

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: Gregg Buehler and Tony McNeill

Councilmembers Absent:

OLD BUSINESS:

Consent Calendar: Councilmember Buehler moved to approve the regular meeting minutes of April 2, 2015, and the special meeting minutes of April 9, 2015. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Oath of Office: City Clerk Sarah Bodensteiner administered the Oath of Office for Councilmembers Gardner, Pawlowski, Garvey, and Buehler.

Audience Participation: Mayor Kirby called for audience participation and Jim Pittman at 123 Willow Drive came forward.

- Jim Pittman stated that I am here under my capacity as chairman of your Planning Commission. I would like to take a minute to update you on the work session the Planning Commission had last night, with five members of the Planning Commission present with Mr. Jacobson. We discussed Zoning Ordinance and Unified Development Ordinance, and put together some thoughts on what we think the direction ahead for the City should be on this, and I wanted to share those with you briefly tonight. Your Zoning Ordinance is dated 2003 and it was out of date before we updated the Comprehensive Plan. It is even more out of date now, it must be updated, and it must be done soon. It's based on the old Comprehensive Plan, it is not in any way, shape, or form consistent with our current Comprehensive Plan. We're in a risky situation for future development with any questions regarding zoning, because there is great potential for conflict between the existing Zoning Ordinance and Comprehensive Plan. The Comprehensive Plan suggests we consider moving to a Unified Development Ordinance, that kind of a document would consolidate the Zoning Ordinance, subdivision regulations, Main Street overlay district; all of those separate ordinances as well as development codes and specs into a single document. You can imagine that document would be very complex. The example we looked at was 378 pages, but it has a lot of detail in it. Our guess is that it would take a couple of years, at least, to put that kind of a document together. Mr. Jacobson indicated that it would cost, if we went the contract route, about \$150,000.00 to do that. Our consensus last night was that we couldn't wait that long to update the Zoning Ordinance, we think that that could be done probably this year. What is going to the Planning Commission at its meeting in May is a proposal to do 4 things. One is to start work on updating the existing Zoning Ordinance, with a goal of completing that in early 2016 for your approval. Two is to simultaneously lay out a concept for conversion to the Unified Development Ordinance, with a generic schedule and approximate cost. I think that this body needs to make a decision on that in the next 6 to 8 months, whether we're going to stay with our current system of separate ordinances and regulations, or go to a Unified Development Ordinance to facilitate getting on with the update of the current documents, or starting to work on the Unified Development Ordinance. Third item, we need to start the annual review of the Comprehensive Plan, and since we're proposing to update the Zoning Ordinance, we think it would be wise to start that review with focus on the land use section. There are some things in the land use section that I know some of you have concerns about, in terms of the definitions, districts, and what districts we want to include in our Zoning Ordinance. The fourth thing we felt there was a strong need for the Council and Planning Commission to be in a full synchronized effort on this, so that when we get to the final solution, we're all in agreement as to what that solution would be, so we don't have any last minute surprises. We would propose that we schedule quarterly meetings between the Council and the Planning Commission, for 1 hour with a fixed agenda, to ensure progress, and ensure we have a synchronized effort. The subdivision regulations are going to have to be updated too, if we go to UDO [Unified Development Ordinance] route that can be done in part, if we don't go the UDO route, then once the Zoning Ordinance is updated we can shift over to the subdivision regulations. I wanted to make you aware of where the Planning Commission is on this and alert you to the fact that we think you've got a decision to make sometime in the next 6 to 8 months, and I think the Planning Commission is committed to putting together a packet that will help you make that decision on a Unified Development Ordinance.
 - Councilmember Trinkle asked do you think any of this can be done in-house.

- Jim Pittman responded I think the Zoning regulations can be done in-house, if we go with the Unified Development Ordinance I think staff's going to need some help with that because there is just a tremendous amount of detail.
- Councilmember Trinkle replied in your opinion what do you think you're looking at total cost wise. You said \$150,000.00 for the Zoning part, I'm thinking total amount.
 - Jim Pittman responded for the Unified Development Ordinance, that \$150,000.00 was for that 300 and some page document, but I think ours would be less than that. There are things in the document that I don't think we need being a small community like we are.
 - Councilmember Trinkle stated you could be in the neighborhood of \$200,000.00 then.
 - Jim Pittman replied maybe.
- Mayor Kirby stated I already asked Jim to give us this report in writing so we'll have it.
- Councilmember Gardner asked so those 1 hour meetings before so we could get synchronized, would it be before that.
 - Jim Pittman replied there is going to be a new chairman of the Planning Commission in May, but I think that individual and the Mayor should get together to figure out that schedule and proposed hour.
- Mayor Kirby stated this is probably a good time to recognize that Jim has been on the Planning Commission for 17 years and the chairman for 17 years. Thank you Jim.

Presentation: Finance Department Update – Finance Director Beth Sanford presented an update to the Council on the Finance Department.

- Mayor Kirby stated if there's anything that you'd like to see or want to do differently, this would be a good time to let Beth know. We had some discussions with department heads about in years past when they all have made their own wish list, and then the department heads would all get together and go through that list and try to decide who ought to get what. The majority of the department heads that I've talked to in the last week would like to make their own case for their own department. They don't feel they are qualified to speak to what different department needs are. Unless there is an objection from anybody, that's a change we'd like to make.
 - Councilmember Garvey stated I like it.
 - Councilmember Pawlowski stated I like it too. We'll do that at a study session right?
 - Mayor Kirby stated yes.

Certificate of Appreciation from Boy Scouts Troop 165 – Councilmember Studnicka presented Parks & Recreation Director Jason Crum with a Certificate of Appreciation from Boy Scout Troop 165.

- Councilmember Studnicka stated I was supposed to make this presentation a month ago to Jason and his team over at Parks & Rec. As a member and adult leader of Troop 165 of the Boy Scouts of America here in Lansing, also as a Deputy District Commissioner, this is a certificate of appreciation presented to the City and especially to the Parks & Rec. Department from Troop 165, I would to thank the City and the Parks & Rec. Department for all their effort and all the help they gave the Troop in 2014. Jason has worked very close with some of our senior scouts trying to make Eagle, they have to do a community project, and we find a lot of those projects through the Parks & Rec. Department. This is a big "atta boy" to you and your people, so thank you very very much.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Treasurer's Report for Quarter Ending March 31, 2015: Councilmember Studnicka moved to approve the Treasurer's Report for the Quarter ending March 31, 2015. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Purchasing Manual: Councilmember Buehler moved to approve the Purchasing Manual as presented. Councilmember Gardner seconded the motion.

- Councilmember Pawlowski stated that there are several things in here that I think we need to tweak just a little bit. On page 4 under section 2.2, there's a line that is talking about disciplinary action, if somebody buys something they are not supposed to, or for more than they're supposed to and it says "suspension, termination, or any other form deemed appropriate by the City Administrator" I think we need to add "or Governing Body". And there are a couple places in here where it refers to the City Administrator and that the City Administrator should do certain things, and I think we need to add "or Mayor". It's in here in a couple of places, but then it's not in others.
 - Mayor Kirby stated let's do this one. So where it says "Disciplinary action may be in the form of restricted purchasing privileges, restitution, suspension, termination, or any other form deemed appropriate by the City Administrator".
 - Councilmember Pawlowski stated I think we need to add "and/or Governing Body".

- Mayor Kirby asked have we had a problem with this before. Has this been an issue with people abusing their credit card privileges?
 - Councilmember Buehler stated I think the issue is that we currently don't have a City Administrator and if we ever run into that situation again and you need to do something, it needs to be addressed and we need to be able to address it.
 - Councilmember Gardner stated couldn't we put that in there in the event of no City Administrator.
 - Councilmember Buehler stated I'd even say "or Mayor". Throughout the document it says the City Administrator or Mayor.
- Councilmember Pawlowski stated it stated "or in his absence the Mayor". I think we just need to be consistent throughout.
- Councilmember Trinkle stated you can't put the City Council because the City Council is the last body. If they appeal it, we're the last body they come to. Isn't that right Greg?
 - City Attorney Greg Robinson stated yes sir, you are the final arbiter.
- Councilmember Buehler stated so I would say "City Administrator or Mayor".
 - Councilmember Pawlowski stated we have it in part of here, but it's not in other parts.
- Mayor Kirby asked is everybody ok with that.
- Councilmember Pawlowski asked do we need to table it.
 - Mayor Kirby stated no, I think we can make the changes tonight.
 - Councilmember Pawlowski stated it's not just in that one area.
- Mayor Kirby stated if there is more, let's get them done. What's your next one?
 - Councilmember Pawlowski stated I didn't circle all of them, I just brought it up as a general comment. Then back on page 8 which is professional services part of the document, it's on page 2. It says in here "including one elected official, representing the City and/or any other entity with direct interest in the work". I think we need to have "1 elected City official". I don't care which one it is, but I think there needs to be 1 elected City official on that committee.
 - Councilmember Brungardt asked where is this at.
 - Councilmember Garvey stated it's on page 8 number 2.
 - Councilmember Trinkle stated it already says one city official.
 - Councilmember Pawlowski stated no it says one elected official representing the city or any other entity. You can have any other elected official, but I think there needs to be a City elected official.
 - Councilmember Studnicka stated I'm sorry, I'm lost here. An elected City official is us.
 - Councilmember Pawlowski stated no and that's not what this says.
 - Councilmember Buehler stated is says or any other entity with direct interest in the work being performed. So a department head could take the place of an elected official the way it's currently worded. Am I reading that correct?
 - City Attorney Greg Robinson stated I'm trying to read it as you're trying to interpret it. A committee of at least 3 individuals, including one elected official.
 - Councilmember Pawlowski stated and/or any other entity.
 - Councilmember Trinkle stated that's what it says isn't it.
 - Councilmember Studnicka stated the way it reads to me is that you can have the 3 people with the elected official, so with any other entity you can have a fourth person sitting on a review board.
 - Councilmember Pawlowski stated that's not how it reads.
 - City Attorney Greg Robinson stated I interpret it the way Don [Studnicka] just did. It's a selection committee of at least 3 individuals, then you can take out the including 1 elected official, just for clarity, representing the City and/or any other entity with direct interest in the work shall be formed.
 - Councilmember Pawlowski stated the way I read it is you can have an elected official from Leavenworth in there if they have an interest, but not an elected official from Lansing.
 - City Attorney Greg Robinson stated you can clarify that if you wanted. So you could say 1 local elected official.
 - Councilmember Pawlowski stated I wrote City in there.
 - Councilmember Garvey stated Leavenworth is a city.
 - City Attorney Greg Robinson that makes it more clear in a sense.
 - Councilmember Brungardt stated how would you ever think that, that it would be Leavenworth.
 - Councilmember Trinkle stated how did Leavenworth ever come into the picture.
 - Councilmember Pawlowski stated read that the way it is.
 - Public Works Director John Young stated we often do have contracts, and we may have one come up soon, where we'll have money in it and the County has money in it. Usually what happens is that we extend to more people, and I don't care how it's worded, but we typically have one City Councilmember on every committee or

we always invite one, for our selection process. We don't want to exclude the possibility of having another city official attend those.

- Councilmember Pawlowski stated I don't have a problem inviting them, I just think that if we're going to have a committee with elected officials, one needs to be from this city. I don't know how you want to word it.
 - Councilmember Studnicka stated put Lansing elected official.
 - Councilmember Gardner stated 1 Lansing elected official or 1 elected official from Lansing, is that ok.
- Mayor Kirby asked are we alright with that.
- Councilmember Studnicka stated I don't care if you put the word Lansing in it.
- Councilmember Brungardt asked are we saying the same thing.
- Councilmember Garvey stated we're just sticking the word Lansing in there. What they're saying is if County dollars are involved in a project, a County Commissioner can be involved in the project. That's what he's saying.
 - Councilmember Pawlowski stated that's fine, but that's not the point I was making.
- Councilmember Garvey stated and by putting Lansing in there, you are excluding the County.
 - City Attorney Greg Robinson stated her point the way I take her point to mean is she's clarifying that at least 1 elected official will be from Lansing, it doesn't preclude additional elected officials from other entities. It's just clarifying that we're not going to have the city of Leavenworth, the County, and no Lansing elected officials, that's how I would interpret that with that included.
- Councilmember Pawlowski stated I mean when you read that do you see how that can be interpreted that way.
 - City Attorney Greg Robinson stated when it's brought up that way, yes. Now in practice would it do that, I don't know, but certainly in language, it's language so I don't think it hurts to put it in, so it clarifies; it does what it's supposed to.
- Mayor Kirby stated ok, anything else.
- Councilmember Pawlowski stated just adding the other Mayor where City Administrator is in parts where it already isn't there, just so we're covered in case.
 - Mayor Kirby stated so anywhere where it says City Administrator.
 - Councilmember Pawlowski stated it should say or Mayor.
- Mayor Kirby asked Beth are you ok with that, is it clear? Is that it. There's one of two things here, we can either withdraw the motion and wait till she corrects it, or we can go ahead and approve it with the corrections we made.
 - Councilmember Buehler stated either way I'll need to withdraw my initial one, and then we can remake a motion with the changes.
- Councilmember Gardner withdrew his second.
- Councilmember Buehler withdrew his motion.

Councilmember Buehler moved to approve the Purchasing Manual with the changes that are Page 4 section 2.2 in the Disciplinary Action adding or Mayor there and to sections where City Administrator is mentioned throughout the document, along with page 8 subsection 2 under Professional Services adding 1 elected Lansing City Official to the paragraph. Councilmember Gardner seconded the motion.

- Councilmember McNeill stated I just want to make a comment on it, because that's like if you read through this document there are duties in here that the City Administrator makes the decision on and there's no Mayor in there, like it's managing his staff. You can't just randomly throw Mayor after all the City Administrator words in here. We either make the correction that has to be made or are relevant to that piece or we push it off until the corrections are made.
 - Mayor Kirby stated we'll withdraw the motion until the corrections are made, then we'll bring it back at a later meeting.
- Councilmember Gardner withdrew his second
- Councilmember Buehler withdrew his motion.

Councilmember Pawlowski moved to table the Purchasing Manual until changes are made. Councilmember Gardner seconded the motion. The motion was unanimously approved.

Library Board Appointment: Councilmember Brungardt moved to appoint Ellen Hannon to the Lansing Community Library Board for a four year term ending April 30, 2019. Councilmember Studnicka seconded the motion.

- Councilmember Brungardt stated she'll be excellent. Awesome teacher, just awesome.
 - Mayor Kirby stated I was at the meeting where she interviewed and we'd be fools to tell her anything but please. You're not bad either Rich.

The motion was unanimously approved.

Board of Zoning Appeals Appointment: Councilmember Garvey moved to reappoint Richard Hannon to fill one of the three open positions on the Board of Zoning Appeals for a three-year term expiring April 30, 2018. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Award of Bid – Activity Center Gym Floor: Councilmember Studnicka moved to contract with Acme Floor Company for the replacement of the Activity Center gym floor and to repaint the seal for the base amount of \$53,256.00. Councilmember Buehler seconded the motion.

- Councilmember Pawlowski asked Jason, was this the only bid you got.
- Parks & Recreation Director Jason Crum responded yes, it was the only bid received. One point I'd like to make, I hope it's not too late, I just hope everybody understands with the way I wrote the agenda item, there will be some additional costs here with repair to the subfloor that is not included in that. We just don't know what we don't know at this time. It's even possible that we'd have to scrap that subfloor and start over from scratch, that's why we included the alternate bid in there.
- Councilmember Garvey stated it's like we discussed in the work session, we just don't know what is under the old floor there.
- Parks & Recreation Director Jason Crum stated correct, that's why we went that way and we think it's the best case scenario, I just want to make sure you're all aware.
- Councilmember Trinkle stated it's like remodeling an old house, you don't know what you get until you tear it apart.

The motion was unanimously approved.

Authorization to Advertise the 2015 CIP Paving, Curb Replacement, and Sidewalk Replacement Project (Project No. 15-02) for Bids: Councilmember Studnicka moved to authorize advertising Project No. 15-02 for bids. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Project No. 14-03 (Phase 2): Storm Sewer Inlet Replacement Project; Third Street/Connie Street –

Award of Bid: Councilmember Buehler moved to accept the low bid of Linaweaver Construction in the amount of \$28,500.00 for inlet replacements and associated work at Third Street/Connie Street, as bid under Project No. 14-03: Storm Sewer Inlet Replacement Project. Councilmember Studnicka seconded the motion.

- Councilmember Trinkle stated we're getting this done before they overlay Connie, correct.
 - Public Works Director John Young stated yes, that's the whole reason we brought this forward, so we'd have the opportunity do that before rather than tear it up.

The motion was unanimously approved.

Executive Session: Councilmember Pawlowski moved to go into Executive Session for 15 minutes to discuss Personnel Matters of Non-Elected Personnel beginning at 7:42 P.M. and returning at 7:57 P.M. Councilmember Gardner seconded the motion. The motion was unanimously approved.

Councilmember Pawlowski moved to return to Open Session at 7:57 P.M. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Administrator: Chief Wayman stated I have 3 things for the Council. The Governing Body Institute is May 15 and 16th in Topeka, if you'd like to attend please get with Sarah and she'll get you signed up. The Lansing Education Foundation Breakfast is May 8th at 7:00 A.M. at Lansing Elementary School. RSVP to Sarah no later than April 29 to coordinate for seating and possibly a City table. The third and final thing I have is on the table up here is a Proclamation from Governor Brownback, a Lansing DAZE Proclamation. The City of Lansing has received a proclamation from the Governor's office that is recognizing the Brew, Blues and BBQ Cook off as an official Championship of the State of Kansas, and by doing so this allows the Grand Champion of the event to enter the American Royale Barbeque Contest in Kansas City.

Governing Body: Councilmember Studnicka stated I'd like to congratulate our four councilmembers on re-election, we expect big things out of you now.

Mayor Kirby stated I'd like to take this opportunity to thank all the employees, department heads, I know you run into trouble doing this, but I specifically want to mention Chief Wayman, Tony Zell, Sunshine Petrone, and Sarah

Bodensteiner who have been especially helpful to me this week, and keeping things running smooth. So to all the employees and to those four individuals, thanks from me to you.

Councilmember Garvey stated congratulations on the plaque that you got from the Scouts. And I want to thank everyone who voted for me, I really appreciate you going out to the polls.

Councilmember Buehler stated thank you to our volunteers on the Library Board and Zoning Appeals Board. We can't do it without the volunteers that we get, so thank you in advance for your time, I know it will be a lot.

Councilmember Brungardt stated Ellen and Rich, thank you very much, really appreciate it. Sarah, what the Mayor said, Sarah Steve, Tony, and Sunshine, thank you very much.

ADJOURNMENT: Councilmember Brungardt moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:00 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk