



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

City Commission Regular Meeting
Commission Chambers
Tuesday, May 26, 2020 7:00 p.m.

CALL TO ORDER - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Myron J. (Mike) Griswold. The following commission members attended via teleconference: Mayor Pro-Tem Nancy Bauder, Commissioners Camalla Leonhard, Mark Preisinger and Jermaine Wilson (Commissioner Wilson left the meeting at 7:36 pm).

Others present in the commission chambers: City Manager Paul Kramer, Assistant City Manager Taylour Tedder and City Clerk Carla K. Williamson.

Other members participating via teleconference: Public Works Director Mike McDonald, Human Resources Director Lona Lanter, Police Chief Pat Kitchens and City Attorney David E. Waters.

Mayor Griswold read the following notice:

Due to the restriction of social distancing to mitigate the spread of COVID-19, the City Commission meeting will not be open to the public. In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed live on Channel 2 and via Facebook Live. Questions on agenda items will be read during discussion on that topic. Submit your question to cwilliamson@firstcity.org no later than 6:00 pm on May 26th. Members of the public wishing to receive agenda notifications can contact the city clerk cwilliamson@firstcity.org to be added to the agenda email distribution list. Agendas are available for viewing on the city website www.leavenworthks.org.

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

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Leonhard moved to approve the minutes from the May 12, 2020 regular meeting. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance 8127 Amending Chapter 44 – Police Chief Pat Kitchens presented for second consideration ordinance 8127. There have been no changes since first consideration.

Mayor Griswold called the roll and the ordinance passed unanimously 5-0.

NEW BUSINESS:

Public Comment: *emails received by the public for public comment on non-agenda items will be read at this time.* None received.

General Items:

Recommendation for Revision to Personnel Policy Manual – City Manager Paul Kramer presented for consideration changes to Section XI of the City Personnel Manual. The changes proposed are to add the day after Thanksgiving as a city holiday and change the City Manager’s holiday as any one-work day the employee selects to be used before the last day of the pay period for each calendar year. The day must be preapproved by the supervisor and taken for the employee’s entire shift and cannot be taken in increments and is not eligible for carryover into the following year or be paid out. If approved the changes will take effect immediately.

Commissioner Preisinger moved to approve the revision to the Personnel Manual as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Mayor’s Appointments:

Mayor Griswold moved to re-appoint to the Grow Leavenworth County Development Corporation with terms ending May 31, 2022 Amy Baker, Thomas Meier, Michael Prevou, Wendy Scheidt and Lisa Weakley. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Motion to Correct Terms of Library Board Appointees – City Clerk Carla Williamson presented to the Commission the need for a correction to the terms of Melissa Davis and Carol Perry. At the April 28, 2020 City Commission meeting Melissa Davis was appointed to the Library Board with a term ending April 30, 2023 and at the May 12, 2020 City Commission meeting Carol Perry was appointed to the Library Board with a term ending April 30, 2023. It has been brought to staff’s attention that the terms should end April 30, 2024 as these seats are for a 4-year term. This does not change the appointments to the board other than it is needed for the Commission to formally make a motion to correct the expiration date of the terms of both these members.

Commissioner Bauder moved to correct the Library Board terms of Melissa Davis and Carol Perry to terms ending April 30, 2024. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Dates for City Commission Budget and CIP Meeting - City Manager Paul Kramer proposed Friday July 10, 2020 from 9:00 am to 5:00 pm for the 2021 Operating Budget and Capital Improvement Program (CIP) work session.

There as a consensus by the Commission to hold the work session on July 10, 2020 from 9:00 am to 5:00 pm.

Consider Request from USD 453 to waive Permit Fees - Public Works Director Mike McDonald presented for consideration a request from USD 453 to waive permits fees for the upcoming Richard Warren Educational Campus project with a construction valuation estimated at \$2,800,000 and Leavenworth High School renovations with construction valuation estimated at \$2,500,000. Both projects will begin in 2020. The permit fees waived total \$15,574.00.

Commissioner Leonhard moved to waive building permit fees associated with the Richard Warren Educational Campus and the Leavenworth High School renovation projects. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Proposed 2020 Pavement Management Program – Public Works Director Mike McDonald presented for consideration the following streets for the 2020 Pavement Management Program:

East/West

Cheyenne St. – 4th St to 2nd St.
Cheyenne St. – 7th St. to Broadway
Pawnee St. – 16th St. to the east 300 feet
Pawnee St. – 2nd St. to the west 200 feet
Kiowa St. – Broadway to 10th St.
Ottawa St. – 2nd St. to 4th St.
Ottawa St. – 7th St. to 10th St.
Pottawatomie St. – Esplanade to 7th St.
Pottawatomie St. – Broadway to the east 200 feet
Osage St. – Esplanade to Broadway
Miami St. – 5th St. to 7th St.
Miami St. – 17th St. to Michael St.
Michael St. – 17th St. to Miami St.
Terry St. – 16th St. to 17th St.

Shawnee St. – 8th St. to 10th St.
Cherokee St. – 15th St. to 20th St.
Estate Dr. – 20th St. to the west 21st St.

North/South

5th St. – Shawnee St. to Osage St.
10th St. – Shawnee St. to Pawnee St.
10th St. – Michigan St. to Kenton St.
20th St. – Ottawa St. to Pawnee St.
20th St. – Spruce St. to Choctaw St.

Alternates

Broadway – Pennsylvania St. to Cherokee St.
Tonganoxie Rd. – City Limits to Candlewood Dr.
Tonganoxie Rd. – Limit St. to Vilas St.
10th St. – Sherman Ave. to Cherokee St.

At the February 11, 2020 meeting, the city commission reviewed the city owned parking lots. The 2020 expenditure included the design of the parking lot at the NW corner of 3rd Street and Delaware Street and the parking lot east of Pullman (north side of Cherokee and west of 2nd Street). The parking lot at the NW corner of 3rd and Delaware was identified for inclusion in this year’s Pavement Management Program.

The total work is estimated at \$1,980,000 and includes city lot repair \$185,000; 2020 Mill & Overlay \$1,650,000; 2020 other pavement management program actions \$40,000; 2021 pavement management program design \$105,000.

Commissioner Bauder moved to approve the proposed 2020 Pavement Management Program as presented. Commissioner Preisinger seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Resolution:

Resolution B-2250 Setting the Public Hearing for Unsafe & Dangerous Structures – City Manager Paul Kramer reviewed the resolution to set July 14, 2020 as the public hearing date to review the 21 structures as unsafe & dangerous.

At 7:36 pm Commissioner Wilson left the meeting.

Commissioner Preisinger moved to adopt Resolution B-2250 to set a public hearing for unsafe and dangerous structures on July 14, 2020 in the city commission chambers. Commissioner Leonhard seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Resolution B-2251 Resolution of Intent-Price Chopper Industrial Revenue Bonds – City Manager Paul Kramer presented for approval a non-binding resolution of intent to issue its federally taxable Industrial Revenue Bonds in the maximum amount of \$12,000,000.00 which allows Super Market Developers, Inc. to use the City's state and local sales tax exemption. This project is the current Price Chopper located at 2107 S 4th Street and will assist in facilitating the redevelopment of the property.

Mr. Joel Riggs with Associated Wholesale Grocers addressed the Commission via phone through GoToMeeting to discuss the project, which will redesign and redevelop Price Chopper. The IRB is to exempt the project of sales tax on the purchase of equipment and other allowable items. They fully understand that should the IRBs not be approved any exempt sales tax would be re-paid.

Commissioner Preisinger moved to adopt Resolution B-2251 non-binding resolution of intent. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Bids, Contracts and Agreements:

Change Order No. 1 to 2019 Sanitary Sewer I & I – Public Works Director Mike McDonald presented for consideration change order no 1 to the contract with Linaweaver Construction in the amount of \$58,428.40 for the 2019 Sanitary Sewer I & I project for a total contact amount of \$538,643.40. The additional costs are incurred due to the sanitary sewer line in the alley being deeper than anticipated.

Commissioner Preisinger moved to approve change order no. 1 with Linaweaver Construction for the 2019 Sanitary Sewer I & I Project as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

First Consideration Ordinance:

First Consideration Ordinance General Obligation Refunding and Improvement Bonds Series 2020-A - City Clerk Carla Williamson presented for first consideration an ordinance authorizing the issuance of \$8,130,000 aggregate principal amount of General Obligation Refunding and Improvement Bonds Series 2020-A. The bond and note sale will be held on Tuesday June 9, 2020 and the results will be presented to the City Commission that evening for approval and second consideration of the ordinance.

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

CONSENT AGENDA:

Commissioner Leonhard moved to approve claims for May 9, 2020 through May 22, 2020 in the amount of \$1,077,803.73; Net amount for Payroll #11 effective May 22, 2020 in the amount of \$339,718.01 (Includes Police & Fire Pension in the amount of \$11,839.36). Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

Other:

City Manager Paul Kramer:

- Effective midnight May 26, 2020 Governor Kelly's orders related to COVID-19 end and the individual counties in Kansas will be in charge of issuing any orders or guidance. This was just announced this afternoon and there is no other information at this time.

Commissioner Preisinger:

- Suggested some type of public information campaign about not blowing grass clippings into the street

Adjournment:

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

Time Meeting Adjourned 8:13 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC