



CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Mark Preisinger, Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder and Larry Dedeke, Commissioner Myron J. (Mike) Griswold was present via phone.

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Police Chief Pat Kitchens, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Chief Building Inspector Hal Burdette, Convention and Tourism Director Kristi Lee, WPC Superintendent Chuck Staples, Parks and Recreation Director Steve Grant, Parks Superintendent Brian Bailey, Finance Director Ruby Maline, Public Information Officer Melissa Bower, City Attorney David E. Waters and City Clerk Carla K. Williamson.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Bauder moved to approve the minutes from the July 24, 2018 regular meeting and the August 7, 2018 special meeting as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8082 Demolition Assessments – City Clerk Carla Williamson stated that there have been no changes to the ordinance since it was first introduced on July 24, 2018. Ordinance No. 8082 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8082 was unanimously approved 5-0.

Second Consideration Ordinance No. 8083 Nuisance Assessments - City Clerk Carla Williamson stated that since the first consideration, two property owners paid the fees and those properties were removed. There have been no other changes to the ordinance since it was first introduced on July 24, 2018. Ordinance No. 8083 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8083 was unanimously approved 5-0.

NEW BUSINESS:

Citizen Participation: none

General Items:

Mosquito Program Discussion – City Manager Paul Kramer introduced Kansas State University Entomologist Jeff Whitworth (PhD) and Holly Davis (PhD) to speak to the Commission about the City's mosquito program and mosquito control in general.

Dr. Whitworth and Dr. Davis discussion items:

- They visit many cities throughout the state regarding mosquito programs and entomology in general
- Often hear people say that they look on the internet and Google information on mosquito programs; Don't do that unless it is a .gov or .edu website to get accurate information
- Need to know what species of mosquitos are in the area
- Larvicides and Adulticides (foggers) are the two most popular options
- Public information program educating the public about preventative measures (removal of standing water)
- Larvicides do not affect non-target organisms
- Adult mosquito targeted programs (adulticide chemicals such as permethrin), fogging down the road does not cause unintended killing of pollinators
- Fog is in the air for a while but does not last
- Fogging chemicals are safe for humans
- Must be on the mosquito when fogging but does not last-will kill some adult mosquitos
- In evening pollinators are not in the area and does not affect them
- Mosquitos are 100 times more sensitive than bees and other pollinators to fogging chemicals
- Pollinators are only present when there are flowers
- Studies have been conducted and the bee population in Kansas is not declining
- A scientific review of the City program by Dr. Whitworth and Dr. Davis finds that there is no problem with the program or chemicals being used however, it effects the adult population only for a short period of time
- The chemical that the City uses is permethrin. If used in large doses will kill pollinators but the dose that the city uses will not hurt them unless the pollinator flies directly into the fog at the time of spraying
- Permethrin is safe for humans
- There are no official statistics on the number of cities in the state that have mosquito programs

Mayor Preisinger asked about plants and does the chemical used affect plants such as milkweed which butterflies feed on. Dr. Whitworth said it does not affect plants or the insects that land on them. Mayor Preisinger also asked how effective programs are for keeping the number of mosquito borne illnesses at bay. Dr. Whitworth stated that Zika virus is not in Kansas yet, encephalitis is not a big problem in Kansas and West Nile virus cases have been reported in Kansas. He himself did contract West Nile virus. The best defense against mosquito borne illnesses is for a person to wear insect repellants that contain Deet.

Public Works Director Mike McDonald:

The City uses larvicides in areas that are known to have standing water such as creeks that don't flow regularly and that are on city property that we have access to. City uses a donut shaped product that this thrown into the water. Wind speeds are checked prior to fogging. If wind speed is

too high that day, they do not fog. Mr. McDonald estimated the cost of the fogging chemical at \$500.00 per barrel and that the city uses 4-6 barrels per year.

Commissioner Griswold asked about the cost. City Manager Kramer will put together information regarding the cost of the chemical and will take into consideration staff time and equipment used and this will be reviewed at a future Study Session.

Commissioner Dedeke stated that he was in favor of continuing with a cost of about \$8000 per year and feels that it is doing some good.

Public Hearings:

2019 Budget Hearing

Open Public Hearing - Commissioner Dedeke moved to open the public hearing for the 2019 Budget. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

City Manager Kramer stated that there have been no changes since the budget meetings. The budget has no mill increase and there have been no citizen comments.

Public Comments: none

Close Public Hearing - Commissioner Dedeke moved to close the public hearing for the 2019 Budget. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Adopt 2019 Budget – Commissioner Bauder moved to approve the 2019 Budget, as presented. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Adopt Resolution No. B-2204 Housing Budget - Commissioner Dedeke moved to approve the 2019 Housing Budget, Resolution No. B-2204. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

2018 Edward Byrne Memorial Justice Assistance Grant – Police Chief Pat Kitchens presented for consideration and approval the 2018 Edward Byrne Memorial Justice Assistance Grant. The grant is typically used to purchase police equipment. The grant application required the City of Leavenworth to share the allocation of the grant with the Leavenworth County Sheriff's Office. If approved by the Commission, the City of Leavenworth will receive \$15,170.00 and the County will receive \$10,000.00. This will require the approval of the City Manager and the City Attorney to sign an Interlocal Agreement with Leavenworth County and for the Mayor to sign an additional document entitled "Certifications and Assurances by the Chief Executive of the Application Government".

Commissioner Bauder moved to authorize the Police Department to apply for the 2018 Edward Byrne Memorial Justice Assistance Grant in the amount of \$25,170.00 of which \$10,000.00 will be given to the Leavenworth County Sheriff's Office as presented. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Proposals for the Replacement of Cody Park Playground Equipment –Parks
Superintendent Brian Bailey presented for consideration the proposals submitted for the replacement of playground equipment for Cody Park. Members of the Parks and Community Activities Advisory Board were also present. Jim Mathis the Chairman of the Board addressed the Commission and discussed the review process. Proposals were opened on August 1, 2018 and reviewed by Staff. On August 6, 2018 the Parks and Community Activities Advisory Board reviewed and discussed the proposals. The board recommends the proposal submitted by J. Oliver Construction LLC in the amount of \$124,500.00.

Commissioner Bauder moved to approve the proposal from J. Oliver Construction LLC for the purchase and installation of playground equipment in an amount not to exceed \$124,500.00. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Bids for Performing Arts Center (PAC) HVAC Upgrade Phase III - Parks and Recreation
Director Steve Grant presented for consideration the bids for the Performing Arts Center (PAC) HVAC Upgrade Phase III. Staff recommends approval of the low bid received from PM Contracting Inc. in the amount not to exceed \$46,200.00. Bids were opened on August 3, 2018 and were as follows:

<u>Vendor</u>	<u>Address</u>	<u>Base Bid</u>
BCI Mechanical Inc.	Gardner KS	\$58,004.00
PM Contracting Inc.	Kansas City MO	\$46,200.00
	Engineer's Estimate	\$58,860.00

Commissioner Bauder moved to approve the bid from PM Contracting Inc. in the amount not to exceed \$46,200.00 Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Sole Source Contract for City Hall HVAC System Upgrade and Repair - Public Works
Director Mike McDonald presented for consideration a sole source bid from D’Agostino Mechanical for the 2018 HVAC System Upgrade & Repair Project in the amount not to exceed \$38,285.00 which includes the price of five (5) year parts and warranty.

Commissioner Bauder moved to approve the sole source bid from D’Agostino Mechanical in the amount not to exceed \$38,285.00 including a 5 year warranty. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Bids for Water Pollution Control (WPC) Tandem Axle Dump Truck - Public Works Director
Mike McDonald presented for consideration bids for a Tandem Axle Dump Truck. Bids were acquired from International and Freightliner which are both members of the National Joint Powers Alliance (NJPA). Staff recommends approval of the low bid from Kansas City Freightliner Sales for the 2020 Freightliner 108SD Dump Truck in an amount not to exceed \$124,790.00. Bids received were as follows:

Vendor	Address	Vehicle	Bid
Kansas City Freightliner Sales	Kansas City MO	2020 Freightliner 108SD	\$124,790.00
Summit Truck Group	Kansas City MO	2019 International Model HV507	\$126,566.00

Commissioner Wilson moved to approve the bid from Kansas City Freightliner Sales for a 2020 Freightliner 108SD Dump Truck in the amount not to exceed \$124,790.00. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Contract Website Redesign – Assistant City Manager Tylour Tedder presented for consideration a contract with Municipal Code Corporation (Municode) for website redesign services in the amount of \$36,000.00 for the first year of implementation and training. A request for qualification was released and published on May 23, 2018. Four website vendors submitted proposals which were reviewed by Staff. The vendors included Civic Plus, Civic Live, Vision, and Municode.

Commissioner Bauder moved to approve the service agreement for website design and replacement with Municipal Code Corporation in the amount not to exceed \$36,000.00 for the first year of implementation and training. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Charter Ordinance to Repeal and Replace Charter Ordinance No. 55 Related to Transient Guest Tax – City Manager Paul Kramer presented for first consideration a charter ordinance to repeal and replace Charter Ordinance No. 55. The new charter ordinance will include the revision of K.S.A. 12-1696 defining words and phrases and expand upon the authorized use of the transient guest tax.

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

First Consideration Ordinance Uniform Public Offense Code 2018 – Police Chief Pat Kitchens presented for first consideration an ordinance to adopt by reference the 2018 Uniform Public Offense Code for Kansas Cities.

City Attorney Waters stated that there were a couple areas of the final ordinance in which he and the City Clerk will need to refine and those will come back to the Commission on second consideration.

There was a discussion regarding littering laws and the option of keeping the current city code or adopt the UPOC regulation.

There was a consensus to adopt the UPOC regulation to replace the current code.

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

First Consideration Ordinance Standard Traffic Ordinance 2018 – Police Chief Pat Kitchens presented for first consideration an ordinance to adopt by reference the 2018 Standard Traffic Ordinance for Kansas Cities.

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

First Consideration Ordinance Intersection Traffic Control Devices 2018 – Police Chief Pat Kitchens presented for first consideration an ordinance to adopt by reference the 2018 Intersection Traffic Control Device Master Index.

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

CONSENT AGENDA:

Commissioner Griswold moved to approve Claims for July 21, 2018 through August 3, 2018 in the amount of \$2,630,862.20; Net amount for Pay #16 effective August 3, 2018 in the amount of \$338,157.51; (No Police & Fire Pension). Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

Adjourn:

Commissioner Dedek moved to adjourn the meeting. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried and the meeting adjourned.

Time Meeting Adjourned 8:33 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC