



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

City Commission Regular Meeting
Commission Chambers
Tuesday, May 23, 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 and Commissioners Nancy Bauder and Camalla Leonhard. Absent: Commissioner Edd Hingula.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Police Chief Patrick Kitchens, Public Works Director Brian Faust, Water Pollution Control Superintendent Tim Guardado and City Clerk Sarah Bodensteiner.

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

PRESENTATIONS:

Mayor's Award – Mayor Wilson presented the Mayor's Award for Community Service to J.B. Baldwin for his contributions to the sports community in Leavenworth. Mr. Baldwin was present to accept the award.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Leonhard moved to accept the minutes from the May 9, 2023 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

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

Resolutions:

Resolution B-2337 Setting Public Hearing for Unsafe Fire Damaged Structure 805 N 18th St – Chief Building Inspector Harold Burdette provided the background information. A fire significantly damaged this structure on January 21, 2023. The City has received insurance proceeds and the funds are 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. The Inspection staff has spoken with a contractor associated with this property and discussed their intention to repair the structure, but no request for a building permit has been received. A public hearing is required to determine if the structure should be demolished or if the owner will commit to making improvements within a timeframe acceptable to the City Commission. This Resolution sets the public hearing for July 11, 2023.

Commissioner Bauder moved to adopt Resolution B-2337 setting the public hearing for July 11, 2023 regarding the unsafe fire damaged structure located at 805 N 18th Street. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Bids, Contracts and Agreements:

Consider Approval of Purchase and Replacement of Building Air Handlers for WPC – Public Works Director Brian Faust presented for consideration approval of the purchase and replacement of air handler units for the Water Pollution Control department. There are three main air handlers used to bring fresh air into buildings and confined spaces at WPC. The fresh air helps make conditions better for equipment that is susceptible to harsh conditions caused by the gases created by sewage coming into the plant. These units also provide heat to the buildings. As the air handlers age, they are experiencing more frequent failures. Repair costs are increasing along with the chance of frozen pipes as well as unsafe conditions for staff working in the areas. The City requested quotes for replacement of the three air handlers. The 2023 CIP contains \$160,000 for the replacement of the air handlers on the main buildings. The original plan was to replace the air handlers one at a time, but quotes came back at a price per unit that allowed the projects to be combined into one versus multiple projects. The total cost of the three units is less than the budgeted CIP amount. Funding for this project is being provided by ARPA dollars.

Commissioner Leonhard:

- Asked for clarification regarding obsolete or hard to find repair parts

Mr. Faust:

- Explained these would be all new units

Commissioner Martin moved to approve the purchase and replacement of three (3) Air Handler Units on the Grit, Bar Screen and Primary Buildings from JF Denney in an amount not to exceed \$127,685.50. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

Consider Approval of Engineering Services Contract for the Replacement Sludge Dewatering System – Public Works Director Brian Faust presented for consideration approval of a contract for the evaluation and engineering design for the replacement of the sludge dewatering belt press at the Wastewater Treatment Plant. The current belt press was installed in the early 1990's with a rebuild around 2017. The press began experiencing a number of issues and failures in 2021. The City contracted with ANDRITZ Inc., in 2022 to evaluate the condition of the press and identify the needed repairs. The belt filter press is used to remove water from liquid wastewater residuals and produce a non-liquid material sometimes referred to as cake. Dewatering reduces the volume of material which reduces cost for storage, processing, hauling and disposal. In addition to a belt filter press, a screw press also provides a proven method of dewatering sludge and will be one of the replacement options evaluated in this process. The cost will be funded with ARPA funds set aside for the belt press.

Mr. Kramer:

- Stated the 2017 rebuild was to extend the life of the belt press by about 5 years

Commissioner Leonhard moved to approve the Engineering Services Contract for the evaluation and engineering design of a replacement sludge dewatering system at the Wastewater Treatment Plant with BG Consultants and authorize the Mayor to sign a contract in an amount not to exceed \$49,236. Commissioner

Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

First Consideration Ordinances:

First Consideration Ordinance Declaring the Necessity of Appropriating Private Property by Condemnation Connected with the U.S. 73 Choctaw to Seneca Improvement Project – Public Works Director Brian Faust presented for first consideration an ordinance authorizing and providing for acquisition of private property by condemnation for the U.S. 73 Choctaw to Seneca Improvement Project. Following processes as outlined by state statutes, the City Commission adopted Resolution B-2336 at the May 9, 2023 meeting. The resolution declared the necessity of acquiring property through eminent domain and authorized a survey and description of the land to be condemned. The next action requires the adoption of the proposed ordinance as prepared by the City Attorney. The tracts to be acquired in this area by condemnation are described in the ordinance. The City needs to acquire Temporary Construction Easements, a Permanent Landscape Easement and Right-of-Way. Orrick & Erskine LLP has maintained contact with the property owners and they are continuing in their efforts to reach agreements on the easements and right-of-way. It is necessary to proceed with the condemnation action until the easements and right-of-way are obtained.

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

First Consideration Ordinance Amending the City Code Solid Waste Collection and Disposal Section – City Manager Paul Kramer presented for first consideration an ordinance amending the Solid Waste Collection and Disposal section of the City of Leavenworth Code of Ordinances to align with the updated procedures regarding refuse bags. Based on the recommendations from the Solid Waste Citizen Task Force, the City Commission moved forward with the hybrid approach to refuse collection, where residents can choose to get a poly-cart or use trash bags. Through those discussions it was determined that trash bags would no longer be provided to residents by the City. With the adoption of the new approach, the City Code needs to be updated to reflect the change.

Mayor Wilson:

- Stated that people can still buy trash bags from the city, but the city will not be delivering them anymore

Mr. Kramer:

- The city will sell the remaining stock of bags, but once that is depleted the city will not restock

Commissioner Bauder:

- Stated that people can still put out trash bags even if they don't take a trash cart

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

Consent Agenda:

Commissioner Leonhard moved to approve claims for May 6, 2023 through May 19, 2023, in the amount of \$816,879.59; Net amount for Payroll #10 effective May 19, 2023 in the amount of \$373,488.13 (Includes

Police and 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 4-0.

Other:

City Manager Paul Kramer:

- Provided an update on the YAC building request for proposals
- Credited Brian Faust and Tim Guardado on the work they've done in regard to the assessments at the WWTP

Commissioner Leonhard:

- Have a great rest of the week

Commissioner Martin:

- Excited to see the poly-carts

Mayor Wilson:

- Saturday, May 27th, Melissa Etheridge will be in town to accept a Mayor's Award at City Hall

Executive Session – Discussion of Matters Related to Security Measures – Mayor Wilson moved to recess into executive session for a period of 15 minutes for the purpose of discussing security measures pursuant to the discussion of matters relating to security measures that protect a public body or agency, public building or facility or the information system of a public body or agency exception per K.S.A. 75-4319 (b) (12) (C). The City Commission, City Manager and Police Chief will be present. The open meeting will resume in the City Commission Chambers at 6:37 p.m. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

The City Commission returned to open session at 6:37 p.m.

Adjournment:

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

Time Meeting Adjourned 6:37 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC