

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 December 7, 2017, as presented. Councilmember Garvey seconded the motion. The motion was approved, with Councilmember Brungardt abstaining from the vote.

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

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Resolution No. B-8-17 – Kansas PRIDE Program: Councilmember Buehler moved to adopt Resolution No. B-8-17. Councilmember McNeill seconded the motion.

- Councilmember Garvey asked with this PRIDE thing they used to take pictures and give yard awards, they haven't done that in a while have they.
 - City Clerk Sarah Bodensteiner replied they are still doing the yard awards, I help them with their certificates and they pass them out.
 - Mayor Smith stated yeah I sign them.
- Councilmember Garvey stated I just haven't seen anything in the paper.
 - City Clerk Sarah Bodensteiner responded I don't know if the paper is being included when they do that, but I do know that they are coming up here and doing the yard awards.
 - Councilmember Garvey asked can we put that in our quarterly newsletter or something.
 - Councilmember Pawlowski stated ask the quarterly newsletter person.
 - Councilmember Garvey stated just something to think about.
 - Mayor Smith stated yes, there is Ken back there.

The motion was unanimously approved.

Leavenworth County Fire District No. 1 Board Appointment: Councilmember Garvey moved to appoint Sean DeSouza to represent the City of Lansing on the Leavenworth County Fire District No. 1 Board of Trustees for a term ending December 31, 2021. Councilmember Buehler seconded the motion. The motion was not approved, with Councilmembers McNeill, Brungardt, Trinkle, Kirby, and Pawlowski voting against the motion.

Councilmember Brungardt moved to table the Leavenworth County Fire District No. 1 Board Appointment. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

- Mayor Smith stated Tim I know we had it set for the joint board meeting on January 8th, I don't know if that will change now.
 - City Administrator Tim Vandall replied if we are able to appoint someone on January 4th, we could still have someone for that.
 - Mayor Smith replied I'll address that then, we don't need to do it until we decide what we're going to do.
- Fire Chief Rick Huhn stated we still have to have a joint board meeting on January 8th to appoint the High Prairie member, so we'll still need somebody from the City regardless of whether you guys appoint someone or not, because High Prairie also has a board member. We can only have four that's fine.
 - Mayor Smith stated if the Council does appoint someone we'll do them both on January 8th.
 - Fire Chief Rick Huhn replied we can or we at least need to get High Prairie's on.
 - Mayor Smith stated January 4th I'll ask for two councilmembers to attend.
 - Fire Chief Rick Huhn stated it will be on the 4th or the 8th.
 - Mayor Smith stated I'd do it on the 8th because our next Council Meeting in on the 4th.

- Fire Chief Rick Huhn stated okay and if you guys do get somebody, I'll set it up for the 8th, but we do need to get High Prairie's member appointed.
- Councilmember Garvey asked will it be in the evening.
 - Fire Chief Rick Huhn replied yes, at 7:00 p.m.

Statement of Legislative Priorities: Councilmember Brungardt moved to approve the Statement of Legislative Priorities as presented. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Bernard Park Secondary Access Point: Councilmember Pawlowski asked Greg did you find out from the County anything.

- City Attorney Gregory Robinson replied my understanding of how the process works is that we cannot legislate within that zone, we can't impose our will on it so to speak; unless we have a joint planning commission with the County. So our planning commission on its own can't do it. Right now the mechanism is that when something comes in to the County and they recognize it within our growth area, then what they do is they notify, kind of like, I don't know if it's kind of because of staff shortages or people leaving and we haven't filled yet, but at least it was brought to Tim's attention by the surveyor, so somehow the words getting out. I don't know how they do it necessarily at the County.
 - City Administrator Tim Vandall stated the County, even in the past couple of years, they have been good about notifying us, "hey this person wants to do x, y, z within three miles" but every time I've been exposed to those discussions it's more been "what are your thoughts on it" they've never said "Lansing what you say goes" it's more what's your opinion and they can take it or leave it.
 - Councilmember Pawlowski asked so in the subdivision we made them put in curb and gutter because they were in our growth area, didn't really need to do that.
 - City Attorney Gregory Robinson stated I think maybe, which one are you talking about, it's one of these that could the County force them, that's a decision for the County whether that's in their regulations, but we cannot. If for example, we've had developers come in before and say "hey we'd love to hook into your system", then we have all the leverage we need. If you want easements, right-of-ways, curbs, gutters, everything to City standards if they want to build it and hook onto our services then you can trade, then you can start making demands, but the way it's set up right now you can't force a demand on them, you can't say "give me that easement or else" we can't do that. Right now the way the system is working, it's kind of giving developers heads up, like if you can see that there is a future road going through there, you try to get them to make sure to give you all the setbacks and set it up that way, so you don't have to have a big long detour around this development and maybe it can go straight through, you know those types of things. Right now there is no mechanism unless the County is onboard to adopt what our position is and if within their mechanism or processes they can force it.
- Councilmember Pawlowski asked so if we deem.
 - Councilmember Garvey stated in a long range plan saying you are going to have to put that in.
 - Councilmember Pawlowski stated right if we just say for example like Matt said it's a section line we want to preserve access points along section lines because it's a natural divider, and we wanted the County to do that or it seems to me that the County would have some policy, but we all know better, but so.
- Councilmember McNeill stated that second access point is at least on the plan down the road a little ways right. The one in the plan has the second access point.
- City Administrator Tim Vandall replied Jason showed me this, so in that color outline we showed you guys that is the construction access point, and what he had said is that it's not functional right now and I think it's only one lane.
 - Councilmember Pawlowski stated that was the original plan when we got in there, it was a hairy little curvy road.
 - City Administrator Tim Vandall responded and he acknowledges that, but I don't know. It is listed on that master plan.
- City Attorney Gregory Robinson stated recently I don't know if I've told you this or not but I think I might have told someone on the Council, this just came up in random conversation at one of the Board of County Commissioners meetings, it appeared that the County Commissioners are in support of this, that if within our three mile growth area that they also think that it's a good idea, or at least that's what they expressed during their discussions, that it should be somewhat more City oriented, so that when it does expand outward so

we're not having all these issues where it was like the old County versus now more restrictive City infrastructures and things like that.

- City Administrator Tim Vandall responded I'll verify that too but they sent us a letter I think in July or August kind of stating that "if you guys' planning staff want to get together with our planning staff and try to hammer something out", I think that was right around the time the County got pretty busy with land use issues and that was right around the time that Stefanie was leaving too, so we haven't had any meetings with that but I think three or four months ago they did send us a letter offering for our two planning staffs to get together.
- City Attorney Gregory Robinson stated I would also put out that the next time that we have to do the comprehensive plan update, I know how fun that always is, but that might be something you keep in the back of your mind that instead of sometimes always thinking about what's right here in the immediate area if we start expanding that out into the growth management area, then perhaps if we have some master plans that ever get, for example the sewer master plan, that we start growing the entire water shed that's even outside. Maybe we already do, obviously that's not my area, but if we do a master plan of any type we might at least show some extension outward from our own jurisdiction based on lead topographical data and stuff like that so that way we can at least make an argument that "look our plans say this" and it's just not all of a sudden we're coming up with "oh well this road over here is by this that we own, so hey can you do this", no that way we can say "this is in our plan, we have a paid for plan that says this is what we're thinking of doing".
 - Councilmember Pawlowski asked so all those discussions we had ten and twelve years ago about the growth area and making sure that there are joint decisions and all that kind of stuff that we sent to the County, they never signed it and it was just a waste of our energy.
 - Mayor Smith stated Andi you are correct it was sent there but I don't think, I don't recall it every being signed and it was sent there a couple of times, and they agreed with what you're saying Greg and what Tim is saying, but I don't think I ever saw a signature.
 - Councilmember Trinkle stated I thought the County said they wanted us to use our inspectors, I remember sitting on there and we were supposed to inspect, but I don't think it ever went anywhere.
- City Attorney Gregory Robinson stated so there is a mechanism that is currently doing what it is designed to do, now obviously the enforcement and request part of it, making landowners do certain things, that's where it lacks any teeth.
 - Councilmember Pawlowski stated because informing us isn't doing the City any good, I mean it's like, if we don't have any mechanism there's nothing.
- Resident Carroll Bohannon stated could I make a statement seeing that I am the owner of that property. This is something that is not been addressed, we addressed this four months ago with the City, with Stefanie, we addressed that then because we bought the property and it was told to us and we checked into it that it was able to be subdivided, so that was our plan to buy it and subdivide it. So we brought it to Stefanie three or four months ago and in the meantime that went through went through went through and we never got any answers and then when she did leave she did call us before she left and said this was not up for discussion, I thought she brought it up to some people and talked to them about it, it don't know who.
 - City Administrator Tim Vandall replied we spoke about it at the staff level and the discussion that was brought up at the staff level was "will you guys service us with sewer" and it was a million dollars to do that, and that was the end of the discussion at the staff level.
 - Resident Carroll Bohannon replied right, but it was brought up that there was something there available by us.
 - City Administrator Tim Vandall responded yeah you guys notified us.
 - Resident Carroll Bohannon stated and then we did our due diligence, we thought, and contacted our surveyor and his job was to plat it and that's the job and that's what he should be doing. He notified the City and then he's got to go the County, and then County Zoning, and then back to the County Commissioners. So we set in motion what we thought needed to be done, we even contacted personally, which we didn't have to do, so that's where our concern is that we got a piece of property and we want to be able to develop it.

Councilmember Trinkle moved to discontinue moving forward with discussions for a second access point to Bernard Park through the property east of the park. Councilmember Kirby seconded the motion.

- Councilmember McNeill asked what is the motion.
 - Councilmember Trinkle replied to discontinue.
- Councilmember McNeill asked could you repeat the motion.

- City Clerk Sarah Bodensteiner stated the motion is to discontinue moving forward with discussions for a second access point to Bernard Park through the property east of the park. So through the Bohannon property.
 - City Administrator Tim Vandall replied so we would no longer pursue an easement under the current motion.
 - Councilmember McNeill asked for this property.
 - Councilmember Buehler stated for this property.

The motion was unanimously approved.

Executive Session – Economic Development: Councilmember Buehler moved to recess into Executive Session to review economic development activities pursuant to the discussion of confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception K.S.A. 75-4319(B)(4) for 40 minutes beginning at 7:16 p.m. and returning to the Council Chambers at 7:56 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to return to open session at 7:56 p.m. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Police Chief Steve Wayman updated the Council on an operation conducted by the Police Department relating to people stealing packages off door steps. He also updated the Council on the status of the police officer who was involved in the traffic accident the week prior.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer Matt Harding had nothing to report

City Administrator: City Administrator Tim Vandall advised that he was approached about putting up a recognition sign on the highway for a resident's child, who has won some awards. Per previous direction with the Governing Body, the City was trying to step back from putting up any recognition signs and wanted the school district to handle recognition. The City had prepared a draft recognition sign policy previously, but it had not been adopted. Tim will contact the high school administration to invite them to a work session to discuss options for requests of this nature. He also mentioned that the City has been asked to weigh in on the roundabout versus traffic signal at the intersection of Eisenhower and 20th Street in Leavenworth. The City has since kept out of the conversation as the intersection is being maintained by the City of Leavenworth and the Memorandum of Understanding has already been signed by all parties, but now the City is being asked to put out a formal opinion because the County wants to install a roundabout, but the City of Leavenworth feels a traffic signal is best. Tim will be sending out further information to the Governing Body and will discuss the topic at a future meeting.

Governing Body: Mayor Smith wished everyone a Merry Christmas and Happy New Year. He thanked City Staff for their hard work and stated that it's been a pleasure working with the City Council and that great things are on the horizon for Lansing.

Councilmember Buehler thanked the fire board applicants for volunteering to serve the community. He also wished everyone Merry Christmas and Happy New Year, and provided a fun fact; on this day in 1937, the world's first full length animated feature Snow White and Seven Dwarfs premiered at the Carthay Circle Theatre in Hollywood.

Councilmember McNeill wished everyone Happy Holidays.

Councilmember Brungardt wished everyone a Merry Christmas and Happy New Year.

Councilmember Studnicka echoed Councilmember Brungardt's sentiments.

Councilmember Trinkle wished everyone a Merry Christmas and noted that winter began today.

Councilmember Kirby wished everyone a Merry Christmas and Happy New Year.

Councilmember Pawlowski wished Councilmember Brungardt's wife a happy retirement, and wished everyone a Merry Christmas.

Councilmember Garvey wished everyone a Merry Christmas and Happy New Year. He also wanted to recognize City Administrator Tim Vandall for the outstanding work he does.

ADJOURNMENT: Councilmember Garvey moved to adjourn. Councilmember Buehler seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:14 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk