
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 and Kerry Brungardt
Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the regular meeting minutes of September 6, 2018, as presented. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor Smith called for audience participation and City Administrator Tim Vandall spoke of a need for an open discussion with Fire District Board members so they can understand where the City is coming from and see if they have anything to add. Fire District Board Member Jeff Klemp stated they have not been involved in the township discussions, they do have opinions on the topic and are willing to answer any questions the Council may have. Councilmember Kirby stated he does have a few comments and wanted it known they are his comments only and are not directed at the board members. He addressed that the assets will be divided but so will the debt and people don't realize that. He addressed the rumor that the City can't run the Fire District at the current mill levy. Councilmember Kirby stated he has faith in Tim and Beth, if they said we can do it, then we will. He addressed comments in regard to job loss and as long as everything stays the same, jobs would stay at the number the Fire Board has determined is best for the City and townships. If the City and Townships part ways, there will be less territory to cover and job loss is inevitable. Councilmember Kirby stated we run a City with separate departments with competent people heading those departments, so we are able to run a Fire Department with a Fire Chief who was selected as best for the job. Councilmember Kirby stated the Council as well as City Administrator Tim Vandall have been verbally assaulted but have remained silent allowing others to vent. Any attempts to discuss the topic at hand have been denied or by no response from the Townships. This is a disservice to the taxpayers of the Townships. Fire District Board Member Jeff Klemp responded that the decision to absorb the Fire District did not initially include the Fire Department and discussions are difficult now because of it. He hopes those discussions can happen. Councilmember Kirby stated things could have been handled differently on both sides but hopes everyone can sit down for a discussion. Councilmember Brungardt stated there was no malice in the way things were handled and he thought with time, cooler heads would prevail. He stated nothing would get solved if the Townships won't talk to the City though. Fire District Board Member Jeff Klemp stated strong opinions are out there and the current approach taken differs from what the City's attorney has recommended. He said the only ones getting hurt by this is the taxpayers. City Attorney Greg Robinson stated he wanted it to go on record that the Council is not agreeing there would be a disruption of services if the Fire District were to disband. Councilmember Pawlowski referenced a comment made about not inviting the Townships to a meeting and stated you have to be very careful with the Kansas Open Meeting Act and about how that is handled. You can't just call a meeting with multiple entities. She stated the Council felt they were following the terms of the agreement signed 15 years ago. Fire District Board Member Jeff Klemp stated there are strong feelings that litigation is the way to go and that is money that doesn't need to be spent on a process that people say isn't being followed correctly. City Attorney Greg Robinson stated that is false. The Fire District is getting information and accepting it to fit a certain agenda. Everyone signed the agreement, the 18 month notice was given and boundaries can't be changed until January 1, 2019. There is no process that has not been followed. Councilmember Buehler asked that if the Townships signed a contract to stay with the City, if there would be no changes. City Attorney Greg Robinson responded that any residents in Lansing that are in an overlap district can not be taxed twice by two entities. A boundary may have to be reconfigured for taxes and that is why they can't change anything until January 1st.

Councilmember Pawlowski stated the Council received a letter from the Delaware Township stating they would sue if the Council didn't do what they wanted the Council to do. She asked if the Fire District was going to be a part of that suit. Both Fire District Board Members Jeff Klemp and Jim Fricke stated they are running a Fire Department and not part of the suit. City Administrator Tim Vandall asked if they felt it was appropriate for that letter to be read when 66% of the assets come from the Lansing taxpayers and 3 of the 5 representatives are Lansing taxpayers. Fire District Board Member Jeff Klemp clarified that only the Townships were going to fight the process and agreed to read a letter from the City at one of their meetings if given one. Councilmember McNeill stated nothing really changes other than its not being run by the County. The situation is getting worse and worse to where they are getting lawyers involved. Councilmember McNeill said the Council wouldn't have made the decision if we didn't think we could manage the Fire District with the Townships. Fire District Board Member Jeff Klemp stated the cost would be huge to dissolve the Fire District and that the assets won't transfer. Councilmember Pawlowski and City Administrator Tim Vandall both stated they would transfer. Mayor Smith thanked Jim Fricke and Jeff Klemp for showing up and getting some things clarified. Fire District Board Member Jeff Klemp stated they were there to support the decisions the City makes, they're going to run it the best they can and will give an opinion that sometimes the City may not agree with. Councilmember Brungardt sated their opinions are important but it's also important they have the City's back. Fire District Board Member Jeff Klemp said he is on record that he feels that this is not a great decision, but he will be moving forward with the decision the City has made. Fire District Board Member Jim Fricke agreed that he feels it's a bad decision but that we need to get together and solve what needs to be done. Councilmember McNeill stated the Council understands the board members job is to the District and that nothing is being held against the board members. Councilmember Trinkle thanked the board members for coming.

Sherelia Webb-Bowers spoke on behalf of her mother Annie Nixon at 114 Highland Rd. Ms. Webb-Bowers suggested getting a mediator to independently look at the issues. She is also interested in what the cost will be to the citizens of Lansing in regard to homeowner's insurance, in particular, and hopes that information will be shared with the residents.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

League of Kansas Municipalities Voting Delegates: Councilmember Buehler asked does anybody else want to go.

- Councilmember Pawlowski replied I've got another conference I have to go to.
 - City Administrator Tim Vandall stated nobody wants to go to Topeka?
 - Councilmember Brungardt stated my plate is full.
 - Councilmember Kirby stated mine too.

Councilmember Buehler moved to appoint Mayor Smith and Tim Vandall voting delegates at the League of Kansas Municipalities Annual Conference. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Library Advisory Board Appointment: Councilmember Brungardt moved to appoint Michelle Steger to the Lansing Community Library Advisory Board for a term ending April 30, 2022. Councilmember McNeill seconded the motion.

- Councilmember Kirby asked is she here.
 - Councilmember Pawlowski replied yes.
 - Councilmember Kirby asked could you stand up so that when I go over there I know who you are, thank you.

The motion was unanimously approved.

Parks & Recreation Advisory Board Appointments: Councilmember Trinkle moved to appoint Steven Lillard to the Parks & Recreation Advisory Board for a term ending December 31, 2018, and to appoint Casey Worrall to the Parks & Recreation Advisory Board for a term ending December 31, 2019. Councilmember Buehler seconded the motion.

- Councilmember Kirby asked are they here.

- Mayor Smith replied I don't think so, no.

The motion was approved with Councilmember Kirby abstaining from the vote.

Infill Development Policy: Councilmember Kirby moved to approve the revised Infill Development Policy, as presented. Councilmember Trinkle seconded the motion.

- Councilmember Pawlowski asked where's Matt. I had a thought, so part of the area we were kind of targeting with this is not zoned duplex, it's zoned single family. We aren't going to do any zoning changes.
 - Community & Economic Development Director Matthew Schmitz responded it would have to go through the zoning, if that was to happen, if somebody came in and said they wanted to build a duplex where its currently zoned single family. That would have to go through Planning Commission, come before this body before they could do so. And with the way the Infill Policy is set up, I don't believe that is something we would entertain and then give them the infill piece for that anyway.
 - City Administrator Tim Vandall stated I know the Councilmember that brought this up to us and the examples that he gave to us, we double checked the zoning on those properties and it was sufficient for duplexes.
 - Councilmember Pawlowski stated alright. Thanks.

The motion was unanimously approved.

Resolution B-5-18 – DeSoto Road Project Authorization and Financing Authority:

Councilmember McNeill moved to adopt Resolution No. B-5-18. Councilmember Trinkle seconded the motion.

- Councilmember Pawlowski asked so this bid came in at \$6.1.
 - City Administrator Tim Vandall replied yes.
 - Councilmember Pawlowski asked we have \$1.8 left.
 - City Administrator Tim Vandall replied around that ballpark, yeah.
 - Councilmember Pawlowski asked the \$ 6.1 does not include moving of the utilities.
 - City Administrator Tim Vandall stated correct, so, it's pretty rough and this number can still change but \$6.1, that number from KDOT might be short, a little bit smaller than that; I think it's between \$1.6 and \$1.8 but they haven't given us a final number yet. So, you subtract that from the \$6.1 and then we haven't gotten a final number from Westar. We received a not to exceed number from Westar, we would include that in the debt service. And then I think the construction inspection is \$650,000 and we would include that as well. So, the \$5.5 is really a rough estimate right now. It could be \$5.6, \$5.4 but I would imagine it would be close to that.
 - Councilmember Pawlowski replied okay.

The motion was unanimously approved.

Resolution B-6-18 – Sale of General Obligation Bonds Series 2018-A: Councilmember McNeill moved to adopt Resolution No. B-6-18. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Executive Session – Consultation with Attorney: Councilmember Brungardt moved to recess into Executive Session for consultation with an attorney for the City which would be deemed privileged in an attorney-client relationship, K.S.A 75-4319 (b)(2) for 20 minutes beginning at 7:37 PM and returning to the

Council Chambers at 7:57 PM. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to return to Open Session at 7:57 PM. Councilmember Studnicka 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 asked everyone to wish Byron Parsons well as he is retiring after 13 years with the city and he will be missed.

Governing Body: Councilmember Trinkle mentioned the Council use to get preliminary plat plans prior to Council meetings when someone was interested in building a subdivision, so they could be reviewed beforehand.

- Community & Economic Development Director Matthew Schmitz stated he could look into providing that to the Council. Councilmember

Garvey thanked all the volunteers for volunteering.

Councilmember Brungardt, on behalf of the Middle School, thanked Terri Wojtalewicz and the Chief for having police officers help out with Challenge Day, it was greatly appreciated.

Councilmember Studnicka thanked the police department for a quick apprehension of a break-in artist this week.

Councilmember Buehler echoed Councilmember Garvey's sentiments and thanked the volunteers. He also provided a fun fact, on this day in 1973, Billie Jean King beat Bobby Riggs in Battle of the Sexes tennis match in the Houston Astrodome.

ADJOURNMENT:

Councilmember Studnicka moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:01 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk