

# CITY OF LANSING

## CITY COUNCIL MEETING

REGULAR MEETING MINUTES  
December 17, 2020

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**Call To Order:**

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

**Roll Call:**

Mayor Mike Smith called the roll and indicated which Councilmembers were in attendance.

**Councilmembers Present:**

**Ward 1:** Gene Kirby

**Ward 2:** Don Studnicka and Marcus Majure

**Ward 3:** Jesse Garvey and Kerry Brungardt

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

**Councilmembers Absent:** Dave Trinkle

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Councilmembers were present via Zoom video conference

## OLD BUSINESS:

**Approval of Minutes:** Councilmember Studnicka moved to approve the regular meeting minutes of December 3, 2020, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

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

**Presentations****COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Resolution No. B-10-2020 Kansas PRIDE Program Support:** Councilmember McNeill moved to approve and adopt Resolution No. B-10-2020. Councilmember Studnicka seconded the motion.

- Councilmember Garvey stated I got a question.
  - Mayor Smith responded go ahead.
    - Councilmember Garvey asked they use to do the PRIDE yard award. Do they not do that anymore.
      - Mayor Smith asked Sarah.
        - City Administrator Tim Vandall responded I think Sarah is going to answer that question.
          - City Clerk Sarah Bodensteiner replied so they do. The group that does that, they are aging a little bit, so they are not as active, but they have been doing the yard program. I think they started it back up a year or two ago. They may have taken a break this year just with everything going on with COVID.
  - Councilmember Garvey responded right.
    - City Clerk Sarah Bodensteiner stated they do take care of that. It's also done through the K-State Research and Extension office as well.
      - Councilmember Garvey replied ok. That answers my question. Thank you.
    - Mayor Smith thanks Sarah. Anything else?

The motion was unanimously approved.

**Structure Removal Cost Share Application – 600 Beth Street:** Mayor Smith asked Becky on this right here I see a motion to approve the structure. Is this two different bids, or two different things or have I read it wrong?

- City Administrator Tim Vandall replied so there's multiple bids and I think the person got a bid pretty recently. I'll let Becky elaborate on it more.
  - Building Inspector Becky Savidge stated so we had the low bid of \$7,000 from TMK and we had Britz's Excavating bid and yesterday the applicant brought me one from Frederick. The applicant said he would prefer to use them because he is going to use them for the basement. It is \$460 more. I told him I didn't know how you all would feel about it, but we submitted it and it's up to you all for your decision, guidance, on which way to go.
    - Mayor Smith asked the \$400 goes above what is normal, is that correct.
      - Building Inspector Becky Savidge replied well no. It's \$460 more than our lowest bid.
- Councilmember Buehler asked so do we pay the contractor, or do we cut a check to the person and they pay the contractor.
  - Building Inspector Becky Savidge responded we pay the contractor. Once I get a receipt from the contractor that the individual has paid their portion then we cut a check to finalize that once everything is done, to the contractor himself.
    - Councilmember Buehler stated ok thank you.
- Mayor Smith replied Gene.
  - Councilmember Kirby asked we have a low bid of \$7,000 and now we are being asked to go with the higher bid.
    - Councilmember McNeill replied that is what it sounds like. That's an easy question. Easy answer is we follow our own guidance and go with the low bid.
      - Councilmember Buehler asked or we can tell the guy we'll pay our half of the low bid and he can use whoever he wants to but he's paying the difference.
        - Building Inspector Becky Savidge responded right and that was an option I told him could happen. You know if you guys decided that. I didn't even know if I was going to be able to get that bid in front of you or not when I spoke with him.
          - Councilmember McNeil stated I mean I wouldn't have any issue with them choosing whoever as long as the low bid is what we are paying.
            - Councilmember Buehler replied right I agree.
              - Mayor Smith asked Gene
                - Councilmember stated Kirby yeah, I agree. I don't want to start getting the 'you only gave me so much but then you gave this guy more than the low bid'.
              - Councilmember Garvey replied right.
            - Councilmember Kirby stated I don't want to get into that. I don't care who he pays.
              - Councilmember Majure asked can we do that. Legally can we do that. Can we just go with the low bid and he contracts out to somebody else for higher, but we only pay half of the low bid. Can we legally do that.
      - City Administrator Tim Vandall replied the property owner would be the one paying the difference.
        - City Attorney Greg Robinson responded from the legal process, yes because you have a bid. You have a low bid, you're accepting a low bid and as long as you aren't paying any more than that. What the folks do on the other end of that really is out of the hands. You're doing what you're suppose to do under your policy.
          - Mayor Smith stated alright Greg. I didn't see you. Anyone else on this one.
    - Councilmember McNeill stated I would caution though. I would ask for another bid from Frederick that doesn't show the \$400 on us. You know what I mean.

- Councilmember Garvey replied we're not going to approve Fredericks. Aren't we going to approve the TMK one. The \$7,000 one.
  - Councilmember McNeill responded well if we do, they would win the bid. Not Frederick.
    - City Administrator Tim Vandall stated it's the property owner who's facilitating all this but if you guys want, we could word it in a way where we make a motion to approve a contractor whoever it is not to exceed \$3500. You guys would make a motion like that if that is helpful.
      - Mayor Smith replied that is the way to go.
        - Councilmember McNeill responded yeah; I would do that. That is cleaner on our part.
          - Mayor Smith asked is that ok with everybody. Can I get that motion.

Councilmember Buehler moved to approve the structure removal cost share application for the principle and accessory structures at 600 Beth Street to include the applicant choosing a contractor, but the City portion not to exceed \$3,500. Councilmember Kirby seconded the motion. The motion was unanimously approved.

**Parks Master Plan Discussion:** Parks & Recreation Director Jason Crum stated in the Agenda item we included the Phase One excerpt. I hope everyone had a chance to revisit that just to get the high points. The main two things that were going to happen were moving baseball and softball to Bernard. When we vacate City Park to be able to put a splash pad in there. Those were the major things. Back in February, we finished up and approved the Master Plan. I feel like we had some pretty good momentum at the time and then we hit a wall with COVID. So, I just wanted to make sure we kept this in front of you and see what you want to do next. There are a lot of different ways we can potentially go if we want to start to work on the design for Phase 1 if everyone is comfortable with that. A lot of time since we did a RFP to select Landworks to do the Master Plan, we may have to consider moving forward with them to do the next phase of the design. That is one possibility. Another possibility and I just want to make sure everybody knows, Shannon Gordon who has been our project manager basically since we started the Master Plan out there, is no longer with that firm. He is with another firm now. So, our project manager is no longer with that firm. I guess that is another possibility is we can see what we can do with that other firm if that is something the Council is interested in. Or we can put out a fresh, new RFP and see what we can get. Anyway, I'm open to discussion with that or answer any questions anybody has. Just see if everyone is comfortable with us moving forward with that at this point in time or not.

- Mayor Smith asked Jesse.
  - Councilmember Garvey stated well I don't want to sound all negative, but I don't like the idea of investing a million dollars into a splash park at City Park. I think that park is off the beaten path too much. Almost in an industrial area. Right there by Aramark and all that other stuff and I don't think that a lot of people know about that park quite frankly. What about this, what would be the chances of us developing that piece of property into an industrial park and try to sell off that property. And use that money to invest into Ken Bernard Park.
    - Mayor Smith asked Councilmembers.
      - Parks & Recreation Director Jason Crum responded I don't know if that is a question for me or not.
        - Councilmember Garvey replied I don't know, it's just an idea I thought about when I was reading this.
          - City Administrator Tim Vandall replied to kind of get back to your first point, when we were going through the planning process it was important to staff and I think a couple of governing body members, people from the community that didn't want to put all of our eggs in that one basket. I think it was important to some people to have something on the east side of town also. That is the background of why that splash pad is there in that

location. Obviously, what we do is what the Council wants but that is the background behind that.

- Councilmember Garvey stated that location I think is kind of odd because there is only two ways in. It's American Ave and the road next to Chuck Peters place right back there. Those are the only two roads that go back in the area aren't they.
  - Parks & Recreation Director Jason Crum responded that is correct. I would also say to add onto what Tim said I think that was part of the appeal of it as for instance, you know we looked at trying to revitalize all those parks we considered neighborhood parks for example City Park, Willow Park. Those that are in the neighborhoods like that. Willow Park with the development of housing and stuff around it, we didn't think when we went through the Master Plan, we didn't think that was as good of a fit because we didn't know how the neighbors would react to it. Where with where City Park is now, you're not in anybody's backyard or anything like that. There's ample parking already there for it.
    - Councilmember Garvey replied I'd like to have a park in my backyard. Can you do that. No just kidding.
  - City Administrator Tim Vandall stated I think the discussion Jason is talking about, a lot of it revolved around with a splash pad you might have people playing at 8:30pm on a summer evening and somebody in the backyard of one of those houses is trying to sleep at 8:30 or 9:00pm. They could get frustrated or we'd probably have to light it up. Maybe someone wouldn't want a parking lot light in their backyard. So those were some of the things that were considered.
- Councilmember Garvey stated those are valid points definitely. That answers my question.
- Mayor Smith asked Don, did you have something.
  - Councilmember Studnicka responded no I was just going to say probably my thought would be to move forward on this project and go out, since our project manager has changed and some other stuff, maybe go out for a new set of RFP's and see what we pull up.
    - Mayor Smith replied yeah that sounds reasonable. Anybody else on that. Tony
- Councilmember McNeill asked so what we're moving forward with is what. The design phase of Phase 1?
  - Parks & Recreation Director Jason Crum responded unless you decide tonight that you just want to go on and build it, yeah that's what we're talking about.

- Councilmember McNeill asked my question was where are we going to get the funding for phase 1.
  - Parks & Recreation Director Jason Crum replied so I talked to Beth about this today and with the money we had out of a special tax fund that is earmarked for parks, I believe she told me what money we have remaining this year and what money we would have next year is about \$130,000 if I am correct. And then, in Special Parks and Rec we have some reserve that we could spend some of without depleting the entire reserve of Special Parks and Rec fund. We talked about \$100,000 there as well. So that would start us with about \$230,000.
    - City Administrator Tim Vandall responded the other thing to keep in mind too with that Special Sales Tax fund if you guys recall, we started that about a year before DeSoto Rd even began. So, we had quite a bit built up before construction even commenced so there is funds available in that fund. I mean this would be a six, seven, eight-month process so more funds would be built up.
      - Councilmember McNeill replied I understand so long term in order to build it we have to come up with close to \$5 million right. Is the intent to bond it and then use the payments from that fund to pay the bonds?
        - City Administrator Tim Vandall responded yes; the intent would be to bond it.
          - Councilmember McNeill asked ok so bond the \$5 million.
            - City Administrator Tim Vandall replied yes.
          - Councilmember McNeill stated ok, I guess my only add to this would be have we considered taking a piece of phase 2 and moving it to phase 1. I was thinking maybe a splash pad out at Kenneth Bernard to be added to phase 1 so you had two different areas for aquatics. But I don't know if that fits in and I know it has been in pieces, but I don't know if we can move forward with adding that to phase 1 or not. At Kenneth Bernard, I think it was \$580,000.
        - Parks & Recreation Director Jason Crum asked you're talking about adding an additional splash pad, is that what you're saying Tony.
      - Councilmember McNeill responded well I don't think it's in phase 1 for Kenneth Bernard. I didn't see that as part of phase 1 for Kenneth Bernard.
        - Parks & Recreation Director Jason Crum stated it's not.
      - Councilmember McNeill replied so it would be adding that piece Jason is what I was thinking. So, then we would have two places on both sides of town that people could go to if people wanted. I don't know if we can afford that or what the limit was Tim on how much we could bond.
  - City Administrator Tim Vandall stated I'll start off and then Jason can kind of jump in a little bit. I know the way Jason and I have talked about it; we would want to structure this bid package in a way we would have two, three, four different alternates. So, if we get a good bid at \$4.4 million, we'd be able to tack

- on \$500,000-600,000 worth of alternates as part of your question. Secondly, if I recall wasn't there issues with having a splash pad on septic Jason.
- Parks & Recreation Director Jason Crum replied yeah, it's a little more challenging for sure without sewer. I'm sorry I got quiet there for a second, I don't recall that we had a splash pad planned for Bernard Park at all. We talked about it in the process, but I don't think it ever ended up in the plan.
  - Councilmember McNeill stated it's in Phase 2, Jason. But then the price jumps quite a bit, I think.
    - Parks & Recreation Director Jason Crum replied ok, I mean I think we can explore a lot of different things. Particularly if, say if we were putting in that baseball and softball complex, I know a lot of those have, I'll just call it, I guess it probably ends up being more like a fountain or something like that. Instead of say having a playground you might have a small splash pad there the people playing baseball and softball could use and it could be used outside of that when there's not games going on.
      - Councilmember McNeill responded yeah; it was in that little area that is just to the west that has the little four different stations There's a splash pad.
        - Parks & Recreation Director Jason Crum asked you mean like the quadrants.
          - Councilmember McNeill replied yeah in phase 2.
            - Parks & Recreation Director Jason Crum responded gotcha.
              - Councilmember McNeill stated the aquatics part was \$580,000 if I am reading the phase 2 part. I like the idea of having it if the bid comes in low, we can add options. I'm just thinking it would be nice to have something like that out there. It looks to be smaller, that would be fine too.
                - City Administrator Tim Vandall responded it can be one of the main alternates. We can talk to the consultant, whoever the consultant is, we can mention that to them.
              - Parks & Recreation Director Jason Crum replied agreed. I think one of the things they talked about there in phase 1 quite a bit is upgrades to soccer but it really didn't make the cut when it came to the funding portion of it if you guys read through that very much. That is something else I think we ought to consider as well.
            - Councilmember Majure stated I agree. I totally agree. Let me ask you this, what age group are we talking about to enjoy the splash pads. What age group are we targeting to entertain with \$500k+ splash pad.
              - Councilmember McNeill replied analysis said 2-12 in the book.
            - Mayor Smith stated Marcus, we'll let you have a turn, we'll have no problem with that.
            - Parks & Recreation Director Jason Crum responded it's basically the same as a playground but I think you know once kids hit middle school and Kerry can speak to this better than I can, it might be a little bit embarrassing if their friends were watching them out there but if they were there with their little brother or sister, they'd be likely to run through it and start playing as long as none of their friends were watching.
        - Councilmember Brungardt replied it just depends on the middle school kid. I can see 6<sup>th</sup> graders being out there. Probably not your 8<sup>th</sup> graders. They're too cool for school.

- Mayor Smith stated I can see some adults going through it but that's just me. Hey, Gene, did you have something. Sorry I didn't get to you.
- Councilmember Kirby stated yeah, I just want to remember that we don't forget this side of town. Where I think City Park and with whatever it is, I don't want to abandon the east side of the highway. That's all I have.
- Mayor Smith asked any other questions. Tim how would you like us to go?
  - City Administrator Tim Vandall stated I know Don's suggestion was to put it back out for RFP's. Are the rest of you guys generally ok with putting out an RFP and maybe having a committee with people reviewing those.
    - Councilmember McNeill replied yeah.
      - Mayor Smith asked everybody good with that. Looks like it Tim.
        - City Administrator Tim Vandall stated my next question I'm going to ask for volunteers to help us review the RFP's.
          - Mayor Smith responded Kerry, let's get Kerry on one of those things. He's got time. Kerry you want to be on this. Got you. Got one.
            - Parks & Recreation Director Jason Crum stated I think Gene's thumb is up.
              - City Administrator Tim Vandall replied Kerry, Gene.
                - Mayor Smith asked who's the third. Don't look down.
              - City Administrator Tim Vandall responded we can get somebody a little bit later.
            - Mayor Smith replied ok, at least we got two now.
          - City Administrator Tim Vandall stated thanks guys. We appreciate the guidance and the direction too. That is very helpful to staff when you guys let us know.
        - Parks & Recreation Director Jason Crum stated thank you.
      - Mayor Smith stated thank you Jason.

## **REPORTS:**

**Department Heads:** Department Heads had nothing to report.

**City Attorney:** City Attorney Greg Robinson had nothing to report.

**City Administrator:** City Administrator Tim Vandall gave a presentation on the CARES funds. We have distributed ten small business grants and helped Fire District 1 with a disinfectant machine. The electronic sign will hopefully be moving along soon. We will have to remove one tree on the property to have it installed. Improvements will be made to the Council Chambers to include new chairs. They are easier to move and clean. Video improvements are coming for those who watch the meetings at home. Software upgrades and technology upgrades are being made throughout several City departments. In addition, technology upgrades have been made for staff and elected officials to work from home if needed. Auto-flushers, auto sinks and hands-free door openers have been installed in most buildings. A new way to access doors at City Hall has been installed. We still have a lot of masks available to businesses who want them. We have received the first two reimbursements from Leavenworth County. We just submitted our final reimbursement request this week. We anticipate reopening city buildings the first week of January. The State has put out stages of when the vaccine could be available to certain people. We may be approaching the finish line with the pandemic.

- Councilmember Majure asked if they were still issuing funds for the small business grant.
  - City Administrator Tim Vandall responded we are not. The deadlines for it have passed.

City Administrator Tim Vandall mentioned the recent work on the traffic signal at Ida St. It was a combo of maintenance and an upgrade to that signal.

**Governing Body:** Mayor Smith wished everyone a Merry Christmas and Happy New Year. We've had some trying times, but staff and the Council have done a good job getting through it.

Councilmember Brungardt thanked Jason for his report and Tim for his update. The vaccine is here but it's going to take some time to get it distributed so we need to wear our masks, social distance and wash our hands. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Studnicka thanked Tim for the update on the COVID money and said staff has done a good job distributing those funds. He asked about Mr. Nowak's old shed and where are we at getting that torn down.

- Community & Economic Development Director Matthew Schmitz stated he has been working on getting it cleared out and then he was going to submit an application for demolishing it. He said they will keep working on it.

Councilmember Studnicka asked about the Club Car Wash. Is Leavenworth providing water to it or Land-Del?

- City Administrator Tim Vandall responded he believes it is Leavenworth.
  - Community & Economic Development Director Matthew Schmitz replied he is ninety percent certain that is Leavenworth service territory.
    - Councilmember Garvey asked where does their wastewater go?
      - Community & Economic Development Director Matthew Schmitz responded that is us. The Eisenhower Extension Project picks up Aldi, QuikTrip, and the car wash.
        - Councilmember Garvey asked if Leavenworth provides us with numbers to bill them.
          - Community & Economic Development Director Matthew Schmitz replied he believes that is how that works.

Councilmember Kirby thanked city staff, the Council, and citizens of Lansing. It has been a crazy difficult year. We must stay on top of this, vigil, and alert. We can't slack off now.

Councilmember Majure told Tim and staff great job for disbursing those funds and told the Mayor great job.

2020 hasn't been fun with COVID but all staff, Council, police and first responders has been marvelous.

Councilmember Garvey thanked Jason for the work he is doing on the park expansion. He also doesn't want to forget about the east side of town so they can get to parks.

Councilmember Buehler asked if anyone knows if there are food donations for the local community.

- Councilmember Brungardt replied the middle school still has the Lions Pantry. He recommended calling the middle school for directions on how to donate.

He also asked Tim if he has heard anything more about the petition to overturn the mask ordinance.

- City Administrator Tim Vandall replied it is his understanding they are still going around getting signatures. There is a discrepancy on how many signatures are needed but they are still collecting signatures.

He thanked staff and Jason. It has been a trying year and staff has done amazing things throughout the whole year. He closed his remarks by providing a fun fact, on this day, in 1903, the Wright Brothers made the first control powered air flight in Kitty Hawk, NC.

Councilmember McNeill echoed what everyone has said. The staff and governing body have done their part the best they could to take care of people and our businesses this year. He thanked Jason for the briefing and it's good to know we are still trying to follow our plans even if they've been interrupted.

All Councilmembers wished everyone a Merry Christmas and Happy New Year.

### **ADJOURNMENT:**

Councilmember McNeill moved to adjourn. Councilmember Buehler seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:42 p.m.

**ATTEST:**

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Michael W. Smith, Mayor

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Sarah Bodensteiner, City Clerk