



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

City Commission Regular Meeting
Commission Chambers
Tuesday, October 24, 2023 6:00 p.m.

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

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Parks & Recreation Director Steve Grant, Parks & Recreation Deputy Director Brian Bailey, Planning & Community Development Director Julie Hurley, Police Chief Patrick Kitchens, Public Works Director Brian Faust, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

United Way Months – Mayor Wilson read the proclamation proclaiming the months of September through December as United Way Months. The proclamation was accepted by members of the United Way Leavenworth County.

World Polio Day – Mayor Wilson read the proclamation proclaiming October 24, 2023 as World Polio Day. The proclamation was accepted by several Leavenworth Rotarians.

National Family Literacy Day - Mayor Wilson read the proclamation proclaiming November 1, 2023 as National Family Literacy Day. The proclamation was accepted by Cindy Henry and Elizabeth Baldwin.

National American Indian Heritage Month – Mayor Wilson read the proclamation proclaiming the month of November as National American Indian Heritage Month. The proclamation was accepted by Cindy Henry and Elizabeth Baldwin.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Leonhard moved to accept the minutes from the October 10, 2023 regular meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Wilson 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:

Consider Request to Name City-Owned Property (Skate Park) – Parks & Recreation Director Steve Grant and Dave Davis of the Parks & Community Activities Advisory Board presented for consideration naming the

skate park located on the grounds of the Sportsfield complex in honor and memory of Cody James Clark. Cody James Clark was a catalyst to get a skate park in the community. He wrote letters, visited with Parks & Recreation staff and attended the Parks & Communities Activities Advisory Board meetings. With his leadership the skate park was constructed in 2009. A nomination to name the skate park was received by the Parks & Community Activities Advisory Board. At their September meeting, the Board discussed the nomination and voted unanimously to recommend to the City Commission naming the skate park. The budget impact is minimal and the cost of sign production can be covered by the Parks & Recreation Operating Budget. Parks Maintenance staff will install the signage.

Jim Clark, Cody's father:

- His son was an avid skater
- His son was committed to the city he grew up in and wanted to stay here
- Hopeful the request will be approved

Commissioner Hingula moved to accept the recommendation and approves the naming of the City-owned property of the skate park in honor and memory to "Cody James Clark Skate Park". Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Delaware Street Closure Request for Special Event – City Manager Paul Kramer presented a request to close the 500 block of Delaware Street on Saturday, December 9, 2023 from 8:00 a.m. to 10:00 p.m. for a special event. On October 12, 2023, the City of Leavenworth received a Special Event Application (attached) from Cari Payer to have a Christmas Market on December 9, 2023. The application included a Street Closure Request to close the 500 Block of Delaware Street from 8:00 a.m. to 10:00 p.m. to accommodate the event. On October 17, 2023, the Chief of Police met with Ms. Payer at the Police Department to review the application and event. She is asking to close Delaware Street which would allow the vendors to set up booths and the walking event. Alternative options and locations were discussed for the event but did not identify one that would work. City staff have not typically allowed events on city streets that may interfere with other businesses or residents and in particular, on weekdays and Saturdays. Getting new events into the downtown is a good thing for the City. City staff recommend approval of this street closure. Due to the new events in the downtown and in any future events, staff will be working to bring back a policy with guidelines to better facilitate street closure requests.

Cari Payer, 200 S 5th Street:

- Support from businesses on the impacted block
- Getting interest from others outside of their block
- Excited for the event

Mr. Kramer:

- The City did receive a letter from Main Street supporting the street closure

Commissioner Hingula:

- Asked for details on the event and vendors

Commissioner Bauder moved to approve the Street Closure Request for Saturday, December 9, 2023 from the 500 Block of Delaware Street from 8:00 a.m. to 10:00 p.m. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Mayor's Appointments

Mayor Wilson moved to reappoint to the Community Corrections Advisory Board Patrick Kitchens and Marcia Jackson to terms ending October 16, 2025, and appoint to the Leavenworth County Juvenile Corrections Advisory Board Kelly Meyer, Stephen Walker and William Stephens to terms ending September 15, 2026. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Review of Unsafe & Dangerous Fire Damaged Structure 707 Pawnee Street – Chief Building Inspector Harold Burdette reviewed the structure located at 707 Pawnee Street that was damaged by fire on March 29, 2023. The City received a check from insurance proceeds for \$8,445.00. A public hearing was held on July 25, 2023 and the City Commission adopted Resolution B-2341 stating the owner was given 30 days for repair or removal of the structure. Additional time to resolve the issue was given at the September 12, 2023 Commission meeting. The roof, siding and windows have been replaced and the interior has progressed to the point that all rough-in inspections have been approved and the wall finishes have started to be installed. Staff recommends that the City Commission approve releasing the funds back to the property owner.

Commissioner Martin moved to release the funds back to the property owner. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Update on Unsafe & Dangerous Structures; Given 60 Day Extension at August 22nd Meeting – Planning & Community Development Director Julie Hurley provided the current status of each property granted a 60-day extension at the August 22, 2023 meeting:

200 Osage Street – Accessory Structure

- Active building permit for removal of the 2nd story and rebuild of a roof for a 1-story outbuilding
- Work is nearing completion
- The roof structure is completed, but still needs shingles
- Reviewed items that still need to be addressed

229 Osage Street – Single Family House

- Active building permit for interior and exterior renovations
- Work is ongoing and progress has been made since the last update
- Reviewed items that still need to be addressed

Ms. Hurley:

- The properties are close on the repair of these structures
- Would recommend a 60-day extension for them to finish up

Commissioner Bauder moved to grant 60 day extensions to 200 Osage Street and 229 Osage Street to allow more time for repairs to be made to the structures. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Bids, Contracts and Agreements:

Consider Approval of 2024 Landfill Services Contract – Public Works Director Brian Faust presented for consideration approval of the refuse disposal contract with Waste Management (WM) for 2024. The City of Leavenworth has operated a municipal solid waste (MSW) collection and disposal service since at least the 1950's. The City disposes, on average, 11,500 tons of municipal solid waste each year. This waste is collected by City employees and placed into City-operated trucks and transported to a state-approved disposal site. In addition to MSW, the City disposes of approximately 3,700 tons of special waste (sludge/grit) from the Wastewater Treatment Plant. The City has been using the Waste Management landfill in Shawnee since January 2019. In 2024, the cost to dispose of MSW at WM is increasing from \$29.72/ton to \$31.80/ton, and the cost for special waste is increasing from \$52.38/ton to \$56.04/ton. If the City took both our MSW and special waste only to the Transfer Station, there would be an increase in dumping fees of approximately \$339k/year. There are other options for solid waste disposal that can be considered over the long term. Staff is working with our WWTP consultant to evaluate the various options and to identify the most cost effective and sustainable long-term solutions. The increase will cost an additional \$24,000 for MSW and \$14,000 for special waste.

Commissioner Bauder:

- Asked if a multi-year contract would provide a discount on cost

Mr. Kramer:

- Stated that a multi-year contract would be tied to the CPI
- The City is working on a long term option, this 1-year is to fill the gap

Commissioner Leonhard moved to approve the 1-year 2024 Landfill Services Contract with Waste Management in the amount of \$31.80 per ton for municipal solid waste and \$56.04 per ton for special waste. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Consider Award of Uniform Rental Bid – Public Works Director Brian Faust presented for consideration approval of the uniform rental bid. The City of Leavenworth provides work uniforms to the employees of Wastewater, Operations and Parks Divisions. Uniforms ensure that employees are readily identifiable to the public as they have the City emblem and employee name on them. Bid specifications were developed, with a bid opening on October 5, 2023. Each employee with a five-day work week will receive 11 long sleeve shirts, 11 short sleeve shirts, 11 pairs of jeans and 2 jackets. New uniforms will be provided biennially. The contract is for a three-year initial term, with the option for a one-time renewal of two years. The current uniform contract is with Ace Image Wear and staff is satisfied with their product.

Commissioner Bauder:

- Asked why more bids were not received

Commissioner Hingula moved to award the bid of employee uniform services to Ace Image Wear, in an amount not to exceed \$29,464.24. Commissioner Bauder seconded the motion and was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Staff Report:

Update on 4th Street/K-7 Between Choctaw & Seneca Project – Public Works Director Brian Faust introduced the consultant, David Smalling from BHC to provide an update to the City Commission. Updates on the project included the following:

- Road will transition from the existing 4-lane to a wider 3-lane section within the project limits. There will be one through (thru) lane for north and south-bound traffic along with a center turn lane
- Removal and replacement of the existing storm and sanitary lines within the project limits
- New traffic signals
- Landscaping is not included in this project; however, the adopted CIP includes \$500K in funding for landscaping in 2026
- Sections of 4th Street will be closed during construction. Posted detour will include 3rd Street; however, local traffic typically use routes that are most convenient for them
- When the intersection of 4th and Delaware is closed, two-way traffic on Delaware between 4th and 5th, and 4th and 3rd will be implemented. This will impact parking and businesses on Delaware
- Estimated cost for the project has been challenging to determine as constructability and the amount of closure allowed at any one time play into the final cost
- The project is currently scheduled to bid this December with completion in late 2024
- Project includes storm sewer, sanitary sewer, traffic signals and street lighting
- Center turn lane will be colored stamped concrete
- Total cost estimate as this point is 5 to 5.8 million
- Provided a tentative schedule for the project; construction timeline is about 8 months

Snow and Ice Control Operation Plan - Public Works Director Brian Faust reviewed the 2023-2024 Snow and Ice Control Operation Plan with the Commission. The City Commission reviews the Snow and Ice Control Operation Plan annually. The plan was first written in October 1993 and is reviewed annually and updated as needed. The current version of the plan is dated October 2023. The Snow Control meeting was held on October 10, 2023 with local agencies to discuss and coordinate areas of responsibility as well as with our independent contractors. Staff is prepping the equipment for winter usage and will continue training with equipment and driving routes to familiarize themselves with both. There are no major changes to the 2023-2024 season. Changes made last year that will continue this year are:

- The City will be applying salt brine on hills, bridges and emergency snow routes prior to storm events. The salt brine helps prevent the snow/ice from bonding to the road surface so it's easier to remove.
- In the past, the City did not drop our plows until 2" of snow had accumulated. As traffic packs the snow onto the road surface, it is more difficult to remove. In the 2023/2024 season, we will begin plowing when the snow begins to stick to the pavement.

The City will coordinate with internal resources and local media to distribute this information. This includes The Leavenworth Times and Fort Leavenworth Public Affairs Office. The emergency snow routes will also be broadcast on Channel 2 and social media as appropriate. A complete copy of the Snow and Ice Control

Operation Plan will be available at the Municipal Service Center and on the City webpage prior to the first winter event.

Consent Agenda:

Commissioner Leonhard moved to approve claims for October 7, 2023 through October 20, 2023, in the amount of \$873,669.27; Net amount for payroll #21 effective October 20, 2023, in the amount of \$389,455.95 (Police & Fire Pension in the amount of \$7,134.65). Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 5-0.

Other:

Police Chief Patrick Kitchen

- Advised that Officer Matthew Weis will be honored on Friday at R.L. Leintz Funeral Home

City Manager Paul Kramer:

- Youth Basketball registration ends November 1st
- Attended the Zephyr ribbon cutting today
- Monday is the groundbreaking for the new USP Leavenworth
- Saturday at 9:00 a.m. the Chamber is hosting a sales tax information meeting at the Heritage Center

Commissioner Martin:

- Thanks to City staff for their hard work on the Business Symposium

Commissioner Bauder:

- Business Symposium was a great event and businesses can learn a lot from each other
- 2 weeks until the election, get out and vote early at the County Courthouse

Mayor Wilson:

- Echoed the sentiments of other Commissioners regarding the Business Symposium
- Reminded people to get out and vote

Adjournment:

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

Time Meeting Adjourned 7:15 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC