



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

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Finance Director Ruby Maline, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, WPC Superintendent Chuck Staples, City Planner Julie Hurley, Human Resources Director Lona Lanter, City Attorney Tom Dawson and City Clerk Carla K. Williamson.

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

PROCLAMATIONS:

- Domestic Violence Awareness Month, October 2017 – Jessica Forbes was present to accept the proclamation
- Food Day, October 24, 2017 – Jacob Thomas was present to accept the proclamation
- Lights On After School, October 26, 2017 – Amber Wiggans was present to accept the proclamation

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

It was noted that a correction was necessary on page 2 under “Consider Sale of City Owned Property on 4th Street Contract No. 2017-54”. The acreage of the property was listed as .055 acres. This should read 0.55 acres.

Commissioner Preisinger moved to approve the minutes from the September 26, 2017 regular meeting with the change noted by the City Clerk. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Second Consideration Ordinances:

Second Consideration Ordinance 8059 Amending Chapter 114 Wastewater Rate Increase- City Clerk Carla Williamson presented for second consideration an ordinance amending the Code of Ordinances Chapter 114, Sec 114-26. The ordinance would increase the Wastewater rates by 3% effective December 1, 2017. This was presented for first consideration at the September 26, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8059 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8059 was unanimously approved.

Second Consideration Ordinance 8060 Amending Chapter 98 Refuse Rate Increase- City Clerk Carla Williamson presented for second consideration an ordinance amending the Code of Ordinances Chapter 98, Sec 98-34. The ordinance would increase the Refuse rate .49 cents per month (3%) effective December 1, 2017. This was presented for first consideration at the September 26, 2017 Commission Meeting. There have been no changes since that meeting. Ordinance 8060 was presented for Roll Call Vote.

Mayor Bauder called for the roll call vote and Ordinance No. 8060 was unanimously approved.

NEW BUSINESS:

Citizen Participation:

None

General Items:

Consider Request for Leavenworth County to Waive Permit Fees for Justice Center Renovations – City Manager Paul Kramer presented for consideration a request from Leavenworth County Department of Public Works to waive the building inspection and permit fees for the renovation to the visitor’s space in the Leavenworth County Jail. The fees to be waived are estimated to be approximately \$1,000.00 for the building permit and \$100.00 for electrical and mechanical fees.

Commissioner Preisinger moved to waive the permit fees for the Justice Center renovation. Commissioner Weakley seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Consider West Glen 1st Plat – Final Plat – City Planner Julie Hurley presented for consideration the final plat of West Glen 1st Plat owned by JMK Partners, LLC. The plat consists of 49 lots for residential development. The Planning Commission considered the plat at the September 11, 2017 meeting and unanimously recommended approval of the plat.

Commissioner Weakley moved to approve the West Glen 1st Plat Final Plat. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Consider City Festival Advisory Committee – City Manager Paul Kramer presented for consideration a temporary City Festival Advisory Committee and nominations by the Mayor for members of the board. At the August 8, 2017 City Commission meeting there was a consensus by the Commission to review the possibility of a City Festival for continuity of an annual event. It has been determined that the first step should be to establish a temporary City Festival Advisory Committee. The committee will be temporary and therefore does not require that it be established by ordinance. The committee will discuss and recommend the City’s involvement and explore the management and funding associated with such a festival. The committee will provide recommendations to the City Commission. The Committee will include eight members, two of which will be City Employees. The remaining six members will be appropriate community members as nominated by the Mayor. The Mayor will serve as an ex-officio member of the Committee

The Mayor’s nominations

City Staff:

Taylor Tedder-Assistant City Manager

Kristi Lee – CVB Director

Community Members:

Ellen Jones – Former festival organizer

Jennifer Brenneman – Downtown business owner/accountant

Nancy Martin – Former organizer

Bill Kromer – Farmers Market

Brandon Johannes – Chamber of Commerce

Holly Pittman – Leavenworth Main Street

Mayor Bauder moved to approve the temporary formation of a City Festival Advisory Committee and approve the members as presented. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Public Hearing for Unsafe and Dangerous Structures:

Open Public Hearing- Commissioner Weakley moved to open the public hearing. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Staff and Public Comments:

City Planner Julie Hurley reviewed each of the following structures that are unsafe or dangerous under K.S.A. 17-4759 and adopted by the City.

1. A **one-story wood detached garage** on the property located at **1015 N 14th Street**, legally described as Lots 37, 38, 39, 40 and 41, Block 5, Fenn's Fairground Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0782701005009000.
 - a. City Planner Julie Hurley stated that there has been no change and no contact from the owner.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the one-story wood detached garage on the property.

2. A **one-story wood frame house and any accessory structures** on the property located at **1214 Pottawatomie Street**, legally described as Lot 12, Herrig's Subdivision of Block 89, Central Subdivision, in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772603013007000.
 - a. City Planner Julie Hurley stated that there has been no change and no contact from the owner.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the one-story wood frame house and any accessory structures on the property.

3. A **one-story wood frame house and any accessory structures** on the property located at **116 Ottawa Street**, legally described as Lots 17, 18 and 19, Block 12, in Leavenworth City Proper, Leavenworth County, Kansas. CAMA No. 0772503101005000.
 - a. City Planner Julie Hurley stated that there has been no change and no contact from the owner.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the one-story wood frame house and any accessory structures on the property.

4. A **two-story wood frame house and any accessory structures on the property** located at **119-121 Kickapoo Street**, legally described as the North 85.00 feet of the West 20.83 feet of Lot 15, and the North 85 feet of Lot 16, Block 12, Leavenworth City Proper, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772503101003000.
 - a. City Planner Julie Hurley stated that there has been no change and no contact from the owner.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the two-story wood frame house and any accessory structures on the property.

5. A **detached garage** on the property located at **913 Pawnee Street**, legally described as Lots 10 and 11, Block 34, Macaulay's First Addition to the City of Leavenworth, Leavenworth County, Kansas, according to the recorded plat thereof. CAMA No. 0772602012001000.
 - a. City Planner Julie Hurley stated that there has been no change and no contact from the owner.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the detached garage on the

property.

6. A **wood detached garage** on the property located at **715-717 6th Avenue**, legally described as the North ½ of Lot 10 and the North ½ of the West 25 feet of Lot 9 and the North 35 feet of the East 35 feet of Lot 9, Block 27, Latta's Addition to the City of Leavenworth, according to the recorded plat thereof, AND ALSO the South ½ of Lot 10 and the West 25 feet of the South ½ of Lot 9, Block 27, Latta's Addition to the City of Leavenworth, according to the recorded plat thereof, in Leavenworth County, Kansas. CAMA No. 0773501030004000.
 - a. City Planner Julie Hurley stated that the owner has voluntarily demolished the structure.
 - b. Owner not present.
 - c. Mayor and Commissioners agreed to remove the wood detached garage from the demolition list.

7. A **two-story wood frame house and any accessory structures** on the property located at **800 Miami Street**, legally described as Lots 37 and 38, Block 4, Mix's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772604305023000.
 - a. City Planner Julie Hurley stated that the owner requested a copy of the Remediation Agreement on September 25, 2017 but there has been no contact since.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to demolish the two-story wood frame house and any accessory structures on the property.

8. A **one-story wood frame house and any accessory structures** on the property located at **1609 Lawrence Avenue**, legally described as Tract I: The West 1/2 of the West 1/2 of Block 6, Marshall's Subdivision, of the City of Leavenworth, according to the recorded plat thereof, less any part thereof taken, used or occupied by the railroad. Tract II: A tract of land lying in Block 6 of Marshall's Subdivision, in the City of Leavenworth, described as follows: Beginning at the intersection of the Southerly line of said Block 6 with the Southwesterly property line of the Atchison, Topeka and Santa Fe Railway Company, said point being distance North 88° 45' East (bearing assumed for the purpose of this description) 64.00 feet from the Southwest corner of said Block 6; thence North 88° 45' East along said Southerly line of Block 6, a distance of 15.60 feet to a point in a line parallel with and distance Northeasterly 14.34 feet measured at right angles from said Southwesterly property line; thence North 24° 27' 30" West along said parallel line, 192.21 feet to a point in the Easterly line of Lawrence Ave.; thence South along the Easterly line of Lawrence Avenue 34.63 feet to said Southwesterly property line; thence South 24° 27' 30" East along said Southwesterly property line, 154.54 feet to the point of beginning, said property also lying within the Northeast 1/4 of Section 2, Township 9 South, Range 22 East, both being in Leavenworth County, Kansas. CAMA No. 1010201008001000.
 - a. City Planner Julie Hurley stated that the owner has voluntarily demolished the structure.
 - b. Owner not present.
 - c. Mayor and Commissioners agreed to remove from the demolition list.

9. A **one-and-a-half-story wood frame house and any accessory structures** on the property located at **1921 5th Avenue**, legally described as Lots 10 and 11, Block 19, Rees, Doniphan and Thornton Subdividing, a subdivision in Leavenworth County, Kansas. CAMA No. 1010102023011000.
 - a. City Planner Julie Hurley stated that the owner signed a Remediation Agreement on October 6, 2017 and provided a letter that he believes he can have the repairs complete the repairs in 8-10 Months and have overgrown vegetation removed in the next two weeks. No permits pulled at this time and no work has started.
 - b. Owner not present.
 - c. Mayor and Commissioners discussed the issue and agreed to give a 30 day extension for repairs to the one-and-a-half-story wood frame house and any accessory structures on the property. The Commission

would like to see some work and effort to repair the property, building permits, estimates of repairs and proof of funding. Commission will review the first regular meeting after 30 days.

10. A **one-story wood frame house and any accessory structures** on the property located at **2608 S 4th Street**, legally described as Lot 5 and the North 13 feet of Lot 6, Block 4, Halsey Heights, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 1010104010013000.
 - a. City Planner Julie Hurley stated that the owner has indicated intent to repair; no permits have been pulled no work has begun. There is another party interested in purchasing the property and he is present to discuss the property with the City Commission.
 - b. Owner not present.
 - c. Rodger Eagle 12512 Blue Grass Lane addressed the Commission. Mr. Eagle stated that the owner has financial difficulty and he has made an offer to the owner to purchase the property and the bank (Country Club Bank) has accepted it. They are working toward a contract to purchase the property. He is unable to pull any permits until the house is in his name. Would like 90 days to complete the purchase of the property and begin repairs.
 - d. Mayor and Commissioners discussed the issue and agreed to give Mr. Eagle 90 days to complete the purchase and begin repairs. The Commission will review after 90 days.

Close Public Hearing:

Commissioner Dedeke moved to close the public hearing. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Consider Resolution B-2179 Demolition or Repair of Unsafe & Dangerous Structures

Commissioner Weakley moved to approve Resolution B-2179 to Demolish or Repair Dangerous Structures with the changes recommended by staff. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Resolutions:

Resolution B-2178 Leavenworth Main Street Alive After Five; Alcoholic Beverage – City Clerk Carla Williamson presented for consideration a Resolution to allow serving complimentary (free) alcoholic beverage to the general public during Main Street Alive After Five events January 1, 2018 – December 31, 2018. The City Commission has approved such a resolution for the past two years.

Commissioner Preisinger moved to approve Resolution B-2178 for Alive after Five Main Street Event. Commissioner Raney seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Bids, Contracts and Agreements:

Consider Contract with Black & Veatch for Wastewater Rate Study – Public Works Director Mike McDonald presented for consideration a contact with Black & Veatch for a Wastewater Rate Study. The last study was approximately 20 years ago. The basic rate study is expected to cost \$51,520.00.

Anna White with Black & Veatch addressed the Commission and discussed the study. They will look at the revenue the facility should be generating and how much it is actually generating. After reviewing the data the City will have a 5 year rate plan.

Commissioner Dedeke moved to approve the contract with Black & Veatch in the amount of \$51,520.00. Commissioner Preisinger seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Consider Bids for Stormwater Repairs at 4513 Park Ten Ct. – Public Works Director Mike McDonald presented for consideration a contract for a stormwater repair project at 4513 Park Ten Ct. Staff recommends approval of the low bid submitted by Linaweaver Construction for \$35,000.0 to install 60” HDPE pipe. Request for Bids were sent to the following contracts and their bids were as follows:

| <u>Company</u> | <u>City/State</u> | <u>Concrete Pipe</u> | <u>Aluminized Metal Pipe</u> | <u>HDPE Pipe</u> |
|-------------------------|-------------------|----------------------|------------------------------|------------------|
| Linaweaver Construction | Lansing KS | \$44,000.00 | \$36,000.00 | \$35,000.00 |
| Baker Construction | Leavenworth KS | \$55,000.00 | \$42,000.00 | \$40,000.00 |
| Lexeco | Leavenworth KS | \$51,900.00 | \$40,000.00 | \$45,270.00 |

Commissioner Weakley moved to approve the contract with Linaweaver Construction in the amount not to exceed \$35,000.00 for stormwater repairs at 4513 Park Ten Ct. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

Consider Memorandum of Understanding (MOU) Phase II with Kansas Gas for 3 Mile Creek Bank Stabilization – Public Works Director Mike McDonald gave a history of the ownership of the property along with changes to the creek due to rain and flooding events via a PowerPoint presentation. Mr. McDonald presented for consideration an MOU for Phase II cost sharing with Kansas Gas Service (KGS) for the 3 Mile Creek Bank Stabilization Project. With Phase II, KGS will reimburse the City for 65% of the total cost of the total construction in an amount not to exceed \$360,000.00.

Commissioner Preisinger moved to accept the MOU with Kansas Gas for Phase II of the 3 Mile Creek Bank Stabilization as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried.

First Consideration Ordinances:

First Consideration Ordinance to Amend Chapter 82 Personnel – City Manager Paul Kramer presented for first consideration an ordinance amending Chapter 82 of the City Code of Ordinances. The ordinance would amend chapter 82 and repeal all sections and state that All Personnel Policies and Procedures will be governed by the “City of Leavenworth Personnel Manual.”

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

First Consideration Ordinance to Amend Chapter 2 Section 2-57 – City Manager Paul Kramer presented for first consideration an ordinance amending Chapter 2, Section 2-57 of the City Code of Ordinances. The amendment will remove item (b) of that section that refers to Chapter 82 and the municipal civil service system.

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

CONSENT AGENDA:

Claims for September 23, 2017 through October 6, 2017 in the amount of \$1,564,404.00; Net amount for Pay #20 effective September 29, 2017 in the amount of \$339,170.82 (No Police & Fire Pension). Commissioner Weakley moved to approve the consent agenda, as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion duly carried.

Other Items:

Miss First City Sarah Gustin attended the meeting for the proclamation recognizing Domestic Violence Awareness month as this is her platform.

Adjourn:

Commissioner Preisinger moved to adjourn the meeting. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried and the meeting adjourned.

Time Meeting Adjourned 8:15 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC