



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

City Commission Regular Meeting
Commission Chambers
Tuesday, March 26, 2024 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 Griff Martin (via telephone call-in), Mayor Pro-Tem Holly Pittman, Commissioners Nancy Bauder, Edd Hingula and Jermaine Wilson.

Staff members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Human Resources Director Lona Lanter, Planning & Community Development Director Julie Hurley, Public Works Director Brian Faust, Joe Hatley for City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

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

PROCLAMATIONS:

Welcome Home Vietnam Veterans Day March 29, 2024 – Mayor Pro-Tem Pittman read the proclamation. The proclamation was accepted by Vietnam Veterans in attendance. Names of the fallen Leavenworth service members were read and honored with a rose.

National Child Abuse Prevention Month – Mayor Pro-Tem Pittman read the proclamation. The proclamation was accepted by Kelly Meyer.

Barbershop Harmony Month – Mayor Pro-Tem Pittman read the proclamation. The proclamation was accepted by The Cody Choraliers who then performed a song.

Fair Housing Month – Mayor Pro-Tem Pittman read the proclamation. The proclamation was accepted by Planning & Community Development Director Julie Hurley.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Wilson moved to accept the minutes from the March 12, 2024 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman 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 Martin moved to reappoint to the Leavenworth County Port Authority Greg Kaaz to a term ending March 25, 2028. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Resolutions:

Resolution B-2362 Authorizing Sale of General Obligation Bonds, Series 2024-A – City Manager Paul Kramer introduced for consideration a resolution authorizing and providing for the public sale of General Obligation Bonds, Series 2024-A, for the construction, furnishing, and equipping of a new Fire Station No. 3. As outlined in Section 1 of the Resolution: That it is hereby determined to be necessary and it is hereby authorized, directed and ordered, that the Bonds of the City shall be sold at public sale and in the manner provided by law, on Tuesday, April 23, 2024, at 10:00 a.m. C.D.T. The Bonds shall be in the approximate principal amount of Five Million Dollars (\$5,000,000) and shall be dated May 9, 2024.

Commissioner Hingula moved to adopt Resolution B-2362 authorizing and providing for the public sale of General Obligation Bonds, Series 2024-A of the City of Leavenworth, Kansas. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Bids, Contracts and Agreements:

Rescind Award of Bid from Crane Works for Cab and Chassis with Aerial Device – Public Works Director Brian Faust presented for consideration rescinding the award of the bid for the bucket truck for the Traffic Division from Crane Works. During the March 12, 2024 meeting, the Commission approved a recommendation to purchase an aerial truck from Crane Works in the amount of \$189,909. Staff notified Crane Works that the purchase was approved, however they advised that they had already sold the truck to someone else. Crane Works advised that they could get us a different truck for \$211,000. Crane Works provided an email stating that the bid submitted included an accounting error, and they could not sell a truck for the dollar amount they submitted the bid for. Based on their unwillingness to honor their bid, staff is recommending the award of bid be rescinded.

Mayor Pro-Tem Pittman:

- Asked if it is worth going after them to honor their bid price

Mr. Kramer:

- Staff didn't feel it is worth the effort, as we had another qualified bidder to go through to get the equipment

Commissioner Bauder moved to rescind the bid award for one new 2023 Cab and Chassis with a 40-ft. aerial device from Crane Works, 100 S. Paniplus Drive, Olathe, KS. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Award of Bid for Cab and Chassis with Aerial Device – Public Works Director Brian Faust presented for consideration approval of the bid for the new bucket truck for the Traffic Division. The 2024 CIP included funding for the purchase of a new bucket truck. This truck will be used to maintain our traffic signals as well as City-owned street lights. The vehicle currently being used is a 2012 truck with a shorter aerial length that limits our ability to maintain City-owned street lights. Specifications were prepared and bids were requested. The bid opening was held on March 1, 2024. During the March 12, 2024 meeting, the

Commission approved a recommendation to purchase an aerial truck from Crane Works in the amount of \$189,909. Based on Crane Works inability to provide the truck they bid at the bid price, staff is recommending approval of the bid from Altec Industries. The equipment from Altec is a 2024 Ford F600-AT41M with a projected delivery date of June 2024. The 2024 CIP included \$195,525 for the bucket truck. The bid from Altec is \$21,310 over the budgeted amount. The additional funding will be made up from other CIP equipment that came in under budget.

Commissioner Bauder moved to approve the bid for one new 2024 F600 Cab and Chassis with a 40-ft. aerial device from Altec Industries, Inc. in an amount not to exceed \$216,835.00. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Approval of Purchase of UV Lamps for WPC – Public Works Director Brian Faust presented for consideration the purchase of 480 low-pressure, high-volume ultraviolet (UV) lamps and associated parts to replace all lamps in Channel #1 of the Trojan 3000plus UV System. The Ultraviolet disinfection system was placed in service in 2012. New lamps are warranted for 12,000 hours or 36 months from the date of purchase. The current lamps were replaced in 2017 and 11,847 hours on them. In an effort to save on the cost of replacing lamps, the City has maintained a steady flow to UV System by installing Variable Speed Drives for several of our upstream pumps. This has resulted in less on and off cycles for the lamps meaning fewer hours and fewer chances of lamps and ballasts burning out. Staff has worked with Ray Lindsey Company to reprogram the lighting controller. This adjusted the number and intensity of the lamps that are on at any one time, further reducing hours on the lamps and extending their operational life. Staff will remove and replace lamps to eliminate 3rd-party installation costs. During the December 13, 2022 meeting, the Commission authorized staff to purchase lamps from EPEC water, a 3rd-party vendor. These lamps were less expensive, but had a similar warranty and specifications. During that meeting, staff stated that they would monitor the performance of the 3rd-party lamps to determine if they were actually more cost effective and meeting our permit requirements compared to the original manufacturer. During the trial period, we have identified two fairly significant issues with the 3rd-party lamps: lamps burning out prematurely and the longer the lamps ran, the E-Coli numbers approached and then began to exceed the permit limits set forth by the State of Kansas. WPC staff reverted back to another channel with older Trojan Technologies lamps to keep the plant under permit levels. Based on our experience with the EPEC Water UV Lamps, staff feels that the increased burn out rate and associated staff time and the issues involving approaching and exceeding permit limits, necessitates moving back to the original lamp manufacturer. The purchase of the lamps was included in the 2023 CIP. The overage will be paid from the Sewer Fund reserves to cover the cost.

Commissioner Wilson moved to accept the bid from Trojan Technologies for the purchase of 480 Ultraviolet lamps, with the associated parts and supplies in an amount not to exceed \$168,228.00. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Award of Design Services Contract for 4th Street Improvements (Rees to Poplar) – Public Works Director Brian Faust presented for consideration approval of the design services contract for the 4th Street Improvements (K-7 from Rees Street to Poplar Street). This project is part of the KDOT City Connection Link Improvement Program for Surface Preservation (CCLIP-SP). The City was notified in September 2023 that our project was selected for funding. The CCLIP-SP is a cost share program with KDOT covering 85% of

eligible costs while the City's share is 15%. The maximum KDOT contribution will be \$400,000. Costs that are not eligible are preliminary engineering, acquisition of rights-of-way, utility relocates and curb replacement. The project will consist of a mill/overlay, localized full-depth base repairs, spot curb and sidewalk replacement along with any needed ADA upgrades and ramps. The City posted a Request for Qualifications for design consultants and received four submittals. City staff reviewed and scored the submittals using a number of factors, including the qualifications of the project manager, firm's knowledge and experience with KDOT projects, and their approach to the project. Based on the final ranking, JEO Consulting Group was identified as the top firm. The engineering design work is a non-participating cost for the CCLIP-SP project. As such, the City will be responsible for the entire cost of the design. The design fee is a not to exceed amount of \$76,500. Funding is available in the Grant Matching Capital Projects Fund.

Commissioner Bauder moved to approve the Design Services Contract for the improvements to K-7/4th Street from Rees Street to Poplar Street, with JEO Consulting Group, in an amount not to exceed \$76,500.00. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Award of Design Services Contract for Sanitary Sewer Dye & Smoke Testing Project – Public Works Director Brian Faust presented for consideration approval of the design services contract for the 2024 Sanitary Sewer Dye and Smoke Testing Project. The City of Leavenworth has been concerned with the amount of Inflow and Infiltration (I&I) that enters the wastewater system and I&I reduction was identified as an important issue in recent master plans. The 2010 Wastewater Master Plan Update confirmed that the City should focus on the Three-Mile Creek Watershed in the Northeast area to address I&I removal. In 2023, GBA Installed flow meters in the system to monitor both wet and dry weather flows in the area that were reconstructed. The results showed the City was making progress in I&I reduction, but more needs to be done. Staff and GBA looked at options that could make a significant impact on reducing I&I while costing less and being less disruptive to neighborhoods. The biggest impacts will be to rehabilitate existing manholes, localized repairs to the City main and eliminating improper private connections. The best method to identify the locations where work is needed is by smoke and dye testing the system. The cost will be funded with sanitary sewer manhole and sewer line rehabilitation funds in a not-to-exceed amount of \$143,778.00. There is currently \$500,000 per year allocated to facilitate the reconstruction of lines and manholes. The City has been using GBA for professional services related to our Sanitary Sewer Projects for the last several years. They have completed flow monitoring projects, smoke and dye testing as well as designed improvements in and around the Kansas City area.

Commissioner Wilson:

- Asked how often is testing done

Mr. Faust:

- The last testing was done around 2012

Commissioner Bauder:

- Asked how the smoke and dye testing is performed

Commissioner Wilson moved to approve the design services contract with George Butler & Associates, Inc. for the Sanitary Sewer Smoke and Dye Testing, in an amount not to exceed \$143,778.00. Commissioner

Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Approval of Purchase of Paving Equipment – Public Works Director Brian Faust presented for consideration approval of bid for the purchase of a 2024 Pavijet MG7 skid steer attachment. The 2024 CIP included funding for paving equipment for the Street Division. While the City does not have staffing for large paving projects, it is important for city crews to be able to address localized paving repairs in a timely manner. Options were researched for equipment that will enhance staff’s ability to perform needed street repairs. The Pavijet MG7 will meet our needs and is designed to attach to our existing skid steer. The CIP included \$129,800 for the purchase of paving equipment.

Commissioner Wilson moved to approve the purchase of the Pavijet MG7 from Hitek Equipment, Inc., in an amount not to exceed \$59,400.00. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Consider Approval of Land Transfer and Development Agreements for 201 Kickapoo Street and 709 N 2nd Street – Assistant City Manager Penny Holler presented for consideration approval of the agreements to purchase and redevelop City-owned lots at 201 Kickapoo Street and 709 N 2nd Street. The City purchased multiple vacant lots during a 2014 Leavenworth County Sheriff’s Sale. Travis Swift with Insight Development LLC recently reached out to the City requesting to purchase the lots to construct family housing. Insight Development LLC built two duplexes in the same area in the past year and was considering additional opportunities to add more duplexes. The infill development would provide additional homes in the Northeast sector and contribute to local property tax revenues. Multi-family housing is allowed with existing zoning. The agreements outline the terms of that sale, including a timeline for development and the City’s option to have the lots returned if those terms are not met. Staff recommends approval of the agreements to sell 201 Kickapoo Street and 709 N 2nd Street to Insight Development LLC.

Travis Swift of Insight Development LLC:

- Leavenworth native
- Likes the park and would like to update the area with more housing options

Mayor Pro-Tem Pittman:

- Asked if the other properties are rented

Mr. Swift:

- One building is being finalized before it can be rented, but the completed ones are rented

Commissioner Bauder:

- Glad to see that area developed

Commissioner Wilson moved to approve the Leavenworth Land Transfer and Development Agreement for 201 Kickapoo Street and 709 N 2nd Street. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

First Consideration Ordinances:

First Consideration Ordinance Rezoning 46 Limit Street from R1-9 to R1-6 – Planning & Community Development Director Julie Hurley presented for first consideration an ordinance to rezone the property located at 46 Limit Street from Medium Density Single Family Residential District to High Density Single Family Residential District. The owner is requesting the rezoning in order to divide the parcel into three separate residential lots. The minimum required lot width for the R1-9 zoning district is 75', and the minimum required lot width for the R1-6 zoning district is 48'. As originally platted, the subject property consisted of four separate lots, each approximately 50' in width. In the immediately surrounding neighborhood, there are lots of varying widths and sizes. The lot configuration as presented will be in character with the remainder of the neighborhood. The Planning Commission considered this item at their March 4, 2024 meeting and voted 4-0 to recommend approval of the rezoning. Ms. Hurley reviewed the Conditions of Determination that were referenced in the Policy Report.

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

Consent Agenda:

Commissioner Hingula moved to approve claims for March 8, 2024, through March 21, 2024, in the amount of \$1,670,863.66; Net amount for Payroll #5 effective March 8, 2024, in the amount of \$406,035.97 (Includes Police & Fire Pension in the amount of \$7,491.38). Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

Other:

The City Commission wished everyone a Happy Easter.

Mayor Pro-Tem Pittman:

- Tonight was a very moving night with the proclamations and flowers

Executive Session – Personnel Matter of Non-Elected Personnel – Mayor Pro-Tem Pittman moved to recess into executive session for a period of 20 minutes for the purpose of *discussion of a personnel matter, under the justification to discuss personnel matters of non-elected personnel* K.S.A. 75-4319 (b) 1. The City Commission, City Manager and Human Resources Director will be present. The open meeting will resume in the City Commission Chambers at 7:17 p.m. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Pittman declared the motion carried 5-0.

The City Commission returned to open session at 7:17 p.m.

Adjournment:

Mayor Pro-Tem Pittman moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 7:17 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC