



**City of Leavenworth**  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

**CITY COMMISSION REGULAR MEETING**  
**COMMISSION CHAMBERS**  
**TUESDAY, JANUARY 25, 2022 6:00 P.M.**

**Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting**  
*Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube*

**CALL TO ORDER** – Pledge of Allegiance Followed by Silent Meditation

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**PRESENTATION:**

Mayor's Award

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

1. Minutes from January 11, 2022 Regular Meeting **Action:** Motion (pg. 02)

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**NEW BUSINESS:**

**Public Comment:** *(i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak. Fill out the sheet with requested information when you enter the meeting.*

**General Items:**

2. Mayor's Appointments – Convention & Tourism Committee and Library Board **Action:** Motion (pg. 07)
3. Update for Unsafe Structure 1006 Kickapoo St **Action:** Motion (pg. 08)
4. Project Update – 4<sup>th</sup> Street/K-7 between Choctaw and Seneca **Action:** Motion (pg. 12)
5. Transfer of 600 Cherokee to Land Bank (pg. 13)
- a. Convey the property into the Land Bank, and then recess **Action:** Motion
- b. Convene as the Leavenworth Land Bank Board of Trustees to accept the property **Action:** Motion
- c. Reconvene as the Leavenworth City Commission **Action:** Motion

**Resolutions:**

6. Resolution B-2303 Setting Hearing Date for Unsafe Structure 717 Spruce Street **Action:** Motion (pg. 16)

**Bids, Contracts and Agreements:**

7. City Festival Management Contract - Camp Leavenworth **Action:** Motion (pg. 20)
8. Consider Bids for Demolitions, Project No. CD 2021-01 **Action:** Motion (pg. 30)
9. Rejection of Bids for City Hall HVAC Upgrades Project No. 2021-971 **Action:** Motion (pg. 35)
10. Consider Award of 2022 New/Unused Truck Cab & Chassis with Refuse Compaction Body **Action:** Motion (pg. 38)
11. Consider Bids Water Pollution Control Division Chemicals **Action:** Motion (pg. 41)
12. Consider the Purchase of 2022 Software Upgrade Related to 9-1-1 **Action:** Motion (pg. 43)
13. Consider Bids for Purchase of 2022 SWAT Locker Replacements **Action:** Motion (pg. 46)
14. Consider Purchase and Installation of Hawthorn Park Splash Pad **Action:** Motion (pg. 51)

**First Consideration Ordinance:**

15. First Consideration of Municipal Judge Charter Ordinance No. 62 **Action:** Consensus (pg. 59)

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**Consent Agenda:**

Claims for January 1, 2022, through January 14, 2022, in the amount of \$1,782,462.15; Net amount for Payroll #01 effective January 14, 2022 in the amount of \$353,602.39 (No Police and Fire Pension) **Action:** Motion

**Other:**

**Adjournment**

**Action:** Motion



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

**City Commission Regular Meeting**  
**Commission Chambers**  
**Tuesday, January 11, 2022 6:00 p.m.**

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**CALL TO ORDER** - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Camalla Leonhard, Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder, Edd Hingula and Griff Martin.

**Staff members present:** City Manager Paul Kramer, Assistant City Manager Penny Holler, Deputy Finance Director Roberta Beier, Parks and Recreation Director Steve Grant, Public Works Director Brian Faust, Chief Building Inspector Harold Burdette, Water Pollution Control Superintendent Tim Guardado, Assistant Water Pollution Control Superintendent Jon Lemke, Recreation Program Supervisor Tabor Medill, City Attorney David E. Waters and Deputy City Clerk Cary L. Collins.

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

**Presentation to Outgoing Mayor Nancy D. Bauder** – The City Commission presented a plaque to outgoing Mayor Bauder who held the position as Mayor from December 8, 2020 to December 14, 2021.

Commissioner Bauder thanked her fellow Commissioners and the public and highlighted her year as Mayor and her time served on the City Commission.

#### **OLD BUSINESS:**

##### **Consideration of Previous Meeting Minutes:**

Mayor Leonhard noted that her last name was spelled incorrectly on page one.

Commissioner Bauder moved to accept the minutes with the noted correction from the December 14, 2021 regular meeting. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

##### **Public Comment:** *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*

None

##### **General Items:**

##### **Mayor's Appointments, Mayor Leonhard moved to:**

Reappoint to the **Airport Advisory Board** Keith Baker, John Carroll and William Kidder to terms ending December 31, 2024 and appoint Billy Summers as the Fort Leavenworth Representative;

Reappoint to the **Deer Management Advisory Committee** Dan Nicodemus, Tom Wells and Loyd Yonts to a term ending December 31, 2024 and appoint Whitney Harmon to a term ending December 31, 2024;

Reappoint to the **Parks & Community Activities Board** Shelly Cannon and Kara McDaniel to terms ending January 15, 2025;

Reappoint to the **Sister City Advisory Board** Kelly Butler, Whitney Moulden and Alisa Murphy to a term ending December 31, 2024 and appoint Georgia Moore to a term ending December 31, 2024.

Commissioner Martin seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

**Update for Unsafe Structure, 2201 Magnolia Drive; Given 90-Days at the October 12, 2021 Meeting** - Chief Building Inspector Harold Burdette provided the following background information: On July 3, 2021 the structure was damaged by fire; city received check from insurance proceeds for \$27,046.40. A public hearing was held on October 12, 2021 regarding the status of repairs. The Commission adopted Resolution B-2298; giving the owners 90 days to complete the repairs.

The repairs of this structure have progressed to the point that staff is comfortable recommending to the City Commission that releasing the funds is appropriate and consistent with similar projects.

Commissioner Hingula moved to approve the release of the insurance proceeds in the amount of \$27,046.40 to the owner. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Review Unsafe and Dangerous Structures, 767 Charles Street; Given 60-Day Extension at the November 9, 2021 Meeting** - Planning and Community Development Director Julie Hurley explained that on September 14, 2021, the City Commission voted to grant an extension to November 9, 2021. At the November 9, 2021 meeting, the City Commission voted to grant an extension to January 11, 2022 for 767 Charles Street. The current status of the property is as follows:

Single family house and accessory structure, last water service 02/18/2018. Property has been sold to Kevin Lis. Mr. Lis indicated to staff his intent to apply for the vacation of the City owned ROW behind the property, as a portion of the existing detached garage currently sits within the ROW. Mr. Lis intends to complete repairs and is actively working with a surveyor for the ROW to be vacated and staff has been in contact with that surveyor who is working on the survey. A building permit to re-roof a portion of the house was issued on December 10, 2021.

#### **Mayor Leonhard**

- Waiting for surveyor to submit paper
- Prior owner had plans to self-demo, will it be for a rental property?

#### **Commissioner Bauder**

- Condition of Garage?

#### **Commissioner Hingula**

- Building permit to re-roof a “portion” of the house was issued on 12/10/21, only a “portion”?
- How long to finish?

**Kevin Lis, 716 S. 11<sup>th</sup> Street**

- Windows are on order
- Probably will sell property
- New roof on garage from two years ago
- Will put siding on it
- 20 squares were replaced and covered the entire roof on house
- Six months to finish renovations
- Waiting for survey

Commissioner Martin moved to grant an extension to March 22, 2022 to complete repairs to 767 Charles Street. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Consider Amendments and Updates to City Fee Schedule** - City Manager Kramer explained that from time to time City staff will bring updates to the city fee schedule which is adopted by the City Commission. Mr. Kramer presented to the Commission the following proposed amendments and updates to the City Fee Schedule:

- Add missing language to garage sale permit “up to 3 consecutive days”
- Updates and changes to Performing Arts Center fees
- Add fees for Lot split and Lot combination application fees

Mr. Kramer explained that we did not have existing fees for Lot Split and Lot Combination applications, these are two actions that we take in the Planning and Community Development Office. We have fees for most of our development processes, but for those two we did not. Amounts suggested fall in line with the fees that we have for the zoning and subdivision regulations and other areas of the city.

The second item is an increase requested by the River City Community Players (RCCP) related to ticket prices at the Performing Arts Center. Mr. Kramer invited RCCP President Ron Mazzia to come to the podium to explain why they believe that an increase in fees which supports their operations is necessary.

Ron Mazzia gave an overview of current operating costs of the River City Community Players and the fees charged by surrounding area theatres/venues. Fees have not increased in over ten years; however, the production costs has increased significantly due to results of COVID-19 in 2020 and 2021.

**Commissioner Martin**

- Okay with increasing Performing Arts Center Fees
- Not in favor of new fees, in regards to Lot Split and Lot Combination applications

**Commissioner Hingula**

- In regards to Lot Split and Lot Combination fee, is it possible to make it a refundable or partially refundable fee?

**City Manager Kramer**

- Would not want to do a refund, would rather go smaller or not have a fee

Commissioner Wilson moved to approve the amendments to the fee schedule as presented to be effective January 12, 2022. Commissioner Bauder seconded the motion. The motion passed 3-2 with Commissioner Martin and Commissioner Hingula voting no. Mayor Leonhard declared the motion carried 3-2.

**Bids, Contracts and Agreements:**

**Consider Shared Facility Usage Agreement with University of St. Mary** - Parks and Recreation Director Steve Grant presented for consideration a “Shared Usage Facility Agreement” with the University of St. Mary (USM).

In October of 2021 USM Athletic Director Rob Miller approached the City of Leavenworth Parks and Recreation Department with interest in the possibility of utilizing the City-owned tennis courts at David Brewer Park for their new tennis program that will commence in September of 2022. Staff discussed the inquiry, as well as the city’s needs for additional court space for youth basketball games. City staff responded with the possibility of a shared facility agreement between the two parties in which USM would be able to utilize tennis courts at David Brewer free of charge, and in return the Parks and Recreation Department would be able to utilize the McGilley Field House basketball courts owned and operated by USM for games associated with the City youth basketball program. USM administrative staff responded favorably to the agreement.

City Attorney David Waters, along with input from City staff, drew up the agreement. The agreement is for two years and may be extended at its end by a mutual written agreement of both parties. This agreement is vital for the Parks and Recreation Department in administering the youth basketball program. The agreement was presented to the Parks and Community Activities Advisory Board at their December 10, 2021 meeting. The Board voted unanimously for approval of the agreement to be recommended to the City Commission.

Commissioner Martin moved to approve entering into the “Shared Facility Usage Agreement” with the University of St. Mary. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Consider Sole-Source Purchase of Ultraviolet Lamps from Ray Lindsey Company** - Public Works Director Brian Faust presented for consideration the sole-source purchase of 480 Low-Pressure, High-Volume Ultraviolet (UV) Lamps and Associated parts to replace all lamps in Channel #1 of our Trojan 3000plus UV system.

Commissioner Bauder moved to approve the sole-source purchase of 480 UV lamps with the associated parts and supplies from Ray Lindsey Company for a cost not to exceed \$132,294.24. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Consent Agenda:**

Commissioner Martin moved to approve claims for December 11, 2021, through January 7, 2022, in the amount of \$3,246,898.88; Net amount for Payroll #25 effective December 17, 2021 in the amount of \$361,315.89 (Includes Police & Fire Pension in the amount of \$8,804.19) and Payroll #26 effective December 31, 2021 in the amount of \$369,272.42 (No Police & Fire Pension). Commissioner Wilson

seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Other:**

**City Manager Paul Kramer**

- A couple years ago the city commission tasked staff with making more registrations if not everything available online.
- The city implemented an online registration program called “Event Brite”
- The Parks and Recreation Director shared with him today that he just received the 2021 report from Event Brite and over 9,000 events were registered for; i.e., picnic shelter reservations, youth participation, aquacize, etc.
- 1820 people used service more than once and 2759 brand new to use service

**Commissioner Bauder**

- This past week COVID numbers have increased from 300 to 900 and those are the ones who were tested
- To public, get out there and get vaccine, health system overwhelmed
- ER in greater KC area is a mess
- Worked in health care for over 30 years

**Commissioner Martin**

- Terrible what’s been going on in Country
- Remind everyone we have freedom in Country, your health care choices are your choices
- Get informed and find out what you want to do for your family

**Mayor Leonhard**

- Thanked Nancy for her service and professionalism in serving as Mayor in 2021.

**Adjournment:**

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

Time Meeting Adjourned 7:01 p.m.

Minutes taken by Deputy City Clerk Cary L. Collins, CMC

## MAYOR'S APPOINTMENTS

January 25, 2022

### Mayor Leonhard

*"Move to*

*Appoint to the **Convention & Tourism Committee** Susie Young to a term ending January 31, 2025 and Reappoint Tony Baker, Brian Huntington, and George Marcec to terms ending January 31, 2025;*

*Appoint to the **Library Board** Pauline Graeber to an unexpired term ending April 30, 2022"*


**Requires a second and vote by the Governing Body.**

POLICY REPORT PWD NO. 22-03


UPDATE FOR UNSAFE STRUCTURE  
1006 KICKAPOO STREET

January 25, 2022

Prepared by:

  
Harold D. Burdette,  
Chief Building Inspector

Reviewed by:

  
Brian D. Faust, P.E.,  
Director of Public Works

Reviewed by:

  
Paul Kramer,  
City Manager

**ISSUE:**

Consider current status of the structure located at 1006 Kickapoo Street.

**BACKGROUND:**

This structure was damaged by fire on April 3, 2021. The City received a check from insurance proceeds for \$8,250. A Public Hearing was held on July 27, 2021, regarding the status of repairs. The Commission adopted Resolution No. B-2286, which stated that the owner was to commence with repairs and the City Commission would review the status of the project after 90 days. Staff provided an update on the progress of the project to the Commission on October 26, 2021, and the owners were given another 90 days to continue repairs.

When structures are damaged by fire and other hazards and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used to either remove the structure if the owner decides not to repair it, or return it to the property owner once repairs have progressed to a reasonable point, or are completed and the structure is ready for occupancy.

This situation is different than most fire-damaged structures that are brought before the Commission because ownership has changed from the time of the fire to now. When released, the money will be returned to the previous property owner since it came from their insurance company.

The majority of the fire damage was to a room on the north side of the structure and in the attic. The current owners have removed the damaged area on the north side and have rebuilt and enlarged that portion of the structure. This area has been framed in, but the exterior wall finish has not been completed. Installation of the roof of the new portion has begun, but due to an injury the roof will not be completed on the structure for a few more weeks. Portions of the wall and ceiling finishes of the existing structure have been removed and made ready for an electrician to work on the structure.

Although the repairs to this structure have not progressed to the point that staff typically recommends returning the funds, staff does feel that the structure is no longer an unsafe structure. The scope of work being undertaken exceeds the repairs that were needed due to the fire damage, but consistent progress is being made.



**RECOMMENDATION:**

Staff recommends the City Commission determine that the structure is no longer considered unsafe or hazardous, and authorize the return of the insurance proceeds to the previous owner of record at the time of the fire. Staff will continue to monitor the project and ensure that progress continues and inspections are performed as is done with other building projects.

**ATTACHMENT:**

Photos of structure





POLICY REPORT NO. 22-10

PROJECT UPDATE – 4<sup>th</sup> STREET/K-7 BETWEEN CHOCTAW & SENECA  
PROJECT NO. 2020-939


January 25, 2022

Prepared By:



Brian Faust, P.E.,  
Public Works Director

Approved By:



Paul Kramer,  
City Manger

**ITEM:**

Improvements to 4<sup>th</sup> Street between Choctaw and Seneca are currently in the early stages of design. This City and State partnership is an infrastructure improvement project encompassing the roadway, functionality, safety, traffic and appearance of this key downtown corridor, which also functions as a state highway.

This week our Design Consultants are holding public informational workshops that allow businesses and residents to provide input and work together on options and concepts for the street.

The team will hold an open house on Thursday that displays the preliminary results of the workshops:

- 5 – 7 p.m. Thursday Jan. 27 at the Riverfront Community Center, 123 S. Esplanade St. This open house will include a short presentation at 5:30 p.m. followed by informal conversations.


This evening our Design Consultants will provide a status update and schedule for the project.

Presenting tonight will be Marty Shukert with RDG Planning & Design along with David Smalling from BHC.

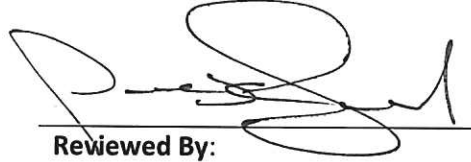
**POLICY REPORT**

**Transfer of 600 Cherokee to Land Bank**

**January 25, 2022**



**Prepared By:**  
Julie Hurley,  
Director of Planning and Community  
Development



**Reviewed By:**  
Paul Kramer,  
City Manager

**DISCUSSION**

The property located at 600 Cherokee was purchased by the City of Leavenworth in 2021 in order to facilitate the redevelopment of the property. After consultation with County Appraiser Bob Weber and City Attorney David Waters, it was determined that this property does not meet the tax-exempt status for City-owned properties as outlined in KSA 79-201a. It was further determined that placing the property in the Leavenworth Land Bank would be an effective method of taking the property off the tax roll without requiring a Board of Tax Appeals order.

Placing the property in the Land Bank will make the property exempt from all property or ad valorem taxes levied until such time that ownership of the property is transferred.

**RECOMMENDED ACTION**

- Motion to convey the property located at 600 Cherokee Street to the Leavenworth Land Bank.

*Per K.S.A. 79-1437e(a)(4),  
no real estate validation questionnaire required*

**KANSAS SPECIAL WARRANTY DEED**

THIS KANSAS SPECIAL WARRANTY DEED is made as of the 25th day of January, 2022, by and between the **City of Leavenworth, Kansas** (the "Grantor"), in favor of the **Leavenworth Land Bank**, an instrumentality of the City of Leavenworth, Kansas, created pursuant to K.S.A. 12-5901 *et seq.* (the "Grantee"), whose mailing address is 100 N. 5th Street, Leavenworth, Kansas 66048.

WITNESSETH: Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) to it duly paid, the receipt of which is hereby acknowledged, do by these presents, Sell and Convey unto the Grantee, its successors and assigns, all of the following described lots, tracts or parcels of land, lying, being and situated in the County of Leavenworth, and State of Kansas, to wit:

Lot 1 and Lot 2, Block 74, of the original Plat of Leavenworth (commonly known and numbered as 600 Cherokee)

EXCEPT AND SUBJECT TO: (a) easements, restrictions, declarations, and reservations of record if any; (b) taxes and assessments, general and special, not now due and payable; (c) the rights of the public in and to parts thereof in streets, roads, and alleys; (d) zoning laws, subdivision regulations and other laws and ordinances regulating the use (or improvements to) the above-described property; and (e) all easements, overhead cables, underground conduits, encroachments, and other matters which might be disclosed by an accurate survey, physical inspection of such property, or examination of utility company records.

TO HAVE AND TO HOLD THE SAME, together with all and singular tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. And said Grantor, for its successors and assigns, does hereby covenant, promise, and agree to and with said Grantee, that at the delivery of these presents, said interest in said premises is free, clear, discharged, and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments, and encumbrances, of whatever nature or kind, by, through, or under said Grantor, and that Grantor will warrant and defend said interest unto Grantee, its successors and assigns, against Grantor and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through, or under Grantor.

*[Signature Pages Follow Directly]*



POLICY REPORT PWD NO. 22-09

RESOLUTION SETTING HEARING DATE FOR UNSAFE STRUCTURE  
717 SPRUCE STREET

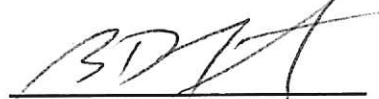
January 25, 2022

Prepared by:



Harold D. Burdette,  
Chief Building Inspector

Reviewed by:



Brian D. Faust, P.E.,  
Director of Public Works

Reviewed by:



Paul Kramer,  
City Manager

**ISSUE:**

Consider a resolution setting March 22, 2022 as the date of a public hearing regarding the unsafe or dangerous structure located at 717 Spruce Street.

**BACKGROUND:**

This structure was significantly damaged by a fire on November 13, 2021. The owner intends to repair the structure and has been in contact with staff regarding permitting requirements.

When structures are damaged by fire or other causes and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used by the City to either remove the structure if the owner decides not to address the issue, or return it to the property owner once repairs are completed and the structure is ready for occupancy, or the owner has the structure demolished. The City has received money in regards to this property. The money will be returned to the owner once repairs have advanced to the point that the exterior work has been completed and the interior is ready for sheetrock.

The Chief Building Inspector recommends that proceedings under the provisions of K.S.A. 12-1750, et seq. should be commenced. Approval of this resolution setting the date of the public hearing is the first step in the process. This action will ensure that the City retains control over the proceeds from the fire insurance to assist with efforts to maintain the site.

Pursuant to the provisions of K.S.A. 12-1750, et seq., a public hearing is required to determine if the structure should be demolished or if the owners will commit to making improvements within a time frame acceptable to the City Commission. To establish the hearing date and to begin the legal service of notice process, the City Commission has to establish the hearing date by which assignees and owners must be notified. The legal rights are vested in the hearing and the City Commission should refrain from taking any testimony at this time in order to protect their legal rights in the process.

At the public hearing, the Commission will receive testimony for and against ordering the demolition of the structure. At the conclusion of the March 22, 2022 public hearing, the City Commission findings are adopted by resolution.

**RECOMMENDATION:** Motion to adopt Resolution No. B-2303 setting March 22, 2022 as the date for the public hearing regarding the unsafe structure located at 717 Spruce Street.

**ATTACHMENT:**

Resolution No. B-2303  
Photos of Exterior of 717 Spruce Street



*(To Be Published in the Leavenworth Times on February 1, 2022 and February 8, 2022)*

**RESOLUTION B-2303**

**A RESOLUTION OF THE CITY OF LEAVENWORTH, KANSAS, PROVIDING FOR NOTICE OF A PUBLIC HEARING AT WHICH TIME AND PLACE THE OWNER, HIS AGENT, LIEN HOLDERS OF RECORD, AND OCCUPANTS OF THE FIRE DAMAGED STRUCTURE LOCATED AT 717 SPRUCE STREET AND HEREIN DESCRIBED MAY APPEAR TO SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURE.**

**WHEREAS**, pursuant to K.S.A 12-1750 et seq., as amended, the enforcing officer of the City of Leavenworth, Kansas, did on the 25<sup>th</sup> day of January 2022, file with the governing body of said city a statement in writing that the structure hereinafter described is dangerous and hazardous and should be ordered by the governing body to be demolished or repaired; and

**WHEREAS**, on November 13, 2021 the hereinafter structure, described in Section 1 was damaged by fire; and

**WHEREAS**, the City of Leavenworth Governing Body is acting under Chapter 20, Article V of the City Code of Ordinances.

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

**Section 1.** That a Public Hearing shall be held on the 22nd day of March 2022, before the Governing Body of the City of Leavenworth, Kansas, at 6:00 p.m. at the City Commission Room, 100 N 5<sup>th</sup> Street, Leavenworth, Kansas, at which time the owners, their agents, heirs, any lien holders of record and other persons affected by certain structures herein described may appear and show cause why such structure should or should not be condemned as a dangerous or hazardous structure and ordered repaired or demolished.

**Section 2.** The structure is described as: A single-family structure located at **717 Spruce Street**. The property is legally described as:  
DAVIS, JAMES, ADD , BLOCK 1 , W35' OF N56.7'LT 5 & W35'LT 6 IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS.

**Section 3.** The City Clerk and/or Chief Building Inspector are hereby authorized and directed to provide for the notice of the public hearing by taking the following action:

- a. A copy of this resolution shall be mailed by certified mail within three days after its first publication to each such owner, agent, lienholder and occupant at the last known address and shall be marked “deliver to addressee only.”

- b. This resolution shall be published for two consecutive weeks; once on February 1, 2022 and once on February 8, 2022.

**Section 4.** This Resolution shall be effective upon its adoption by the City Commission of the City of Leavenworth, Kansas.

**PASSED AND ADOPTED** by the City Commission of the City of Leavenworth, Kansas this 25<sup>th</sup> day of January 2022.

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Camalla M. Leonhard, Mayor

{SEAL}

ATTEST:

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Sarah Bodensteinter CMC, City Clerk



**Policy Report**  
City festival management contract  
January 25, 2022

Prepared by:



Paul Kramer  
City Manager

**Issue:**

At the January 4 City Commission Study Session, City staff presented information related to the 2021 Camp Leavenworth city festival and also covered a number of items that staff and the Commission identified as key areas of focus for the 2022 festival. Among those areas of focus were:

- Increased awareness and communication with Leavenworth businesses about the festival and participation;
- Increased marketing efforts with the community as a whole, both business and residential;
- A review and attempt to add/create elements to further capitalize on the investment and attention created by the festival;
- Small changes to the festival, including review of the timing and placement of certain elements (i.e. fireworks night, s'mores location, etc.);
- A focus on activities and a high-level music lineup.

Subsequent to that meeting, staff met with the festival organizer, Keli Wenzel, president of O'Neil Events and Marketing to ensure full communication of those items.

With the above under advisement, the theme and general operation of the festival will move forward with O'Neill Events and Marketing as the City's festival management firm. The contract for the 2022 festival is presented for Commission consideration. The contract includes a detailed breakdown of services covered, but a few notable roles/tasks that the scope of work covers are:

- Event director
- Event producer
- Sponsorship producer
- Marketing manager
- Public relations
- Festival insurance
- Organization financial management and storage
- Festival Wifi Network and onsite IT support

Each of the bulleted items above includes a more comprehensive breakdown in the contract.

**Action:**

Consider a comprehensive management contract with O'Neil Events and Marketing for the 2022 City of Leavenworth festival.

**Attachments:**

- Proposed 2022 Camp Leavenworth Festival Management Contract



**SCOPE OF WORK FOR CITY OF LEAVENWORTH  
FOR THE  
CAMP LEAVENWORTH FESTIVAL 2022  
Event Management Proposal**

**Jan. 5, 2022**

*Presented by:*

**O'Neill Events & Marketing**

**1607 Oak Street**

**Kansas City, MO 64108**

## Overview:

O'Neill Events and Marketing has put together a plan to execute Camp Leavenworth festival in the City of Leavenworth in 2022. This plan with tasks and costs is outlined below.

## Summary and Period of Engagement Leavenworth Festival Event Management

Jan. 1, 2022 – November 30, 2022

O'Neill Events & Marketing has been approached by the city of Leavenworth to provide professional services as outlined below, under the direction and supervision of designated Leavenworth Festival representatives, and understands the Scope of Work as defined:

- Event Director
- Event Producer
- Sponsorship Producer
- Marketing Manager
- Public Relations
- Festival Insurance
- Organization Financial Management & Storage
- Festival WIFI Network and onsite IT support

O'Neill Events & Marketing understands the Period of Engagement for the outlined work as follows:

## O'Neill Deliverables and Responsibilities

O'Neill Events & Marketing will serve as the Event Producer for the festival with Keli O'Neill Wenzel as Event Director of Leavenworth Festival. If Keli O'Neill Wenzel is unable to serve as Event Director, any replacement Event Director will be submitted to the Leavenworth Festival City Manager/Office for approval.

The detailed scope of work below, along with the above summary, reflects O'Neill Events & Marketing's understanding of the project. Please initial by each subhead to confirm Leavenworth Festival's understanding of each section. If you have questions or notice any conflicts, please contact O'Neill Events & Marketing.

## General Timeline Requirements & Process

O'Neill Events & Marketing understands the initial target delivery date for Leavenworth Festival is September 23-24, 2022. As such, all work outlined above will reflect said target date and be executed in a timely manner to achieve success. O'Neill Events & Marketing will do all to meet any established deadline, but because of project dependencies beyond O'Neill Events & Marketing's control, O'Neill will not issue a formal project timeline until all defined requirements and approvals are received.

Any changes to Scope of Work or delays in approvals will potentially affect the general timeline and cost of the project. Missed deadlines relating to services, contracts, or information on the part of the client or third party will result in O'Neill Events & Marketing adjusting the general project timeline.

If actions by the client or any other third party creates project delays, the overall project timeline will be reevaluated to account for lost time, and a Change Order may be issued for any additional time required of the O'Neill Events & Marketing team. Any such Change Order issued on behalf of the project is subject to additional fees associated with those changes.

## Event Director

- Create annual festival operations budget with input from Leavenworth Festival Executive Committee and/or City Manager's Office
- Oversee festival financial systems with inclusion of City Manager
- Manage budget and spending, updating City Manager/Office monthly
- Meet with Leavenworth Festival City Manager/Office on a monthly basis to discuss organization strategy and business plans
- Meet with Leavenworth Festival City Manager/Office on a monthly basis to discuss festival operations planning
- Assist Leavenworth Festival City Manager/Office with necessary organization structure development and business documentation
- Provide historical data to the City Manager/Office
- Co-manage event identity and oversee brand management
- Oversee marketing and public relations
- Based upon approved budget numbers, Event Director will communicate, negotiate and send necessary festival agreements to City Manager's office for approval with tenants, venue owners and stakeholders within and surrounding the festival footprint

- Attend and participate in any meetings and conferences with any entities or government agencies as are necessary for developing, implementing and sustaining the event
- Provide consultation throughout the year
- Provide onsite consultation and recommendations for weather, emergency situations, threats and problems that arise
- Provide production oversight
- Be onsite during all festival hours (through tear down and setup)

## Event Producer

### LOGISTICS PLANNING

- Manage and maintain all festival operations costs, ensuring budget accountability
- Maintain a general operating timeline
- Meet with Leavenworth Festival City Manager/Office and provide updates on a monthly basis to discuss festival operations and planning
- Attend and participate in any meetings and conferences with any entities or government agencies as are necessary for developing, implementing and sustaining the event
- Create and develop a festival layout
- Manage and oversee all festival signage needs
- Coordinate, order and fulfill all-related area logistical needs
- Oversee on-site sponsorship logistics, including footprint, power, and site access
- Hire and manage additional on-site labor for festival
- Coordinate and order all festival deliverables and supplies
  - Establish list of festival area needs
  - Supply graphic design team with timelines, content and creative guidelines
  - Designate and distribute credential and festival access list
  - Distribute hospitality packages, including drink tickets, food vouchers and backstage meal tickets
  - Create festival communications plan, including radio assignments, radio order and on-site equipment setup

### STAFFING, COMMITTEE & VOLUNTEER MANAGEMENT

- Develop committee needs and roles and coordinate tasks with City Manager/Office, Executive Committee and staff
- Coordinate Executive Committee Chairs and Weekend Chairs, overseeing their job descriptions and meeting regularly with each to ensure all tasks are being implemented
- Identify and create volunteer staffing plan



- Shift development
- Training
- Communications and system management

#### **ENTERTAINMENT**

- Work with designated entertainment booking agents to create, recommend and manage Leavenworth Festival entertainers, to be approved by the Leavenworth Festival City Manager/Office
- Work with designated entertainment booking agents to solidify entertainer contracts, payments and tax requirements

#### **HOSPITALITY MANAGEMENT**

- Facilitate all festival and sponsor hospitality needs and requests
- Develop guest rooming list and coordinate hotel accommodations for entertainers, various staff and VIPs
- Manage transportation plans to and from festival for entertainers, including airport and hotel needs as contracted, as well as co-manage on-site runner
- Coordinate backstage/green room needs according to entertainer riders and festival budget

#### **PERMITTING & LICENSING**

- Work with city representatives for all necessary permits for festival
  - Fire, Noise, Carnival
  - Street Closure
  - Health
  - City and State Liquor
- Obtain and coordinate all permit support documentation including permission letters, tax documents, appropriate fees and all other paperwork

#### **TICKETING, BOX OFFICE & POINT OF SALE (TBD – if VIP/special experience tickets added)**

- Negotiate, select and contract festival and event ticket provider
- Develop ticketing packages, prices and system execution
- Provide content and all information necessary for online ticket sales
- Ticket fulfillment for all festival partners, attendees, and sponsors
- Manage all onsite box office and ticketing operations and equipment
- Oversee festival Point of Sale systems/operations

#### **EMERGENCY PREPAREDNESS**

- Update a public safety plan to include all festival related security and medical needs and coordinate all related entities responsible for executing this plan
- Manage Emergency Incident Coordinator and on-site preparedness plans
- Emergency Action Plan development and distribution in advance and on-site

#### **TRANSPORTATION & PARKING**

- Manage a festival parking and traffic plan and work with all contracted vendors, city, police, etc., to execute and communicate properly
- Manage road closures and communications related to all festival transportation and parking

#### **BAR & BEVERAGE OPERATIONS**

- Oversee all bar and beverage operations
- Create bar layouts and serving operations
- Product orders including soda, water, ice, and cups and distribution of product on-site
- Work with local liquor store to coordinate liquor needs, equipment, and logistics on-site

#### **VENDOR RELATIONS**

- Coordinate, manage and contract with ALL Leavenworth Festival vendors
  - Cash and Carry: Food vendors + Makers Market vendors
  - Decor: Fabrication, Installations, Lighting
  - Hospitality: Transportation, Hotels, Green Room, Backstage
  - Parking and Transportation
  - Power: Generators, Equipment, Distribution
  - Production: Sound, Stage, Lighting
  - Public Safety: Security, Medical, Crowd Control, Weather
  - Site: Fencing, Tents

#### **ON-SITE MANAGEMENT**

- Full on-site event management from setup to tear down
  - \*\*O'Neill Events & Marketing has 2-3 dedicated staff that will oversee the festival. This includes on-site setup on the Thursday before the festival and post-festival on the day after the event. All other staff and volunteer needs will be the responsibility of the festival's budget. As indicated above, O'Neill will oversee and manage these additional positions.*

## **Sponsorship Producer**

- Develop target sponsor list and festival financial goals for fundraising
- Create general festival sponsorship package and festival overview
- Provide update on prospective sponsor contacts to the Leavenworth Festival City Manager/Office for final approval before solicitation
- Develop, facilitate, and maintain relationship(s) with prospective sponsors
- Create custom festival sponsorship packages based on client needs
- Manage all sponsor contracts and invoicing
- Create a sponsorship wrap up report to distribute to City of Leavenworth and sponsors
- Fulfill all sponsor requirements as established in final contract
  - Marketing materials
  - Signage
  - Logistical needs: Permits, power, etc.
- On-site management for all sponsors, including advance communications, load-in, site needs, load-out

## Marketing Manager

- Develop and manage a festival marketing plan that aligns with budget and brand
  - Yard Signs
  - Billboards
  - Radio & Television
  - Digital
- Work with all marketing vendors (Graphic designers, city communications, etc. – fees not included in O’Neill’s scope)
- Establish and manage media partnerships and media buys
- Write media scripts and commercial scripts as needed
- Provide creative direction and content guidelines with unified marketing team
- Work with unified marketing teams to create coordinated festival content calendar that aligns PR, digital and marketing efforts
  - Eblasts
  - Website
  - Mobile App
  - Media Releases
- Update website ongoing with new content, graphics, photos etc.
- Manage and oversee social media for the festival
  - Content creation
  - Advertising campaigns

- o Work with the city communications contact to respond to social media inquiries in a timely manner

## **Organization Financial Management (Annually)**

- Manage festival daily accounting needs
- Manage all receivables and payables
- Provide monthly updates on budget to City Manager to
- Assist with sales tax filing
- Manage all festival financial documents to keep organization compliant
- Compile all financial records and supporting documentation for required NPO audits if needed

## **Festival WIFI Network and Onsite IT Support (if needed)**

- Outdoor WIFI distribution setup and equipment rental, including:
  - Routers
  - Wireless access points
  - Antennas
  - Cabling
- WIFI distribution system configuration, installation & support, includes:
  - Sourcing and coordination of landline internet service with neighborhood business
  - Coordinating building access where needed
- Support 3rd party vendors (ticketing, merchant point-of-sale) with onsite IT support and technical troubleshooting
- General onsite technical support for mechanical & electrical issues outside of other vendors' scopes of work
- Supply onsite IT/electrical supply pack for miscellaneous needs that arise onsite

*\*2022 Final cost and equipment determination is based on software demands and final festival footprint. Cost could fluctuate and will be submitted to board for final approval.*

## **Project Fee and Compensation**

O'Neill Events & Marketing will be compensated in the following manner:

**Festival Event Management**

- o \$5,900 per month (11 months)
- TOTAL: \$64,900**

**Financial Management**

- o \$300 per month (11 months)
- TOTAL: \$3,300**

**Sponsorship Bonus Compensation**

- o City of Leavenworth will pay O’Neill Events & Marketing a 10% bonus on any cash sponsorships.
- o City of Leavenworth will pay all commissions on any sponsorship agreements secured by O’Neill Events & Marketing regarding Camp Leavenworth
- o O’Neill Events & Marketing will bill sponsorship commissions separately from monthly management fee, two weeks after the festival

**Festival Third Party Software Hard Costs**

O’Neill Events and Marketing will procure and solidify the following third-party software services:

- o Volunteer Management System - \$800 annually (*estimate*)
- o Sponsorship Management System - \$500 annually (*estimate if utilized*)

*\*Based on 2021 software costs. Subject to change based on final 2022 portfolio of events and customized group rate that is a direct result of our role as a multi-event producer.*

***This concludes the Scope of Works, which is incorporated into the Camp Leavenworth – O’Neill Events & Marketing Contract for Services executed on \_\_\_\_\_.***

***Please sign below to indicate an understanding of this Scope of Work. Any changes to this Scope of Work must be agreed upon by both parties in writing.***

\_\_\_\_\_  
CITY OF LEAVENWORTH, City Manager

\_\_\_\_\_  
DATE

\_\_\_\_\_  
O’NEILL EVENTS & MARKETING, Keli Wenzel, President

\_\_\_\_\_  
DATE

**POLICY REPORT**  
**Leavenworth City Commission**  
**Consider Bids for Demolitions**

**JANUARY 25, 2022**



**Prepared By:**  
Julie Hurley  
Director of Planning and  
Community Development



**Reviewed By:**  
Paul Kramer  
City Manager

**DISCUSSION:**

On September 14, 2021, the Leavenworth City Commission adopted Resolution B-2292 finding a total of 11 structures as unsafe and dangerous and authorizing the demolition of such structures. Since that time, one structure has been repaired to the level that it no longer meets the criteria of being unsafe and dangerous, one structure was demolished due to being a public safety hazard, four structures were reviewed by the Commission and removed from the demolition list, and one structure is currently operating under an extension given by the Commission.

The four remaining properties to be demolished include:

- 733 Pawnee – detached accessory building only
- 910 Sherman – single family house
- 919 Pottawatomie – single family house
- 1921 5<sup>th</sup> Avenue – single family house

A solicitation for bids for the demolition of the above noted structures was published, and submitted bids were opened by staff on January 11, 2022. A total of four bids were submitted. The low bid was submitted by Madget Demolition in the amount of \$26, 840.

Funds for the demolition of the properties are allocated in the Community Development Block Grant budget. No general funds will be utilized.

**RECOMMENDATION:**

Staff recommends acceptance of the demolition of 4 properties from Madget Demolition, in an amount not to exceed \$26,850.

**ATTACHMENTS:**

Resolution B-2292  
Bid Tabulation

*(To Be Published in the Leavenworth Times on September 21, 2021)*

**RESOLUTION NO. B-2292**

**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 15th day of June, 2021 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-2287 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-2287 was published in the official City newspaper on August 3, 2021 and August 10, 2021, 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 September 14, 2021, 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 detached garage/shed located at **733 Pawnee Street**, legally described as Lot 30, Block 102, Day & Macaulay's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772601409007000.

2. A one-and-a-half story wood frame house and any accessory structures on the property located at **910 Sherman Avenue**, legally described as Lots 16 and 17, Block 16, Central Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773501015006000.
  
3. A two-story wood frame apartment building and any accessory structures on the property located at **1050 10th Avenue**, legally described as the North 50 feet of Lots 1, 2 and 3, Block 9, Stilling's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773503011001000.

**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.

The following properties are hereby given an extension for repair or removal at which time the Governing Body will review at their regular meeting to be held on **November 9, 2021**.

1. A one-story wood frame house and any accessory structures on the property located at **620 Osage Street**, legally described as Lots 23 and 24, Block 80, Leavenworth City Proper, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772604109008000.
  
2. A two-story brick frame house and any accessory structures on the property located at **869 Sherman Avenue**, legally described as the West 19 feet of Lot 13 and all of Lots 14 and 15, Block 12, Central Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0773501017003000.
  
3. A one-story wood frame house and any accessory structures on the property located at **918 Pottawatomie Street**, legally described as Lot 34, Block 24, Cochran and Mulligan's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772604210013000.
  
4. A one-story wood frame house and any accessory structures on the property located at **919 Pottawatomie Street**, legally described as Lots 13 and 14, Block 21, Cochran and Mulligan's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0772604303006000.
  
5. A one-story wood frame house and any accessory structures on the property located at **706 Garfield Street**, legally described as Lots C and D in Stout's Replat of Lots 1, 2, 3, 4 and 5 in Block 7 of Fenn's Broadway Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA No. 1010201022011000.



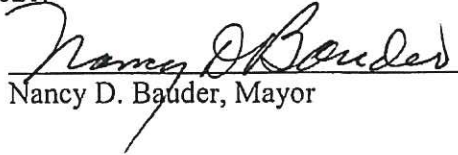
6. A one-story wood frame house and any accessory structures on the property located at **767 Charles Street**, legally described as a tract in the Northeast Quarter of Southeast Quarter of Section 35, Township 8, Range 22, City of Leavenworth, Leavenworth County, Kansas, described as: Beginning at the Northeast corner of Lot 6, Block 8, Benz's Subdivision, thence East 50 feet; thence South 124 feet; thence West 50 feet to the East line of said subdivision, thence North 124 feet to the beginning. CAMA No. 0773504017002000.
  
7. A one-and-a-half story wood frame house and any accessory structures on the property located at **1921 5th Avenue**, legally described as Lots 10 and 11, Block 19, in Rees, Doniphan and Thornton Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas, together with that portion of vacated alley accruing thereto. CAMA No. 1010102023011000.
  
8. A one-story wood frame house and any accessory structures on the property located at **204 N. 17<sup>th</sup> Street**, legally described as Lot 3, Amron Acres, a subdivision to the City of Leavenworth, Leavenworth County, Kansas. CAMA No. 0782704017008000.

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 14<sup>th</sup> day of September 2021.



{seal}

  
 Nancy D. Bauder, Mayor

ATTEST:

  
 Carla K. Williamson, CMC City Clerk

**CITY OF LEAVENWORTH**



**Bid Opening Date:**  
**Bid Opening Time:**

1/11/2022  
 10:00 a.m.

**Project Name:** Demolition  
**Project No:** CD 2021-01

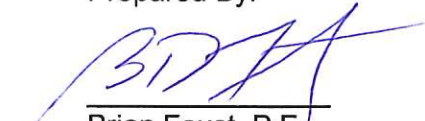
BIDDER	TOTAL BID
K & S Associates, Inc.	NOT READ, AFFIRMATIVE ACTION LETTER NOT PROVIDED
Remco Demolition, LLC Kansas City, MO	\$34,180.00
Denton Excavating/Midland Wrecking, Lenexa, KS	\$27,330.00
Madget Demolition, St. Joseph, MO	\$26,850.00

POLICY REPORT NO. 22-07

REJECTION OF BIDS RECEIVED FOR THE CITY HALL HVAC UPGRADES  
PROJECT NO. 2021-971


January 25, 2022

Prepared By:



Brian Faust, P.E.,  
Public Works Director

Approved By:



Paul Kramer,  
City Manger

**Issue:**

Consider rejection of all bids for the City Hall HVAC Upgrades Project.

**Background:**

The HVAC rooftop unit at City Hall was installed in 2005. This unit provides tempered outside fresh air to the occupied areas of the building. The unit typically runs 24 hours a day, and it has reached the end of its useful life. Repairs are becoming more frequent and costly, and replacement parts are becoming harder to obtain.

The project was advertised locally and at Drexel Technologies through their website. Bids were opened on January 13<sup>th</sup> with the results listed below.

Company	Bid Total
D'Agostino Mechanical	\$104,685.00
Mr. Breeze Heating & Cooling	\$123,921.40
AAIM Services	(Incomplete Bid)
Engineer's Estimate	\$63,475.00

**Budget Impact:**

The 2022 – 2026 CIP included \$50,780 for the replacement of the rooftop unit with funding through the American Rescue Plan Act (ARPA). The Engineer's estimate was updated to account for known price increases earlier in 2021. Firms that submitted stated that they were notified just prior to the bid of an additional increase of 30%. This is the main reason for the higher bids.

**Staff Recommendation:**

Staff recommends that the City Commission reject all bids for the City Hall HVAC Upgrades and allow staff to re-evaluate the project.

**Policy:**

The City Commission can (1) approve staff's recommendation to reject all bids, (2) accept the low bid from D'Agostino for \$104,685 or (3) can direct staff to re-bid the project.

**Attachment:**

- Bid Tabulation
- 2022-2026 Building CIP p. 259 (ARPA Funding)



CITY OF LEAVENWORTH  
 Project No. 2021-971  
 City Hall HVAC Upgrades  
 1/13/22 3:00 PM

**BASE BID**

Item	Description	Unit	Quantity	Engineer's Estimate		D'Agostino Mechanical		Mr. Breeze Heating & Cooling		AAIM Services	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Remove & Replace Roof Top Air Handling Unit w/Controls & Five (5) Year Warranty on all Parts & Labor (Includes all equipment, materials, appurtenances, & labor for the removal & replacement of the air handling unit & contols) (Unit shall be Aaon as specified or approved equal)	LS	1	\$ -	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL BASE BID:</b>					<b>\$63,475.00</b>		<b>\$104,685.00</b>		<b>\$123,921.40</b>		<b>Incomplete Bid</b>

**Capital Improvements Program  
2022-2026  
Buildings - City Hall Renovations**

**Purpose:** This allocation provides funding to make renovations to City Hall. The Aeon outside air/space unit and the global plasma air scrubbers meet health and safety requirements for American Recovery Act (ARPA) funding.

**Impact on Operating Budget:** Sales tax collections are specifically allocated by City Ordinance to fund CIP expenditures, therefore the purchase of these renovations do not impact the operating budget. These upgrades will replace aging infrastructure, therefore operating expenses will decrease by an unquantifiable amount due to lower repair and maintenance costs.

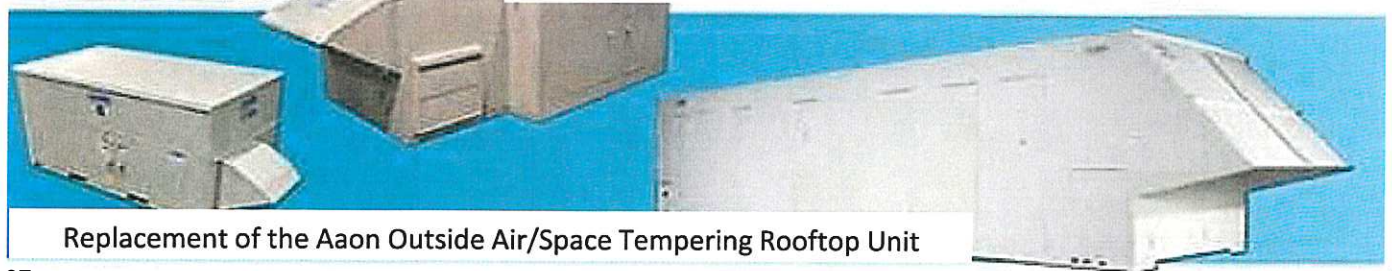
Sources	Comments	Year	Requested	Projected
ARPA Funds	City Hall: Replacement of the Aeon Outside Air/Space Tempering Rooftop Unit	2022	\$ 50,780	\$ 50,780
ARPA Funds	City Hall: Installation of Global Plasma Solutions Air Scrubbers on All Space Tempering Air Handlers	2022	32,860	32,860
Sales Tax	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2023	194,000	64,000
Sales Tax	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2024	-	65,000
Sales Tax	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2025	-	65,000
			<b>\$ 277,640</b>	<b>\$ 277,640</b>

Uses	Year	Requested	Projected	
Renovations	City Hall: Replacement of the Aeon Outside Air/Space Tempering Rooftop Unit	2022	\$ 50,780	\$ 50,780
	City Hall: Installation of Global Plasma Solutions Air Scrubbers on All Space Tempering Air Handlers	2022	32,860	32,860
	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2023	194,000	64,000
	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2024	-	65,000
	City Hall: Replacement of All HVAC Hydronic & Mechanical Condensate Piping	2025	-	65,000
		<b>\$ 277,640</b>	<b>\$ 277,640</b>	

Condensate Piping System



Global Plasma Solutions



Replacement of the Aeon Outside Air/Space Tempering Rooftop Unit


**POLICY REPORT PWD NO. 22-08  
CONSIDER AWARD OF 2022 NEW/UNUSED TRUCK CAB AND CHASSIS  
WITH REFUSE COMPACTION BODY**


**January 25, 2022**


Prepared by:

Reviewed by:

  
\_\_\_\_\_  
Steve King,  
Solid Waste Foreman

  
\_\_\_\_\_  
Brian Faust, P.E.,  
Director of Public Works

  
\_\_\_\_\_  
Derek Burleson,  
Operations Superintendent

  
\_\_\_\_\_  
Paul Kramer,  
City Manager

**Issue:**

Consider authorizing the Solid Waste Division to purchase a Refuse Truck consisting of Freightliner M2-106 Chassis with Cobra Magnum Packer Body through Sourcewell national pricing in the amount of \$202,449.72.

**Background:**

The equipment replacement schedule has one of the six (6) units identified for replacement this year. The 2022 Solid Waste Division budget included funding in the amount of \$250,000 for the replacement unit.

Steve King Solid Waste Foreman prepared bid specifications and research options for purchasing the Refuse Truck. After reviewing available purchase options, department staff made the decision to utilize Sourcewell national pricing under the statutory authority of KSA 12-2901 for the cooperative purchase. This program allows the City to purchase equipment that meets our needs while guaranteeing that standard governmental purchasing practices are followed.

Specifications were prepared to include the cab and chassis with a tandem rear axle and setback front axle and a twenty-five yard rear. Quote includes a five (5) year warranty on Engine and After Treatment and an extended three (3) year warranty on the transmission.

**Budget Impact:**

The cost of new truck is \$202,449.72 and the trade-in value of the 2008 Freightliner w/ Heil 25-yd compaction body is valued at \$23,500.00. The net cost to the City is \$179,699.72 which is less than the \$250,000 approved in the 2022 CIP.

**Staff Recommendations:**

Staff recommends purchasing the new unit for the quoted price of \$179,699.72 after trade-in and freight.

**Policy:**

The City Commission can either reject or approve the bid.

The City purchasing policy is intended to ensure competition in the purchase of goods and materials by the City. Purchases done under Sourcewell national pricing meet all the steps required for competitive bids and proposals in the City of Leavenworth Purchasing Policy.

**Attachments:**

Quote from Elliot Equipment Company  
Approved 2022 CIP for Refuse Truck Replacement



3100 West 76th Street  
Davenport, IA 52806  
Ph: 563-391-4840

Elliott Sanitation Equip. Co.  
1245 Dawes Avenue  
Lincoln, NE 68521  
Ph: 402-474-4840

4000 SE Beisser Drive  
Grimes, IA 50111  
Ph: 515-986-4840  
Fx: 515-986-9530

14001 Botts Rd.  
Grandview, MO 64030  
Ph: 816-761-4840

4400 E 60th Ave  
Commerce City, CO 80022  
Ph: 303-853-4840

# Quote

Date	Quote #
10/22/2021	16295
Proposed Shipping Date	
After Jan. 1	
Terms	
Net 30	
Rep	
KMH	

City of Leavenworth  
100 N 5th St  
Leavenworth, KS 66048

**Here is our quotation on the goods named, subject to the conditions noted:**

*CONDITIONS: The prices and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. Prices are based on costs and conditions existing on date of quotation and are subject to change by the Seller before final acceptance. All quotations and agreements are contingent upon strikes, accidents, fires, availability of materials and all other causes beyond our control. Typographical and stenographic errors subject to correction. Purchaser agrees to accept either overage or shortage not in excess of ten percent to be charged for pro-rata. Purchaser assumes liability for patent and copyright infringement when goods are made to Purchaser's specifications. When quotation specifies material to be furnished by the purchaser, ample allowance must be made for reasonable spoilage and material must be of suitable quality to facilitate efficient production. Quoted Prices are good for 60 days. Conditions not specifically stated herein shall be governed by established trade customs. Terms inconsistent with those stated herein which may appear on Purchaser's formal order will not be binding on the Seller.*

*TERMS: Equipment is due on receipt. Carts, Containers, Parts, & Service are Net 30 unless otherwise noted on your account. Balances over 30 days from date of invoice are subject to finance charges up to 1 1/2% per month.*

Qty	Item	Description	Price	Total
1	M2	Sourcewell Proposal 2022 Freightliner M2 series conventional chassis with Cummins L9 350hp diesel engine, Allison 3000RDS automatic transmission, 18,000# front axle, 46,000# rear axle, 100 gallon aluminum fuel tank, 5 year/200K engine & aftertreatment warranty, New Way 25RL Cobra Magnum series 25cy rear loading refuse packer with complete mount, kick bar attachment, hot shift pto with overspeed (pack on the go), extended loadsill, access door with ladder, tailgate seal extension, acrylic urethane enamel white paint, clear coat, LED worklights inside tailgate. LED strobes upper and lower tailgate, LED strobes front of body, driver alert buzzer, guards to protect roof hoses/pipes, rubber mud flaps rear of tandems, steel mud flaps in front of rear axles, 4 year hydraulic warranty, 4 year cylinder warranty, 4 year body warranty, white in color	202,449.72	202,449.72
1	Freight	Freight	750.00	750.00
	Trade In	Customer Trade In Discount (2008 Freightliner - Heil 5000 25yd)	-23,500.00	-23,500.00

**\*\*Administrative Fee of \$150.00 will be added to all vehicle purchase transactions.\*\***

<b>Total</b>	<b>\$179,699.72</b>
--------------	---------------------

TO CONFIRM ORDER, SIGN AND RETURN

X \_\_\_\_\_

**Capital Improvements Program  
2022-2026  
Refuse - Refuse Truck Replacement**

**Purpose:** This allocation is to establish a replacement schedule for the refuse trucks to keep maintenance costs low. The plan is to trade in a vehicle that has excessive maintenance costs to offset the cost of a new truck.

**Impact on Operating Budget:** The Refuse Operating Budget will fund the replacement of the refuse trucks, therefore the Refuse Operating Budget expenditures will increase by \$250,000 in the acquisition years. The acquisition costs will be offset by significantly reduced maintenance costs in

Sources	Comments	Year	Requested	Projected
Refuse Operating Budget		2022	\$ 250,000	\$ 250,000
		2023	-	-
		2024	250,000	250,000
		2025	-	-
		2026	250,000	250,000
				<u>\$ 750,000</u>

Uses	Year	Requested	Projected
Refuse Truck replacement	2022	\$ 250,000	\$ 250,000
	2023	-	-
	2024	250,000	250,000
	2025	-	-
	2026	250,000	250,000
			<u>\$ 750,000</u>




The City plans to purchase a replacement truck in 2022, 2024, and 2026.



**POLICY REPORT NO. 22-06**  
**BID APPROVAL – WATER POLLUTION CONTROL DIVISION CHEMICALS**  
**BID NO. #62WW-2021-13**

January 25, 2022

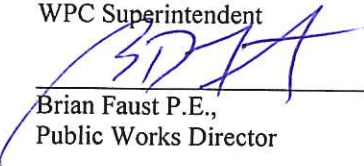
Prepared by:

  
 Tim Guardado,  
 WPC Superintendent

Reviewed by:

  
 Paul Kramer,  
 City Manager

Reviewed by:

  
 Brian Faust P.E.,  
 Public Works Director

**Issue:**

Consider approval of bids for the purchase of chemicals used in the operation and maintenance of the Wastewater Treatment Plant.

**Background:**

These chemicals are used for a variety of processes in the treatment of wastewater. A summary of the uses is shown below.

- **Hydrogen Peroxide** is injected into the raw sludge line before the belt press to control the release of hydrogen sulfide gas in the pressroom.
  - Projected year usage 23 drums
- **Sodium Hypochlorite and Sodium Hydroxide** are used in the wet air scrubber to control odors from the dewatering operation.
  - Projected year usage 13 drums
- **Ferrous chloride** is added to the influent to control odors from the plant processes.
  - Previous year usage was 28,129.9 gallons
  - Projected usage for 2022: 33,000 gallons
- **Polymer** is a coagulating agent used in the sludge dewatering process.
  - Previous year usage was 8,800 pounds
  - Projected usage for 2022 is 11,000 pounds

**Budget Impact:**

Due to a rise in chemical costs combined with increased usage, the total chemical cost is expected to increase by approximately \$8,000 (11%) in 2022.

**Staff Recommendation:**

Staff recommends approval by the City Commission of the low bids that meet the specifications for the following chemicals as shown not to exceed \$65,000.

Chemical	Price Paid 2020	Price Paid 2021	Cost for 2022	Vendors for 2022
Ferrous Chloride	\$0.99/lb. Fe	\$0.96/lb. Fe	.95/lb Fe	OFS, Inc
Hydrogen Peroxide	\$0.315/lb.	\$.31/lb	.35/lb	Brenntag Mid-South
Sodium Hypochlorite	\$2.00/gal	\$1.50/gal	1.66/gal	Edwards Chemicals
Sodium Hydroxide	\$0.25/lb.	\$0.235/lb	0.329/lb	Brenntag Mid-South
Polymer	\$1.87/lb.	\$1.92/lb.	2.53/lb	Atlantic Coast Polymers

**Options/Alternatives:** The City Commission can accept any or all of the low bids as recommended by the City Staff, or can ask the Staff to re-bid any or all of these.

**Attachment:**

Bidder Spreadsheet

## City of Leavenworth Bid Tabulation

**Project or Purchase:** Chemical Bid 62WW-2021-13  
**Bid Opening Date:** January 7, 2022  
**Bid Opening Time:** 11:00 AM

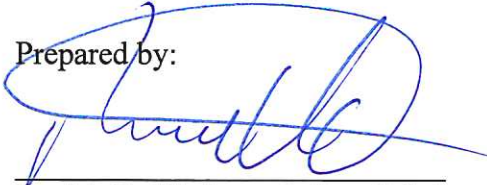
Bidder	Address (City/State)	Sodium Hypochlorite	Sodium Hydroxide	Hydrogen Peroxide	Ferrous Chloride	Polymer
Brenntag	Kansas City, MO	\$151.25 Drum/ \$1,966.25	197.40 Drum / \$987.00	\$179.04 Drum / \$4,117.85		
Edwards Chemicals	Elwood, KS	\$122.10 Drum/ \$1,587.30				
PVS Technologies	Detroit, MI				\$1.56 lb / \$51,480	
OFS, INC	Oklahoma City, OK				\$0.95 lb / \$31,350	
Atlantic Coast	Lauderdale-By-The-Sea, FL					\$2.53 lb/ \$27,830.00

All bids are subject to review and approval by City Staff and/or the City Commission



**Policy Report No. 1-2022**  
**2022 Software Upgrade Related to 9-1-1**

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

**ISSUE:**

Authorize the initial 3-year purchase of Microsoft SQL Server Enterprise Core Edition with License and Software Assurance from ISG Technology, LLC in the amount of \$47,451.06.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

The Leavenworth Police Department operates a Public Safety Answering Point (PSAP) more commonly referred to as a 9-1-1 dispatch center. Each year our dispatchers receive between 60,000 and 70,000 phone calls, which result in 20,000 to 30,000 responses by the Police and a significant portion of those calls are received via 9-1-1. The 9-1-1 system that we operate is overseen and coordinated by the Mid-American Regional Council. (MARC)

As technology evolves within society it is necessary to ensure the 9-1-1 system keeps up with any advancements so first responders can provide the most effective public safety.

The acquisition and installation of this software will provide three critical upgrades to our existing 9-1-1 system and our internal database including upgrades to:

- Text to 9-1-1
- Rapid SOS
- Business Intelligence

**BUDGET IMPACT:**

This project will be funded through the use of the 9-1-1 cell phone tax. The current fund balance is \$76,869.42.

7

Everyone who resides in the City of Leavenworth and has a cell phone pays a small fee each month on their bill that is specifically designated for the maintenance and upgrade of the 9-1-1 system. Those funds are collected by the cell phone companies and given to the Mid-American Regional Council (MARC) who distributes it to the City of Leavenworth. Those funds must be used for the 9-1-1 system and are subject to review and audit.

**COMMISSION ACTION:**

Approve the purchase of Microsoft SQL Server Enterprise Core Edition with License and Software Assurance from ISG Technology, LLC in the amount of \$47,451.06.



**City of Leavenworth PD - MS  
Licensing**

**#TO-MR-168824 Ver1**  
Thursday, January 6, 2022

**ISG Technology, LLC**

400 SE Jefferson St  
Topeka, KS 66607  
www.isgtech.com

**Michael Reece**

Phone: 785.266.2585  
Fax: 7852662675  
mreece@isgtech.com

**Customer Information**

Amy Peters  
City Of Leavenworth Police Department  
100 North 5th Street  
Leavenworth, KS 66048  
apeters@firstcity.org  
Phone: (913) 680-2546

**Shipping Information**

Amy Peters  
City Of Leavenworth Police Department  
100 North 5th Street  
Leavenworth, KS 66048  
apeters@firstcity.org  
Phone: (913) 680-2546

Mfr. Part	Description	Price	Qty.	Extended
<b>SQL Server 2019 Enterprise - Production Server</b>				
7JQ-00279	Microsoft SQL Server Enterprise Core Edition - License & Software Assurance - 2 Core - Price Level D - Additional Product, 3 Year Acquired Year 1 - Microsoft Open Value - PC <b>Mfr: Microsoft Corporation</b>	\$23,725.53	2	\$47,451.06
<b>SQL Server 2019 Enterprise - Production Server Subtotal:</b>				<b>\$47,451.06</b>

**Configuration Totals**

**Quote Total: \$47,451.06**

**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.*

**Policy Report No. 2-2022  
2022 SWAT Locker Replacement**

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

**ISSUE:**

Approve the bid of Southwest Solutions Group, Inc. in the amount of \$38,991.21 for the purchase of replacement of lockers used by members of the SWAT team.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

The Leavenworth Police Department operates a 15 person part-time SWAT team for response to critical incidents in the City of Leavenworth. Each SWAT operator is assigned a significant amount of equipment that is specific and necessary to carry out the functions of the SWAT team. Additionally, the SWAT team has general equipment used by the team as a whole to carry out their missions.

The current lockers were acquired in the late 1990's from the USP furniture company and are no longer sufficient to store and properly maintain equipment. (photos) Additionally, the SWAT team has absorbed more responsibility for missions that might include operating in a WMD environment. (Sample list attached)

We sought bids from three different vendors;

Southwest Solutions Group, Inc. - \$38,991.21

Bradford Systems Corporation - \$43,436.00

Midwest Storage Solutions, Inc. - \$45,388.00

**BUDGET IMPACT:**

This project was partnered with another smaller locker project and funded in the Capital Improvement Budget in 2023. However, the City of Leavenworth made a change to fleet

CITY of LEAVENWORTH, KANSAS

purchasing and entered into a leasing agreement with Enterprise Fleet Management. That change allowed for this project to be moved to up to 2022. The original allocation to purchase an Animal Control Van was \$57,000.

**COMMISSION ACTION:**

Approve the bid of Southwest Solutions Group, Inc. in the amount of \$38,991.21 for the purchase of replacement of lockers used by members of the SWAT team.

\*\*there is a small amount of electrical work necessary to facilitate this project and those funds will be taken from the Building and Maintenance line item of the Police Department's budget.

**Southwest Solutions Group, Inc.**

8049 Bond Street  
 Lenexa, KS 66214  
 Phone: (913) 345-0289  
 Fax: (913) 345-9758



**Quote # 124012**

Date: January 12, 2022  
 Project # 61811  
 Page 1 of 2  
 Quote valid for 30 days.

[www.southwestsolutions.com](http://www.southwestsolutions.com)

**BILL TO:**

City of Leavenworth  
 601 S. 3rd Street, Ste 2055  
 Leavenworth, KS 66048

**INSTALL TO:**

City of Leavenworth  
 601 S. 3rd Street, Ste 2055  
 Leavenworth, KS 66048

SALESPERSON	QUOTE NAME	PAYMENT TERMS	LEAD TIME
Chuck Decker	Leavenworth PD_tactical lockers_SSG 61811 Quote_1-12-22	50/50 - 50% Down/50% on Completion	16 to 18 weeks (after receipt of order)

61811 Leavenworth PD tactical locker: Installed

# DESCRIPTION

1 Per Drawing: 61811 \$38,991.21

16 Tactical Lockers - 36" wide x 24" deep (37 1/8" overall) x 72" high. Includes locker drawer base with wood seat, lock box with hasp for locks by others, hat shelf with integral hanger rod assembly, and three hook assembly. Locker bodies are open and do not have a front door.

A layout of the space is required prior to order.

Includes all design services, manufacturing, packaging, freight, inside delivery, installation by factory certified (non-union/non-prevailing wage) technicians during normal business hours, cleanup of area, removal of all debris, and warranty. Assumes clear access to all loading docks, elevators and installation sites.

Because of market volatility impacting steel and aluminum, this quote is valid for 30 days. Purchases made after that date will require a new quote.

If customer chooses to install themselves or by 3rd party, deduct \$3,141.00

Subtotal:	\$38,991.21
Plus Applicable Sales Tax:	
<b>Total:</b>	<b>\$38,991.21</b>

Financing and leasing options are available. Call for details.

We accept Credit Cards and eChecks.

Credit Card payments over \$25,000 are subject to a 2.50% Convenience Fee. No Convenience Fee on eChecks. Southwest Solutions Federal Tax ID #: 75-2703228

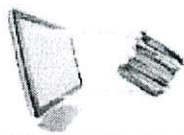
Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

P.O. #: \_\_\_\_\_



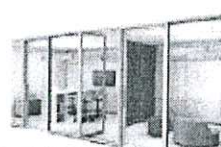
High Density Storage  
48



Document Scanning



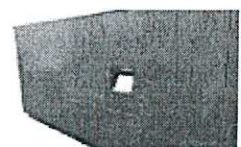
Modular Casework



Movable Walls



Automated Storage



Smart Lockers



2nd Bid  
2022  
QUOTE

Bradford System Corporation  
10979 Lin Valle Dr.  
St. Louis, MO 63123  
Phone: 636.343.1515  
Fax: 636.343.3588

Date: 1/14/2022  
Quote #: BH01142022

**B R A D F O R D**  
**S Y S T E M S**

TO:

Leavenworth Police Department 601 S. 3rd St. Leavenworth KS 66048
---

SHIP TO:

Leavenworth Police Department 601 S. 3rd St. Leavenworth KS 66048
---

SALEMEN	PROJECT CONTACT	PROJECT NAME	LEAD TIME
Bruce Horvath	LT. Steve Herring	Tactical Lockers	19-20 Weeks

PRICE GOOD FOR 60 DAYS - LEAD TIMES MAY VARY - FREIGHT IS ONLY AN ESTIMATE

Project: Tactical Lockers

Prepared For:

Leavenworth Police Department  
Attn: Steve Herring  
601 S. 3<sup>rd</sup> St.  
Leavenworth, KS 66048

Prepared By:

Bruce Horvath  
bruce@bradfordsystems.com  
Direct: (636) 343-2339  
Bradford Systems  
St. Louis Regional Office  
1735 Larkin Williams Road  
Fenton, MO 63026

Scope:

Provide 16 Spacesaver FreeStyle Lockers modified for tactical use. Locker description:

- Each locker is 36" wide x 37 1/8" w/ bench (body is 24") deep x 72" tall.
- Includes the following accessories:
  - o locker drawer base with wood seat
  - o lock box with hasp for locks by others
  - o hat shelf with integral hanger bar assembly
  - o three hook assembly.
- Lockers are open with no door on body.

Price including freight to install destination and professional installation **\$43,436.00**

- If you want to install, deduct **\$5,179.00**

Current manufacturer's lead time is 22-23 weeks.

	State Sales Tax will be added to invoice if applicable	<b>TOTAL</b>	<b>\$43,436.00</b>
--	--	--------------	--------------------



**Midwest Storage Solutions, Inc.**

5845 S. 118th Circle

Omaha, NE. 68137

[www.mss-1.com](http://www.mss-1.com)

January 20, 2022

**RE: SWAT LOCKERS**

**Attn: Steve T. Herring, Leavenworth Police Department**

**From: Perry Haubenschild**

**SCOPE OF WORK:**

Midwest Storage will provide, deliver, and provide an option for certified installation of the following:

- (16) Spacesaver® Freestyle Locker Configured per the provided specifications.

**INVESTMENT:**

- Material & Freight - \$41,388.00
- Optional Installation - \$4,000.00

**Please submit order to:**

**Attn: Perry Haubenschild  
Midwest Storage Solutions  
5845 S. 118<sup>th</sup> Circle  
Omaha, NE. 68137  
P: 402-935-0357  
F: 402-935-0361  
E: [perryh@mss-1.com](mailto:perryh@mss-1.com)**

Perry J. Haubenschild Midwest Storage Solutions, Inc.  
Vice President

T: (402)935-0357 F: (402)935-0361 | [perryh@mss-1.com](mailto:perryh@mss-1.com)  
5845 S. 118th Circle | Omaha, NE. 68137

**Visit us online at [www.midweststoragesolutions.com](http://www.midweststoragesolutions.com)**

**POLICY REPORT NO. P&R 02-22**  
**Parks & Recreation Department**  
**Hawthorn Park Splash Pad**  
**January 25, 2022**

**PREPARED BY:**

  
Steve Grant  
Parks and Recreation Director

**REVIEWED BY:**

  
Paul Kramer  
City Manager

**ISSUE:**

Consider purchase and installation of splash pad at Hawthorn Park.

**BACKGROUND:**

At the December 7, 2021 Study Session, staff presented an overview of a new splash pad project at Hawthorn Park. This meeting was a follow up to the City Commission's inclusion of this project in formulation of the 2022 Capital Improvements Program.

Following the Dec. 7 meeting, staff has continued to work with Playscape Recreation LLC, the manufacturer with the Greenbush Cooperative Purchasing contract, to develop the best possible product for the City of Leavenworth. As it became apparent that price increases exceeded estimates received during the budget process, staff worked with Playscape Recreation to reduce the cost of the project while still providing a quality product to the citizens of Leavenworth. By performing some of the site prep work internally, and paring back a few accessory items, the project cost was reduced to \$169,489.50 without reducing the overall size of the pad and number of spray features presented at the December 7 study session.

As a note, the Greenbush Cooperative Purchasing program is used throughout our region for the purchase of goods and services. This program allows for the purchase and installation of a splash pad that meets our needs through a manufacturer with a proven record of customer service in the region. It ensures that we are receiving the best possible price while guaranteeing standard governmental competitive purchasing practices are followed.

**BUDGET IMPACT:**

Staff projected \$135,000 during June 2021 budget meetings for the purchase and installation of the splash pad in 2022. The Greenbush Cooperative bid amount from Playscapes Recreation LLC of \$169,489.50 represents a 25.6% increase over this projection. This increase reflects the percentage increase range we are currently seeing across the board for projects.

**RECOMMENDATION:**

The splash pad was identified by the City Commission as one of the top priority parks projects. As such, and with the current environment associated with cost increases and bid procurements, staff

recommends the approval of the proposal from Playscape Recreation LLC on the Greenbush Cooperative Purchasing for the purchase and installation of the splash pad at Hawthorn Park in the amount not to exceed \$169,489.50. This purchase will be a part of a temporary note issuance to fund major park projects discussed by the City Commission at the January 18 study session.

**ATTACHMENTS:**

- Playscape Recreation LLC, Greenbush Proposal bid sheet
- Renderings showing splash pad features/footprint



# City of Leavenworth Splash Pad









ITEM	SKU	COMPONENT NAME	QTY
1	0010-1855	FS DAISY MAE (WINDY)	1
2	0010-1499	FS SNEAKY SPIN SOAKER 3	1
3	0010-0403	FS SPLASH BLASTER	2
4	0010-0485	FS FUN-BRELLA	1
5	0010-7483	SS STARLET SPRAY	5
6	0010-7480	SS STRAIGHT UP	5
7	0010-7477	SS FOUNTAIN MOUNTAIN	1
8	0010-7490	SS SPRAY TUNNEL 4 (THE WAVE)	2
9	0010-7470	SS MISTY MOUNTAIN	2
10	0010-7475	SS CHARLOTTE'S WEB	3
11	0010-7476	SS CONFETTI SPRAY	3
12	0010-1854	ACTIVATOR POWER POST	1
13	DRA-00007	DRAIN SQUARE 6IN OUTLET	3

LOCAL REGULATIONS MAY REQUIRE THE USE OF IMPACT ATTENUATING SURFACES FOR SOME INSTALLATIONS - CHECK LOCAL CODES PRIOR TO FINAL DESIGN AND INSTALLATION.

FOR INFORMATION PURPOSES ONLY. LOCAL LANDSCAPE ARCHITECT, ENGINEER &/OR APPROPRIATE AUTHORITIES HAVING JURISDICTION MUST COMPLETE ALL PARK LAYOUT, MECHANICAL & ELECTRICAL DESIGN PRIOR TO CONSTRUCTION.

DESIGNED BY  
WATERPLAY SOLUTIONS CORP

DWG NAME	SHEET		
WATERPLAY CONCEPTUAL LAYOUT	1/2		
SCALE	DRAWN BY	DATE	REV #
3/32" = 1'-0"	DS	NOV 29/21	0

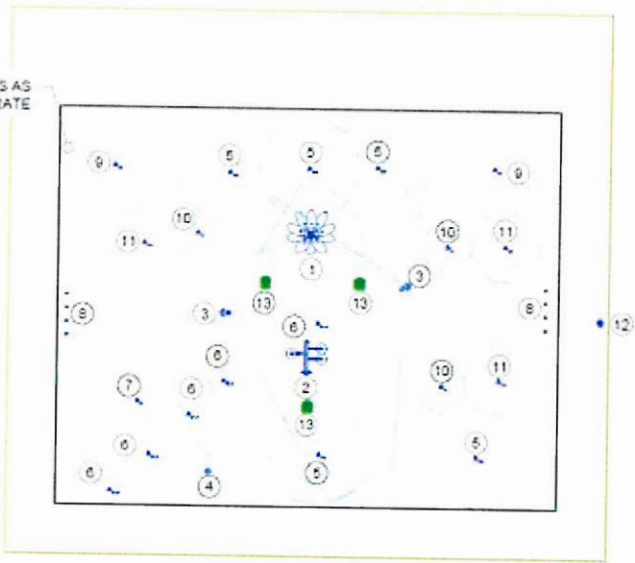
**NOT FOR CONSTRUCTION PURPOSES**

CITY OF LEAVENWORTH SPLASH PAD  
LEAVENWORTH, KS



805 CROWLEY AVE. WILLOWA, BC, CANADA V1Y 1G6  
TEL: (250) 712-0333 FAX: (250) 861-4814  
EMAIL: info@waterplay.com

ESTIMATED SPRAY RADIUS AS PER RECOMMENDED FLOW RATE

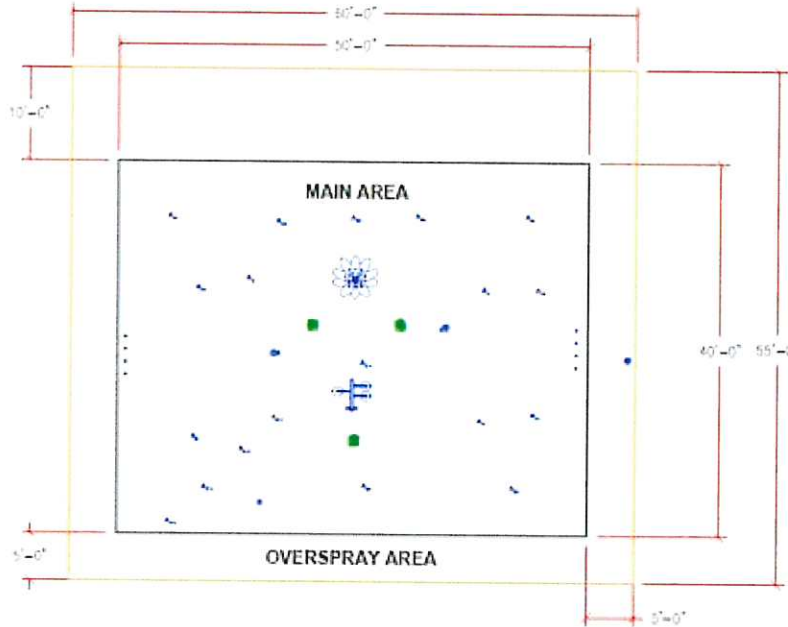


C:\projects\1854\1854.dwg 11/29/21 10:00 AM

Sample drawing - 11/06/2013 13:30:09 - c:\temp\plan of Leavenworth Splashpad.dwg

**NOTES**

1. MAIN AQUATIC PLAY PAD AREA: 2000 SQ. FT.
2. TOTAL AREA, INCLUDING OVERSPRAY ZONE: 3300 SQ. FT.
3. TO AVOID POTENTIAL DAMAGE TO SURROUNDING SOFTSCAPE AND TO KEEP PEDESTRIAN TRAFFIC FROM GETTING WET, WATERPLAY RECOMMENDS A MINIMUM OVERSPRAY OF 2.44 METRES (8'). FOR AREAS WITH HIGH WINDS, A LARGER OVERSPRAY ZONE MAY BE REQUIRED.
4. GRADE SURROUNDING OUTSIDE PERIMETER LANDSCAPE TO PROVIDE ADDITIONAL DRAINAGE AWAY FROM OVERSPRAY PAD.
5. SLOPES (INCLUDING MAIN AND OVERSPRAY AREAS) TO PROVIDE POSITIVE DRAINAGE TO DRAINS. IF CODE REQUIRES THAT THERE BE A ZONE SLOPING AWAY FROM THE MAIN AREA, WATERPLAY RECOMMENDS AN ADDITIONAL DRY ZONE TO MEET THAT REQUIREMENT.
6. SLAB GRADES SUBJECT TO ENGINEER APPROVAL (NOTE ADA MAX CROSS SLOPE GRADE IS 2%).



FOR INFORMATION PURPOSES ONLY. LOCAL LANDSCAPE ARCHITECT, ENGINEER, OR APPROPRIATE AUTHORITY HAVING JURISDICTION MUST COMPLETE ALL PARK LAYOUT, MECHANICAL & ELECTRICAL DESIGN PRIOR TO CONSTRUCTION.

DESIGNED BY  
WATERPLAY SOLUTIONS CORP.

DRAWING NAME: WATERPLAY PAD CONCEPT LAYOUT SHEET: 2/2

SCALE	DRAWN BY	DATE	REV #
3/32" = 1'-0"	DC	NOV 2001	0

**NOT FOR CONSTRUCTION PURPOSES**

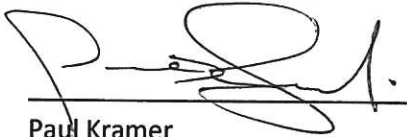
CITY OF LEAVENWORTH SPLASH PAD  
LEAVENWORTH, KS



824 CROWLEY AVE. KELOWNA BC CANADA V1Y 7G4  
TEL: (250) 712-3393 FAX: (250) 861-4614  
EMAIL: info@waterplay.com

**Policy Report**  
Municipal Judge Charter Ordinance  
January 25, 2022

Prepared by:



Paul Kramer  
City Manager

**Issue:**

The Leavenworth City Code of Ordinances prescribes the manner by which the Leavenworth Municipal Court Judge is selected. Article III, Division 1, Section 2-92, reads:

*All officers and employees shall be appointed by the city manager, except as otherwise provided by state law or other city ordinances. All appointments shall be based solely on merit and fitness. Appointed officers shall include, but shall not be limited to, the city clerk, city attorney, city treasurer, municipal judge, police chief and city engineer.*

The process spelled out in City Code has been followed by City staff for previous appointments of the Municipal Court Judge. Following the death of Municipal Court Judge William Pray, the City Manager's Office moved forward to select a replacement under provisions of the City Code mentioned above. However, in researching details of a new judge, and in subsequent consultation with the City Attorney and League of Kansas Municipalities, it was determined that based on: 1) Leavenworth's status as a City of the First Class; and 2) The current population of Leavenworth County, that there was superseding state statutes determining the method of selection of the municipal court judge. Specifically, KSA 13-628I reads in full:

**13-628I. Municipal judges in certain cities; appointment by district court judges.** *In all cities of the first class located in counties having a population of more than sixty thousand (60,000) and not more than one hundred thousand (100,000), the judge of the municipal court shall be appointed by the judges of the district court of the district in which said city is located in each odd-numbered year, commencing in 1971, to take office on the third Tuesday in April in such year, or as soon thereafter as appointed and hold the same until his or her successor shall have been appointed and shall have qualified.*

Under this statute, the selection of the City's Municipal Court Judge would be determined by the district court for two-year term, removing the local control from selection of this position. Based on the City's status as a City of the First Class, and under the Home Rule provision of the Kansas Constitution, the City is able to charter out of this provision of state statute and continue to fill the municipal court vacancy in accordance with the existing City Code mentioned above.

The City Attorney has prepared a Charter Ordinance to exempt the City from relevant state statutes (K.S.A. 12-4105 and K.S.A. 13-628I).

**Recommendation:**

To ensure local control of the Municipal Court Judge position, it is recommended that the Commission move forward with the charter ordinance to exempt the City out of relevant state statutes and allow the appointment of the position to be governed by existing City Codes.

**Attachment:**

- Draft charter ordinance

Charter Ordinance No. \_\_\_\_\_ Effective Date: \_\_\_\_\_

**CHARTER ORDINANCE NO. \_\_\_\_\_**

**A CHARTER ORDINANCE OF THE CITY OF LEAVENWORTH, KANSAS, RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGES, EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-4105 AND K.S.A. 13-6281, AND PROVIDING FOR ADDITIONAL AND SUBSTITUTE PROVISIONS ON THE SAME SUBJECT.**

WHEREAS, K.S.A. 12-4105 and K.S.A. 13-6281, regarding the appointment of municipal judges for certain cities of the first class, are non-uniform enactments that are not uniformly applicable to all cities, and the Governing Body believes it to be in the best interest of the City of Leavenworth, Kansas, to exempt itself from the provisions of K.S.A. 12-4105 and K.S.A. 13-6281.

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

**SECTION I.** The City of Leavenworth, Kansas, a commission-manager city of the first class, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and does exempt itself and make inapplicable to it K.S.A. 12-4105 and K.S.A. 13-6281, and amendments thereto, which apply to this City but are parts of enactments which do not apply uniformly to all cities. Municipal judges shall be appointed in the manner provided in the Code of Ordinances of the City of Leavenworth, Kansas.

**SECTION II.** This charter ordinance shall be published once each week for two (2) consecutive weeks in the Leavenworth Times, the official newspaper of said City.

**SECTION III.** This is a charter ordinance and shall take effect sixty-one (61) days after its final publication unless a sufficient petition for a referendum is filed and a referendum is held on the ordinance as provided in Article 12, Section 5, Subdivision (c)(3) of the Constitution of the State of Kansas, in which case, the charter ordinance shall not take effect until approved by a majority of the electors voting thereon.

**Passed and approved by the Governing Body of the City of Leavenworth, Kansas, with not less than two-thirds (2/3) of the members elect voting in favor thereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

APPROVED:

\_\_\_\_\_  
Camalla Leonhard, Mayor

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk