



City of Leavenworth  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING  
COMMISSION CHAMBERS  
TUESDAY, FEBRUARY 11, 2020 7:00 P.M.

Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting  
Meetings are televised everyday on Channel 2 at 7 p.m. and midnight and available for viewing on YouTube

**Call to Order – Pledge of Allegiance Followed by Silent Meditation**

**Proclamation:**

1. Susan B. Anthony Day February 15 (pg. 2)

**Amended Agenda**

**Item #13 Added**

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from January 28, 2020 Regular Meeting **Action:** Motion (pg. 3)
3. Second Consideration Ordinance 8122-Special Use Permit 869 Sherman Avenue **Action:** Roll Call (pg. 7)

**NEW BUSINESS:**

**Public Comment:** (i.e. Items not listed on the agenda or receipt of petitions- **Please state your name and address**)

**General Items:**

4. Waver of Distance Requirement Temporary Liquor License St. Joseph & Immaculate Conception Church Events **Action:** Motion (pg. 9)
5. Review Draft 2019 KDHE Annual Report for Stormwater **No Action Required** (pg. 11)

**Resolutions:**

6. Resolution B-2242 Section Eight Management Assessment Program **Action:** Motion (pg. 31)
7. Resolution B-2243 Authority to Finance Purchase of Fire Apparatus with Proceeds of Bonds **Action:** Motion (pg. 38)
8. Resolution B-2244 Set Limits for General Improvement Bonds 2020 **Action:** Motion (pg. 41)

**Bids, Contracts, and Agreements:**

9. Consider Design Contract with Wilson & Co for 2<sup>nd</sup> Chestnut Project **Action:** Motion (pg. 43)
10. Consider Purchase of Fire Apparatus **Action:** Motion (pg. 56)

**First Consideration Ordinance:**

11. First Consideration Ordinance to Amend Section 8-63 Human Exposure to Zoonotic Disease by Animals **Action:** Consensus (pg. 59)

**Consent Agenda:**

Claims for January 25, 2020 through February 7, 2020, in the amount of \$2,214,096.16; Net amount for Payroll #3 effective January 31, 2020, in the amount of \$357,680.70; (No Police & Fire Pension) **Action:** Motion

**Other:**

12. Executive Session – Land Acquisition Exception per K.S.A. 75-4319(b)(6) **Action:** Motion (pg. 63)
13. State Legislative Issue (pg. 64)

**Adjournment**

**Action:** Motion

# City of Leavenworth, Kansas



## Proclamation

- WHEREAS,** During the year 2020, the Leavenworth County Historical Society recognizes the achievements and contributions made in Leavenworth for the Women’s Suffrage Movement that promoted social and political change; and
- WHEREAS,** Susan B. Anthony, women’s rights activist and sister of Colonel Daniel R. Anthony, first visited Leavenworth in January 1865, advocating the rights of both freed slaves and women, and was a resident in Leavenworth when President Abraham Lincoln was assassinated. Her brother owned the Leavenworth Times; and
- WHEREAS,** Leavenworth was the largest city in Kansas in 1867, when it became the first state in The Union to offer a popular referendum on women’s suffrage. Susan B. Anthony campaigned here, along with national women’s suffrage activists such as Elizabeth Cady Stanton; and
- WHEREAS,** Susan B. Anthony successfully led the campaign for women’s municipal suffrage in Kansas in 1887, the first State to do so. The bill was signed by Gov. John A. Martin on February 15. She returned to Leavenworth in 1894 for the second state campaign along with other suffrage and state leaders, Rev. Anna H. Shaw, Carrie Catt Chapman, Anna Diggs and Laura Johns; and
- WHEREAS,** The nephew of Miss Anthony, Daniel R. Anthony, Jr., voted for the 19<sup>th</sup> Amendment as a Kansas Congressman and in 1923, introduced the Equal Rights Amendment in Congress.
- NOW, THEREFORE,** I, Myron J. (Mike) Griswold, Mayor of the City of Leavenworth, Kansas hereby proclaim February 15, 2020 as:

## Susan B. Anthony Day in Leavenworth

and to be annually recognized in subsequent years. I urge all citizens to become familiar with the unique history, services and benefits offered in Leavenworth, the first city of Kansas.

**IN WITNESS WHEREOF,** I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this eleventh day of February in the year of two-thousand and twenty.

\_\_\_\_\_  
Myron J. (Mike) Griswold, Mayor

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, CMC, City Clerk



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**CALL TO ORDER** - The Governing Body met for a regular meeting and the following commission members were present: Mayor Myron J. (Mike) Griswold, Mayor Pro-Tem Nancy Bauder, Commissioners Camalla Leonhard, Mark Preisinger and Jermaine Wilson.

**Others present:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Chief Building Inspector Harold D. Burdette, Operations Superintendent Curtis Marks, Finance Director Ruby Maline, Planning and Community Development Director Julie Hurley, Public Information Officer Melissa Bower, City Attorney David E. Waters, Deputy City Clerk Cary L. Collins and City Clerk Carla K. Williamson.

Mayor Griswold called the meeting to order and 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 January 14, 2020 regular meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**NEW BUSINESS:**

**Public Comment:** none

**General Items:**

**Review Unsafe & Dangerous Structure 795 Spruce** – Planning and Community Development Director Julie Hurley reviewed the property that was granted an extension after action was filed in district court by the property owner to halt the demolition. The owner signed a remediation agreement stipulating repairs to be made and a repayment plan for cost already incurred by the city in the amount of \$2,325.00. Ms. Hurley reported that all requirements of the remediation agreement, including repayment, have been met. The city's legal counsel will recommend to the court that the pending case be dismissed and staff recommends that the City Commission formally remove the property from the demolition list.

Commissioner Leonhard moved to remove 795 Spruce from the demolition list. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Update on Fire Damaged Structure 228-230 Ottawa Street** – Chief Building Inspector Hal Burdette provided an update on the property damaged by fire on June 25, 2019 in which the City is holding \$11,250.00 in insurance proceeds. On October 22, 2019, the City Commission adopted Resolution B-2238

giving the owner 90 days to complete repairs. Mr. Burdette reported that progress has been made but additional work is still needed, and recommends that the City Commission grant an additional 90 days to complete the repairs.

Mr. Patterson 1205 S. 15<sup>th</sup> Street

Addressed the Commission and discussed the remaining items to be completed.

Commissioner Preisinger moved to grant an additional 90 days to complete repairs to 228-230 Ottawa Street. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Request by Unified School District (USD) 453 to Waive Permit Fees for Earl Lawson Elementary Renovations** – Public Works Director Mike McDonald presented the request by USD 453 to have the City waive permits fees for the renovation project. The building inspection permit fee is \$21,223.00 and the permits fees for electrical, mechanical and plumbing are estimated to be \$2,000.00. The City Commission has waived these fees in the past for projects associated with local government, education, and non-profit organizations. There is an additional plan review fee of \$13,794.95 to reimburse the city for plans sent out to a 3<sup>rd</sup> part review service which has previously not been waived and is not being requested to waive with this project.

Commissioner Preisinger moved to waive permit fees associated with the Earl Lawson Elementary renovation project. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Mayor's Appointments:**

Mayor Griswold moved to appoint to the Sister City Advisory Board Alisa J Mahone Murphy to an unexpired term ending December 31, 2021. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Resolutions:**

**Resolution B-2241 to Set Public Hearing for Fire Damaged Structure 1109 Spruce Street** – Public Works Director Mike McDonald and Chief Building Inspector Hal Burdette presented for consideration a resolution to set the public hearing as March 24, 2020 for the unsafe and dangerous structure damaged by fire on October 25, 2019 at 1109 Spruce Street. No repairs have begun at this time on the structure. The City received 15% of the insurance proceeds to be used to remove the structure in the event the owner does not demolish or repair.

Commissioner Wilson moved to adopt Resolution B-2241 setting March 24, 2020 as the date for the public hearing regarding the unsafe structure located at 1109 Spruce Street. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

#### **Bids, Contracts and Agreements:**

**Consider Purchase of 4-Ton KM Hotbox** - Operations Superintendent Curtis Marks presented for consideration the purchase of a 4-Ton KM Hotbox for the streets division. Staff utilized the National



Cooperative Purchasing Alliance (NCPA) for the bids. Staff recommends approval of the purchase in the amount of \$32,106.50 from Crafcoc Inc.

Commissioner Leonhard moved to approve the purchase of a 4-ton KM Hotbox for \$32,106.50 from Crafcoc Inc. as presented. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Consider Revised Leavenworth County Port Authority Agreement** – City Manager Paul Kramer presented for consideration a revised agreement related to the Leavenworth County Port Authority. The agreement was approved by the Leavenworth Board of County Commissioners at their January 15, 2020 meeting. The new agreement allows the cities of Basehor, Lansing and Tonganoxie to be involved and have appointed board members. The new agreement is also a bilateral agreement with the City and County, but does have a new dissolution clause that allows either party to dissolve the Port Authority if it is in the best interest of the citizens under the jurisdiction of either party.

Commissioner Preisinger reviewed the history of the Port Authority to include funding by the county. Commissioner Preisinger also addressed Article IX of the agreement “Dissolution”. As written by the agreement as presented either party (city or county) could independently dissolve the port authority. Preisinger recommended amending the provision of the agreement that would require both parties jointly to dissolve the board.

City Attorney Waters mentioned that item IV (c) would still need to be completed and the board member terms would need to be agreed to and would have to go back to the County to agree on those dates.

Commissioner Preisinger moved to accept the agreement with changes to item IX that would require both parties to jointly agree to dissolution of the Port Authority and authorize staff to come to an agreement with the County on the dates that will be inserted in Article IV (c). Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**First Consideration Ordinance:**

**First Consideration Ordinance for a Special Use Permit at 869 Sherman Avenue-** Planning and Community Development Director Julie Hurley presented for first consideration an ordinance to allow a two-family dwelling in the R1-6 zoning district at 869 Sherman Avenue by special use permit. The Planning Commission considered the request at their January 6, 2020 meeting and voted 4-0 in favor of recommending the special use permit.

Public Comment:

Debbie Asher with Echelon property Management:

- Plans to continue to rehabilitate the property
- Brick construction structure
- Will be 100% remodeled
- Want to match the rest of the neighborhood

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

**CONSENT AGENDA:**

Commissioner Leonhard moved to approve claims for January 10, 2020 through January 24, 2020, in the amount of \$1,646,837.26; Net amount for Payroll #2 effective January 17, 2020, in the amount of \$348,481.17; (Includes Police & Fire Pension of \$11,572.36). Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Adjournment:**

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

Time Meeting Adjourned 7:48 p.m.

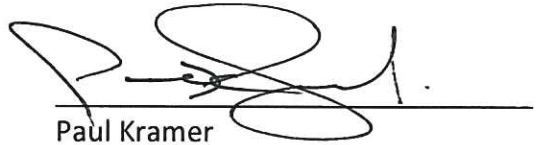
Minutes taken by City Clerk Carla K. Williamson, CMC

**POLICY REPORT  
SECOND CONSIDERATION ORDINANCE 8122  
ALLOWING A SPECIAL USE PERMIT AT 869 SHERMAN AVENUE**

**FEBRUARY 11, 2020**



Carla K. Williamson, CMC  
City Clerk



Paul Kramer  
City Manager

**BACKGROUND:**

At the January 28, 2020 City Commission special meeting the City Commission reviewed and placed on first consideration:

**AN ORDINANCE ALLOWING A SPECIAL USE FOR A TWO-FAMILY  
DWELLING IN A R1-6 ZONING DISTRICT TO BE LOCATED AT 869  
SHERMAN AVENUE IN THE CITY OF LEAVENWORTH, KANSAS.**

There have been no other changes since first consideration.

Ordinance No. 8122 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8122

*(Summary Published in the Leavenworth Times on February 14, 2020)*

**ORDINANCE NO. 8122**

**AN ORDINANCE ALLOWING A SPECIAL USE FOR A TWO-FAMILY DWELLING IN A R1-6 ZONING DISTRICT TO BE LOCATED AT 869 SHERMAN AVENUE IN THE CITY OF LEAVENWORTH, KANSAS.**

**WHEREAS**, under the 2016 Development Regulations of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to locate special uses in each zoning district by ordinance within said City; and

**WHEREAS**, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 6<sup>th</sup> day of January, 2020 in the Commission Room, 1<sup>st</sup> Floor of City Hall, 100 N. 5<sup>th</sup> Street, Leavenworth, Kansas, the official date and time set as was published in the Leavenworth Times newspaper and mailed to all property owners within 200 feet of the said property on the 13<sup>th</sup> day of December 2019; and

**WHEREAS**, upon a motion made, duly seconded, and passed, the City Planning Commission adopted findings of fact and recommended approval of the request for a two-family dwelling in a R1-6 zoning district located at 869 Sherman Avenue, Leavenworth, Kansas.

**WHEREAS**, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to allow special use for a two-family dwelling for the property described herein.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** That a special use permit be issued for a two-family dwelling on the following described property:

Tract II – The West 19 feet of Lot 13 and all of Lots 14 and 15, Block 12, Central Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas.  
**More commonly known as 869 Sherman Avenue, Leavenworth, Kansas.**

**Section 2:** That this Ordinance shall take effect and be in force from and after its passage by the Governing Body, and its publication once in the official City newspaper.

**PASSED AND APPROVED** by the Leavenworth City Commission of the City of Leavenworth, Kansas on this 11<sup>th</sup> day of February 2020.

/s/ Myron J “Mike: Griswold  
Myron J. (Mike) Griswold, Mayor

{Seal}

ATTEST:  
/s/ Carla K. Williamson  
Carla K. Williamson, CMC, City Clerk

**POLICY REPORT  
WAIVER OF THE DISTANCE REQUIREMENT  
FOR TEMPORARY LIQUOR PERMITS AT  
ST. JOSEPH CHURCH & IMMACULATE CONCEPTION CHURCH**

**FEBRUARY 11, 2020**

Prepared by:



Mariah Lietzen  
Receivables/License Coordinator

Reviewed by:



Carla K. Williamson, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**Issue:**

The issue before the City Commission is to consider a waiver of the code requirement that prohibits alcoholic liquor from being sold or served from a location within three hundred (300) feet of any church, school, nursing home, library or hospital; to allow the following temporary liquor permits to be issued for use at:

- Immaculate Conception Church, located at 711 N. 5<sup>th</sup> St on Sunday, March 15, 2020 for the St. Patrick's Corned Beef and Cabbage Dinner
- St. Joseph Church, located at 306 N. Broadway St on Saturday, June 13, 2020 for the Annual Germanfest Dinner and Dance

The City of Leavenworth Code of Ordinances, Chapter 6, Article III, Section 6-97 (d) allows the governing body to grant such a waiver, if they find that the proximity of the establishment is not adverse to the public welfare or safety.

**Background:**

On behalf of the churches, Leo Fink, Manager, will make application for temporary liquor permits to be used at Immaculate Conception Church and St Joseph Church for their annual fund raising events.

**Action:**

Approve or deny request to waive the 300 foot requirement from any church, school, nursing home, library or hospital.

**Attachments:**

Letter dated January 7, 2020 from Nancy Elmer with Immaculate Conception – St. Joseph Parish, requesting the waiver.





POLICY REPORT PWD NO: 20-10

REVIEW DRAFT 2019 KDHE ANNUAL REPORT  
FOR STORMWATER

February 11, 2020

Prepared by:



Michael G. McDonald, P.E.,  
Director of Public Works

Submitted by:



Paul Kramer,  
City Manager

**ISSUE:**

Review the draft of the annual KDHE report for 2019 stormwater activities.

**BACKGROUND:**

The City of Leavenworth is regulated by the Kansas Department of Health and Environment (KDHE) and US Environmental Protection Agency (EPA) as a Phase II City for stormwater purposes. The City has been required to submit an annual report on stormwater activities every year since 2003. The report is to summarize the actions the City has taken the previous year to protect and enhance stormwater quality. The guidelines for the activities to be reported on are set by the Stormwater Management Program (SMP) which was adopted by the City Commission in 2016.

The City has submitted reports in accordance with KDHE requirements in previous years. Interaction with KDHE and EPA suggest that the report be reviewed in a public forum rather than simply submitted by staff. KDHE has modified the report format for 2019 from previous years. The attached documents are a draft of the key portions of the annual report for 2019 and reflect this change in focus. There will be additional supporting information in the appendices when the report is submitted.

Staff is requesting comments and suggestions from the City Commission related to the content of the report. It is appropriate for the City Commission to seek input from the public on this matter as well. The Stormwater Management Program was reviewed without any updates in February 2018 and is not required to be reviewed for possible revision at this time.

The most recent KDHE stormwater permit ran from 2014 through 2019. A new permit was issued beginning in 2020 that will be the subject of further review with the City

Commission throughout 2020, including adoption of a revised Stormwater Management Program and its implementation beginning in 2021.

A key event in 2019 was the EPA rescinding the Consent Decree from 2015 related to stormwater that resulted from their inspections of the City in 2013.

The new report format for 2019 should create a less robust report. Several sections have guidelines as to the appropriate number of pages, and the City was not required to conduct a sampling/reporting program in 2019.

Key narratives in the report are:

- Executive Summary
- 6 Minimum Control Measures: Discussion on effectiveness and annual performance measures.
  - Public Education and Outreach
  - Public Involvement and Participation
  - Illicit Discharge Detection and Elimination
  - Construction Site Stormwater Runoff and Control
  - Post Construction Stormwater Management in New Development and Post Development Projects
  - Pollution Prevention and Good Housekeeping

**RECOMMENDATION:**

The report is due at KDHE on February 28, 2020 via digital delivery. It is recommended the City Commission adopt a resolution supporting the final report at the February 25, 2020 Commission meeting.

**ATTACHMENT:**

- Draft 2019 Report (partial)
  - Executive Summary
  - Comments on Part V
- EPA Consent Decree closure letter
- KDHE Annual Report for 2018 – link here:  
[https://www.leavenworthks.org/sites/default/files/fileattachments/city\\_manager/page/10019/2018\\_annual\\_stormwater\\_report.pdf](https://www.leavenworthks.org/sites/default/files/fileattachments/city_manager/page/10019/2018_annual_stormwater_report.pdf)
- Current Stormwater Management Program (partial) - link here:  
[https://www.leavenworthks.org/sites/default/files/fileattachments/public\\_works/page/149/lvn\\_sw\\_mgt\\_prog\\_2016.pdf](https://www.leavenworthks.org/sites/default/files/fileattachments/public_works/page/149/lvn_sw_mgt_prog_2016.pdf)



## **SECTION 1: EXECUTIVE SUMMARY**

To satisfy the requirements of the NPDES permit, this annual report summarizes the City of Leavenworth's plans and actions to reduce the discharge of pollutants from the municipal separate storm sewer system (MS4) to the maximum extent practicable, to protect water quality, and to meet the appropriate water quality requirements of the Clean Water Act. The information contained within this report was obtained through interviews with City staff, review of permits and projects from 2019, and examining communications and publications made available to the citizens of Leavenworth.

City staff pursue activities in all of the Six Minimum Control Measures throughout the year. Key observations for the purposes of this report are shown below.

- **Were there any aspects of the program that appeared especially effective at reducing pollutants in your stormwater discharge?**
  - Contractor and public compliance with implementation of the Land Disturbance Permit requirements is improved over the initial years and is generally satisfactory
  - Street sweeping is an effective tool for removing pollutants
  - Use of "Stormwater Utility" funds to address long-standing small to medium-sized issues has reduced erosion in several locations through the "Orange Fence Repair Projects".

- **Were there any aspects of the program that provided unsatisfactory results?**

While most items identified as BMPs are believed to be effective at some level, the passive education and information sharing such as leaving material at the library and having informational brochures available were probably the least effective tools identified.

- **What was the most successful part of the program?**

The visibly effective measures of correctly installed construction site runoff control and post construction activities were the most successful parts of the program.

- **What was the most challenging aspect of the program?**

The Grease Trap Program is easily the most challenging activity. Owners of Grease Traps and Interceptors are often working hard to grow their business and see City efforts to ensure compliance with regulations as a hindrance. Staff has improved communication and compliance in this area over the last few years.

- **Describe any City/County area MS4 clean-ups and the participation.**

- City of Leavenworth sponsors a "City Wide Clean-up" effort each year. This was on April 7, 2018. Over 920 participants were involved, and activity took place over about 75%??? of the City. This also includes coordination with Leavenworth County for a HHW Collection Site within

the City.

- The City has created a “Three-Mile Creek” monthly clean-up program for citizen groups to receive a stipend for their group after cleaning up the creek through downtown, and ?? cleanups occurred in 2019.

- **Describe the elected officials' participation in the stormwater pollution elimination.**

The City Commission has supported stormwater pollution elimination by creating a “Stormwater Utility” that is funded by a fee on all properties. This fee is used to address longstanding stormwater problems in the community, typically including reduction or elimination of erosion that has been causing failed roadways, culverts and streambanks. The Commission has also supported staff goal to have all public and private projects have some level of permanent water quality improvement included.

- **Describe the collaboration with other organizations to eliminate stormwater pollution.**

The City coordinates with nearly 40 groups during Citywide clean-up day. Leavenworth County provides HHW services throughout the year.

- **If an audit/inspection of your MS4 program was conducted by EPA or KDHE during the year, list the items the audit/inspection report identified as required changes and provide a narrative explanation of how the changes were implemented or explain the plan to implement the changes and identify a target date for final implementation.**

There were no known inspections of the MS4 program by KDHE or EPA in 2019. EPA has sent a letter releasing the City from the Consent Decree issued on July 18, 2019. This letter is included in the appendix.



## TOPICS REQUIRED TO BE ADDRESSED IN THIS REPORT AS IDENTIFIED IN PART V OF THE PERMIT

- 1. Provide the status of compliance with permit conditions, an assessment of the appropriateness of the implemented Best Management Practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP), and the measurable goals with an indication of the progress toward meeting the goals for each of the six minimum control measures.**

City of Leavenworth opinion is that the information shown in each of the “Six Minimum Control Measures” tables support the conclusion that reduction in discharge of pollutants has been made over the last five years of the permit, and that these have occurred at the Maximum Extent Practicable for the last two years.

- 2. Provide results of information collected and analyzed, (for example test results, surveys, or public comments/input) during the annual reporting period. This may include monitoring data used to assess the success of best management practices with respect to reduction in pollutant discharge. Include an interpretation of the information which addresses success or failure of the portion of the program for which the information applies.**

The City has collected information on a wide variety of municipal activities associated with various BMPs. This includes data on leaf collection, street sweeping, deicing use (salt), Grease Trap Program, land disturbance permit issuance, SSO reporting, creek crossing inspections, BMP operation (particularly detention basins) annual meeting and others. There has been no overall “trend” noticed in this data, but it is indicative of the effort of our community to be aware of important issues related to water quality. Specific data for many of these reporting items is in the assessment of the various BMP activities for the last year. It is clear that staff, public, contractors and businesses are aware of the various permitting programs associated with the SMP, and water quality is improved and/or maintained as a result.

- 3. Provide results of information collected and analyzed, if any, during the annual reporting period, including monitoring data used to assess the success of the program at reducing the TMDL regulated pollutants.**

KDHE removed the requirement that the City sample stormwater entering and leaving the City during the 2019 calendar year. The City does continue to sample rivers and creeks (especially for *e. coli*) when evaluating action for SSO events. Sampling is also done as part of the NPDES Permit for the Wastewater Plant as well as within the Sanitary Sewer System for industrial chemicals that are not easily removed with the systems in place at the WWTP.

- 4. Provide a summary of the stormwater activities that were scheduled to be undertaken during the previous calendar year and the status of these activities.**

Key programs associated with stormwater activities - all of these programs were conducted in 2019 as noted. There are many other smaller programs as well.

- ✓ Building Permits, Fills, Excavations are evaluated for needing a NOI, Land Disturbance Permit, Basic Erosion Control, SWPP and other clean water related elements.
- ✓ Projects under construction are inspected and deficiencies brought to the attention of the contractor, owner or other appropriate person.
- ✓ City-wide civic effort for "Spring Clean-up".
- ✓ Grease Trap Program inspections and reports.
- ✓ BMP annual meeting.
- ✓ Street Sweeping Program – sweeping was curtailed in summer months beginning in 2019 to allow additional resources to be used on other work assignments. Goal of once per month on arterials and three times per year on residential streets was met.
- ✓ Leaf Collection Program – program eliminated curbside pick-up in 2019, but retains free drop off site and collection by Refuse Service.
- ✓ Free Drop-Off Recycling Program.
- ✓ Household Hazardous Waste Program (Coordinated with Leavenworth County).
- ✓ Free drop-off refuse disposal once per month.
- ✓ Maintain "Clean-up your Dog Poop" effort at selected City parks.
- ✓ Aggressive response to SSO calls 24/7.
- ✓ Creek Crossing (Sanitary Sewer) Inspections at least three times each year.
- ✓ Sewer line cleaning and TV program.

**5. Provide a summary of the stormwater activities which are scheduled to be undertaken during the next calendar year (including an implementation schedule).**

All activities as noted in #4 are expected to be continued in 2020. City Staff and Commission will be evaluating the new permit and associated BMPs in 2020 for implementation in 2021.

**6. Provide a map showing changes in the permittee's Permit Area if the permit area has changed within the year.**

There were no changes to the City Limits in 2019.

**7. Provide a description of significant changes in any of the BMPs.**

The City has made the following changes to BMPs in 2019:

- Street Sweeping Program – sweeping curtailed in summer months beginning in 2019 to allow additional resources to be used on other work assignments. Goal of once per month on arterials and three times per year on residential streets was met.
- Leaf Collection Program – program eliminated curbside pick-up in 2019, but retains free drop off site and collection by Refuse Service.

**8. Provide a list of any ordinances or resolutions which were updated in the last year and are associated with the SMP. Please note, page one of this report requires submission of any new stormwater-related ordinances or resolutions or any such updated ordinances or resolution be submitted with this annual report.**



There were no ordinances or resolutions associated with the SMP in 2019 except where the City Commission approved the 2018 KDHE Annual Report.

9. ***Provide a list of other parties (such as other municipalities or consultants), which are responsible for implementing any of the program areas of the Stormwater Management Program.***

There were no other municipalities or consultants involved with implementing the SMP.

10. ***For Phase I permittees only, provide a summary of the inspection results, including the wet weather surface water quality monitoring test results, and information obtained under PART III Monitoring Industrial Stormwater.***

KDHE has released the City of Leavenworth from sampling stormwater entering and leaving the City limits in 2019.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

JUL 18 2019

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

Article No.: 7014 1200 0000 6119 0112

Honorable Jermaine Wilson, Mayor  
City of Leavenworth  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

Dear Mayor Wilson:

On December 16, 2015, the referenced Administrative Order for Compliance on Consent was issued by the U.S. Environmental Protection Agency to the City of Leavenworth under the authority of Section 309(a) of the Clean Water Act, 33 USC § 1319(a). The EPA has reviewed the information submitted by you in response to the required compliance activities outlined in paragraphs 38 and 39 of the Order and has determined that those requirements have been adequately met. This letter serves as a notification to you that the EPA is terminating the Order. The EPA's decision to terminate the Order is conditioned upon the accuracy of your representations to the EPA in response to the requirements of the Order.

Termination of this Order in no way relieves you of the obligation to comply with your National Pollutant Discharge Elimination System permit and all applicable statutes and regulations. The effect of this termination is limited to the requirements imposed under the Order. The EPA reserves all its authorities, both legal and equitable, under the CWA and any other statutory, regulatory, or common law authorities of the United States.

If you have any questions relating to this termination letter or the above referenced enforcement action, please contact Cynthia Sans of my staff, at (913) 551-7492 or Melissa Bagley in the Office of Regional Counsel at (913) 551-7522.

Sincerely,

A handwritten signature in black ink that reads "Wendy" followed by a stylized signature.

DeAndrè Singletary  
Acting Director  
Enforcement and Compliance Assurance Division

cc: Tom Stiles, KDHE

## Mike McDonald

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**From:** Mike McDonald  
**Sent:** Tuesday, March 12, 2019 8:39 AM  
**To:** Chuck Staples; Mike Hooper  
**Subject:** FW: Leavenworth - RE: MS4 - Authority to Implement

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**From:** Rance Walker [KDHE] <Rance.Walker@ks.gov>  
**Sent:** Tuesday, March 12, 2019 8:23 AM  
**To:** Mike McDonald <MMcDonald@firstcity.org>  
**Cc:** Deborah Mendenhall [KDHE] <Deborah.Mendenhall@ks.gov>; Shelly Shores-Miller [KDHE] <Shelly.Shores-Miller@ks.gov>  
**Subject:** RE: Leavenworth - RE: MS4 - Authority to Implement

Mr. McDonald,

This acknowledges the request to discontinue sampling and analysis of surface water associated with four storm events per year. Acknowledging the intent of this agency to discontinue this monitoring within the Leavenworth MS4 NPDES permit which will be issued this year, KDHE concurs with the request and approves discontinuing the storm event associated surface water monitoring.

The Draft NPDES permit for Leavenworth (as provided with the March 8, 2019 e-mail from this office) does not include any such monitoring, and this permit is scheduled to be placed on public notice March 21<sup>st</sup> with potential issuance at the end of April 2019, presuming no significant adverse comments during the 30 day public comment period. By copy of this communication to other KDHE staff I request the EDMR reporting system for the City of Leavenworth MS4 NPDES permit (M-MO12-SN01) be discontinued and future tracking of such annual reporting now end.

Thank you for the efforts the City of Leavenworth makes to properly manage stormwater.

Best Regards,

Rance Walker, P.E.  
Kansas Department of Health and Environment  
1000 SW Jackson Street, Suite 420  
Topeka, Kansas 66612-1367

Phone: (785) 296-5537  
E-Mail: [rance.walker@ks.gov](mailto:rance.walker@ks.gov)

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**From:** Mike McDonald [<mailto:MMcDonald@firstcity.org>]  
**Sent:** Monday, March 11, 2019 3:21 PM  
**To:** Rance Walker [KDHE] <Rance.Walker@ks.gov>  
**Cc:** Mike Hooper <[mhooper@firstcity.org](mailto:mhooper@firstcity.org)>; Chuck Staples <[cstaples@firstcity.org](mailto:cstaples@firstcity.org)>  
**Subject:** Leavenworth - RE: MS4 - Authority to Implement

# **City of Leavenworth Stormwater Management Program**

Adopted by the City Commission February 23, 2016



## City of Leavenworth Stormwater Management Program

February 2016

### Program History

The City of Leavenworth was established in the 1850's along Three-Mile Creek and on the banks of the Missouri River. Since that time the City has grown to include most of the Three-Mile Creek and Five-Mile Creek watersheds.

There has been a history of flooding since the founding of the city, with notable examples in the attached Appendix. The most recent dramatic example was in October 2005 where an estimated eleven inches of rain fell in a four hour period, causing significant property damage throughout the community. On July 6, 2015 over three inches fell in a one hour period also causing significant damage.

It is understandable that the city focused efforts since at least the 1980's to improve stream capacity to reduce flooding. Key improvements include:

- Replaced Major Bridges (at least 8)
- Channel Improvements on Three-Mile Creek between Missouri River and Broadway
- Stormwater Master Plan (1997)
- FEMA Floodplain Revisions on Three-Mile Creek (2014 and 2015)
- Approved Sales Tax with dedicated stormwater funding (1995, 2005, 2015)

During the late 1980's the Environmental Protection Agency (EPA) determined that stormwater discharges from urban areas were having a negative impact on the nation's waterways. In the 1990s Congress expanded Clean Water Act authority to regulate municipal stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). Phase I regulations were implemented in 1990 for large municipalities and Phase II regulations were implemented in 1999 for smaller municipalities such as Leavenworth

The City of Leavenworth received its first NPDES stormwater permit from the Kansas Department of Health and Environment (KDHE) in 2004, along with 58 other regulated entities. All regulated Phase II entities have the same six minimum requirements:

1. Public outreach and education
2. Public involvement
3. Municipal pollution prevention
4. Construction site stormwater control
5. Illicit discharge detection and elimination
6. Post construction stormwater control.

Stormwater Management Program  
City of Leavenworth  
February 17, 2016

A new NPDES permit was issued to City of Leavenworth in 2014 which includes the same six minimum control measures, along with additional requirements for water quality testing and an updating of the Stormwater Management Program

### **Stormwater Program Goals**

The stormwater program of the city has two goals:

- Protect people and property from flood events
- Protect and enhance water quality

The city works to meet these goals by having a qualified staff and appropriate standards for design and construction of improvements.

### **Staff**

The Public Works Department staff includes engineers, inspectors, technicians, GIS mappers and project managers that review plans for all projects. The Community Development Department reviews plans for compliance with zoning ordinances

The Street Division has significant staffing and equipment resources to assist in addressing stormwater matters that may occur, and there are two full-time stormwater employees who inspect, evaluate, clean and perform small repairs on existing stormwater infrastructure. The Community Development Department has two full-time inspectors to evaluate zoning matters within the city including stormwater concerns. Employees of Water Pollution Control (wastewater) perform the measuring and testing work required.

### **Program Tools**

The City uses a variety of tools to assist in the evaluation and management of stormwater issues including:

1. Stormwater Master Plan (1997) by Black & Veatch)
2. Stormwater Design Guidelines (March 2015)
3. American Public Works Association Section 5600 as a guideline (2011)
4. MARC/APWA BMP Manual as a Guideline (2012)
5. Floodplain Management (20103CV000B, July 2015)
6. Requiring a "Land Disturbance Permit" for most construction activity (March 2015)
7. Various City Ordinances
8. Submit Annual Report to KDHE after review by City Commission

Stormwater Management Program  
City of Leavenworth  
February 17, 2016

**Stormwater Management Program Implementation**

City Staff has created goals related to the six minimum control measures in an effort to meet the needs of the community and comply with the NPDES requirements. These are shown in the attached pages.

Please do not hesitate to contact the Office of the City Engineer should you have any questions regarding this program

Michael G. McDonald  
City Engineer  
Public Works Director  
City Hall  
100 N Fifth Street  
Leavenworth, KS  
[mmcdonald@firstcity.org](mailto:mmcdonald@firstcity.org)  
913-684-0375

**Attachments**

- FEMA Narrative on Flood events from FIS 20103CV000B
- Stormwater Management Program Goals

**Stormwater Management Program BMP List  
February 23, 2016**

**Minimum Control Measure #1 - Public Education and Outreach**

<b>BMP</b>	<b>Measure</b>	<b>Responsibility</b>	<b>Schedule (Permit Year)</b>
Web Page link to stormwater infrastructure Information – Master Plan, Management Plan, Map	# of visitors	Leavenworth	1,2,3,4,5
Place documents in Public Library stormwater infrastructure Information – Master Plan, Management Plan, Map	# Check-out requests	Leavenworth	1,2,3,4,5
Include articles or stories related to stormwater in city newsletter in at least two issues per year	# Articles/Stories # Issues	Leavenworth	1,2,3,4,5
City generated posts on social media related to stormwater issues at least ten occurrences per year	# Posts	Leavenworth	1,2,3,4,5
Provide Information to Citizens regarding the City of Leavenworth Solid Waste Division.	Distribute trash bags to citizens with proper disposal handout	Leavenworth	1,2,3,4,5
Show Stormwater Information on Local cable TV Station	Broadcast community forums, in which continued water quality discussions take place	Leavenworth	1,2,3,4,5



Stormwater Management Program BMP List  
February 23, 2018

**Minimum Control Measure #2 - Public Participation and Involvement**

BMP	Measure	Responsibility	Schedule (Permit Year)
Hold Public Information Meetings Regarding Stormwater Issues	Annual review by City Commission of Stormwater Annual Report  Review of Stormwater projects in annual Capital Improvement Plan	Leavenworth	1,2,3,4,5
Create an "Adopt a Stream Program"	# Streams Adopted  # Streams Cleaned	Leavenworth	1,2,3,4,5
Improve Lines of Communication with the Public through use of website and social media	Integrate contemporary methods of providing and receiving information to the Public.	Leavenworth	1,2,3,4,5
Annual City-Wide Clean-up Program	# Groups  # Participants	Leavenworth	1,2,3,4,5
Customer Surveys – conduct at least one survey each year on stormwater related issues in an on-line environment	# of responses	Leavenworth	1,2,3,4,5
Encourage groups to participate in activities such as inlet stencil program and similar	# groups  # programs	Leavenworth	1,2,3,4,5

Stormwater Management Program BMP List  
February 23, 2016

**Minimum Control Measure #3 - Illicit Discharge Detection and Elimination (IDDE)**

BMP	Measure	Responsibility	Schedule (Permit Year)
Inspect complaints of Illicit Discharge	Inform public of methods to communicate concerns regarding illicit discharges  # reports investigated	Leavenworth	1, 2, 3,4, 5
Update Stormwater Outfall Maps	Continue efforts to accurately locate and measure existing and new stormwater Infrastructure	Leavenworth	1,2,3,4,5
Inspect Outfalls	# outfalls inspected	Leavenworth	1,2,3,4,5
Collect Yard Waste at City Composting Facility	# customers	Leavenworth	1,2,3,4,5
Collect Tree and Brush Debris at Brush disposal site	# customers	Leavenworth	1,2,3,4,5
Collect Household Hazardous Waste as part of Citywide Clean-up Event	# pounds of household hazardous waste recycled	Leavenworth	1, 2, 3,4, 5
Conduct Free Disposal Saturdays (First Saturday)	# Events  # Tons Collected	Leavenworth	1,2,3,4,5
<b>Staff Training</b>	# of staff trained	Leavenworth	1,2,3,4,5

**Stormwater Management Program BMP List  
February 23, 2016**

Stormsewer Maintenance and Inspection	Provide dry weather storm sewer inspection.	Leavenworth	1,2,3,4,5
Inspection of Sanitary Sewer Systems	<p>Inspect residential and commercial sanitary systems for improper discharge into storm drains.</p> <p>Inspect sanitary sewer system to reduce number and volume associated with SSO</p> <p>Coordinate SSO events between Wastewater Staff, Building Officials and Engineering.</p>	Leavenworth	1,2,3,4,5
Commercial Grease Trap Inspection Program	Review status of commercial grease traps through record review and physical inspection	Leavenworth	1,2,3,4,5

Stormwater Management Program BMP List  
February 23, 2016

**Minimum Control Measure #4 - Construction Site Runoff Control**

BMP	Measure	Responsibility	Schedule (Permit Year)
Construction Drawing plan review and Site Runoff Control	# plans reviewed # LDP Issued	Leavenworth	1, 2, 3,4,5
Publish Updated Standard Details and Design Criteria for Erosion Control*	Make available on-line Review annually with staff	Leavenworth	1,2,3,4,5
Staff Training on Runoff Inspection	# inspectors trained	Leavenworth	1,2,3,4,5
Inform Local Contractors of LDP	Annual notification of LDP requirements  LDP documents available on-line	Leavenworth	1,2,3,4,5
Pre-Construction Meetings with Owner and Contractor - Require meetings with owner and contractor prior to commencement of grading operations.	# Meetings	Leavenworth	1,2,3,4,5
Construction Site Inspection and Enforcement - Increase the frequency of inspections and communications back to owner/contractor	Documentation of inspections	Leavenworth	1,2,3,4,5



Stormwater Management Program BMP List  
February 23, 2016

**Minimum Control Measure #5 - Post Construction Runoff Control**

BMP	Measure	Responsibility	Schedule (Permit Year)
Construct Sediment vane traps on new and reconstructed Inlets	# Inlets	Leavenworth	1,2,3,4,5
Protect sensitive areas, such as wetlands and riparian areas through plan review and selected land acquisition from developers and at tax sales	# tracts acquired from developers # tracts acquired from Tax sale # Acres acquired/year	Leavenworth	1,2,3,4,5
Enforce Post Construction Runoff Control Ordinance	# LDP Releases  Documentation of inspection and communication	Leavenworth	1,2,3,4,5
Conduct Long Term BMP Maintenance Inspections	Documentation of inspection and communication	Leavenworth	1,2,3,4,5
Analyze Existing Structural BMP Performances at selected sites (particularly detention basins)	# sites evaluated	Leavenworth	1,2,3,4,5
Measure rain gage and creek depth to evaluate flow quantity and duration from at least March – October.	# Rain gages # Stream gages	Leavenworth	1,2,3,4,5

**Stormwater Management Program BMP List  
February 23, 2016**

**Minimum Control Measure #6 - Municipal Pollution Prevention**

BMP	Measure	Responsibility	Schedule (Permit Year)
Review City Facilities for water quality concerns and develop plans to address them, goal is at least three facilities per year	# Reports Prepared	Leavenworth	1,2,3,4,5
Street Sweeping Program -- goal is residential areas three times per year and collector/arterial streets once per month (8 months)	# Times completed Residential Area Sweeping # Times completed Collector/arterial Sweeping # hours sweeping	Leavenworth	1,2,3,4, 5
Snow Removal Operations - Use ground speed control and GPS equipment to keep salt use within guidelines	# tons of salt used per year # pounds per lane mile per storm	Leavenworth	1,2,3,4,5
Stormwater Inlet Cleaning	# Inlets	Leavenworth	1,2,3,4, 5
Continue Citywide Leaf Collection Program (currently one-half of city each year)	# loads	Leavenworth	1,2,3,4,5

**Policy Report Number:  
Section 8 Administrative Plan  
February 11, 2020**

**PREPARED BY:**



Patrick Tooley, Section 8 Coordinator  
Leavenworth Housing Authority

**REVIEWED BY:**



Julie Hurley, Executive Director  
Leavenworth Housing Authority

**APPROVED BY:**



Paul Kramer  
City Manager

**ISSUE:**

Consider a resolution submitting the Section Eight Management Assessment Program (SEMAP) Certification to the U.S. Department of Housing & Urban Development for the operation of the Housing Choice Voucher (Section 8) program.

**SEMAP:**

The Section 8 program is scored under the Section Eight Management Assessment Program (SEMAP). This assessment is an annual process and is submitted electronically after your approval. The certification is attached.

**COMMISSION ACTION:**

Motion to adopt the attached resolution submitting the SEMAP certification to HUD.



Patrick Tooley  
(MAT977)  
PIC Main

Assessment Profile

Reports

Submission

List

Summary

Certification

Profile

Comments

Field Office: 7APH KANSAS CITY HUB OFFICE

Housing Agency: KS068 LEAVENWORTH HOUSING AUTHORITY

PHA Fiscal Year End: 12/31/2019

SEMAP

Logoff

OMB Approval No. 2577-0215

### SEMAP CERTIFICATION (Page 1)

Public reporting burden for this collection of information is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

This collection of information is required by 24 CFR sec 985.101 which requires a Public Housing Agency (PHA) administering a Section 8 tenant-based assistance program to submit an annual SEMAP Certification within 60 days after the end of its fiscal year. The information from the PHA concerns the performance of the PHA and provides assurance that there is no evidence of seriously deficient performance. HUD uses the information and other data to assess PHA management capabilities and deficiencies, and to assign an overall performance rating to the PHA. Responses are mandatory and the information collected does not lend itself to confidentiality.

Check here if the PHA expends less than \$300,000 a year in federal awards

Indicators 1 - 7 will not be rated if the PHA expends less than \$300,000 a year in Federal awards and its Section 8 programs are not audited for compliance with regulations by an independent auditor. A PHA that expends less than \$300,000 in Federal awards in a year must still complete the certification for these indicators.

#### Performance Indicators

#### 1 Selection from Waiting List (24 CFR 982.54(d)(1) and 982.204(a))

a. The HA has written policies in its administrative plan for selecting applicants from the waiting list.

PHA Response  Yes  No

b. The PHA's quality control samples of applicants reaching the top of the waiting list and admissions show that at least 98% of the families in the samples were selected from the waiting list for admission in accordance with the PHA's policies and met the selection criteria that determined their places on the waiting list and their order of selection.

PHA Response  Yes  No

#### 2 Reasonable Rent (24 CFR 982.4, 982.54(d)(15), 982.158(f)(7) and 982.507)

a. The PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units (i) at the time of initial leasing, (ii) before any increase in the rent to owner, and (iii) at the HAP contract anniversary if there is a 5 percent decrease in the published FMR in effect 60 days before the HAP contract anniversary. The PHA's method takes into consideration the location, size, type, quality, and age of the program unit and of similar unassisted units and any amenities, housing services, maintenance or utilities provided by the owners.

PHA Response  Yes  No

b. The PHA's quality control sample of tenant files for which a determination of reasonable rent was required to show that the PHA followed its written method to determine reasonable rent and documented its determination that the rent to owner is reasonable as required for (check one):



- PHA Response**     **At least 98% of units sampled**     **80 to 97% of units sampled**  
 **Less than 80% of units sampled**

### 3 Determination of Adjusted Income (24 CFR part 5, subpart F and 24 CFR 982.516)

The PHA's quality control sample of tenant files show that at the time of admission and reexamination, the PHA properly obtained third party verification of adjusted income or documented why third party verification was not available; used the verified information in determining adjusted income; properly attributed allowances for expenses; and, where the family is responsible for utilities under the lease, the PHA used the appropriate utility allowances for the unit leased in determining the gross rent for (check one):

- PHA Response**     **At least 90% of files sampled**     **80 to 89% of files sampled**  
 **Less than 80% of files sampled**

### 4 Utility Allowance Schedule (24 CFR 982.517)

The PHA maintains an up-to-date utility schedule. The PHA reviewed utility rate data that it obtained within the last 12 months, and adjusted its utility allowance schedule if there has been a change of 10% or more in a utility rate since the last time the utility allowance schedule was revised.

- PHA Response**     **Yes**     **No**

### 5 HQS Quality Control (24 CFR 982.405(b))

The PHA supervisor (or other qualified person) reinspected a sample of units during the PHA fiscal year, which met the minimum sample size required by HUD (see 24 CFR 985.2), for quality control of HQS inspections. The PHA supervisor's reinspected sample was drawn from recently completed HQS inspections and represents a cross section of neighborhoods and the work of cross section of inspectors.

- PHA Response**     **Yes**     **No**

### 6 HQS Enforcement (24 CFR 982.404)

The PHA's quality control sample of case files with failed HQS inspections shows that, for all cases sampled, any cited life-threatening HQS deficiencies were corrected within 24 hours from the inspection and, all other cited HQS deficiencies were corrected within no more than 30 calendar days from the inspection or any PHA-approved extension, or, if HQS deficiencies were not corrected within the required time frame, the PHA stopped housing assistance payments beginning no later than the first of the month following the correction period, or took prompt and vigorous action to enforce the family obligations for (check one):

- PHA Response**     **At least 98% of cases sampled**     **Less than 98% of cases sampled**

### 7 Expanding Housing Opportunities.

(24 CFR 982.54(d)(5), 982.153(b)(3) and (b)(4), 982.301(a) and 983.301(b)(4) and (b)(12))

Applies only to PHAs with jurisdiction in metropolitan FMR areas

Check here if not applicable

a. The PHA has a written policy to encourage participation by owners of units outside areas of poverty or minority concentration which clearly delineates areas in its jurisdiction that the PHA considers areas of poverty or minority concentration, and which includes actions the PHA will take to encourage owner participation.

- PHA Response**     **Yes**     **No**

b. The PHA has documentation that shows that it took actions indicated in its written policy to encourage participation by owners outside areas of poverty and minority concentration.

- PHA Response**     **Yes**     **No**

c. The PHA has prepared maps that show various areas, both within and neighboring its jurisdiction, with housing opportunities outside areas of poverty and minority concentration; the PHA has assembled information about job opportunities, schools and services in these areas; and the PHA uses the maps and related information when briefing voucher holders.

**PHA Response**     **Yes**    **No**

d. The PHA's information packet for certificate and voucher holders contains either a list of owners who are willing to lease, or properties available for lease, under the voucher program, or a list of other organizations that will help families find units and the list includes properties or organizations that operate outside areas of poverty or minority concentration.

**PHA Response**     **Yes**    **No**

e. The PHA's information packet includes an explanation of how portability works and includes a list of neighboring PHAs with the name, address and telephone number of a portability contact person at each.

**PHA Response**     **Yes**    **No**

f. The PHA has analyzed whether voucher holders have experienced difficulties in finding housing outside areas of poverty or minority concentration and, where such difficulties were found, the PHA has considered whether it is appropriate to seek approval of exception payment standard amounts in any part of its jurisdiction and has sought HUD approval when necessary.

**PHA Response**     **Yes**    **No**

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- Assessment Profile
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Field Office: **7APH KANSAS CITY HUB OFFICE**  
 Housing Agency: **KS068 LEAVENWORTH HOUSING AUTHORITY**  
 PHA Fiscal Year End: **12/31/2019**

SEMAP

### SEMAP CERTIFICATION (Page 2)

Logoff

#### Performance Indicators

##### 8 Payment Standards(24 CFR 982.503)

The PHA has adopted current payment standards for the voucher program by unit size for each FMR area in the PHA jurisdiction and, if applicable, for each PHA-designated part of an FMR area, which do not exceed 110 percent of the current applicable FMR and which are not less than 90 percent of the current FMR (unless a lower percent is approved by HUD). (24 CFR 982.503)

PHA Response  Yes  No

FMR Area Name Kansas City, MO-KS

FMR 1 of 1

Enter current FMRs and payment standards (PS)

0-BR FMR 678	1-BR FMR 813	2-BR FMR 978	3-BR FMR 1314	4-BR FMR 1490
PS 611	PS 732	PS 881	PS 1183	PS 1341

Save Add Delete

If the PHA has jurisdiction in more than one FMR area, and/or if the PHA has established separate payment standards for a PHA-designated part of an FMR area, add similar FMR and payment standard comparisons for each FMR area and designated area.

##### 9 Timely Annual Reexaminations(24 CFR 5.617)

The PHA completes a reexamination for each participating family at least every 12 months.(24 CFR 5.617)

PHA Response  Yes  No

##### 10 Correct Tenant Rent Calculations(24 CFR 982, Subpart K)

The PHA correctly calculates tenant rent in the rental certificate program and the family rent to owner in the rental voucher program (24 CFR 982,Subpart K)

PHA Response  Yes  No

##### 11 Pre-Contract HQS Inspections(24 CFR 982.305)

Each newly leased unit passes HQS inspection before the beginning date of the assisted lease and HAP contract.(24 CFR 982.305)

PHA Response  Yes  No

##### 12 Continuing HQS Inspections(24 CFR 982.405(a))

The PHA inspects each unit under contract as required (24 CFR 982.405(a))

PHA Response  Yes  No

##### 13 Lease-Up

The PHA executes assistance contracts on behalf of eligible families for the number of units that has been under budget for at least one year. The PHA executes assistance contracts on behalf of eligible families for the number of units that has been under budget for at least one year

PHA Response  Yes  No

##### 14 Family Self-Sufficiency (24 CFR 984.105 and 984.305)

14a. Family Self-Sufficiency Enrollment. The PHA has enrolled families in FSS as required. Applies only to PHAs required to administer an FSS program.

Check here if not applicable

a. Number of mandatory FSS slots (Count units funded under the FY 1992 FSS incentive awards and in FY 1993 and later through 10/20/1998. Exclude units funded in connection with Section 8 and Section 23 project-based contract terminations; public housing demolition, disposition and replacement; HUD multifamily property sales; prepaid or terminated

mortgages under section 236 or section 221(d)(3); and Section 8 renewal funding. Subtract the number of families that successfully completed their contracts on or after 10/21/1998.)

Or, Number of mandatory FSS slots under HUD-approved exception (If not applicable, leave blank)

b. Number of FSS families currently enrolled

c. Portability: If you are the initial PHA, enter the number of families currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

Percent of FSS slots filled (b+c divided by a) (This is a nonenterable field. The system will calculate the percent when the user saves the page)

14b. Percent of FSS Participants with Escrow Account Balances. The PHA has made progress in supporting family self-sufficiency as measured by the percent of currently enrolled FSS families with escrow account balances. (24 CFR 984.305)

Applies only to PHAs required to administer an FSS program

Check here if not applicable

PHA Response  Yes  No

Portability: If you are the initial PHA, enter the number of families with FSS escrow accounts currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

**15 Deconcentration Bonus**

The PHA is submitting with this certification data which show that :

(1) Half or more of all Section 8 families with children assisted by the PHA in its principal operating area resided in low poverty census tracts at the end of the last PHA FY;

(2) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area during the last PHA FY is atleast two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the last PHA FY; or

(3) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area over the last two PHA FY is at least two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the second to last PHA FY.

PHA Response  Yes  No

[Deconcentration Addendum](#)

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**RESOLUTION B-2242**

**A RESOLUTION SUBMITTING THE SECTION EIGHT  
MANAGEMENT ASSESSMENT PROGRAM (SEMAP),  
LEAVENWORTH, KANSAS TO THE U.S. DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT (HUD)**

**BE IT RESOLVED** by the Mayor and City Commission, acting as the Public Housing Authority (PHA) for Leavenworth, Kansas, as follows:

**Section 1.** The Section Eight Management Assessment Program (SEMAP) Certification for the period ending December 31, 2019 is hereby approved and is authorized to be sent to the Office of Public Housing, US Department of Housing and Urban Development (HUD).

**Passed and approved** this 11<sup>th</sup> day of February 2020.

---

Myron J. "Mike" Griswold, Mayor

{SEAL}

ATTEST:

---

Carla K. Williamson, City Clerk, CMC

**POLICY REPORT  
RESOLUTION B-2243  
AUTHORIZING THE CITY TO FINANCE PURCHASE OF FIRE DEPARTMENT AERIAL TRUCK  
WITH PROCEEDS OF GENERAL OBLIGATION BONDS**

**FEBRUARY 11, 2020**

Prepared by:



Carla K. Williamson, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**ISSUE:**

The issue before the City Commission is to consider a resolution authorizing the City to acquire a fire department aerial truck, apparatus and accessories and finance the purchase with the proceeds of general obligation bonds under the authority of Home Rule Ordinance 7942 of the City. The general obligation bonds are to be issued by the City in the maximum principal amount of \$1,430,000.00.

**ACTION REQUIRED:**

Adopt Resolution B-2243 as presented.

**ATTACHMENTS:**

Resolution B-2243

**RESOLUTION NO. 2243**

**A RESOLUTION AUTHORIZING THE CITY OF LEAVENWORTH, KANSAS, TO ACQUIRE CERTAIN FIREFIGHTING AND SAFETY EQUIPMENT TO BE FINANCED WITH THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE CITY UNDER THE AUTHORITY OF HOME RULE ORDINANCE NO. 7942 OF THE CITY.**

**WHEREAS**, the City of Leavenworth, Kansas, (the “City”) did pass and approve February 11, 2014, and thereafter publish, its Ordinance No. 7942, a home rule ordinance adopted in accordance with and pursuant to Article 12, Section 5 of the Kansas Constitution, (the “Ordinance”) which authorizes the City to both acquire equipment and machinery serving a governmental purpose and finance the costs thereof by, among other things, issuing general obligation bonds of the City all in order to protect and promote the public health, safety and welfare of the City and the residents and citizens thereof; and

**WHEREAS**, in accordance with the provisions of the Ordinance, the governing body of the City has determined it necessary and appropriate that the City purchase, acquire, and install both certain public safety equipment consisting of one (1) Pierce Velocity Aerial firefighting truck, apparatus, and accessories for use by the City’s fire department and other authorized personnel and pay the estimated cost thereof, including financing costs, of \$1,430,000 to purchase, acquire and install such public safety firefighting equipment (collectively, the “Equipment”); and

**WHEREAS**, the City has solicited proposals to sell the Equipment to the City; and

**WHEREAS**, the City now wishes to proceed to purchase and acquire the Equipment to be financed with general obligation bonds to be issued by the City in the maximum principal amount of \$1,430,000.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** That the acquisition, purchase, and installation of the Equipment be, and the same is, hereby authorized and ordered to be done.

**Section 2.** That the cost of the Equipment together with financing costs shall be paid by the City from the proceeds of its general obligation bonds to be issued in the maximum principal amount of \$1,430,000 pursuant to and in accordance with the Ordinance’s home rule authority.

**Section 3.** That the City both reasonably expects and intends to finance the costs of the Equipment from the proceeds of general obligation bonds of the City. The City does hereby express its official intent to reimburse any such capital expenditures made or obligations incurred by it on or after the date which is 60 days before the date of this Resolution from the proceeds of such bonds in the maximum principal amount of \$1,430,000. The City will issue such bonds for

such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Resolution, as the expression of the governing body's official intent regarding the matters described herein will be available for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF LEAVENWORTH, KANSAS

\_\_\_\_\_  
Myron J. "Mike" Griswold, Mayor

ATTEST:

\_\_\_\_\_  
Carla Williamson, CMC, City Clerk

(SEAL)



**POLICY REPORT  
RESOLUTION B-2244  
SETTING THE MAXIMUM AMOUNT ALLOWED FOR  
2020 ASPHALT OVERLAY- GENERAL IMPROVEMENT BONDS**

**FEBRUARY 11, 2020**

Prepared by:



Carla K. Williamson, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**ISSUE:**

The issue before the City Commission is to consider a resolution relating to the City's 2020 Asphalt Overlay -General Improvement Project Bonds in the maximum amount of \$1,949,726.00. This amount is set by Charter Ordinance 56, which authorizes the City to issue and sell its general obligation bonds in an amount no to exceed 28% of the amount of revenue produced for the tax year one year preceding the year of bond issuance by the City of Leavenworth's tax mill levies as certified by the County Clerk, Leavenworth County Kansas.

	<b>2020 GI Bonds</b>	
Taxes Levied 2020		\$6,963,306
28% authorized to Sell Bonds		\$1,949,726

**ACTION REQUIRED:**

Adopt Resolution B-2244 as presented.

**ATTACHMENTS:**

Resolution B-2244

**RESOLUTION NO. B-2244**

**WHEREAS**, the City of Leavenworth, Kansas (the “City”) pursuant to its Charter Ordinance No. 56, which provided certain substitute and additional provisions to K.S.A. 13-1024a, is authorized to issue and sell its general obligation bonds in an amount equal to 28% of the amount of revenue produced for the tax year one year preceding the year of bond issuance by the City of Leavenworth’s tax mill levies as certified by the County Clerk, Leavenworth County, Kansas, in any one year for certain public improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** That the 2020 asphalt overlay project (the “Project”) is authorized in an amount not to exceed \$1,949,726.00 and the Project Costs are to be paid as provided in K.S.A. 13-1024a and Charter Ordinance No. 56 of the City.

**Section 2.** That City staff be and they are hereby directed to proceed to prepare plans and specifications for the undertaking of the Project, including the funding thereof, as provided by the laws of the State of Kansas.

**Section 3.** That the Project found advisable in Section 1 hereof be, and the same is hereby, authorized and ordered to be done in accordance with plans and specifications and therefore to be prepared in accordance with Section 2 hereof.

**Section 4.** The City both reasonably expects and intends to finance the costs of the Project from the proceeds of general obligation bonds of the City. The City does hereby express its official intent to reimburse any such pre-issuance original expenditures (as defined in Treas. Reg. 1.150-2(c)) made by it on or after the date which is 60 days before the date of this Resolution from the proceeds of such bonds in the estimated maximum principal amount of \$1,949,726.00. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Resolution, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

**Section 5.** That this resolution shall be effective upon passage.

**PASSED AND APPROVED** this 11<sup>th</sup> day of February 2020.

CITY OF LEAVENWORTH, KANSAS

{Seal}

\_\_\_\_\_  
Myron J. “Mike” Griswold, Mayor

ATTEST:

\_\_\_\_\_  
Carla Williamson, CMC, City Clerk

**POLICY REPORT PWD NO. 20-11  
CONSIDER DESIGN CONTRACT WITH WILSON & COMPANY  
FOR THE 2ND & CHESTNUT STORMWATER PROJECT**

**City Project 2018-895**

**February 11, 2020**

Prepared by:



Michael G. McDonald, PE  
Director of Public Works

Reviewed by:



Paul Kramer,  
City Manager

**ISSUE:**

Consider a design contract for the 2nd & Chestnut Stormwater Project with Wilson & Company (Wilson).

**BACKGROUND:**

In June 2019, the Commission approved a contract with Wilson & Company to complete a study of the existing system and drainage basin, and to make recommendations for the design and construction of a replacement system. Several approaches to the repair or replacement of the failing system were discussed with the Commission at the February 4, 2020 study session. The attached design contract is based on the decisions made at the meeting. Final design will include:

- A new underground stormwater piping system (see attached map)
- New curb inlets
- A stormwater detention facility
- A bio-swale system for localized stormwater run-off
- Roadway and sidewalk improvements where necessary

The design contract includes the following components:

- Field survey and collection of field data
- Geotechnical investigation
- Preliminary plan development
- Field check plans
- Easement documents
- Final plans
- Utility coordination
- Project meetings with citizens and the Commission

A Qualifications Base Selections process was used to select the engineer for the project study and future project design. Wilson has been a part of that process on numerous projects throughout the City and has extensive experience with projects of this size and type in numerous cities throughout the KC Metropolitan area.

**RECOMMENDATION:**

Staff recommends the City Commission approve the design contract submitted by Wilson & Company for the 2nd & Chestnut Stormwater Project in an amount not to exceed \$218,600.

**ATTACHMENTS:**

Wilson Contract  
Project Map







**Exhibit A**  
**Scope of Services**  
**Design Services**  
**2<sup>nd</sup> & Chestnut Stone Arch Replacement**  
**December 12, 2019**

**General Scope of Services**

The purpose of this contract is to provide professional design services to develop Final Plans, Special Provisions, and Estimates for the 2<sup>nd</sup> & Chestnut Stone Arch Replacement project. The system extends from the open lot on Olive Street between 3<sup>rd</sup> Street and 4<sup>th</sup> Street to the outlet west of 2<sup>nd</sup> Street and Chestnut Street intersection (See Exhibit B). The design services will follow the recommended improvements in the Preliminary Engineering Study (PES) that was presented to the City by Wilson & Company on January 10, 2020. The recommended improvements will include the replacement of the existing stone arch from the inlet at the headwall near 3<sup>rd</sup> & Olive to the outlet near 2<sup>nd</sup> & Chestnut. Additionally, several storm sewer laterals will be reconstructed, which will require the full replacement of several brick streets that include at minimum 24-foot wide pavement, curb and gutter, sidewalks, and water quality features along with the storm sewer.

The overall plan development at Preliminary Plans will be 60% complete. The Final Check Plans will be 95% complete and Final Plans, Special Provisions, and Estimate (PS&E) will be 100% complete.

**Detailed Scope of Services**

**Section 1 – Data Collection and Field Survey**

- 1.1 Section Corners and Property Corners. The Consultant will conduct section tie surveys as per KDOT standards. The section corners necessary to reestablish the existing right-of-way, platted lots, and unplatted properties. It is assumed these corners are monumented and referenced based on previous projects in the area. State reference forms will be completed and sent to the State and County for each recovered monument. A search for existing property corner monuments will be conducted. Any found monuments will be shown in the topography as an unconfirmed corner. A legal boundary survey will NOT be conducted at this time.
- 1.2 Survey Control. The Consultant will establish the survey control network of the project. Horizontal and vertical control points will be set along the proposed road corridor to be used for design surveys. References will be tied to each monument. Benchmarks will be set on permanent structures that have less likelihood of being disturbed. Elevations will also be determined for all horizontal control points. Datum: NAVD 88.
- 1.3 Utility Locates. The Consultant will contact utility companies through the Kansas One-Call system and as supplemented by the City for those utility companies not associated with the One-Call system. Utilities will be horizontally field located according to field marks by the utility companies or by a One-Call locator. If there is no response to the initial request, Kansas One-Call will be contacted a second time to re-issue the locate notices. The man-hours for this item are based on all utilities being marked within two (2) weeks of the time of the locate request. If a utility owner does not respond to the locate request, the Consultant

will contact the City to discuss a plan of action and estimated cost to complete the survey.

- 1.4 Topographic Field Survey. Perform field surveys to obtain sufficient detail for the project design. The field information shall include topographic information to clearly identify breaklines, slopes, and terrain issues including; top of drainage channel banks and streambeds within 300' upstream and downstream of the proposed project.
- 1.5 Pavement Hardshots. Hard shots will be taken at the edge of pavement and centerline for areas without curb and gutter. In areas with curb and gutter, top of curb, gutter flow line, lip of gutter, and centerline will be shot. Hard shots will be taken in cross section fashion at 25-foot intervals.
- 1.6 Locate Storm and Sanitary Sewer Structures. The inflow/outflow elevations for storm and sanitary sewer structures will be located along with the size and type of structure and the size and type of the conduit entering and leaving the structure.
- 1.7 Locate Manmade Objects. Fixed location manmade objects visible on the surface will be located horizontally and vertically (at the ground).
- 1.8 Locate Geotechnical Borings. The Consultant will set lath and flags at locations identified by the geotechnical engineer (see Section 2.2). Each boring location will be surveyed for project coordinates and elevations. Changes in the field to these locations will be noted by the geotechnical engineer and adjusted in the base mapping.
- 1.9 Field Notes. Field notes will be indexed and bound as per KDOT standards. One (1) hard copy will be submitted to the City for their records.
- 1.10 Property Lines and Ownerships. The Consultant will order O&E reports from a local title company. The deliverables from the title company will need to include the ownership name, identification of any encumbrances on the property, a description of the property, and copies of deeds and any easements associated with the property. If the property is platted, a copy of the subdivision plat will be required. The Consultant will use this information to develop the right-of-way and property information used in the base mapping. The Consultant has identified approximately 45 individual tracts that will be impacted by the improvements.

## **Section 2 – Geotechnical Investigation and Recommendations**

The Consultant will retain a geotechnical engineer to provide subsurface exploration and analysis for design development of roadway alignment, storm sewer bedding, natural rock cuts, and other features.

- 2.1 Project Initiation, Reconnaissance & Coordination of Exploratory Boring Locations. The geotechnical engineer will review the project site and field stake borings at approximate locations. The geotechnical engineer will then contact a utility locate service and the City of Leavenworth to have underground public utility lines located and marked. Where conflicts with underground or overhead utilities are identified, boring locations will be adjusted in consultation with Consultant. Upon completion of field exploration, the Consultant will determine

boring locations and elevations by survey and provide the data to the geotechnical engineer

- 2.2 **Roadway Borings.** Geotechnical engineer understands borings will be performed within City right-of-ways and on private property for which right-of-entry and permission for access by geotechnical engineer to conduct the services has or will be obtained by the City. In the area of any roadway borings will be performed at approximately the center of the street at each mid-block. These borings will extend approximately 15 feet below the flowline of the storm sewer. The borings will be left open for a minimum of 24-hours to record evidence of groundwater. It is anticipated that three (2) borings will be required at various locations along 3<sup>rd</sup> Street, Olive Street, 2<sup>nd</sup> Street, and Chestnut Street.
- 2.3 **Channel Borings.** The geotechnical engineer understands borings will be performed within City right-of-ways and on private property for which right-of-entry and permission for access by geotechnical engineer to conduct the services has or will be obtained by the City. In the area of the proposed channel improvements upstream and downstream of the proposed storm sewer inlet and outlet headwalls, borings will be performed on each side of the existing channel. These borings will be located where the wing and/or retaining walls are anticipated and will extend at least 10 feet below the planned footing elevation, approximately 15 feet below the flowline of the creek. The borings will be left open for a minimum of 24-hours to record evidence of groundwater. It is anticipated that three (4) borings will be required for the proposed channel improvements.
- 2.4 **Laboratory Testing.** Samples of the soil and rock will be obtained from borings and tested to determine engineering properties in accordance with accepted geotechnical engineering practices. Samples recovered at locations selected by the Consultant will be tested as directed.
- 2.5 **Geotechnical / Geological Work Products.** The deliverable items for this project will consist of geotechnical reports with boring logs and diagrams. Reports will describe subsurface conditions and present geotechnical recommendations for placement and compaction of engineered fills, foundation requirements, global stability of retaining walls, preparation of roadway subgrades, and other geotechnical aspects of the project. The geotechnical engineer will also provide professional opinions of minimum thickness of Portland cement concrete (PCC) and/or asphalt concrete (AC) pavements, based on traffic data provided by the Consultant.

### **Section 3 – Preliminary Plan Development (60% Complete)**

- 3.1 **Develop a digital terrain model of the existing ground surface with Geopak using the survey information for use in the development of the base mapping.**
- 3.2 **Update the hydraulic analysis for the recommended storm sewer from the PES. The hydraulic analysis will be based on the peak flow discharge for the 2, 5, 10, 25, 50, 100 and 500-year flood frequencies. In consideration of adjacent properties, the recommended storm sewer will be sized to convey the 1% (100-year) storm event because no 100-year overflow path can be determined based on existing observations or elevation investigations. Calculations will be developed for enclosing the open channel on the south side of Olive Street**



between 4th Street and 3rd Street with a system.

- 3.3 Develop typical sections to be used for the design based on the geotechnical report and City recommendations.
- Storm Sewer and Structure
    - Concrete Thickness
    - Bedding Requirements
  - Roadway
    - Pavement type
    - Pavement thickness
    - Subgrade treatment
    - Backslopes and foreslopes
    - Lane widths
    - Sidewalk Locations
- 3.4 Develop the horizontal alignment for the roadway and storm sewer based on the PES and discussions during the project kick-off meeting. Sections of roadway reconstruction are described below:
- 3<sup>rd</sup> Street – Spruce Street Intersection to the alleyway between Chestnut Street and Olive Street
  - Olive Street – 170 feet west of 3<sup>rd</sup> Street to 70 feet east of 3<sup>rd</sup> Street
  - Chestnut Street – 240 feet west of 2<sup>nd</sup> Street to 2<sup>nd</sup> Street Intersection
  - 2<sup>nd</sup> Street – 240 feet north of Chestnut Street to Chestnut Street Intersection
  - Intersections – 3<sup>rd</sup> Street & Spruce Street; 3<sup>rd</sup> Street & Olive Street; 2<sup>nd</sup> Street & Chestnut Street
- 3.5 Develop the vertical alignments for the roadway and storm sewer based on the PES recommendations.
- 3.6 Develop the utility relocation plan and profiles as required to accommodate the proposed storm sewer alignments.
- 3.7 Develop underground storm drainage lateral systems for 3<sup>rd</sup> Street; Chestnut Street; and 2<sup>nd</sup> Street.
- Prepare a detailed drainage area map for each lateral system within the project. Each inlet structure will be clearly identified with a drainage area on the drawing.
  - Design the location of curb inlets and drainage structures based on the City's minimum design requirements for a collector street.
- 3.8 Develop the detention and water quality features for lateral system discharge or local neighborhood runoff at the following locations:
- Open lot on the south side of Olive Street between 4<sup>th</sup> Street and 3<sup>rd</sup> Street
  - 3<sup>rd</sup> Street lateral system on the NE corner of the 3<sup>rd</sup> & Olive intersection
- 3.9 Design erosion control measures.
- Temporary erosion control. Develop a temporary erosion control plan for the proposed improvements. The extent of the drawings will identify the general design for placement of silt fencing, wattles, sedimentation basins, and other erosion control measures during construction activities.
  - Permanent erosion control. Develop a permanent restoration plan that will include seeding/sodding locations.



- Stream stabilization/ restoration. Develop a channel restoration plan for the outlet east of 2<sup>nd</sup> Street that will be based on the design velocities at the outlet and in the channel. Protection measures for bank stabilization and scour protection may include rip rap, turf reinforcement mat (TRM), channel vanes, vegetative plantings, structural designs or other necessary measures.
- 3.10 Prepare cross sections at 25-foot intervals for the channel and roadway improvements. Additional cross sections will be provided at entrances, side streets, crossroad culverts, and locations of critical interest to depict cuts, fills, or special features.
- 3.11 Develop sidewalk and ramp plan sheets to ensure that all sidewalks within the project area meet ADA requirements. Sidewalks and ADA ramps will be designed for the following streets and intersections:
- 3<sup>rd</sup> Street – Spruce Street to Chestnut Street
  - Olive Street – 170 feet West of 3<sup>rd</sup> Street to 70 feet East of 3<sup>rd</sup> Street
  - Chestnut Street – 3<sup>rd</sup> Street to 2<sup>nd</sup> Street
  - 2<sup>nd</sup> Street – Chestnut Street to 2<sup>nd</sup> Street Bridge
  - Intersections – 3<sup>rd</sup> Street & Olive Street; 3<sup>rd</sup> Street & Spruce Street; 2<sup>nd</sup> Street & Chestnut Street
- 3.12 Prepare a preliminary drawing for the traffic control and construction phasing plan.
- 3.13 The following plan sheets will be prepared for the Field Check plan submittal.
- Title Sheet
  - General Layout Sheet
  - Typical Section Sheets
  - Control and Reference Ties Sheet
  - Roadway Plan and Profile Sheets
  - Storm Sewer / Channel Plan and Profile Sheets
  - Storm Sewer Lateral Plan and Profile Sheets
  - Detention Pond Grading Sheets
  - Water Quality Feature Plan Sheets
  - Erosion Control Sheets (Permanent & Temporary)
  - Traffic Control and Construction Phasing Sheets
  - Drainage Area Map
  - Cross Sections
- 3.14 The Consultant will prepare an Opinion of Probable Construction Cost using City standard bid items and recent bid tabs for the City of Leavenworth and the KDOT quarterly reports in conjunction with local cost information provided by the City.
- 3.15 The Consultant will attend a Preliminary Plan review meeting with City staff.

#### **Section 4 – Final Check Plans and Easement Documents (95% Complete)**

- 4.1 Prepare final design computations for the special design items and details associated with the storm sewer and structure elements. These items include, but are not limited to, manholes and inlets.
- 4.2 Based on the comments received from the City during the Preliminary Plan

review, the Consultant will revise the construction plans. A written list of the comments will be assembled into a single document and distributed to the team members for their use during this plan development phase.

- 4.3 Any proposed easements will be noted on the plans using station/off-set call out.
- 4.4 Prepare exhibits that will include one (1) temporary easement description and one (1) permanent easement description per tract. The Consultant's fee is based on writing descriptions one (1) time. Any changes to the exhibit or the legal descriptions resulting from negotiations as part of the property acquisition process will be provided as Additional Service. It is assumed that no additional right-of-way will be required.
- 4.5 The Consultant will prepare specifications for any construction work items that are not covered under the City's Standard Specifications based on comments received during the Preliminary Plan review.
- 4.6 The Consultant will prepare an Opinion of Probable Construction Cost using City standard bid items and recent bid tabs for the City of Leavenworth and the KDOT quarterly reports in conjunction with local cost information provided by the City.
- 4.7 The Consultant will assist the City in preparing, submitting and communicating information for the following environmental permits which are anticipated for the project:
  - Notice of Intent (NOI) for Stormwater Runoff from Construction Activities, including preparation of a SWPPP.
  - Nation Wide Permit (NWP) for Road and Stream Crossings (COE).
  - Obstructions in Streams permit (KDA, DWR).
  - Kansas Department of Wildlife and Parks threatened and endangered species determination.
  - Kansas Historical Society historical determination.
  - Any other permit applications as required by the above agencies.
- 4.8 The Consultant will attend a Final Plan review meeting with City staff.

#### **Section 5 – Final Plans, Special Provisions, and Estimate (100% Complete)**

- 5.1 Based on the comments received from the City during the Final Plan review, the Consultant will revise the construction plans. A written list of the comments will be assembled into a single document and distributed to the team members for their use.
- 5.2 The Consultant will modify the specifications based on comments received by the City.
- 5.3 The Consultant will prepare an Opinion of Probable Construction Cost using City standard bid items and recent bid tabs for the City of Leavenworth and the KDOT quarterly reports in conjunction with local cost information provided by the City.
- 5.4 The Consultant will submit PDF plans to Drexel Technologies for bidding the project.

#### **Section 6 – Utility Coordination**

- 6.1 The Consultant will submit a Utility Location Report to each of the utility companies identified in the project corridor. The report will also include 11 x 17 conceptual plan sheets of the project for their use in locating their facilities. The information received from each utility company will be used to verify the utilities located during the field survey.
- 6.2 The Consultant will provide one (1) half size (11" x 17") set of Preliminary Plans to each utility company that has facilities located within the project corridor two weeks prior to a regularly scheduled City Utility Group meeting. The purpose for attending this meeting is to discuss the project improvements and begin the process of developing relocation plans as needed based on the design layout and limits of construction and identify any needs for additional utility easements.
- 6.3 The Consultant will attend one (1) regularly scheduled meeting with the City's Utility Group to during the development of the Final Check Plans to review each of the utility company's decisions that will need to have been made with regard to the relocation of their facilities that are in conflict with the proposed improvements. Coordination between the various utilities will be discussed. The location of any utility easements will be required for the Right-of-Way Plan preparation.

#### **Section 7 – Project Meetings**

- 7.1 The Consultant will attend a kick-off meeting at City Hall to discuss the project schedule, specific design issues that will need to be resolved and establish the dates of future team meetings. It is anticipated that this meeting will be approximately two (2) hours.
- 7.2 The Consultant will attend bi-monthly meetings with the City to discuss project progress, design issues that may arise throughout the project, changes within other City projects that may affect the project, project schedule, and other items as needed.
- 7.3 The Consultant will attend one (1) public meeting to present the Preliminary Plans. The meeting will be held at location to be determined by the City in an "open house" format. The Consultant will prepare two (2) large display board mounted on foam core to allow people to view the proposed improvements. One (1) set of full-size plans will be available to discuss one-on-one items if necessary.
- 7.4 The Consultant will attend one (1) neighborhood meeting with the affected property owners to present the Final Plans.

#### **Section 8 – Project Management and Quality Control**

- 8.1 The Consultant will prepare a Project Work Plan that covers the methodology, design criteria, and other pertinent information that will affect the project design and schedule. Other documents that will be used in the development of the Plans are:
  - City of Leavenworth design criteria
  - KDOT Design Manual
  - AASHTO's "Manual on Uniform Traffic Control Devices" (MUTCD)

- AASHTO's "A Policy on Geometric Design of Highways and Streets"
  - AASHTO's "Roadside Design Guide"
  - Other publications as directed by the City
- 8.2 This task will include coordination of the Consultant's project team, preparation of the monthly progress reports to the City, and providing timely response to the City from the Project Manager.
- 8.3 The Consultant shall provide QA/QC check on plans and quantities. A quality control manual, specific to this project, will be developed and maintained in the Project Manager's office. This manual can be made available for review by the City at any time.

### **Section 9 – Construction Phase Services**

- 9.1 At this time, construction phase services are not included in this contract. Should the City desire to have Wilson & Company perform construction phase services, including but not limited to the following items, a scope and fee will be negotiated as a supplemental service.
- Provide construction management reviews
  - Provide on-site inspection
  - Provide materials testing
  - Review shop drawings
  - Review RFI's, change orders, pay applications, etc.
  - Final inspection and letter of acceptance
  - Preparation of record drawings

### **Assumptions**

1. Full-size plan sheets are to be 22" x 36". US Customary (English) units of measure will be used in developing the design, construction plans, supplemental specifications, quantity estimates and estimates of probable construction.
2. Plan scale will be 1"=20'. Profile scale will be 1"=20' horizontal and 1"=10' vertical. The scale of other sheets will be modified depending on the level of detail required.
3. Two (2) full size and two (2) half size plan sets will be submitted to the City for review at each milestone.

### **City Responsibilities**

1. Provide list of property owner names and addresses of affected tracts. The Consultant will use the information for sending letters to each of the property owners along the project corridor to inform them that surveyors will need to have access to their property for the purpose of obtaining property line and topographic information.
2. Provide the City standard design criteria for the design of roadways and storm drainage systems to the Consultant.
3. Provide the City standard details to the Consultant for use in the project.
4. Provide the Consultant with copies of all plats adjacent to the project in \*.tif format or hard copy as available.
5. Provide the Consultant with copies of the Ownership & Encumbrance reports for all adjacent properties.
6. Provide the Consultant with copies of all drainage and infrastructure plans, reports, studies, etc. along the project area.



7. Notify all property owners along the project and other interested parties of any public meetings.
8. Arrange and provide the facilities for all public and utility meetings.
9. Provide any recent bid tabs to assist in the development of the opinion of probable costs.
10. Acquire all proposed right-of-way and easements, if required.
11. Obtain all necessary permits from the State or Federal agencies. The Consultant will assist the City as noted in the Scope of Services.
12. Arrange utility meetings.
13. Prepare the Project Manual for use during the bidding process.

#### **Items Not Included in the Scope of Services**

1. Any work requested by the City that is not included in the basic services will be classified as supplemental services. Supplementary services shall include, but are not limited to the following:
  - a. Changes in the scope, extent, or character of the project.
  - b. Revisions to the plans when inconsistent with previous approvals or instructions by the City.
  - c. Updating plans to reflect development that has occurred after the Final Plans are complete.
2. No environmental investigations, permits or services are included except as specifically identified.
3. Full property survey or setting of new property corners if they are missing is not required.
4. Flagging of the proposed right-of-way and easements as part of the appraisal process.
5. Revisions or modifications to the construction plans, legal descriptions, and/ or exhibits created by negotiations between the City and the property owner during property acquisition.
6. Printing and review of bidding documents.
7. Design of an irrigation system for the landscaped and grassed areas.
8. Design of street lighting systems.
9. Design of any major crossroad structures for the Kansas Overload Provision and the AASHTO Alternate Military Load will not be required.
10. Channel change work, other than directly at the inlet and/or outlet end of storm sewer structures, will not be required.



Proj.: 2nd & Chestnut Stone Arch Replacement  
 By: CDLoughman  
 Date: January 16, 2020  
 Client: City of Leavenworth  
 Notes: Design Services

**EXHIBIT C  
 FEE ESTIMATE WORKSHEET**

Fee Reviewed by  
 JCKlaudt  
 Date:  
 01/17/20

TASK I.D.	WORK TASK DESCRIPTION	ESTIMATED MANHOURS							TOTAL HOURS	LABOR EFFORT	EXPENSE EFFORT	TOTAL FEE
		TASK CODE WCI CLASS TITLE	P6 QA/QC Manager	P5 Project Manager	P3 Project Engineer	PD3 CADD Designer	FS6 Survey Manager	FS4 Survey Crew Chief				
<b>TASK 01 - DATA COLLECTION and FIELD SURVEY</b>												
1.1	Survey Corners and Property Corners				2				2.00	\$ 192.00	\$ 142.50	\$ 334.50
1.2	Survey Control						4	4	8.00	\$ 608.00	\$ 478.50	\$ 1,086.50
1.3	Utility Locates				2		16	16	34.00	\$ 2,624.00	\$ 478.50	\$ 3,102.50
1.4	Topographic Field Survey				40		40	40	120.00	\$ 9,920.00	\$ 2,361.50	\$ 12,281.50
1.5	Pavement Hardshots						8	8	16.00	\$ 1,216.00	\$ 767.00	\$ 1,983.00
1.6	Locate Storm and Sanitary Sewer Structures						16	16	32.00	\$ 2,432.00	\$ 336.00	\$ 2,768.00
1.7	Locate Manmade Objects						8	8	16.00	\$ 1,216.00	\$ -	\$ 1,216.00
1.8	Locate Geotechnical Borings						2	2	4.00	\$ 304.00	\$ -	\$ 304.00
1.9	Field Notes						4	4	8.00	\$ 608.00	\$ -	\$ 608.00
1.10	Property Lines and Ownerships				40	12	8	8	68.00	\$ 6,916.00	\$ 8,681.00	\$ 15,597.00
	Subtotal	0	0	0	84	12	106	106	308.00	\$ 26,036.00	\$ 13,245.00	\$ 39,281.00
<b>TASK 02 - GEOTECHNICAL INVESTIGATION</b>												
2.1	Project Initiation, Reconnaissance & Coordination									\$ -	\$ 1,800.00	\$ 1,800.00
2.2	Roadway Borings									\$ -	\$ 1,800.00	\$ 1,800.00
2.3	Channel Borings									\$ -	\$ 1,800.00	\$ 1,800.00
2.4	Laboratory Testing									\$ -	\$ 2,700.00	\$ 2,700.00
2.5	Geotechnical Work Products									\$ -	\$ 900.00	\$ 900.00
	Subtotal	0	0	0	0	0	0	0	0.00	\$ -	\$ 9,000.00	\$ 9,000.00
<b>TASK 03 - PRELIMINARY PLAN DEVELOPMENT</b>												
3.1	Develop Digital Terrain Model				16				16.00	\$ 1,536.00	\$ -	\$ 1,536.00
3.2	Update Hydraulic Analysis		8	40					48.00	\$ 5,936.00	\$ -	\$ 5,936.00
3.3	Develop Typical Sections	1	2	8	4				15.00	\$ 1,848.00	\$ -	\$ 1,848.00
3.4	Develop Horizontal Alignment	1	4	32	24				61.00	\$ 6,862.00	\$ -	\$ 6,862.00
3.5	Develop Vertical Alignment	1	4	32	16				53.00	\$ 6,094.00	\$ -	\$ 6,094.00
3.6	Develop Public Utility Relocation Plan and Profiles		2	16	32				50.00	\$ 5,246.00	\$ -	\$ 5,246.00
3.7	Develop Underground Storm Drainage Lateral Systems		12	32	24				68.00	\$ 7,988.00	\$ -	\$ 7,988.00
3.8	Develop Water Quality Feature		8	48	24				80.00	\$ 9,160.00	\$ -	\$ 9,160.00
3.9	Develop Temporary and Permanent Erosion Control Plan		4	24	16				44.00	\$ 4,964.00	\$ -	\$ 4,964.00
3.10	Prepare Cross Sections		4	16	40				60.00	\$ 6,348.00	\$ -	\$ 6,348.00
3.11	Develop Sidewalk and ADA Plan		4	32	32				68.00	\$ 7,420.00	\$ -	\$ 7,420.00
3.12	Develop Traffic Control and Construction Phasing Plan	1	4	24	16				45.00	\$ 5,174.00	\$ -	\$ 5,174.00
3.13	Prepare Preliminary Plans	2	24	80	80				186.00	\$ 21,308.00	\$ -	\$ 21,308.00
3.14	Prepare Construction Cost Estimate	2	4	16	12				34.00	\$ 4,080.00	\$ -	\$ 4,080.00
3.15	Attend Preliminary Plan Review Meeting		4	4					8.00	\$ 1,128.00	\$ 72.10	\$ 1,200.10
	Subtotal	8	88	404	336	0	0	0	836.00	\$ 95,092.00	\$ 72.10	\$ 95,164.10





Proj.: 2nd & Chestnut Stone Arch Replacement  
 By: CDLoughman  
 Date: January 16, 2020  
 Client: City of Leavenworth  
 Notes: Design Services

**EXHIBIT C  
 FEE ESTIMATE WORKSHEET**

Fee Reviewed by  
 JCKlaudt  
 Date:  
 01/17/20

TASK I.D.	WORK TASK DESCRIPTION	ESTIMATED MANHOURS							TOTAL HOURS	LABOR EFFORT	EXPENSE EFFORT	TOTAL FEE	
		TASK CODE WCI CLASS TITLE	P6 QA/QC Manager	P5 Project Manager	P3 Project Engineer	PD3 CADD Designer	FS6 Survey Manager	FS4 Survey Crew Chief					FS3 Surveyor
<b>PHASE 04 - FINAL CHECK PLANS and EASEMENT DOCUMENTS</b>													
4.1	Prepare Final Structural Design Items		32						32.00	\$ 6,720.00	\$ -	\$ 6,720.00	
4.2	Revise Preliminary Plans Based on City Comments		4	16	80	80			180.00	\$ 20,392.00	\$ -	\$ 20,392.00	
4.3	Identify Proposed Easements			2	16	8			26.00	\$ 2,942.00	\$ -	\$ 2,942.00	
4.4	Prepare Legal Descriptions and Exhibits					32	8		40.00	\$ 4,312.00	\$ -	\$ 4,312.00	
4.5	Prepare Specifications for Non-Standard Items			8	16				24.00	\$ 3,176.00	\$ -	\$ 3,176.00	
4.6	Prepare Construction Cost Estimate		1	2	8	4			15.00	\$ 1,848.00	\$ -	\$ 1,848.00	
4.7	Prepare Environmental Permit Applications		2	8	20	8			38.00	\$ 4,824.00	\$ -	\$ 4,824.00	
4.8	Attend Final Plan Review Meeting			4	4				8.00	\$ 1,128.00	\$ 72.10	\$ 1,200.10	
	<b>Subtotal</b>		<b>39</b>	<b>40</b>	<b>144</b>	<b>132</b>	<b>8</b>	<b>0</b>	<b>363.00</b>	<b>\$ 45,342.00</b>	<b>\$ 72.10</b>	<b>\$ 45,414.10</b>	
<b>PHASE 05 - FINAL PLANS, SPECIAL PROVISIONS, and ESTIMATE</b>													
5.1	Revise Final Check Plans Based on City Comments		2	12	32	32			78.00	\$ 9,176.00	\$ -	\$ 9,176.00	
5.2	Revise Specifications Based on City Comments			4	8				12.00	\$ 1,588.00	\$ -	\$ 1,588.00	
5.3	Prepare Construction Cost Estimate			2	4				6.00	\$ 794.00	\$ -	\$ 794.00	
5.4	Submit PDF Plans to Drexel Tech.				2	1			3.00	\$ 326.00	\$ -	\$ 326.00	
	<b>Subtotal</b>		<b>2</b>	<b>18</b>	<b>46</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>99.00</b>	<b>\$ 11,884.00</b>	<b>\$ -</b>	<b>\$ 11,884.00</b>	
<b>PHASE 06 - UTILITY COORDINATION</b>													
6.1	Utility Location Report				8				8.00	\$ 920.00	\$ -	\$ 920.00	
6.2	Attend City Utility Meeting to Review Preliminary Plans			3	3				6.00	\$ 846.00	\$ 72.10	\$ 918.10	
6.3	Attend City Utility Meeting to Review Final Check Plans			3	3				6.00	\$ 846.00	\$ 72.10	\$ 918.10	
	<b>Subtotal</b>		<b>0</b>	<b>6</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20.00</b>	<b>\$ 2,612.00</b>	<b>\$ 144.19</b>	<b>\$ 2,756.19</b>	
<b>PHASE 07 - PROJECT MEETINGS</b>													
7.1	Attend Project Kick-Off Meeting			3	3				6.00	\$ 846.00	\$ 72.10	\$ 918.10	
7.2	Attend Bi-Monthly Coordination Meetings (3)			9	9				18.00	\$ 2,538.00	\$ 216.33	\$ 2,754.33	
7.3	Attend Public Meeting			4	4				8.00	\$ 1,128.00	\$ 72.10	\$ 1,200.10	
7.4	Attend Neighborhood Meeting			4	4				8.00	\$ 1,128.00	\$ 72.10	\$ 1,200.10	
	<b>Subtotal</b>		<b>0</b>	<b>20</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40.00</b>	<b>\$ 5,640.00</b>	<b>\$ 432.62</b>	<b>\$ 6,072.62</b>	
<b>PHASE 08 - PROJECT MANAGEMENT and QUALITY CONTROL</b>													
8.1	Prepare Project Work Plan			4					4.00	\$ 668.00	\$ -	\$ 668.00	
8.2	Project Management and Coordination			16					16.00	\$ 2,672.00	\$ -	\$ 2,672.00	
8.3	Provide QA/QC Reviews		8	24					32.00	\$ 5,688.00	\$ -	\$ 5,688.00	
	<b>Subtotal</b>		<b>8</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>52.00</b>	<b>\$ 9,028.00</b>	<b>\$ -</b>	<b>\$ 9,028.00</b>	
<b>TOTALS</b>			<b>57</b>	<b>216</b>	<b>628</b>	<b>585</b>	<b>20</b>	<b>106</b>	<b>106</b>	<b>1,718.00</b>	<b>\$ 195,634.00</b>	<b>\$ 22,966.00</b>	<b>\$ 218,600.00</b>

**POLICY REPORT NO FD #2020-004  
REQUEST FOR APPROVAL OF THE PURCHASE OF FIRE APPARATUS FOR THE  
FIRE DEPARTMENT**

**February 11, 2020**

Prepared by:

  
Gary Birch  
Fire Chief

Approved by:

  
Paul Kramer  
City Manager

**ISSUE:**

The Fire Department is requesting approval to purchase an aerial platform manufactured and furnished to our specifications, utilizing the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program.

**GOAL:**

- Single manufacturer (cab and chassis manufactured and assembled)
- Standardize the fleet (training, operating, parts, and maintenance)
- Local vendor (parts and warranty work)
- Add another apparatus with pumping capabilities
- Reduce average age of the fleet
- Increase safety, dependability and our operational functionality
- Achieve these goals with minimal increase in funding
- Increase points towards our ISO rating

**BACKGROUND:**

NFPA recommends apparatus replacement at 10-15 years on pumpers and 15-20 years for aerials. This purchase will replace our 1990 (30 year old) aerial platform. With this purchase, five of our seven apparatus will be from one manufacturer and all seven trucks will have pumping capabilities. Prior to 2017 we had apparatus from six different manufacturers and only five with pumping capabilities.

In addition to our 1990 aerial platform having no water, pump, or attack lines, it doesn't meet today's standards and lacks safety features:

- 3 Point seatbelts
- Airbags
- Backup cameras
- Crew cab
- Interior sound reduction



**POLICY REPORT NO FD #2020-004  
REQUEST FOR APPROVAL OF THE PURCHASE OF FIRE APPARATUS FOR THE  
FIRE DEPARTMENT**

**February 11, 2020**

Having an aerial platform in our arsenal is a valuable asset, and allows us more alternatives to accomplish our "Incident Priorities".

- Life Safety
  - Search and Rescue
    - Upper Floors, Balconies, Windows
  - VEIS-Ventilation, Enter, Isolate, Search
  - Rescue application:
    - Injured or medical (from a roof top or equipment)
    - In a body of water
  
- Fire Control
  - Elevated master stream (1000 to 2000 GPM's)
  - Exposure protection
  - Flying embers
  - Direct attack, extinguishment
  - Elevated standpipe to upper floors for hand lines
  - Horizontal attack at a window
  
- Ventilation
  - From a safe platform
  - Windows
  - Roof Access

**Maintenance Issues**

- Cost of maintenance increases with an aging fleet
- Down time increases with additional maintenance
- Parts take longer to obtain
- Parts being discontinued (i.e. radiator)
- Replacing/Repairing items outside of routine maintenance

**POLICY REPORT NO FD #2020-004  
REQUEST FOR APPROVAL OF THE PURCHASE OF FIRE APPARATUS FOR THE  
FIRE DEPARTMENT**

**February 11, 2020**

**SUMMARY:**

- Replaces our current 30 year old aerial platform without pumping capabilities
- Immediately reduces the average age of our fleet from 11 to 7 years
- Utilize the HGAC Cooperative Purchasing program administered by the Mid-America Regional Council (MARC).
- Our specifications were created around several aerial platforms in our area with a specific focus on current needs, future needs, and safety features.
- 11-12 month build time after approval.

**RECOMMENDATION:**

After reviewing available purchasing options, the Department chose to utilize the HGAC Cooperative Purchasing program. The HGAC program is handled administratively by MARC and is used extensively throughout our region for the purchase of Fire Service Apparatus. This program allows us to purchase apparatus that meet our needs from a local dealer and a manufacturer who has a proven record of customer service in the Kansas City region. It ensures we are receiving the best possible price (additional 2% discount from manufacturer for utilizing HGAC) while guaranteeing standard governmental purchasing practices were followed. Furthermore, it will expedite the procurement process, not delaying for months while preparing specifications and satisfying all of the other steps required for competitive bids and proposals.

The local dealer for these trucks is Conrad Fire Equipment out of Olathe, Kansas. The estimated delivery time for this apparatus purchase is about one year.

Staff recommends the purchase of a Pierce aerial platform through Conrad Fire Equipment utilizing the HGAC Cooperative Purchasing program in the amount of \$1,397,528.15.

**POLICY REPORT  
FIRST CONSIDERATION ORDINANCE TO  
AMEND CHAPTER 8 ANIMALS, SECTION 8-63 OF THE CODE OF ORDINANCES  
FOR THE CITY OF LEAVENWORTH**

**FEBRUARY 11, 2020**



Carla K. Williamson, CMC  
City Clerk



Paul Kramer  
City Manager

**ISSUE:**

Place on first consideration an ordinance amending Chapter 8, Section 8-63 of Code of Ordinances for the City of Leavenworth.

**BACKGROUND:**

It has been identified that the title of Section 8-63 of the Code of Ordinance is incorrect. During the recodification in 2019 two sections of the ordinance were combined. One was specific to dogs and cats and one was for all other animals. Both sections said the same thing.

This amendment is necessary to change the title of Section 8-63 from "Human exposure to zoonotic diseases by animals other than dogs and cats" to "Human exposure to zoonotic disease by animals".

**ACTION:**

Consensus to place the ordinance on first consideration.

**ATTACHMENTS:**

- Draft Ordinance

(Summary Publish in the Leavenworth Times on \_\_\_\_\_, 2020)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS; CHAPTER 8, ANIMALS; SECTION 8-63. PROVIDING SUBSTITUTE PROVISIONS AND REPEALING THE SECTION AMENDED.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** That the Code of Ordinance of the City of Leavenworth, Kansas, Chapter 8 Animals, Section 8-63, is hereby deleted in its entirety and amended to read as follows:

**CHAPTER 8. ANIMALS**

**Sec. 8-63. Human exposure to zoonotic diseases by animals.**

- (a) Any animal bite which requires medical treatment of a human shall be reported within 24 hours to the animal control supervisor by the treating physician or hospital caring for the patient.
- (b) Any injury to a person by an animal that exposes the person to the possibility of rabies or other reported zoonotic disease (referred to in this section as an "incident") shall be immediately reported to the animal control supervisor by the victim, the animal owner, keeper or harbinger, and any other person or official having knowledge of the incident.
- (c) It is the duty of every owner or keeper of an animal, upon receiving notice or having knowledge of the involvement of his animal in a human exposure to the possibility of rabies or other zoonotic disease by biting or scratching, to immediately place such animal in a duly licensed veterinary medical facility, the address of which must be furnished to the animal control supervisor at once, or in the city animal pound or licensed kennel approved by the animal control supervisor, where such animal shall be located and confined for observation for not less than ten consecutive days from the day of the incident. The day of the incident will not be counted in the ten-day quarantine.
- (d) It is unlawful for the owner, keeper or person harboring the animal involved in an incident to release it from custody or to hide or conceal such animal or to take or allow such animal to be taken beyond the limits of the city, unless authorized by the animal control supervisor, until an observation period stipulated by the animal control supervisor for the particular species of animal is over or such period is ruled unnecessary by the animal control supervisor.
- (e) It is the duty of the owner or keeper of an animal upon receiving notice of an incident to immediately place the animal involved in a duly licensed veterinary facility, the name and



address of which must be furnished to the animal control supervisor at once, or in the municipal animal shelter, where such animal shall be isolated and confined for observation. The owner or keeper of an animal involved in a biting incident is liable for the cost of confinement and observation.

- (f) The animal control supervisor or his designee may authorize confinement other than as described in this section as he finds appropriate, provided such animal will be controlled and observed in accordance with a signed agreement. This subsection shall apply only if the animal has been vaccinated for rabies within the past 12 months or 36 months, dependent upon the type of vaccination, and is duly licensed by the city if required by this chapter.
- (g) The death or any suspicious change in health or behavior of any animal undergoing observation for rabies or other zoonotic disease shall be reported immediately by the observing authority to the animal control supervisor.
- (h) If a proper period of observation is determined or undeterminable for the species of animal involved in an incident, the municipal court may order whatever laboratory examination of the animal or of the animal's tissues is required by prudent medical practice for the protection of the victim, and no liability for damages shall arise from any injury to or the death of the animal occasioned by such laboratory examination.
- (i) When an animal involved in an incident is outside the city, the animal control supervisor shall forward information concerning the incident to the appropriate authority of the jurisdiction of residence of the owner, keeper or harbinger, or appropriate state health department for disease prevention.
- (j) If there is no known owner, keeper or harbinger of any animal involved in a bite case, state statutes and regulations regarding communicable disease control, K.A.R. 28-1-13, shall be controlling.

**Section 2. REPEAL.** Chapter 8, Animals, Section 6-63, Human exposure to zoonotic diseases by animals, of the Code of Ordinances of the City of Leavenworth, Kansas, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

**Section 3: EFFECTIVE DATE.** This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

**PASSED and APPROVED** by the Governing Body on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Myron J. "Mike" Griswold, Mayor

{Seal}

ATTEST:

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Carla K. Williamson, CMC, City Clerk

**EXECUTIVE SESSION  
PRELIMINARY DISCUSSION OF THE ACQUISITION OF REAL PROPERTY**

**FEBRUARY 11, 2020**

**CITY COMMISSION ACTION:**

**Motion:**

Move to recess into executive session to discuss the acquisition of real property pursuant to the *preliminary discussion of the acquisition of real property* exception per K.S.A. 75-4319 (b) (6). The open meeting to resume in the City Commission Chambers at \_\_\_\_\_ by the clock in the City Commission Chambers. Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald and City Attorney David Waters are requested to be present during the Executive Session.

**POLICY REPORT**  
**State Legislative Item**  
**February 11, 2020**

Prepared By:



Taylour Tedder  
Assistant City Manager

**ISSUE:**

Assistant City Manager, Taylour Tedder, will bring a state legislative issue to the City Commission that could have a direct impact on the City of Leavenworth.