julie Hurley, City Attorney Tom Dawson and City Clerk Carla K. Williamson

Mayor Dedede 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 July 26, 2016 Regular Meeting minutes, as presented. Commissioner Raney seconded the motion and was unanimously approved.

Second Consideration Ordinances:

Ordinance No. 8002 to Levy Special Assessments for Demolition Costs –City Clerk Carla Williamson stated there were no changes and the City had not received any payment since this was discussed at the July 26, 2016 meeting.

Mayor Dedede called for the roll call vote and Ordinance No. 8002 was unanimously approved.

Ordinance No. 8003 to Levy Special Assessments for Nuisance Abatement Costs – City Clerk Carla Williamson stated that payments have been received on 9 properties since this was discussed at the July 26, 2016 meeting and those items have been removed from the ordinance.

Mayor Dedede called for the roll call vote and Ordinance No. 8003 was unanimously approved.

NEW BUSINESS:

Citizen Participation: none

Public Hearings:

2017 Budget

Open Public Hearing - Commissioner Preisinger moved to open the public hearing, as presented. Commissioner Bauder seconded the motion and was unanimously approved.

City Manager Kramer gave a brief presentation for the proposed budget for fiscal year 2017.

- Mill levy 31.361 mills for 2017
- No changes in Personnel or City Services
- Maintain General Fund reserves at \$3.39 Million
- Mill increase to accommodate establishing City probation services

Close Public Hearing - Commissioner Bauder moved to close the public hearing, as presented. Commissioner Preisinger seconded the motion and was unanimously approved.

Adopt 2017 Budget – Commissioner Preisinger moved to approve the 2017 Budget, as presented. Commissioner Weakley seconded the motion the motion carried with a vote of 4-1 Commissioner Raney voting No.

Commissioner Preisinger asked Commissioner Raney if he would share why he voted no on the budget; he had not brought up any opposition to the budget in any of the previous study sessions or meetings regarding the budget.

Commissioner Raney stated that he voted no based on the City Commissions passing of the Tobacco 21 ordinance which changed the age of purchasing tobacco products from 18 to 21 and that reduced tax revenue for the City. He also voted no because of the ban on Fireworks and the City Commission not wanting to address legalizing Fireworks in the City which would also bring in tax revenue. He was not in favor of a mill increase.

Commissioner Preisinger stated that he has said that he would be in favor of putting the fireworks ban back on the ballot if a valid petition was brought forward but a valid petition was never brought forward.

Commissioner Weakley concurred with Commissioner Preisinger regarding a petition and taking it to a vote of the people as a ballot question. Commissioner Weakley also stated that the majority of the Citizens she spoke to were not in favor of lifting the ban.

Commissioner Bauder said she heard more opposition to allowing fireworks from Citizens than those for allowing fireworks.

Adopt Resolution No. B-2142 Housing Budget - Commissioner Bauder moved to approve Resolution No. B-2142, as presented. Commissioner Weakley seconded the motion and was unanimously approved.

Resolutions:

Resolution B-2143 to Set Public Hearing for Unsafe or Dangerous Structures – City Planner Julie Hurley addressed the Commission to consider approval of a resolution to set a public hearing on October 11, 2016 at 7:00 pm. On July 12, 2016 the City Commission reviewed the list of structures. The hearing will allow owners, agents, lienholders of record and any occupant of structures to appear and to show cause why such structures should not be condemned as dangerous or hazardous structures and ordered repaired or demolished.

Structures to be heard are as follows:

50 Logan Ave	717 Ottawa Street
426 Limit Street	800 Osage Street
655 South Street	856 Cherokee Street
776 Thornton Street	860 Cherokee Street
113 Chestnut Street	1107 N. 10th Street
616 Spruce Street	1158 Kenton Street
717 Olive Street	1261 High Drive

Commissioner Weakley moved to approve Resolution B-2143 to set a public hearing date of October 11, 2016 for review of 14 dangerous and unsafe structures. Commissioner Bauder seconded the motion and was unanimously approved.

Resolution B-2144 to Set Public Hearing for Unsafe Structure (Fire Damaged) at 1029 Ironmoulders Street – Deputy Director of Public Works, Mike Hooper presented for consideration a resolution to set a public hearing on October 11, 2016 at 7:00 pm. The hearing will allow the owner of the fire damaged structure at 1029 Ironmoulders Street to show cause why such structure should not be condemned as dangerous or hazardous. The structure was damaged by fire on June 19, 2016 and the City received and is holding insurance proceeds. The owner has been in contact with the City and a building permit has been issued and they have started work.

Commissioner Bauder moved to approve resolution B-2144 to set a public hearing date of October 11, 2016 for the fire damaged structure at 1029 Ironmoulders Street. Commissioner Raney seconded the motion and was unanimously approved.

Bids, Contracts and Agreements:

Contract No. 2016-59 Bids for 2nd Street Sidewalk Improvements Poplar Street to Elm Street- Baker Construction - Deputy Director of Public Works, Mike Hooper presented for consideration the bids for the 2nd Street Sidewalk Improvements Project. Bids were opened on August 3, 2016. Baker Construction was the low bidder with a base bid of \$63,679.49. The bids were as follows:

<u>Company</u>	<u>City</u>	<u>Base Bid Total</u>
Baker Construction	Leavenworth KS	\$63,679.49
Julius Kaaz Construction	Leavenworth KS	\$79,784.10
Phoenix Concrete	Olathe KS	\$81,560.40
Kansas Heavy Construction	Shawnee KS	\$85,000.00
	Engineers Estimate:	\$99,687.00

Commissioner Preisinger moved to approve the bid submitted by Baker Construction for the 2nd Street Sidewalk Improvements Project as presented. Commissioner Weakley seconded the motion and was unanimously approved.

Approve Reimbursement Costs to Foutch Brothers for Sidewalk Replacement 2nd Street - Deputy Director of Public Works, Mike Hooper presented for consideration the reimbursement submitted by Foutch Brothers under the Sidewalk Reimbursement Program for the cost of curb, sidewalk, and ADA ramp replacement along the east side of 2nd Street in the amount of \$20,050.00. On October 23, 2012 the City entered into an amended agreement with Foutch Brothers (original agreement dated December 21, 2005), related to the redevelopment of the old Tire Town property also known as Stove Factory Lofts. The City agreed to pay for the extension of curb and gutter, sidewalk and ADA ramp restoration on 2nd Street from Choctaw south approximately 300 feet to the property line on Esplanade. The reimbursement for sidewalk is at a rate of \$5.00/sf.

Commissioner Preisinger moved to reimburse Foutch Brothers \$20,050.00 for the sidewalk improvements in the amount of \$20,050.00. Commissioner Raney seconded the motion and was unanimously approved.

Contract No. 2016-60 Bids for 2016/2017 Salt Contract –Superintendent of City Operations Ed Davis presented for consideration the bids for the Salt Contract. Leavenworth County advertised for salt bids and the bids specifications allowed the City of Leavenworth and other cities in the county to purchase salt at the bid price. Hutchinson Salt Company was the low bid at \$52.85 a ton. Bids were as follows:

<u>Company</u>	<u>Cost per Ton</u>
Hutchinson Salt Company	\$52.85
Independent Salt Company	\$53.97
Central Salt	\$53.48
Compass Minerals	NO BID
Cargill	NO BID

Commissioner Bauder moved to approve the bid for rock salt at \$52.85 a ton for 300 tons for a total amount of \$15,855.00 with Hutchinson Salt Company. Commissioner Weakley seconded the motion and was unanimously approved.

CONSENT AGENDA:

Claims for July 23, 2016 through August 5, 2016 in the amount of \$1,235,712.62 ; Net amount for Pay #16 effective August 5, 2016 in the amount of \$ 307,929.46 (no Fire & Police Pension). Commissioner Raney moved to approve the consent agenda, as presented. Commissioner Preisinger seconded the motion and was unanimously approved.

Other Items:

Commissioner Preisinger:

- Amy Hastings from Leavenworth is running Sunday morning in Olympics in Rio
- Discussion on Budget; respects Commissioner Raney's opinions hopes that any Commissioner is not afraid to bring up opposing views. They need to be brought up for discussion.

Commissioner Raney:

- Stated he was not afraid
- It was a matter that bringing it up would not change the minds of other Commissioner
- No problem raising the mill as a last resort

Commissioner Preisinger:

- Stated there was never a vote on fireworks by the Commission

Commissioner Weakley:

- Stated she also wished that Commissioner Raney would have brought up issues related to the budget earlier; she likes a healthy debate.
- She has brought up items that have failed but at least it is discussed
- Wants Commissioner Raney to feel comfortable bringing up views

Commissioner Raney:

- Stated it is not that he was not comfortable

Commissioner Bauder:

- Has been talking Leavenworth Lions Club , the City Manager and Parks and Recreation Director Steve Grant about Havens Park
- Would like the City to go back and look at the previous plans for the park; there may be community groups that that would like to help out with the project.
- Possibly in the 2018 budget some funding could be allocated
- Bathrooms are in bad shape
- Could be a positive for the community

Mayor Dedeke:

- In a previous meeting while discussing parking downtown made a comment about Candle Queen and the pink car
- His comments were inaccurate and he wanted to make a public apology

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

Time Meeting Adjourned 7:26 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC