

**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

**Ward 4:** Tony McNeill and Gregg Buehler

**Councilmembers Absent:** Kerry Brungardt

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**OLD BUSINESS:**

**Consent Calendar:** Councilmember Buehler moved to approve the regular meeting minutes of January 15, 2015 and the special meeting minutes of January 22, 2015. Councilmember Garvey seconded the motion. The motion was unanimously approved.

**NEW BUSINESS:**

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

**Presentation:**

**Employee of the Quarter:** Public Works Director John Young was presented the plaque for Employee of the First Quarter by City Administrator Michael Smith and Mayor Kirby.

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Request to Use Lansing Activity Center After Hours:** Councilmember Studnicka made a motion to approve the request for the Boy Scouts to use the Lansing Activity Center from 8:00 p.m. on February 7, 2015 to 7:00 a.m. on February 8, 2015 for their annual Boy Scout Anti-Campout on the condition that the Release of Liability and Indemnity forms are used as the participants entry ticket to the event. Councilmember McNeill seconded the motion. The motion was unanimously approved.

**Request to Complete Easement Acquisitions for 7 Mile Creek Action Plan:** Councilmember Pawlowski stated the \$60,120.00, that's not the negotiated price. That's what Skeen's has come up with as far as value.

- Anthony Zell, Wastewater Utility Director stated that's what Valbridge Property Advisors actually appraised the property at.
  - Councilmember Pawlowski stated there's been no negotiations.
    - Anthony Zell, Wastewater Utility Director stated there has been none at this point.
- Councilmember Pawlowski stated the school district property is separate, so we're going to offer them that amount of money.
  - Anthony Zell, Wastewater Utility Director stated it is [separate] and that when we speak with Dr. Bagby and the school district that they are going to donate the easements like they had for the high school, so that's why it wasn't included in that total.
- Councilmember Pawlowski stated you have in here that one parcel has been previously acquired by negotiation agreement between the agency and Mayor Blackwell. I went back and looked through the minutes from last year, and I couldn't find where the council had had that briefing or had approved that, do you know when that was.
  - Anthony Zell, Wastewater Utility Director stated I do not off the top of my head.
    - City Administrator Michael Smith stated he didn't know that question was coming or else he would have prepared an answer. I know Mayor Blackwell did handle a couple of those though.
- Councilmember Garvey asked if it was documented.
  - City Administrator Michael Smith stated should be.
- Councilmember Pawlowski asked could you get that to us.

Councilmember Studnicka made a motion to authorize staff and Skeen's Consulting to complete easement acquisition activities for the 7 Mile Creek Action Plan. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

**Request to Approve Supplemental Agreement for Engineering Services for 9 Mile Creek Action Plan (City Project 15-01):** Councilmember Pawlowski stated this is a supplement to the Sewer Master Plan.

- Anthony Zell, Wastewater Utility Director stated it is a supplemental agreement to the 7 Mile Creek Action Plan.
  - Councilmember Pawlowski stated this is the 9 Mile Creek Action Plan.
    - Anthony Zell, Wastewater Utility Director stated correct.

- Councilmember Pawlowski stated the 7 Mile Creek Action Plan was \$253,000.00 and the supplement is more. \$253,000, \$311,000.00, and we're not going to go out and bid it or talk to anyone else.
  - Anthony Zell, Wastewater Utility Director stated it is equivalent to.
- Councilmember Pawlowski stated I understand Tony why we are doing this, I just think it looks bad, \$311,000.00 is a lot of money. And I went back and looked and we paid \$156,000.00 for the Sewer Master Plan, \$253,000.00 for the 7 Mile Creek Action Plan, and now \$310,000.00 for this.
- Mayor Kirby stated this is the direction we gave them at the Work Session. These actions tonight are based on what we agreed at the study plan for them to move forward.
- Councilmember McNeill stated the price difference is based on the amount of design they'd have to do, 9 miles is fairly larger.
  - Anthony Zell, Wastewater Utility Director stated it's a different terrain, different pipe, different depths, and modifying our pump station.
    - Councilmember McNeill stated so we could expect it to be higher.
      - Anthony Zell, Wastewater Utility Director stated not necessarily.
- Councilmember McNeill stated we would expect the design price to higher for a larger area.
  - Anthony Zell, Wastewater Utility Director stated yes.
- Councilmember McNeill stated maybe I missed your point Andi but the difference is like \$55,000.00 \$58,000.00 somewhere around there. Are you more concerned about the contracting piece?
  - Councilmember Pawlowski stated I'm concerned about the fact that we aren't asking anybody else for a price.
- Councilmember McNeill stated let's get the policy straight, we have a policy that they can do the process that they actually went through. I mean prior to this they were using that process and we didn't have a policy, now we put a policy in and they're using it.
  - Councilmember Pawlowski stated they didn't do the policy. They just went back to the same vendor that we had before and asked them for a price. We didn't go through any selection process, because according to them we've already selected it and we're just adding it to another contract. And the discussion we had the night we did the policy change, the question was so you guys are just going to pick somebody and we keep going back to the same people. It was no, we're going to come back to you and say we want to go through a Qualified Based Selection process, but we're not. And we're spending \$310,000.00 of the money that's not ours and I have heartburn with that. I understand what you're saying too.
    - Councilmember McNeill stated the argument that can be made is in the best interest of the City to keep the same firm, because you're going to hand off Master Plan and the other plan to someone who isn't familiar with it. So they're going to have to start from ground zero. In my view this is a plan for the wastewater and we want to try to keep it in the same shell. If you go to three different vendors and this guy is a little lower, ok, but he's now got to catch up on all those other designs to figure out what he's supposed to do on his piece. I get what you're saying, if it was a different contract for a different thing, not part of the Master Plan, and maybe we'd want to force that. The reason I am in favor of it because it fits within the same scope, if it was way out of the scope I would definitely say we should've gone out to other people, but this is all one big project.
- Mayor Kirby stated this is what we already discussed previously.

Councilmember Studnicka made a motion to approve supplemental agreement number 3 with George Butler Associates for design engineering for the 9 Mile Creek Action Plan (City Project 15-01), with a cost not to exceed \$311,905.00 dollars. Councilmember Trinkle seconded the motion. The motion was approved with Councilmember Pawlowski voting against the motion.

**9 Mile Creek Sanitary Sewer Action Plan:** Councilmember Pawlowski made a motion to approve the 9 Mile Creek Sanitary Sewer Action plan as presented. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to go into executive session for 30 minutes to discuss personnel matters of non-elected personnel beginning at 7:22 p.m. and ending at 7:52 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Pawlowski moved to return to open session at 7:53 p.m. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to allow Mayor Kirby to continue contract negotiations regarding non-elected personnel. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to allow the City of Lansing with the Mayor to look into a contract with the Art Davis Group for appropriate personnel. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

**REPORTS:**

**City Attorney:** City Attorney Brian Palmer stated that he had nothing further to report.

**City Administrator:** City Administrator Michael Smith stated he had nothing further to report.

**Governing Body:** Mayor Kirby congratulated John Young.

Councilmember Gardner congratulated John Young and stated it was quite a testimony.

Councilmember Garvey congratulated John Young.

Councilmember Buehler congratulated John Young and well done to those who did Salads and Solutions, it was well put on and a good presentation by the Mayor, it was a great luncheon and thank you to the staff.

**ADJOURNMENT:** Councilmember Buehler moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:54 p.m.

**ATTEST:**

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Louis E. Kirby, Mayor

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Sarah Bodensteiner, City Clerk