

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: Kerry Brungardt

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent: Don Studnicka and Jesse Garvey

OLD BUSINESS:

Consent Calendar: Councilmember Buehler moved to approve the special meeting minutes and regular meeting minutes of February 19, 2015. 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: Proclamation – Flood Safety Awareness Week. Mayor Kirby presented the Flood Safety Awareness Week Proclamation to John Young, Director of Public Works Department.

- Public Works Director John Young stated I would just like to say that we really do want to reach out to the community and make sure that everybody is aware of the potential for flooding in Lansing, and if anybody in the community has any questions at all about flood safety, flood risks, or flood protection, please call the Public Works Department and give us the opportunity to assist you. We have a lot of resources and information there for you, and mapping, and we'll do our best to help. City Council, we hope for the next meeting, to have for you a new Ordinance adopting the updated flood maps that have been done by FEMA, so we'll be able to use those for regulatory purposes. Thank you.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Final Plat – Rock Creek Ridge, 4th Plat: Councilmember Buehler moved to accept the public dedications of the final plat for Rock Creek Ridge, 4th Plat. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Rock Creek Ridge, 4th Plat – Request for Offset of Park Land Fees: Councilmember Gardner asked if this would go into the Parks & Recreation Budget.

- Public Works Director John Young replied Park Land Fees go into the Parks & Recreation Reserve.
- Councilmember McNeill asked is the trail system part of the ordinance for a developer or anyone who is developing an area that is part of our trail system, isn't that part of the planning. I mean isn't it a requirement for them to connect any piece of trail in that developed area, that they plan on developing.
 - Public Works Director John Young replied one of the purposes of placing the Master Trails Plan in the Comprehensive Plan is to be able to use that for leverage to try to get at least the land set aside and if possible, get these constructed. We've been pretty successful at it. This is a cooperative effort, there's been no objection to doing it, but they are just looking for some relief because of the size and the expense of it and the other things going on. Mike Reilly is here if you want to ask him about it.
- Councilmember McNeill stated I am more worried about the park fund. Even when we tried to do the Angel Falls trail, we had to take money out of something else, we don't have any money in the park fund. So waiving \$29,000.00, that's \$29,000.00 that could improve our other City Parks, like Kenneth Bernard Park, so that is the issue I have with it. I understand the cost of the trail, but I don't recall any other developers that had that as a reasoning. The one in Angel Falls, they just did it.
 - Public Works Director John Young stated I don't believe we had park land fees; that was offset as well. In Wyndham Hills the park land fees were offset by the trail there too. There is precedent for this, I understand your concern; we all want to put money in the park fund that's why we raise the fees.
 - Councilmember McNeill stated the precedent is we're going to have a really nice trail, but the kids don't play on the really nice trail so much. Families walk on the trail, yes, but little kids like parks to play in. The more money that you drain out of the Parks the less money we have to improve them. I wish Jason [Crum] was here to talk about it.
- Councilmember Buehler stated we did offset the 1st plat right.
 - Councilmember Pawlowski replied no, they didn't pay it because staff didn't collect it, but it was included in the first three phases and that is true.

- Public Works Director John Young replied that was collected.
 - Councilmember Pawlowski responded not in phase one, phase two and three it was.
 - Public Works Director John Young replied phase one fee was collected.
- Councilmember McNeill asked what one was collected later after the error was found that it wasn't collected.
 - Councilmember Pawlowski stated phase one.
- Councilmember Buehler stated I remember one of them being collected, but I thought one of them was offset, that's why I asked. I remember one was late, then we collected it, that's why I'm asking because I don't remember. And I thought we waived one of them also, but I don't recall.
 - Councilmember Pawlowski stated that was phase two.
 - Developer Mike Reilly stated that I don't believe that anything has been offset, there have only been two phases of all the phases out at either Rock Creek Estates or Rock Creek Ridge that have actually included the trail as of right now, before this phase. Rock Creek Estates phase two included the trail back behind that area connecting Willow to Canyon Lane or Canyon View, and then Rock Creek Ridge phase three that we are in now.
- Councilmember Trinkle asked are you doing anything above what is required for the plat.
 - Developer Mike Reilly stated as opposed to leaning on the trail, we view as an amenity that is not only important to the City but also it's important to our community, our homeowners as well, it's something we agreed to early on, and we are certainly going to fulfill that as we have in every phase. What we would like to do, and I don't believe it is required, is to build this construction entrance off of 147th Street, to take the major construction traffic, if not the majority of the construction traffic out of our community and off of your streets. Not only the construction equipment to develop the land and the utilities, but also the construction equipment to build our homes for the next four to five years. We think that provides a value and a win win win: a win for the City, a win for our homeowners and community members, and a win for us as a developer as well. The \$29,000.00 is a firm estimate that was produced by our contractor to the City. That is the initial cost of that construction entrance. Keep in mind, forty-eight lots and at the pace we are building at now, is a four to five year project. That construction road will have maintenance attached to it, so it's a \$29,000.00 bill to put in for us, but I don't know what that number is going to look like on a maintenance perspective over the next three to four to five years. We would like to do that, it is certainly not a requirement, I think it's benefit to the community, and to do that we are asking for the offset of the park land fees.
- Councilmember Trinkle asked so then all the other fees will fall right into place, so they won't ask for anything other than the park land fees.
 - Public Works Director John Young stated one of the points he is making about the construction road, otherwise that would come in on Ridge Drive, like it has for phase two and three, it came on phase one to go on there. They knew that they would have to so they beefed up the pavement to a ten inch pavement instead of an eight inch pavement for that purpose, but now there are a lot of homes there and it's one of the things that the Council has had lots and lots of complaints about on other projects, when construction traffic has to go through an area that already has people living in it, it creates issues and that's one of the primary reasons they are looking at doing this, to try to be sensitive to those kinds of complaints that happen. I'm not arguing for it or against it, I just wanted to flush that out.
- Councilmember Gardner asked so you would have entered in where you have entered before, except that there are houses there now.
 - Public Works Director John Young stated without this construction road, they would have to come down Ridge Drive.
 - Developer Mike Reilly stated without the construction entrance we will enter through the main entrance of the Ridge, Ridge Drive.
 - Public Works Director John Young stated the construction entrance requirements that are in our Code have to do with Sediment control and mud tracking, and they have to build something adjacent for the mud tracking.
- Councilmember Gardner stated I hadn't been here, but did anybody have a lot of trouble going through that, with the second and third plats; complaints?
 - Councilmember Trinkle replied I didn't have any complaints.
 - Councilmember Pawlowski stated I haven't heard any.
- Councilmember Buehler stated what you were just talking about, construction entrance, as per my email this morning I found that in the Code, that's not the same thing that he's talking about?
 - Public Works Director John Young replied the construction entrance in the code is primarily an improved entrance, so they aren't just running through mud and then driving straight out on the street to try to get rid of the mud or the sediment. Now we have done things in the past where it was absolutely essential to have a maintenance bond on the street that is a provision that can be done, but that doesn't keep the traffic out of the neighborhood.

- Mayor Kirby stated the entrance that you're talking about putting in, this construction entrance, keeps all the traffic away from the homes, they won't be effected by it at all with this. You put that in, that's it, the neighbors aren't going to be bothered.
 - Developer Mike Reilly stated correct, as much as humanly possible, recognizing that we're building houses next to some already existing houses, but yes, the heavy load, the majority of the construction traffic on a day to day basis will all access this construction road.
- Councilmember Pawlowski stated that I think if we're going to keep doing this we need to find some other way to get this park land fee. Jason's not here to protect his parks, and we are desperately in need of parks and desperately in need of money to do something with our parks, and that's why this money is here. It's completely separate from the construction entrance.
 - Councilmember McNeill stated what I just want to make sure is if we're going to say the trail system that a developer puts in is an offset to the park land fees, then we ought to make that a policy, so that when a developer comes into an area that is part of the trail system you can offset it. It sounds to me right now that we've offset it for some, and now we're not offsetting it for others which doesn't make any sense.
 - Public Works Director John Young stated it's been a Council decision every time.
 - Councilmember McNeill stated that it has been your [Public Works Department] recommendation every time too, so if we're going to recommend it, then we want to recommend it as part of that.
 - Public Works Director John Young stated what we do is bring forward the requests from the developers when they make them. If they want to make a case for the offset, we bring that forward to you.
 - Councilmember McNeill stated that it starts out with Staff recommends, so if you're going to be recommending, and it's going to be continuous, then we ought to make it a policy that that is an offset to developers who develop in areas of our trail system.
 - Public Works Director John Young replied there wasn't a recommendation there, but we think it's a reasonable request.
 - Councilmember McNeill stated that is a moot point, but what I'm saying is if that's going to be the norm, then I would say we probably should put in our policy that any developer developing that we do offset it, so we're not in situations, but it's an automatic thing.
 - Public Works Director John Young stated that we do look to you, this body for policy direction.
 - City Administrator Mike Smith stated that we should have a discussion on that and we'll get it on a Work Session.
 - Councilmember Gardner asked if we decide to keep the money in the park land fee, does that mean you won't put a road in there. Would it be to your benefit to put a road in there. I know it is tough question.
 - Developer Mike Reilly stated quite honestly I think it's a small ask, what we're asking here. In today's world, with everything that's going on in and around our community, for us to put forty-eight lots in is extremely aggressive. Would I continue to put a construction road in, in the event the request was shot down, then I doubt it. In fact, if the request was shot down then we'd probably have to look at other issues.

Councilmember Trinkle moved to accept the proposed trail and construction entrance in lieu of the park land fees for Rock Creek Ridge, 4th Plat. Councilmember Buehler seconded the motion. The motion was approved with Councilmember Pawlowski and Councilmember Buehler voting against the motion.

Facilities Use Agreement – Rock Creek Ridge, 4th Plat: Councilmember Buehler moved to approve the Facilities Use Agreement for Rock Creek Ridge, 4th Plat, with no park land Fee. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

Acceptance of Engineering Documents for Public Improvements for Rock Creek Ridge, 4th Plat: Councilmember Buehler moved to accept the Engineering Documents for Rock Creek Ridge, 4th Plat, Public Improvements. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Sanitary Sewer Design Criteria Update: Councilmember Trinkle moved to approve the updated Sanitary Sewer Design Criteria as presented. Councilmember Buehler Seconded the motion.

- Wastewater Utility Director Tony Zell stated Mayor, I did want to add one thing before we vote. In going back through and talking with other staff, in section T, with the fee for \$500.00 dollars, we'd like to change that to as

determined by the current fee and fine schedule on file with the City, that way we don't have to come back and revisit this issue every time there is an increase, it would just be a part of the fee and fine schedule.

- Councilmember Trinkle asked do we just amend that to the motion.
 - Councilmember Pawlowski stated we must amend the motion.
- Councilmember Buehler withdrew his second.
- Councilmember Trinkle withdrew his motion.

Councilmember Trinkle moved to approve the updated Sanitary Sewer Design Criteria with the recommended change to Section T "as determined by the current fee and fine schedule". Councilmember Buehler seconded the motion. The motion was unanimously approved.

Agreement for Consultation Services for 2015 Sanitary Sewer Rate Study: Councilmember Pawlowski asked how long will this take.

- Wastewater Utility Director Tony Zell replied about five to six months.
 - Councilmember Pawlowski replied from now?
 - Wastewater Utility Director stated yes.

Councilmember Pawlowski moved to approve the Agreement for Engineering Services with Professional Engineering Consultants with a cost not to exceed \$23,900.00. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing further to report.

City Administrator: City Administrator Michael Smith introduced Stephanie Lief to the Council as the new Economic Development/CVB Director. We are real pleased that she decided to join the staff and she's already going 110 miles an hour so I just wanted to officially welcome her to our great staff and our great city.

Governing Body: Councilmember Gardner congratulated and commended the council and the staff on getting the negative outlook removed from our A1 rating as far as Moody's goes. Between the day to day issues, and the yearly budget, you guys have done a lot of good, a lot of positive things to get us out of that hole, so thank you. And also Couch Logue was inducted into the Kansas State High School Activities Hall of Fame. He's done a lot of good for a lot of kids for a lot of years and it was a nice way for them to say thank you for all he's done for the kids in Lansing.

Councilmember Brungardt stated he wanted to brag on his middle school kids and his site council. They just held a dance to raise funds for the St. Vincent clinic. That is something that does a lot of good for our community, but my kids and site council stepped up and we raised \$1,000.00 to give to St. Vincent through a dance, and I do not like dances, it was a tough evening, but it was well worth it.

ADJOURNMENT: Councilmember Brungardt moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:29 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk