



Welcome To Your City Commission Meeting - Please turn off or silence all cell phones during the commission meeting.
Meetings are televised everyday on Channel 2 at 7 p.m. and midnight

Call to Order – Pledge of Allegiance Followed by Silent Meditation

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

1. Minutes from June 12, 2018 Regular Meeting **Action:** Motion (pg. 2)

Second Consideration Ordinance:

2. Second Consideration Ordinance 8080 Industrial Revenue Bonds Zeck Ford **Action:** Roll Call Vote (pg. 7)

NEW BUSINESS:

Citizen Participation: *(i.e. Items not listed on the agenda or receipt of petitions- Please state your name and address)*

General Items:

3. Public Hearing for Unsafe or Dangerous Structures (pg. 12)
a. Open Public Hearing **Action:** Motion
i. Consider Dangerous Structures
b. Close Public Hearing **Action:** Motion
c. Consider Resolution B-2203 Demolish or Repair Dangerous Structures **Action:** Motion

Bids, Contracts and Agreements:

4. Consider Purchase of Microsoft Office 2016 Licenses **Action:** Motion (pg. 59)
5. Consider Bids for 2018 Pavement Management Program **Action:** Motion (pg. 64)
6. Consider Inspection Services for 2018 Pavement Management Program **Action:** Motion (pg. 67)
7. Consider Bids for New Lawrence Road Improvement Project **Action:** Motion (pg. 75)

First Consideration Ordinance:

8. First Consideration Rezoning Ordinance 1100 N 2nd St **Action:** Consensus (pg. 78)

Consent Agenda:

Claims for June 9, 2018 through June 22, 2018 in the amount of \$882,711.73 ; Net amount for Pay #13 effective June 22, 2018 in the amount of \$354,305.92 (Including Police & Fire Pension in the amount of \$11,572.36). **Action:** Motion

Other Items:

Adjourn: **Action:** Motion



CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Mark Preisinger, Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder, and Myron J. (Mike) Griswold; not present: Commissioner Larry Dedeke.

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Finance Director Ruby Maline, Fire Chief Gary Birch, Police Chief Pat Kitchens, Public Information Officer Melissa Bower, City Attorney David E. Waters, Deputy City Clerk Cary Collins and City Clerk Carla K. Williamson.

Mayor Mark Preisinger opened the meeting with the pledge of allegiance followed by silent meditation.

PRESENTATIONS:

New Employee Welcome Ceremony:

Elijah Bagley - Police Officer
Robert Battista - Park Technician I (not present)
Randall Rosenstangle - Mechanic
Wilson (Tanner) Park - Police Officer
David McKendrick - Stormwater Equipment Operator I (not present)
Joseph Kowalewski - WPC Operator I (not present)
Conner Debban - Pool Manager (not present)
Thomas Urban - PT Recycling Monitor (not present)
Staci Adams - Office Clerk II
Darrin Manna - WPC Operator I (not present)
Spencer Blew – Firefighter (not present)
Clinton Forbes – Firefighter (not present)
Howard Kings - Help Desk Technician
Brendan Hannigan – Firefighter (not present)

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Bauder moved to approve the minutes from the May 22, 2018 regular meeting and the June 5, 2018 special meeting as presented. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8076 Rescinding Special Use Permits– City Manager Paul Kramer stated that there have been no changes to the ordinance since it was first introduced on May 22, 2018. Ordinance No. 8076 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8076 was unanimously approved 4-0.

Second Consideration Ordinance No. 8077 Stormwater Utility – City Manager Paul Kramer stated that there have been no changes to the ordinance since it was first introduced on June 5, 2018. Ordinance No. 8077 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8077 was unanimously approved 4-0.

Second Consideration Ordinance No. 8078 Amending Appendix F, Schedule of Fees - City Manager Paul Kramer stated that there have been no changes to the ordinance since it was first introduced on June 5, 2018. Ordinance No. 8078 was presented for second consideration and a roll call vote.

Mayor Preisinger called the roll and Ordinance No. 8078 was unanimously approved 4-0.

NEW BUSINESS:

Citizen Participation:

Louis Klemp-1816 Pine Ridge Drive

- Mr. Klemp presented a check in the amount of \$289.20 for past due City refuse fees
- Disturbed that the City did not use some of the sales tax money for the Stormwater fee
- County gives the Cities money each year
- City could lower the mil levy

Charlsey Filbert-205 Topeka Avenue

- Concerned about the City spraying for mosquitos
- What is the cost of the mosquito spray program
- Mosquitos become resistant to chemicals used
- City notice stated that spraying is done when deemed necessary; what is considered necessary
- Is there high citizen demand or low citizen awareness
- Environmental impact studies; are they being done
- Alternative mosquito control measures such as community awareness
- Pesticides are designed to kill

Mayor Preisinger stated that the spraying is done under the guidance of the Kansas Department of Health & Environment.

Mr. Kramer will prepare a brief for the Commission on the topic.

General Items:

- First Banker's Banc Securities Inc. Interest rate of 2.634758%
- Robert W. Baird & Co. Inc. Interest rate of 2.713174%
- UMB Bank N.A. Interest rate of 2.724497%
- Hilltop Securities Interest rate of 2.823441%
- Bernardi Securities, Inc. Interest rate of 2.841386%
- D.A. Davidson & Co. Interest rate of 2.842439%

Staff recommends accepting the following bids:

- A2018 Temporary Notes:
 - Country Club Bank with an interest rate of 2.467997%
- General Obligation Bonds, Series 2018-A:
 - First Banker's Banc Securities Inc. with an interest rate of 2.634758%

Ms. Williamson stated the following actions are required to complete the proceedings:

1. Motion to accept the proposal for the Temporary Notes, Series A2018
2. Motion to adopt Resolution B-2201 Issuance of Temporary Notes, Series A2018
3. Motion to accept the proposal for the General Obligation Bonds, Series 2018-A
4. Motion to adopt Resolution B-2202 Issuance of General Obligation Bonds, Series 2018-A
5. Roll call vote for Ordinance No. 8079 General Obligation Bonds, Series 2018-A

Commissioner Bauder moved to accept the proposals from Country Club for Temporary Notes, Series A2018 as presented. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

Commissioner Wilson moved to adopt Resolution B-2201 Issuance of Temporary Notes, Series A2018. Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

Commissioner Bauder moved to accept the proposals from First Bankers' Banc Securities Inc. for the 2018-A General Obligation Bonds as presented. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

Commissioner Bauder moved to adopt Resolution B-2202 Issuance of General Obligation Bonds, Series 2018-A. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor then declared the motion carried 4-0.

Second Consideration Ordinance No. 8079 General Obligation Bonds, Series 2018-A.

Mayor Preisinger called the roll and Ordinance No. 8079 was unanimously approved 4-0.

First Consideration Ordinances:

First Consideration Ordinance Authorizing the Issuance of Taxable Industrial Revenue Bonds, Zeck Ford Project – City Clerk Carla Williamson presented for first consideration an ordinance authorizing the issuance by the City of Leavenworth of not to exceed \$9,000,000 of taxable industrial revenue bonds, series 2018 (Zeck Ford Project). City Attorney David Waters reviewed the IRB process with the Commission and reiterated that these are not general obligation bonds; this is a mechanism in

which Zeck (the developer) purchases the bonds and is allowed the ability to use the City's tax exempt status when purchasing materials for the project.

Consensus by the City Commission to place on first consideration.

CONSENT AGENDA:

Commissioner Griswold moved to approve claims for May 19, 2018 through June 8, 2018 in the amount of \$2,647,667.66; net amount for Pay #11 effective May 25, 2018 in the amount of \$328,844.83(Including Police & Fire Pension of \$11,572.36) and Pay #12 effective June 8, 2018 in the amount of \$333,574.23 (No Police & Fire Pension). Commissioner Bauder seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

Other:

Commissioner Wilson

- Asked about looking at curbside recycling

City Manager Kramer discussed the process. Curbside recycling would require a completely different type of service throughout the City; requiring different equipment. Mr. Kramer will prepare a memo to the Commission regarding what would be needed for this type of program.

Executive Session: Preliminary discussion of the acquisition of real property exception per K.S.A. 75-4319(b)(6).

Commissioner Bauder 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 8:00 by the clock in the City Commission Chambers. City Manager Paul Kramer, Assistant City Manager Taylor Tedder, City Attorney David Waters, and Mike Reilly are requested to be present during the Executive Session. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor declared the motion carried 4-0.

The City Commission returned to open session at 8:00 p.m. with no action taken.

Charlsey Filbert-205 Topeka Avenue asked to address the City Commission again regarding mosquito spraying and opting out.

- Unable to opt out if a house is vacant
- Houses close together not very productive if everyone does not opt out
- City should look at ending the program

Adjourn:

Commissioner Bauder moved to adjourn the meeting. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor declared the motion carried and the meeting adjourned.

Time Meeting Adjourned 8:01 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC

**POLICY REPORT
SECOND CONSIDERATION
ORDINANCE No. 8080
AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS
ZECK FORD PROJECT**

JUNE 26, 2018

Prepared by:



Carla K. Williamson, CMC
City Clerk

Reviewed by:



Paul Kramer
City Manager

BACKGROUND:

At the June 12, 2018 City Commission meeting the City Commission reviewed and placed on first consideration;

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LEAVENWORTH, KANSAS OF NOT TO EXCEED \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2018 (ZECK FORD PROJECT), TO PROVIDE FUNDS TO ACQUIRE, CONSTRUCT AND EQUIP A PROJECT FOR ZECK BROTHERS DEVELOPMENT, LLC, AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

There have been no changes since this item was placed on first consideration.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 8080.

ACTION:

Ordinance No. 8080 is now presented for second consideration and requires a roll call vote.

ATTACHMENTS:

- Ordinance No. 8080

ORDINANCE NO. 8080

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LEAVENWORTH, KANSAS OF NOT TO EXCEED \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2018 (ZECK FORD PROJECT), TO PROVIDE FUNDS TO ACQUIRE, CONSTRUCT AND EQUIP A PROJECT FOR ZECK BROTHERS DEVELOPMENT, LLC, AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

WHEREAS, the City of Leavenworth, Kansas, (the “Issuer”) is a municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Kansas as a city of the first class; and

WHEREAS, the Issuer is authorized by K.S.A. 12-1740 to 12-1749d, inclusive, as amended, (collectively, the “Act”) to issue revenue bonds, the proceeds of which shall be used for the purpose of paying all or part of the cost of purchasing, acquiring, constructing, reconstructing, improving, equipping, furnishing, repairing, enlarging or remodeling facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes; and

WHEREAS, pursuant to the Act, the Issuer proposes to issue its Taxable Industrial Revenue Bonds, Series 2018 (Zeck Ford Project), in an aggregate principal amount not to exceed \$9,000,000 (the “Bonds”) for the purpose of (a) acquiring, constructing and equipping a commercial facility for Zeck Brothers Development, LLC, a Kansas limited liability company (the “Company”), and (b) paying certain costs of issuance, all as further described in the hereinafter referred to Bond Indenture and Lease Agreement; and

WHEREAS, the Bonds will be issued under a Bond Trust Indenture dated as of the date set forth therein (the “Bond Indenture”), by and between the Issuer and Security Bank of Kansas City, as Bond Trustee (the “Bond Trustee”); and

WHEREAS, the Company will lease the Project to the Issuer pursuant to the Base Lease Agreement of even date herewith (the “Base Lease”) between the Company and the Issuer; and

WHEREAS, simultaneously with the execution and delivery of the Bond Indenture, the Issuer will enter into a Lease Agreement dated as of the date set forth therein (the “Lease Agreement”), by and between the Issuer, as lessor, and the Company, as lessee, pursuant to which the Project (as defined in the Bond Indenture) will be acquired, constructed and equipped and pursuant to which the Issuer will lease the Project to the Company, and the Company will agree to pay Lease Payments (as defined in the Bond Indenture) sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Issuer further finds and determines that it is necessary and desirable in connection with the issuance of the Bonds that the Issuer execute and deliver certain documents and that the Issuer take certain other actions as herein provided.

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

Section 1. Findings and Determinations. The Issuer hereby makes the following findings and determinations with respect to the Company and the Bonds to be issued by the Issuer, based upon representations made to the Issuer:

- (a) The Company has properly requested the Issuer's assistance in financing the costs of the Project;
- (b) The issuance of the Bonds for the purpose of providing funds to finance the costs of the Project is in furtherance of the public purposes set forth in the Act; and
- (c) The Bonds are being issued for a valid purpose under and in accordance with the provisions of the Act.

Section 2. Authorization of the Bonds. The Issuer is hereby authorized to issue the Bonds in the aggregate principal amount of not to exceed \$9,000,000, which shall be issued under and secured by and shall have the terms and provisions set forth in the Bond Indenture. The Bonds shall bear interest at an interest rate not to exceed 3.00% per annum, and shall mature not later than the year 2020, and shall have such redemption provisions as set forth in the Bond Indenture. The final terms of the Bonds shall be specified in the Bond Indenture, and the signatures of the officers of the Issuer executing such Bond Indenture shall constitute conclusive evidence of their approval and the Issuer's approval thereof.

Section 3. Limited Obligations. The Bonds shall be limited obligations of the Issuer, payable solely from the sources and in the manner as provided in the Bond Indenture, and shall be secured by a transfer, pledge and assignment of and a grant of a security interest in the Trust Estate (as defined in the Bond Indenture) to the Bond Trustee and in favor of the owners of the Bonds, as provided in the Bond Indenture. The Bonds and interest thereon shall not be deemed to constitute a debt or liability of the Issuer, the State of Kansas (the "State") or of any political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the Issuer, the State or of any political subdivision thereof, but shall be payable solely from the funds provided for in the Lease Agreement and the Bond Indenture. The issuance of the Bonds shall not, directly, indirectly or contingently, obligate the Issuer, the State or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. No breach by the Issuer of any such pledge, mortgage, obligation or agreement may impose any liability, pecuniary or otherwise, upon the Issuer or any charge upon its general credit or against its taxing power.

Section 4. Authorization and Approval of Documents. The following documents are hereby approved in substantially the forms presented to and reviewed by the Issuer (copies of which documents, upon execution thereof, shall be filed in the office of the City Clerk), and the Issuer is hereby authorized to execute and deliver each of such documents (the "Issuer Documents") with such changes therein (including the dated date thereof) as shall be approved by the officials of the Issuer executing such documents, such officials' signatures thereon being conclusive evidence of their approval and the Issuer's approval thereof:

- (a) Bond Indenture;
- (b) Base Lease Agreement;
- (c) Lease Agreement; and

(d) Bond Purchase Agreement.

Section 5. Execution of Bonds and Documents. The Mayor of the Issuer is hereby authorized and directed to execute the Bonds by manual or facsimile signature and to deliver the Bonds to the Bond Trustee for authentication for and on behalf of and as the act and deed of the Issuer in the manner provided in the Bond Indenture. The Mayor of the Issuer is hereby authorized and directed to execute and deliver the Issuer Documents for and on behalf of and as the act and deed of the Issuer. The City Clerk of the Issuer is hereby authorized and directed to attest, by manual or facsimile signature, to the Bonds, the Issuer Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 6. Further Authority. The Issuer shall, and the officials, agents and employees of the Issuer are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments, including, without limitation, any credit enhancement and security documents, arbitrage certificate, redemption notices, closing certificates and tax forms, as may be necessary or desirable to carry out and comply with the intent of this Ordinance, and to carry out, comply with and perform the duties of the Issuer with respect to the Bonds and the Issuer Documents.

Section 7. Effective Date. This Ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the Issuer and publication in the official newspaper of the Issuer.

PASSED by the Governing Body of the City of Leavenworth, Kansas this 26th day of June, 2018.

CITY OF LEAVENWORTH, KANSAS

Mark Preisinger, Mayor

(Seal)

ATTEST:

Carla K. Williamson, City Clerk

[SUMMARY ORDINANCE FOR PUBLICATION]

(PUBLISHED IN *The Leavenworth Times* ON June __, 2018)

SUMMARY OF ORDINANCE NO. 8080

On June 26, 2018, the governing body of the City of Leavenworth, Kansas, passed an ordinance entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LEAVENWORTH, KANSAS OF NOT TO EXCEED \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2018 (ZECK FORD PROJECT), TO PROVIDE FUNDS TO ACQUIRE, CONSTRUCT AND EQUIP A PROJECT FOR ZECK BROTHERS DEVELOPMENT, LLC, AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

The bonds approved by the Ordinance are being issued in an aggregate principal amount not to exceed \$9,000,000 for the purpose of acquiring, constructing, improving and equipping a commercial facility located approximately at 4501 South 4th Street, Leavenworth, Kansas and paying certain costs of issuance of the bonds. The bonds shall be limited obligations of the City of Leavenworth, Kansas payable from lease payments to be made by Zeck Brothers Development, LLC, in amounts sufficient to pay the principal of and interest on the bonds. The bonds and interest thereon shall not be deemed to constitute a debt or liability of the City of Leavenworth, the State of Kansas (the "State") or of any political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the City of Leavenworth, the State or of any political subdivision thereof, but shall be payable solely from the funds provided for in the Lease Agreement and the Bond Indenture. The issuance of the bonds shall not, directly, indirectly or contingently, obligate the City of Leavenworth, the State or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 100 North 5th Street. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at the City Clerk's office 100 North 5th Street, Leavenworth, Kansas.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: _____, 2018.

David Waters, City Attorney


POLICY REPORT

**Public Hearing for Unsafe and Dangerous Structures
Resolution No. B-2203**

June 26, 2018



Prepared By:
Julie Hurley,
City Planner



Reviewed By:
Paul Kramer,
City Manager

DISCUSSION

Structures that are assessed to be in an unsafe and dangerous physical condition pose a threat to the public health, safety and welfare of the City. To address and abate these structures, the City Commission, through its powers under Chapter 22, Article X (Dangerous Structures) of the Code of Ordinances, has requested that City staff annually develop an inventory of unsafe and dangerous structures for review and potential removal through demolition.

STRUCTURES FOR CONSIDERATION

Staff has compiled a list of structures, which have been evaluated based upon the criterion established for unsafe and dangerous structures. In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, siding or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

The following structures have been evaluated based on the criteria outlined within KSA 17-4759 and are hereby presented for consideration. Owners were first sent notification on March 29, 2018 of possible demolition. Owners were requested to contact staff by April 27, 2018 to discuss steps to bring structures into compliance and to sign a Remediation Agreement. Any owners that contacted staff after April 27th were given a copy of the Remediation Agreement but not requested to sign it.

The Commission passed a Resolution setting the public hearing on May 8, 2018. After that time, notification was again provided to the owners of the properties, as required by statute, via certified mail, posting on the structure, and publication in the Leavenworth Times.

1. **617 Middle – one story single family house:** no contact from owner
2. **1118 Kenton – one story single family house and detached garage:** no contact from owner
3. **784 Miami – single story detached garage:** no contact from owner
4. **625 Oak – two story single family house damaged by fire :** no contact from owner
5. **325 Pottawatomie – two story single family house damaged by fire:** owner has indicated possible intent to repair
6. **202 Pottawatomie – two story single family house:** owner has indicated intent to repair, no permits have been issued. Property is listed on the Kansas State Register of Historic Places, requiring review by the Leavenworth Preservation Commission (LPC). LPC scheduled to review potential demolition of property on July 11, 2018.
7. **209 Elm – two story single family house:** owner has indicated possible intent to repair.
8. **1410 Central Avenue – one story single family house:** owner has indicated intent to repair. A tree had previously fallen on the house and was left, the tree has since been removed.
9. **1517 9th Avenue – one story single family house with detached shed:** no contact from owner. A tree from the neighboring property fell onto the roof of the house. The neighboring property owner removed the portion of the tree on their own property, a portion of the tree still remains on the roof of 1517 9th Ave.
10. **1529 10th Avenue – one story single family house damaged by fire:** no contact from owner
11. **1728 S. 4th Street – one story single family house:** A new owner has acquired the property and is currently in the process of completing requested improvements.
12. **407 N. 10th Street – two story single family house:** A new owner has acquired the property and is currently in the process of completing requested improvements.
13. **1030 Ironmoulders – two story single family house with detached shed:** owner signed Remediation Agreement with deadline date of June 22, 2018 to have repairs complete.

RECOMMENDED ACTION

1. Adopt Resolution B-2203 declaring structures presented during the public hearing of June 26, 2018 as eligible for demolition.
2. Remove structure(s) from the listing for demolition
3. Postpone any consideration for further information and consideration.
4. Reject the listing of structures for demolition.
5. Other action as deemed necessary by the City Commission.

(To Be Published in the Leavenworth Times on July 3, 2018)

RESOLUTION NO. B-2203

A FINDING THAT CERTAIN STRUCTURES HEREIN DESCRIBED ARE UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the environmental officer of the City of Leavenworth, Kansas, did on the 8th day of May, 2018 file with the Governing Body a statement in writing that certain structures hereinafter described are unsafe and dangerous; and

WHEREAS, the Governing Body did adopt Resolution No. B-2199 fixing the time and place of a hearing at which the owner, their agents, any lienholders of record, and occupants of such structures could appear and show cause why such structure should not be condemned and ordered repaired or demolished and providing for giving notice thereof as provided by law; and

WHEREAS, Resolution No. B-2199 was published in the official City newspaper on May 15, 2018 and May 22, 2018, and a copy of said Resolution was mailed and served on the owner, agents and/or lienholder of record of such structure as provided by law; and

WHEREAS, on June 26, 2018, the Governing Body heard all evidence submitted by the environmental officer of the City and heard any evidence submitted by the owner, agents, or lienholders of record.

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

Section 1. That the Governing Body hereby finds that the following structures are unsafe and dangerous structures. The owner of each structure is hereby directed to commence repair or removal of such structure on or before that date which is **ten (10) days** from the date of the publication of this resolution, and if such owner fails to commence such repair or removal within the time stated or fails to diligently prosecute the same until the work is complete, said Governing Body shall cause the structure to be razed and removed and the cost of such razing and removing, less salvage, if any, will be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

1. A one-story wood frame house and any accessory structures on the property located at **617 Middle Street**, legally described as Lots 6 and 7, Block 15, Day's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773603024005000.
2. A one-story wood frame house and any accessory structures on the property located at **1118 Kenton Street**, legally described as Lots 16,17 and 18, in Block 2, Stillings Subdivision of the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773503002009000.

3. A detached shed on the property located at **784 Miami Street**, legally described as Lot 18, Block 1114, Western Addition, City of Leavenworth, Leavenworth County, Kansas; ALSO a part of Lot 17, Block 114, Western Addition, City of Leavenworth, Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of the West line of Lot 17, Block 114; thence North along the West line of Lot 17, 40.00 feet to the point of beginning of this parcel, thence East 2.40 feet; thence South 37.00 feet parallel to the West line of Lot 17, thence 2.40 feet to the point of beginning, as per survey dated December 29, 1986 by Donald G. White. CAMA No. 0772604306008000.
4. A two-story wood frame house and any accessory structures on the property located at **625 Oak Street**, legally described as Lot 7, Block 33, Clark and Rees' Addition, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773602022006000.
5. A two-story wood frame house and any accessory structures on the property located at **325 Pottawatomie Street**, legally described as Lot 20, Block 40, Leavenworth City Proper, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772503212009000.
6. A two-story wood frame house and any accessory structures on the property located at **202 Pottawatomie Street**, legally described as Lots 1, 2, 3 and 4 in Block 28, in Leavenworth City Proper, in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772503103016000.
7. A two-story wood frame house and any accessory structures on the property located at **209 Elm Street**, legally described as Lot 3, Block 11, Fackler's Addition, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773604005003000.
8. A one-story wood frame house and any accessory structures on the property located at **1410 Central Avenue**, legally described as Lots 19, 20 and the South 8 feet of Lot 21, Block 6, in Insley & Shire's Subdivision in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773504031021000.
9. A one-story wood frame house and any accessory structures on the property located at **1517 9th Avenue**, legally described as the North 40 feet of the South 180 feet of Block One, Marshall's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 1010201004006000.
10. A two-story wood frame house and any accessory structures on the property located at A one-story wood frame house and any accessory structures on the property located at **1529 10th Avenue**, legally described as Lots 13, 14 and 15, Wollman's Subdivision of the West half of Block 4, Marshall's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 1010201006005000.

11. A one-story wood frame house and any accessory structures on the property located at **1728 S. 4th Street**, legally described as Lot 37, the South half of Lot 38 and the South five feet of the North half of Lot 38, Block 2, Flesher's River View Subdivision, in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 1010102001022010.
12. **407 N. 10th Street**, legally described as Lot 4, Block 3, Ewing, Roelofsen and Company's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No.0772603402021000.
13. A one-story wood frame house and any accessory structures on the property located at **1030 Ironmoulders Street**, legally described as Lots 24, 25, 26 and 27, Block 9, Stillings Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773503011007000.

Section 2. That the Governing Body hereby finds that the following structures are unsafe and dangerous structures. The owner of each structure is hereby directed to commence repair or removal of such structure on or before that date which is listed below, or within the number of days after publication of this resolution as listed below, and if such owner fails to commence such repair or removal within the time stated or fails to diligently prosecute the same until the work is complete, said Governing Body shall cause the structure to be razed and removed and the cost of such razing and removing, less salvage, if any, will be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

[insert any properties that are given extension and extension date]

Section 3. Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City newspaper and a copy mailed to the owner, agents, and/or lienholder of record, and occupants or served personally as provided by law.

ADOPTED THIS 26th day of June, 2018.

Mark Preisinger, Mayor

ATTEST:

Carla K. Williamson, CMC City Clerk

Determination of Unsafe or Dangerous Structure

Address:	617 Middle		
Owner	Description	Taxes	Parcel Number
Curtis Cammack	1 Story Wood Frame		052-077-36-0-30-24-005.00-0
Legal Description:			
DAY'S SUBDIVISION SECTION 36, TOWNSHIP 8, RANGE 22E, BLK 15, LOT 6			
Date of Inspection	Zoning		Parcel Size
1/26/2018	R1-6		11424
# Code Violations	Last Court Appearance		Code Enforcement Officer
2	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

City has been maintaining the grass. Last water service 5/14/2012.



PROPERTY REMEDIATION AGREEMENT

Owner: Curtis Cammack
 Site Address: 617 Middle St.
 Leavenworth, KS 66048

The owner(s) of the property located at 617 Middle St. recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof - replace entire roof, to include soffits and eaves.
2)	6/22/18	Guttering - replace all guttering
3)	6/22/18	Paint - paint exterior of house
4)	6/22/18	Remove overgrown vegetation around the house.

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	1118 Kenton		
Owner	Description	Taxes	Parcel Number
Donald and Rose Phelps	White Single Story w/ detached Garage		0773503002009000
Legal Description: Stilling's, BLKS 1-3			
Date of Inspection	Zoning		Parcel Size
	R16		10338.4811
# Code Violations	Last Court Appearance		Code Enforcement Officer
3	None		Chris Mills

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Date of Last Water Service 7/1/13, Maintained Lawn



PROPERTY REMEDIATION AGREEMENT

Owner: Donald and Rose Phelps
 Site Address: 1118 Kenton
 Leavenworth, KS 66048

The owner(s) of the property located at _____ recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	June 22, 2018	Siding-Replace ALL exterior Siding
2)	June 22, 2018	Windows & Doors-Windows need replaced
3)	June 22, 2018	Paint-remove ALL peeling paint and repaint
4)	June 22, 2018	Detached Garage-All above tasks apply as well

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure			
Address:	784 Miami Street		
Owner	Description	Taxes	Parcel Number
Bradley Elliott	detached shed ONLY	N/A	0772604306008000
Legal Description:			
LTS 17 & 18; BEG NW COR LT 18, W24', S43', E2.4', S37', W2.4', S40', W24', N120' TO POB SECTION 26 Township 8 Range 22e BLK 14 WESTERN ADDITION			
Date of Inspection	Zoning		Parcel Size
1/31/18	R1-6		3044 SQ FT.
# Code Violations	Last Court Appearance		Code Enforcement Officer
4	N/A		Kathy L. Rodgers

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

NOTE: detached shed ONLY -- water service exist at the main structure



PROPERTY REMEDIATION AGREEMENT

Owner: Bradley Elliott
 Site Address: 784 Miami Street
 Leavenworth, KS 66048

The owner(s) of the property located at **784 Miami Street** recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	GARAGE ONLY Roof – replace entire roof.
2)	6/22/18	Siding – replace all exterior walls and sidings. Soffits & eaves – replace all soffits & eaves. Guttering -- replace
3)	6/22/18	Windows & doors – replace all windows & doors.
4)	6/22/18	Paint – paint entire exterior structure.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	625 Oak Street		
Owner	Description	Taxes	Parcel Number
Chadwick G. Hudspeth	2 story wooden burned structure + detached shed	NO	0773602022006000
Legal Description: BLK 33 LOT 7 CLARK & REES ADDITION			
Date of Inspection	Zoning		Parcel Size
1/31/18	R1-6		6329.3975
# Code Violations	Last Court Appearance		Code Enforcement Officer
7	N/A		Kathy L. Rodgers

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
 - Lack of adequate ventilation
 - Air pollution
 - Light or sanitary facilities
 - Dilapidation
 - Disrepair
 - Structural defects
 - Uncleanliness
 - Overcrowding
 - Inadequate ingress and egress
 - Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
 - Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
 - Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
 - Vermin infestation
 - Inadequate drainage
 - Any other violation of health, fire, building or zoning regulations
- Other:

NOTE: Date of last water service = 7/28/16. City also maintains the lawn.



PROPERTY REMEDIATION AGREEMENT

Owner: Chadwick G. Hudspeth
 Site Address: 625 Oak Street
 Leavenworth, KS 66048

The owner(s) of the property located at **625 Oak Street** recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof - replace entire roof.
2)	6/22/18	Siding - replace all exterior walls and sidings. Soffits & eaves - replace all soffits & eaves. Guttering -- replace
3)	6/22/18	Windows & doors - replace all windows & doors.
4)	6/22/18	Paint - paint entire exterior structure.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	325 Pottawatomie Street		
Owner	Description	Taxes	Parcel Number
Frank Stephenson	2 Story Wooden Structure		0772503212009000
Legal Description: LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 40, Lot 20			
Date of Inspection	Zoning		Parcel Size
March 14, 2018	R1-6		2974 sq '
# Code Violations	Last Court Appearance		Code Enforcement Officer
4	N/A		Kathy Rodgers

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

This is a fire structure. NO WATER SINCE September 19, 2017.



PROPERTY REMEDIATION AGREEMENT

Owner: Frank Stephenson
 Site Address: 325 Pottawatomie Street
 Leavenworth, KS 66048

The owner(s) of the property located at **325 Pottawatomie Street** recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof – replace/repair roof.
2)	6/22/18	Siding – replace/repair all exterior walls and sidings. Soffits & eaves – replace/repair all soffits & eaves. Guttering – replace/repair guttering
3)	6/22/18	Windows & doors – replace/repair all windows & doors.
4)	6/22/18	Paint – remove all peeling paint and repaint entire structure.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	202 Pottawatomie Street		
Owner	Description	Taxes	Parcel Number
Rickey L. Giles Jr.	2 story wooden structure		0772503103016000
Legal Description: LEAVENWORTH,PLT ORIG, S25, T08, R22E, BLOCK 28, Lot 1 - 4			
Date of Inspection	Zoning		Parcel Size
3/15/18	R1-6		11,841
# Code Violations	Last Court Appearance		Code Enforcement Officer
3	N/A		Kathy L. Rodgers

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

No water service since November 12, 2015.



PROPERTY REMEDIATION AGREEMENT

Owner: Rickey L. Giles Jr.
 Site Address: 202 Pottawatomie Street
 Leavenworth, KS 66048

The owner(s) of the property located at **202 Pottawatomie Street** recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof - replace roof.
2)	6/22/18	Siding - replace/repair all exterior walls and sidings. Soffits & eaves - replace/repair all soffits & eaves. Guttering - replace/repair guttering
3)	6/22/18	Windows & doors - replace/repair all windows & doors.
4)	6/22/18	Paint - remove all peeling paint and repaint entire exterior structure.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

 Signature

 Date



Determination of Unsafe or Dangerous Structure

Address:	209 Elm		
Owner	Description	Taxes	Parcel Number
Platinum Enterprises	2 Story wood frame		052-077-36-0-40-05-003.00-0
Legal Description: FACKLERS ADDITION BLK 11 LOT 3			
Date of Inspection	Zoning		Parcel Size
1/22/2018	R1-6		6506
# Code Violations	Last Court Appearance		Code Enforcement Officer
2	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Neighbors complain of squatters. Last water service 2/23/2015.



PROPERTY REMEDIATION AGREEMENT

Owner: Platinum Enterprises
 Site Address: 209 Elm St.
 Leavenworth, KS 66048

The owner(s) of the property located at 209 Elm St. recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof – replace entire roof, to include soffits and eaves.
2)	6/22/18	Guttering – Replace all guttering
3)	6/22/18	Windows – Fix all windows
4)	6/22/18	Paint – Paint exterior of the house.

I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	1410 Central Avenue		
Owner	Description	Taxes	Parcel Number
Robert A. Cairns	1 Story Wood Frame		052-077-35-0-40-31-021.00-0
Legal Description: INSLEY & SHIRE'S SUB LTS 19 & 20 & S8'LT 21 BLK 6			
Date of Inspection	Zoning		Parcel Size
1/30/2018	R1-6		8315
# Code Violations	Last Court Appearance		Code Enforcement Officer
4	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Fallen tree on top of house. City is maintaining the grass & weeds. Last water service 12/8/2011.



PROPERTY REMEDIATION AGREEMENT

Owner: Robert Cairns
 Site Address: 1410 Central Ave
 Leavenworth, KS 66048

The owner(s) of the property located at 1410 Central Ave recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Tree - Remove dead fallen tree on the house
2)	6/22/18	Roof - Replace entire roof, to include soffits and eaves
3)	6/22/18	Guttering - replace all guttering
4)	6/22/18	Paint - paint exterior of the house
	6/22/18	Remove overgrown vegetation around the house

I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	1517 9th Avenue		
Owner	Description	Taxes	Parcel Number
Lance William Richmond & Tessa	1 Story Wood Frame		052-101-02-0-10-04-006.00-0
Legal Description: MARSHALL'S SUBDIVISION N40' OF S180' OF BLK 1			
Date of Inspection	Zoning		Parcel Size
1/26/2018	R1-6		6652
# Code Violations	Last Court Appearance		Code Enforcement Officer
6	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Last water service 3/9/2016.



PROPERTY REMEDIATION AGREEMENT

Owner: Lance Richmond & Tess Sullivan
 Site Address: 1517 9th Avenue
 Leavenworth, KS 66048

The owner(s) of the property located at 1517 9th Ave recognize that the property is in violation of the City’s Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof – Replace entire roof, to include soffits and eaves.
2)	6/22/18	Guttering – replace all guttering
3)	6/22/18	Paint – Paint exterior of house
4)	6/22/18	Windows - Place all broken windows
	6/22/18	Remove overgrown vegetation around the house

I (Print the Owner’s Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date



Determination of Unsafe or Dangerous Structure

Address:	1529 10th Avenue		
Owner	Description	Taxes	Parcel Number
Betty Gorden, Velma Anderson,	1 Story Wood Frame		052-101-02-0-10-06-005.00-0
Legal Description:			
WOLLMAN'S SUB OF W1/2 BLK #4 SECTION 2, TOWNSHIP 9, RANGE 22E, LOT 13			
Date of Inspection	Zoning		Parcel Size
1/29/2018	R1-6		10359
# Code Violations	Last Court Appearance		Code Enforcement Officer
13	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

This property has been damaged by fire. Last water service 7/27/2017.



PROPERTY REMEDIATION AGREEMENT

Owner: Betty Gorden
 Site Address: 1529 10th Avenue
 Leavenworth, KS 66048

The owner(s) of the property located at 1529 10th Avenue recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Fire Damage - Repair fire damage
2)	6/22/18	Roof - replace entire roof, to include soffits and eaves
3)	6/22/18	Guttering - replace all guttering
4)	6/22/18	Porches - Replace both porches
5)	6/22/18	Paint - paint exterior of house

I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

 Signature

 Date



Determination of Unsafe or Dangerous Structure

Address:	1728 S 4th Street		
Owner	Description	Taxes	Parcel Number
James Killian & Mariam Hawkins	1 Story Wood Frame		052-101-01-0-20-01-022.01-0
Legal Description: FLESHER'S RIVER VIEW SUB LT 37 & S17' LT 38 BLK 2			
Date of Inspection	Zoning		Parcel Size
1/25/2018	CBD		4874
# Code Violations	Last Court Appearance		Code Enforcement Officer
4	N/A		Lee Burleson

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

- Defects increasing the hazards of fire, accident or other calamities
- Lack of adequate ventilation
- Air pollution
- Light or sanitary facilities
- Dilapidation
- Disrepair
- Structural defects
- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Squatters have taken over this property. Last water service 11/16/2017.



PROPERTY REMEDIATION AGREEMENT

Owner: James Killian & Miriam Hawkins
 Site Address: 1728 S 4th St.
 Leavenworth, KS 66048

The owner(s) of the property located at 1728 S 4th St. recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof - Replace roof, to include soffits and eaves
2)	6/22/18	Guttering - replace all guttering
3)	6/22/18	Paint - paint exterior of house
4)	6/22/18	Windows - Replace all broken windows
5)	6/22/18	Remove all junk and trash from the yard.

I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

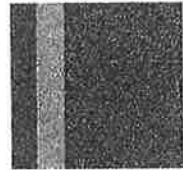
Notary Area

Signature

Date

Aitkens Contracting, LLC

25200 Metro Ave
Tonganoxie, KS 66086
913-526-7550



June 21, 2018

The City of Leavenworth
Zoning & Codes Administrator
100 N. 5th Street
Leavenworth, KS 66048

RE: 1728 S. 4th Street

To Whom it May Concern:

I am not at the court hearing due to a family vacation that we planned 6 months ago. I have paid for the house at 1728 S 4th Street, Leavenworth, KS 66048 and should receive the deed any day.

I was in the process of purchasing the home when I found out it was on the demo list.

Since I found out it was on the list I have trimmed the trees surrounding the property and have taken 5 20' trailers of trash and limbs to the dump, resided and painted $\frac{3}{4}$ of the house and installed 3 new windows that were broken. I m asking for a completion date of August 1, 2018 to finish the siding, painting and install 1 more window in the kitchen.

Thank you,

A handwritten signature in black ink that reads "Ron Aitkens".

Ron Aitkens
Aitkens Contracting, LLC





Determination of Unsafe or Dangerous Structure

Address:		407 N. 10th Street	
Owner	Description	Taxes	Parcel Number
Patrick Sexton	2 Story white house		0772603402021000
Legal Description: Ewing, Roelofson & Co, Block 3 , Lot 4			
Date of Inspection	Zoning		Parcel Size
	R16		3666.9037
# Code Violations	Last Court Appearance		Code Enforcement Officer
8	None		Chris Mills

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- Defects increasing the hazards of fire, accident or other calamities
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- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Date of Last Water Service, 7/6/17



PROPERTY REMEDIATION AGREEMENT

Owner: Patrick Sexton
 Site Address: 407 N. 10th Street
 Leavenworth, KS 66048

The owner(s) of the property located at 407 N. 10th Street recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	April 27, 2018	Roof- Replace Shingles
2)	April 27, 2018	Siding- Replace all siding Guttering-Replace
3)	April 27, 2018	Paint-Remove ALL Peeling paint and repaint

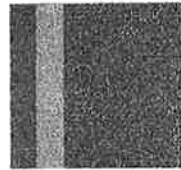
I (Print the Owner's Name) _____ agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Notary Area

Signature

Date

Aitkens Contracting, LLC
25200 Metro Ave
Tonganoxie, KS 66086
913-526-7550



June 21, 2018

The City of Leavenworth
Zoning & Codes Administrator
100 N. 5th Street
Leavenworth, KS 66048

RE: 407 N 10th Street

To Whom it May Concern:

I am not at the court hearing due to a family vacation that we planned 6 months ago. I have owned the house at 407 N 10th Street, Leavenworth, KS 66048 for a couple of months.

I was completely unaware it was on the demo list when I purchased the property.

Since I found out it was on the list I have installed new roof and fascia, $\frac{3}{4}$ of the siding is done. I am asking for a completion date of August 1, 2018 to finish the siding, install new front and back door and paint the exterior the home.

Thank you,

A handwritten signature in black ink that reads "Ron Aitkens".

Ron Aitkens
Aitkens Contracting, LLC





Determination of Unsafe or Dangerous Structure

Address:	1030 Ironmoulders		
Owner	Description	Taxes	Parcel Number
Benjamin C. Wagner	White Ranch w/ basement and detached structure		077350301011007000
Legal Description: Stillings BLKS 7-11			
Date of Inspection	Zoning		Parcel Size
	R16		12724.4802
# Code Violations	Last Court Appearance		Code Enforcement Officer
19 (2011)	12/1/2016		Chris Mills

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

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- Uncleanliness
- Overcrowding
- Inadequate ingress and egress
- Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
- Walls, sidings or exterior of a quality and appearance not commensurate with the character of the properties in the neighborhood
- Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof
- Vermin infestation
- Inadequate drainage
- Any other violation of health, fire, building or zoning regulations

Other:

Date of Last Water Service 6/9/14; Maintained Lawn



PROPERTY REMEDIATION AGREEMENT

Owner: Benjamin C. Wagner
Site Address: 1030 Ironmoulders
Leavenworth, KS 66048

The owner(s) of the property located at **1030 Ironmoulders** recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

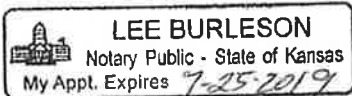
	DEADLINE	TASK
1)	June 22, 2018	Roof-Replace entire roof
2)	June 22, 2018	Siding-Replace all exterior siding
3)	June 22, 2018	Window-Replace/Repair all windows
4)	June 22, 2018	Paint-Remove ALL peeling paint and repaint
5)	June 22, 2018	Detached Garage-Same Applies to Roof, Siding, Paint, Windows/Doors

I (Print the Owner's Name) Ben Wagner agree to honor the commitments as described above and understand that failure to do so may result in legal and remedial actions by the City of Leavenworth, possibly up to and including the demolition of unremediated structures. I also agree to maintain all yard areas by keeping the site free of junk and clutter, as well as excessive vegetation while I am remediating the property.

Ben Wagner
Signature

4-30-18
Date

Notary Area



LEE BURLESON
Notary Public - State of Kansas
My Appt. Expires 7-25-2019

Lee Burleson



**Policy Report
Microsoft Office 2016 Project
June 26, 2018**

Prepared By:



Carol Charity
Information Systems Manager

Reviewed By:



Taylour Tedder
Assistant City Manager

Reviewed By:



Paul Kramer
City Manager

BACKGROUND:

The City currently uses the Microsoft Office 2010 office suite. Microsoft will stop all support of 2010 office suite in November of 2020. Last year, it was decided to add the cost of upgrading to Office 2016 in the various department's operating budget for 2018. We are now ready to deploy this project and purchase these licenses. It was determined that we need 147 standard licenses, and 20 of the Pro version licenses (Pro version contains ACCESS database module). I went out and received 3 quotes for this purchase. Staff is recommending and requesting that we accept and approve the quote from ISG Technologies in the amount of \$45,500.46.



ORDERING INFORMATION

GovConnection, Inc. DBA Connection

Please contact your account manager with any questions.

Ordering Address
GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Remittance Address
GovConnection, Inc.
Box 536477
Pittsburgh, PA 15253-5906

Please reference the Contract # on all purchase orders.

TERMS & CONDITIONS

Payment Terms:	NET 30 (subject to approved credit)
FOB Point:	DESTINATION (within Continental US)
Maximum Order Limitation:	NONE
FEIN:	52-1837891
DUNS Number:	80-967-8782
CEC:	80-068888K
Cage Code:	OGTJ3
Business Size:	LARGE

WARRANTY: Manufacturer's Standard Commercial Warranty

NOTE: It is the end user's responsibility to review, understand and agree to the terms of any End User License Agreement (EULA).

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: www.govconnection.com or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

If you require a hard copy Invoice for your credit card order, please visit the link below and click on the Proof of Purchase/Invoice link on the left side of the page to print one: <https://www.govconnection.com/web/Shopping/ProofOfPurchase.htm>

Please forward your Contract or Purchase Order to:
SLEDOPS@connection.com
QUESTIONS: Call 800-800-0019
FAX: 603.683.0374

SALES QUOTE

GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Account Executive: Chad Rooney
Phone: (800) 800-0019 ext. 75509
Fax: (603) 683-1332
Email: chad.rooney@connection.com

24613514.01-W1
PLEASE REFER TO THE ABOVE
QUOTE # WHEN ORDERING

Date: 6/20/2018
Valid Through: 7/20/2018
Account #: S01334

Account Manager:
Phone:
Fax:
Email:

Customer Contact: Darian Johnson
Email: djohnson@firstcity.org

Phone: (913) 684-0366
Fax:

QUOTE PROVIDED TO: AB#: 470400 CITY OF LEAVENWORTH FINANCE DEPT 100 N 5TH STREET LEAVENWORTH, KS 66048 (913) 682-9201	SHIP TO: AB#: 7817441 CITY OF LEAVENWORTH CAROL CHARITY 100 N. 5TH LEAVENWORTH, KS 66048 (913) 684-0366
--	--

DELIVERY	FOB	SHIP VIA	SHIP WEIGHT	TERMS	CONTRACT ID#
5-30 Days A/R/O	Destination	Small Pkg Ground Service Level	.00 lbs	NET 30	

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: www.govconnection.com or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

Line #	Qty	Item #	Mfg. Part #	Description	Mfg	Price	Ext
1	147	30716667	021-10556	Govt. Open License Office Standard 2016 License Only Microsoft Mob Government Licensing	Microsoft Mob Government Licensing	\$ 261.00	\$ 38,367.00
2	20	30714549	79P-05579	Gov Open License Office Professional Plus 2016 License Only Microsoft Mob Government Licensing	Microsoft Mob Government Licensing	\$ 356.25	\$ 7,125.00
Subtotal						\$	45,492.00
Fee						\$	0.00
Shipping and Handling						\$	0.00
Tax							Exempt!
Total						\$	45,492.00



ISG Technology, LLC

12980 Metcalf Ave #550
 Overland Park, KS 66213-2707
 www.isgtech.com

Scott Dalton

Phone: 913-826-6028

Fax: 9135411595

sdalton@isgtech.com

Customer Information

Carol Demaranville
 City of Leavenworth
 100 North 5th Street
 Leavenworth, KS 66048
 cdemaranville@firstcity.org
 Phone: (913) 621-1504

Shipping Information

Carol Demaranville
 City of Leavenworth
 100 North 5th Street
 Leavenworth, KS 66048
 cdemaranville@firstcity.org
 Phone: (913) 621-1504

Mfr. Part	Description	Price	Qty.	Extended
Office 2016 Standard and Pro				
021-10556	Microsoft Office 2016 Standard - License - 1 PC - Local Government Open License - English - PC Mfr: Microsoft Corporation	\$261.18	147	\$38,393.46
79P-05579	Microsoft Office 2016 Pro Plus - License - 1 PC - Local Government Open License - English - PC Mfr: Microsoft Corporation	\$355.35	20	\$7,107.00
Office 2016 Standard and Pro Subtotal:				\$45,500.46

Configuration Totals	
Quote Total:	\$45,500.46

Terms & Conditions

Amounts quoted do not include any taxes. Applicable taxes will be included on the invoice unless a valid exemption certificate is on file. Shipping, handling, and other fees may also apply. We reserve the right to cancel orders arising from pricing or other errors. Product invoiced upon shipment. Services invoiced as performed.



INSIGHT PUBLIC SECTOR SLED
 6820 S HARL AVE
 TEMPE AZ 85283-4318
 Tel: 800-467-4448

SOLD-TO PARTY 10036175

CITY OF LEAVENWORTH
 100 N 5TH ST
 LEAVENWORTH KS 66048-1970

SHIP-TO PARTY

CITY OF LEAVENWORTH
 100 N 5TH ST
 LEAVENWORTH KS 66048-1970

We deliver according to the following terms:

Payment Terms : Net 30 days
 Ship Via : Electronic Delivery
 Terms of Delivery : FOB DESTINATION
 Currency : USD

Quotation	
Quotation Number	: 220208325
Document Date	: 20-JUN-2018
PO Number	:
PO Release	:
Sales Rep	: Brooks Barthel
Email	: BROOKS.BARTHEL@INSIGHT.COM
Telephone	: 4804096471

Material	Material Description	Quantity	Unit Price	Extended Price
79P-05579	Microsoft Office Professional Plus 2016 - License - 1 PC - local - OLP: Government - Win - English OPEN MARKET	20	361.93	7,238.60
021-10556	Microsoft Office Standard 2016 - License - 1 PC - local - OLP: Government - Win - English OPEN MARKET	147	265.14	38,975.58
			Product Subtotal	46,214.18
			TAX	0.00
			Total	46,214.18

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Brooks Barthel
 4804096471
 BROOKS.BARTHEL@INSIGHT.COM
 Fax 4807607448

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at: http://www.insight.com/en_US/help/terms-of-sale-products-ips.html

POLICY REPORT PWD NO. 18-27

**CONSIDER APPROVAL OF LOW BID FOR
THE 2018 PAVEMENT MANAGEMENT PROGRAM
(MILL AND OVERLAY)**

City Project 2017-867

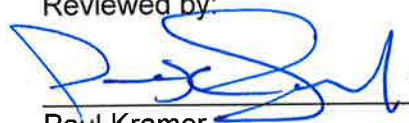
June 26, 2018

Prepared by:



Michael G. McDonald, P.E.,
Director of Public Works

Reviewed by:



Paul Kramer,
City Manager

ISSUE:

Consider the bid received for the 2018 Pavement Management Program.

BACKGROUND:

October 24, 2017, the City Commission approved a design contract with Affinis for design of the 2018 Pavement Management Program.

Each year the City Commission authorizes General Improvement Bonds for the annual maintenance of public streets. All work encompasses major repair and maintenance work beyond the scope of the Street Division. The budget allocation for 2018 includes sufficient funds for:

- The construction (Granite Seal & Mill and Overlay) and inspection of the 2018 program
- The design of the 2019 Pavement Management Program

Inspection will be a combined effort of City staff and contracted inspection services.

The City Commission approved a contract for the "Granite Seal" Program for City streets on April 24, 2018. City forces completed the necessary crack sealing and repair work prior to the start of the granite seal. The contractor has completed approximately one-half of the granite seal work and will return the 1st of August to complete the remaining streets. The proposed paving work is in addition to the sealing project.

Paving Project Locations:

- 20th St. (Limit to Estates Street) – 2" Mill & Overlay
- 20th St. (Estates Street to Eisenhower Road) – Remove & Replace Curb and Gutter
- Parking lot and drainage improvements to the three lots at 6th and Cherokee
- Pavement striping on the granite seal streets
- Intersection repairs at 20th Street and Lecompton Road

The curb replacement on 20th Street will be funded with the annual CIP sales tax funds dedicated to curb repair and replacement. The bid allows for the completion of the curb replacement on 20th Street. An inspection contract for the 2018 Pavement Management Program will be brought to the Commission in a separate policy report.

In general the 2018 pavement program is summarized below:

Budget Allocation - \$1,374,671.00 (Paving Only)

	Expenses
Bond Costs (est.)	\$ 21,144.00
Granite Seal Project (actual)	\$ 518,210.40
M & O Construction (actual)	\$ 718,835.13
Inspection (actual)	\$ 56,570.00
<u>2019 Design (est.)</u>	<u>\$ 102,500.00</u>
Pavement Management Funds	\$1,417,259.53

Curb Replacement (actual) \$ 339,720.00 (CIP Sales Tax Funds)

TOTAL EXPENSES \$1,756,979.53

The above costs include an allowance for full-time inspection; however, past projects have only used approximately one-half the allotted hours and the mill and overlay bid has included concrete repair costs that have not been used on the previous sections of 20th Street.

The project plans were prepared by the Affinis Corporation and a notice of the project was sent to area Plan Rooms, Drexeltech.com, and advertised in The Leavenworth Times. Bids were opened on June 20, 2018, and the results of the bidding are shown below and in the attached bid tabulation. McAnany Construction was the only bidder and met all bidding requirements.

Company	City	Base Bid	Bid Total
McAnany Construction	Shawnee, KS	\$1,058,555.13	\$1,058,555.13
Linaweaver Construction	Lansing, KS		No Bid
KAAZ Construction	Leavenworth, KS		No Bid
<u>Engineer's Base Bid Estimate</u>		\$1,024,367.00	

Work is expected to begin by mid to late July and be completed in 90 calendar days. All work within 200 feet north of Vilas and 200 feet south of Limit must be completed by August 4, 2019.

RECOMMENDATION:

Staff recommends that the City Commission approve the low bid for the "Base Bid" submitted by McAnany Construction for the 2018 Pavement Management Program, in the amount of \$1,058,555.13.

POLICY:

The City Commission generally awards bids to the lowest bidder that are properly submitted and within the Engineer's Estimate.

ATTACHMENTS:

Bid Tabs



CITY OF LEAVENWORTH
Project No. 2017-867
2018 Pavement Management Bid Tab Review
June 20, 2018

BASE BID

Item	Description	Unit	Quantity	Engineer's Estimate		McAnnay Construction	
				Unit Price	Extension	Unit Price	Extension
1	Mobilization	LS	1	\$45,000	\$45,000.00	\$42,000.00	\$42,000.00
2	Traffic Control	LS	1	\$20,000	\$20,000.00	\$40,000.00	\$40,000.00
3	Removal of Existing Structures	LS	1	\$15,000	\$15,000.00	\$25,000.00	\$25,000.00
4	2" Concrete Milling (Full Width Cut)	SY	24,065	\$3.50	\$84,227.50	\$3.00	\$72,195.00
5	2" Asphalt Milling	SY	676	\$3.75	\$2,535.00	\$5.00	\$3,380.00
6	Milling (Headers)	LF	464	\$15.00	\$6,960.00	\$2.00	\$928.00
7	Tree Removal	EA	1	\$1,000.00	\$1,000.00	\$700.00	\$700.00
8	Paving Mat (GlasPave25)	SY	707	\$5.25	\$3,711.75	\$8.00	\$5,656.00
9	Concrete Wheel Stop	EA	21	\$100.00	\$2,100.00	\$100.00	\$2,100.00
10	Swale/Linear Grading	LF	270	\$25.00	\$6,750.00	\$30.00	\$8,100.00
11	Temporary Surfacing (AB-3)(EST)	TON	28	\$35.00	\$980.00	\$50.00	\$1,400.00
12	Overlay (Single Bonded, 2" KDOT Superpave)	SY	24,065	\$7.75	\$186,503.75	\$7.00	\$168,455.00
13	Emulsion Bonding Liquid (0.25 rate EST)	GAL	6,365	\$4.75	\$30,233.75	\$3.50	\$22,277.50
14	2" Asphaltic Concrete Surface Course KDOT Superpave Performance	TON	88	\$95.00	\$8,360.00	\$80.00	\$7,040.00
15	Surface Patch and Rut/Spall Areas/Wedging (EST)	TON	22	\$105.00	\$2,310.00	\$100.00	\$2,200.00
16	Concrete Street Repair (6")(EST)	SY	23	\$110.00	\$2,530.00	\$160.00	\$3,680.00
17	Concrete Street Repair (8")(EST)	SY	68	\$120.00	\$8,160.00	\$160.00	\$10,880.00
18	Concrete Street Repair (9")(EST)	SY	345	\$130.00	\$44,850.00	\$160.00	\$55,200.00
19	4" Granular Subbase, AB-3 Compacted	SY	2,980	\$11.00	\$32,780.00	\$9.00	\$26,820.00
20	Concrete Driveway (8")	SY	169	\$80.00	\$13,520.00	\$98.00	\$16,562.00
21	Sidewalk Ramp	EA	6	\$1,900.00	\$11,400.00	\$800.00	\$4,800.00
22	3.3'x2.5' Special Curb Inlet	EA	2	\$3,500.00	\$7,000.00	\$5,400.00	\$10,800.00
23	4'x4' Junction Box	EA	1	\$4,000.00	\$4,000.00	\$5,200.00	\$5,200.00
24	Underdrain Pipe (6")	LF	228	\$30.00	\$6,840.00	\$40.00	\$9,120.00
25	Street Planter Inlet	EA	3	\$8,000.00	\$24,000.00	\$5,800.00	\$17,400.00
26	Clean Out	EA	2	\$95.00	\$190.00	\$567.00	\$1,134.00
27	12" HDPE Pipe (EST)	LF	177	\$95.00	\$16,815.00	\$70.00	\$12,390.00
28	15" RCP	LF	51	\$80.00	\$4,080.00	\$145.00	\$7,395.00
29	4" Solid White Line (Multi Component Epoxy)	LF	16,550	\$0.65	\$10,757.50	\$0.20	\$3,310.00
30	4" Solid Yellow Line (Multi Component Epoxy)	LF	22,418	\$0.65	\$14,571.70	\$2.13	\$47,750.34
31	6" Solid White Line (Multi Component Epoxy)	LF	653	\$0.85	\$555.05	\$2.53	\$1,652.09
32	12" White Crosswalk (Multi Component Epoxy)	LF	1,613	\$7.00	\$11,291.00	\$10.35	\$16,694.55
33	24" White Stop Bar (Multi Component Epoxy)	LF	213	\$8.50	\$1,810.50	\$18.40	\$3,919.20
34	Left Turn Pavement Marking (Multi Component Epoxy)	EA	21	\$225.00	\$4,725.00	\$400.00	\$8,400.00
35	6" Broken White Line (Multi Component Epoxy)	LF	2,960	\$1.00	\$2,960.00	\$2.50	\$7,400.00
36	12" Solid Yellow Line (Multi Component Epoxy)	LF	237	\$5.00	\$1,185.00	\$10.35	\$2,452.95
37	SCHOOL ZONE	EA	2	\$2,200.00	\$4,400.00	\$1,900.00	\$3,800.00
38	48"x48" Handicap Symbol White on Blue (PTP)	EA	3	\$500.00	\$1,500.00	\$460.00	\$1,380.00
39	Pavement Marking Removal	LF	792	\$10.00	\$7,920.00	\$4.00	\$3,168.00
40	Removal 48"x48" Handicap Symbol White on Blue	EA	3	\$100.00	\$300.00	\$370.00	\$1,110.00
41	Curb Replacement, (24" Standard City Curb & Gutter)	LF	8,940	\$38.00	\$339,720.00	\$38.00	\$339,720.00
42	4" Concrete Sidewalk	SF	1,470	\$6.00	\$8,820.00	\$7.15	\$10,510.50
43	ADA Ramps	EA	1	\$1,824.50	\$1,824.50	\$1,600.00	\$1,600.00
44	Perennial (EST)	EA	150	\$35.00	\$5,250.00	\$10.00	\$1,500.00
45	Decorative Rock (EST)	SY	90	\$20.00	\$1,800.00	\$20.00	\$1,800.00
46	Permanent Seeding (EST)	SY	1,280	\$2.00	\$2,560.00	\$10.00	\$12,800.00
47	SOD (EST)	SY	385	\$8.00	\$3,080.00	\$15.00	\$5,775.00
48	Temporary Erosion Control	LS	1	\$7,500.00	\$7,500.00	\$1,000.00	\$1,000.00
TOTAL - BASE BID					\$1,024,367.00		\$1,058,555.13

POLICY REPORT PWD NO. 18-28

CONSIDER APPROVAL OF
CONSTRUCTION INSPECTION SERVICES AGREEMENT FOR
THE 2018 PAVEMENT MANAGEMENT PROGRAM
WITH AFFINIS CORPORATION

City Project No. 2017-867

June 26, 2018

Prepared By:



Michael G. McDonald, P.E.,
Director of Public Works

Reviewed By:



Paul Kramer,
City Manager

ISSUE:

Consider approval of the contract with Affinis Corporation for inspection services for the 2018 Pavement Management Program.

BACKGROUND:

Staff reviewed the proposed 2018 Pavement Management Plan with the commission at the October 24, 2017 meeting. The plan as presented identified approximately \$1.3 million dollars for this year's program. Construction contracts have been awarded for 2018 Pavement Management Program:

- Granite Seal Harbour Construction \$ 518,210.40
- Milling/Paving McAnany Construction \$1,058,555.13

Again this year, staff has a large amount of other projects to manage and inspect. Affinis will be providing limited part-time inspection services to support the City staff on the pavement management program. City staff will be involved in the inspection effort; however, much of the work requires a greater level of inspection than can be provided. The proposed contract with Affinis will ensure an appropriate level of inspection occurs on the pavement management projects, which also includes some curb replacement and other related items.

The attached Scope of Services and Fee Schedule are based on the work recently approved by the Commission. Affinis has performed the evaluation, design, and cooperative inspection services for the past programs since 2010.

RECOMMENDATION:

Staff recommends approval of an engineering service contract with Affinis Corporation in an amount not to exceed \$56,570.00 for the 2018 Pavement Management Inspection.

ATTACHMENT:

Contract with Affinis

Client name: City of Leavenworth, Kansas

Job No.: _____

AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

THIS AGREEMENT made as of the ___ day of _____ 20___, by and between City of Leavenworth, Kansas, its successors and assigns, hereinafter called the CLIENT, and Affinis Corp., a Missouri Corporation, hereinafter called the CONSULTANT.

WITNESSETH, that whereas the CLIENT intends to construct certain improvements as described below, hereinafter called the PROJECT, consisting of the following:

Construction Services for the 2018 Pavement Management Program Project No. 2017-867

AND WHEREAS the CLIENT is authorized and empowered to contract with the CONSULTANT for the purpose of designing and furnishing other related engineering services in connection with the PROJECT, and necessary funds for payment of said services are available.

NOW THEREFORE, the CLIENT and the CONSULTANT in consideration of their mutual covenants herein agree in respect to the performance of professional engineering services by the CONSULTANT and the payment for those services by the CLIENT, as set forth below.

The CONSULTANT will serve as the CLIENT's professional engineering representative in those phases of the PROJECT to which this AGREEMENT applies and will give consultation and advice to the CLIENT during the performance of its services.

Part A—CONSULTANT's Responsibilities

The CLIENT and CONSULTANT have agreed to a list of Basic Engineering Services the CONSULTANT will provide to the CLIENT as outlined in EXHIBIT A of this AGREEMENT.

Part B—CLIENT's Responsibilities

The CLIENT shall do the following in a timely manner so as not to delay the services of the CONSULTANT:

1. Designate in writing a person to act, as CLIENT's representative with respect to the services to be rendered under this AGREEMENT. Such person shall have complete authority to transmit instructions, receive information, interpret and define CLIENT's policies and decisions with respect to CONSULTANT's services for the PROJECT.
2. Provide all criteria and full information as to CLIENT's requirements for the PROJECT, including design objectives and constraints, space, capacity and performance requirements, and any budgetary limitations.
3. Assist CONSULTANT by placing at CONSULTANT's disposal all available information pertinent to the PROJECT including previous reports and any other data relative to design or construction of the PROJECT.
4. Furnish to CONSULTANT, as required for performance of CONSULTANT's Basic Scope of Services (except to the extent provided otherwise in Part A), the following:

Part E—Payment to the CONSULTANT for Services Rendered

The CLIENT will pay the CONSULTANT for all services rendered hereunder as follows:

1. The CLIENT agrees to pay the CONSULTANT as maximum compensation **\$56,570.00** for the scope of services as defined in Exhibit A. The compensation will be billed detailing the position, hours and appropriate hourly rates (which include overhead and profit) for CONSULTANT's personnel classifications and Direct Non-Salary Costs.
2. The term "Direct Non-Salary Costs" shall include the CONSULTANT payments in connection with the Project to other consultants, transportation, and reproduction costs. Payments will be billed to the CLIENT at actual cost. Transportation, including use of survey vehicle or automobile will be charged at the IRS rate in effect during the billing period. Reproduction work and materials will be charged at actual cost for copies submitted to the CLIENT.
3. All billings must be submitted monthly for all services rendered in the previous month. The CONSULTANT will invoice the CLIENT on forms approved by the CLIENT. All properly prepared invoices shall be accompanied by a documented breakdown of expenses incurred. This documentation shall include personnel by job classification, hourly rate, number of hours, description of sub-consultant services and detail list of Direct Non-Salary Costs.
4. The maximum fee shall not be changed unless adjusted by an Engineering Change Order mutually agreed upon by the CLIENT and the CONSULTANT prior to incurrence of any expense. The Engineering Change Order will be for major changes in scope, time or complexity of Project.

If Additional Services are required and approved by the CLIENT, the cost for such additional services shall be paid based on the CONSULTANT's billing rate schedule attached as EXHIBIT D, or compensation shall be negotiated for such services and the fee shall be increased. CONSULTANT shall bill the CLIENT no more than monthly based on the billing terms as outlined in Part E above. The maximum not to exceed fee shall not be exceeded unless authorized in writing by supplemental agreement between the CLIENT and CONSULTANT.

Part F—General Consideration

1. Standard of Care

Services provided by the CONSULTANT under this AGREEMENT will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

2. Insurance

During the terms of this AGREEMENT, the CONSULTANT shall provide evidence of insurance pursuant to EXHIBIT E. Additionally, the CONSULTANT agrees to maintain continuous professional liability coverage for a period of two years following substantial completion.

3. Termination

Either party may terminate this AGREEMENT by **ten (10)** days written notice. Notification will be by registered mail. If this AGREEMENT is terminated during the progress of the work, the CONSULTANT shall be paid for services rendered on the basis set forth in Part E—Payment to CONSULTANT, but the amount paid shall not exceed a sum determined by multiplying the maximum fee by the percentage of completion. Any previous partial payments made shall be credited to any terminal payment due the CONSULTANT.

4. Successors and Assigns

and the CLIENT's consultants and contractors, and the CONSULTANT shall be entitled to rely upon the accuracy and completeness thereof. The CLIENT recognizes that it is impossible for the CONSULTANT to assure the accuracy, completeness and sufficiency of such information, either because it is impossible to verify, or because of errors or omissions that may have occurred in assembling the information the CLIENT is providing.

IN WITNESS WHEREOF, the parties hereto have made and executed this AGREEMENT as of the day and year first above written.

AFFINIS CORP.

By 
Kristen E. Leathers

Title Principal

ATTEST: 

CITY OF LEAVENWORTH, KANSAS

By _____

Title _____

ATTEST: _____
City Clerk

Approved as to form:

City Attorney

EXHIBIT B**Possible additional services**

The following list of services is NOT part of the CONSULTANT's Basic Scope of Services but may be required for successful completion of the PROJECT. Additional services may include but are not limited to:

1. Assisting in the preparation of applications and supporting documents (in addition to those furnished under Basic Services) for private or governmental grants, loans or advances in connection with the PROJECT; preparation or review of environmental assessments and impact statements; review and evaluation of the effect on the design requirements of the PROJECT of any such statements; review and evaluation of the effect on the design requirements of the PROJECT of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the PROJECT.
2. Services to check the accuracy of drawings or other information furnished by CLIENT.
3. Services resulting from significant change in the general scope, extent or character of the PROJECT or its design.
4. Preparing documents for alternate bids requested by CLIENT for Contractor(s)' work which is not executed or documents for out-of-sequence work.
5. Services required preparing to award more prime construction contracts than were anticipated at the time of entering into this AGREEMENT.
6. Services during out-of-town travel required of CONSULTANT other than visits to the site or CLIENT's office as required in EXHIBIT A.
7. Providing any type of property surveys or related engineering services needed for the transfer of interests in real property.
8. Providing construction staking for the contractor(s) as well as other special field and office surveys such as boundary surveys.
9. Preparing to serve or serving as a consultant or witness for CLIENT in any litigation, arbitration or other legal or administrative proceeding involving the PROJECT.
10. Identify applicable governmental permits, other than storm water permits and land disturbance permits for the construction of the boulevard, necessary for execution of the PROJECT and assist in obtaining such permits. Such permits may include but are not limited to wetlands permits and cultural resource permits.
11. Services to mitigate wetlands or other permitting issues are NOT a part of the Basic Scope of Services and if required shall be done under an approved change order.
12. Traffic engineering services or analysis.
13. Providing legal descriptions for any temporary easements, permanent easements and/or rights-of-way.

EXHIBIT D

Affinis Corp
2018 Billing Rate Schedule

Professional Services	Billing Rate
Principal	\$235.00
Senior Project Manager	\$215.00
Project Manager	\$175.00
Senior Engineer II	\$170.00
Senior Engineer I	\$165.00
Engineer III	\$145.00
Engineer II	\$120.00
Engineer I	\$107.00
Intern Engineer (IE) II	\$115.00
Intern Engineer (IE) I	\$100.00
Construction Services Manager	\$140.00
Cost Estimator	\$107.00
Senior Cost Estimator	\$152.00
Project Representative II	\$115.00
Project Representative I	\$95.00
Design Technician II	\$125.00
Design Technician I	\$95.00
CADD Technician II	\$85.00
CADD Technician I	\$80.00
Land Surveyor III	\$160.00
Land Surveyor II	\$105.00
Land Surveyor I	\$100.00
Survey Crew Member II	\$95.00
Survey Crew Member I	\$70.00
One-Person Survey Crew	\$125.00
Project Related Support Services II	\$95.00
Project Related Support Services I	\$75.00
Equipment Charges	
Automobile Mileage	\$0.545/mile
Survey Vehicle Mileage	\$0.70/mile
Boat Rental	\$10.00/hour

If CONSULTANT shall subcontract any of this work to a third party, CONSULTANT shall see to it that such third party maintains such insurance and shall furnish evidence thereof to CONSULTANT and CLIENT. Subconsultant shall cause all such policies of insurance to name CONSULTANT and CLIENT as additional insured's and provide indemnification for CONSULTANT and CLIENT against liability upon the risks insured thereby to the amount of the coverage specified therein for CONSULTANT.

If the CONSULTANT has a policy or policies of insurance with aggregate limits of liability CLIENT must be notified in writing any time the aggregate limit is diminished materially below the coverage required by this contract.

CONSULTANT shall notify CLIENT in writing 10 days after it receives notice or knowledge of any demand, claim, cause of action, lawsuit, or action arising out of the work performed under this contract. CONSULTANT shall notify CLIENT as soon as possible after any bodily injury or property damage occurrence that could potentially lead to any lawsuit.

All liability insurance shall be occurrence policies in a form acceptable to CLIENT. Claims-made policies are not acceptable.

Automobile Liability:

CONSULTANT shall obtain automobile liability insurance, which provides coverage for its owned, non-owned, and hired vehicles of every type and description, which are used in the contract work. The minimum limits of liability for such insurance shall be:

\$1,000,000 combined single limit for bodily injury and property damage

Workers Compensation:

Statutory

Employers' Liability:

\$100,000/\$500,000/\$100,000(each accident/disease-policy limit/disease-each employee)

Builders Risk/Installation (if required by CLIENT):

For direct physical loss or damage to covered property while under construction at the premises described in the declaration of the policy and per specifications. Limit of coverage is the contract bid to be in force for the duration of the project and until the project is accepted by the CLIENT. The CLIENT will be named additional insured.

Umbrella Coverage (if required by CLIENT):

An umbrella coverage will be required if the project costs are over \$2 million.

Professional Liability Coverage (if required by CLIENT or necessary for project):

\$1,000,000 each claim and \$1,000,000 aggregate. Professional liability policies are written on a claims-made basis.



ATTACHMENT B (For information only)

PROJECT ESTIMATING SHEET

City of Leavenworth, Kansas

2018 Pavement Management Program

Construction Services (part-time)

Rates: 2018

Date: 6/12/2018

Made By: KEL/JMM

	PRINCIPAL SR. PROJECT MANAGER	CONST. SERVICES MANAGER	ENGINEER I	PROJECT REP. II	PROJ. REP. I	ADMIN. SUPPORT	LABOR COSTS	OTHER DIRECT COSTS ITEM	TOTAL COST	FEE
Construction contract - 90 calendar days										
Tasks	\$215.00	\$140.00	\$110.00	\$115.00	\$95.00	\$75.00				
1 CONSTRUCTION SERVICES										
.01. Pre-construction meeting		4	4		4	2	\$1,530			\$1,530
.02. Periodic consultation	4	8	16	4			\$4,200			\$4,200
.03. Construction observation Part-time (10 hour days; approx. 40 days)				40	400		\$42,600			\$42,600
.04. Shop drawings/submittals				8			\$920			\$920
.05. Pay request (2 max)		4		8		2	\$1,630			\$1,630
.06. Change orders (2 max.)		2		8		2	\$1,350			\$1,350
.07. Walk-thru & punch list		4		4			\$1,020			\$1,020
.08. Record drawings				4			\$460			\$460
.09. Attend Council meetings (1)	4						\$860			\$860
Reimbursables								Mileage	\$2,000.00	\$2,000
CONSTRUCTION SERVICES HOURS	8	22	20	76	404	6				
CONSTRUCTION SERVICES FEE	\$1,720	\$3,080	\$2,200	\$8,740	\$38,380	\$450	\$54,570		\$2,000.00	\$56,570

POLICY REPORT PWD NO. 18-29

APPROVE LOW BID FOR THE
NEW LAWRENCE ROAD IMPROVEMENT PROJECT

Project 2017- 869

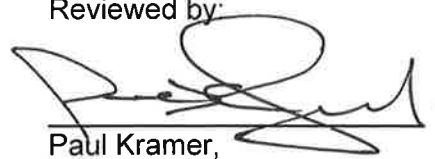
June 26, 2018

Prepared by:



Michael G. McDonald, P.E.,
Director of Public Works

Reviewed by:



Paul Kramer,
City Manager

ISSUE:

Approve the low bid for the New Lawrence Road Improvement Project.

BACKGROUND:

The West Glen Subdivision is located east of 20th Street and along the east side of New Lawrence Road. The existing New Lawrence Road is an open ditch unimproved asphalt roadway and is the main access to the new development. As part of an agreement with the developer, the City agreed to initiate a project to improve the roadway to a City standard street to be paid for through a reimbursement of a portion of the property taxes on the properties in the West Glen Development.

Staff completed a qualifications based selection process of design engineers and a design contract with Napier Engineering was approved by the Commission on February 27, 2018. The new road was designed to a 31-foot wide asphalt roadway, curb and gutter with an improved storm drainage system approximately 1,400 feet in length.

The project plans were prepared by Napier Engineering and a notice of the project was sent to area Plan Rooms, Drexeltech.com, and advertised in The Leavenworth Times. Bids were opened on June 13, 2018, and the results of the bidding are shown below and in the attached bid tabulation. Lexeco was the low bidder and met all bidding requirements.

Company	City	Base Bid	Bid Total
Lexeco	Leavenworth, KS	\$396,777.23	\$396,777.23
Linaweaver Construction	Lansing, KS	\$465,846.90	\$465,846.90
Amino Brothers Construction	Shawnee, KS	\$539,382.84	\$539,382.84
Mega Construction	North Kansas City, MO	\$551,306.00	\$551,306.00
Engineer's Base Bid Estimate		\$521,794.00	

Work is expected to begin by mid-July and be completed in 100 calendar days. All inspection will be completed by City staff.

RECOMMENDATION:

Staff recommends that the City Commission approve the low bid submitted by Lexeco for the New Lawrence Road Improvement Program, in the amount of \$396,777.23.

ATTACHMENTS:

Bid Tabs

New Lawrence Road Map

CITY OF LEAVENWORTH
 Project No. 2017-869
 New Lawrence Road Bid Tab Review
 June 13, 2018

BASE BID															
Item	Description	Unit	Quantity	Engineer's Estimate		Amino Brothers		Kaaz Construction		Lexeco, Inc.		Linaweaver Construction		Mega Construction	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	LS	1	\$0.00	\$0.00	\$29,725.00	\$29,725.00	\$0.00	\$0.00	\$9,500.00	\$9,500.00	\$10,000.00	\$10,000.00	\$40,800.00	\$40,800.00
2	Clearing & Grubbing	LS	1	\$10,000	\$10,000.00	\$8,820.00	\$8,820.00	\$0.00	\$0.00	\$4,140.00	\$4,140.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00
3	Demolition	LS	1	\$15,000	\$15,000.00	\$14,735.00	\$14,735.00	\$0.00	\$0.00	\$8,340.00	\$8,340.00	\$20,000.00	\$20,000.00	\$20,000.25	\$20,000.25
4	Grading & Excavation	LS	1	\$25,000	\$25,000.00	\$77,770.00	\$77,770.00	\$0.00	\$0.00	\$26,730.00	\$26,730.00	\$40,000.00	\$40,000.00	\$79,000.00	\$79,000.00
5	Construction Staking	LS	1	\$5,000	\$5,000.00	\$8,125.00	\$8,125.00	\$0.00	\$0.00	\$4,056.00	\$4,056.00	\$5,000.00	\$5,000.00	\$3,700.00	\$3,700.00
6	Traffic Control	LS	1	\$8,000	\$8,000.00	\$4,535.00	\$4,535.00	\$0.00	\$0.00	\$808.00	\$808.00	\$4,400.00	\$4,400.00	\$4,400.00	\$4,400.00
7	Erosion Control	LS	1	\$10,000	\$10,000.00	\$6,670.00	\$6,670.00	\$0.00	\$0.00	\$7,750.00	\$7,750.00	\$5,500.00	\$5,500.00	\$8,200.00	\$8,200.00
8	Seeding	AC	2.5	\$1,500	\$3,750.00	\$3,635.00	\$9,087.50	\$0.00	\$0.00	\$1,191.00	\$2,977.50	\$2,000.00	\$5,000.00	\$1,000.00	\$2,500.00
9	Testing	LS	1	\$2,500	\$2,500.00	\$9,620.00	\$9,620.00	\$0.00	\$0.00	\$2,536.00	\$2,536.00	\$6,500.00	\$6,500.00	\$5,600.00	\$5,600.00
10	2" Sub-Base Asphalt (KDOT SR-12.5A)	SY	4,832	\$10	\$48,320.00	\$8.46	\$40,802.56	\$0.00	\$0.00	\$7.35	\$35,449.95	\$7.80	\$37,619.40	\$7.00	\$33,761.00
11	6" Asphalt Pavement (KDOT SR-12.5A)	SY	4,126	\$28	\$115,528.00	\$24.56	\$101,334.56	\$0.00	\$0.00	\$21.40	\$88,296.40	\$23.50	\$96,961.00	\$26.00	\$107,276.00
12	6" AB-3 Gravel	SY	5,375	\$10	\$53,750.00	\$9.06	\$48,697.50	\$0.00	\$0.00	\$8.80	\$47,300.00	\$6.75	\$36,281.25	\$10.00	\$53,750.00
13	Tensar TX-160 Geogrid	SY	5,375	\$5	\$26,875.00	\$2.62	\$14,082.50	\$0.00	\$0.00	\$1.50	\$8,062.50	\$4.25	\$22,843.75	\$4.75	\$25,531.25
14	Type 1 Curb & Gutter	LF	2,920	\$25	\$73,000.00	\$14.76	\$43,099.20	\$0.00	\$0.00	\$16.20	\$47,304.00	\$17.50	\$51,100.00	\$16.50	\$48,160.00
15	Type 1-Dry Curb & Gutter	LF	24	\$25	\$600.00	\$26.85	\$644.40	\$0.00	\$0.00	\$18.20	\$388.80	\$17.50	\$300.00	\$23.00	\$552.00
16	Type C Curb & Gutter	LF	97	\$30	\$2,910.00	\$24.76	\$2,401.72	\$0.00	\$0.00	\$17.20	\$1,668.40	\$19.00	\$1,843.00	\$25.00	\$2,425.00
17	Curb Transition from Type C to Type 1	LF	48	\$30	\$1,440.00	\$25.58	\$1,227.84	\$0.00	\$0.00	\$17.20	\$825.60	\$19.00	\$912.00	\$36.00	\$1,728.00
18	6" Reinforced Concrete Driveway	SV	85	\$65	\$5,525.00	\$5.11	\$4,684.35	\$0.00	\$0.00	\$63.15	\$5,367.75	\$68.50	\$5,822.50	\$59.00	\$5,015.00
19	6" Reinforced Concrete Commercial Entrance	SV	168.7	\$40	\$6,748.00	\$64.26	\$10,840.66	\$0.00	\$0.00	\$62.75	\$10,569.93	\$90.00	\$15,183.00	\$65.00	\$10,965.50
20	5" Wide Concrete Sidewalk	LF	1,468	\$30	\$44,040.00	\$16.68	\$24,486.48	\$0.00	\$0.00	\$18.80	\$27,636.80	\$21.00	\$31,206.00	\$19.00	\$28,234.00
21	ADA Sidewalk Ramps	EA	4	\$1,500	\$6,000.00	\$1,136.00	\$4,544.00	\$0.00	\$0.00	\$1,005.00	\$4,020.00	\$1,100.00	\$4,400.00	\$600.00	\$2,400.00
22	4" HDPE Conduits for Utilities (Unit Price / LF)	LF	1	\$10	\$10.00	\$22.00	\$22.00	\$0.00	\$0.00	\$45.00	\$45.00	\$40.00	\$40.00	\$40.00	\$40.00
23	15' HDPE Storm Pipe	LF	32	\$35	\$1,120.00	\$42.35	\$1,355.20	\$0.00	\$0.00	\$38.00	\$1,152.00	\$50.00	\$1,600.00	\$61.00	\$1,952.00
24	15' RCP Class III Storm Pipe	LF	213	\$60	\$12,780.00	\$48.95	\$10,426.35	\$0.00	\$0.00	\$48.00	\$10,437.00	\$55.00	\$11,715.00	\$52.00	\$11,076.00
25	15' Nyloplast Inline Drain w/ Std. Metal Grate	EA	1	\$3,200	\$3,200.00	\$1,920.00	\$1,920.00	\$0.00	\$0.00	\$1,776.00	\$1,776.00	\$1,200.00	\$1,200.00	\$1,400.00	\$1,400.00
26	6"x4" Curb Inlet	EA	3	\$4,500	\$13,500.00	\$4,435.00	\$13,305.00	\$0.00	\$0.00	\$3,685.00	\$11,055.00	\$4,000.00	\$12,000.00	\$3,500.00	\$11,700.00
27	2'-9"x4'-8" Grate Inlet w/ Neenah R-3285 Grate	EA	1	\$4,000	\$4,000.00	\$3,755.00	\$3,755.00	\$0.00	\$0.00	\$3,418.00	\$3,418.00	\$4,000.00	\$4,000.00	\$3,200.00	\$3,200.00
28	Connect to Existing 4"x3" Curb Inlet	EA	1	\$1,000	\$1,000.00	\$2,445.00	\$2,445.00	\$0.00	\$0.00	\$260.00	\$260.00	\$800.00	\$800.00	\$320.00	\$320.00
29	Repair Walls of 4"x3" Curb Inlet	EA	2	\$1,000	\$2,000.00	\$1,930.00	\$3,860.00	\$0.00	\$0.00	\$252.00	\$504.00	\$500.00	\$1,000.00	\$800.00	\$1,600.00
30	Infiltration Basin	LS	1	\$5,000	\$5,000.00	\$38,065.00	\$38,065.00	\$0.00	\$0.00	\$22,500.00	\$22,500.00	\$22,500.00	\$22,500.00	\$29,000.00	\$29,000.00
TOTAL - BASE BID					\$521,794.00		\$539,382.84		\$0.00		\$398,563.73		\$465,846.90		\$551,306.00

Actual Bid Total: \$398,777.23
 Difference: \$1,786.49

NEW LAWRENCE ROAD IMPROVEMENTS STREET & STORM SEWER PLANS

CITY OF LEAVENWORTH
LEAVENWORTH COUNTY, KANSAS
CITY PROJECT #2017-869

INDEX OF SHEETS

- 1 TITLE SHEET
- 2 GENERAL LAYOUT
- 3 GENERAL NOTES & QUANTITIES
- 4 TYPICAL STREET SECTIONS
- 5 DEMOLITION PLAN
- 6-7 STREET PLAN & PROFILE
- 8 INTERSECTION DETAILS
- 9 DRAINAGE PLAN & CALCULATIONS
- 10 STORM SEWER PLAN & PROFILE
- 11 GRADING PLAN
- 12 EROSION CONTROL PLAN
- 13 EROSION CONTROL DETAILS
- 14-15 STANDARD DETAILS
- 16 STORM SEWER DETAILS
- 17-19 CROSS SECTIONS

2018-08
New Lawrence Road
Improvements
Street & Storm Sewer Plans

Prepared For:
CITY OF LEAVENWORTH
C/O NEW PROJECTS
CITY HALL, 100 N. 5TH STREET
LEAVENWORTH, KANSAS 66048
PHONE: 913.684.0375



**NAPIER
ENGINEERING, LLC**

207 S. 5th Street
Leavenworth, KS 66048
913.375.0482
breth@napiereng.com

Date of Preparation:

March 8, 2018

Revised Date:

April 12, 2018

May 4, 2018

May 17, 2018

4th
Submittal



VICINITY MAP
SECTION 15-09-22
NOT TO SCALE



UTILITY OWNERS

- | | |
|--|--|
| WESTAR INC. (ELECTRIC)
3720 2ND AVENUE
LEAVENWORTH, KS 66044
ATTN: JON HAIN
88756 8754 | SANITARY SEWER - CITY OF LEAVENWORTH
160 N. 5TH STREET
LEAVENWORTH, KS 66048
ATTN: CHECK STAPLES
913.682.1099 |
| WESTAR TRANSMISSION LINE DEPT
ATTENTION: JH
ATTN: KENNY WILSON | STORM SEWER & TRAFFIC SIGNALS -
CITY OF LEAVENWORTH
SERVICE CENTER
708 TRIGGERS STREET
LEAVENWORTH, KS 66048
ATTN: CURTIS MARKS
913.682.9670 |
| KANSAS GAS SERVICE
1000 BROWN AVENUE
LEAVENWORTH, KS 66048
ATTN: KIM KODDELL
892.7846501 | TIME-WARNER CABLE
8231 W. 147TH STREET
OVERLAND PARK, KS 66213
ATTN: WALTER PERDUESON
#88.111.8999.CELL |
| LEAVENWORTH WATER DEPARTMENT
601 CHEROKEE
LEAVENWORTH, KS 66008
ATTN: KATIA HANNING
913.683.1337 | NORTHERN STAR CENTRAL-GAS PIPELINE
2601 S. 27TH STREET
TONGANOOZE, KS 66206
ATTN: GRAY SIMES, DIST. 3103R
916.243.4771 ext. |
| A/TAT
1444 HALL AVE - 1ST FLOOR
OVERLAND PARK, KS 66207
ATTN: RANDAL GASKIN
913.387.6788 | |

KANSAS ONE CALL
1-800-DIG-SAFE
(1-800-344-7233)

Protect yourselves and your property against underground utility damage and liability.

Find out where the underground utility lines might be buried before you dig. Anyone digging in Kansas must call before digging. The person who is doing the work is responsible for calling KOC. If the owner excavates with a professional contractor to do the excavation then the professional excavator is responsible for calling KOC.

You (the digger) will have to provide information about the work site when you call. This is a FREE service.

CALL BEFORE YOU DIG
IT'S THE LAW
(Chapter 66 - PUBLIC UTILITIES
Article 16-0 UTILITY DAMAGE PREVENTION)



CITY OF LEAVENWORTH

APPROVED BY:
CITY OF ENGINEER

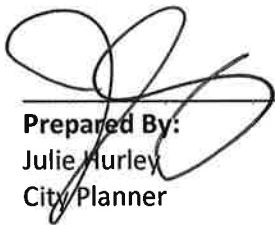
DATE: 5-17-2018
APPROVED FOR ONE YEAR FROM THIS DATE

**POLICY REPORT
LEAVENWORTH CITY COMMISSION
FIRST CONSIDERATION ORDINANCE
2018-06-REZ
1100 N. 2nd STREET**

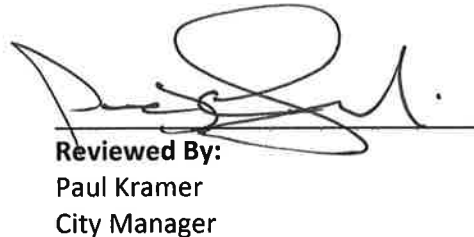
JUNE 26, 2018

SUBJECT:

A request to rezone the property located 1100 N. 2nd Street from PUD, Planned Unit Development District, to RMX, Residential Mixed Use District



Prepared By:
Julie Hurley
City Planner



Reviewed By:
Paul Kramer
City Manager

ANALYSIS:

The applicant is requesting a rezoning of their property located at 1100 N. 2nd Street from PUD to RMX. The property, owned by Seren Properties is commonly known as the Abernathy Furniture Company Factory. The building was constructed in 1926 and was listed on the National Register of Historic Places in 2016. It has formerly housed a number of various commercial and office operations. The rezoning request is being made in order to convert the structure into apartment units, with a total of 139 single-bedroom units, and space on the northeast portion of the site reserved for commercial uses. Existing onsite parking of 220 spaces is available, exceeding the required amount of one space per unit.

The structure is a four-story reinforced concrete building clad in red brick. Non-historic fixed aluminum frame windows with tinted glass fill the historic window openings. The RMX zoning district is intended to provide for high-density, multi-family residential dwellings along with a mix of appropriate neighborhood-serving uses. Commercial uses may be included in some structures, but there is no requirement for each structure to have non-residential uses included.

This location is a part of the Redevelopment Overlay District, whose purpose is to facilitate the development of property in the downtown and northeast Leavenworth in accordance with the 2010 Downtown-North Leavenworth Redevelopment Master Plan. In particular, this location is identified as part of the North Gateway Business and Innovation Campus. The intent of the subarea is to “generate new business and employment opportunities and a high quality experience and image for Leavenworth’s northeast entrance to downtown”. The subject property was identified in the plan as an existing office structure, with the desire to preserve and promote on-going building and site enhancements.

Since the Downtown-North Leavenworth Redevelopment Master Plan was conceived, the economy has shifted greatly and business and office use development is no longer as feasible as it was at the time of the plan development. All previous office users in the subject property have left the Leavenworth market, leaving the building empty. Reimagining the structure as a residential space to fill current needs accomplishes the goal of

preserving and enhancing the historic structure. The request to rezone the structure to RMX allows for the possibility of future commercial or office uses in the building, should economic conditions change.

This project also requires review by the Leavenworth Preservation Commission (LPC), as the structure is listed on the National Register of Historic Places. The LPC is scheduled to review this project on Wednesday, June 6th.

The Development Review Committee reviewed the application at their April 26th, 2018 meeting and found no major items of concern.

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

- a) The character of the neighborhood;
The subject property is part of Downtown Leavenworth and the Redevelopment Overlay District, with a variety of uses and building forms. Historic structures such as this are common in the area.
- b) The zoning and use of properties nearby;
The properties to the north and east are zoned Light Industrial (I-1), the property to the south is zoned Multi-Family (MF), and the property to the west is zoned Planned Unit Development (PUD)
- c) The suitability of the subject property for the uses to which it has been restricted;
The subject property is currently zoned Planned Unit Development, limiting the structure to the office related uses in place at the time of the previous zoning.
- d) The extent to which removal of the restrictions will detrimentally affect nearby property;
The proposed rezoning should have little to no detrimental effect on nearby property. There is a mix of uses present in the Downtown area, including multi-family.
- e) The length of time the subject property has remained vacant as zoned;
The structure is not completely vacant, there remain 3 small office users which will be consolidated to the building on the northwest portion of the property.
- f) The relative gain to economic development, public health, safety and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;
The proposed rezoning will have a positive effect upon the economic vitality of Downtown Leavenworth in terms of bringing more residents to the area which will potentially increase the patronage of local businesses.
- g) The recommendations of permanent or professional staff;
Staff recommends approval of the rezoning request.

- h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;

The subject area is identified as appropriate for commercial uses in the Comprehensive Plan. However, the majority of the Downtown area is identified as commercial on the Future Land Use Map, and there exists already a mix of residential uses in this area. Additionally, this area is part of the Downtown-North Leavenworth Redevelopment Area Master Plan, which promotes the area as appropriate for a mix of uses, including residential. Therefore, staff finds the proposed request is not in conflict with the Comprehensive Plan

- i) Such other factors as may be relevant to a particular proposed amendment. The factors considered in taking action on any proposed amendment shall be included in the minutes or otherwise be made part of the written record.

This proposal makes possible the adaptive re-use of a previously vacant historically significant structure.

The Planning Commission considered this item at their June 4, 2018 meeting and voted 7-0 to recommend approval.

REZONING ACTION/OPTIONS:

- Place an ordinance on first consideration to approve the rezoning request for 1100 N. 2nd Street from PUD to RMX.
- Deny the rezoning request for 1100 N. 2nd Street.

Attachments:

Application materials

Location map

Planning Commission minutes

Excerpt: Downtown-North Leavenworth Redevelopment Area Master Plan

(Summary Published in the Leavenworth Times on _____, 2018)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2016 DEVELOPMENT REGULATIONS OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 1100 N. 2ND STREET TO RESIDENTIAL MIXED USE (RMX).

WHEREAS, under the 2016 Development Regulations of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to amend, supplement or change existing zoning regulations within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 4th day of June, 2018 in the Commission Room, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas, the official date and time set as was published in the Leavenworth Times newspaper on the 10th day of May 2018; and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request Rezoning of 1100 N. 2nd Street, Leavenworth Kansas from Planned Unit Development (PUD) to Residential Mixed Use (RMX); and

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to rezone the property described herein.

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

Section 1: That the following described property, to-wit:

Lot 1, block 5, Bridgeport Replat, City of Leavenworth, Leavenworth County, Kansas AND A tract of land in the Northwest Quarter of Section 25, Township 8 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas, lying between the centerline of Second St. extended and the West right of way line of the Missouri Pacific Railroad, the South line of Metropolitan Ave. extended, and the South right of way line of the Centennial Bridge, except part taken or used for street purposes. AND All that part of vacated Water Street lying adjacent to Lot 1, Block 4, Bridgeport Replat, City of Leavenworth, Leavenworth County, Kansas, and being more particularly described as follows: Beginning at the Northeast corner of said Lot 1; thence N 88⁰55'05" E along the North line of said Lot 1 (extended) a distance of 60.35 feet to a point on the Easterly line of said vacated Water Street; thence S 11⁰16'23" E along East line of said vacated Water Street a distance of 186.99 feet to the intersection of said East line with the South line (extended) of said Lot 1; thence S 78⁰35'02" W along said South line (extended) a distance of

60.00 feet to the Easterly line of said Lot 1; thence N 11°16'23" W along said East line, a distance of 193.65 feet to the Point of Beginning.

And more commonly known as **1100 N. 2nd Street, Leavenworth.**

Section 2: That the “Zoning District Map” adopted under the 2016 Development Regulations of the City of Leavenworth, Kansas shall be and the same is hereby corrected to conform to the rezoning as set forth in Section 1 above.

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

PASSED and APPROVED by the Governing Body on the _____ day of _____, 2018.

Mark Preisinger, Mayor

{Seal}

ATTEST:

Carla K. Williamson, CMC, City Clerk

APPROVED AS TO LEGAL FORM:

David E. Waters, City Attorney



**APPLICATION FOR REZONING
CITY OF LEAVENWORTH, KANSAS**

OFFICE USE ONLY

Project No. 2018-06 REZ

Application #	3730
Fee (non-refundable)	\$350.00
Filing Date	4-5-18
Received By	Bewilson
Hearing Date	6-4-18
Publication Date	5-10-18

The undersigned owner(s)/agent for the owner(s) of the property described below, herein petition for a change in the zone of the following legally described property: (agent must have authorization to make application).

Subject Property:	1100 N. 2nd St.		
Rezoning:	Present classification of <u>PUD</u> district to <u>RMX</u>		
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE or a TITLE COMPANY)		
Real Estate PID #:	R2394 and R2397	Historic District:	Abernathy Furniture Company Factory

I/We, STEVE FOUTCH being duly sworn, depose and say that I am the owner/agent for the owner of the property involved in this petition and that the statements and answers herein contained and then information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Name(s) of Owner (print or type):	Seren Properties, Inc.		
Address:	8201 NW 97th Terrace, Kansas City, MO 64153		
Contact No.:	(816) 746-9100	Email Address:	steve@foutchbrothers.com
Signature of Owner(s):			

State of Missouri) (SEAL)
County of Platte)



Signed or attested before me on	<u>04/09/18</u>	by	<u>CARA Knutson</u>
	(date)		(name(s) of person(s))
Notary Public:	<u>Cara Knutson</u>	My appointment expires:	<u>03/24/19</u>

NOTE: All signatures must be in ink. Signature of owner(s) must be secured and notarized.

If necessary, use additional sheets to respond to the following:

Briefly describe the present use and character of the property and of the surrounding area:

Renovated approx. 25 years ago into leasable commercial office space, the historic factory building and site sit along the Missouri River (to the east) and Metropolitan Ave (to the north). The site is within a Planned Unit Development District and the North Gateway Subdistrict.

Briefly describe the intended use and character of the property: The new use will be multi-family residential and commercial. The building is a contributing resource within the discontinuous Abernathy Furniture Factory district and is submitted for Historic Preservation Certification (state and federal) application review with recommended approval from SHPO (currently at NPS).

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: Activate and reuse of the historic property.

Give the reason(s) why you believe this proposal will not be materially detrimental to the public welfare and surrounding properties and/or measures you have taken or intend to take to prevent detrimental impacts: Plans will provide a new use to a underutilized building; and renovate / revamp the north entrance into the city. The new users will have adequate parking provided on site.

Is the property affected by any easements, deed/plat restrictions or other conditions arising from previous Special Use Permits, Subdivisions, rezoning or variances? If so, briefly explain the origin and effect of such conditions: none to the best of our knowledge

Check List:	
<input checked="" type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input checked="" type="checkbox"/>	Attach list of the owners for property within two hundred (200) feet of the property to be rezoned
<input checked="" type="checkbox"/>	Full legal description provided by the Register of Deeds Office or a Title Company
<input checked="" type="checkbox"/>	Site plan drawn to scale (see General Instructions)
<input type="checkbox"/>	Supporting documentation (see General Instructions)



Development Review Committee Meeting

Thursday, April 26, 2018

Committee members present: City Planner Julie Hurley, Public Works Director Mike McDonald, Deputy Director Public Works Mike Hooper, Chief Building Inspector Hal Burdette, Police Major Dan Nicodemus, Health/Safety Officer Mark Demaranville and Administrative Assistant Michelle Baragary

AGENDA ITEM(S):

1. 1100 N. 2nd Street – renovations of Abernathy Building to new residential/commercial office use

- **Attendees: Jonathan Klocke (Foutch Brothers/Exact Architects)**
- **Factory building and engine/electrical building will be renovated for residential space. Lumber building and brick connector will remain commercial space (shorter building to the west and the building to the left of that). In between will be opened up for residential/commercial amenity space.**
- **139 residential units**
- **Parking: 220 residential and 23 commercial**
- **New building in courtyard space to be a shared indoor amenity space for both commercial and residential tenants: a group gathering and fitness area**
- **The smokestack is not structurally sound. Will shorten it and make the remaining portion a feature in that space.**
- **The north elevation of the factory building has original steel windows which will be replaced with new replica of steel windows. The engine/electrical building will be refurbished steel.**
- **Need sidewalk on north side of Cheyenne**
- **Flooding issues on north part of building with heavy rains. It's a State draining system (not a City draining system). Need to speak with State Highway Department to determine who is responsible for maintaining the draining system.**
- **Need attention to water quality issues**
- **Will add building mounted lighting and reusing the existing parking lot lighting**
- **Full set of plans to be submitted to Building Inspections. Will be reviewed by a third party.**
- **Scheduled for Planning Commission to rezone to RMX on June 4, 2018 and to Preservation Commission on June 6, 2018.**

OTHER:

None.

Meeting adjourned at 1.51 p.m.

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, June 4, 2018
7:00 PM

CALL TO ORDER:

Commissioners Present

Jay Byrne
John Karrasch
Claude Wiedower
Linda Bohnsack
Sherry Hines Whitson
Mike Burke
Camalla Leonhard

Commissioners Absent

City Staff Present

Julie Hurley
Michelle Baragary

Chairman Byrne called the meeting to order at 7:00 p.m. and noted a quorum was present.

Approval of Minutes: March 12, 2018

Chairman Byrne asked for comments or a motion on the minutes presented for approval: March 12, 2018. Ms. Leonhard moved to accept the minutes as presented, seconded by Mr. Wiedower. The minutes were approved by a vote of 5-0.

OLD BUSINESS:

1. PROPOSED MEETING TIME CHANGE

There was a consensus to change the meeting time to 6:00 p.m. beginning August 2018.

NEW BUSINESS:

1. 2018-06 REZ – 1100 N. 2ND STREET

Conduct a public hearing for Case No. 2018-06 REZ – 1100 N. 2nd Street. The applicant is requesting a rezoning of their property from Planned Unit Development, PUD, to Residential Mixed Use, RMX. The property, owned by Seren Properties, is commonly known as the Abernathy Furniture Company Factory. The building was constructed in 1926 and was listed on the National Registry of Historic Places in 2016. It has formerly housed a number of various commercial and office operations. The rezoning request is being made in order to convert the structure into apartment units, with a total of 139 single-bedroom units, and space on the northeast portion of the site reserved for commercial uses. Existing onsite parking of 220 spaces is available, exceeding the required amount of one space per unit.

Chairman Byrne called for the staff report.

City Planner Julie Hurley stated the applicant is requesting a rezoning of their property from Planned Unit Development, PUD, to Residential Mixed Use, RMX. The property, owned by Seren Properties, is commonly known as the Abernathy Furniture Company Factory. The building was constructed in 1926 and was listed on the National Registry of Historic Places in 2016. It has formerly housed a number of various commercial and office operations. The rezoning request is being made in order to convert the structure into apartment units, with a total of 139 single-bedroom units, and space on the northeast portion of the site reserved for commercial uses. Existing onsite parking of 220 spaces is available, exceeding the required amount of one space per unit.

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This project also requires review by the Leavenworth Preservation Commission (LPC), as the structure is listed on the National Register of Historic Places. The LPC is scheduled to review this project on Wednesday, June 6th.

The Development Review Committee reviewed the application at their April 26th, 2018 meeting and found no major items of concern.

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

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The subject property is part of Downtown Leavenworth and the Redevelopment Overlay district, with a variety of uses and building forms. Historic structures such as this are common in the area.

- b) The zoning and use of properties nearby;

The properties to the north and east are zoned Light Industrial (I-1), the property to the south is zoned Multi-Family (MF), and the property to the west is zoned Planned Unit Development (PUD).

- c) The suitability of the subject property for the uses to which it has been restricted;

The subject property is currently zoned Planned Unit Development, limiting the structure to the office related uses in place at the time of the previous zoning.

- d) The extent to which removal of the restrictions will detrimentally affect nearby property;

The proposed rezoning should have little to no detrimental effect on nearby property. There is a mix of uses present in the Downtown area, including multi-family.

- e) The length of time the subject property has remained vacant as zoned;

Ms. Hurley stated the policy report is incorrect. The property is mostly vacant with only a few office users in the building.

- f) The relative gain to economic development, public health, safety and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;

The proposed rezoning will have a positive effect upon the economic vitality of Downtown Leavenworth in terms of bringing more residents to the area which will potentially increase the patronage of local businesses.

- g) The recommendations of permanent or professional staff;

Staff recommends approval of the rezoning request.

- h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;

The subject area is identified as appropriate for commercial uses in the Comprehensive Plan. However, the majority of the Downtown area is identified as commercial on the Future Land Use Map, and there exists already a mix of residential uses in this area. Additionally, this area is part of the Downtown-North Leavenworth Redevelopment Area Master Plan, which promotes the area as appropriate for a mix of uses, including residential. Therefore, staff finds the proposed request is not in conflict with the Comprehensive Plan.

- i) Such other factors as may be relevant to a particular proposed amendment. The factors considered in taking action on any proposed amendment shall be included in the minutes or otherwise be made part of the written record;

This proposal makes possible the adaptive re-use of a previously mostly vacant historically significant structure.

REZONING ACTION/OPTIONS:

- Recommend approval of the rezoning request from PUD to RMX to the City Commission
- Recommend denial of the rezoning request from PUD to RMX to the City Commission
- Table the issue for additional information/consideration

Chairman Byrne called for questions from the commissioners about the staff report.

Mr. Wiedower asked about the nature of the upcoming Preservation Commission Meeting.

Ms. Hurley stated the city is required by statute since it is a certified local government and designated by the State any proposed change to a nationally registered property has to be reviewed by the Preservation Commission.

Mr. Karrasch asked if there are any changes to the exterior of the building.

Ms. Hurley stated it is mainly maintenance work to the exterior. The most notable change is to the existing smokestack, which will be shortened due to safety concerns.

Ms. Hurley further stated Chairman Byrne had emailed her about the billboards on top of the building. Since the rezoning will change the use of the building, the question came up whether or not it will constitute a change in use that would necessitate the removal of the billboards. The answer is it would not. The Development Regulations consider billboards differently; unless the billboards fall into disrepair, they can remain.

Mr. Karrasch asked for explanation on how changing the zoning from PUD will help the city with controls and guidelines.

Ms. Hurley stated when a property is zoned PUD there is no set established zoning district. When the rezoning for PUD comes through is when the guidelines are set for the specific property, such as setbacks, usage, type of signage allowed, design guidelines, etc. The PUD zoning for the subject property occurred in the 1980s, at which time guidelines were not extensively established. Getting the subject property rezoned to an established zoning district will be clearer for staff to work with as the regulations are clearly defined with established zoning districts.

Ms. Bohnsack asked if the applicant could amend the PUD.

Ms. Hurley stated that is a possibility. However, the subject property's PUD has been amended over a dozen times. As they are amended over and over they begin to become unclear as to what is actually allowed and intended with the zoning district.

Referring back to the Development Review Committee (DRC) minutes, Mr. Burke asked who is responsible for the flooding issues.

Ms. Hurley stated that has not been specifically addressed. It will be addressed when they submit for a building permit. Since they are not adding more pavement it is not something that technically has to be addressed; it was more informational for the applicant to have knowledge of previous flooding in the area.

Mr. Burke asked about the water quality issues mentioned at DRC.

Ms. Hurley stated that is a standard statement from the Public Works Department. Again, since they are not adding any impervious surface, it's not something that technically has to be addressed.

Ms. Leonhard asked about the type of security for the building.

Jon Klocke, architect, approached the board. Mr. Klocke stated there will be controlled access at each entry; commercial and residential will be separate. Tenants will have a security card for entry.

Ms. Leonhard asked if there are any amenities.

Mr. Klocke stated the center building will be torn down with the steel structure remaining and this is will be an outdoor courtyard. There will be a small addition to the west of the courtyard for a fitness community area.

Ms. Whitson asked when the completion date will be.

Mr. Klocke stated they anticipate the beginning of June 2019.

Mr. Wiedower asked if there will be covered parking.

Mr. Klocke responded there will be 40 covered parking stalls.

Ms. Whitson stated there have been several buildings within the past year or so that have converted to one bedroom apartments. Her concern is that this building will also only be providing one bedroom apartments. Is there a backup plan is not all the apartments rent.

Mr. Klocke stated they have done market studies showing there is a need for the apartments.

Mr. Burke asked if there was any feedback after the notifications were mailed and published.

Ms. Hurley responded no feedback was received.

With no one else wishing to speak, Chairman Byrne closed the public hearing and called for questions/discussion among the commissioners.

Ms. Bohnsack also stated her concern about the single bedroom units instead of opening it up to a wider market.

Mr. Karrasch asked if the Planning Commission chose to recommend approval, if they could do so with the stipulation that it must first be approved by the Preservation Commission.

Ms. Hurley responded in the affirmative; there can be a condition based on the approval of the Preservation Commission.

Ms. Whitson again mentioned 139 single bedroom apartments.

Mr. Klocke stated that 25 of the apartments are two-bedroom units.

Ms. Bohnsack asked when this rezoning request will go to the City Commission.

Ms. Hurley responded, Tuesday, June 26th.

With no further discussion, Chairman Byrne called for a motion. Mr. Karrasch moved to recommend approval to the City Commission the rezoning from PUD to RMX 2018-06 REZ for 1100 N. 2nd Street with the condition that it is approved by the Preservation Commission. The motion was seconded by Ms. Whitson and passed by a unanimous vote of 7-0.

With no further business the meeting was adjourned at 7:31 p.m.

JH/mb

CHARACTER AREA: NORTH GATEWAY BUSINESS AND INNOVATION CAMPUS

Aspiration

*The **Economic Engine** generating new business and employment opportunities and a high quality experience and image for Leavenworth's northeast entrance to downtown.*

The North Gateway Business & Innovation Campus will evolve as one of the premier business and employment environments within the City of Leavenworth, integrating many building formats into a cohesive campus environment. A diverse business mix will create an economic asset that contributes to the success of other downtown businesses. The area affords a great degree of accessibility within the City and region (Metropolitan Avenue, adjacency to downtown Leavenworth and Fort Leavenworth, 25 minutes of Kansas City International Airport and within an hour to the Kansas City metropolitan area.) Anchored by the historic Fort Leavenworth to the north, the campus will contribute to the development of a quality corridor, as well as create a north gateway for downtown. Elements along the corridor should contribute the same quality and lasting investments reflected in the historic downtown of Leavenworth, and promote the pleasant urban experience that lies beyond the campus area. Ultimately the goal is to create a unique business and employment destination for Leavenworth and the northeast Kansas region.

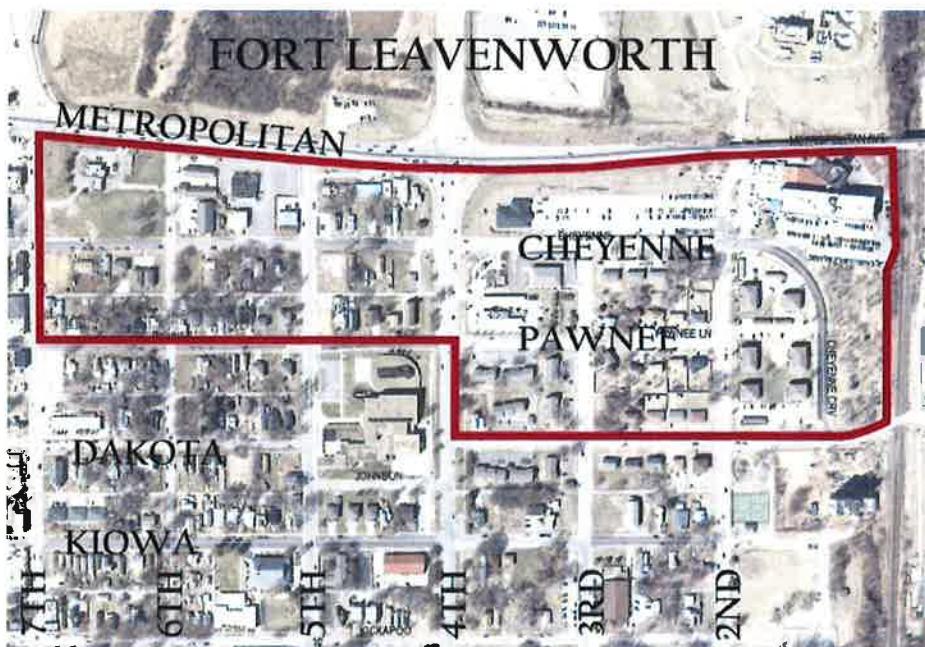
North: **Metropolitan**

East: **Missouri River**

South: **Pawnee/Dakota**

West: **7th**

Approximately **20 SQ Blocks**



North Gateway Business and Innovation Campus: Key Elements

The following are key elements for the North Gateway Business and Innovation Campus area:

Urban Form and Scale

The North Gateway Innovation and Business Campus is intended to accommodate a variety of building formats and types within a campus setting. The conceptual campus master plan reflects the following elements of urban form and scale that should be included in the future redevelopment of the area.

- Provide opportunity for office, retail, and mixed-use formats, with an employment emphasis that may be strategically targeted to Department of Defense-related industries. Multi-level buildings are preferred, but a market-sensitive approach should be accommodated that may allow single level business facilities.
- A high-quality hotel and conferencing facilities would be appropriate within the campus to support business uses. Given the proximity of the campus to Fort Leavenworth, such a facility could facilitate a variety of defense-and non-defense business related events, seminars, and conferences within walking distance of the Fort and Leavenworth's Downtown.
- Create a high quality and distinctive campus entrance experience at Metropolitan and 4th Street. Building forms at the intersection of Metropolitan Avenue and 4th Street should be exclusively reserved for multi-level office or vertically integrated mixed-use-use to create a significant visual statement.



Right: A 'campus'-like environment is envisioned to welcome visitors and citizens at Leavenworth's northeast gateway. (Concept for illustrative purposes).

First Then, First Now
 Leavenworth Leading the Way

- Retail is appropriate to provide convenient goods and services for the immediate area, however retail uses should be a secondary and complimentary to employment-focused uses. Detailed design guidelines should be pursued that place specific requirements on retailing businesses so as not to dilute the campus image and experience.
- Along Metropolitan Avenue, 4th and 7th Streets, surface parking lots should be internalized within the campus and located behind buildings. The building forms throughout the campus will be arranged to create a significant visual edge with a 'build-to' line along a 20' campus green setback.
- Deviations from the build-to line would incorporate additional green space or plazas that engage the public realm. In instances between buildings that may expose rear-area parking, additional screening treatments will be incorporated. This can be combinations of low masonry walls, ornamental fencing and additional landscaping.

Urban Design Theme

The campus theme presents the opportunity to deviate from the traditional forms and scale of downtown to accommodate more regional opportunities. However the campus plan integrates two critical themes that improve the overall downtown and which tie all development in the area together – gateways that extended the downtown character and a variety of quality pedestrian-scale open spaces that become the focal points for buildings and sites throughout the area.

- A 20' building setback for the campus green should be established around the perimeter of the campus. This is intended to reflect the natural or 'soft' corridor development environment. A cohesive landscape design will further provide a quality aesthetic and present a greater visual quality as one enters Leavenworth from across the Missouri River.
- Additional green space should be considered at the intersection of Metropolitan Avenue and 4th Street for installment of Leavenworth community gateways.
- The setback and campus green should be incorporated along Metropolitan Avenue, from 7th Street to the bridge; 4th Street from Metropolitan Avenue to Pawnee Street, as part of the 4th Street Arbor Way. This setback may actually be greater in width from Pawnee Street to Miami Street, depending on the Arbor Way design. On the west side of 4th Street, the campus green landscape should be extended and be integrated with the green space along the Lawson Elementary School property.



Existing retail may be aesthetically blended and coexists to support campus business and employment activities.

- 7th Street, from Metropolitan to Pawnee Street - incorporate a multi-modal (pedestrian and bicycle) path to connect residential areas with a potential community-wide trail north of Metropolitan Avenue.
- Pawnee Street, from 7th to 4th Street; Dakota Street, from 4th street to Ben Dougherty Park; Metropolitan Avenue, from 7th to 4th Street; and Cheyenne, from 4th to North Esplanade - incorporate a pedestrian and bicycle trail that links neighborhoods to Ben Dougherty Park, Esplanade Park and eventually the downtown area. In addition, a more generous landscaping along this south portion of the campus green is recommended, to enhance screening of service and functional areas of the North Gateway Business & Innovation Campus from adjacent neighborhoods.
- Masonry materials such as brick and stone should be the predominant material throughout the campus to create an enduring visual quality. Others materials that can be utilized to express innovative architectural solutions can be incorporated as accent materials.

Projects and Initiatives

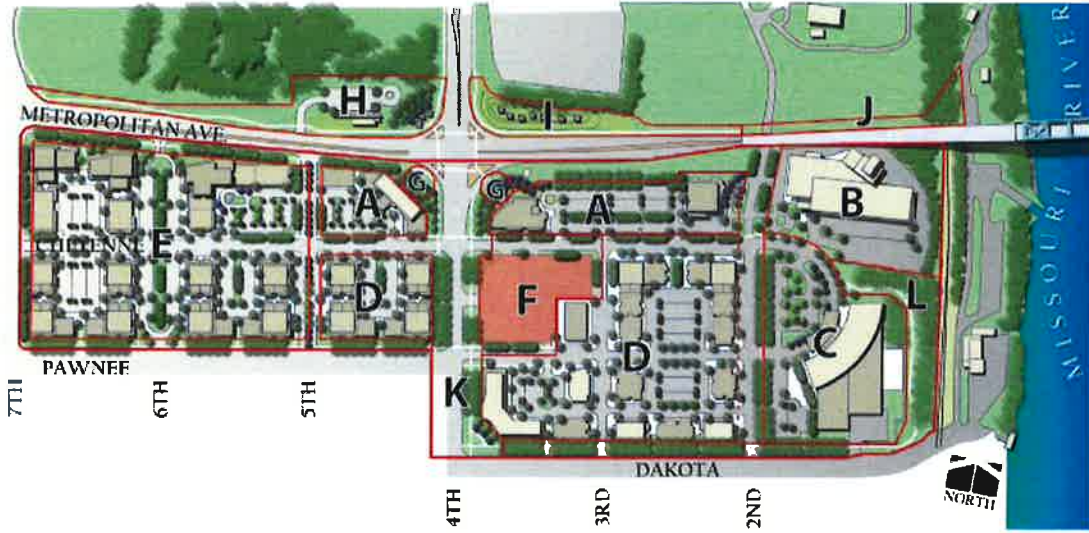
- Develop a marketing campaign that emphasizes the assets of this area – regional destination and access, proximity to supporting business and institution, etc.
- Proactively pursue opportunities for the primary development of office and employment uses, including a mix of innovative industries such as technology, environmental, research and other similar enterprises (defense or non-defense related). This may include a focused effort towards defense industry contractors and vendors that have strong business relationships and contracts with Fort Leavenworth.
- Work with a developer to incorporate the Urban Form and Scale and Urban Design Theme elements into an overall development plan for the area.



Substantial building forms at Metropolitan Avenue and 4th Street is envisioned by the master plan to present a significant visual experience into Leavenworth and the character areas of Downtown.

4.40

Downtown . North Leavenworth **Redevelopment Master Plan**



Left: Conceptual redevelopment scenario for the North Gateway Innovation & Business Campus. (Concept for illustrative purposes).

A: ‘Signature’ Architectural Buildings

- Multi-level structures that engage the intersection to frame entrance into the 4th Street Arbor Way/Avenue of the Nations and Downtown.
- Potential hotel and conference site

B: Existing Office

- Preserve and promote on-going building and site enhancements

C: Potential ‘Super-Site’

- Potential to redesign and create more substantial parcel that engages the riverfront, views and vistas of the Missouri River.
- Potential hotel and conference site
- Reserve portions for buffering and trail connections along Dakota Street

D: Campus Buildings

- Mix of building types and uses, accommodating market demand.
- Building frontages to engage the public realm with parking internalized behind building forms.
- Retain street grid pattern and promote on-street parking to provide convenience and minimize size of internalized parking areas.
- Reserve portions for buffering and trail connections along Dakota and Pawnee Streets

E: ‘Cheyenne Square’

- Develop central green as amenity and visual icon for campus
- May be more conducive/flexible for mixed-use and ground level retailing
- Diversity of building forms may be considered, however, format should respond to the campus and urban environment (e.g. building frontages to engage the public realm with parking internalized behind building forms, preservation of street grid and on-street parking).
- Reserve portions for buffering and trail connections along Dakota, Pawnee and 7th Streets

F: Existing Retail

- ‘Blend’ with campus green landscape design and Arbor Way/Avenue of the Nations amenities
- Absorb into campus should redevelopment initiatives present themselves

G. Potential Grand Leavenworth Gateway Sites

- Reserve area for substantial gateway and landscaping features.

H. Leavenworth Visitors Welcoming and Interpretive Center

- New facility or relocation of existing structure
- Incorporate gateway artwork/outdoor gallery
- Consider community-wide trail development west of facility

I. Outdoor Gallery

- Reserve portion for development of historical/interpretive public art elements, native landscaping and other features that reinforces a defined gateway entrance into Leavenworth and Fort Leavenworth.

J. Potential Community-Wide Trail

Consider community-wide trail development that links potential Leavenworth Visitors Center with the Riverfront Campgrounds and North Gateway Campus south of Metropolitan Avenue.

K: 4th Street Arbor Way/Avenue of the Nations

- Interpretive, mobility and connectivity investments

L: Campus Green

- Preserve green space that accommodates public trail connections to and into the North Gateway Campus, amenities, views and vistas to the Missouri River