



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

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Police Chief Pat Kitchens, Planning and Community Development Director Julie Hurley, Community Development Coordinator Mary Dwyer, Parks and Recreation Director Steve Grant, City Attorney David E. Waters and City Clerk Carla K. Williamson.

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

PROCLAMATIONS:

National Poppy Day – Members of the American Legion Auxiliary were present to accept the proclamation.

Historic Preservation Month – Rik Jackson and Ed Otto of the Leavenworth Preservation Commission were present to accept the proclamation.

National Police Week – Police Chief Pat Kitchens was present to accept the proclamation.

National Public Works Week – Public Works Director Mike McDonald was present to accept the proclamation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Dedeke moved to approve the minutes from the April 23, 2019 regular meeting as presented. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

NEW BUSINESS:

Citizen Participation:

Scott Elliott 303 Arch Street:

- Discussed bee keeping and aviary
- Decrease in pollinators
- Consider amending the city ordinance to allow urban bee hives and aviaries in residential R1-6
- Suggested the City adopt the same urban best practices as the City of Lawrence

General Items:

Public Hearing for Unsafe & Dangerous Structures:

Open Public Hearing:

Commissioner Bauder moved to open the public hearing for unsafe and dangerous structures. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Staff and Public Comments:

Director of Planning and Community Development Julie Hurley reviewed the following structures and comments by property owners and public:

1. **905 Washington** – Single family house
 - No change, no contact from owner

Jeremy Bowen-Owner

Taxes paid now

Wants to demolish it himself on July 3-5 when he has time off

City Commission granted a 90-day extension

2. **1214 Pottawatomie** – Single family house
 - This property was previously on the demolition list in 2017 and was removed by the City Commission due to the property being under contract and the buyers requesting that it be removed in order to complete the sale
 - No change since that time

Property owner not present

City Commission agreed to proceed with demolition

3. **1605 Terry** – Single family house
 - Permits issued for siding, roof, and upgraded electrical service

Kevin Lis-Property owner was present

Plans to work on the property

City Commission granted a 90-day extension

4. **514 Linn** – Single family house
 - No change, no contact from owner.

Marcus Bray-Pride Properties

Feels he can start the rehab of the property soon

City Commission granted a 90-day extension

5. **603 Rees** – Single family house
- Owner has signed Remediation Agreement and indicated intent to repair

Clifford Conley-Property owner representative
Working on the property for the owner
Signed remediation agreement in March
Most of the work done has been on the inside

City Commission granted a 90-day extension

6. **795 Spruce** – Single family house
- Owner has indicated repairs will be complete by May 14th but have not been done

Owner not present

City Commission agreed to proceed with demolition

7. **1021 S. 2nd Street** – Single family house
- Owner has indicated intent to repair
 - Total of 3 police calls to location in 2018

Janet Wiber-Property owner

- Has purchased the roofing materials
- Materials were delivered to the property and stolen
- Homeless living in the property allowed by person contracted to repair (Beach Construction)
- Has been taking care of ill mother who is now in a nursing home
- Should be able to get the roof and gutters done in 90 days; not sure all can be done during that time

City Commission granted a 90-day extension

8. **1214 9th Avenue** – Single family house
- Owner has indicated intent to repair
 - Total of 7 police calls to location in 2018

Gabe Cotter-New property owner

Purchased on May 7th

Has already replaced the roof and front porch and painted the exterior
Will be completed in a couple months

City Commission granted a 90-day extension

9. **1708 S. 4th Street** – Single family house
- Owner has indicated intent to demolish on his own.

City Commission granted a 30-day extension for owner to demolish on his own if not done during that time, the city will proceed with demolition.

10. **1916 Montezuma** – Single family house

- Owner had indicated that she has a potential buyer for the property with intent to repair
- The owner was unable to get a buyer for the property and would like the city to go ahead and demolish

City Commission agreed to proceed with demolition

11. **2317 3rd Avenue** – Single family house

- All repairs have been completed
- Staff recommends removal from list

City Commission agreed to remove from the demolition list

Gabe Cotter – Cotter Creations

Requested a letter releasing the property from possible demolition so it can be sold

12. **305 N. 2nd Street** – Single family house

- Previously on demolition list and removed by City Commission
- No change, no contact from owner
- “For Sale” sign displayed on property

ABSL Ventures not present but sent a letter stating they plan to complete the repairs

City Commission granted a 90-day extension

13. **326 Osage** – Single family house

- Permits issued for new electrical service
- Has been doing some work

Owner not present

City Commission granted a 90-day extension

14. **400 N. 5th Street** – Mixed use building

- No change
- Owner has indicated intent to sell property
- Total of 5 police calls to location in 2018

Brian Visocsky-Property owner

Lives in Alaska

Needs time

90 days can get paint and soffits

City Commission granted a 90-day extension

15. **403 Olive** – Single family house

- Property owner signed remediation agreement
- No change to date
- Property has been posted as Unfit for Habitation since August 2018, property owner still residing in residence
- No electrical service, upgrades required before service may be restored
- City received Authorization to Abate from court due to excessive junk
- Abatement by contractor on 10/5/18
- Continuous junk present since that time
- Total of 32 police calls to location in 2018 and 9 to date in 2019
- Approximately \$2,000.00 paid by tax payers to clean up the junk so far

Gabriel Arroyo-Property owner

Stated that he has been working to clean up the property

Given time to do repairs-- claims 90% done with repairs

Offended by claims of drug house

Claims no one in his house uses drugs

Does open his house up to homeless people and they bring in junk

Commissioner Dedeker asked if children live in the house. Mr. Arroyo stated that yes children live there. Commissioner Dedeker asked how children could live there with all the junk.

Police Chief Kitchens:

Does not usually get involved with demolitions, however, in this instance feels compelled to do so

Police Department has had numerous calls to this location for various complaints

Drug needles on property

Carla Thrush – Owner of 406 Olive

Lives near in one of the historic homes in the area

Property value decreased

Appeals the assessment for this year took pictures of surrounding properties

Appraisal was reduced from \$77,900 to \$59,700

Does the city want to continue to have her property value reduced because of the neighbor's property and receive less in property taxes

Would appreciate the city keeping the property on the list and demolish

Patrick Swift - Owns 405 Olive

Starting rehabbing his property after purchase

Had to call the police multiple times for theft and entry of his property

Has stopped the rehab of his property because of 403 Olive

City Commission agreed to proceed with demolition

16. **505 N. 7th Street** – Shed only
- Owner has demolished shed

City Commission agreed to remove from the demolition list

17. **787 Shawnee Street** – Single family house
- Property has been purchased by current owners of adjoining Santa Fe Depot
Owners have indicated intent to repair or demolish on their own
Total of four police calls to location in 2018

Sherry Brown-Property owner
Just purchased the property
Have begun pulling junk from the inside
Going through the process of assessing the property
Believes it to be salvageable

City Commission granted a 90-day extension

18. **802 S. 4th Street** – Single family house
- Owner has indicated intent to complete demolition on his own
Total of 10 police calls to location in 2018

City Commission granted a 30-day extension for owner to demolish on his own if not done during that time, the city will proceed with demolition.

19. **219 Miami** - Shed only
- Property owner signed remediation agreement, indicated intent to repair
Roof has been repaired and some siding work done

City Commission granted a 90-day extension

20. **1016 N. 10th** – Shed only
- Owner has demolished shed.

City Commission agreed to remove from the demolition list

Close Public Hearing:

Commissioner Dedeke moved to close the public hearing for unsafe and dangerous structures. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Consider Resolution B-2220:

Commissioner Bauder moved to approve Resolution B-2220 as presented. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Review Dangerous Structure on Demolition List – 202 Pottawatomie - Director of Planning and Community Development Julie Hurley recommended to the commission a continuance of the review of this property by the Commission until after state grant awardees have been announced and the Leavenworth Preservation Commission has reviewed the status of the project. This property is on the current demolition list and the Commission has granted extensions pending the property owners request for grant funding for repairs.

Commissioner Griswold moved to continue the 202 Pottawatomie for discussion until after state grant awardees have been announced and the Leavenworth Preservation Commission has reviewed the status of the project. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Rehabilitation Recommendations for 10th Avenue – Public Works Director Mike McDonald presented for consideration the design recommendations and design contract with TranSystems. Doug Parke and Frank Weatherford from TranSystems reviewed options. TranSystems has reviewed industry literature as well as having had conversations with Kansas Department of Transportation (KDOT) on repairing the deteriorating concrete on 10th Avenue. The report presents nine options for the rehabilitation of 10th Avenue. Staff reviewed all options and recommends Option 3, without the side roads, focusing only on the driving surface of 10th Avenue. It is important to consider this as a short-term repair to allow time for the project to be included in the Capital Improvement Project (CIP). There are two actions required by the City Commission. The first is to approve TranSystems Option 3 for the rehabilitation of 10th Avenue and the second is to approve the design contract with TranSystems. At this point, repair roadway only without curbs at this time.

Commissioner Bauder moved to approve Option 3 presented by TranSystems for the rehabilitation of 10th Avenue. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Commissioner Griswold moved to approve the design contract with TranSystems in the amount not to exceed \$54,550.00 for the 10th Avenue Pavement Rehabilitation Project. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Resolutions:

Resolution B-2221 Community Development Block Grant (CDBG) 2019-2020 Annual Action Plan – Community Development Coordinator Mary Dwyer presented for consideration and approval to adopt the CDBG Annual Action Plan 2019-2020.

Commissioner Bauder moved to approve Resolution B-2221 and authorizes the submission of the 2019-2020 Annual Action Plan. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Resolution B-2222 Amending Resolution B-2217 – City Clerk Carla Williamson presented for consideration Resolution B-2222. The City Commission adopted Resolution No. B-2217 on February 26, 2019. Resolution No. B-2217 gave notice of the Governing Body's official intent to issue bonds to finance improvements to Thornton Street and 10th Avenue in an estimated maximum amount of \$5,650,800.00. This amount includes the cost of necessary land and easement acquisition, utility relocation costs, design and engineering costs, legal costs and the costs of issuing bonds. It has been determined upon the advice of our

financial advisor, that the project cost needs to be increased to \$6,040,000.00 to include additional costs for capitalized interest to cover interim financing while the project is being completed pending permanent financing of the project.

Commissioner Griswold moved to approve Resolution B-2222 as presented. Commissioner Dedeker seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Resolution B-2223 Authorizing the Public Sale of General Obligation Bonds Series 2019-A and Temporary Notes Series A2019 – City Clerk Carla Williamson presented for consideration a resolution authorizing and providing for the public sale of General Obligation Bonds, Series 2019-A and Temporary Notes, Series A2019. The details are as follows:

- **General Obligation Series 2019-A:** The City has found and hereby determines it necessary and advisable to issue and sell General Obligation Bonds for the purposes of permanently financing the costs of the City’s 2018 General Improvements, including redeeming and paying a portion of the Series A2018 Notes. The Bonds shall be in the approximate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) and shall be dated June 27, 2019.
- **Temporary Notes Series A2019:** The City has found and hereby determines it necessary and advisable to issue and sell Temporary Notes, Series A2019, (the “Notes”) for the purpose of temporarily financing the costs of the City’s 2019 Pavement Management Project and the Main Trafficway Improvements, and paying the cost of issuing the Notes. The Notes shall be in the approximate principal amount of Seven Million Four Hundred Thirty Thousand Dollars (\$7,430,000) and shall be dated June 27, 2019.

The bond and note sale will be on Tuesday, June 11, 2019 at 10:00 a.m. C.D.T. The results will be presented to the City Commission the same evening.

Commissioner Bauder moved to approve Resolution B-2223 as presented. Commissioner Dedeker seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Bids, Contracts and Agreements:

Consider Bids for Riverfront Community Center Fire Alarm Upgrade – Parks & Recreation Director Steve Grant presented for consideration the bids. Staff recommends approval of the bid from Meza Low Voltage of Kansas City Kansas in the amount of \$46,300.00. Bids were opened on May 7, 2019 and the following bids were received.

Meza Low Voltage	\$46,300.00
ProElectric	\$198,000.00

Commissioner Griswold moved to approve the bid from Meza Low Voltage in the amount of \$46,300.00 for the fire alarm upgrade project. Commissioner Dedeker seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Consider Contract for Stubby Park Monument Sign - Parks & Recreation Director Steve Grant presented for consideration the purchase and installation of the LED monument sign from Odegard Sign Company. The

sign is to be located at Stubby Park on 4th Street. The contract amount is not to exceed \$82,143.27 and includes purchase, installation and required utility work.

Commissioner Dedeke moved to approve the purchase and installation of the LED monuments sign from Odegard Sign Company in a total amount not to exceed \$82,143.27. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Consider Bids for First Net Equipment for the Police Department – Police Chief Pat Kitchens presented for consideration the purchase of equipment from ROK Brothers, in the amount of \$39,738.24. The First Net Program is designed to allow public safety agencies to have priority cell phone usage and data movement during critical events. Bids were obtained from the following companies:

ROK Brothers, Inc.	\$39,738.24
RACOM Critical Communications	\$53,907.52

Commissioner Griswold moved to approve the purchase of equipment from ROK Brothers Inc. in the amount not to exceed \$39,738.24. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

The commission took a 5-minute break at 8:51.
The meeting resumed at 8:56.

Consider Bids for 2019 Stormwater Project 1 - North Improvements - Public Works Director Mike McDonald presented for consideration bids for the 2019 Stormwater Project No. 1 – North Improvements. Mr. McDonald provided a PowerPoint presentation to the City Commission. The locations for this project are 330 20th Street Terrace, 1200 Cherokee Street, 509 S 17th Street, 900 Klemp Street, 1013 17th Street Terrace and 5th Street and Elm Street. Staff recommends approval and awarding of the bid to Blue Nile Contractors in the amount of \$153,335.00. Bids were opened on May 8, 2019 and were as follows:

<u>Bidder</u>	<u>Total Bid</u>
Blue Nile Contractors	\$153,335.25
Linaweaver Construction	\$165,905.00
Westland Construction	\$204,723.50
Engineers Estimate	\$125,000.00

All bids came in over the Engineer’s Estimate. Staff reviewed the bids and discussed with the bidders. Staff believes busy schedules, material costs increases, and weather contributed to the higher than expected bids. Rebidding the project later with modifications is not expected to produce lower bids.

Commissioner Griswold moved to accept the low bid form Blue Nile Contractors in an amount not to exceed \$153,335.00 for the 2019 Stormwater Project No. 1 – North Improvements. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Change Order No. 1 to Contract 2018-69 Lineaweaver – 16th Terrace & Thornton Phase 1 Detention Project - Public Works Director Mike McDonald presented for consideration approval of change order 1 to the contract for construction of the 16th Terrace and Thornton Phase 1 Detention Project with Linaweaver

Construction in the amount of \$49,691.00. On October 9, 2018, the City Commission approved the contract with Linaweaver Construction.

Commissioner Bauder moved to approve Change Order No. 1 with Linaweaver Construction for the 16th Terrace and Thornton Phase 1 Detention Project in an amount not to exceed \$49,691.00. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

CONSENT AGENDA:

Commissioner Bauder moved to approve claims for April 20, 2019 through May 10, 2019, in the amount of \$883,033.35; Net amount for Payroll #9 effective April 26, 2019, in the amount of \$332,904.23; (Includes Police & Fire Pension in the amount of \$11,572.36) and Net amount for Payroll #10 effective May 10, 2019 in the amount of \$318,637.52 (No Police & Fire Pension). Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Other:

Commissioner Bauder:

- Went to ribbon cutting at Hill Crest Manor

Commissioner Griswold

- Will provide information to the City Manager on properties with possible code violations

City Manager Kramer:

The first group will begin clean up of 3-mile creek this Thursday
Parks and Recreation will begin clean up from the flood at Riverfront Park

Adjourn:

Commissioner Dedeke moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved.

Time Meeting Adjourned 9:10 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC