



CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Larry Dedeker, Charles Raney and Lisa Weakley, Commissioners Mark Preisinger (note: Commissioner Preisinger was present via telephone conference); absent Mayor Pro-Tem Nancy Bauder

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, HR Director Lona Lanter, City Planner Julie Hurley, Community Development Coordinator Mary Dwyer, Fire Chief Gary Birch, Finance Director Ruby Maline, CVB Director Christi Lee, Public Information Officer Melissa Bower, City Attorney Tom Dawson, and City Clerk Carla K. Williamson

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

PRESENTATIONS AND PROCLAMATIONS:

Proclamation:

Leavenworth County United Way: Mayor Dedeker read the proclamation.

Leavenworth Public Schools Education Foundation Week, October 3-7, 2016: Catey Edwards of the Leavenworth Public Schools was present to accept the proclamation.

Fire Prevention Week, October 9-15, 2016: Fire Chief Gary Birch was present to accept the proclamation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes – Commissioner Weakley moved to approve the September 13, 2016 Regular Meeting minutes as presented. Commissioner Raney seconded the motion and was unanimously approved.

NEW BUSINESS:

Citizen Participation: none

General Items and Resolutions:

Appeal for Signage Zeck Brothers Development LLC, 4501 S. 4th Street-City Planner Julie Hurley presented for consideration a sign appeal submitted by Zeck Brothers Development LLC.

Applicant is requesting an appeal to allow a wall sign in excess of the 20% of the wall area of which the sign is attached. The building is located at 4501 S. 4th Street. As part of the expansion and renovation of the existing building, new signage is being proposed including a "Super Z" Zeck logo placed on the north wall of the existing building. Area is zoned General Business District (GBD). The total area of the proposed sign is 300 sqft, and the wall area is 1262 sqft making the sign 23.7% of the wall areas.

Specific Criteria for sign appeal to consider:

1. *Uniqueness of the Structure:* the appeal requested arises from such condition which is unique to the property in question is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or applicant
2. *Rights of Others:* granting of the appeal will not adversely affect the right of adjacent property owners or residents
3. *Undue Hardship:* strict application of the provision of the sign code will constitute unnecessary hardship upon the property owner represented in the application
4. *Public Safety, Health and Order:* appeal will not adversely affect the public safety, health, moral order, convenience, prosperity, or general welfare

5. *General Spirit of the Sign Code*: appeal will not be opposed to the general spirit and intent of the sign code
Open Public Hearing- Commissioner Raney moved to open the public hearing. Commissioner Weakley seconded the motion and was unanimously approved.

Public Comments: none

Close Public Hearing: Commissioner Raney moved to close the public hearing. Commissioner Weakley seconded the motion and was unanimously approved.

Commissioner Weakley moved to approve the sign appeal by Zeck Brothers Development as presented. Commissioner Raney seconded the motion and was unanimously approved.

Appeal for Building Materials Zeck Brothers Development LLC, 4501 & 4701 S. 4th Street – City Planner Julie Hurley presented for consideration a Building Materials appeal submitted by Zeck Brothers Development LLC.

Open Public Hearing- Commissioner Weakley moved to open the public hearing. Commissioner Raney seconded the motion and was unanimously approved.

Staff Comments:

Area is zoned General Business District (GBD). Section 7.03 of the Development Regulations requires that all exterior walls be finished with 85% masonry. The primary materials proposed for the renovation of the existing facility and new sales center are glass and corrugated metal panel siding with a pre-finished paint. Ford has a national design brand standard for dealerships that include material, color and form.

Public Comments: none

Close Public Hearing: Commissioner Weakley moved to close the public hearing. Commissioner Raney seconded the motion and was unanimously approved.

Commissioner Weakley moved to approve the building materials appeal by Zeck Brothers Development as presented. Commissioner Raney seconded the motion and was unanimously approved.

Retail Attractions Presentation by Rickey Hayes – Taylor Tedder introduced Mr. Hayes to present an overview of Retail Attractions and how a partnership with the City of Leavenworth would work. Mr. Hayes addressed the Commission and discussed how their company does retail recruitment. No action required by the Commission, this was an informational presentation only.

Personnel Policy Revisions – HR Directory Lona Lanter presented for consideration revisions to the City Personnel Policies and Procedures Manual. Proposed revisions would be effective October 1, 2016 and include the following sections:

- Section VI-Recruitment, Selection and Placement VI-4 Applications, (B)
- Section VIII-Promotions, VIII-3 Applications for Promotion, (A)
- Section IX-Details, IX-1 Defined, IX-3 Formal Details, IX-2 Informal/Training Details
- Section XI-Attendance and Leave, XI-12 Funeral Leave, (A) General

Commissioner Weakley moved to approve the revisions to the Personnel Policy Manual effective October 1, 2016 as presented. Commissioner Raney seconded the motion and was unanimously approved.

City Purchasing Policy – City Manager Paul Kramer presented for consideration revisions to the City's April 2000 Purchasing Policy. Most significant changes include:

- Increasing spending level authority
- Adding the ability to engage in cooperative purchasing agreements and lease/lease purchase agreements
- Increasing the exceptions to the purchasing limits to include items with extremely volatile pricings and items purchased under cooperative purchasing agreements
- Adding change order authority
- Changes in documentation processes to adapt to the new financial system

- Exemption of Planters II to follow City Purchasing Policy

The new policy requires a first consideration Ordinance to increase the amount from \$15,000 to \$25,000 the amount required for sealed proposals for Capital Improvement Projects.

Commissioner Weakley moved to approve the City Purchasing Policy as presented. Commissioner Raney seconded the motion and was unanimously approved.

There was a consensus by the Commission to place the Ordinance on First Consideration to increase the amounts for sealed proposals for Capital Improvement Projects.

Appointment to Leavenworth County Port Authority – City Manager Paul Kramer presented for consideration and approval the appointment of Blaine Weeks to the Leavenworth County Port Authority taking the term ending January 1, 2020 left vacant by the resignation of Greg Kaaz. The Leavenworth County Commission approved the appointment at their September 26, 2016 meeting. The appointment to the Port Authority required the approval of both the City and County.

Commissioner Weakley moved to support the appointment of Blaine Weeks to the Leavenworth County Port Authority. Commissioner Raney seconded the motion and was unanimously approved.

Resolution B-2145 & Contract No 2016-75 National League of Cities (NLC) Sewer Line Warranty Program – City Manager Paul Kramer presented for consideration an agreement with the NLC to include the marketing plan and Resolution B-2145 a Resolution of Participation in the NLC Service Line Warranty Program. The plan was presented to the Commission at the September 6, 2016 Study Session.

Commissioner Weakley moved to approve the agreement with the National League of Cities for the Service Line Warranty Program. Commissioner Raney seconded the motion and was unanimously approved.

Commissioner Weakley moved to approve Resolution B-2145 as presented. Commissioner Raney seconded the motion and was unanimously approved.

Resolution B-2146 Consolidated Annual Performance and Evaluation Report (CAPER) – Community Development Coordinator Mary Dwyer presented Resolution B-2146 for the Community Development Block Grant (CDBG) CAPER to be submitted to HUD.

Commissioner Weakley moved to approve Resolution B-2146 for the CDBG CAPER. Commissioner Raney seconded the motion and was unanimously approved.

Resolution B-2147 Main Street Event Alive After Five Authorization to Serve Complimentary (free) Alcoholic Liquor or Cereal Malt Beverage – City Clerk Carla Williamson presented for consideration a resolution allowing for servicing complimentary (free) alcoholic liquor or cereal malt beverage at Main Street sponsored Alive After Five events October 1, 2016 through December 31, 2017.

Commissioner Weakley moved to approve Resolution B-2147 for the Main Street Event Alive After Five to authorize Serving Complimentary (free) Alcoholic Liquor or Cereal Malt Beverage. Commissioner Raney seconded the motion and was unanimously approved.

Bids, Contracts and Agreements:

Ferguson Properties Request for Amendment to Development Agreement – City Manager Paul Kramer presented for consideration and discussion a request by John Ferguson to amend Section 2.10, Item D, Subsection (iii) of the Development Agreement for construction of a hotel at the corner of 4th Street and Metropolitan Avenue (Second

Hotel Project). The current agreement states that a building permit shall not be issued sooner than October 1, 2017. Mr. Ferguson is requested a change to allow a building permit to be issued sooner. Mr. Ferguson reviewed the second hotel and the campus-like feel that the space will have after the completion of the second hotel. He discussed the opening of other hotels at the airport and at the Legends and impacts that would have on hotels in Leavenworth.

The City Commission would like some additional time to look over the information before making a decision.

Commission Weakley moved to table Mr. Ferguson’s request until the October 11, 2016 meeting. Commissioner Raney seconded the motion and was unanimously approved.

Contract No 2016-76 with Western Waterproofing for the Planters II Cast in Place Concrete Joint Repair Project – City Manager Paul Kramer presented the bids for the Planters II project. Request for Quotes were received by Amy Carpenter at the Leavenworth Housing Authority in compliance with the Purchasing Policy established by the LHA and HUD on January 26, 2010. Staff recommends the low quote from Western Waterproofing in the amount of \$56,550.00. Quotes were as follows:

- Western Waterproofing Kansas City MO \$56,550.00
- MTS Contracting Inc. North Kansas City MO \$87,300.00

Commissioner Raney moved to approve the bid of \$56,550 from Western Waterproofing for the Planters II Cast in Place Concrete Joint Repair project as presented. Commissioner Weakley seconded the motion and was unanimously approved.

Contract No 2016-77 Linaweaver Construction for the Ottawa Stormwater Improvement Project – Deputy Public Works Director Mike Hooper presented for consideration the bids for the Ottawa Stormwater Improvement Project. Bids were opened on September 14, 2016 at City Hall. The low bid was from Linaweaver Construction in the amount of \$335,772.20. Bids were as follows:

Company	City	Bid
Linaweaver	Lansing KS	\$335,772.20
Westland Construction	Basehor KS	\$428,795.00
Hettinger Excavating	Kansas City MO	\$461,689.00
Blue Nile	Kansas City MO	\$519,692.13
Lexeco	Leavenworth KS	\$601,179.45
Engineers Base Bid Estimate		\$468,696.00

Commissioner Raney moved to approve the bid from Linaweaver Construction for \$335,772.20 for the Ottawa Stormwater Improvement project. Commissioner Weakley seconded the motion and was unanimously approved.

Contract No 2016-15 with Midland Wrecking for Demolition of two 4-plex Building; 724-726 Pottawatomie and 728-730 Pottawatomie –City Manager Kramer asked the Mayor to table this item.

Commissioner Weakley moved to table the bids for demolition of the two 4-plex building. Commissioner Raney seconded the motion and was unanimously approved.

First Consideration Ordinances:

First Consideration Ordinance Increase Wastewater Rates-Public Works Director Mike McDonald presented for first consideration a 3% increase in wastewater rates effective December 1, 2016.

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

First Consideration Ordinance Increase Refuse Rates – Public Works Director Mike McDonald presented for first consideration a 3% increase in refuse rates. Current resident rate is \$15.90 per month. The proposed increase would be \$16.38 per month. Any increase would take effect December 1, 2016.

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

CONSENT AGENDA:

Claims for September 10, 2016 through September 23, 2016 in the amount of \$1,017,987.16; Net amount for Pay #19 effective September 16, 2016 in the amount of \$322,575.17 (Including Fire & Police Pension in the amount of \$11,232.85). Commissioner Raney moved to approve the consent agenda, as presented. Commissioner Weakley seconded the motion and was unanimously approved.

Other Items:

Executive Session for Matters Relating to Security Measures for Public Buildings or Facilities - Commissioner Weakley move that the City Commission recess into executive session pursuant to the Matters Relating to Security Measures exception K.S.A 75-4319 (13) (C) in order to discuss security in public buildings or facilities, the open meeting to resume in the City Commission Chambers at 8:40 p.m. by the clock in the City Commission Chambers. Commissioner Raney seconded the motion and was unanimously approved. The Commission returned to open session at 8:40 p.m. with no action taken.

Commissioner Comments:

Commissioner Weakley: Trust Talks on Monday night very good attendance and good discussions

Commissioner Raney: Glad to see that the crowd at the Trust Talks is getting larger

Mayor Dedeke: Lots of cones around the city due to construction. Work on 5th street has had no activity in quite a while, would like staff to look into this.

Adjourn – Commissioner Weakley moved to adjourn the meeting. Commissioner Raney seconded the motion and was unanimously approved.

Time Meeting Adjourned 8:42 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC