



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

City Commission Regular Meeting
Commission Chambers
Tuesday, August 9, 2022 6:00 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 Camalla Leonhard, Commissioners Nancy Bauder, Edd Hingula and Griff Martin. Not present: Mayor Pro-Tem Jermaine Wilson.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Finance Director Roberta Beier, Deputy Public Works Director Earl Wilkinson, Leavenworth Housing Authority Housing Manager Andrea Cheatom, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Martin moved to accept the minutes from the July 26, 2022 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 4-0.

Public Comment: (*Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes*)

Dave Davis 3800 Richmond Drive:

- Recommends the City, in a joint effort, should purchase the Great Life Golf Course located on Eisenhower Road
- Shrine Park Golf Course has closed
- Trails West on Fort Leavenworth used to be public, but now is mostly only available to those with access to the Fort
- Lansing-Leavenworth area is large enough to support a municipal golf course
- Would be beneficial to bringing in new people and families to our community
- Need to preserve green space
- Requests the Mayor or City Manager reach out to Lansing to discuss a joint venture

General Items:

Mayors Appointments – Mayor Leonhard moved to appoint to the Leavenworth Planning Commission Kathy Kem to an unexpired term ending May 1, 2024 and reappoint to the Community Development Advisory Board Tony Majors and Ralph Taylor to terms ending August 31, 2025. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 4-0.

Resolutions:

Resolution B-2316 Designation of Contract Employee Apartment Unit at Planters II – Leavenworth Housing Authority Housing Manager Andrea Cheatom presented for approval a resolution designating

Apartment 100 at Planters II as a contract employee unit. The unit is currently and always has been used as a contract employee unit. The contract employee in this unit monitors activity and answers emergency calls in the Planters II building from 5pm to 8am daily, Monday through Friday, and full-time 24 hours on all weekends and holidays when the Planters II office is closed. The U.S. Department of Housing and Urban Development (HUD) now requires this approval process for this unit.

Commissioner Hingula:

- Asked if the contract with the person is with the City

Ms. Cheatom:

- It's a contract with the Housing Authority that is paid with Federal dollars

Commissioner Hingula moved to adopt Resolution B-2316 designating apartment 100 located at Planters II, 200 Shawnee Street Leavenworth, Kansas, as a housing unit for a contract employee of the Leavenworth Housing Authority. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 4-0.

Bids, Contracts and Agreements:

Consider Award of Bid for Five-Mile Creek Bank Stabilization Project – Deputy Public Works Director Earl Wilkinson presented for consideration approval of the low bid received from Linaweaver Construction for the Five-Mile Creek bank stabilization project. The Unified School District 453 and the City of Leavenworth partnered with a consultant to complete a study of Five-Mile Creek from New Lawrence Road to 10th Avenue. This reach of the creek was experiencing bank erosion and bank failures that could encroach on the adjacent park trail, football field, and new sports complex near Richard Warren Middle School. There are a few areas along this reach of Five-Mile Creek where bank stabilization projects are recommended by the study. The proposed project is one of those recommended projects and was selected from that list because it will specifically correct a bank that is failing and putting the trail that runs along the north side of the stream and football field at risk. The City contracted with McAfee Henderson Solutions to design a project to stabilize the creek bank on a bend in Five-Mile Creek. Plans and specifications, and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. The lowest qualified bid was from Linaweaver Construction. The project will be funded with monies from the stormwater fee. The project is anticipated to start in September and will take 30 calendar days to complete. Inspection work will be performed by the City. While Linaweaver's bid was higher than the Engineer's Estimate, staff feels that there is no benefit from rebidding the project.

Commissioner Hingula:

- Asked if the project location is at the bend in the creek near the football field

Mr. Kramer:

- Asked will the project improve the conditions downstream and/or slow the downstream erosion

Mr. Wilkinson:

- It does help the reach below those areas of improvement
- There were other areas in the report we could do, but this area had the highest amount of concern
- Work will be similar to the work conducted at Cody Park

Mr. Kramer:

- Stated there has been orange fencing along that trail due to the amount of erosion

Commissioner Martin moved to accept the low bid received from Linaweaver Construction in an amount not to exceed \$120,549.00 for the Five-Mile Creek Bank Stabilization Project. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 4-0.

First Consideration Ordinances:

First Consideration Ordinance Demolition Special Assessments – City Clerk Sarah Bodensteiner presented for first consideration an ordinance to levy special assessments for unpaid demolition process costs. The City Commission approved the properties for demolition through the public hearing process as set forth in the City Code. The property owners of the subject properties were sent multiple notices and given the opportunity to work with staff to make required improvements. For the properties that moved forward with demolition, the required improvements were not made by the owners, so staff moved forward with the demolition process per the guidelines set forth in the City Code. The City Code also provides for the collection of the costs incurred by the City. Some of these properties did not incur the full demolition costs, as they were able to make the necessary improvements to their property to avoid demolition; however the City did incur costs of title work in those instances. Invoices were sent to the property owners for the costs incurred via Certified Mail and were also mailed past due notices. As of this date, payment for the properties listed on the ordinance have not been received and as such, staff is seeking the approval to place a special assessment on the property to recover the City's costs.

Mayor Leonhard:

- Do you know if all the mailings were received by the property owners

Ms. Bodensteiner:

- If a returned envelope is received, we try to locate an updated address by utilizing the GIS system and we'll resend the letter or notice back out

Commissioner Bauder:

- Asked if the City has a collection agency

Mr. Kramer:

- The City has not gone that route and instead places a special assessment onto the taxes

Commissioner Martin:

- Asked when these properties were demolished

Ms. Bodensteiner:

- Some were completed in 2021 and some were done this spring

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

First Consideration Ordinance Nuisance Special Assessments – City Clerk Sarah Bodensteiner presented for first consideration an ordinance to levy special assessments for unpaid nuisance abatement costs. The City Code provides the tools for the City to abate nuisances such as mowing, tree removal, lot cleanup, and allows for the addition of administrative charges. The City Code also provides for the assessment of the City’s costs of abatement. Property owners are invoiced for the costs incurred to abate the nuisance and are given 30 days to make payment. In many cases, properties have required multiple abatements. Due to the delayed start of nuisance abatements in 2022, no assessments have been made yet for abatement work completed in 2022 and the listed properties are all from 2021 nuisance abatements, and are well over 30 days past due. Staff is seeking approval to place a special assessment on the property to recover the City’s costs.

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

Consent Agenda:

Commissioner Martin moved to approve claims for July 23, 2022 through August 5, 2022, in the amount of \$1,149,002.68; Net amount for Payroll #15 effective July 29, 2022 in the amount of \$378,424.38 (No Police & Fire Pension). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 4-0.

Other:

Commissioner Hingula:

- Have a good week

Commissioner Martin:

- God bless have a good week

Mayor Leonhard:

- This weekend is the last weekend to see Bright Star that has Commissioner Hingula in it
- There are a lot of opportunities for people who want to volunteer at the CAMP Leavenworth event, you can sign up on the CAMP Leavenworth website
- At the University of Saint Mary this weekend is Jazz by the River
- Haymarket Square has a free concert this weekend

Adjournment:

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

Time Meeting Adjourned 6:22 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC