

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: Gene Kirby and Dave Trinkle

Ward 2: Don Studnicka and Marcus Majure

Ward 3: Jesse Garvey

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent: Kerry Brungardt

Councilmembers were present via Zoom video conference with Councilmember Studnicka arriving at 7:02pm.

OLD BUSINESS:

Approval of Minutes: Councilmember Garvey moved to approve the regular meeting minutes of October 1, 2020, as presented. Councilmember Buehler seconded the motion. The motion was approved with Councilmember Buehler abstaining.

Audience Participation: Mayor Smith called for audience participation and City Clerk Sarah Bodensteiner read a letter from resident Linda Huggins. Ms. Huggins voiced her opposition to a Harbor Freight being built at 112 Connie St. She is concerned about excessive trash and uncleanliness around the storefront will spread to surrounding homes. She provided satellite screen shots of other Harbor Freight stores. Additionally, she is concerned about noise and increased air pollution from the large semi-trucks. It could have an impact on sleep as well as school/work performance along with being a health hazard to residents with breathing issues. Another concern is traffic congestion in the area with the semi-trucks. Ms. Huggins questioned what would happen if Harbor Freight leaves town and the building is abandoned. She believes the previously mentioned concerns would also lead to a decrease in property values. Ms. Huggins submitted a petition with signatures from residents adjacent to the proposed Harbor Freight site. These residents are in opposition of the development. Ms. Huggins would like her concerns, satellite images and petition passed on to the Planning Commission meeting on October 28th.

- Community & Economic Development Director Matthew Schmitz stated the petition of getting 20% of homeowner's signatures applies to rezoning requests. This is not a rezoning request. The property is already zone as B-3 and it has been zoned as that since at least 1986. He stated the City has requested Harbor Freight do a traffic impact study to address any traffic concerns. They have started it and will submit it to the City once it is completed. The buffer concern has already been addressed. There will be a 6ft privacy fence on the back side along with trees as required in the UDO. Those are up to the developer to build, provide and maintain.
 - City Administrator Tim Vandall responded that we have contacted KDOT and Harbor Freight was going to be in contact with them as well. KDOT is involved in the traffic impact study too.
 - Community & Economic Development Director Matthew Schmitz stated the semis would enter Harbor Freight off of Connie Street. When leaving they would pull out and head towards K-7 so there would never be a need to enter the residential area.
- Councilmember McNeill asked for clarification on the buffering.
 - Community & Economic Development Director Matthew Schmitz replied the current site plan shows a 6ft privacy fence and a lot of trees. It would be a row of trees on the east side of the property. The Planning Commission can look at it and if more needs to be added, we can request that.
- Councilmember Kirby stated he has spoken to some of the people who signed the petition, and it was clear they didn't have all the information. They are a little more open to it now once they had accurate information. It is a commercial zoned area and at some point, something will go in there. I

did let those residents know they are welcome at the October 28th meeting to ask questions and they can be addressed at that time.

- Community & Economic Development Director Matthew Schmitz stated when the Planning Commission reviews the Site Plan it's for compliance with the UDO. If it complies with everything in the UDO, then they are obligated to approve the Site Plan. It would only come to the City Council if the Planning Commission denies the application and the applicant wants to appeal it.
 - Councilmember Garvey replied he agrees with Gene and it could be a lot worse like a restaurant that is open 24 hrs. One of her concerns was trash and it will be more cardboard and dry trash not like a restaurant where it would be stinky trash.
- Councilmember Majure stated Ms. Huggins did a lot of work and research on this and we do have policies in place to hold businesses accountable for trash.

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Treasurer's Report for Quarter Ending September 30, 2020: Councilmember Studnicka moved to approve the treasurer's report for the quarter ending September 30, 2020. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Eisenhower Road Southern Trail - Alternate: Councilmember Buehler moved to decline to move forward on the Eisenhower Road southern trail alternate. Councilmember Kirby seconded the motion.

- Councilmember Majure asked we're moving to decline, correct.
 - Mayor Smith asked I'm sorry Marcus, repeat.
 - Councilmember Majure asked we're moving to decline the proposal, correct. I just want to make sure I am hearing that right.
 - Mayor Smith replied I saw where it said move forward. It is to decline.
 - Councilmember Majure responded ok thank you.
- Mayor Smith asked anybody else that I see. Tony.
 - Councilmember McNeill stated I want to confirm with Tim that we talked to the County about potentially having them pay for it.
 - City Administrator Tim Vandall replied so it was three or four years ago when they said we would be responsible for it and they are trying to make Leavenworth pay for a new traffic light. So I can't imagine them agreeing to pay for the trail. If a group of Councilmembers and myself wants to go to a County Commissioner meeting and ask them, we could.
 - Councilmember McNeill responded I mean as I recall they saved money on the County road part, right. Didn't that come in way under.
 - City Administrator Tim Vandall stated yes.
 - Councilmember McNeill stated McIntyre. I mean if it comes in way under, what are they going to do with the money and why can't they fund the sidewalk, I guess is my question.
 - City Administrator Tim Vandall replied maybe I'm just pessimistic after being here for five years and being beat down so many times. I mean, if some of you guys want to go with me to a County meeting, I'd be happy to ask. But if I was a betting man, I would guess they are going to decline. Again, they are trying to make Leavenworth pay for a traffic light so I can't imagine them paying for this if they are making Leavenworth pay for a traffic light.
 - Mayor Smith asked what's their timeframe on this.
 - Councilmember McNeill stated one of these days we're going to

- ask them, and they are going to say yes though.
 - Councilmember Trinkle responded they have but they don't keep their promises.
 - Councilmember Buehler replied that will change.
 - Mayor Smith stated yeah, I hope it will.
 - Councilmember Trinkle stated we got a man going up there. He'll get us taken care of.
 - Mayor Smith replied you got it. Do we have a second on that motion?
 - Councilmember Kirby stated I got something.
 - Mayor Smith replied I'm sorry Gene. Go ahead.
 - Councilmember Kirby stated ok, well back to Tony's point. You know when they did McIntyre and it come way under, then we did ask them to do that pipe under the ground and they wouldn't even do that. Just a reminder that they have been asked before because of the amount of money they saved, and it didn't make any difference. I just wanted to remind everybody of that.
 - City Administrator Tim Vandall stated if you want to make it more complicated, if you guys wanted to make the motion deny unless they agree to pay for it or something like that, you could do that and we could ask. But I don't know if that over complicates it or not.
 - Mayor Smith asked everybody good with the motion to second or do you want to withdraw.
 - Councilmember Trinkle responded we'd probably get told no twice.
 - Councilmember Garvey stated I think it's a waste of time.
 - Councilmember Trinkle replied yep.
 - Mayor Smith stated ok that being the case let's call the roll.

The motion was unanimously approved.

REPORTS:

Department Heads: City Clerk Sarah Bodensteiner presented the Council with an alternate plan for the Mayor's Christmas Tree Lighting Ceremony. It's suggested to hold it outdoors at City Hall at the tree previously lit with Councilmembers and Santa present but there would not be any performers. She asked the Council if they would like it open to the public or not.

- Councilmember Garvey stated there will probably be less people attending without the performers so it would ok to have it open to the public.

City Attorney: City Attorney Greg Robinson had nothing to report.

City Engineer: City Engineer Matt Harding had nothing to report.

City Administrator: City Administrator Tim Vandall updated on the Wastewater easements that all of them have been done and bid date on that sewer project will be mid-November. This will be a smaller project in Ward 1. The street shop has been updated and we would like to do an Open House for the governing body. It was suggested to have the Open House prior to the next Council meeting on November 5th. Lansing may be recognized as a Purple Heart City on November 5th. They would present something to the City Council so it would be nice to have the next meeting in person. Staff looked into getting an estimate to repair the parking lot at Kenneth Bernard Park and the contractor mentioned it could be done soon. There is funds available for this in the special sales tax fund. Repairs would be done to the most inner circle.

- Councilmember Kirby stated he and Debbie were out there recently and he is all for getting it fixed sooner rather than later.

All Councilmembers agreed if we have the funds to do it now.

Governing Body: Councilmember Kirby stated today is National Wash Your Hands day. He said since you are washing your hands, wear a mask, social distance and get a flu shot. We are getting a second surge. Kansas along with other states are setting new records. Hospitals are turning away non-emergency patients and elective surgeries.

Councilmember Majure stated we are ramping up with Covid, so PPE is essential. He thanked Tim and staff for setting up the Joint Board meeting with the school district. He appreciates staff working on prospective businesses going into Towne Center and is looking forward to hearing more on it.

Councilmember Garvey thanked Linda for her letter and thanked Sarah for reading it. He stated we need input from residents whether it's good or bad. The signs along Main Street stating Towne Center is for sale look great and the pressure is on for the City. The easement news is great, and he can't wait to see everyone at the Mayor's Christmas Tree Lighting Ceremony.

Councilmember Buehler asked if we put out anything about the speed limit changing on DeSoto Rd.

- City Administrator Tim Vandall responded he doesn't recall if we did a press release, but it was talked about at meetings.
 - Mayor Smith stated he got feedback and we probably could have put it out there, but most people are very happy it was moved to 40.

Councilmember Buehler also provided a fun fact, on this day in 1951, the first episode of I Love Lucy aired on CBS.

Councilmember McNeill joked that the Councilmembers within the Ward where Towne Center is located should be feeling the pressure. He echoed what Councilmember Garvey stated about hearing from residents. He stated sometimes they hear something after the Council has voted on an issue so it's nice to hear concerns beforehand. He hopes we can alleviate some of the current tensions within our control.

ADJOURNMENT:

Councilmember McNeill moved to adjourn. Councilmember Buehler seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:38 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk