

Call To Order:

The regular meeting of the Lansing City Council was called to order by Mayor Gene Kirby at 7:00 p.m.

Roll Call:

Mayor Gene Kirby called the roll and indicated which councilmembers were in attendance.

Councilmembers Present:

Ward 1: Kevin Gardner and Dave Trinkle

Ward 2: Andi Pawlowski

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Tony McNeill

Councilmembers Absent: Gregg Buehler and Don Studnicka

OLD BUSINESS:

Approval of Minutes: Councilmember McNeill moved to approve the regular meeting minutes of September 1, 2016. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

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

Presentation

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Approval of Contract – Animal Sheltering Services: Councilmember Trinkle moved to approve the contract with Leavenworth County Humane Society, as presented. Councilmember Pawlowski seconded the motion.

- City Administrator Tim Vandall stated we received a couple of comments this morning, so I put a revised copy up there for all of you guys. We removed one paragraph that talked about donations coming into the City that we would forward on to them, and I think the game plan is if someone comes in asking us to give a donation for animal sheltering we would just direct them to the Humane Society, we wouldn't accept that ourselves. So we did remove under paragraph 2, Section C, the third paragraph; but in the clean copy that should be gone.

The motion was unanimously approved.

Approval of Audit Ending December 31, 2015: Finance Director Beth Sanford stated I have Mr. Brian Nyp here, he was one of our auditors this year, just to give you a little briefing over the audit.

- Mr. Nyp stated thanks for having me, do you guys have copies of the audit, I didn't know if you had actual copies with you, I was going to take you through and kind of point out specific pages to look at, but I'll just kind of give an overview and let you know what's in here. I know since you guys are GASB 34 you get a huge audit report and I kind of just wanted to point out that in here there are budget basis financial statements of the General Fund and the Debt Service Fund which are two important ones to know about. And also in the notes to the financials there is all of your debt, additions, subtractions, and the interest you pay on the debt, and also amortization schedules on the payoffs of all of those; just good information that's in there and those are back in the notes of the financials. Also in the notes, you have a list of all the transfers that each fund transfers between, council a lot of times like to know which ones transfer to which because constituents sometimes wonder about that, so I wanted to let you know that's in there. But overall our responsibility as auditors is to give an opinion on these financial statements, and these financial statements we did have a clean opinion on, we have no modifications, and we had no internal control findings, no material weaknesses, and no significant deficiencies, so overall it was a very good audit, Beth and the financial staff do a really good job at getting us what we need and moving the process along. One additional thing that took a little bit of extra time this year, is just something for you guys to think about, is we did implement GASB 68, and that is where you actually took your share of the KPERS Pension liability and we booked it onto your balance sheet, and so that's something that you guys should become familiar with it's kind of an interesting take, and we also had to re-state the prior period because of implementation of that. And it's also in the notes and you can find it on the balance sheet. I'm using the term balance sheet, but it's really the statement of position which is on page ten of your report. So maybe that's a good place to start when you pull your reports is to just go to page ten. Other than that if you have no questions or anything specific you want me to cover.
 - Councilmember Pawlowski asked that item, was that required that you do that.
 - Mr. Nyp replied yes, it is required by Governmental Auditing Standards and General Accepted Accounting Principles, so in order to get a clean opinion we had to follow the rules.
- Councilmember Pawlowski asked so what you're telling me is you took the KPERS responsibility that the City's employees have, that the City has for our employees, the amount of KPERS our people would get on a certain date, December 31, 2015, and put that on our sheet, is that what you're telling me?
 - Mr. Nyp replied so what KPERS did and what they had to do under GASB 68, they went and had an audit of their own to find out what the total unfunded liability is of the KPERS system. They do it as of

a measurement date, which is actually a June 30th measurement date, so each one of your financials the measurement date is always six months behind, so this would be the June 30, 2014 measurement date, for the 2015 year end. And so, they allow that because of the pensions having different year ends, because we don't have a good measurement, at any rate, they take, KPERS took the whole thing and divided it out among all the contributions to the plan; so essentially you get your percentage of the total unfunded liability, based on your percentage of contributions to the plan. So it's a rough estimate, but what they are trying to do is sort of let people understand where the liability actually lies.

