

Call To Order:

The regular meeting of the Lansing City Council was called to order by Mayor Gene Kirby at 7:00 p.m.

Roll Call:

Mayor Gene Kirby called the roll and indicated which councilmembers were in attendance.

Councilmembers Present:

Ward 1: Kevin Gardner and Dave Trinkle
Ward 2: Andi Pawlowski and Don Studnicka
Ward 3: Jesse Garvey and Kerry Brungardt
Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent:

Discussion:

Joint Meeting with the County Commissioners: Leavenworth County Commissioners, Leavenworth County Administrator, Leavenworth County Director of Public Works, and Consulting Firm for the McIntyre Road Project met to discuss the potential benefit of a Restricted Crossing U-Turn (RCUT) at the intersection of K-7 and McIntyre Road. The RCUT is not necessary but it would be a substantial safety benefit and continue to make K-7 a viable highway into the future. There is a potential that KDOT is willing to partner on a cost-match basis through their corridor funds to bring the RCUT to this intersection. The engineer for WSP Parsons Brinckerhoff provided a presentation on the benefits of an RCUT, and fielded questions from the County Commissioners and City Councilmembers.

OLD BUSINESS:

Consent Calendar: Councilmember Buehler moved to approve the regular meeting minutes of December 17, 2015. Councilmember Garvey seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Audience Participation: Mayor Kirby called for audience participation and there was none.
Presentation

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Request to Complete Easement Acquisitions for 9 Mile Creek Action Plan: Councilmember Buehler moved to authorize staff and Skeen's Consulting to complete easement acquisition activities for the 9 Mile Creek Action Plan. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

Condemnation Resolution No. B-1-16 (enabling action) for City Project 15-01 (9 Mile Creek Action Plan Project): Councilmember Brungardt moved to enact Resolution No. B-1-16, a resolution of condemnation for permanent and temporary construction easements for Project No. 15-01, 9 Mile Creek Action Plan Project. Councilmember Studnicka seconded the motion.

- Councilmember Pawlowski asked do we have any of these tied up yet, do we have any of these easements tied up yet.
 - Councilmember Garvey stated as in done or completed.
 - Wastewater Utility Director Tony Zell replied no, we did not move forward with anything until we got council approval tonight.
- Councilmember Pawlowski asked you don't anticipate any problems.
 - Wastewater Utility Director Tony Zell replied fingers crossed.
 - Councilmember Pawlowski stated because the last one we had you didn't have to. We've never had to, except for the highway.
 - Wastewater Utility Director Tony Zell replied I believe you are correct, yes.

The motion was unanimously approved.

Change Order #1, 7 Mile Creek Action Plan (City Project 13-07): Councilmember Trinkle moved to approve Change Order #1 from Linaweaver Construction for City Project 13-07, in the amount of \$28,414.00. Councilmember Pawlowski seconded the motion.

- Councilmember McNeill asked are these the same surveyors that then had to break all the rocks because they didn't show up on another change order.
 - Wastewater Utility Director Tony Zell replied that was a different survey company.
 - Councilmember McNeill stated so this is the second time we've had a survey company that didn't properly survey.
 - Councilmember Pawlowski stated no, that time we didn't drill.

- Wastewater Utility Director Tony Zell replied we didn't do geotechnical work. This was basically an oversight by the surveyor's they didn't know that this box was there, and when they bored under the highway, they were almost complete, and they punched a hole right in the bottom of this thing.
- Councilmember McNeill asked and the intent is to pay and have GBA pay us back for it.
 - Wastewater Utility Director Tony Zell replied correct. We did receive a settlement agreement this week from GBA and I sent that to both Tim and Greg to review, and it looks good to all of us, so once the work is complete; the reason the change order has to go through the City is we're the ones who hold the contract.
 - Councilmember McNeill asked and it will cover the cost, the settlement?
 - Wastewater Utility Director Tony Zell replied yes. The settlement agreement basically says that once the work is complete and paid out, GBA will pay the city for the full amount.
- Councilmember Pawlowski asked and our City Administrator is happy with that.
 - City Administrator Tim Vandall replied yeah, I kind of view it as more of a timeline issue. It's pretty much established that this isn't our fault, it isn't Linaweaver's fault, it's just kind of an issue where if we wait for subcontractor and the engineer to get it figured out, it's going to delay our project, so if worse came to worse, we could not pay GBA at the end of the project, but we've got a contract that hopefully will address it.
 - Councilmember Gardner asked Greg are you ok with it?
 - City Attorney Greg Robinson replied yes I am, Tony and I have already talked about it.

The motion was unanimously approved.

Sidewalk Waiver Request for 24115 146th Street: Councilmember Trinkle moved to approve the sidewalk fee waiver request for 24115 146th Street. Councilmember Gardner seconded the motion.

- Councilmember Gardner asked that house hasn't been built yet, where those big blocks are.
 - City Inspector Becky Savidge replied right.
- Councilmember Buehler asked has that fee been paid and we're reimbursing it or are we waiving it before they build the building.
 - City Inspector Becky Savidge replied yes, I have put a hold on the permits until we did this and I talked with Mr. Vandall and that was the route he suggested.
- Councilmember Trinkle stated this is another one of those situations that we need to discuss.
 - City Administrator Tim Vandall stated we received this and it was my call to put it on the agenda, so it's your guys' call on the decision.
 - Councilmember Trinkle stated well we talked about in the old part of town where we had one before and now we've got one in the annexed part of town, and we've got issues we need to line up and make it more clear.
- Mayor Kirby asked Tim have you checked the schedule for February.
 - City Administrator Tim Vandall replied we can do a work session in February and address issues like this, like I said it was one of those deals where we hadn't had one for a long time, then we had two in back to back meetings.
 - Councilmember Trinkle stated we need to sit down and really figure out what we're going to do.
 - Councilmember Garvey stated yeah, as this is a complete waste of time, I mean for us and for Brenda, I mean she wasted an hour of her life sitting in this meeting.
 - Councilmember Pawlowski interjected but she learned all about RCUTs.
- Councilmember McNeill asked was the subdivision itself planned for sidewalks, that subdivision.
 - Councilmember Pawlowski stated no.
 - Councilmember McNeill asked it was never planned for sidewalks.
 - City Inspector Becky Savidge stated that was an original County subdivision, that we annexed in, and there's no, I've checked everything, and there's nothing on there.
- Councilmember Gardner stated and it's in a cul-de-sac too, just one way in, one way out.
 - City Inspector Becky Savidge replied correct.
- City Attorney Greg Robinson stated one thing we'll want to discuss at the work session is whether or not this is an excise tax, because of that case, if you recall, actually Becky brought that to my attention when I was talking to her about that before the meeting, and it's a very good point. We'll just have to research this as by charging someone a fee over on the West side of town for the purposes of building a sidewalk potentially on the East side of town may not jive with the recent case that came up.
- Mayor Kirby stated we can discuss all that at the work session.

The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall had a few items to discuss; Lan-Del, Lansing School District Representatives, and a few City of Lansing staff met to discuss the slope failure that has now begun encroaching on City of Lansing right-of-way near Lansing Middle School. A proposal was received from Terracon to do research and boring into the cause of the failure and recommend solutions to fix the issue. The cost of which is \$11,000.00; it was discussed to split the cost 3 ways making each entities portion about \$3,600.00. By agreeing to pay a portion of the proposal cost, by no way does that mean the City is responsible for paying for the solution to fix the issue. Tim and City Attorney Greg Robinson will continue to discuss options with Lan-Del and the School District, and added protections for the City. City staff is awaiting a contract and verification from KDOT in regard to scaling back DeSoto Road from 5 lanes to 3. As soon as it is received it will be disseminated and we'll get the ball rolling at looking at an engineering contract. Friday, January 15, 2016 from 11:30 a.m. to 1:30 p.m. is LCDC's annual luncheon at the Riverfront Community Center, interested parties need to contact Economic Development/CVB Director Stefanie Lief. The Chamber of Commerce banquet and centennial celebration is Saturday, January 30, 2016 beginning at 5:00 p.m. and will be held at the Riverfront Community Center, Economic Development/CVB Director Stefanie Lief will RSVP for the City of Lansing attendees. City staff is expecting the contract with LCF to clear out the creek beds. Dennis Thompson has been working with them and we expect no issues.

Governing Body: Councilmember Pawlowski stated that she is glad to hear about the pending LCF contract to clear the creek beds out.

Councilmember Buehler provided a fun fact, on this day in 1927 the first transatlantic telephone service occurred from New York City to London. He also stated Happy New Year.

Councilmember Trinkle inquired about sand and salt product after the first ice and snow of the season. He noted that the staff handled it very well.

- Dennis Thompson advised that they are in good shape for the rest of the season with product.

Mayor Kirby stated that Deffenbaugh representatives will be attending the January 21, 2016 Council Meeting.

ADJOURNMENT: Councilmember Trinkle moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:21 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk