

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:

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent: Jesse Garvey and Kerry Brungardt

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the regular meeting minutes of August 17, 2017, as presented. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

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

Presentation: United Way Months Proclamation: Council President Gene Kirby read and presented the United Way Months Proclamation to United Way Board of Directors member Janette Labbee-Holdeman.

- Mrs. Labbee-Holdeman thanked the governing body for their continued support and hoped they would double their contribution this year to the United Way of Leavenworth County.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Award of Bid – 2017 Sanitary Sewer Cleaning and CCTV: Councilmember Trinkle moved to award the bid to Hydro-Klean at \$1.29 per foot for cleaning and videotaping approximately 69,000 feet of sanitary sewer. Councilmember Buehler seconded the motion.

- Councilmember Studnicka asked don't we have video equipment for manholes and sewer systems.
 - Wastewater Utility Director Tony Zell replied we do have our own camera equipment but it is almost nineteen years old so it is pretty antiquated. Right now it's down and we're having a hard time getting parts to get it running.
- Councilmember Pawlowski stated this company was way cheaper than the others, is there any particular reason?
 - Wastewater Utility Director Tony Zell responded actually, the price that I received from them I expected from the others. Kansas City, Missouri and some other larger municipalities in the area have got a ton of work and there's a lot of work to be done in regard to EPA Compliance. Hydro-Klean is from the upper Midwest, they just recently purchased a building at 435 and K-32 and they are opening up a Kansas City office, and they are trying to get competitive in this market, so they are looking for work. I've talked to some references and I've been pleased with what I've heard, and they're going to be able to do everything, so I have no reservations.
- Councilmember Pawlowski stated I'm not complaining, I was just curious.
- Wastewater Utility Director Tony Zell stated I was shocked too by a couple of the bids that have given us bids before.
- Councilmember Pawlowski asked haven't we used Reddi Services before.
- Wastewater Utility Director Tony Zell replied we've used both Reddi and we've used Ace Pipe, and we've been around about a \$1.25-\$1.35 a foot.
- Councilmember Pawlowski stated Reddi was double what theirs was.
- Wastewater Utility Director Tony Zell stated there may have been an error in their tabulation, but that's not for me to decide, that's what they turned in on their bid forms.

The motion was unanimously approved.

- Wastewater Utility Director Tony Zell stated if you wouldn't mind letting everybody know, you have the map, we're going to be putting out door knockers on all the homes the week prior to let everyone know to take precaution, you know to cover their toilets with a towel, cover their floor drains with a paint bucket, those types of things. It just helps minimize any interior problems that may arise. We've had really good luck putting door knockers out and we'll begin that process once Hydro-Klean is ready to go.

Award of Bid – Project 13-01 East Kay & Third Street Storm Water Project: Councilmember Trinkle moved to award the bid to Linaweaver Construction of Lansing Kansas in the amount of \$80,140.00 for Project 13-01 East Kay & Third Street Storm Water Project. Councilmember McNeill seconded the motion.

- Councilmember Pawlowski stated these other bids were considerably higher than the engineer's estimate.

- Public Works Director Jeff Rupp replied yeah when staff put this together back before even engineers got ahold of it, we thought it could be as high as what we budgeted for; some of those bids even came in higher. I think it's just one of those things where we've got local contractors that know the area and that takes some of the fear out of their line items.
- Councilmember Pawlowski stated my concern is that maybe we're nearing the end of our good bidding.
 - Public Works Director Jeff Rupp replied that's probably true and we're going to try to bump some of our estimates up for the next few years because we've seen how these prices come in much higher than we anticipated, so we'll probably do that on our forecasting.
- Councilmember Kirby asked this one has been on the books for a long time.
 - Public Works Director Jeff Rupp responded yes, about three projects this year are a decade old.
 - Councilmember Kirby asked and this is one of those.
 - Public Works Director Jeff Rupp replied yes.
 - Councilmember Kirby stated glad to see we're getting to it.

The motion was unanimously approved.

Approval of Audit Ending December 31, 2016: Councilmember Trinkle moved to approve the final audit for the City of Lansing for the year ended December 31, 2016. Councilmember Studnicka seconded the motion.

- Finance Director Beth Sanford stated we have Mr. Brian Nyp here, one of our auditors, he's here to make a quick statement.
- Brian Nyp of Wendling, Noe, Nelson, and Johnson, LLC briefed the governing body on the findings of the audit and walked the governing body through the audit book and how to read the different financial statements within it.
 - Councilmember Pawlowski stated one of the questions that I've asked over the years, and my question is if you guys advise on how much the City should carry over, how much we should have in those funds. Are you just audit or are you advisors too?
 - Brian Nyp of Wendling, Noe, Nelson, and Johnson, LLC replied as part of the audit we do look at some of those things, but from us it's mostly policy driven, so if you have a policy on something we tend to try to make sure you're following the policy. Generally we don't, unless we're asked, advise on other matters, although we definitely have opinions on them.
 - Councilmember Pawlowski stated it seems to me a couple years ago we ran pretty low on our carry over, and I think there was a note in here, but I didn't know if that was standard.
 - Brian Nyp of Wendling, Noe, Nelson, and Johnson, LLC responded if we do see that, I'm generally a three to six month person of operating expenses of each fund, but that is a council decision, but could definitely give our opinion.

The motion was unanimously approved.

Solid Waste Contract: Councilmember Pawlowski moved to authorize the City Administrator to negotiate with Waste Management of Kansas, Inc., for a 3-year residential solid waste service contract, with an effective date of March 1, 2018. Councilmember Kirby seconded the motion.

- Councilmember Kirby asked is this the end of the SWAG group.
 - Finance Director Beth Sanford replied the SWAG group has been dissolved.
- Mayor Smith asked any questions.
- Finance Director Beth Sanford stated I attached the sheet that we used to review, the bid comparison sheet what we used. We received three proposals and sent those out. We had three councilmembers serving, myself, Utility Billing Clerk, City Administrator, and then we had a citizen, Jerry Gies, who served on the committee, and we met and discussed all the proposals and I think everyone was in agreement that based on the services we would recommend moving forward with Waste Management. I know we've had some issues in the past with them, things have looked better with them recently, we have a supervisor in the area who is very responsive.
 - Mayor Smith stated that's key Beth having a responsive supervisor.
 - Finance Director Beth Sanford stated John Blessing is here, so if you have any questions you want to direct his way.

The motion was unanimously approved.

Resolution No. B-5-17: Councilmember Kirby moved to approve Resolution No. B-5-17. Councilmember Buehler seconded the motion.

- City Administrator Tim Vandall stated and just to clarify it is three now, the resolution we sent out said two but there was a change, so it is three properties now.
- Councilmember Pawlowski stated we've done this before but we never, to my knowledge, had to go to the actual condemnation, how long does that take and is it going to hold up our project.
 - Attorney William Frost replied the way the process works is the first step is to pass this resolution, once this resolution is published and the engineer files the surveys with the City Clerk, then you pass an ordinance, so that takes a couple weeks to get that accomplished. We then file what's referred to as an administrative lawsuit against all the people who have an interest in the property. The Court appoints three residents of the County as appraisers, they conduct a hearing, they view the property and that process usually takes a month or two, because there are certain time restraints for when they have to publish and so on, and then they return their award, which can take up to thirty days to determine the value. So, the Court appointed appraisers process is about a three month process. After the Court appointed appraisers determine the award, you pay your money in to purchase the property and after that point you own it. Either party, either the City or the people who have an interest in the property, can appeal that award and ask for a jury trial. So from that point forward the time it takes is really undetermined, because it depends on the Court schedule, it depends on lots of factors, and in theory, even after the jury trial somebody could appeal it to one of the appellate courts.
 - Councilmember Pawlowski stated but at that point we already have the property.
 - Attorney William Frost replied you own it, all it's about from the point of the appeal on is about money.
 - City Administrator Tim Vandal stated to respond to the other part of your question we got word from KDOT that as long as we've begun the proceedings they wouldn't delay the project.
- Councilmember Pawlowski asked is there a large percentage of these that go to that. Like I said we've never had one.
 - City Attorney Gregory Robinson stated Andi we've done them. I don't know if you were on, but we've done them.
 - Councilmember Pawlowski stated so in the last fifteen years we haven't done one.
 - Mayor Smith stated Main Street was one.
 - Councilmember Pawlowski replied but that wasn't us really, it was KDOT.
 - City Attorney Gregory Robinson stated we have, I filed, I've done one.
 - Councilmember Studnicka stated I'm pretty sure it was ours.
 - Attorney William Frost stated there really is no criteria, it depends on too many factors, it depends on values obviously, sometimes it depends on the personalities of the parties involved, you just can't predict.
 - Mayor Smith stated bottom line though is that the project continues through it we just have to negotiate or whatever the court would decide.
 - Attorney William Frost stated most of these cases settle at some point, very few of them end up at trial.

The motion was unanimously approved.

Ordinance No. 986 – Amending Appendices A & B in the Lansing Zoning Ordinance: Councilmember Kirby moved to adopt Ordinance No. 986. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Ordinance No. 987 – Amending Sign Regulations in the Lansing Zoning Ordinance: Councilmember Kirby moved to adopt Ordinance No. 987. Councilmember Buehler seconded the motion.

- Councilmember Studnicka stated I need some clarification does this change our sign ordinance.
 - Community & Economic Development Director Stefanie Leif replied yes it does change the sign ordinance. So these are just a few very specific amendments it's not a wholesale change to a lot of areas. Basically what we're finding as we were getting some questions about new signage in the community, is that some years ago there were certain signs that had been regulated but they were in the Main Street Overlay District; off-site advertising and billboards had been prohibited but in other areas of town we're still allowing them. So really I think the intent was not to allow them in the core of our community, but we just didn't really have that language specific in our code, so that is really what it changes, just some of the sizes and types of signs in our districts, it does change that.

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 stated that he had spoken with Mark Linaweaver and advised that he would not be interested in selling a portion of Lost 80 Park to the City. Tim asked him about a long term lease option, and Mr. Linaweaver is thinking it over and will get back with Tim, but Mr. Linaweaver did mention that he'd want the ability to opt out. Tim also reminded the Governing Body about the Strategic Planning Session on Saturday from 8am to 1pm.

Governing Body: Councilmember Buehler provided a fun fact, on this day in 1963 the Pro Football Hall of Fame opened in Canton, Ohio, with seventeen initial inaugurates.

Councilmember Studnicka congratulated Finance Director Beth Sanford and the others who help her during the audit process, budget, and finances. He also asked if anyone knew about the contractors up on Hithergreen digging up in a yard, he wasn't sure if it was sewer related or not.

Councilmember Trinkle presented to check on behalf of Century Van Lines and Storage Box to Gene Kirby for the Police Appreciation luncheon that is on September 17th.

Councilmember Kirby stated that if anyone is still interested in sponsoring or helping for the Police picnic to reach out to him.

ADJOURNMENT: Councilmember Pawlowski moved to adjourn. Councilmember Buehler seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:32 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk