



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

City Commission Regular Meeting
Commission Chambers
Tuesday, March 28, 2023 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 Jermaine Wilson, Mayor Pro-Tem Griff Martin, Commissioners Nancy Bauder, Edd Hingula and Camalla Leonhard.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Finance Director Roberta Beier, Public Works Director Brian Faust, Planning & Community Development Director Julie Hurley, Joe Hatley attended for City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

Welcome Home Vietnam Veterans Day March 29, 2022 – Mayor Wilson read the proclamation. The proclamation was accepted by Vietnam Veterans in attendance.

National Child Abuse Prevention Month – Mayor Wilson read the proclamation. Mayor Wilson read a statement from Deborah Liles with CASA. The proclamation was accepted by Vicky Kaaz.

Fair Housing Month – Mayor Wilson read the proclamation. The proclamation was accepted by Julie Hurley.

Barbershop Harmony Month – Mayor Wilson read the proclamation. The proclamation was accepted by the Cody Choraliers.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to approve the minutes from the March 14, 2023 regular meeting. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Public Comment: *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*
None.

General Items:

Mayor's Appointments:

Mayor Wilson moved to appoint to the Convention & Tourism Committee Jordan Throckmorton to an unexpired term ending January 31, 2024. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Recognition Sign Discussion – Assistant City Manager Penny Holler and Planning & Community Development Director Julie Hurley presented for discussion proposed design of a directional sign for the recognition sign installation at Ray Miller Park. During the March 7th Study Session, the Commission reviewed two final conceptual designs and cost estimates as provided by Young Sign Company. As part of the proposed installation, a directional sign identifying the location of the display may also be installed. Young Sign Company has provided a proposed concept for the directional sign to be placed along 4th Street, which is before the Commission for discussion and consideration.

Commissioners discussed the directional sign concepts and options. Each commissioner provided their thoughts on the concepts and changes they might want to see in revised concepts.

Commissioner Bauder:

- Likes the idea of the concept on the directional sign and liked the design that contains the City logo

Commissioner Leonhard:

- Asked if the signs are the same size

Mayor Wilson:

- In favor of the sign that contains the cutout of Ms. Etheridge

Commissioner Bauder:

- Wants to see the City logo on the directional sign

Commissioner Martin:

- Commented on not showcasing 1 particular honoree
- Don't want to convey someone is more important than anyone else
- Would like to see multiple silhouettes on the directional sign as an option

Commissioner Bauder:

- Would like to see the silhouette but without the name of Melissa Etheridge and include the City logo

Ms. Hurley:

- We can have the vendor refine the concept based on the feedback tonight

Commissioner Bauder:

- Likes the figure, it draws you in

Commissioner Martin:

- Suggested a more generic option

There was consensus by the Commission to move forward with the combined pillar row signage for the honorees and the Sign Recognition Policy, and staff will continue working with Young Sign Company on the design/concept of the directional sign.

Resolutions:

Resolution B-2330 Setting Public Hearing for Unsafe Structure 1015 Ottawa Street – Chief Building Inspector Harold Burdette provided the background information. On November 10, 2022 the structure was significantly damaged by fire; city received check from insurance proceeds for \$34,500.00. This money is to be used by the City to either remove the structure if the owner decides not to address the issue, or be returned to the property owner once repairs are completed and the structure is ready for occupancy or the structure has been demolished by the owner. A public hearing is required to determine if the structure should be demolished or if the owners will commit to making improvements within a timeframe acceptable to the City Commission. This Resolution sets the Public Hearing date of May 9, 2023.

Commissioner Leonhard moved to adopt Resolution B-2330 setting the public hearing for May 9, 2023 regarding the unsafe structure located at 1015 Ottawa Street. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Award of Bid for Poly-Carts – Public Works Director Brian Faust presented for consideration the bids for the poly-carts. Based on the recommendation from the Solid Waste Citizen Task Force, the City Commission directed staff to transition the City's refuse collection from an unlimited bag, or loose collection, to a hybrid approach. With the hybrid approach, residents will receive a poly-cart (unless they opt-out) and they will also be able to use trash bags if needed. The Solid Waste Division budgeted \$900,000 for the purchase of 11,000 poly-carts in the 2023 CIP. Bid specifications were developed for both 65+/-gallon and 95+/- gallon poly-carts. Total number of carts in the bid was 10,100. Price per cart is not dependent on the number of carts ordered. Final cost will be determined based on the responses received from the mailer and website. The bid includes the website, manufacture, delivery to the City, assembly and final delivery to the customers. It also includes approximately 100 extra carts to be stored at the Municipal Service Center.

Mayor Wilson:

- Asked if people opt out of a poly-cart can they still receive trash bags

Mr. Faust:

- No, the trash bags will no longer be provided

Commissioner Leonhard:

- Asked if someone opts out but then changes their mind, do they then pay for the cart

Mr. Faust:

- The City is purchasing the carts so the intent is to provide at no cost at this time

Commissioner Hingula:

- Asked if the quality from the vendors similar for all the poly-carts

Mr. Faust:

- Part of the bid was to submit a sample of each size to the City, and staff tested them out

Commissioner Martin:

- Asked can people still put loose items in the cart

Mr. Faust:

- We still encourage people to bag their items, but if you have pizza boxes you can put them in the cart

Commissioner Hingula:

- Asked will the company deliver these to the homes

Mr. Faust:

- Answered in the affirmative

Commissioner Martin moved to approve the bids for the purchase of two-wheeled carts (poly-carts) from Rehrig-Pacific Company in an amount not to exceed \$582,762.50, with the understanding that the final cost will change based on the exact number of carts purchased. Commissioner Bauder seconded the motion and was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Award of Bid for Crack Sealing and Micro-Surfacing Project – Public Works Director Brian Faust presented for consideration award of the 2023 Pavement Management – Crack Sealing and Micro-Surfacing Program. The City Commission authorized a combination of General Improvement Bonds and Sales Tax for the annual maintenance of public streets. The components of the 2023 program include micro-surfacing, mill and overlay, parking lot upgrades and major repair and maintenance work beyond the scope of the Streets Division. The funding for 2023 covers the costs of the 2023 construction of the various components, along with the next phase of a Comprehensive Pavement Management Program. The Crack Sealing and Micro-Surfacing Program for 2023 includes the City streets included in the Policy Report documentation. Based on the bids received, staff is recommending all alternates be completed with this year's project. Crack Sealing and base repairs are expected to begin in June with the actual micro-surfacing starting in August with a September completion.

Commissioner Hingula moved to award the 2023 Pavement Management – Crack Sealing and Micro-Surfacing (Base & Alternates) to Vance Brothers Inc., in an amount not to exceed \$507,790.04. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Award of Bid for Stormwater Truck (Cab & Chassis and Crane Body) - Public Works Director Brian Faust presented for consideration approval of quotes received for the purchase of one 2022 Ford F-550 Cab and Chassis and one Crane Body. The 2023 CIP included funding in the amount of \$85,000 for the replacement of a 2008 Ford F-350 with a crane body. The existing vehicle has 98,231 miles, has reached its operational life span and is experiencing both mechanical and electrical issues. Staff developed specifications and on three separate occasions requested bids for this vehicle. Despite three separate requests and sending the specifications to vendors along with calling vendors, no bids were received. Staff's only option was to search for an already manufactured cab/chassis and work with an equipment company for the service body and crane installation. Staff was able to locate a new 2022 F-550 cab/chassis at Olathe Ford and American Equipment provided a quote for the manufacture and installation of the body

with crane. As with all equipment, costs have increased significantly over the last year, the actual price is \$96,179.00, and the overage of \$11,179.00 will be covered by reserves in the CIP Sales Tax Fund.

Commissioner Bauder:

- Asked if the vehicle in stock

Mr. Faust:

- Olathe Ford has placed a hold on this item pending Commission approval

Commissioner Bauder moved to accept the bid from Olathe Ford for the 2022 Ford F-550 Cab and Chassis in an amount not to exceed \$49,775.00 and the bid from American Equipment for the crane body in an amount to exceed \$46,404.00, total cost being \$96,179.00. Commissioner Martin seconded the motion and the motion was unanimously approved.

First Consideration Ordinances:

First Consideration Ordinance for Special Use Permit 113 Seneca to allow Two-Family Dwelling in CBD Zoning – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to approve a special use permit to allow a two-family dwelling in the Central Business District zoning. The application has requested a special use to allow a two-family dwelling in the CBD zoning district. Two-family dwellings are allowed in the downtown redevelopment overlay district with the approval of a special use permit. The structure has evidence of previously functioning as a two-family dwelling based on separate entrances and electric boxes, but has been vacant for over 2 years. Previously the structure was considered an existing legal nonconforming use. The applicant intends to renovate and restore the structure to its previous use, to include new electrical, plumbing, HVAC, walls, ceilings, doors, windows, fixtures, cabinetry and flooring.

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

First Consideration Ordinance for Rezoning 3523 10th Avenue from R-MF to R1-9 – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to rezone the property located at 3523 10th Avenue from Residential Multi Family District to Medium Density Single Family Residential District. The owner is requesting the rezoning in order to bring the zoning of the property into conformance with the actual use of the property for marketing purposes to aid in the sale of the property. The property is identified as appropriate for Single Family uses on the Future Land Use map and no development is proposed as part of this rezoning application. The Planning Commission considered this item at their March 6, 2023 meeting and voted 6-0 to recommend approval of the rezoning. Ms. Hurley reviewed the Conditions of Determination that were referenced in the Policy Report.

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

Consent Agenda:

Commissioner Leonhard moved to approve claims for March 11, 2023, through March 24, 2023, in the amount of \$812,950.71; net amount for Payroll #06 effective March 24, 2023, in the amount of

\$366,959.62 (Includes Police & Fire Pension in the amount of \$10,383.15). Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Other:

City Manager Paul Kramer:

- The campground opens on April 1st
- Baseball and softball registration ends on Friday, March 31st

Commissioner Leonhard:

- Enjoy the week

Commissioner Hingula:

- Enjoy the spring

Commissioner Martin:

- God bless

Commissioner Bauder:

- Mentioned the First City Film Festival was this past weekend it was a great event

Mayor Wilson:

- Recognized Ms. Wagner and the Richard Allen Cultural Center for the Easter egg hunt they put on
- Keep the high school kids and families in your thoughts
- Thanked the seniors, veterans and churches in the community

Adjournment:

Commissioner Wilson moved to adjourn the meeting. Commissioner Hingula seconded the motion and the motion was approved and the meeting was adjourned.

Time Meeting Adjourned 7:09 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC