



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

City Commission Regular Meeting
Commission Chambers
Tuesday, February 11, 2025 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 Holly Pittman, Mayor Pro Tem Nancy Bauder, Commissioner Edd Hingula and Griff Martin. Absent: Commissioner Jermaine Wilson.

Staff members present: City Manager Scott Peterson, Assistant City Manager Penny Holler, Public Works Director Brian Faust, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATION:

Susan B. Anthony Day, February 15th – Mayor Pittman read the proclamation proclaiming February 15th as Susan B. Anthony Day. The proclamation was accepted by Lisa Weakley of the Leavenworth County Historical Society.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Hingula moved to accept the minutes from the January 28, 2025 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

NEW BUSINESS:

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

Public Hearing:

Public Hearing for Waiver of Distance Requirement for Temporary Liquor Permits for St. Joseph Church & Immaculate Conception Church:

Open Public Hearing:

Commissioner Martin moved to open the public hearing. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Staff and Public Comment:

City Clerk Sarah Bodensteiner reviewed the request for the waiver.

- City Code allows for a waiver to permit alcoholic liquor to be sold or served from a location within 300 feet from any church, school, nursing home, library or hospital
- Immaculate Conception Church located at 711 N 5th is having its annual St. Patrick's Corned Beef and Cabbage dinner on March 9, 2025, and St. Joseph Church located at 306 N Broadway St. is

having its Annual Germanfest Dinner & Dance on October 4, 2025, and are requesting waivers to apply for the temporary liquor licenses

- Letters were sent to all property owners within 300 feet of both locations notifying them of the public hearing

John and Theresa Williams:

- Provided history and details of the annual events to the Commission

Close Public Hearing:

Commissioner Bauder moved to close the public hearing. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Commissioner Hingula moved to approve the request to waive the 300 foot requirement from any church, school, nursing home, library or hospital for the St. Patrick's Corned Beef and Cabbage event at Immaculate Conception Church and the Annual Germanfest Dinner & Dance at St. Joseph Church. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

General Items:

Mayor's Appointments:

Mayor Pittman moved to appoint to the Convention & Tourism Committee Jen Anders to an unexpired term ending January 31, 2027. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Review Draft of 2024 KDHE Annual Report for Stormwater – Public Works Director Brian Faust reviewed the draft report. The report summarizes the actions the City has taken the previous year to protect and enhance stormwater quality. The guidelines for the activities to be reported on are set by the revised Stormwater Management Program which was adopted by the City Commission on October 27, 2020 and these guidelines have been used since 2021. The report is required to be submitted annually and it is suggested by KDHE and EPA that the report be available for review in a public forum and allow time for public comment. The report will come back to the City Commission for approval at the February 25, 2025 meeting to allow time for public comments. No action is needed by the Commission at this time. Key narratives in the report are:

- Executive Summary
- Six minimum control measures: Discussion on effectiveness and annual performance measures:
 - Public education and outreach
 - Public involvement and participation
 - Illicit discharge detection and elimination
 - Construction site stormwater runoff and control
 - Post construction stormwater management in new development and post development projects
 - Pollution prevention and good housekeeping

Bids, Contracts and Agreements:

Consider Award of Bid for Stormwater Orange Fence Project #5 - 9th & Osage – Public Works Director Brian Faust presented for consideration award of bid for the Stormwater Orange Fence Project #5 located at 9th and Osage, including the alley south of Osage. The Public Works Department was informed of a cross-road culvert wall collapse on March 19, 2021. After visiting the site, it was determined that the wall and the cross-road culvert stone arch needed to be replaced to ensure the long-term safety of the traveling public and enhance the stormwater runoff through the area. The corrugated metal pipe in the alley directly south of the Osage Street stone arch rusted to the point where it collapse on January 20, 2015. The alley has remained closed since then. In September 2021, the City engaged Napier Engineering for the design of the project. The project was advertised for bid and bids were opened on February 5, 2025 with four bids being received. The cost for construction is \$290,380 and funding is available in the Stormwater Capital Fund. Inspection will be done by City Staff.

Commissioner Hingula moved to award the bid and authorize the Mayor to sign the contract for the Stormwater Orange Fence Project #5 at 9th and Osage, including the alley, with Linaweaver Construction Inc., in an amount not to exceed \$290,380.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Consider Award of Bid for Construction Observation Services for 4th Street (Rees to Poplar) Project – Public Works Director Brian Faust presented for consideration award of bid for construction observation services for the 4th Street Improvements Project (K-7 from Rees St. to Poplar Street). This project is part of the KDOT City Connecting Link Improvement Program for Surface Preservation (CCLIP-SP). In April 2023, the City submitted a CCLIP-SP application to KDOT for a mill/overlay project on K-7/4th Street between Rees and Poplar. The project will consist of a mill/overlay, localized full-depth base repairs, spot curb and sidewalk replacement, along with any needed ADA upgrades at ramps. The City generally uses the design engineering firm for Construction Observation Services if that firm employs qualified inspections. Since KDOT is funding a portion of the project, it is required that a KDOT certified inspector be used. City Staff reviewed qualifications, staffing and scheduling to be sure the selected firm could satisfactorily provide the services. Funding for this is available in the Grant Matching Capital Projects Fund.

Commissioner Martin moved to approve and authorize the Mayor to sign the Construction Observation Services Contract for the improvements to K-7/4th Street from Rees Street to Poplar Street with JEO Consulting Group, in an amount not to exceed \$72,565.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Staff Report:

Special Event Street Closure Policy Discussion – City Manager Scott Peterson reviewed the amended draft policy for Special Event Street Closure Policy based on discussions and feedback received at the January 21, 2025 City Commission Study Session. Staff reconfigured the notification system for affected businesses and residents. Instead of requiring event coordinators to get signatures from all impacted businesses and residents, they will instead be required to only get signatures from affected businesses. For residences, they will be provided with a template letter that they will be required to either mail or deliver to all impacted residences. The letter does not require a signature from anyone living in each unit. The event coordinator will then be required to provide a list of all residence that were sent or delivered the letter. Staff believes this adequately addresses the concerns that some Commissioners had with requiring event coordinators to interact with every resident in the special event area.

Consent Agenda:

Commissioner Martin moved to approve claims for January 24, 2025, through February 6, 2025, in the amount of \$1,923,456.57; Net amount for Payroll #2 effective January 24, 2025, in the amount of \$438,154.12 (Includes Police & Fire Pension in the amount of \$7,753.58). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pittman declared the motion carried 4-0.

Other:

City Manager Scott Peterson:

- Crews are preparing for the snow event
- RideLV will be a late start tomorrow

Commissioner Bauder:

- Would like to have an update from RideLV

Commissioner Hingula:

- Happy Valentine's Day to everyone

Mayor Pittman:

- Hope everyone has recovered from the Chief's loss

Adjournment:

Commissioner Martin moved to adjourn the meeting. Commissioner Hingula 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