- Councilmember Pawlowski stated but it seems to me that it would be easier for them to say we're messed up and we're going to make you pay for it and this is how much you guys have to pick up.
 - Mr. Nyp replied well there is speculation that that could be coming, but right now KPERS is just following GAAP, everybody is following GAAP.
- Councilmember Pawlowski stated if I remember correctly, the State borrowed a billion dollars to help shore up KPERS and then they spent it on something else.
 - Councilmember Brungardt stated but we're going to get the money back with eight percent interest they say.
 - Mayor Kirby stated they've already missed the first deadline.
- Councilmember Pawlowski asked so when you do this next year is that going to show up or do we not know.
 - Mr. Nyp replied it all comes down to the KPERS plans. The actuaries go through and they say here are the assets in the plan, here's the future liabilities, they put it through a whole bunch of calculations and they come back and they say here's how much today we are estimating the future liabilities to be. You can get that report and it's a good report to look at, it gives you a better understanding and it actually has you guys broken out and it shows what your portion is and all that, but that's reflected here and I wanted to bring it up just because it is a new balance sheet item, it's quite large 2.8 million is what we put on the balance sheet this year.
- Councilmember Pawlowski asked but does that effect our bond ratings.
 - Mr. Nyp responded generally when I speak to underwriters, they know about the accounting, so it generally doesn't, but you'll have to talk to your individual bond counsel, but they typically don't.
- Councilmember Brungardt stated Andi really they did say they were going to pay us eight percent interest. How's that working out?

Councilmember Gardner moved to approve the final audit for the City of Lansing for the year ended December 31, 2015. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Request for Park Special Event Permit: Councilmember Trinkle moved to approve the Park Special Event Permit. Councilmember Garvey seconded the motion.

- Councilmember Trinkle asked Jason are we going to close it down for them like the day before or how are you going to do that.
 - Parks & Recreation Director Jason Crum replied I don't think we need to do that according to my conversation with Alstin, that's the cross country coach, and in fact he had told me that we didn't necessarily need to. I think their preference would be that we close the park during this event, but he told me that if that was a problem he could still leave it to where somebody could say I'm going to fish in the pond, they could allow them to do that.
 - Councilmember Trinkle stated I was just concerned whether or not we were figuring that in or close it down.
- Councilmember Brungardt stated I hope we don't have to close it down.
 - Parks & Recreation Director Jason Crum replied I don't think we have to, he was flexible.
 - Councilmember Brungardt stated that would be a deal breaker for me.
 - Councilmember McNeill stated that was going to be my question on the day of can residents still go fish or whatever, because the way the map shows a ticket thing, are you going to have to pay to get into the park if you tell them hey I'm not here to watch the meet I'm just going over here for fishing.
 - Parks & Recreation Director Jason Crum replied that was my understanding when we spoke last. I suppose you can make a motion if that's a stipulation.
 - Councilmember McNeill stated I wouldn't vote yes unless we could still use the park. That's like renting the park out to somebody and then giving them money to do their event.
 - Parks & Recreation Director Jason Crum replied that being said, I think it will be a pretty significant amount of vehicles and people there. My thought was if we approve this is to post well in advance that on November 5th this event will be taking place and some amenities may not be available.

- Councilmember Pawlowski stated that would be good.
- Councilmember Garvey stated the lakes are up front and away from where they'll be running, so if they want to fish they won't be in the way.
- Councilmember Pawlowski stated and it is November 5th it could be snowing. It looks too like the admission gate is on the other side of the ponds, so if somebody were there to fish they could.
- Parks & Recreation Director Jason Crum stated I'll make this a little more clear when I tell him we're fine with you charging your admission, but if we have residents come who would like to use the park then you'll need to let them without charging them an admission fee.
 - Mayor Kirby stated it has to be that way.
- Councilmember Garvey asked and the University's insurance would cover any accidents that happened, right.
 - Parks & Recreation Director Jason Crum replied it would, but they have not provided that to us yet but they are working on it, so that could be another stipulation too.
 - Councilmember Garvey stated that's per the policy, so if they don't have that it's a deal breaker right.
 - Councilmember Trinkle asked how does the insurance; we wouldn't cover anything, the City wouldn't cover anything.
 - Councilmember McNeill stated no.
 - Councilmember Pawlowski stated no that's our policy, they Boy Scouts have to provide it.
 - Councilmember Garvey stated it says here that they have to have proof of liability insurance in the amount of \$1,000,000.00 to qualify for it, so they have to show that.
 - Parks & Recreation Director Jason Crum stated obviously that's a layer of protection.
 - Councilmember Trinkle stated I know they'll do it but we still need to see it.
 - Parks & Recreation Director Jason Crum replied that's in the works.
 - Mayor Kirby asked should we make a motion to provide it. If they don't provide the proof then there's no meet. I don't think that'll be a problem.
 - Parks & Recreation Director Jason Crum replied they've assure them this won't be a problem, he's just waiting for the certificate to arrive.
 - Councilmember Trinkle stated make it fair for everybody.
 - City Clerk Sarah Bodensteiner asked are you going to amend the motion.
 - Councilmember Brungardt stated I don't think we have to it's part of our policy.

The motion was unanimously approved.

Executive Session – Consultation with Attorney: Councilmember Trinkle moved to recess into executive session for consultation with an attorney on matters that would be privileged in Attorney-Client relationship for 15 minutes, beginning at 7:15 p.m. and returning at 7:30 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Garvey moved to return to open session at 7:30 p.m. Councilmember Gardner seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Public Works Director Jeff Rupp advised that each person was given a Public Works Infrastructure Master Plan on their dais seat and that we will be discussing that master plan and its contents at the September Work Session.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer Matt Harding reported that on the Eisenhower Road project, near New Lawrence Road, the amount of Right of Way is being discussed, and the Engineer for the project wants to use 90 feet of Right of Way in this area, while City of Lansing specifications call for 100 feet. Matt shared his recommendation to have the County design the project that is in the City's area to the City specifications of 100 feet. If the County feels that 90 feet of Right of Way is credible, the County will need to provide a compelling argument to the Council to deviate from the City specification of 100 feet. The Council agreed with the recommendation. He also advised that New Lawrence Road will be re-aligned and will be paved to an eight inch asphalt depth. A question was raised about the potential for

a traffic light at the intersection of New Lawrence Road and Eisenhower and who would be responsible for it; Matt advised that he'd need assistance in looking at the policy that is in place.

City Administrator: City Administrator Tim Vandall advised that the Engineers on the DeSoto Road project need direction in regards to how much Right of Way to design into this project, whether it be 75 feet or 100 feet of Right of Way. 75 feet is the minimum amount needed, but 100 feet would be optimal for future growth. Further discussion of the DeSoto Road project and Right of Way will be discussed at the September Work Session. Staff has communicated with the County in regards to sidewalks on the South side of Eisenhower Road. The sidewalks are being included on the project as an add alternate, so if bids come in under budget the potential for an 8 foot sidewalk is greater than if the bids come in high or higher than anticipated. The City will continue to work with the County and report back after bids are received. Tim advised the Council that in the discussion at the previous work session regarding the sales tax, if we continue with the .5% and a 1% for CID, we would be at 10% and per feedback at the work session, Councilmembers would prefer to stay under 10%, so he proposed .45% sales tax with 1% CID for a total of 9.95%. The Council was ok moving forward with his proposal. He also provided some information regarding a special election. The Cost would be about \$16,000.00 and if the special election failed, it would automatically be put on the November election for 2017. The Council provided feedback that they didn't want to spend the money on a special election if the City didn't have to, and to work backwards in regards to when the money collected by the sales tax would be needed to pay for DeSoto Road and use that in determining if a special election is needed or if we can wait until the November 2017 election. He also mentioned the draft recognition sign policy and requested feedback. Some comments were about adding more specific criteria to aid in pinpointing who would be eligible for recognition on a sign, other feedback was that the City provide a plaque to the recipient and not allow any road signage. It was also suggested to recognize groups and individuals on a larger plaque housed at City Hall. It was also requested to continue this discussion at a work session. Tim also mentioned that some of the County Commissioners feel the McIntyre Road Project was being overdesigned, but the City feels the design meets our specifications and the design should continue as planned, and as such, will be sending a letter to the County stating thus.

Governing Body: Councilmember Gardner thanked those who presented this evening and recognized Chief Wayman and the Police Department for the thank you letters they received. Councilmember Pawlowski thanked Finance Director Beth Sanford and Parks & Recreation Director Jason Crum for answering her questions. She also mentioned that flag football has started and the Assistant Football Commissioner is very excited for the season.

Councilmember Garvey thanked everyone for their hard work and all they do for the City. He also mentioned that the first meeting of the 2016-2017 Citizens' Academy class was last night and that they have a good group this year. Mayor Kirby asked the Councilmembers to stick around after the meeting for a quick picture with the United Way Proclamation. He also mentioned Lost 80 Park, and that a section of the land that the park is on which the State wants to sell cannot be sold separately, the State is selling off the entire acreage at a price of \$489,000.00. He mentioned that he's contacted our Representatives to see if they can assist on this matter. The early selling off of Lost 80 Park may be a moot point entirely, as the State tried to sell the property 8 or 9 years ago and it didn't sell. He also reminded everyone that the Police Appreciation Picnic is Sunday, and people can still stop by and help feed the families, and for those residents who want to thank the Police personally, can come to the Community Center around 1:00 p.m.

ADJOURNMENT: Councilmember Trinkle moved to adjourn. Councilmember Gardner seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:07 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk