

**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:** Gregg Buehler and Tony McNeill

**Councilmembers Absent:**

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**OLD BUSINESS:**

**Approval of Minutes:** Councilmember Buehler moved to approve the regular meeting minutes of January 21, 2016, and the special meeting minutes of January 28, 2016, as presented. Councilmember Pawlowski 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:**

**Charter Ordinance No. 1-2016: City Elections:** Mayor Kirby stated this charter ordinance aligns the City with the recently passed bill to move City Elections to the fall of odd numbered years. The charter ordinance sets the primary election procedure, extend terms of councilmembers whose terms expire in April 2017 and April 2019, and update the timeline to fill a vacancy by appointment to 120 days.

Councilmember Studnicka moved to adopt Charter Ordinance No. 1-2016 as presented. Councilmember Pawlowski seconded the motion. The motion was unanimously approved with all Councilmembers in attendance and Mayor Kirby voting for the motion.

**Appointment – Lansing Community Library Board:** Councilmember Studnicka moved to appoint Susan Connelly to the Lansing Community Library Board to fill the vacancy for the term ending April 30, 2018. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

**Request to use Lansing Activity Center After Hours:** Councilmember Studnicka moved to approve the request for the Boy Scouts to use the Lansing Activity Center from 8:00 p.m. on February 27<sup>th</sup> until 6:00 a.m. on February 28, 2016 for the Anti-Campout on the condition that the Release of Liability and Indemnification forms are filled out correctly and turned in by each participant before entry into the event. Councilmember Brungardt seconded the motion. The motion was unanimously approved.

**Request to Purchase ABI Force Infield Groomer:** Councilmember Brungardt moved to approve the purchase of an ABI Force from ABI Attachments for \$20,925.00 from Fund 23 Special Parks and Recreation Reserve. Councilmember Studnicka seconded the motion.

- Councilmember Pawlowski stated Jason are they the only, I understand that they are the company that makes this ABI Force Infield Groomer, but is there another infield groomer by another company.
  - Parks & Recreation Director Jason Crum replied not that I am aware of. The only thing that is out there that is comparable is what they usually refer to as a bunker rake, which is what they use for sand traps and maintenance on golf courses, they have a patent on this technology right now, so I'm sure somewhere down the line there will be; that's the only comparable thing and ballpark is same price they are around the fourteen fifteen thousand dollar mark also, and of course with the added attachments that we did with the aeration unit that's what drove us up, but that's not available, and that's the one good thing about this, we can add to this as time goes on.
    - Councilmember Pawlowski asked do we have one of these now.
      - Parks & Recreation Director Jason Crum replied no, we do have a way to groom infields, but we don't have one of these right now. We do it with a tractor and an implement we drag behind it.
        - Councilmember Pawlowski asked and you want this because it's more efficient.
          - Parks & Recreation Director Jason Crum replied absolutely, we'll be able to do a way better job than with what we currently have, it is a 1 pass process as opposed to dragging something behind the tractor

and then take that back to the shop and get something else; that is the intention.

- Councilmember Pawlowski stated ok thanks.
- Councilmember Garvey asked what is the warranty on this thing.
  - Parks & Recreation Director Jason Cum replied 2 years on the unit itself, 3 years on the motor.
- Councilmember McNeill stated although it is new, the purchase policy, the sole source justification letter is supposed to come from you, it's supposed to probably come from the City Administrator, and it is telling us why we have to go with a single company, and the one that's in there is from the company and of course I'm going to say I'm the only one who makes this. I understand the intent and everything, but according to the policy we should be saying why we have to go out for sole source and not letting somebody else do it, that's the only problem I have with this packet, so I mean I know that this one has like every attachment known to mankind, the edger, the rake, the whole thing which would probably take at least 2 or 3 pieces of equipment to actually get the job done, so it is, it probably is a sole source, this company sounds like the only company who makes it right now, but future warning next time.
  - Parks & Recreation Director Jason Crum stated this is the first time I've actually ever encountered this.
    - Councilmember McNeill stated I know, this is the first one I think I've seen one come through here, I think it's the first time we've tried to use the new policy, so everybody is getting used to it and that should come from us, or whoever wants it. Thanks.

The motion was unanimously approved.

**Living Legacy Tree Program:** Councilmember Buehler moved to approve the Lansing Living Legacy Tree Program. Councilmember Gardner seconded the motion.

- Councilmember Pawlowski asked do you have a limit.
  - Parks & Recreation Director Jason Crum replied that is something Tim and I have started to discuss, I need, before we advertise this I wanted to talk a little about it with staff and a little more with Tim about it, I'm thinking somewhere in the, for year 1, like the 8-12 range.
    - Councilmember Pawlowski stated oh wow, that many. Are these for out at the park or does it matter where?
      - Parks & Recreation Director Jason Crum stated I want to try to work with the individual as much as possible, it sounds crazy when we have a 128 acre park that there are limitations, but I don't want to get into a situation where we're going to have to remove somebody's legacy tree somewhere down the road, so I'm going to try and avoid that at all costs, I want to think long and hard about where we're putting these and try and make a good informed decision on that, so we're going to leave it open so that they can request a specific park.
- Councilmember Brungardt asked Jason have you thought about other Cities that do something like this, maybe talk to them, or maybe you have already.
  - Parks & Recreation Director Jason Crum replied we actually worked on this in Tree Board several years ago and we were in the middle of some drought conditions so we decided to hold off and not roll this out because we didn't want to get into a situation of trees not surviving, and we had talked to several communities that do it, we borrowed bits and pieces of other communities policies to build our own, so we did talk about some of those things, but I didn't get any guidance specifically about if they had any limitations.
    - Councilmember Brungardt asked did they talk about any pitfalls that you definitely want to avoid.
      - Parks & Recreation Director Jason Crum replied the obvious ones, damage to the trees, trees dying, a few situations where this looks like a great place to put one and we've got to cut a ditch there 2 years from now and remove a tree that was in memory of mother, father, grandparent, whatever the case may be, there are some of those things to be considered.
        - Councilmember Brungardt replied what do you do in that case.
          - Parks & Recreation Director Jason Crum responded depending on the situation, we could obviously try and move, attempt a transplant, that would be the first course of action.
            - Councilmember Brungardt stated in the first year or two you could do that once it's planted.
              - Parks & Recreation Director Jason Crum replied once you start getting size to it, you start to incurring a pretty big cost, so at that time and with our current



Professional Services Agreement with Design Energy Group for the Lansing High School and Middle School to increase the Maximum Not To Exceed Amount of \$9,613.00 and to extend the termination date of June 30, 2016. Councilmember Gardner seconded the motion

- Councilmember Buehler stated so this is the people doing the inspection of the building?
  - Community and Economic Development Director Stefanie Leif replied that is correct.
    - Councilmember Buehler stated because the people that are remodeling couldn't keep up to their original timeline that we have to modify this?
      - Community and Economic Development Director Stefanie Leif replied yeah, the project is taking longer than I believe was initially estimated.
- Councilmember Studnicka asked are there penalties in their timeline right now if they don't meet their timeline.
  - Community and Economic Development Director Stefanie Leif replied Becky Savidge is here to answer that question.
    - City Building Inspector Becky Savidge responded the school does with the contractor and they anticipated when they got in there, there was more going on than what they had originally thought so that's the extension part of it.
      - Councilmember Studnicka stated my question was since they can't meet their original timeline, are there penalties for the contractor.
        - City Building Inspector Becky Savidge replied yes I believe there is, I don't normally get into the school side of it, but yes there normally is on a contract like that yes.
          - Councilmember Brungardt stated there are.
  - Councilmember Pawlowski stated but that's not with us that's with the school.
    - Councilmember Brungardt stated it's with the school.
  - Mayor Kirby stated yeah but we're paying.
    - Councilmember Buehler stated but we're having to pay more money even though they are being penalized and the school board is getting money back.
  - City Building Inspector Becky Savidge stated this was the discussion that how they first did the agreement, that once they got over to the middle school the carryover from the high school was to go to the middle school and once they got over there it would be adjusted if need be, was the original agreement.
    - Councilmember Buehler stated so they are not being penalized.
      - City Building Inspector Becky Savidge replied I'm talking about with our services for the inspection.
        - Councilmember Buehler stated right, but my point is and I think what Don was saying was, because the contractor that is doing the initial is falling behind and they are being penalized because they are falling behind, we have to pay more money out of our pocket.
  - Community and Economic Development Director Stefanie Leif replied do you mean the contractor in terms of Design Energy, our contractor?
    - Councilmember Buehler replied no, I'm talking about the school's contractor.
  - Councilmember Pawlowski stated but those aren't our dollars, those are the school's dollars.
    - Councilmember Buehler stated right.
      - Community and Economic Development Director Stefanie Leif stated it's all still part of the plan review, the permitting fees, the school district paid to the City \$239,555.42, so even with this extension, if you want to call it our net revenue from these permit fees is still about \$95,000.00, so it does eat into the revenue we would've gotten from those permit fees but we still are netting.
        - Councilmember Buehler asked and we're still below the 135 right.
          - Community and Economic Development Director Stefanie Leif replied no it is over 135, the total is \$144,613.00.
            - City Attorney Gregory Robinson stated to answer your question, you are currently under.
    - Councilmember Buehler stated I must have read the chart wrong.
      - Community and Economic Development Director Stefanie Leif stated no that's correct they have not met the 135 at this point they still have.
      - City Administrator Tim Vandall replied they are at 123.
        - Councilmember Buehler stated so plus the 9 will still keep it below the 135.
          - Community and Economic Development Director Stefanie Leif stated the total with the additional \$9,000 that is up for the request tonight than what the City would be in total paying Design Energy Group would be \$144,613.00, so we are over the initial \$135,000.00. I think as Becky was saying, I'm sure, the original contract was

supposed to end September 30, 2015 and I'm pretty sure they weren't anticipating the middle school to be completed by September 30, 2015, I'm sure they, I think when this was first established in late 2013, it sounds like it was anticipated that it would have to come to a point to extend it.

- Councilmember Brungardt stated there was never any talk about the school being finished in September, the first date they gave, before they decided to do more extensive renovation, namely HVAC Systems, which adds a whole new dimension to the project, so we were supposed to move in at first in December 2015 that was moved to then June. So by our accounts, the schools accounts, we're on time.
  - City Building Inspector Becky Savidge replied so initially I think when they were talking about the middle school there was a scope of work, but they didn't know until they got in there and then now it's being readjusted.
    - Councilmember Brungardt stated like with any project.
- Councilmember Pawlowski stated but that's not what this is saying right, on the documents we were given it says the amount billed to date is \$119,613.00, the maximum not to exceed at \$135,000.00, amount paid to date \$123,113.00, estimated additional required \$9,613.00, but on the agenda page it says \$144,613.00, I mean the numbers aren't.
  - Councilmember Buehler stated that's why I was confused.
    - City Administrator Tim Vandall stated my numbers add up.
      - Councilmember Pawlowski asked so is it the \$135,000.00 plus the \$9,613.00.
        - Community and Economic Development Director Stefanie Leif replied correct.
          - City Administrator Tim Vandall stated that equals \$144,613.00.
  - Councilmember Buehler stated but if you're looking at the billing it doesn't.
    - Councilmember Garvey stated I think what they are doing is raising the not to exceed amount right from the 135 to the 144.
      - City Building Inspector Becky Savidge replied right. I think between these there was a switch on the Billed to Date Paid to Date those were the invoices.
        - Councilmember Pawlowski stated the invoice is wrong.
          - Community and Economic Development Director Stefanie Leif replied you are right on the request letter it does read a little funny as the billed to date is less than the paid to date.
    - Councilmember Pawlowski stated so what we're doing is raising the maximum not to exceed to \$144,613.00.
      - Community and Economic Development Director Stefanie Leif replied exactly, yes.

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 stated that 1 Southbound lane of traffic on K-7 is going to be closed starting February 8<sup>th</sup> due to the sewer project construction. The commercial insurance renewal came in last week and we only incurred a 1.5% increase. Discussed allowing a pay increase of .5% so those 17 employees who missed the exceptional mark of a 4% increase by 1 point, would receive a 3.5% increase, it would be revenue neutral for the City, and it would detract about \$3,500.00 from the bonus that the 4% earners would receive. A few councilmembers raised concern advising they discussed the bonus was being removed from 2016 and would offset the cost for the Salary/Compensation study, Tim stated he would have staff and HR research the topic. Council stated that as the City Administrator Tim has the ability to structure the percentage payouts as he sees fit, they were ok with him giving 3.5% to those employees. Tim advised that he met with Leavenworth County and the City of Leavenworth and discussed Eisenhower Road. The proposed project would extend the sidewalk on the north side of the road in Leavenworth, additional grading along the south side, which will make construction of future sidewalks easier, it would put in curbs and gutter until the end of City limits, add street lighting, and make Eisenhower Road 4 lanes to County Road 5. Councilmember Pawlowski asked about Basehor trying to get curbs, gutters, and sidewalks and if they are doing that in Basehor and Leavenworth, Lansing should get the same, Tim advised that the County feels that they are significantly improving what is essentially a gravel road on McIntyre, and Eisenhower is in better shape than McIntyre. The Engineer for the project has just been selected and the design of the project has yet to begin, but the County is working on a Memorandum of Understanding that the City should receive in the next week or so. Councilmember Trinkle brought up that he feels putting curbs and gutters all the way to Highway 5 is a waste of money on McIntyre Road. He also mentioned that somewhere down the road the City will need to do something about 4-H Road. Tim advised that per the County the big 3 projects are 147<sup>th</sup>, McIntyre, and Eisenhower and the Memorandum of Understanding should only be for the Eisenhower Road project. He also stated that at one point, the City discussed adding curbs and gutters with the County to McIntyre, but the County response was that the City would need to pay for

it. Tim also mentioned that there are some areas in the County plan where the County standards do not meet the City standards, so that may require some adjustment when those projects come to pass. The Memorandum of Understanding will be reviewed and presented to the Council once received.

**Governing Body:** Councilmember Pawlowski thanked Susan Connelly for applying for the Library Board. Councilmember Garvey thanked Susan Connelly for applying to the Library Board. He also thanked the Leavenworth-Lansing Chamber of Commerce for hosting a wonderful event at their Centennial Celebration and he recognized Business of the Year Personalized Lawn Care for a well-deserved award. He also stated there are 9 months, 3 days, 11 hours, and 21 minutes until the November polls open.

Councilmember Buehler provided a fun fact: on this day in 1789, George Washington was unanimously elected the first President of the United States by the United States Electoral College. He also thanked Susan Connelly for volunteering and mentioned that the city cannot do it without volunteers, he also congratulated Personalized Lawn Care and Leavenworth-Lansing Nursery for the Business of the Year Award.

Councilmember McNeill thanked Susan Connelly for applying to the Library Board and appreciation for her volunteering her time.

Councilmember Brungardt thanked Susan Connelly for volunteering for the Library Board and the other volunteers.

Councilmember Studnicka echoed Councilmember Brungardt’s remarks.

Councilmember Trinkle stated that the community lost a well-known and involved member of the community in Francis Thorne. He was very instrumental in the Movers and Shakers and will be extremely missed.

Mayor Kirby thanked Susan Connelly for volunteering.

Councilmember Gardner thanks Susan Connelly for volunteering and asked about a timeframe for the lane closure.

- Public Information Officer Ken Miller advised that the closure will be around K-7 and Connie but wasn’t sure on the timeframe.
  - Councilmember Trinkle stated he thought it was for 5 days.

**ADJOURNMENT:** Councilmember Gardner moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:41 p.m.

**ATTEST:**

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Louis E. Kirby, Mayor

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Sarah Bodensteiner, City Clerk