



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, Larry Dedeke and Myron J. (Mike) Griswold.

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, City Planner Julie Hurley, Information Systems Manager Carol Charity, Operations Superintendent Curtis Marks, IT Specialist Amy Peters, WPC Superintendent Chuck Staples, Finance Director Ruby Maline, Public Information Officer Melissa Bower, City Attorney David E. Waters, Deputy City Clerk Cary L. Collins and City Clerk Carla K. Williamson.

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

Proclamation:

Domestic Violence Awareness Month – October 2018 – Members of Alliance Against Family Violence accepted the proclamation.

Food Day – October 25, 2018 – Bill Kromer of the Leavenworth Farmer’s Market accepted the proclamation.

Lights on After School – October 25, 2018 – Linda Graves from Horizon Kids accepted the proclamation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

City Clerk Carla Williamson noted that the minutes provided in the agenda packet contained an error that has been amended. Under Citizens Participation, Mike Smith of Lansing was listed as the City Manager, it should read Mayor.

Commissioner Bauder moved to approve the minutes from the September 25, 2018 regular meeting as amended. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinances:

Second Consideration Ordinance No. 8087 Wastewater Rates – City Manager Paul Kramer stated that the change will increase rates by 5%. There have been no changes since first consideration.

Mayor Preisinger called the roll and Ordinance No. 8087 was unanimously approved 5-0.

Second Consideration Ordinance No. 8088 Refuse Rates - City Manager Paul Kramer stated that the change will increase rates by 8%. The increase is needed to keep up with increased cost to include the purchase of an additional truck. No taxes fund this program. It is sustained by rates collected by citizens. There have been no changes since first consideration.

Mayor Preisinger called the roll and Ordinance No. 8088 was unanimously approved 5-0.

NEW BUSINESS:

Citizen Participation:

Dale Derrell – 559 South Street

First Issue

- Purchased Grandmothers house
- Neighboring property is rental
- Never a cockroach problem until neighboring rental property
- \$700 spent treating for roaches in his house
- Rental house is causing infestation in neighboring properties
- City does not have a mechanism to address this problem
- What options do people have that don't have funds to treat the problem
- Mother may have to sell her home due to the problems with neighboring properties

Second Issue

- Daughter lives in Olathe stays with him in summer
- Went to West Jr High to play basketball – not available in summer
- No place to play basketball outside
- Community Center not available
- No nets on goals at Dougherty Park

Commissioner Wilson asked about looking at times at the Community Center during the summer for open gym.

City Manager Kramer discussed the size of the gym, the location of the gym, the time it's available. Gym needs to be monitored due to incidents that have happened; therefore, times are limited but are available.

Commissioner Wilson noted that this is the second time pest infestation of rental property has been brought to the Commission. There is a need for a rental inspection program.

General Items:

Review Properties on Demolition List – 202 Pottawatomie Street and 209 Elm Street – City Planner Julie Hurley presented an update on two properties that were given extensions by the City Commission on June 26, 2018 under Resolution B-2203.

202 Pottawatomie:

- Some exterior work include:
 - Some siding repair on the front of the house
 - Roof repair on the rear portion of the house
 - Addition of a covered porch (not an item necessary to bring into code compliance)
- Items remaining to be completed include:
 - Roof repairs
 - Siding repair/replacement
 - Soffit and eave repair/replacement
 - Gutter repair/replacement

Property is on the Kansas Register of Historic Places. The Leavenworth Preservation Commission (LPC) reviewed the property on July 11, 2018 and instructed the property owner to commence repairs prior to October 9, 2018. The LPC reviewed the property again at their October 3, 2018 meeting. The property owner was not present to discuss his plans. The LPC instructed staff to send a letter requesting a written plan and timeline for completing repairs. Staff recommends the property remain on the demolition list with an extension to complete necessary repairs.

Rickey L Giles, Jr., Property owner addressed the Commission

- Built a new veranda
- Called someone about removing shingles (asbestos siding)
- The company has not been able to get to the job yet
- Does not want to put in new windows and doors until shingles have been replaced

Commissioner Bauder moved to keep 202 Pottawatomie Street on the demolition list and give an extension of 90 days. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

209 Elm Street:

- A permit to replace the roof was obtained on September 18, 2018
- Owner in the process of rebuilding the roof structure
- Gutters repair/replacement, window repair, replacement and repainting still remain to be completed

Staff recommends the property remain on the demolition list with an extension to complete necessary repairs.

Shane Sampson was present to speak on behalf of the owner

- Began the work of replacing the roof and found 5 layers of shingles
- Has taken longer than expected
- Thinks work can be completed in 30-45 days

Commissioner Dedeke moved to keep 209 Elm Street on the demolition list and grant a 30 day extension. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Acceptance of Dedication of Land for Public Purpose – West Glen 2nd Plat – City Planner Julie Hurley presented for consideration the acceptance of the dedication of land for public purposes.

This includes associated right-of-ways, utility easement and 3 tracts for open space and to accommodate an existing gas pipeline. The Planning Commission considered the plat at the October 1, 2018 meeting and unanimously recommended approval.

Commissioner Griswold moved to accept the dedication of land for public purposes as part of the final plat for the West Glen 2nd Plat. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Acceptance of Public Improvements West Glen 1st Plat – Public Works Director Mike McDonald presented for consideration the acceptance of the public improvements and approval of a permanent sewer easement for West Glen Subdivision 1st Plat. The developer constructed streets, sidewalks, sewers, storm sewers and other utilities at their expense. The work has been inspected by City forces. The developer, JMK Partners LLC, will be required to pay 6% of the cost of the improvements to the City for inspection and other services and post a 2 year bond. Staff recommends approval contingent upon receipt of the 6% inspection fee and posting of the bond being received by the City.

Commissioner Bauder moved to accept the public improvement contingent upon receipt of the 6% inspection fee and 2 year bond being received by the City for the West Glen 1st Plat. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Mayor's Appointments:

Mayor Preisinger moved to appoint Michael Prevou to Grow Leavenworth County to an unexpired term ending May 31, 2020. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Agreement for Additional Data Storage – Information Systems Manager Carol Charity and Amy Peters presented for consideration the purchase of additional storage from ISG Technology, LLC in the amount of \$121,203.00 with payment to be made on January 4, 2019.

Commissioner Bauder moved to approve the purchase of additional storage from ISG Technology, LLC in the amount not to exceed \$121,203.00 with payment to be made on January 4, 2019. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Agreement for Lease of City Copiers – Finance Director Ruby Maline presented for consideration the lease of copiers for the City. The City announced a request for proposals. Of the proposals received and reviewed staff recommends entering into a 5 year lease and maintenance agreement with Network Computing Solutions. The annual lease, maintenance agreement and anticipated copy charges total \$27,756.00. Proposals were received from four companies and were as follows:

Company	Quote (monthly lease)
Network Computing Solutions	\$1,593.32
Canon Solutions	\$2,841.00
Century	\$1,787.52
Image Quest	\$3,185.58

Commissioner Griswold moved to approve the 5 year lease and maintenance agreement with Network Computing Solutions not to exceed \$30,000. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Proposal for Audit Services – City Manager Paul Kramer and Finance Director Ruby Maline presented for consideration proposal for audit services to begin with the City’s 2018 financial records audit. Proposals were received from three firms (Berberich, Trahan & Co P.A., Dana F Cole & Co LLP and Mize Houser & Co P.A.). Staff recommends approval of the proposal submitted by Mize Houser & Co P.A. for the 2018 Comprehensive Audit with the option of four (4) one year renewals.

Commissioner Bauder moved to award the contract for audit services for the 2018 audit to Mize Houser & Company with the option of four (4) one year renewals. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Bids for 16th Terrace & Thornton Phase 1 Detention Project – Public Works Director Mike McDonald presented for consideration a contract with Linaweaver Construction in the amount of \$135,501.00 for the 16th Terrace & Thornton Phase 1 Detention project. Bids were opened on October 3, 2018 and were as follows:

Bidder	Base Bid	Alternate Bid 1	Total Bid
Linaweaver Construction	\$135,501.00	\$20,111.00	\$155,612.00
Lexeco	\$136,660.20	\$11,666.20	\$148,326.40
King's Construction	\$264,200.75	\$38,732.50	\$302,933.25
<i>Engineer's Estimate</i>	<i>\$313,448.27</i>		

Commissioner Griswold moved to approve the base bid from Linaweaver Construction in the amount not to exceed \$135,501.00. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Change Order No 1 to Contract 2017-68 Wilson & Company Design Services, 14th Street & Pawnee Culvert Replacement Project - Public Works Director Mike McDonald presented for consideration a change order to the design services contract with Wilson & Company for the 14th Street & Pawnee Culvert Replacement Project in the amount of \$7,500.00 for a new total contract amount of \$41,400.00. The additional improvements include limited bank stabilization, design of

erosion control measures, stream tree, brush and debris removal. The additions will also result in additional permits and the cost of those permits.

Commissioner Griswold moved to approve Change Order No 1 to the design contract with Wilson & Company for the 14th & Pawnee Culvert Replacement Project in an amount not to exceed \$7,500 for a total contract amount not to exceed \$41,400.00. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Consider Change Order No 1 to Contract 2017-69 Water Resource Solutions LLC Design Services 16th Terrace & Thornton Detention Storage Project - Public Works Director Mike McDonald presented for consideration a change order to the design services contract with Water Resource Solutions LLC for the 16th Terrace & Thornton Detention Storage Project in an amount not to exceed \$5,000 for a total contract amount not to exceed \$43,665.00.

Commissioner Bauder moved to approve Change Order No 1 to the design contract with Water Resource Solutions LLC for the 16th Terrace & Thornton Detention Storage Project in an amount not to exceed \$5,000 for a total contract amount not to exceed \$43,665.00. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

First Consideration Ordinance to Amend Chapter 82, Personnel – City Clerk Carla Williamson presented for first consideration an amendment to Chapter 82 of the City Code to remove all sections except Article I. The chapter was amended in 2017; however, the ordinance was not written correctly and the Civil Service section remained in place. All Personnel Policies and Procedures are governed by the City of Leavenworth Personnel Manual.

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

CONSENT AGENDA:

Commissioner Griswold moved to approve claims for September 22, 2018 through October 5, 2018 in the amount of \$1,510,696.06; Net amount for Payroll #20 effective September 28, 2018 in the amount of \$365,329.32; (Includes Police & Fire Pension in the amount of \$11,572.36). Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

Commissioner Bauder:

Announced that the Chamber of Commerce is holding various forums regarding candidates for the upcoming elections. She also announced that early voting begins October 17th at the County Court House.

Commissioner Wilson:

Asked why Pit Bulls cannot be adopted.

City Manager Paul Kramer stated that there is no ban in the City on Pit Bulls or any breed and that he would look into the situation that Commissioner Wilson was referring to and get an answer.

Mayor Preisinger:

Ground breaking on the School's new addition at Warren Middle School on October 11, 2018 at 10:00 a.m.

City Manager Kramer:

Discussed the recent rains and flooding:

- River to crest on Wednesday, October 10, 2018
- Camp ground closed until further notice
- Brush Site close until Tuesday
- Riverfront Park will remain open for people to watch the river and a safe place for viewing
- 3 Mile Creek and trails rise because of the backup of the river and not necessarily due to rain fall
- The Community Center is not in danger of flooding
- If 2nd Street goes under water barricades will be put up but it is not anticipated to happen

Executive Session:**Discuss Personnel Matters of Nonelected Personnel per K.S.A. 75-4319 (b) (1), City Manager Contract Renewal**

Mayor Preisinger moved that the City Commission recess into executive session pursuant to the *nonelected personnel matters* exception per K.S.A. 75-4319 (b) (1), in order to discuss the City Manager contract renewal. The open meeting to resume in the City Commission Chambers at 9:03 by the clock in the City Commission Chambers. City Attorney David Waters is requested to be present during the Executive Session. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor declared the motion carried 5-0.

The City Commission returned to open session at 9:03 p.m.

Mayor Preisinger moved to extend the executive session to 9:10. Commissioner Bauder seconded the motion and was approved 3-0 (Votes by Preisinger, Bauder and Griswold).

The City Commission returned to open session at 9:10 p.m. with no action taken.

Adjourn:

Commissioner Griswold 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 9:10 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC