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 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 May 5, 2016, as presented. 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: Leavenworth County Development Corporation: Executive Director of the Leavenworth County Development Corporation, Steve Jack, presented an annual report to the City of Lansing. He discussed the 2016 marketing initiatives, both internal and external through multiple publications and events. Mr. Jack discussed the numerous groups and partners that work with LCDC and the costs associated with being members of those groups. Several Lansing projects and their project statuses were discussed. The Cameron Industries Production Facility, the kitchens were consolidated in 2013. There are currently 6 retail locations in the Kansas City area, and Cameron Industries anticipates growing to 8 retail locations this year. Lansing Lumber needed assistance related to financial challenges and opportunities, so they reached out to LCDC who brought in a company to provide consulting services, and now Lansing Lumber is in a strong position moving forward. A health care related business is interested in starting a new practice in Lansing, and is currently pursuing a location at Eisenhower Crossing. There are several projects that are currently on hold or pending at the time, Project Southern, Project Memphis, a Custom Shop, Auto Repair Shop, and Project Madison. Mr. Jack discussed the business retention and expansion/workforce development through the BRE program, and Classroom to Career day. As for the future, Mr. Jack discussed the E-community Loan Program, Industrial Park Development, and a major marketing effort by LCDC. In closing, Mr. Jack discussed the LCDC funding request from the City of Lansing, which is budgeted by the Community and Economic Development Department in the amount of \$16,924.00, which is up \$236.00 from 2016. Mr. Jack thanked the Council for their time, and looks forward to the continued relationship between LCDC and the City of Lansing.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Lansing Board of Zoning Appeals Appointment: Councilmember Trinkle moved to appoint Chad Neidig to the Lansing Board of Zoning Appeals to fill an unexpired term ending April 30, 2018. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Conditional Use Permit - 24132 139th Street: Community and Economic Development Director Stefanie Leif stated good evening Mr. Mayor and Councilmembers, as the Mayor introduced this is a historic barn and home that is located off K-7, just immediately South of McIntyre, on the East side of K-7. For many years it has been a farm and residence, and they do have a historic barn that they do plan to renovate and restore and use for a variety of different events, weddings and reunions, and different events such as that. They did apply for a conditional use permit, they did include a site plan showing where they will have a parking lot, their access, and events will occur in the barn and around that immediate vicinity. A couple comments that the Planning Commission had when they did the public hearing on April 20th, a couple concerns regarding Fire District review and any concerns from the Fire Code. The applicant has since met with Chief Huhn, he is here this evening, what they are planning to do is because they haven't really made any improvements to the barn yet to hold these events, they will continue to keep Chief Huhn in the loop, he will review plans, and make sure that all the Fire Code access requirements are met before we issue a building permit on that property. The other concern was traffic impact as there is a gravel driveway that comes off of K-7, and there aren't any turn lanes that come into that property at this time. KDOT is requiring a Traffic Impact Study, primarily the trigger for that is that there is a change of use, so although there is not a Walmart going in there, when they do have events, there will be a lot of traffic coming in at that time and because there is a use change from agricultural to commercial use they do want to see a traffic impact study. Some of the commissioners were concerned that it wasn't there at that meeting, however, most of the commission was comfortable with as long as they do address the traffic impact study as a requirement prior to getting a building permit that would be ok with them. There are a few conditions that I added as recommendations for the Council to look at if you do choose to move forward with approving this, so those are at the bottom of the agenda item. I did want to introduce Chad Schimke is here tonight, he is the applicant, he will make a presentation after I finish up, and Chief Huhn is here as well as the Chairman of the Planning

Commission, Brian Schwanz is also here if you have any guestions about the Planning Commission review, so at this time I'll turn it over to Mr. Schimke, thank you.

- Chad Schimke stated good evening Council, I do appreciate the opportunity to visit with everybody this evening, and I'll do my best not to go too long in this presentation. I realize I know very few sitting up there, and I definitely recognize some names as I've been a Lansing student K-12, I've lived here my entire life, except my time at KU, so hopefully that's appreciated by some and hated by others. I live just East, a few miles, I actually work in Leawood, I oversee and run about a 90 person online training company, specializing in insurance and financial services, so if anybody needs any help in that regard, I'd be happy to answer any questions you have. Event spaces is definitely not my expertise, but as Stefanie shared with you, just this last year we purchased the property as an investment, mainly for Ag use, that was the whole perspective, to get into farming, when we came across what this barn is and what it could be we got really excited, and that's why I'm here, why I've been visiting with planning and zoning, and learning about all the steps it takes to maybe move forward with this project. At times I've been accused by my family for being a little too serious, and since my family couldn't be here, I brought my boys, there to the right. The goal is to create a one of a kind event experience in the City of Lansing. We encourage family and friends to celebrate any of the below activities, and as Stefanie mentioned, this is historic, it's not quite the 100 year mark, but it's pretty dang close. The events include but are not limited to, I know you can see, I know right now graduations are a pretty hot topic. I've joked a little about what the uses could be for, weddings keep being brought up, it's not a very big space, it's 60x30 it's only about 1800 square feet, so depending on how small of a wedding get together you'd have, it's probably not the right facility for that. I would more so view it, as I've got a couple of properties that I've had to use, any get-together you'd have at your home that you'd rather not have 20, 30, 40 people at, whether because you don't want to pick up the mess or if you don't like everyone that's coming, it's up to you. But I think when you go through the list, birthdays, anniversaries, reunions, retirement parties, a company holiday party. I've got some neighbors and business owners here that I think would probably fall under the holiday party area. Bridal showers, gender reveals, baby showers, apparently I'm at that stage in my life where that's coming up, I didn't even know what a gender reveal was, so I'm still reeling. It's to be a fun family environment, something Lansing can be proud of. Again, I was a Lansing Lion graduate and proud of it. I've got two boys in the school district, so the community means more to me now, probably more than it did when I was a kid, you get some perspective when you get a little older, comes with the gray hair I think. And Stefanie did mention, I am taking the KDOT recommendations very seriously. There is an expense when looking at doing any type of impact study, and again, with the conversation I had with the Fire Chief, the reality is before I start to make any investments in architectural design and layouts, I need to make sure the City likes the idea before I go and spend several thousand more dollars on a project that I can't move forward with. So, I did bring just a few pictures for anybody who maybe hasn't seen what the barn really looks like. It's kind of hard to make out, but on the right you can make out 1926. As I understand it, most every one of those bricks was handmade by the prison at the time. It's a pretty neat space, you have to see it to really appreciate it, there's not a lot of these buildings still standing, so something we're really proud of. Just a quick look on the inside, you can see it's pretty plain Jane, a lot of exposed wood and brick. Definitely needs work, there's no question about it, it's 90 years old and it's been neglected to say the least, but structurally it's, the fun thing about it is they don't really build things like they used to, so it was built right. Here's kind of a lay out, you can see the larger piece of property on the left and there's a better view of the barn and home and actually a lean-to there for storage, and there's actually a couple newer versions of this, but unfortunately my designer was unavailable, but you can see where it says proposed event barn existing, so here's the barn where it exists and we'd look at parking to the North and there are two locations there that are super flat that would be easy to use if we are able to move forward. Hopefully those are a little more helpful to understand what it is and what we hope it could be and I'm happy to answer any questions from the Council.
- Councilmember Trinkle asked do we have to have a motion to discuss it.
 - City Administrator Tim Vandall stated no.
- Councilmember Gardner stated you say you're going to meet with Chief Huhn on site, have you met him on site yet.
 - Chad Schimke replied we had a conversation, and I know he's here this evening, we had a conversation while I was out of town, the only reason we didn't meet before having any kind of type of designs was I know everything about the barn is wrong and not up to code, it was built 90 years ago. So I think the reality is I have to have those designs and I want the Fire Chief to be with me along the way. Any business that you're going to run, for any type of retail or commercial use, has to be up to both Fire Code and City Code, right building permits, I've been involved in enough building projects I've got a pretty good feel for the checklist and I don't overlook any of that.
 - Councilmember Garvey stated it's old enough to be grandfathered in right, just kidding.
- Councilmember Gardner stated I have a question on the grandfathering also, you're going to do renovation and construction on this, how much of that building has to stay historic for it to be grandfathered, can he leave a doorway, teardown and rebuild the rest of it to be grandfathered or is it a certain percentage.

- City Administrator Tim Vandall stated I'm not sure the City really has a stance on this.
 - Chad Schimke stated it's a great question and what I get wrong here I'll have Stefanie correct. One of the reason's we've not gone forward with the historical society piece is it does provide a lot of limitations on what you can do. The goal is here to have something that's cooled and heated and can be used throughout the year, which would fall outside of the historic. The goal is for us to touch as little as we can, in especially the exterior, but as far as the interior having, again, heating, air, restrooms, we're already gone through the discussions on what it would take to get the right kind of plumbing and water.
 - Community and Economic Development Director Stefanie Leif stated I'll just add really quickly, so the historic aspect because the building is over 50 years old is why we use the term historic, it is not listed on the National Register of Historic Places, so it is not considered a federally designated historic site, but what I think you are referring to in what can stay and what can go, the building inspector will review it thoroughly and there may be sections in the Code that because it is historic they may be nonconforming, that is something that she would review as she reviews the building permit.
- Councilmember Gardner asked and the Conditional Use Permit has to be renewed every five years.
 - Community and Economic Development Director Stefanie Leif stated that's correct yes.
 - Councilmember Gardner asked do we do that or do you do that.
 - Community and Economic Development Director Stefanie Leif stated the Planning Commission does that, I don't know if the City Council, I'll have to double check the Code, but I think it's just the Planning Commission that renews them, but I'll confirm that, I'm not positive on that.
- Councilmember Gardner stated and the other question was like if a conditional use permit gets renewed five times, that's twenty-five years of being a commercial, does that automatically make it commercial zoning.
 - Community and Economic Development Director Stefanie Leif stated no, if there is a point that the City says this is always going to be a commercial use, if that area has changed and is now going to be primarily surrounded by commercial, at that point the City may look at re-zoning that property for commercial use, but until that happens it will just be conditional uses and conditional use permit renewed year after year, every five years.
- Councilmember Brungardt asked Chad how long will it take to complete the project.
 - Chad Schimke replied my guess is it's probably going to take at least three months.
 - Councilmember Brungardt stated that's not bad.
 - Chad Schimke replied no, it's not, again I think that's just because a lot of the wood inside is in such great shape, that's an early estimate. Unfortunately I've got too many architect friends that will probably try to drag that out so I pay them more, but having been a part of a few other projects that would be my hope. Could it go past that? Absolutely.
 - o Councilmember Brungardt stated definitely within six months.
 - Chad Schimke replied yeah, for sure.
- Councilmember Trinkle stated if you talk to the Chief is it going to have to be sprinkled?
 - Chad Schimke replied so, again that's all contingent upon the layout and plans, so it very well could be, and we would move forward based on those recommendations. The other thing I might share with the Council is as I understand it is that it is conditional for a reason. For any reason there is a complaint or something we're not doing right or above board, the City has every right to pull it at any given time, so I'm definitely not one who's going to risk the investment on the building by not making the City proud or the residents or neighbors.
- Councilmember Trinkle stated the driveway, it looks like it is a right in right out, I mean there's no cross from the highway correct.
 - Chad Schimke replied there is a cut through on 7.
 - Councilmember Trinkle stated it's not adjacent to your driveway.
 - Chad Schimke replied it is adjacent.
 - Councilmember Trinkle stated if I cut across I can go through.
 - Chad Schimke replied correct.
 - Councilmember Trinkle asked can somebody turn in and turn out at the same time on the driveway, or is that something you've looked at as far as getting someone coming and someone going out.
 - Chad Schimke stated the base off of K-7 is wide enough for two lane, the drive itself is single, so

someone could be pulling out with someone pulling in there is adequate space to do that today.

- Councilmember Trinkle stated maybe this is Stefanie's question, but you're talking about, say you've got fifty people in at the function, do we have an equation or a deal about how many parking stalls that consider so many cars for so many people, what the total capacity of the barn will be, is that something that we've looked at too.
 - Community and Economic Development Director Stefanie Leif stated right, the Zoning Code does address parking requirements, so depending on the size of the building and the type of use and whether it's employees or depending on the use there is an equation for that and we'll look at that further along with their building permit plans and when we know how the space is going to be finished out and how many people, what maximum occupancy will be, that's how we'll figure that out.
- Councilmember Trinkle stated and as you expand do they if they want to add do they have to come back and revise the conditional use. Say he wants to add on, they have to come back for that right, isn't that how that works.
 - Community and Economic Development Director Stefanie Leif stated right at this time, the site plan that is in your packet is what they are limited to for their conditional use permit so if down the road, say he does want to expand and do different events and wants to expand and add a pavilion or add on to the barn, at that time we would ask them to come back and amend their conditional use permit because it would be changing the nature of what was agreed to by the City.
- Councilmember Trinkle stated so you've got how many acres there?
 - Chad Schimke replied there is just shy of one hundred and fourteen.
 - Councilmember Trinkle asked so you've got room for parking and whatever.
 - Chad Schimke stated there should be, now on that site plan we've definitely scaled it down so it's just surrounding the building.
- Councilmember Trinkle asked what about the house, what will you use it for, is there somebody living in it now?
 - Chad Schimke replied so our plan is to potentially use it as an office, it's what we've been doing as of late is just bringing it up, it has also been neglected, so it's been windows...
 - Councilmember Trinkle asked but its vacant now.
 - Chad Schimke replied no, I've got someone that's taking care of the property who is there currently, but it will likely be an office. There's been a lot of clean up.
- Councilmember Buehler asked do upgrades have to be ADA compliant on the inside with the American Disabilities Act, does all of that have to be ADA compliant, or does the age of the building grandfather.
 - Chad Schimke replied I would imagine so. I mean that's going to come from the designer, the architect as well as the City, but I would think so.
- Councilmember Garvey asked what's the opinion of the neighbors around there.
 - Councilmember Pawlowski stated they are all for it.
 - Chad Schimke replied I think it's been relatively positive, there's been a few here or there.
 - Mayor Kirby stated I was at the Planning Commission meeting and they were all in favor of it, and Brian's here.
- Councilmember Brungardt stated I think it's great, I love the idea.
- Councilmember McNeill stated I love the idea, so I hope it works out.
- Councilmember Pawlowski stated I was just going to say does Brian have anything he wants to add.
 - Planning Commission Chairman Brian Schwanz stated if you have any questions I'd be happy to answer them.
 - Mayor Kirby stated then he doesn't have anything he wants to add.

Councilmember Studnicka moved to approve the conditional use permit, as presented. Councilmember Trinkle seconded the motion.

- Councilmember Gardner stated your timeline starts with the Traffic Study.
 - Chad Schimke replied yes.
 - Councilmember Gardner stated and if that's too difficult you're going to go scrap it, but you will address the items, the recommendations.
 - Chad Schimke replied that is correct.
 - o Councilmember Gardner stated and you'll follow that up with the permit application and the Fire District requirements and then you'll get into septic system upgrade, the renovation and construction of the parking lots that will be the next phase and after all that you'll get the certificate of occupancy.
 - Chad Schimke replied yes.

The motion was unanimously approved.

Award of Bid – 2016 Capital Improvements Program, City Project 16-02: Councilmember McNeill moved to award the bid for City Project 16-02 to Little Joe's Asphalt, Inc., of Bonner Springs, Kansas. Councilmember Trinkle seconded the motion.

- Councilmember Pawlowski stated so before when we've done this...he wants to go first, go ahead Gregg.
- Councilmember Buehler stated my question is, is Little Joe's the one that did the 4-H Road a couple years ago where we had that problem and it took them forever to come back and fix it, does anybody know.
 - Councilmember Trinkle stated I don't think it was them.
 - Councilmember Studnicka stated it wasn't asphalt.
 - Councilmember Garvey stated are you talking about DeSoto by the cemetery.
 - Councilmember Buehler stated no I'm talking about 4-H Road.
 - Councilmember Studnicka stated he's talking about 4-H out here when they basically chip and sealed it.
 - Councilmember Pawlowski stated that was bad.
 - Councilmember Studnicka stated but that was a chip and seal, not asphalt.
- Councilmember Pawlowski stated my question was we have 560 in the fund, but we're doing 521, and in past vears sometimes we've done 521 and then all of a sudden more shows up, and my question is there's always a contingency fund is that included in this.
 - Councilmember Trinkle stated last year they were able to do more because it come in under, it's been under the last couple of years, isn't it.
 - Councilmember Pawlowski stated no my question is there a contingency in this 521.
 - Public Works Director Jeff Rupp replied well there is the option to use some of the money that wasn't used up by the bid to expand into other capital projects or to just expand sidewalks, curb repair, or even some streets. We've got a list and we can do that, but those are just options.
- Councilmember Pawlowski stated ok but here's my question, at this amount we're doing what's on this list and if we do anymore, you're going to come back to the Council and ask for it.
 - Public Works Director Jeff Rupp replied yes.
 - Councilmember Pawlowski stated because sometimes we just did stuff and nobody asked.
 - Councilmember Gardner stated like a 5% contingency in case.
 - o Councilmember Pawlowski stated I was just curious, so we're just doing the list.
 - Public Works Director Jeff Rupp replied we'll do the list.
- Councilmember Pawlowski stated and if you want to add more you'll come back to the Council.
 - Councilmember Brungardt asked what are you talking about.
 - Councilmember Studnicka stated explain vourself.
 - Councilmember Garvey stated I think last time it happened money was left over.
 - Councilmember Pawlowski stated we had a parking lot that was done that we all told them that we didn't want and it just got done because there was extra money. I just wanted to know if that extra money was going to get spent without us knowing about it or if they were going to come back to us and ask
 - Councilmember Brungardt asked so you're saying if they came under they could use the money for other projects.
- Councilmember Trinkle stated and they come back and it usually steps down where they've got the roads graded, if the next road that needs it, if we have money left over they use it and we do another road right, that's the way they've always done it in the past.
 - Public Works Director Jeff Rupp replied we can do it that way, I don't want to defend what was or wasn't done.
 - Councilmember Pawlowski stated I know but I just wanted to make sure.
 - Public Works Director Jeff Rupp stated the problem is the asphalt company will be on site and it's going to cost to move them back in, if we wanted to extend the contract prices, and that's probably why some things were moved ahead in days gone by, but there are other issues, capital issues, that that money could go to so my preference would be to put together a package and use that money in a difference space.
- Councilmember Pawlowski stated we had surprises happen before and I just wanted clarification.
 - Councilmember McNeill stated he has a priority list that we have looked at and said we like that priority list, so when money is left over from something that can't be used for this because it doesn't have

enough there, but it goes down the priority list, bingo, we can do A, B, and C, that's more reason from picking it, for approving the priority list.

- City Administrator Tim Vandall stated I'd say if the 521 comes in at 505 we can come back and talk to you guys about doing something else.
 - Councilmember Trinkle interjected doing another street or something, that's the way we did it last year, picking up another street or something.
 - City Administrator Tim Vandall stated we would keep you guys posted.
- Councilmember Brungardt stated if we have this prioritized and they have money left over, and they just did the next one on the list, why couldn't they, does anybody have heartburn with them doing that.
 - Councilmember Buehler stated it's if they are going to take it.
 - Councilmember Pawlowski stated my question was is 521 the limit on this deal.
 - City Administrator Tim Vandall replied yes.
- Councilmember Pawlowski stated ok, we could have more money in there and go to the next street, but we aren't going to spend more than the 521.
 - Councilmember Brungardt stated right, I don't think they should have to come back and say well we've got 30,000 left and we've got money to do this.
 - Councilmember Pawlowski stated no, and that's not what I meant. I was asking about the difference between the 521 and the 560, no.
 - Councilmember Brungardt stated ok, because that would be micromanaging at its core.
 - Councilmember Pawlowski stated I was just asking between the 521 and the 560.

The motion was unanimously approved.

Wastewater Utility Rate Agreement: Mayor Kirby stated the current agreement between the City and LCF for wastewater utility rates expires May 31, 2016. The changes have been verbally approved by LCF and upon Council approval, will be sent to LCF for final signatures, and then the snag hit.

- City Administrator Tim Vandall stated we were contacted by LCF yesterday about a couple of things they wanted to add on top of this. One involves a separate agreement for mowing, as you guys can see there's an attachment included in this that outlines areas where they would mow, that's something they want to make separate now. The other change that they proposed involved giving them the opportunity to opt-out with 12 months' notice, one of the big things we talked about that I was really happy with was that this was a 6 year agreement, so I kind of felt like it made everything a little bit easier for both parties, you didn't have to worry about one thing happening or the rate increasing. So that's something I'd like to discuss with Greg Robinson a little bit when he gets back. This giving the facility the opportunity to opt-out with 12 months' notice, it doesn't really protect the City that much.
 - Councilmember Brungardt stated not at all, not at all.
 - Councilmember Garvey stated without deficiencies of service, just say I want to quit
 - Mayor Kirby stated we could sign a contract May 31st and then July they could say oh hey here's are year notice.
 - Councilmember McNeill stated as long as we can give them a 3 month notice for shutting it off completely, following that if they want to do that.
- Councilmember Brungardt stated that's ridiculous.
- Councilmember Buehler asked so are you recommending that we defer.
 - City Administrator Tim Vandall replied yes, so the recommendation is to table it until next meeting.
 - Mayor Kirby stated we need a motion to remove this item from the agenda.

Councilmember Brungardt moved to remove this item from the agenda. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report. **City Engineer:** City Engineer has nothing to report.

City Administrator: City Administrator Tim Vandall mentioned that the City has received a formal request from Lan-Del in regards to the slope repairs on W. Mary Street. The estimated cost is between \$80,000 and \$90,000, which would be split between the 3 entities with an estimated cost to the City of \$28,000 to \$30,000. The City Engineer and Public Works Director are checking on some other items so we can ensure this project is done correctly, so it will be on the agenda for the first meeting in June.

May 19, 2016 Council Regular Meeting Minutes (continued)	Page 7
that the existing soil condition with the environn being monitored and has not moved, even after issue is resolved.	final report came in and mimicked the draft version in stating nent that it was in was the cause of the failure. The slope is rethe recent rains, but it will continued to be monitored until the ould be concerned for future projects where areas of landscape
are cut in order to avoid the situation that the C o City Engineer Matt Harding advised that landscape so it is deemed stable, the is certainly could consult a geotechnical of the City should be doing things different. • Councilmember Trinkle Bittersweet Bridge hav o City Engineer	ity is currently involved in. at when land it cut no additional burden is placed on the ssues of the failure occur more often when fill is used. The City consultant and use the current situation as a case study to see intly in the future. e asked if the City should be concerned about the area around
turnout. He congratulated the Parks & Recreation Department.	at Lansing DAZE was a huge success, there was a very good artment for a successful Fishing Derby. He also provided a fun nt John F. Kennedy at Madison Square Garden, Marilyn
Councilmember McNeill echoed the sentiments of Lans	sing DAZE and really enjoyed the new location and additional randdaughter caught 3 fish so everyone was happy. He
Councilmember Brungardt complimented the staff for that are 5 days of school left.	ne Fishing Derby and Lansing DAZE and announced that there
Councilmember Studnicka echoed the sentiments about councilmembers.	It the Fishing Derby and Lansing DAZE from previous
Councilmember Trinkle gave kudos to staff for Lansing for the Fishing Derby as the participant numbers increa the email she received from a couple in southern Kansa themselves. He has heard a lot of compliments from the	in and well received by all, the congratulated the Police Chief at the Police Department.
	nd complimented the fireworks display. He stated he was with a eturning and spreading the word that others should attend next
ADJOURNMENT: Councilmember Garvey moved to The motion was unanimously approved. The meeting was approved.	adjourn. Councilmember Pawlowski seconded the motion. was adjourned at 8:13 p.m.
ATTEST:	Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk