



City of Leavenworth
100 N. 5th Street
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING
COMMISSION CHAMBERS
TUESDAY, APRIL 13, 2021 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 and Facebook Live
In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed on Channel 2 and via Facebook Live. The public is encouraged to view the meeting using one of those options. The Leavenworth City Commission meeting is open to the public with limited seating capacity. To mitigate the spread of COVID-19 face coverings and social distancing is REQUIRED to attend the meeting. To attend the meeting in person, email cwilliamson@firstcity.org no later than 4:00 pm on the day of the meeting to reserve a seat. Seats are available on a first come first serve basis. If you are not attending the meeting but would like to submit public comments to be read during the Public Comments portion of the meeting, or submit comments on an agenda items to be read during discussion on that topic, email your comments to cwilliamson@firstcity.org no later than 6:00 pm on the day of the meeting.

Call to Order – Pledge of Allegiance Followed by Silent Meditation

Amended Agenda:

Added: Items 7 and 8

1. Proclamations: (pg. 3)

- a. Barbershop Harmony Month
- b. National Library Week
- c. National Child Abuse Prevention Month
- d. Fair Housing Month
- e. National Public Safety Telecommunicator's Week April 11-17

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

2. Minutes from March 23, 2021 Regular Meeting

Action: Motion (pg. 8)

Item Tabled on March 23, 2021:

3. Review 504 Miami Street Unsafe and Dangerous Structure

Action: Motion (pg. 12)

NEW BUSINESS:

Public Comment: *(i.e. Items not listed on the agenda or receipt of petitions- Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address)*

General Items:

4. Consider Removal of Special Assessment 306 Kickapoo 2018 Demolition
5. Mayor's Appointments

Action: Motion (pg. 16)

Action: Motion (pg. 18)

Resolutions:

6. Resolution B-2279 Community Development Block Grant Annual Action Plan
7. Resolution B-2280 Resolution of Support Greenamyre Rentals Low Income Housing Tax Credits

Action: Motion (pg. 19)

Action: Motion (pg. 45)

Bids, Contracts and Agreements:

8. Consider Purchase of 600 Cherokee
9. Consider Bids for 16th Terrace & Thornton Stormwater Improvements Phase 2 & 3
10. Consider Bids for 2021 Pavement Management (Granit Seal Program)
11. Consider Change Order 1 for 4th and Olive-Alley CDBG Sanitary Sewer Project

Action: Motion (pg. 47)

Action: Motion (pg. 21)

Action: Motion (pg. 25)

Action: Motion (pg. 29)

First Consideration Ordinances:

12. First Consideration Ordinance General Obligation Bonds Series 2021-A

Action: Consensus (pg. 36)

13. First Consideration Ordinance General Obligation Refunding Bonds Series 2021-B

Action: Consensus (pg. 41)

Consent Agenda:

Claims for March 20, 2021, through April 9, 2021, in the amount of \$2,201,221.13; Net amount for Payroll #6 effective March 26, 2021 in the amount of \$347,477.93 (Includes Police & Fire Pension in the amount of \$8,804.19) and Payroll #7 Effective April 9, 2021 in the amount of \$323,852.44 (No Police & Fire Pension).

Action: Motion

Other:

Adjournment

Action: Motion

City of Leavenworth, Kansas



Proclamation

WHEREAS, *the Society for the Preservation and Encouragement of Barbershop Quartet Singing in America (SPEBSQSA), now known as the Barbershop Harmony Society, was founded in April 1938 and is celebrating its 83rd anniversary; and*

WHEREAS, *the Barbershop Harmony Society promotes singing and harmonious relations in the United States and in many countries throughout the world; and*

WHEREAS, *the Cody Choraliers of the Leavenworth Chapter of the Barbershop Harmony Society are celebrating 51 years of barbershop harmony and community service in the Leavenworth area; and*

WHEREAS, *the Cody Choraliers work with the community to promote music education in the Leavenworth schools and entertain residents of and visitors to the First City of Kansas.*

NOW, THEREFORE, *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim April 2021 to be:*

Barbershop Harmony Month

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

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

City of Leavenworth, Kansas



Proclamation

- WHEREAS,** *libraries are not just about what they have for people, but what they do for and with people; and*
- WHEREAS,** *libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses, and schools; and*
- WHEREAS,** *librarians are leaders in their institutions and organizations, in their communities, in the nation, and in the world; and*
- WHEREAS,** *librarians continue to lead the way in leveling the playing field for all who seek information and access to technologies; and*
- WHEREAS,** *libraries and librarians look beyond their traditional roles and provide transformative opportunities for education, employment, entrepreneurship, empowerment, and engagement, as well as new services that connect closely with patrons' needs; and*
- WHEREAS,** *libraries, librarians, library workers, and supporters across America are celebrating National Library Week.*

NOW, THEREFORE, *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim April 4-10, 2021 as:*

National Library Week

I encourage all residents to visit the library this week, explore what's new at your library, and engage with your librarian. Because of you and library leaders, Libraries Transform.

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

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

City of Leavenworth, Kansas



Proclamation

WHEREAS, *our children are our most valuable resources and will shape the future of our communities; and*

WHEREAS, *the majority of child abuse and neglect occurs when people find themselves in stressful situations that are preventable, but without community resources and support, they don't know how to cope; and*

WHEREAS, *child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and*

WHEREAS, *child abuse and neglect is a community problem that can be reduced by making sure each family has the support of prevention programs created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and*

WHEREAS, *together we can strengthen and support families in raising their children in a safe, nurturing environment.*

NOW, THEREFORE, *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim April 2021 as:*

National Child Abuse Prevention Month

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

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

City of Leavenworth, Kansas



Proclamation

WHEREAS, *the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and*

WHEREAS, *the City of Leavenworth is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today many realty companies and associations support fair housing laws; and*

WHEREAS, *the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved upon investigation to be violations of the fair housing laws; and*

WHEREAS, *equal housing opportunity is a condition of life in the City of Leavenworth that can and should be achieved.*

NOW, THEREFORE, *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim April 2021 to be:*

Fair Housing Month *Celebrating 53 Years of Fair Housing*

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

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

City of Leavenworth, Kansas



Proclamation

- WHEREAS,** *emergencies can occur at any time that require police, fire, or emergency medical services; and*
- WHEREAS,** *when an emergency occurs, the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and*
- WHEREAS,** *the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Leavenworth police-fire communications center; and*
- WHEREAS,** *Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information, and ensuring their safety; and*
- WHEREAS,** *Public Safety Dispatchers of the Leavenworth Police Department have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and*
- WHEREAS,** *each dispatcher has exhibited compassion, understanding, and professionalism during the performance of their job in the past year.*

NOW, THEREFORE, *I, Nancy D. Bauder, Mayor of the City of Leavenworth, Kansas hereby proclaim April 11-17, 2021 as:*

National Public Safety Telecommunicators Week

In honor of the men and women whose diligence and professionalism keep our city and citizens safe.

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

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk



CITY OF LEAVENWORTH
100 N. 5th Street
Leavenworth, Kansas 66048

City Commission Regular Meeting
Commission Chambers
Tuesday, March 23, 2021 7:00 p.m.

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

Others present in the commission chambers: City Manager Paul Kramer, Assistant City Manager Tylour Tedder, Parks & Recreation Director Steve Grant, Parks Superintendent Brian Bailey, Finance Director Ruby Maline and City Clerk Carla K. Williamson.

Members participating via teleconference: City Attorney David E. Waters.

Mayor Pro-Tem Leonhard asked everyone to stand for the pledge of allegiance followed by silent meditation.

Proclamations:

- **Welcome Home Vietnam Veterans Day March 29, 2021** – Walter Schley from the Vietnam Veterans Chapter 75 was present to accept the proclamation.
- **Military/American Saves Month – April 2021** - Mayor Pro-Tem Leonhard read the proclamation. The Proclamation will be mailed to the organization.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Preisinger moved to approve the minutes from the March 9, 2021 regular meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor Pro-Tem declared the motion carried 4-0.

NEW BUSINESS:

Public Comment: *(emails received by the public for public comment on non-agenda items will be read at this time.) No emails were received.*

General Items:

Review 504 Miami Street Unsafe and Dangerous Structure – City Manager Paul Kramer asked the City Commission to table the item due to the death of the property owner. Staff has been in contact with family and will work through the next steps.

Commissioner Griswold moved to table the item. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor Pro-Tem declared the motion carried 4-0.

Mayor’s Appointment:

Mayor Pro-Tem Leonhard: On behalf of Mayor Bauder moved to appoint to the Parks and Community Activities Advisory Board Edna F. Wagner to an unexpired term ending January 15, 2023; and appoint to the MARC Active Transportation Committee Brian Faust City Public Works Director, as a City Board Member for an indefinite term. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor Pro-Tem declared the motion carried 4-0.

Resolutions:

Resolution B-2278 Authorizing the Sale of A2021 Temporary Notes and 2021-A and 2021-B Bonds – City Clerk Carla Williamson reviewed the resolution as outlined in Section 1.

The Bonds and Notes of the City shall be sold at public sale and in the manner provided by law, on Tuesday, April 27, 2021, at 10:00 a.m. C.D.T.

- The Series 2021-A Bonds shall be in the approximate principal amount of Nine Million Six Hundred Thirty Five Thousand Dollars (\$9,635,000) and shall be dated May 12, 2021.
- The Series 2021-B Bonds shall be in the approximate principal amount of Three Million Three Hundred Ten Thousand Dollars (\$3,310,000) and shall be dated June 3, 2021.
- The Notes shall be in the approximate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) and shall be dated May 12, 2021.

The 2021-A General Obligation Bonds will be issued and sold for the follow projects and purchases:

2021-A General Improvement Bonds

New Lawrence Road	Permanently finance outstanding A2018 Notes	\$395,000.00
Main Trafficway Project (Thornton Street & 10th Ave)	Permanently finance remaining portion of the outstanding A2019 Notes	\$6,055,000.00
Additional Funding Thornton/10th Ave		\$270,000.00
2020 General Improvements	Redeeming A2020 Notes	\$1,415,000.00
Public Safety Equipment (fire truck)	New bonds	<u>\$1,400,000.00</u>
		\$9,535,000.00
Estimated Issuance cost and fees		<u>\$100,000.00</u>
		\$9,635,000.00

The 2021-B General Obligation Refunding Bonds will be issued and sold for the following:

2021-B General Obligation Refunding Bonds

Refunding of Series 2013-A Bonds	\$900,000.00
Refunding of Series 2016-A Bonds	\$2,345,000.00
Estimated Issuance costs	<u>\$65,000.00</u>
	\$3,310,000.00

The Temporary Notes, Series A2021 will be issued and sold for the purpose of temporarily financing the costs of the City's 2021 General Improvements (Pavement Management Project) in the approximate principal amount of \$1,400,000.00.

Commissioner Wilson moved to adopt Resolution B-2278 authorizing and providing for the public sale of General Obligation Bonds, Series 2021-A, General Obligation Refunding Bonds, Series 2021-B and Temporary Notes, Series A2021 and setting forth the details of the sale. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor Pro-Tem declared the motion carried 4-0.

Bids, Contracts and Agreements:

Consider Bid for Dougherty Park Playground Equipment – Parks Superintendent Brian Bailey presented for consideration and approval the bid obtained from Greenbush Cooperative Purchasing Program with Fry and Associates Inc. for the purchase and installation of playground equipment for Bob Dougherty Park. The proposal from Fry and Associates Inc. was for \$98,328.00.

Commissioner Preisinger moved to approve the proposal from Fry and Associates, Inc. on the Greenbush Cooperative Purchasing Program for purchase and installation of playground equipment for Bob Dougherty Park for the amount of \$98,328.00. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Consider Proposal for State Rehabilitation Tax Credits – City Manager Paul Kramer presented for consideration the proposal received from Fallbrook Tax Credits in the amount of 91.1% or \$87,796.71 for the Kansas State Rehabilitation Tax Credits the City has in its possession totaling \$96,374.00 for the stone replacement on the Old Union Depot (Riverfront Community Center).

Commissioner Griswold moved to accept the bid from Fallbrook Tax Credits in the amount of \$87,769.71 for the Kansas State Rehabilitation Tax Credits. Commissioner Wilson seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Consent Agenda:

Commissioner Wilson moved to approve claims for March 6, 2021, through March 19, 2021, in the amount of \$973,552.03; Net amount for Payroll #5 effective March 12, 2021 in the amount of \$317,704.42 (No Police & Fire Pension). Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Other:

Commissioner Griswold:

- COVID statistics still going the right direction
- Discussed procedures for walk-in vaccinations and qualified phases

Commissioner Preisinger:

- Lansing extended their mask mandate to April 30, 2021

- Fort Leavenworth also still requiring mask
- This leaves the City of Leavenworth in the middle with no mask mandate

Mayor Pro-Tem Leonhard:

- Dates may change on the County vaccine clinics so check their website for current information
- City mask mandate still in effect through March 31, 2021
- Be respectful to those who still want to wear mask
- Businesses have the right to require masks in their establishments

City Manager Kramer:

- Saturday April 10 spring cleanup and asks for groups to sign up for grids

Executive Session:

Mayor Pro-Tem Leonhard moved 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 7:52. City Manager Paul Kramer, Assistant City Manager Taylour Tedder and Mike Reilly are requested to be present during the Executive Session. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

The Commission returned to open session at 7:52 p.m. with no action taken.

Adjournment:

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

Time Meeting Adjourned 7:52 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC

POLICY REPORT

**Review Unsafe and Dangerous Structures
504 Miami**

April 13, 2021



Prepared By:

Julie Hurley,
Director of Planning and
Community Development



Reviewed By:

Paul Kramer,
City Manager

DISCUSSION

On July 14, 2020, the City Commission adopted Resolution B-2257 regarding demolition of 18 structures. At that time, the Commission voted to grant a 60-day extension to 10 properties, including the property listed below. The property was again reviewed by the City Commission on September 22. At that time, the Commission voted to grant a 30 day extension to the subject property. The property was again reviewed by the City Commission on October 27, 2020. At that time, the Commission voted to give the subject property an extension to December 8, 2020. On December 8, 2020, the property was reviewed and the Commission voted to grant an extension to February 9, 2021. The property was again reviewed at the February 9, 2021 Commission meeting and granted an extension to March 23, 2021.

Prior to the March 23, 2021 Commission meeting, staff learned that the owner of the property, Ramon Muhammad, had passed away. Due to his passing, the item was tabled at the March 23rd meeting to allow staff time to make contact and work with the family members in charge of his estate. Staff has been in contact with Mr. Muhammad's sister and informed her of the status of the property. She has indicated an intent to proceed with the planned repairs to the house.

At this time, the Commission shall discuss the property and provide a consensus on the decision of the Governing Body. The current status is as follows:

1. 504 Miami – Single family house

Building permit issued on 5/11/2020 for exterior and interior renovations. Front porch has been removed and replaced, upstairs windows on front and rear of house have been replaced. Building permit for new roof issued on 1/13/21. Roof still in need of repair or replacement. Sister of owner has indicated an intent to proceed with replacement of roof, as arranged by owner prior to his passing.

Staff will present current photos and status of the property during the April 13, 2021 City Commission meeting.

RECOMMENDED ACTION

Motion to proceed with the property as discussed and agreed to by the Commission and as annotated by the City Clerk



CHRISTIAN BROTHERS ROOFING



Years Awarded 2014, 2015, 2016, 2017, 2018 & 2019

7514 North Oak Trafficway · Gladstone · Missouri · 64118 · Phone 816-453-ROOF (7663) · Fax 816-581-6484

Submitted To:
Ramone Muhammad
504 Miami St
Leavenworth, KS 66048
913-638-9802
soukouna.mi@gmail.com

On:
1/5/2021

By Estimator:
Daniel Parker
816-679-4100 Text or Call
Daniel@453roof.com



GreenSky Financing Available - 0% Or 9.99%

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of:
Install Complete Timberline HDZ LT Roof System On Steep Slopes 8 Sq.
Protect Property To Reduce Risk Of Damage To Home During Roofing Project
Remove Existing Roof System And Dispose Of Material - **3 Layers** Wood Shake

It Is Recommended That A Structural Expert Assess The Attic Support To Ensure That The Roof Framing Will Support A Composition Shingle When Removing The Wood Shakes Or Upgrading To A Heavier Roofing System

- Install 7/16" OSB Over Entire Steep Sloped Roof Area With 'H' Clips & 2" Hitachi 7/16" Staples For OSB Decking
- Install Gutter Apron Painted 2"x3"x10' - 'A' Type At Eave & 'D' Type On Rake white Color
- Install Step Flashing On Vertical Walls With Ice & Water Shield & Kick-Out Flashings & Cut Back Siding Where Needed
- Install IPS Lifetime Plumbing Flanges With Ice & Water Shield
- Install GAF Felt Buster Or Comparable Underlayment
- Install Plastic Cap Nails And Staples To Secure Underlayment
- Install Ice & Water Shield As Underlayment Under All Flashings (Non Drip Edge)
- Install Ice & Water Shield On ALL EAVES Per Leavenworth, KS 66048 Code Requirement [Enforced]**
- Install No Flat Surface Or Low Slope System Requested Or Needed 0 Sq.
- Install 1 1/4 Inch Coated Coil Nails At Nail Line Per MFG Specifications (6 Nail Application)
- Install Polyurethane Roofing Sealant

Customer Will Remove Brick Chimney Before New Roof Install, NOT Included in Total Below
Gutters Are Roof Starpped, New Gutters Will be Needed After Roof Install, NOT Included in Total Below

Main Home ONLY - Lower Front Porch & Lower Back Coverings - NOT Included in Total Below

Install GAF Pro Starter Undercourse Around Entire Cold Wall - Eaves & RAKES
Install Timberline HDZ LT Roof System BLACK Color
Install Color Matching Basic Ridge Cap

Option to Install High Grade Performed GAF Timberlex Ridge Cap Rather Than Industry Standard Ridge. Additional \$233.33 NO (Yes / No)
Option to Install GAF IntakePro At Eave As Intake Vent With WeatherWatch Ice & Water. Additional \$1,185.50 NO (Yes / No)

Install 4 Lomanco RV750 [Or Comparable] Animal Proof Vents With Ice & Water Shield
Complete Final Detailed Clean-Up And Drag Yard Perimeter With Magnet To P/U Metals
Masonry Work (Brick/Stone/Mortar structures often chimneys) require regular maintenance to prevent moisture infiltration into your home
**** Customer Is Responsible For Re-Installation Of Satellite Dish & Service ****

GreenSky Financing Available - Get Approved In Seconds!

Option 1	0% Interest & \$0 Monthly Payment If Paid In Full In 12 Months	
Option 2	0% Interest With Monthly Payment If Paid In Full In 6 Months	
Option 3	9.99% For 96 Months - Monthly Payments Of	\$114.80

For proper attic ventilation to prevent moisture from being drawn into the attic, intake (Soffit Vents) must exceed exhaust (Roof Vents) "1/300 Rule"
CBR Recommends Roof-Top Intake Ventilation Such as GAF Intake Pro to Achieve Proper Intake Ventilation on This Home (Not Included in Total Below)
****Ask about our Military & First Responder Discounts****

Leavenworth, KS 66048 Permit Fees Are NOT Included And Are Charged On An As Incurred Basis



Included GAF System Plus Warranty On All Laminated GAF Shingles: 50 Year NON Prorated, Lifetime Installation, Tear-Off Included, Transferable To 1 New Homeowner In First 20 Years, Good Housekeeping Protection Included

No Addl Charge



Be Sure To Turn In Your Completed Warranty Card Along With Your Payment To Insure Your Warranty Is Properly Registered

*****10 Year Transferable Workmanship Warranty from Christian Brothers Roofing, LLC*****

Project Total Cost is \$7304.78. If Purchase Is Paid By Cash/Check The Day Of Completion There Is A Discount Applied Of \$347.85 Bringing Total Due The Amount Of \$6956.93 As Indicated On The Line Below. All Options Listed Above Reflect Cash Check Pricing.

With payment to be made as follows: **Cash Or Check Due At Completion** dollars **\$6,956.93**

Any alterations or deviation from above specifications involving extra costs will become an extra charge over and above the estimate. All proposals are subject to approval of management. Any representations or other communications, not written in this Proposal are agreed to be immaterial, and not relied on by either party and do not survive the execution of this Contract. You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date below. Cancellation must be in writing and received at the business address above. SEE BACK FOR ADDITIONAL DETAILS OF CONTRACT Page 1 of 2

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.
Authorized _____ Owner #1

Signature
Contractor

Daniel Parker
Daniel Parker

1/5/21

Signature
Owner #2

[Signature]
Buyer(s)

01/11/21
Date(s)

Note: This proposal may be withdrawn by us if not accepted within 10 days

THIS PROPOSAL CONTAINS THE FOLLOWING WARRANTIES AND PROVISIONS AND IS SUBJECT TO ALL APPROPRIATE ORDINANCES, LAWS AND REGULATIONS.

1. This proposal pertains to roofing services provided by Christian Brothers Roofing, LLC, hereinafter "CBRLLC".
2. This Proposal shall be valid for ten (10) days after the date of the proposal. If not accepted by delivering a signed original to CBRLLC within that period, along with any applicable down payment, the Proposal shall be deemed void. Any subsequent proposals will depend on the availability of supplies and personnel.
3. Unless rejected for "Management Approval" this proposal constitutes the entire contract between the parties and may be changed only by mutual written agreement of the parties.
4. Final payment is due upon the completed roof system. Payment is to be made to CBRLLC in Parkville, MO. CBRLLC must be notified of an alleged defect in writing within seven days after a roof system completion.
5. Payment not received upon completion may be deemed in default. In the event of a default, interest shall accrue from the date of default at the lesser of 1.5% per month (18% PER ANNUM) or the maximum allowed by law, with a minimum charge of five dollars (\$5.00) per month. In the event CBRLLC employs attorneys or other experts in connection with the enforcement of this contract, then to the extent not prohibited by applicable law, the customer agrees to pay promptly upon demand by CBRLLC, all the attorneys' fees, costs and expenses incurred by CBRLLC with respect to said services, whether or not suit is brought.
6. We assume no responsibility for damage due to high speed winds, tornados, hurricanes, fire, vandalism, terrorist activity, war, or other hazards absent a mutual written agreement executed by the parties. Any such agreement must be executed by an officer of CBRLLC.
7. Except as found within this proposal, replacement of roof jacks, ventilators, decking, fascia boards, flashing or other materials is not covered by the terms of this Proposal. If it is determined in the course of performance that such work is necessary, it will be performed on a time and material cost basis. CBRLLC assumes no responsibility for the performance of such work by another contractor.
8. Proper installation of the roof system may require replacement of existing flashing. During such replacement, siding adjacent to this flashing which has deteriorated may crack, break or tear. CBRLLC will make every commercially reasonable effort to avoid damage but will not be held responsible for any consequential damage to siding.
9. During the application of the roof system, vibration from the roof may be transmitted throughout the building. The customer assumes responsibility for all objects hung from exterior and interior walls and from ceilings and soffits. These have been known to fall during installation and CBRLLC will not be held responsible if any damage occurs.
10. CBRLLC is considerate of the customer's gardening, flower beds and landscaping, however, due to the nature of roof system installation some damage may occur. We attempt to minimize any damage and will not be held responsible if any damage occurs.
11. Customer shall not walk under work area while roof work is in progress. Construction is a danger to person(s) on the ground from falling debris.
12. In the event that CBRLLC removes a satellite dish from said roof in order to complete work, the property owner shall be solely responsible for hiring a qualified technician to reinstall such equipment. Any cost arising from such work shall be the sole responsibility of the buildingowner.
13. CBRLLC shall not be liable for preexisting structural deficiencies. We will make an effort to inform the customer of any deficiency of which we become aware. We are not responsible for conducting an inspection for any such deficiencies. The installation of the new roof system may intensify the appearance of any deficiencies that previously existed in the roof. CBRLLC will not take responsibility for solving preexisting structural deficiencies or the appearance of those deficiencies.
14. It is the responsibility of the customer to notify CBRLLC within seventy-two (72) hours of the discovery of a leak.
15. Regarding completed repair work, CBRLLC shall have no warranty liability except for the area(s) which we performed repair work to, as agreed upon in this contract.
16. If a warranty claim is made, CBRLLC will send a representative to inspect and investigate any reported leak. More than one inspection may be necessary to isolate the cause. It is the responsibility of the customer to provide acceptable times and dates for such inspections and access.
17. If material(s) are delivered or must be restocked or reordered due to a customer's cancellation, the customer is responsible for paying the restocking fee of 20% or 100% of any special order material, no later than 15 days from the date of cancellation. This fee is charged to CBRLLC, by the roofing material distributor, and will be passed on to the customer, should the cancellation occur.
18. Each provision of this proposal is separate and independent. The invalidity or unenforceability of any one provision shall have no effect on the remaining provisions.
19. We will not wire electrical accessories attached to the roof system. Our installers are not licensed electricians.
20. Customer must provide copy of this contract for warranty work.
21. Customer must advise our office of any cancellation in writing postmarked no later than three (3) business days from the date the contract is accepted and signed by the customer.
22. CBRLLC shall not be liable for failure to complete the job or to deliver the goods or for delays in completion or delivery occasioned by acts of God, war, terrorist activity, embargoes, strikes or other labor difficulties, lockouts, riots, fires, inability to obtain materials or shipping space, breakdowns, delays of carriers or suppliers, governmental acts and regulations, and/or other causes beyond CBRLLC's reasonable commercial control.
23. Any estimated completion dates are only estimates and CBRLLC shall not be liable in any manner whatsoever for failing to complete the job by such date. Customer shall remain liable as long as the job is completed within a commercially reasonable time after the estimated completion date which in all events shall not be more than one hundred and eighty days after the estimated completion date.
24. Christian Brothers Roofing, LLC, warrants its roofing systems to be free from leaks for the duration specified. CBRLLC assumes liability for repair of any workmanship and defects in installation causing leakage. Roofing material is warranted by the manufacturer under a separate warranty which is issued to the customer. CBRLLC shall have no liability for any interior or exterior damage to the customer's building. CBRLLC's liability to the customer under this warranty in no case will be greater than the original cost of the proposal. In no event shall CBRLLC be liable for lost profits, or any incidental, special or consequential damages. These limitations apply whether liability is based on contract, negligence, or otherwise. When this warranty expires, all liability under the warranty ends. This warranty does not apply and is void if the roof has been altered without CBRLLC's written authorization, or otherwise damaged unless customer can show that the alterations were not the cause of the defect. CBRLLC shall not be liable for customary variances from specifications.
25. Facility/Site Conditions Customer shall provide adequate working and storage areas, utilities, and reasonable access to the job site. Customer shall pay any additional costs incurred by CBR, LLC as a result of variations in the conditions of the project or site (including but not limited to conditions that were not anticipated by CBR, LLC).
26. Drawings Any drawings and specifications attached or incorporated into the Proposal have been approved by Customer. No changes shall be made in these drawings or specifications without the express written consent of CBR, LLC. CBR, LLC shall be entitled to full compensation inclusive of profit and overhead for any and all changes in the drawings and specifications and the work depicted therein, and for any schedule delays, caused in whole or in part by any changes. Customer shall take full responsibility for the completeness and accuracy of any and all drawings and data for the Project. Should this information be incomplete or inaccurate, then Customer shall pay any and all additional costs (including overhead and profit) incurred by CBR, LLC as a result.
27. Use of Specifications and Drawings CBR, LLC shall make no use of the specifications, drawings, or other documents except in connection with this Contract Indemnification Page 2 of 2 Initials DM Date 01/11/21

"NOTICE TO OWNER

FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429, RSMO. TO AVOID THIS RESULT, YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIAL TWICE."

POLICY REPORT

**Consider Removal of Special Assessment
306 Kickapoo
2018 Demolition**

April 13, 2021



Prepared By:
Julie Hurley,
Director of Planning and
Community Development



Reviewed By:
Paul Kramer,
City Manager

DISCUSSION

In 2018, the property located at 306 Kickapoo was identified for potential demolition. In working with the owner, the owner indicated that he no longer lived in Leavenworth and desired for the structure to be demolished. As such, the owner signed a "Demolition Agreement and Voluntary Deed Restriction and Lien Statement", agreeing that the City would have the structure demolished and such costs would be assessed against the property as a lien filed with the Leavenworth County Register of Deeds.

In filing the signed document, it was mistakenly filed as a special assessment instead of a lien. The owner of the property contacted staff once the error was realized on his annual tax statement. Staff has prepared a new lien statement indicating the actual costs of the demolition which will be signed by the owner and filed with the County upon the removal of the special assessment.

RECOMMENDED ACTION

Remove the special assessment on 306 Kickapoo in the amount of \$6,724 and refile as a lien.

LIEN STATEMENT

We, Stacie M Taylor and Theogan E. Garner, ATTEST AS FOLLOWS:

- 1. We are the owners of record of the following described property Lots 3, 4 and 5 in Block 37, Leavenworth City Proper, Leavenworth County, City of Leavenworth, KS located at 306 Kickapoo St., Leavenworth, Kansas.
- 2. We received funds in the amount of \$6,724.00 from the Planning and Community Development Department, City of Leavenworth, Kansas, for the purpose of demolishing the house at the above described property.
- 3. We agree that by receiving these funds, the City of Leavenworth will place a lien against the above described property for expenses accrued. The City agrees that no interest charge shall accrue during period of this lien.

I HEREBY ACKNOWLEDGE AND ACCEPT THE ABOVE CONDITIONS AND STATEMENTS AS TRUE AND CORRECT.

DATED THIS DAY OF , 202

_____ OWNER

_____ OWNER

STATE OF KANSAS, _____, COUNTY, ss.

BE IT REMEMBERED, That on this _____ day of _____, 202 , before me the undersigned, a notary in and for the County and State aforesaid, came _____ known to me (or satisfactorily proven) to be the person who name is subscribed to within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affix my notary seal on the day and year last above written.

_____ NOTARY PUBLIC

SEAL:

MAYOR'S APPOINTMENTS

APRIL 13, 2021

Mayor Bauder

*“Move to reappoint to the **Leavenworth Preservation Commission** Ken Bower and Richard Jackson to terms ending April 15, 2024.”*

Requires a second and vote by the Governing Body.

POLICY REPORT

**Community Development Block Grant Annual Action Plan 2021-22
April 13, 2021**



Prepared By:
Mary Dwyer
Community Development
Coordinator



Reviewed By:
Julie Hurley
Director, Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION

The Annual Action Plan (AAP) is formulated using an electronic planning tool provided by the Department of Housing and Urban Development (HUD). The report is composed of needs assessments of the community's housing stock, homelessness issues, public facilities, infrastructure, and community development assets.

The Strategic Plan section addresses how the community proposes to address concerns identified in the Plan's needs assessment during the year and the AFH regional and local goals approved in the AFH. Finally, the Annual Action Plan puts forth the specific details on how the City proposes to spend the funds (award \$344,808 plus estimated residual of \$100,000), for the 2021-2022 year.

The Community Development Advisory Board (CDAB) held two open public meetings to solicit community input. The CDAB will vote on April 12, 2021 to approve the AAP plan. The plan will be forwarded with the CDAB recommendation for adoption.

The draft Annual Action Plan can be accessed at:

https://www.leavenworthks.org/sites/default/files/fileattachments/planning_amp_community_development/page/8091/aap_2021-22_draft_combined.pdf

FINAL COPY:

Certifications to be signed by the Mayor will be added to the plan before submission to HUD. The HUD submission will be electronic and printed. Printed copies will be distributed to the Leavenworth Public Library, and Community Development Department. Electronic copies will be sent to City website and recorded in Lazerfische.

RECOMMENDED ACTION

Motion to adopt or modify the attached resolution adopting and authorizing the submission of the 2021-2022 Annual Action Plan.

RESOLUTION NO. B-2279

A RESOLUTION AUTHORIZING AND ADOPTING THE 2021-2022 ANNUAL ACTION PLAN OF THE CITY OF LEAVENWORTH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the Community Development Advisory Board (CDAB) held public hearings on March 8, 2021 and April 12, 2021 to receive input from citizens and agencies having interest in the Community Development Block Grant program; and

WHEREAS, the CDAB recommends approval of the 2021-2021 Annual Action Plan to and by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION, CITY OF LEAVENWORTH, KANSAS, AS FOLLOWS:

Section 1. The Annual Action Plan for July 1, 2021 through June 30, 2022 is hereby adopted as presented.

Section 2. The City has met the requirements for citizen participation in preparation of this plan and has allowed the maximum feasible opportunity for persons or agencies to identify needs and present concepts to help meet those needs through the CDBG program.

Section 3. The City has reviewed its housing and non-housing needs in preparation of this document. This document is not in conflict with any provisions of the Five-year Action Plan prepared for the operation and administration of public housing programs in Leavenworth.

Section 4. The City has consulted with representatives of area agencies in the preparation of this document, for the purpose of furthering the objectives of the CDBG program.

Section 5. The City is taking all necessary steps to analyze and take appropriate action to further fair housing goals as outlined in the regional Fair Housing Assessment.

Section 6. This resolution shall take effect from and after its passage as provided by law.

ADOPTED THIS 13th day of April 2021.

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC City Clerk

{Seal}

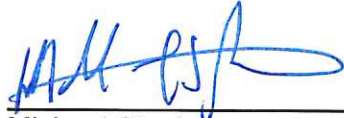
POLICY REPORT PWD NO. 21-12

**CONSIDER BIDS FOR THE
16th Terrace & Thornton Stormwater Improvements, Phase 2 & 3**

Project 2018-897

April 13, 2021

Prepared by:



Michael Stephan
Project Manager

Reviewed by:



Brian Faust, P.E.,
Director of Public Works



Paul Kramer,
City Manager

ISSUE:

Consider bids received and possible award of the 2021 16th Terrace & Thornton Stormwater Improvements, Phase 2 & 3.

BACKGROUND:

At the July 18, 2017 City Commission meeting, staff provided an outline for the proposed Stormwater Management Program. The first priority of the program was to address the growing list of residential concerns where stormwater infrastructure issues have been identified and/or have orange fences are on their properties.

The Phase 1 construction project included the installation of a detention basin on property currently owned by the City at the northwest end of 16th Terrace and the modification of the overland swale and inlet box between the properties at 2205 and 2209 S. 16th Street Terrace. The Phase 1 project is complete.

The Phase 2 & 3 project includes:

- Replacement of existing underground metal piping south of the existing junction box, rear yard piping and outflow improvements, rock grade control, rock slope stabilization, regrading of existing slopes, and restoration of all disturbed areas with sodding & seeding all the way to Vilas Street.
- A swale on the property at the north end of 16th Street to divert stormwater into the detention facility constructed in Phase 1.

Water Resources Solutions LLC was contracted in December of 2018 to produce the plans and specifications for the 16th Terrace & Thornton Stormwater Improvements, Phase 2 & 3. The project was advertised for bid in the Leavenworth Times and at Drexel Technologies. A pre-bid meeting was held on April 1st and bids were opened on April 7, 2021. Bid results are shown below and on the attached bid tabulation.

Lexeco, Inc. has previously done work for the City. All previous projects were satisfactorily completed within the specifications and time frames allotted.

Company	City	<u>Total Bid</u>
Lexeco, Inc.	Leavenworth, KS	\$694,656.60
Engineer's Estimate:		\$631,529.00

The project will be funded with monies from the Stormwater Fee. The project is anticipated to start in May of 2021 and will take 150 calendar days to complete. While the finished product will address needed stormwater improvements, there will be fairly significant disruptions in the rear yards for residents within the project limits. With Lexeco's local roots and past experience, they will be able to successfully navigate these challenges. Inspection work will be completed with City forces.

POLICY:

The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City. The one bid received did exceed the engineer's estimate by 10%; however, staff feels that the bid is reasonable and that there would be no benefit gained by rejecting this bid and rebidding the project at a later date.

RECOMMENDATION:

Staff recommends the City Commission award the 2021 16th Terrace & Thornton Stormwater Improvements, Phase 2 & 3 between 16th Terrace and 16th Street to Vilas Street in the amount of \$694,656.60

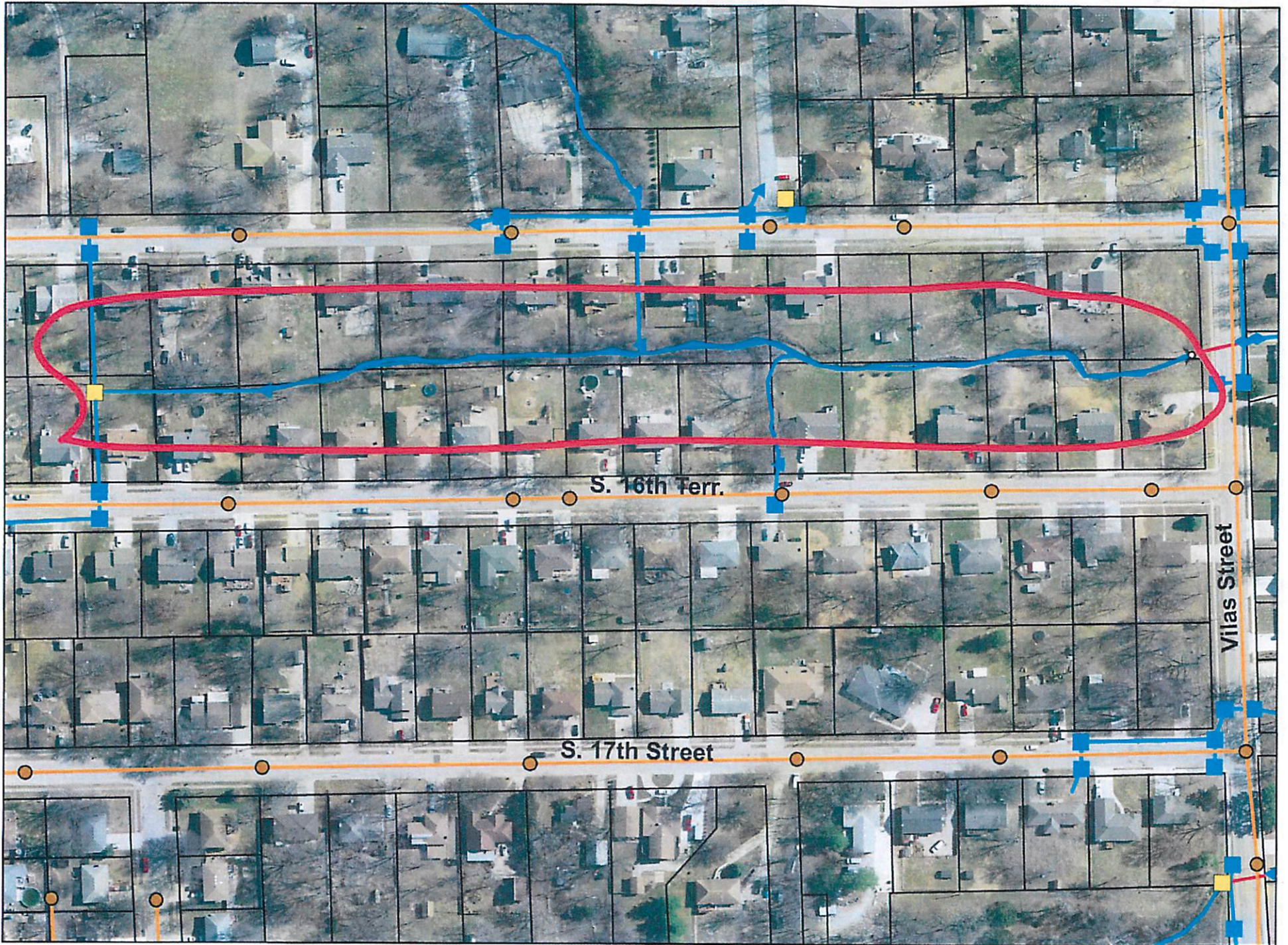
ATTACHMENTS:

- Bid Tabs
- Improvements Map



CITY OF LEAVENWORTH
Project No. 2018-897
16th Terrace & Thornton Stormwater Project, Phase 2 & 3
April 7, 2021

BASE BID				Engineer's Estimate		Lexeco, Inc.	
Item	Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension
Phase 2 - Pipe and Channel							
1	Mobilization	LS	1	\$20,290.00	\$20,290.00	\$47,000.00	\$47,000.00
2	Contractor Construction Staking	LS	1	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00
3	Clearing, Grubbing & Site Preparation	LS	1	\$50,730.00	\$50,730.00	\$27,000.00	\$27,000.00
4	Erosion & Sediment Control	LS	1	\$6,350.00	\$6,350.00	\$19,000.00	\$19,000.00
5	Traffic Control	LS	1	\$6,350.00	\$6,350.00	\$1,000.00	\$1,000.00
6	Excavating, Filling and Grading - Excavation	CY	2,169	\$35.00	\$75,915.00	\$53.50	\$116,041.50
7	60" HDPE	LF	190	\$110.00	\$20,900.00	\$261.00	\$49,590.00
8	60" Flared End Section	EA	1	\$2,100.00	\$2,100.00	\$4,358.00	\$4,358.00
9	Concrete Toe Wall	CY	2	\$1,000.00	\$2,000.00	\$720.00	\$1,440.00
10	Removal and Resetting Fence	LF	1,189	\$50.00	\$59,450.00	\$15.00	\$17,835.00
11	Rip Rap (D50 = 18")	CY	540	\$115.00	\$62,100.00	\$121.00	\$65,340.00
12	Site Restoration - Sodding	SY	3,273	\$6.00	\$19,638.00	\$6.75	\$22,092.75
13	Site Restoration - Native Vegetation Seeding	SY	2,085	\$3.00	\$6,255.00	\$2.20	\$4,587.00
14	Pipe Outfall Adjustment (Sta. 7+50)	LS	1	\$1,000.00	\$1,000.00	\$4,642.00	\$4,642.00
Phase 2 - Pipe & Channel Total:					\$343,078.00		\$382,426.25
Phase 2 - North Swale							
1	Excavating, Filling and Grading - Excavation	CY	54	\$35.00	\$1,890.00	\$103.00	\$5,562.00
2	Excavating, Filling and Grading - Fill	CY	297	\$25.00	\$7,425.00	\$21.00	\$6,237.00
3	Turf Reinforcement Mat (TRM)	SY	146	\$4.00	\$584.00	\$9.80	\$1,430.80
4	Site Restoration - Native Vegetation Seeding	SY	1,727	\$4.00	\$6,908.00	\$2.20	\$3,799.40
Phase 2 - North Swale Total:					\$16,807.00		\$17,029.20
Phase 3 - Channel							
1	Mobilization	LS	1	\$17,210.00	\$17,210.00	\$34,000.00	\$34,000.00
2	Contractor Construction Staking	LS	1	\$10,000.00	\$10,000.00	\$1,750.00	\$1,750.00
3	Clearing, Grubbing, & Site Preparation	LS	1	\$43,020.00	\$43,020.00	\$11,100.00	\$11,100.00
4	Erosion & Sediment Control	LS	1	\$5,380.00	\$5,380.00	\$10,000.00	\$10,000.00
5	Traffic Control	LS	1	\$5,380.00	\$5,380.00	\$815.00	\$815.00
6	Excavating, Filling and Grading - Excavation	CY	2,489	\$35.00	\$87,115.00	\$56.00	\$139,384.00
7	Removal and Resetting Fence	LF	279	\$50.00	\$13,950.00	\$19.00	\$5,301.00
8	Rip Rap (D50 = 18")	CY	591	\$115.00	\$67,965.00	\$121.00	\$71,511.00
9	Site Restoration - Sodding	SY	2,333	\$6.00	\$13,998.00	\$6.75	\$15,747.75
10	Site Restoration - Native Vegetation Seeding	SY	2,542	\$3.00	\$7,626.00	\$2.20	\$5,592.40
					\$271,644.00		\$295,201.15
TOTAL BASE BID:					\$631,529.00		\$694,656.60



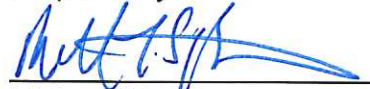
POLICY REPORT PWD NO. 21-13

CONSIDER APPROVAL OF LOW BID FOR
THE 2021 PAVEMENT MANAGEMENT PROJECT
(GRANITE SEAL PROGRAM)

City Project 2020-942

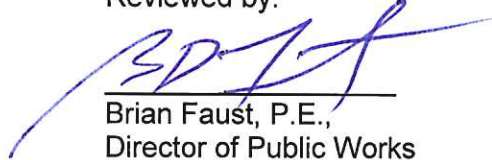
April 13, 2021

Prepared by:



Michael Stephan
Project Manager

Reviewed by:



Brian Faust, P.E.,
Director of Public Works



Payl Kramer,
City Manager

ISSUE

Consider bids received and possible award of the 2021 Pavement Management - Granite Seal Program.

BACKGROUND

On February 16, 2021, the City Commission approved a design contract with Affinis for the design of the 2021 Pavement Management Program.

Each year the City Commission authorizes General Improvement Bonds for the annual maintenance of public streets. The program includes granite seal, mill and overlay components, parking lot upgrades and major repair and maintenance work beyond the scope of the Street Division. The budget allocation for 2021 includes sufficient funds to cover the costs of the 2021 construction and the design of the 2022 Pavement Management Program. Inspection will be by City Staff.

The Granite Seal Program for 2021 includes the city streets highlighted on the attached map. City forces have been working on patching and crack sealing the streets in this year's Granite Seal Program.

The project plans were prepared by Affinis Corporation and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. A pre-bid meeting was held on April 1st and bids were opened on April 7, 2021. Bid results are shown below and in the attached bid tabulation.

Harbour Construction was the low bidder and met all bidding requirements. Harbour Construction has completed the Granite Seal Program for the City in previous years. The prior work was completed within the required time frame and specifications. The company has done numerous projects for other cities in Kansas and Missouri.

Company	City	Base Bid	Alternate Bid	Total Bid
Harbour Construction	Kansas City, KS	\$143,810.68	\$20,208.17	\$164,018.85
MidAmerica Road Builders	Platte City, MO	\$144,337.44	\$19,048.59	\$163,386.03
Vance Brothers, Inc.	Kansas City, MO	\$184,857.41	\$32,373.48	\$217,230.89
Base Bid Engineer's Estimate		\$158,116.64		

Work is expected to begin in May and be completed in 30 calendar days.

POLICY:

The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City.

RECOMMENDATION:

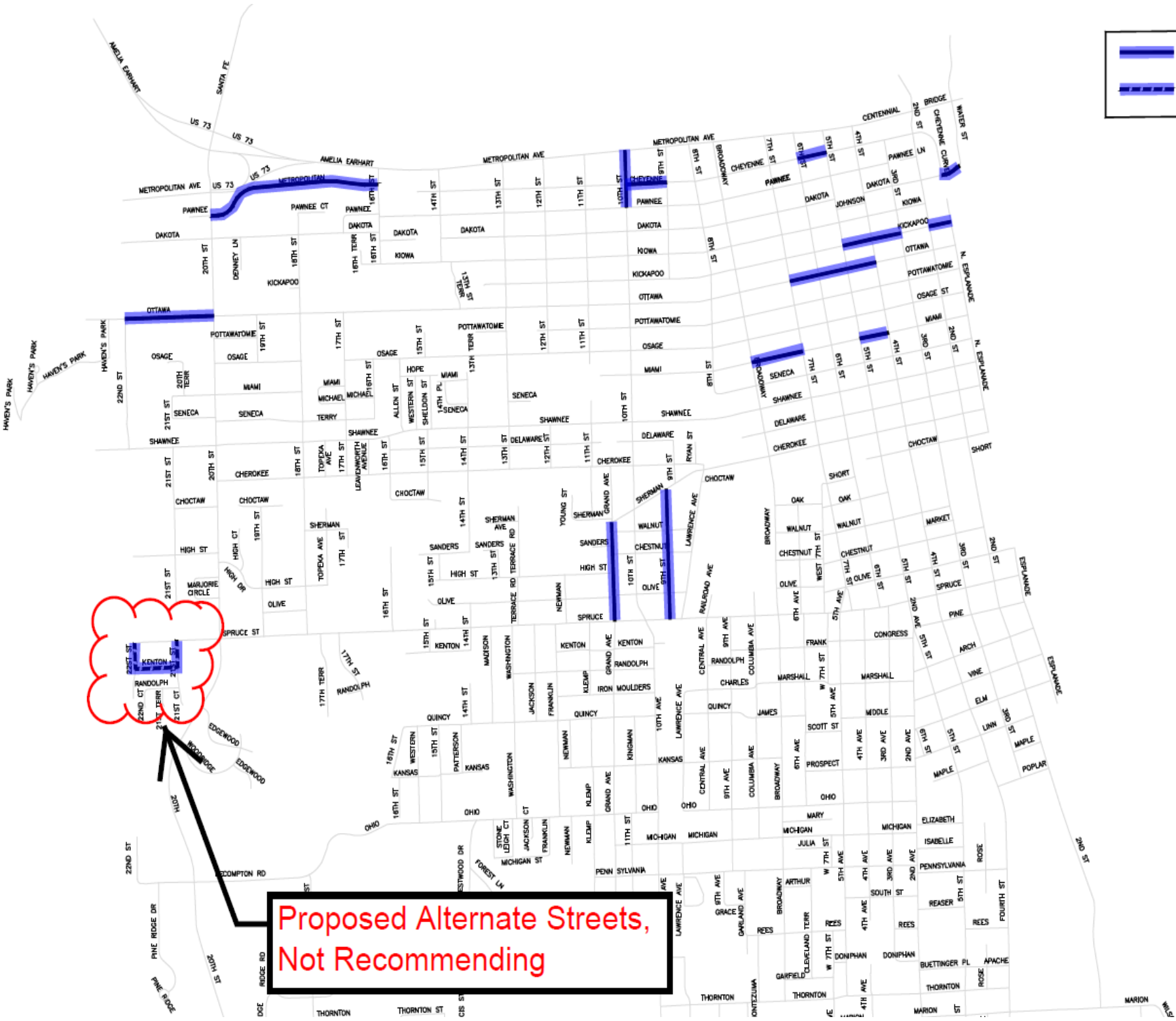
Staff recommends that the City Commission award the 2021 Pavement Management - Granite Seal Program to Harbour Construction for the base bid only in the amount of \$143,810.68

ATTACHMENTS:

Project Street Map
Bid Tabs

Legend

- Base Bid
- Alternate Bid



Proposed Alternate Streets,
Not Recommending



CITY OF LEAVENWORTH
 Project No. 2020-942
 2021 Granite Seal Project
 April 7, 2021

BASE BID				Engineer's Estimate		Harbour Construction, Inc.		Mid America Road Builders, Inc.		Vance Brothers, Inc.	
Item	Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Base Bid											
1	Mobilization	LS	1	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$9,025.00	\$9,025.00	\$12,000.00	\$12,000.00
2	Traffic Control	LS	1	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$2,800.00	\$2,800.00	\$2,500.00	\$2,500.00
3	Granite Seal	SY	38,886	\$2.10	\$81,660.60	\$1.90	\$73,883.40	\$2.21	\$85,938.06	\$2.41	\$93,715.26
4	Full Depth Concrete Street Repair	SY	218	\$80.00	\$17,440.00	\$123.00	\$26,814.00	\$106.00	\$23,108.00	\$220.00	\$47,960.00
5	1st Sweeping	SY	38,886	\$0.18	\$6,999.48	\$0.18	\$6,999.48	\$0.13	\$5,055.18	\$0.14	\$5,444.04
6	2nd Sweeping	SY	38,886	\$0.18	\$6,999.48	\$0.15	\$5,832.90	\$0.11	\$4,277.46	\$0.14	\$5,444.04
7	3rd Sweeping	SY	38,886	\$0.18	\$6,999.48	\$0.10	\$3,888.60	\$0.09	\$3,499.74	\$0.12	\$4,666.32
8	4th Sweeping	SY	39,570	\$0.18	\$7,122.60	\$0.10	\$3,957.00	\$0.07	\$2,769.90	\$0.12	\$4,748.40
9	4" Solid White Line (Multi Component Epoxy)	LF	2076	\$1.00	\$2,076.00	\$0.80	\$1,660.80	\$0.75	\$1,557.00	\$0.80	\$1,660.80
10	4" Solid Yellow Line (Multi Component Epoxy)	LF	6,974	\$1.00	\$6,974.00	\$0.80	\$5,579.20	\$0.75	\$5,230.50	\$0.80	\$5,579.20
11	6" Solid White Line (Multi Component Epoxy)	LF	188	\$2.00	\$376.00	\$1.30	\$244.40	\$1.15	\$216.20	\$1.25	\$235.00
12	12" Yellow Line (Multi Component Epoxy)	LF	18	\$8.00	\$144.00	\$2.55	\$45.90	\$2.30	\$41.40	\$2.45	\$44.10
13	24" White Stop Bar (Multi Component Epoxy)	LF	15	\$15.00	\$225.00	\$5.00	\$75.00	\$4.60	\$69.00	\$4.85	\$72.75
14	Left Turn Pavement Marking (Multi Component Epoxy)	EA	2	\$300.00	\$600.00	\$250.00	\$500.00	\$225.00	\$450.00	\$236.25	\$472.50
15	48"x48" Handicap Symbol White on Blue (PTP)	EA	1	\$500.00	\$500.00	\$330.00	\$330.00	\$300.00	\$300.00	\$315.00	\$315.00
TOTAL BASE BID (Awarded by This):					\$158,116.64		\$143,810.68		\$144,337.44		\$184,857.41
Alternate Bid											
1	Traffic Control	LS	1	\$500.00	\$500.00	\$200.00	\$200.00	\$300.00	\$300.00	\$750.00	\$750.00
2	Granite Seal	SY	2,919	\$2.10	\$6,129.90	\$1.90	\$5,546.10	\$2.21	\$6,450.99	\$2.40	\$7,005.60
3	Full Depth Concrete Street Repair	SY	105	\$80.00	\$8,400.00	\$123.00	\$12,915.00	\$106.00	\$11,130.00	\$220.00	\$23,100.00
4	1st Sweeping	SY	2,919	\$0.18	\$525.42	\$0.18	\$525.42	\$0.13	\$379.47	\$0.14	\$408.66
5	2nd Sweeping	SY	2,919	\$0.18	\$525.42	\$0.15	\$437.85	\$0.11	\$321.09	\$0.14	\$408.66
6	3rd Sweeping	SY	2,919	\$0.18	\$525.42	\$0.10	\$291.90	\$0.09	\$262.71	\$0.14	\$408.66
7	4th Sweeping	SY	2,919	\$0.18	\$525.42	\$0.10	\$291.90	\$0.07	\$204.33	\$0.14	\$408.66
TOTAL ALTERNATE BID:					\$17,131.58		\$20,208.17		\$19,048.59		\$32,490.24
TOTAL BASE + ALTERNATE BID (For Information Only):					\$175,248.22		\$164,018.85		\$163,386.03		\$217,347.65

\$'s on Proposal:
 \$350.28
 \$350.28
 \$32,373.48
\$217,230.89

POLICY REPORT PWD NO. 21-14

CONSIDER APPROVAL OF CONTRACT CHANGE ORDER NO. 1
WITH Linaweaver Construction RELATED TO THE
4TH & OLIVE-ALLEY CDBG SANITARY SEWER PROJECT

PROJECT NO. 2020-938

April 13, 2021

Prepared by:



Michael Stephan
Project Manager

Reviewed by:



Brian Faust, P.E.,
Director of Public Works



Paul Kramer,
City Manager

ISSUE:

Consider approval of Contract Change Order No. 1 related to the 4th & Olive-Alley CDBG Sanitary Sewer Project.

RECOMMENDATION:

Staff recommends approval of Contract Change Order No. 1 with Linaweaver Construction in an amount not to exceed \$ _21,409.00_ for a Contract Total not to exceed \$ _182,169.00.

BACKGROUND:

This work is part of an overall plan to replace troubled private sanitary sewer lines with new public sanitary sewer lines and structures.

Bids were received for the above noted project on December 16, 2020. Linaweaver Construction was the low bidder and the project was awarded on January 12, 2021 in the amount of \$160,760.00. Construction began on February 1, 2021 and was completed on March 12, 2021. The engineer's estimate for this project was \$203,280.00.

During construction, changes were needed to address several items identified in the field. The plans showed the assumed private sanitary sewer main running parallel to the north side of the alley. However, the private main was found to parallel the alley for a short distance before angling away from the alley through the backyards of the abutting properties.

The plan called for construction of a new sanitary sewer main in the middle of the alley with new service lines from the main to just past the alley right of way and/or to good condition pipe. With the actual alignment found in the field, additional service line was required.

Change Order Number 1 includes:

- Increased length of service line and one additional service connection,
- Removal & replacement of an existing chain link fence over the revised service line location,
- Tree removal over the revised line location, and
- Modifying one manhole to address the elevation of the main and concrete invert.

By addressing these additional items, the result is a better public sanitary sewer system which will result in less future private maintenance costs.

Funds budgeted in 2021 for this project were \$160,760.00. The revised project total will be \$182,169.00. This project was originally partially funded by CDGB funds in the amount of \$100,000.00. Mary Dwyer, CD Coordinator, has advised me that she is able to transfer CDBG funds to this project to cover this Change Order No. 1 in the amount of \$21,409.00.

POLICY:

Staff recommends that the Commission approve Contract Change Order No. 1 in the amount of \$ 21,409.00 .

ATTACHMENTS:

Contract Change Order
Pay App and Change Order Summary Spreadsheet
As-Built Project Layout Diagram

**CITY OF LEAVENWORTH
CHANGES IN PLANS AND CONSTRUCTION
CHANGE ORDER NO. 1**

Project Name: 4th & Olive-Alley CDBG Sanitary
 Project Location: 4th & Olive-Alley
 Purchase Number: 20210013-00
 Contract Date: January 12, 2021
 Date Prepared: March 26, 2021

The following changes to the original contract amount were required to cover cost incurred by the Contractor or to reflect savings realized by the Contractor as a result of a change in the actual constructed quantities from the estimated quantities shown on the Bid Proposal.

Start Date: February 1, 2021
 Performance Period: _____
 Net Adjustments: \$ 21,409.00
 Completion Date: March 12, 2021
 Page Number: 1

REQUIRED CHANGES IN PRESENT CONTRACT

Contract or Previous Quantity	Contract or Previous Unit Price	Contract or Previous Amount	Unit	Item Description	New or Adjusted Quantity	New or Adjusted Unit Price	New or Adjusted Amount
	\$	\$		Change Order Request # 1		\$	\$ 21,409.00
	\$	\$		(Proposed Change Orders: + \$6,400.00)		\$	\$
	\$	\$		(Line Item Over-Runs: + \$16,335.00)		\$	\$
	\$	\$		(Line Item Under-Runs: - \$1,326.00)		\$	\$
	\$	\$				\$	\$

Previous Total: _____

Adjusted Total: \$ _____
 Net Change: \$ 21,409.00

Statement of Contract

Original Contract Amount	\$ 160,760.00
Net Amount of Previous Additions and Deductions	\$ 0
Net Contract Amount Prior to This Request	\$ 160,760.00
Amount of This Request	\$ 21,409.00
New Contract Amount	\$ 182,169.00
Percent Change in Contract Amount	13.3 %

CONTRACTOR:

Company: Linaweaver Construction

City, State: Lansing, Kansas

Signed by: 

Date: 4-5-2021

PROJECT OBSERVER:

Company: CITY OF LEAVENWORTH

Recommended by: Brian Faust

Date: April 13, 2021

ACCEPTED BY CITY OF LEAVENWORTH, KANSAS:

Mayor: _____

City Clerk: _____

Date: _____

City of Leavenworth
 Changes in Plans and Construction
 Page 2 of 3

Project No.: 2020-938
 Project Name: 4th & Olive-Alley CDBG Sanitary Sewer Project
 Contractor: Linaweaver Construction

Explanation of Line Item Increase/Decrease and the 3 resulting Change Orders incurred during the project:

Item	Line Item Description	Unit	Orig Qty	Unit Price	Extension	Adjusted Qty	Adjusted Cost	Over/Under
8	Install 8" PVC SDR 26 (Paid Contractor for what was actually placed, used 4 LF less of 8" PVC SDR 26 Main Line Pipe than plan quantity)	LF	435	\$ 24.00	\$ 10,440.00	431	\$ 10,344.00	- \$ 96.00
9	Install 6" PVC SDR 26 (Paid Contractor for what was actually placed, used 61 LF more than plan quantity. The layout of the Original Private Main on the plans, was shown in an assumed location, records were limited for this. It was actually farther north and into the middle of the backyards. Thus, this 6" Service Line had to be extended from the new placed main in the alley and into the yard where the property owner's service line ended, resulting in the requirement for the additional LF of 6" PVC SDR 26 pipe. This 6" was used on the single parcel with 2 multiplex units sharing a single service line.)	LF	15	\$ 90.00	\$ 1,350.00	76	\$ 6,840.00	+ \$ 5,490.00
10	Install 4" PVC SDR 26 (Paid Contractor for what was actually placed, used 134 LF more than plan quantity. The layout of the Original Private Main on the plans, was shown in an assumed location, records were limited for this. It was actually farther north and into the middle of the backyards. Thus, several 4" Service Lines had to be extended from the new placed main in the alley and into the yard where the property owners' service lines ended, resulting in the requirement for the additional LF of 6" PVC SDR 26 pipe.)	LF	130	\$ 80.00	\$ 10,400.00	264	\$ 21,120.00	+ \$ 10,720.00
19	Install 8"x4" Tee (Paid Contractor for what was actually placed, used 1 EA more than plan quantity. The building at the southwest end of the project was not included in the plans for a service line. The building owner requested that we connect his building, which resulted in a shorter service line and abandon his original troubled service line directed to the west and into 5 th Street. Mr. McDonald directed the contractor to add this extra service, resulting in the requirement for the additional 8"x4" Tee.)	EA	8	\$ 125.00	\$ 1,000.00	9	\$ 1,125.00	+ \$ 125.00

City of Leavenworth
 Changes in Plans and Construction
 Page 3 of 3

Project No.: 2020-938
 Project Name: 4th & Olive-Alley CDBG Sanitary Sewer Project
 Contractor: Linaweaver Construction

24	Alley Repair	SY	799	\$ 30.00	\$ 23,970.00	758	\$ 22,740.00	- \$ 1,230.00
(Paid Contractor for what was actually placed, used 41 SY less than plan quantity. Field adjustments were made to lessen the amount of Alley Repair that was needed to complete the project. Resulting in the requirement for placing less SY of Alley Repair.)								

CO	Change Order Description	Unit	Qty	Unit Price	Extension
1	Core hole in MH-A2 & Extra Concrete Invert (MH-A2, east of 4 th Street, was a lamp hole, elevations had to be assumed, thus the manhole was design to be deep enough to be sure it worked. Therefore the elevation of the line going east was higher than expected, so coring a hole higher in the manhole and filling bottom of manhole with additional concrete for the invert was necessary.)	LS	1	\$ 1,575.00	\$ 1,575.00
2	Remove & Replace Fence (Due to the fact that the existing private mainline went in the backyards, contractor had to extend a service line from the alley up into the yard along a fence line. So the fence had to be removed and replaced.)	LF	68	\$ 50.00	\$ 3,400.00
3	Tree Removal (Due to the fact that the existing private mainline went in the backyards, contractor had to extend a service line from the alley up into the yard along a fence line. So in the fence line was a tree that had to be removed to make the service line connection.)	LS	1	\$ 1,425.00	\$ 1,425.00

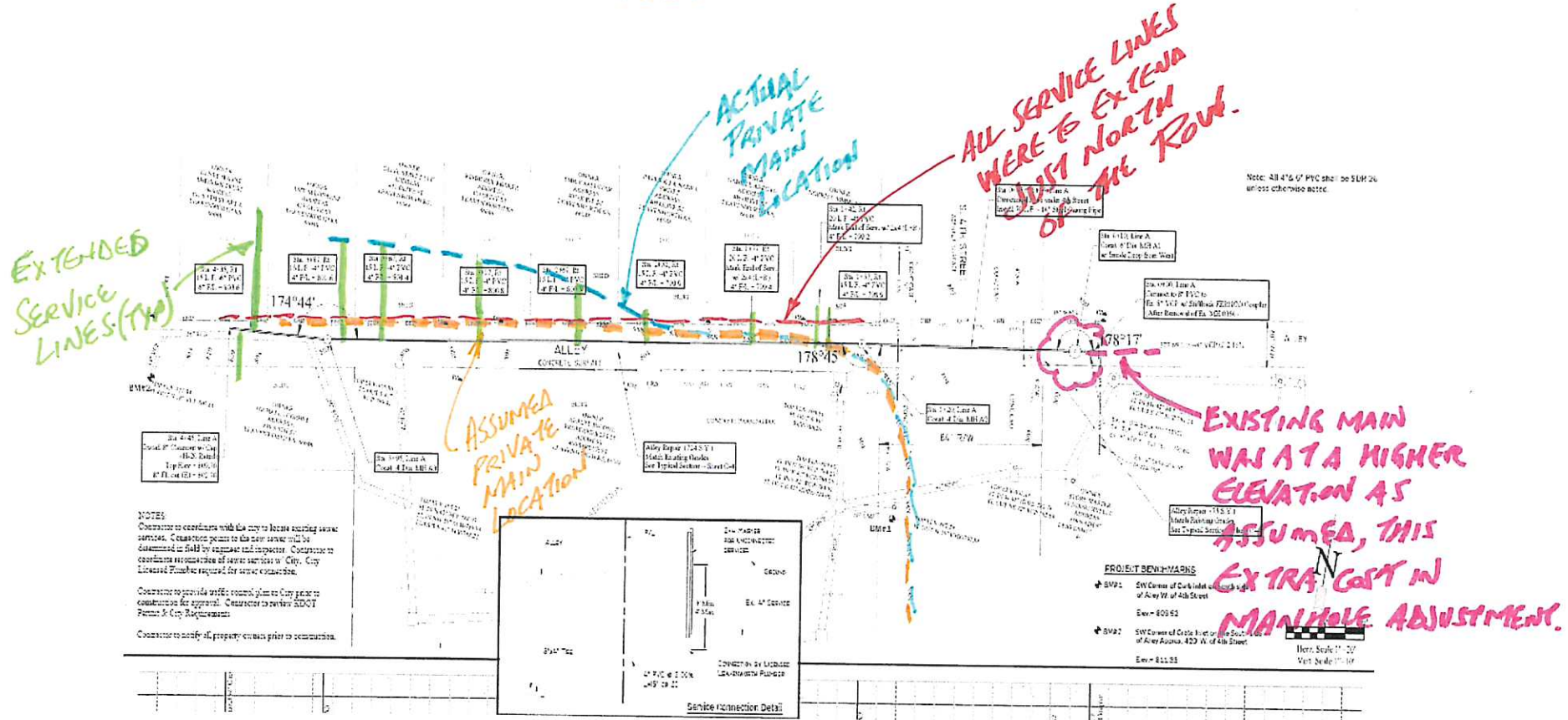


BASE BID				Linaweaver Construction		Pay App No. 1		Pay App No. 2		Pay App No. 3		Pay App No. 4					
Item	Description	Unit	Quantity	Unit Price	Extension	Pay Qty.	Extension	Pay Qty.	Extension	Pay Qty.	Extension	Pay Qty.	Extension	Paid Qty Total	Paid Total	Balance	
1	Mobilization	LS	1	\$8,000.00	\$8,000.00	1.00	\$8,000.00		\$0.00		\$0.00		\$0.00	1.00	\$8,000.00	\$0.00	
2	Testing	LS	1	\$1,500.00	\$1,500.00	0.00	\$0.00	1.00	\$1,500.00		\$0.00		\$0.00	1.00	\$1,500.00	\$0.00	
3	Traffic Control	LS	1	\$3,080.00	\$3,080.00	0.00	\$0.00	1.00	\$3,080.00		\$0.00		\$0.00	1.00	\$3,080.00	\$0.00	
4	Construction Staking	LS	1	\$500.00	\$500.00	1.00	\$500.00		\$0.00		\$0.00		\$0.00	1.00	\$500.00	\$0.00	
5	Demobilization	LS	1	\$1,000.00	\$1,000.00	0.00	\$0.00	1.00	\$1,000.00		\$0.00		\$0.00	1.00	\$1,000.00	\$0.00	
6	Demolition	LS	1	\$6,000.00	\$6,000.00	0.50	\$3,000.00	0.50	\$3,000.00		\$0.00		\$0.00	1.00	\$6,000.00	\$0.00	
7	Seeding & Site Restoration	LS	1	\$1,500.00	\$1,500.00	0.00	\$0.00	1.00	\$1,500.00		\$0.00		\$0.00	1.00	\$1,500.00	\$0.00	
8	Install 8" PVC SDR 26	LF	435	\$24.00	\$10,440.00	150.00	\$3,600.00	281.00	\$6,744.00		\$0.00		\$0.00	431.00	\$10,344.00	\$96.00	
9	Install 6" PVC SDR 26	LF	15	\$90.00	\$1,350.00	0.00	\$0.00	76.00	\$6,840.00		\$0.00		\$0.00	76.00	\$6,840.00	(\$5,490.00)	
10	Install 4" PVC SDR 26	LF	130	\$80.00	\$10,400.00	55.00	\$4,400.00	209.00	\$16,720.00		\$0.00		\$0.00	264.00	\$21,120.00	(\$10,720.00)	
11	Install 4' Dia. Sanitary Sewer Manhole, Standard	EA	2	\$3,800.00	\$7,600.00	1.00	\$3,800.00	1.00	\$3,800.00		\$0.00		\$0.00	2.00	\$7,600.00	\$0.00	
12	Install 6' Dia. Sanitary Sewer Manhole, Inside Drop	EA	1	\$7,000.00	\$7,000.00	1.00	\$7,000.00		\$0.00		\$0.00		\$0.00	1.00	\$7,000.00	\$0.00	
13	Install 8" Cleanout	EA	1	\$800.00	\$800.00	0.00	\$0.00	1.00	\$800.00		\$0.00		\$0.00	1.00	\$800.00	\$0.00	
14	Extra Depth of 4' Manhole >6'	VF	5.7	\$100.00	\$570.00	2.00	\$200.00	3.70	\$370.00		\$0.00		\$0.00	5.70	\$570.00	\$0.00	
15	Extra Depth of 6' Manhole >6'	VF	3	\$200.00	\$600.00	3.00	\$600.00		\$0.00		\$0.00		\$0.00	3.00	\$600.00	\$0.00	
16	Connect to Existing 8" VCP w/Stiffback Fernco	EA	1	\$300.00	\$300.00	1.00	\$300.00		\$0.00		\$0.00		\$0.00	1.00	\$300.00	\$0.00	
17	Install Sanitary Sewer Service Reconnections	EA	9	\$150.00	\$1,350.00	1.00	\$150.00	8.00	\$1,200.00		\$0.00		\$0.00	9.00	\$1,350.00	\$0.00	
18	Install 8" PVC Inside Drop Reliner Bowl	EA	1	\$1,500.00	\$1,500.00	1.00	\$1,500.00		\$0.00		\$0.00		\$0.00	1.00	\$1,500.00	\$0.00	
19	Install 8"x4" Tee	EA	8	\$125.00	\$1,000.00	3.00	\$375.00	6.00	\$750.00		\$0.00		\$0.00	9.00	\$1,125.00	(\$125.00)	
20	Install 8"x6" Tee	EA	1	\$150.00	\$150.00	0.00	\$0.00	1.00	\$150.00		\$0.00		\$0.00	1.00	\$150.00	\$0.00	
21	Directional Bore w/16" Steel Casing Pipe	LF	70	\$350.00	\$24,500.00	70.00	\$24,500.00		\$0.00		\$0.00		\$0.00	70.00	\$24,500.00	\$0.00	
22	Trench Backfill (0'-8')	LF	355	\$130.00	\$46,150.00	70.00	\$9,100.00	285.00	\$37,050.00		\$0.00		\$0.00	355.00	\$46,150.00	\$0.00	
23	Trench Backfill (8'-10')	LF	10	\$150.00	\$1,500.00	10.00	\$1,500.00		\$0.00		\$0.00		\$0.00	10.00	\$1,500.00	\$0.00	
24	Alley Repair	SY	799	\$30.00	\$23,970.00	0.00	\$0.00	758.00	\$22,740.00		\$0.00		\$0.00	758.00	\$22,740.00	\$1,230.00	
					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$0.00	
					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$0.00	
	Pay Retainage				\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$0.00	
				Original Contract:	\$160,760.00	Sub Total:	\$68,525.00	Sub Total:	\$107,244.00	Sub Total:	\$0.00	Sub Total:	\$0.00		Total Balance:	(\$15,009.00)	
CO	Change Order/Add-on																
1	Core hole in MH A2 & extra invert	LS	1	\$1,575.00	\$1,575.00		\$0.00	1.00	\$1,575.00		\$0.00		\$0.00	1.00	\$1,575.00	\$0.00	
2	Remove & Replace Fence	LF	68	\$50.00	\$3,400.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$3,400.00	
3	Tree Removal	LS	1	\$1,425.00	\$1,425.00		\$0.00	0.85	\$1,211.25		\$0.00		\$0.00	0.85	\$1,211.25	\$213.75	
4					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$0.00	
5					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0.00	\$0.00	\$0.00	
				CO Total:	\$6,400.00	Total:	\$68,525.00	Total:	\$110,030.25	Total:	\$0.00	Total:	\$0.00	Total Completed:	\$178,555.25		
				Over-run:	\$15,009.00	Retainage 10%:	\$6,852.50	Retainage 10%:	\$11,003.03	Retainage 10%:	\$0.00	Retainage 10%:	\$0.00	Total Retainage:	\$17,855.53		
				Final Contract:	\$182,169.00	Balance Due:	\$61,672.50	Balance Due:	\$99,027.23	Balance Due:	\$0.00	Balance Due:	\$0.00	Total Paid:	\$160,699.73		
				Change Order to Commission:	\$21,409.00												

\$1,326.00
 (\$16,335.00)
 (\$15,009.00)
 Change Order Total:
 Over-runs:
 Under-runs:

4th & OLIVE-ALLEY CDRG SANITARY SEWER PROJECT

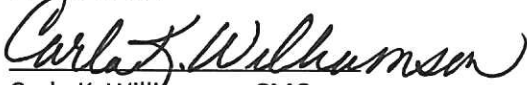
PROJECT NO. 2020-938



**POLICY REPORT
FIRST CONSIDERATION ORDINANCE
GENERAL OBLIGATION BONDS, SERIES 2021-A**

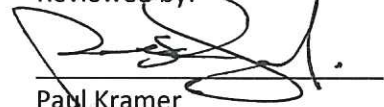
April 13, 2021

Prepared by:



Carla K. Williamson, CMC
City Clerk

Reviewed by:



Paul Kramer
City Manager

ISSUE:

The issue before the City Commission is to consider an ordinance authorizing the issuance of \$9,635,000 aggregate principal amount of General Obligation Bonds Series 2021-A.

BACKGROUND:

General Obligation Series 2021-A will be issued in the estimated amount of \$9,635,000.00 and will provide finance for the following:

- Redeeming outstanding A2018 Temporary Notes to provide permanent financing for the New Lawrence Road Project
- Redeeming outstanding A2019 Temporary Notes to provide permanent financing for the Thornton Street/10th Avenue Project
- Redeeming outstanding A2020 Temporary Notes to provide permanent financing for the 2020 Pavement Management Program
- Issuance of bonds for financing Public Safety Equipment (fire truck)

The bond and note sale will be on Tuesday, April 27, 2021. The results will be presented to the City Commission the same evening and final numbers will be provided in the ordinance for second consideration and approval.

ACTION REQUIRED:

Consensus to place an ordinance on first consideration for the General Obligation Bonds, Series 2021-A, as presented.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$9,635,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF LEAVENWORTH, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, K.S.A. 12-685 ET SEQ., HOME RULE ORDINANCE NO. 7942 OF THE CITY AND CHARTER ORDINANCE NO. 56 OF THE CITY, ALL AS AMENDED.

WHEREAS, the Governing Body of the **City of Leavenworth, Kansas**, (the “City”) has, pursuant to Resolution No. B-2192 of the City adopted March 27, 2018, authorized the improvement of a portion of New Lawrence Road, from 20th Street Trafficway and continuing in a northeasterly direction a distance of 1,400 feet, by preparing, grading, constructing, and otherwise completing a new 31 foot wide, back of curb to back of curb, street with a road surface of 8” asphalt placed on 6” of AB-3 over geo-grid reinforcement material on compacted soil sub-grade together with storm drainage, concrete curb and gutter, entrances, and other necessary items at a maximum estimated cost of \$605,000 (the “New Lawrence Road Project”) under the authority of K.S.A. 12-685 et seq.; and

WHEREAS, the City heretofore duly authorized, issued and delivered its \$3,460,000 Temporary Notes, Series A2018, dated June 28, 2018, (the “Series A2018 Notes”) pursuant to Resolution No. B-2201 (the “Series A2018 Note Resolution”) adopted June 12, 2018, in accordance with the requirements of Charter Ordinance No. 56 of the City, K.S.A. 12-1736 et seq., and K.S.A. 12-685 et seq., all as amended, in part to temporarily finance the cost of constructing and otherwise completing the New Lawrence Road Project, a portion of which Series A2018 Notes maturing on June 1, 2022, in the amount of \$390,000 will be redeemed and paid on May 13, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resolution; and

WHEREAS, the Series A2018 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after March 1, 2019, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

WHEREAS, in accordance with its authority to redeem and pay all or part of the outstanding Series A2018 Notes prior to their maturity, the City deems it necessary and advisable to call the remaining \$390,000 of the outstanding Series A2018 Notes maturing on June 1, 2022; all as further described in the Series A2018 Note Notice of Redemption, for redemption and payment on May 13, 2021; and

WHEREAS, the City has, pursuant to Resolution No. B-2217 of the City adopted February 26, 2019, as amended by Resolution No. B-2222 of the City adopted May 14, 2019, and Resolution No. 2227 of the City adopted June 25, 2019, authorized the improvement of a portion of (1) Thornton Street from the west line of 4th Street to the East line of 10th Avenue and (2) 10th Avenue from the south side of Spruce Street to the north right-of-way of Eisenhower Road to be main trafficways within the City (said streets, the “Main Trafficways”) by constructing and completing grading, storm drainage, concrete curb and gutter, asphaltic pavement and entrances, sidewalks, seeding, traffic control and other necessary items at an estimated maximum cost of \$6,040,000 (the “Main Trafficway Project”) under the authority of K.S.A. 12-685 et seq.; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its \$7,430,000 Temporary Notes, Series A2019, dated June 27, 2019, (the “Series A2019 Notes”) pursuant to Resolution No. B-2224 (the “Series A2019 Note Resolution”) adopted June 11, 2019, in accordance with the requirements of K.S.A. 12-685 et seq., as amended, and Charter Ordinance No. 56 of the City in part to temporarily finance the costs of constructing and otherwise completing the Main Trafficway Improvements, a portion of which Series A2019 Notes maturing on December 1, 2022, in the amount of \$6,040,000 will be redeemed and paid on the May 13, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resolution; and

WHEREAS, the Series A2019 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after June 1, 2020, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

WHEREAS, the City deems it necessary and advisable to call \$6,040,000 of the remaining outstanding Series A2019 Notes maturing on December 1, 2022, all as further described in the Series A2019 Note Notice of Redemption, for redemption and payment on May 13, 2021; and

WHEREAS, the City pursuant to Resolution No. B-2244 of the City adopted February 11, 2020, authorized the construction of certain general improvements in the total estimated amount of \$1,949,726.00 (the “2020 General Improvements”) to be made in the City under the authority of Charter Ordinance No. 56 of the City; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its \$1,400,000 Temporary Notes, Series A2020, dated June 25, 2020, (the “Series A2020 Notes”) pursuant to Resolution No. B-2252 (the “Series A2020 Note Resolution”) adopted June 9th, 2020, in accordance with the requirements of Charter Ordinance No. 56 of the City to temporarily finance the costs of constructing the 2020 General Improvements, which Series A2020 Notes maturing on December 1, 2021, in the amount of \$1,400,000 will be redeemed and paid on the June 1, 2021, from the proceeds of general obligation bonds, the sale of which is authorized by this Resolution; and

WHEREAS, the Series A2020 Notes are subject to redemption and payment prior to maturity, in whole or in part, at any time on or after June 1, 2021, at the option of the City, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption; and

WHEREAS, the City deems it necessary and advisable to call the outstanding Series A2020 Notes maturing on December 1, 2021, in the amount of \$1,400,000 all as further described in the Series A2020 Note Notice of Redemption, for redemption and payment on June 1, 2021; and

WHEREAS, the City has, pursuant to Resolution No. 2243 of the City adopted February 11, 2020, authorized both the purchase, acquisition, and installation of 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 costs thereof, including financing costs, in the amount of \$1,430,000 (the “Public Safety Equipment”) under the authority of Home Rule Ordinance No. 7942; and

WHEREAS, the City has found and hereby determines it necessary and advisable to issue and sell General Obligation Bonds, Series 2021-A, (the “Bonds”) for the purposes of (1) permanently financing a portion of the cost of the New Lawrence Road Project, including

redeeming and paying the remaining outstanding Series A2018 Notes in the principal amount of \$390,000 together with accrued interest payable thereon on May 13, 2021; (2) permanently financing the costs of the Main Trafficway Project, including redeeming and paying a portion of the Series A2019 Notes in the principal amount of \$6,040,000 together with accrued interest payable thereon on May 13, 2021; (3) permanently financing the costs of the City's 2020 General Improvements, including redeeming and paying the Series A2020 Notes in the principal amount of \$1,400,000 together with accrued interest payable thereon on June 1, 2021; (4) financing the purchase and acquisition of the Public Safety Equipment; and (5) paying the cost of issuing the Bonds; and

WHEREAS, the City has, in accordance with K.S.A. 10-106, published notice (the "Sale Notice") of the City's intent to sell the Bonds; and

WHEREAS, the City does hereby authorize the issuance and sale of the bonds to the best bidder.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS:

Section 1. That for the purpose of providing funds to (1) permanently finance a portion of the cost of the New Lawrence Road Project, including redeeming and paying the remaining outstanding Series A2018 Notes in the principal amount of \$390,000 together with accrued interest payable thereon on May 13, 2021; (2) permanently finance the costs of the Main Trafficway Project, including redeeming and paying a portion of the Series A2019 Notes in the principal amount of \$6,040,000 together with accrued interest payable thereon on May 13, 2021; (3) permanently finance the costs of the City's 2020 General Improvements, including redeeming and paying the Series A2020 Notes in the principal amount of \$1,400,000 together with accrued interest payable thereon on June 1, 2021; (4) financing the purchase and acquisition of the Public Safety Equipment; and (5) paying the cost of issuing the Bonds, there is hereby authorized and directed to be issued General Obligation Bonds, Series 2021-A, of the City in the aggregate principal amount of Nine Million Six Hundred Thirty-five Thousand Dollars (\$9,635,000) as provided by Charter Ordinance No. 56 of the City, K.S.A. 12-685 et seq., Home Rule Ordinance No. 7942 of the City, and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

Section 2. That the Mayor and City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not effect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 6. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this 27th day of April, 2021.

CITY OF LEAVENWORTH, KANSAS

(SEAL)

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

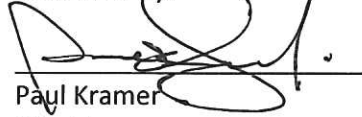
**POLICY REPORT
FIRST CONSIDERATION ORDINANCE
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B**

April 13, 2021

Prepared by:


Carla K. Williamson, CMC
City Clerk

Reviewed by:


Paul Kramer
City Manager

ISSUE:

The issue before the City Commission is to consider an ordinance authorizing the issuance of \$3,310,000 aggregate principal amount of General Obligation Refunding Bonds Series 2021-B.

BACKGROUND:

General Obligation Refunding Bonds Series 2021-B will be issued in the estimated amount of \$3,310,000.00 to refund Series 2013-A and 2016-A Bonds. Refunding is a way to redeem and pay off bonds with a higher interest rate and issue new bonds. The City's financial advisor has estimated, based on current rate trend, that the refunding will save the City approximately \$126,000.00 over the life of the bonds.

The bond and note sale will be on Tuesday, April 27, 2021. The results will be presented to the City Commission the same evening and final numbers will be provided in the ordinance for second consideration and approval.

ACTION REQUIRED:

Consensus to place an ordinance on first consideration for the General Obligation Bonds, Series 2021-B, as presented.

ublished in The Leavenworth Times on April 30, 2021.)

180321 2

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,310,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B, OF THE CITY OF LEAVENWORTH, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, AND K.S.A. 10-427 ET SEQ., ALL AS AMENDED.

WHEREAS, the Governing Body of the **City of Leavenworth, Kansas**, (the "City") has heretofore duly authorized, issued and delivered its \$3,860,000 aggregate principal amount of General Obligation Bonds, Series 2013-A, dated June 27, 2013, (the "Series 2013-A Bonds") pursuant to its Ordinance No. 7920 adopted June 11, 2013, and published as required by law, and Resolution No. B-2060 adopted June 11, 2013, (the "Series 2013-A Bond Resolution") in accordance with the requirements of Charter Ordinance No. 37 of the City, K.S.A. 12-1736 et seq. and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended; and

WHEREAS, as of April 1, 2021, there remains outstanding of the Series 2013-A Bonds the principal amount of \$1,690,000 bearing interest payable semiannually on March 1 and September 1 each year and maturing serially on September 1, as follows:

SERIAL BONDS

<u>MATURITY</u> <u>(SEPTEMBER 1)</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>INTEREST</u> <u>RATE</u>
2021	\$390,000	1.75%
2022	400,000	1.95
2023	405,000	2.15
2024	245,000	2.25
2025	250,000	2.40

WHEREAS, pursuant to Section 301 of the Series 2013-A Bond Resolution, the Series 2013-A Bonds, or any portion thereof maturing on September 1, 2022, and thereafter may be called for redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its \$5,700,000 aggregate principal amount of General Obligation Refunding and Improvement Bonds, Series 2016-A, dated June 30, 2016, (the "Series 2016-A Bonds") pursuant to its Ordinance No. 7998 adopted June 14, 2016, and published as required by law, and Resolution No. B-2140 adopted June 14, 2016, (the "Series 2016-A Bond Resolution") in accordance with the requirements of Charter Ordinance No. 56 of the City, Home Rule Ordinance No. 7942 of the City, K.S.A. 10-427 et seq., and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended; and

WHEREAS, as of April 1, 2021, there remains outstanding of the Series 2016-A Bonds the principal amount of \$3,400,000 bearing interest payable semiannually on March 1 and September 1 each year and maturing serially on September 1, as follows:

SERIAL BONDS

<u>MATURITY (SEPTEMBER 1)</u>	<u>PRINCIPAL AMOUNT</u>	<u>INTEREST RATE</u>
2021	\$620,000	2.00%
2022	435,000	2.00
2023	440,000	2.00
2024	460,000	2.05
2025	465,000	2.25
2026	485,000	2.30
2029	100,000	2.10
2030	100,000	2.20
2031	105,000	2.30

TERM BONDS

2028	190,000	2.00
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WHEREAS, pursuant to Sections 301 of the Series 2016-A Bond Resolution, the Series 2016-A Bonds, or any portions thereof maturing on September 1, 2022, and thereafter may be called for redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

WHEREAS, pursuant to Section 301 of the Series 2013-A Bond Resolution, the City deems it necessary and advisable to call the Series 2013-A Bonds maturing on September 1, 2023, through and including September 1, 2025, (i.e., \$900,000) (the “Series 2013-A Refunded Bonds”); on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City; and

WHEREAS, pursuant to Section 301 of the Series 2016-A Bond Resolution, the City deems it necessary and advisable to call the Series 2016-A Bonds maturing on September 1, 2023, through and including September 1, 2031, (i.e., \$2,345,000) (the “Series 2016-A Refunded Bonds”) on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City (the Series 2013-A Refunded Bonds and Series 2016-A Refunded Bonds are collectively referred to as the “Refunded Bonds”); and

WHEREAS, the City has found and hereby determines it necessary and advisable to issue and sell General Obligation Refunding Bonds, Series 2021-B, (the “Bonds”) for the purposes of currently refunding the Refunded Bonds in the principal amount of \$3,245,000 together with accrued interest payable thereon and paying the cost of issuing the Bonds; and

WHEREAS, the City does hereby authorize the issuance and sale of the bonds to the best bidder.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS:

Section 1. That for the purpose of providing funds to currently refund the Refunded Bonds in the principal amount of \$3,245,000 together with accrued interest payable thereon and paying the cost of issuing the Bonds, there is hereby authorized and directed to be issued General Obligation Refunding Bonds, Series 2021-B, of the City in the aggregate principal amount of Three Million Three Hundred Ten Thousand Dollars (\$3,310,000) as provided by K.S.A. 10-427

et seq., and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

Section 2. That the Mayor and City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not effect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 6. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this 27th day of April, 2021.

CITY OF LEAVENWORTH, KANSAS

(SEAL)

Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk

Policy Report
Resolution of Support – Greenamyre Rentals
April 13, 2021

Prepared by:



Paul Kramer
City Manager

Issue:

Greenamyre Rentals recently approached the City about providing local support for an application to the State of Kansas for Low Income Housing Tax Credits for residential development at 2604 S. Second Avenue in Leavenworth, Kansas. The development would be limited to those 55 years old or older.

Action:

It is recommended that the City Commission approve a resolution of support for the Greenamyre Rentals for application of Low Income Housing Tax Credits from the Kansas Housing Resources Corp.

ATTACHMENTS: Resolution

RESOLUTION B-2280

A RESOLUTION OF SUPPORT OF LOW INCOME HOUSING TAX CREDITS FOR GREENAMYRE RENTALS INC. HOUSING DEVELOPMENT AT 2604 S. SECOND AVENUE LEAVENWORTH KANSAS

WHEREAS, the City of Leavenworth, Kansas has been informed by Greenamyre Rentals, Inc. that Low Income Housing Tax Credits (LIHTC) from the Kansas Housing Resources Corp. are necessary to move forward with an age-restricted (55+) residential housing development at 2604 S. Second Avenue in Leavenworth, Kansas; and

WHEREAS, this housing project contains 36 apartment units – 8 one-bedroom and 28 two-bedroom – in total; and

WHEREAS, the units will be reserved for seniors 55 and older, whose incomes are 60%, or less, of area median income (AMI); and

WHEREAS, the individual units will have Energy Star rated appliances, washer/dryer connections; and

WHEREAS, the property will have the following amenities: walking trail, community garden, transportation pick-up/drop-off location; and

WHEREAS, the City of Leavenworth will provide fee waivers in the amount of at least \$20,000.

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

Section 1. The Mayor and City Commission, City of Leavenworth supports and approves the development of the aforesaid housing in our community, subject to City ordinances and the building permit process.

Section 2. In the event that any of the characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

ADOPTED THIS 13TH Day of April 2021

Nancy D. Bauder, Mayor

{Seal}

ATTEST:

Carla K. Williamson CMC, City Clerk

Policy Report

Consider the Purchase of 600 Cherokee Street

April 13, 2021

Prepared by:



Paul Kramer
City Manager

Issue:

Consider the purchase of 600 Cherokee Street from Blue Star Properties LLC.

Background:

The City Commission has identified blight removal and economic development as priorities. Additionally, the City has viewed rehabilitation of key areas of the downtown as critical in promoting the vibrancy and preservation of the historic core of the city.

In recent years, the City has taken action to purchase dilapidated structures, including the former hotel property at Third and Delaware in the historic downtown in an effort to remove blight and in certain cases to expedite redevelopment. The City purchased and demolished the property at 301 Delaware as a blight removal project. The City also has taken over property in the recent past, including the Carnegie Library and issued a Request for Proposal (RFP) for rehabilitation and redevelopment of that property.

The multi-floor, multi-space structure at 600 Cherokee Street has been vacant for more than a decade. Despite that long period of inactivity and significant costs related to rehabilitation, the building has received numerous offers during that time. Unfortunately, the gap between the asking price and the cost to return the building to prosperous use has been too great for the private market.

If the City Commission is agreeable to the purchase of 600 Cherokee Street, following closing, the City would issue an RFP for the purchase and rehabilitation of the property, with the goal of returning the building to private use. Built in 1890, the property features over 12,000 square feet. It would not be expected that the City would recoup the total purchase price. The funds to complete the transaction would specifically be set aside economic development dollars, designed to improve the economic and property conditions for the City of Leavenworth.

Blue Star Properties LLC recently secured an option to purchase this property and has agreed to sell the property to the City for the total cost of \$205,000.00, which includes the price of the property and realtor commission fees.

If the City Commission approves the purchase, staff would move forward with closing on the property and issuing an RFP for redevelopment of the property.

Commission Action:

Motion to approve the purchase of 600 Cherokee Street from Blue Star Properties LLC in the amount of \$205,500.00 and authorize the Mayor to execute all documents related to the purchase.