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: Andi Pawlowski and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler and Tony McNeill

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember McNeill moved to approve the regular meeting minutes of August 15, 2019 as presented. Councilmember Buehler seconded the motion. The motion was unanimously approved.

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

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Lansing Community Library Advisory Board Appointments: Councilmember Buehler moved to appoint Thomas Lauhon to the Lansing Community Library Advisory Board with a term expiring on April 30, 2022 and appoint Gale Hethcoat to the Lansing Community Library Advisory Board with a term expiring on April 30, 2023. Councilmember Pawlowski seconded the motion.

- Councilmember Kirby replied man, that was quick.
 - o Mayor Smith stated and they are here. So, they're present. Welcome.
 - Councilmember Kirby replied I see that.
 - Councilmember Pawlowski stated hi Tom and Gale.

The motion was unanimously approved.

Mayor Smith stated even though you've already come to a couple of our meetings, we appreciate
you serving on these boards. Thank you very much.

Structure Removal Cost Share Application – 111 N. Main Street (Main Structure):

Councilmember Kirby moved to approve the structure removal cost share application and bid from Britz Wrecking for the main structure at 111 N. Main Street. Councilmember McNeill seconded the motion.

- Mayor Smith stated ok, go ahead Andi.
 - Councilmember Pawlowski stated so, these are both on the same parcel. My suggestion would be instead of doing it the way it's structured here is to do \$3,625 for the main structure and the \$375 for the small structure which totals \$4,000 which I believe was our intent in the first place.
 - Councilmember Kirby responded that's what I thought it was, \$4,000. That was my understanding.
 - · Councilmember Garvey asked per lot.
 - Councilmember Kirby replied yeah.
 - Councilmember Garvey asked if you've got six buildings though.
 - Councilmember Pawlowski stated and according to Matt, it's not clear in the policy so we also need to make those policy adjustments.
 - Community & Economic Development
 Director Matthew Schmitz responded it is

clear in the policy. The policy says per structure. It doesn't say per lot. So, if the Council's intent is a \$4.000 per property reimbursement then we can do some wordsmithing or rewording on the policy and bring that back, modify the policy to clarify that intent.

- Councilmember Pawlowski replied that would be my preference. I think that was our intention.
- Councilmember Buehler stated but right now, it says \$4,000 per structure.
- Councilmember Pawlowski stated so my question
- Councilmember McNeill asked up to, right.
- Councilmember Pawlowski asked what.
- Councilmember McNeill replied it's just up to 50% so if it cost \$1,000, then it's up to \$500.
- Councilmember Pawlowski responded right but they split it into two separate motions here so can we do them under one or do we have to do it with two.
- Mayor Smith stated I guess the question also is if that's the way you want to do this one since they followed the guidelines and readjust the next one.
- Councilmember Pawlowski responded no, our intention was \$4,000.
 - Mayor Smith replied I know what our intention was, but I know what the policy says.
 - Community & Economic Development Director Matthew Schmitz stated so one of the things I would point out.
 - Councilmember Pawlowski responded we still couldn't undo it.
 - Community & Economic Development Director Matthew Schmitz stated one of the things I would point out too with that line of thinking since we didn't get a chance to talk about this earlier today. Becky just brought it up and something I hadn't thought of either. There is another property in town that's one single parcel that has multiple structures on it. If the intent is \$4,000 per parcel then that means we're really limited on what we can do to reimburse to get that particular part done.
 - Councilmember Pawlowski responded we're doing this out of the goodness of our heart. It's still the property owner's responsibility to take care of their own property.
 - Community & Economic Development Director Matthew Schmitz replied totally understand, I just wanted to point that out.
 - Councilmember McNeill responded I mean we're not doing it out of the goodness of our heart, we're doing it to get rid of blight, that's the whole thing.
 - Councilmember Pawlowski replied well we are.
 - Councilmember Garvey stated but we're using tax dollars too.
 - Councilmember Pawlowski stated and we're doing it this way so that we don't spend all of our money in legal fees.
 - Councilmember Brungardt replied so I don't understand what you're asking Andi.
 - Councilmember Buehler stated she wants to make it \$4,000 for the lot.

- Councilmember Pawlowski replied for both.
- Councilmember Garvey stated no matter how many structures are on the property, just one lump sum of property.
- Councilmember Pawlowski stated so my suggestion is instead of \$4,000 on number three we make it \$3,625 and leave the \$375 on number four. That totals \$4,000.
- Councilmember Studnicka responded well, I think the problem is we have a policy that says per structure. These people followed the policy.
 - Councilmember Pawlowski replied no, it also has to come to the Council for approval.
 - Councilmember Studnicka responded it's here for approval.
 - Councilmember Brungardt stated but the problem that we run into is when we don't follow the policy it seems to bite us. Does that make sense?
 - Councilmember Pawlowski responded I do not believe for one minute that we intended for people to structure multiple things on one property.
 - Councilmember Buehler replied so we change it the next meeting.
 - City Administrator Tim Vandall stated I think I agree we can wordsmith it. I know we had spoken about this a little bit. My level of frustration would be a lot higher if it was more than \$375.
 - Councilmember Pawlowski responded I know but the point is its still tax dollars.
 - City Administrator Tim Vandall replied I know, I get that. I understand but most definitely, we can, if that is the direction of the Council, we can wordsmith it so it's \$4,000 per lot. If that is the guidance, we are getting from you
 - Councilmember Pawlowski responded well if you bring us one that is more, it's a different situation then we can always adjust it at that point. True.
 - Councilmember Garvey replied maybe \$4,000 for the first structure, \$2,000 for the second structure something like that. Not \$4,000 for every structure.
- Councilmember Brungardt asked Matt can I hear your opinion, please.
 - Mayor Smith stated go ahead.
 - Community & Economic Development Director Matthew Schmitz responded I understand the intent and its taxpayer's dollars and we don't want to spend taxpayer dollars obviously just to spend them. We want to clean up blight with it and we want to make sure we are using it for that purpose. The thing I get a little concerned about is if we are going to change the policy so that we say that it's \$4,000 per parcel or per lot. We could perceivably get in a situation where we can't clean up the property because we've hamstrung ourselves on \$4,000 per lot.
 - Councilmember Pawlowski replied then we can take the owner to court like we should have done all these years. This policy didn't exist until three years ago.
 - Community & Economic Development Director Matthew Schmitz responded understood. I'm certainly not saying that the policy is the end all be all. I'm just trying to point out some of the other things we can run into if we go that route. In this particular situation, if the Council makes the stance tonight we should follow the policy as it's currently written then I think we need to take a

look at rewriting the policy to make sure it clarifies the intent of this body.

- Councilmember McNeill stated it's not just blight, some of these structures are dangerous structures.
 - Community & Economic Development Director Matthew Schmitz responded right. There are other proceedings we can go through for dangerous structures. There's condemnation proceedings, things we can do immediately.
 - Councilmember McNeill replied I mean we have done that.
 - Community & Economic **Development Director Matthew** Schmitz responded this is more of a, at least in my opinion, this is more of a the structure is in bad shape, I want to get rid of it but I can't really afford to do it all on my own and it gives the city a way we can step in and help somebody get that done.
- Councilmember Kirby asked this gets torn down however it gets torn down. Then what can go back in there.
 - Community & Economic Development Director Matthew Schmitz replied on this particular property, I'd have to look at the current zoning, I'm not sure. I think it's zoned Business, it's B-3.
 - Councilmember Garvey responded its Main Street, it's got to be business.
 - Community & Economic Development Director Matthew Schmitz replied it'll sit empty, I mean we won't allow a residential home to be built there.
 - Councilmember Kirby stated that's what.
 - Community & Economic Development Director Matthew Schmitz replied I had a feeling that's what you were getting at.
- Councilmember Garvey stated but if we allow them, help them tear down the house on the property, they could potentially sell the property to someone who wants to put a business in and make money based on us helping them tear the house down.
 - Community & Economic Development Director Matthew Schmitz replied correct.
 - Councilmember Pawlowski stated which remember we went through that with the policy too. I thought we should be paid back but.
 - Mayor Smith responded yeah but Jesse if you did it like that, looking at the big picture.
 - Councilmember Garvey replied I know, I know. I'm thinking long range.
 - Mayor Smith replied I gotcha. Ok.
- Councilmember Kirby stated the point was to clean it up regardless if it was structure or lot. That was the whole point. I get, when we first started doing this, I had people coming up to me and saying I worked my tail off and I spent my money to keep my property up and you're doing this. You know trying to get them to look at the overall picture. I certainly would have intended per lot, but if this had been done according to the way its been written. Then that's the way it's written.
 - Community & Economic Development Director Matthew Schmitz responded that's the way it's currently written, like I said, and Tim if you could step in here, I think the Council could deviate from the policy if they want to.
 - City Administrator Tim Vandall stated you guys always have the ability to deviate from policies but what you do for one person that could get brought up to the next person.

- Councilmember Pawlowski replied we deviate from policy all the time.
 - Councilmember Brungardt responded but Andi, we've tried to get away from doing that.
 - Councilmember Pawlowski replied I know but we still do it.
 - Councilmember Brungardt stated I think we've done a lot better job.
 - City Administrator Tim Vandall stated to Gene's point earlier, I think we had heard that from citizens too but it's challenging because citizens, I don't think realize the legal costs we have to go through and all the hoops that we have to jump through and all the challenges that we have. So, this has been beneficial in speeding up that process.
 - Councilmember Kirby stated we've talked about what you see when you drive into town Andi and that follows along that discussion you and I have had numerous times.
 - Community & Economic Development Director Matthew Schmitz responded and along that same point that Tim just brought up, if we have to go in and condemn a property and take the house down or the structure down ourselves, we'll eat that \$4,000 in legal fees up real quick.
 - City Administrator Tim Vandall replied also, we would assess those costs to that person's taxes. If the person never pays their taxes, we get nothing back.
 - City Attorney Greg Robinson stated until the property sells.
 - City Administrator Tim Vandall stated until the property sells.
- City Attorney Greg Robinson stated it could be fifty years.
- Councilmember Kirby responded it seems to me like there's a need to maybe discuss this at some other point. Take the vote tonight.
- Mayor Smith replied I agree.
- Councilmember Brungardt replied that I agree.
 - Mayor Smith asked do we have a motion and second Sarah.
 - City Clerk Sarah Bodensteiner replied yes we do.
 - Mayor Smith replied go ahead.
 - Councilmember Buehler asked the motion was to pay it, the \$4,000.
 - Councilmember Garvey stated more than four.
 - Councilmember Buehler replied no there was only one motion.
 - City Clerk Sarah Bodensteiner replied it's for the main structure for \$4,000.

The motion was approved with Councilmember Pawlowski voting against the motion.

Structure Removal Cost Share Application – 111 N. Main Street (Garage Structure): Councilmember Kirby moved to approve the structure removal cost share application and bid from Britz Wrecking for the garage structure at 111 N. Main Street. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Mayor Smith stated I think Tim, the consensus of the Council, they would like to discuss it again sometime, look in on that. So think about when we could do that.

Ordinance No. 1030 - City Code Changes - Chapter 2 Animals: Councilmember Kirby moved to approve Ordinance No. 1030 as presented. Councilmember Pawlowski seconded the motion.

- Councilmember Trinkle asked so this is giving Steve every, what we as a Council were doing.
 - Mayor Smith replied yep.
 - Councilmember Kirby responded but if they don't like the answer Steve gave them, they can appeal it.
 - Mayor Smith stated they can appeal it back to us.
 - Councilmember Trinkle stated well I think we would be the final say.
 - Mayor Smith replied exactly.
 - Councilmember Kirby responded right.

The motion was unanimously approved.

Ordinance No. 1031 - City Code Changes - Chapter 5 Business: Councilmember Brungardt moved to approve Ordinance No. 1031 as presented. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Ordinance No. 1032 - Fee Schedule Approval: Councilmember Brungardt moved to approve Ordinance No. 1032 as presented. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Ordinance No. 1033 – Fee, Bond, Court Fees & Costs Establishment by Municipal Court Judge: Councilmember Buehler moved to approve Ordinance No. 1033, as presented. Councilmember Pawlowski seconded the motion.

- Councilmember Studnicka asked question.
 - Mayor Smith replied go ahead Don.
 - Councilmember Studnicka asked does this fall in line with the state raising their fees and all that too.
 - City Clerk Sarah Bodensteiner responded yes. The reason this one was brought back is because the Animal Permit Fee that was being moved from the Clerk's office to the Police Department was added to their fee schedule. So, everything is updated as it should be. The only addition was we had to amend to add the new pet stuff.
 - o Councilmember Studnicka thank you.

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 Matt Harding had nothing to report.

City Administrator: City Administrator Tim Vandall let the Council know Aldi is open and they did a great job with it. He encourages everyone to check it out.

Governing Body: Councilmember Garvey asked about there being no curbs on McIntyre Road.

- City Administrator Tim Vandall stated they were only doing curbs on the side with homes up to the Lansing city limits.
 - Councilmember Pawlowski replied actually just up to the creek.

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 City Administrator Tim Vandall stated ok, side. Councilmember Buehler thanked Tom and Gale for volunteering be volunteers. He also provided a fun fact, on this day in 1906, the first was thrown by Bradbury Robinson of St. Louis University to teamm Carol College. Councilmember McNeill, Councilmember Brungardt and Councilmem Buehler's sentiments to Tom and Gale for volunteering to the Libra 	ecause we can't do this without st legal forward pass in American football nate, Jack Schneider in a 22-0 win over ember Trinkle echoed Councilmember	
ADJOURNMENT: Councilmember Trinkle moved to adjourn. Councilmember Pawlow was approved with Councilmember Garvey voting against the motion.m.	vski seconded the motion. The motion	
ATTEST: Sarah Bodensteiner, City Clerk	Michael W. Smith, Mayor	