

Call To Order:

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

Roll Call:

Mayor Mike Smith called the roll and indicated which councilmembers were in attendance.

Councilmembers Present:

Ward 1: Dave Trinkle and Gene Kirby
Ward 2: Andi Pawlowski and Don Studnicka
Ward 3: Jesse Garvey
Ward 4: Tony McNeill

Councilmembers Absent: Kerry Brungardt and Gregg Buehler

OLD BUSINESS:

Approval of Minutes: Councilmember Trinkle moved to approve the regular meeting minutes of March 16, 2017, as presented. Councilmember Kirby seconded the motion. The motion was approved with Councilmember Studnicka abstaining from the vote.

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

Presentation: Proclamation – Military Saves Week: The governing body presented the Military Saves Week Proclamation to Tina Farr with Armed Forces Bank.

Certificate of Completion – Terri Wojtalewicz: Library Director Terri Wojtalewicz was presented a Certificate of Completion of the State of Kansas Applied Public Library Education program by Northeast Kansas Library System Consultant Mike McDonald.

4-H & DeSoto Road Intersection and 147th Street Box Culvert Replacement Update: Representatives from Alfred Benesch & Company briefed the governing body on the 4-H & DeSoto Road intersection and the 147th Street box culvert replacement projects. The representatives provided and discussed options for both projects, estimated costs, and answered questions from the governing body.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Community Center Fee Waiver Request: Councilmember Studnicka moved to approve the fee waiver request from Leavenworth County Fire District No. 1.

- Councilmember Trinkle asked total for everything, is this a total fee waiver, waiving of fees.
 - City Administrator Tim Vandall replied staff had already told them that we would waive the hourly fees, so this is about twenty-five dollars, this is just the set-up fee.

Councilmember Trinkle seconded the motion.

- Councilmember McNeill stated I get the waiving of the fee because they are part of the City, but the set-up fee, they are asking us to set it up for them and tear it down and clean it up, or what?
 - City Clerk Sarah Bodensteiner replied that is a fee we automatically charge because we do set-up everything for them. It's kind of a safety feature along with making sure people don't ruin the floor, because typically if you're having people set-up tables and chairs they will drag them across the floor.
 - Councilmember McNeill asked so we don't offer anybody the opportunity to set it up themselves and tear it down themselves.
 - City Clerk Sarah Bodensteiner replied no and there is no tear down, all we ask for people to do is leave the tables and chairs as they were when they came in.
- Councilmember Kirby asked and the other normal rental fees have been waived.
 - City Administrator Tim Vandall replied yes, I think if we were charging full price, I think it would be two hundred dollars and staff has already waived the hourly fee so like I said this is a request for a twenty-five dollar waiver.
- Councilmember Trinkle asked is this something that we should vote on for an extension or are we going to do this every time we come together.
 - Councilmember Kirby stated that's not the way the motion was.
 - Councilmember Trinkle stated I know I'm just asking. Should this be something where we say lock it in like this for five years or what. Are we doing this the right way?
- Councilmember Pawlowski stated the set-up fee we've always, even when we've waived the other fees, we've always charged that because we have a guy we pay to come in and do the set-up and so we're just recouping our fees by having Jim come in and do that.
- Mayor Smith stated and Dave I would say that we'd want to bring this up every time and not do it for a permanent thing for other councils and things like that.

- Councilmember McNeill stated or even better make it unwaivable. I mean if we have to pay to set it up, why are we waiving a fee when we have to pay the fee, I mean we're paying somebody to do it.
 - Councilmember Pawlowski stated right.
 - Councilmember McNeill stated I get renting it and all that if you're part of the City or Fire Department or whatever, hey we'll waive the fee for you to have your thing here, but we can't waive the cost that we have to have somebody come in and set it up and clean it up, that doesn't make any sense.
- Councilmember Kirby stated they are here, do they want to come up. I'm making the offer I'm not telling you you have to.
 - Fire District No. 1 Fire Board Member Dean Moburg stated I'll give you guys a break and I'll talk instead of Rick. And we wanted to get clarification too as Dave was saying, we realize that the City Manager didn't have the responsibility or ability to waive along with the Mayor so we came to the Council. This is our appreciation dinner for the spouses and/or significant others. We use about twenty-five percent of the room, as far as clean up and set-up it should be minimal. It's just a precedent we're looking at with our cooperation we've had over the year as far as services rendered from the City to us and from the Fire District to the City, a presence at the Fishing Derby, a presence at Lansing DAZE, things like that there is no charge from us even though we're paying some of our firemen to be there, to be available in case of an emergency. So it's just a matter of fact that if we come to an individual and say we're having this and can we get a waive, a waiver, so be it but it was simply brought here, so that's why we're here.
- Councilmember Kirby stated a couple of things here because we can vote on a million dollars and nobody shows up and ask somebody to waiver a twenty-five dollar fee and peoples hair catches on fire. So I'm going to give to you what's been given to me, alright. As far as your participation in City-related activities and you're funded by tax dollars as well, okay, so I guess the question is we're a small town we only have one festival there isn't eight or ten going on, because you are funded by tax dollars you don't feel an obligation to go ahead and come to these activities anyway?
 - Fire District No. 1 Fire Board Member Dean Moburg replied we do have our responsibility to the tax payers of Fire District One, no doubt about that, it's the additional services rendered for specific needs of the City or the State, the prison is another can of worms that we're helping back and forth. This is a cooperation that's gone on and again it's not the amount of the fee just the fact that we're going to start charging one way or the other, then we might have to look at services rendered and it's not just our paid guys, but if there is an activity and we can't get a volunteer to come then our Chief comes, and again just a mutual cooperation between the City, Fire District and the townships.
 - Councilmember Kirby stated I guess the heartburn with people that I've talked to clear up to when I left home tonight was aren't we sticking the tax payer again for something they feel you guys ought to be doing anyway, and I get this back and forth, but I don't know it's twenty-five bucks and it's seems silly to me that we're arguing over twenty-five bucks. I will say that we discussed this last week and we informed the City Manager, even though we didn't take formal vote on it, that we would leave these matters up to him and trusted him to do it and of course you have the option to come but from a big picture point of view, I'm not real comfortable telling him one week later we don't like the fact that we're doing this for twenty-five dollars, okay, it's twenty-five dollars, so that's all I have.
- Councilmember McNeill stated I'll just say it I agree with some of what you said, but the actual waiving of the fee was like two hundred dollars. We waived that because we know that we do have a relationship and we do appreciate that. But the fact that we have a pay somebody to do the set-up and tear down for everybody, it's an automatic fee, I mean we don't waive the other fees for everybody who wants to use it, but we have to pay the person to set-up and tear down, that's just a sunk cost everybody has to pay when we give them the room. After waiving two hundred dollars I'm not sure why you guys come back and ask for twenty-five.
 - Fire District No. 1 Fire Board Member Dean Moburg replied just the fact that it's changed in the past there was no charge this is new this year this is why we're here tonight. Wondering why it changed.
- Councilmember Garvey stated I agree about the collaboration and partnership between the Fire Department and the City, so it's like we're brothers, and if my brother wanted to rent my house I wouldn't charge him the twenty-five dollars I'd say you can use it for free, that's my thought process.
- Councilmember Trinkle asked where are we standing on the motion.
 - Mayor Smith stated we've got a motion and a second.
 - Councilmember Studnicka stated we've got a motion on the floor to waive the fee and a second.

The motion was approved, with Councilmembers Studnicka, Trinkle, and Garvey voting in favor of the motion, and Councilmembers McNeill, Kirby, and Pawlowski voting against the motion. Mayor Smith broke the tie voting to approve the motion.

Kiwanis Request: Councilmember Trinkle stated I have a question and I don't want my motion to make a difference on the question.

- City Administrator Tim Vandall replied I think Mr. Griffen is here from Kiwanis.
- Councilmember McNeill stated first we make the motion then we have discussion.
 - Councilmember Pawlowski stated no we don't.
 - City Administrator Tim Vandall stated you can discuss before you make a motion.

Councilmember McNeill moved to approve the request from Kiwanis to place American flags in KDOT right-of-way. Councilmember Kirby seconded the motion.

- Councilmember Trinkle stated it says here that you're going to get the City a certificate where we're out of it, has that all been done.
 - Kiwanis Representative Jim Griffen replied yes I've already taken care of that.
 - City Administrator Tim Vandall stated yep, I received that and that was in the Council Packets. I distributed that to the City Attorney also and he thought that was sufficient.
 - Councilmember Trinkle stated I just wanted that on public record. That's the only question I had I just wanted to make sure verbally that it was.
- Mayor Smith asked do you want to address the Council.
 - Kiwanis Representative Jim Griffen stated I just wanted to make sure you understand what we're doing. We're looking to do a field of honor type thing.
 - Councilmember Kirby stated you've done this before, you've done it out here before.
 - Kiwanis Representative Jim Griffen replied yeah out here and I don't know who does them for you guys here, but we're doing it in the land between the banks over there, we're looking to use that. We've sat down with KDOT and did the walk and they are okay with that so we just want to make sure. We're doing it as a fundraiser, so what we're doing is having, and it's geared towards the veterans, people sponsor flags, buy the flags the first year and then they sponsor them again, that's where we're going to raise funds, the following years, not the first year. So hopefully by people driving by and seeing it and by word of mouth, every successive holiday we'll increase the amount of flags that we fly.
- Councilmember Trinkle stated just as long as all the T's are crossed and I's dotted.
 - City Administrator Tim Vandall stated our staff and the Kiwanis club have spent a fair amount of time coordinating with KDOT on this and quite frankly we were surprised that they were okay with it, but I think the reason they were okay with it is because it's the City's liability, but since Kiwanis has provided us the insurance certificate we feel better about it.
 - Kiwanis Representative Jim Griffen stated one caveat to that, they did not, what my plan was on each flag pole, because they are going to be like eight or nine feet tall and they're going to be in recessed channels that are in the ground, and we'll get the utilities and all that before we put those in; and they'll be covered and ground level, no problem with mowing. The caveat that they said was because I wanted to put people's names, whoever the sponsor was and the person that flag is for, I wanted to put some information on each of the individual flags so people can actually see it, well they said they don't want to improve the foot traffic or increase the foot traffic along the sidewalk, so they said we can't do that and an additional request for us is to have a place to the west of where the flags would be along Centre Drive to have something, you know plaque, whatever stating, because I want people to be able to read their family's name and whoever they honor so a place to put something, so people can at least look and see hey that's for my dad.

The motion was unanimously approved.

Temporary Cereal Malt Beverage License – Lansing DAZE Event: Councilmember McNeill moved to approve the temporary cereal malt beverage license for the Lansing DAZE event. Councilmember Pawlowski seconded the motion.

- Councilmember Trinkle asked did you check these people pretty thoroughly.
 - City Administrator Tim Vandall replied are you talking to me or the Chief?
 - Councilmember Trinkle stated whoever wants to step up to the chair.
- City Administrator Tim Vandall replied nothing has changed since last year, same thing.

The motion was unanimously approved.

Planning Commission Appointments: Councilmember Studnicka moved to appoint Brian Schwanz, Michael Suozzo, and Kirsten Moreland to the Lansing Planning Commission for a three-year term that will expire on April 30, 2020. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Request to Advertise for Bids – Project 17-02: 2017 Capital Improvements Program: Councilmember Pawlowski moved to authorize the Public Works Department to prepare contract documents and advertise for bids for Project No. 17-02: 2017 Capital Improvements Program. Councilmember Studnicka seconded the motion.

- Councilmember Pawlowski asked Jeff you're doing 147th Street south of McIntyre, that's like the third time this thing has been done, is that road just a mess underneath, is that what the problem is.
 - Public Works Director Jeff Rupp replied some of it is because of the petromat that was put down, there's pieces of it that have come up and when it breaks loose it will take more sections. So that's the area that is from McIntyre south to approximately, if you know where Marksberry lives, that's about where it's going to end for this phase, but that is a fairly long stretch. I believe it is a quarter mile and I would just add, and I know that you guys have a pretty small map that looks something like this in your packet and hopefully you can zoom in on your computer to see it, but it doesn't look like the eight streets that we're doing this year is much but Mr. Vandall and I drove the project today and it is a lot bigger in scope than you would think. Just for example Holiday Drive from where we left off last year to 147th Street is a half mile, that's a lot of asphalt. Like I said 147th was a quarter mile, Holiday is a half mile, and I think that Woodland is a half mile of what we're actually doing.
- Councilmember Pawlowski asked are you doing Cottonwood.
 - Public Works Director Jeff Rupp replied Cottonwood is just curb, but it's a lot of curb. In fact the curb and sidewalk, I will tell you, the curb and sidewalk this year is three times as much as we've ever done on both of those and it will probably only be this year we're making a very aggressive push on some areas that have been neglected for a long time, that they happened to turn out this way with the new ranking that we just did with the traffic impact and actual fatigue, we added a few extra categories. I will tell you that one particular section in particular is almost going to be a complete rehabilitation and that's from Fairlane up to about Holiday on Valley, that's where we've had a few recent projects in the last decade or so that has caused quite a bit of fatigue and ground settling and the sidewalks are in disarray and curbing.
 - Mayor Smith asked Jeff are you saying that's from Fairlane going north to Holiday.
 - Public Works Director Jeff Rupp replied its Valley from Fairlane.
 - Mayor Smith stated where we had failure because of lines that were put in.
 - Public Works Director Jeff Rupp replied yes and there is actually going to be a component in this year's project to actually fix the subgrade while we're doing that, but it's a fairly aggressive project as far as what we're doing. If you're actually able to drive these streets I would encourage it because it's a lot bigger than you think it is, like for example on Holiday, it's a thirty-two foot wide street for almost a half a mile, that's a lot of asphalt.
- Councilmember Pawlowski stated the one on Valley we've had discussions about that before because of the sinking on the west side of the street, but I was under the impression that we probably wouldn't undertake that until we replaced that sewer line that's opposite of it.
 - Public Works Director Jeff Rupp stated most of the settlement from the amount of time that has gone by, is done settling that's why we've put that element in there to basically bring the subgrade back up, which will be part of the project.
- Councilmember McNeill asked is any of this new sidewalks or is this just repairing old sidewalks.
 - Public Works Director Jeff Rupp replied I think all of it this year is repairing. The money we moved from the big project was moved into at large for the whole scope of this, but like I said the curbs and sidewalks are three times the amount we've ever done.
 - Councilmember McNeill asked is putting in sidewalks where they don't exist still in the plan somewhere.
 - Public Works Director Jeff Rupp replied yes.
 - Councilmember McNeill stated I'd like to see where that falls out if that's online or wherever.
 - City Administrator Tim Vandall asked what's that.
 - Councilmember McNeill stated new sidewalks where they don't exist, you know sidewalks where we don't have them.
 - Councilmember Garvey stated you're talking about Adam's Acres.

- Councilmember McNeill replied well I mean there are plenty of places in the city that don't have sidewalks on either side of the road.
- Public Works Director Jeff Rupp replied I haven't developed a plan that would review those kinds of projects yet but it is coming and that one that we were going to try to do is one of them.
- Councilmember Kirby asked when you started this earlier and you were talking Andi was asking about a place that seems like we've done more on 147th, you talked about a material that has failed, are we still using that material.
 - Public Works Director Jeff Rupp replied no.
 - Councilmember Kirby asked what was the advantage of that material.
 - Public Works Director Jeff Rupp replied well the intent, the idea of it if it's done properly and it's done in a certain way, everything has to be perfect for it to work, petromat is an oil based or a petroleum product it's supposed to help stop the cracking from coming up through the base if you're doing like a two inch overlay, it will stop some of the subsurface deterioration that will rise to the top, that's what it's supposed to do, and it has to be laid perfectly with no wrinkles.
 - Councilmember Kirby stated and this one wasn't.
 - Public Works Director Jeff Rupp replied I would say we got the b crew.
 - Councilmember Kirby replied I understand, it's not on you number one is I want to be sure we're not using it again if it's not going to work.
 - Councilmember Pawlowski stated if you haven't been down that road it's terrible down there.

The motion was unanimously approved.

Executive Session – Consultation with Attorney: Councilmember Studnicka moved to recess into executive session for consultation with an attorney on matters that would be privileged in Attorney-Client relationship for 20 minutes, beginning at 7:55 p.m. and returning to the Council Chambers at 8:15 p.m. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to return to open session at 8:15 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Department Heads had nothing to report.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall advised that he has received communication from Lan-Del regarding the water line project to Bernard Park. Things have moved along and an agenda item will be brought forward at a future meeting. Tim also mentioned that an invitation has been received for the Lansing Educational Foundation breakfast on Friday, May 5th and if anyone wants to attend they can contact either Sarah or himself for the RSVP by April 28th. Tim discussed the upcoming sales tax forum on Thursday, April 13th and invited all to attend and spread the word. Tim mentioned the City wide garage sale is slated for the upcoming weekend and reminded the governing body about the joint work session with the Lansing School Board on Monday, April 10th at 6pm at the district office.

Governing Body: Councilmember Pawlowski discussed the need to review the interlocal agreement for the joint fire board that was started in 2003 and has not been looked at since and she feels it is time to do so to determine what options are available.

- City Administrator Tim Vandall stated that the City can put a committee together in order to discuss this topic and crunch numbers and what is and what is not reasonable for cities of our size.

Councilmember Garvey congratulated Library Director Terri Wojtalewicz on her achievement and mentioned that people have asked him about the sales tax and he is glad people are asking questions and hopes more people turn out to the forums.

Councilmember McNeill congratulated Terri on her achievement.

Councilmember Studnicka echoes the sentiments of Councilmember McNeill.

Councilmember Trinkle congratulated Terri and asked Councilmember Kirby about the Friends of Lansing 501c.

- Councilmember Kirby stated that the group has received its 501c status but currently has a pending application with the IRS. He mention that they knew the process would be slow but it is moving steadily along.

Mayor Smith congratulated Terri and told Mike McDonald it was good to see him again.

Councilmember Kirby echoed the congratulations to Terri and asked Finance Director Beth Sanford about the status of the solid waste committee.

- Finance Director Beth Sanford stated she is in the process of getting sample RFP's from other cities to see what they've done before she seeks out volunteers to serve on the committee.

ADJOURNMENT: Councilmember Kirby moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:25 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk