

# CITY OF LANSING

## CITY COUNCIL MEETING

REGULAR MEETING MINUTES  
September 2, 2021

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### Call To Order:

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

### Roll Call:

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

### Councilmembers Present:

**Ward 1:** Gene Kirby and Dave Trinkle

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

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

**Ward 4:** Ron Dixon

**Councilmembers Absent:** Gregg Buehler

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## OLD BUSINESS:

**Approval of Minutes:** Councilmember Kirby moved to approve the Regular Meeting Minutes of August 19, 2021, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Councilmember Trinkle arrived at 7:01pm

**Audience Participation:** Mayor McNeill called for audience participation on an item not on the agenda and there was none.

### Presentations:

### COUNCIL CONSIDERATION OF AGENDA ITEMS:

**Change Order Request #2 – 2021 Capital Improvements Program:** Councilmember Brungardt moved to approve Change Order #2 from Little Joe's Asphalt for the additional gutter and curb replacement in an amount not to exceed \$20,585.00. Councilmember Kirby seconded the motion.

- Councilmember Brungardt stated thank you for the pictures.
  - Public Works Director Mike Spickelmier responded you're welcome.
    - Councilmember Garvey asked how old is this stuff.
      - Public Works Director Mike Spickelmier replied Clearview is not that old. It's, I would say probably in the 10–12-year range but that's just a weird failure. So DeSoto is a year and half old but that is damage from obviously vehicles. But we don't know where or how. Now Wyndham is approaching 20 years old. So Southfork and the Allyssa Court is about 20 years old. We actually have a lot of feedback on Allyssa Court and Southfork. We were going to try to hold off until we could get it in the mill and overlay CIP while we are already there, but we've run out of time.
      - Mayor McNeill asked did you ask the homeowner there that lives right on that property where that curb is crashed into it looks like on DeSoto to see if anybody knows, I mean that looks like heavy equipment hit it or something. I don't think a tire would do that. It looks like something crushed into it.
        - Public Works Director Mike Spickelmier replied it does look like something rather large.
        - Councilmember Dixon asked what is the time frame for completion of that?
          - Public Works Director Mike Spickelmier responded giving them the notice to proceed tomorrow, we should anticipate this to be scheduled. It needs to be done by October or it will start getting too cold. We'll see what the contractors schedule has available. I will say that we've had a

lot of difficulty soliciting for prices for concrete. We actually solicited for multiple prices on the curb and all of them were saying no we can't get to it until October, November and even then, we don't know if we can get to it.

- Councilmember Studnicka asked majority of this cost, is it material. I know its material and labor but is majority of it material or is it on labor?
  - Public Works Director Mike Spickelmier replied I would say the majority is most likely labor and equipment on these. You've got to form it; you've got to pour it.
- Councilmember Studnicka stated no I understand.
- Mayor McNeill asked any other discussion.

The motion was unanimously approved.

**Ordinance No. 1069 – Fine, Bond, Court Fees & Costs Established by Municipal Court**

**Judge:** Councilmember Kirby moved to approve Ordinance No. 1069, adopting the City of Lansing Municipal Court Fines and Fees Schedule. Councilmember Garvey seconded the motion. The motion was unanimously approved.

**Ordinance No. 1070 – Standard Traffic Ordinance Adoption:** Councilmember Brungardt moved to approve Ordinance No. 1070, adopting the 2021 Standard Traffic Ordinance for Kansas Cities, 48<sup>th</sup> Edition. Councilmember Majure seconded the motion. The motion was unanimously approved.

**Ordinance No. 1071 – Uniform Public Offense Code Adoption:** Councilmember Brungardt moved to approve Ordinance No. 1071, adopting the 2021 Uniform Public Offense Code for Kansas Cities, 37<sup>th</sup> Edition. Councilmember Garvey seconded the motion. The motion was unanimously approved.

**Ordinance No. 1072 – City Fee Schedule:** Councilmember Kirby moved to approve Ordinance No. 1072, adopting the City of Lansing Fee Schedule. Councilmember Majure seconded the motion. The motion was unanimously approved.

**Public Hearing to Exceed the Revenue Neutral Rate and Consideration of Resolution No. B-1-2021:** Councilmember Kirby moved to open the public hearing for Exceeding the Revenue Neutral Rate. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to close the public hearing for Exceeding the Revenue Neutral Rate. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Councilmember Brungardt moved to approve Resolution No. B-1-2021. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

**Public Hearing on and Consideration of the Proposed 2022 Budget:** Councilmember Majure moved to open the public hearing for the 2022 Budget. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

- Councilmember Studnicka asked have we published this budget yet.
  - Finance Director Beth Sanford replied yes.
    - Councilmember Studnicka asked in the newspaper.

- Finance Director Beth Sanford responded yes; we have published the hearing. Not the entire budget but we published the notice of hearing. We have to give 10 days' notice and it's also on our website. I just wanted to take the opportunity during this hearing to address the LAVTR funds. They were brought up at the work session last week. So just an explanation of it. The Local Ad Valorem Tax Relief Fund was set up to be a distribution of state funds to local governments and they base it on population and property valuation. State law required that 3.63% of the sales tax revenue be used for this fund. Kansas legislature has waived that rule requiring the sales tax revenue to be allocated to that fund. This last bullet is just budget tips which I reference when I do my work session for budget, how that is a good source on how to learn the budget. This is just a direct quote from there, 'the funding source for cities and counties remains in statute; however, the state since 2003 has not utilized the statutory scheme and has appropriated no money to this fund. Resurrection of this revenue stream does not seem likely given the state's ongoing budget problems.' So, I went back and researched our budgets to see how much revenue that brought in for the city. I went back to 1995 because I just happened across a 1997 budget and thought we'd start with '95. The last distribution we received was in 2002. The first row is the revenue we received. The second row is the value of one mill for that year. Then the LAVTR in mills, how that translates to a mill. Then down below on a \$100,000 house for instance in 1995 that would have been a savings of \$18.76 for the year for a taxpayer. So, you can kind of follow that along.
  - Councilmember Studnicka stated at least taxes are still being collected.
    - Finance Director Beth Sanford responded it's part of the sales tax yes.
      - Councilmember Studnicka replied because they're not coming back to the city.
        - Finance Director Beth Sanford replied they're allocating it to some other funding.
          - Councilmember Studnicka stated some other place in the state.
        - Finance Director Beth Sanford replied yes.
      - Councilmember Kirby asked do you know roughly; do you have any idea how much we should have gotten in that time that we haven't.
        - Finance Director Beth Sanford asked the total. No but I can figure that for you and get it to you.
    - Councilmember Kirby I'd be interested in it.
  - Finance Director Beth Sanford responded ok.
    - Mayor McNeill stated the county had put out; do you remember what it was in that letter Tim that the County had written to the legislature on how much they would have gotten.
  - City Administrator Tim Vandall responded it was certainly more significant for the County. For us, I would have imagined a few hundred thousand probably.
- Finance Director Beth Sanford replied yeah.
  - Mayor McNeill stated I want to say it was something like three point something million.
    - Finance Director Beth Sanford replied probably.
      - City Administrator Tim Vandall stated yeah.
        - Mayor McNeill stated for the County.
          - Finance Director Beth Sanford stated just fyi, contact your state representatives.

- Councilmember Kirby stated I wanted to ask if you could give us a quick reference, I appreciate that you did.
  - Finance Director Beth Sanford replied sure.
    - Councilmember Brungardt stated thank you Beth.
  - Mayor McNeill asked anyone else out there want to address the Council on the budget.

Councilmember Kirby moved to close the public hearing for the 2022 Budget. Councilmember Majure seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to approve the 2022 Budget. Councilmember Majure seconded the motion. The motion was unanimously approved.

### **REPORTS:**

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

**City Attorney:** City Attorney Greg Robinson stated the Kansas Supreme Court has accepted our petition for review with the fire district case. That is good news for us.

**City Administrator:** City Administrator Tim Vandall let the Council know staff is still planning events as long as they are outside, and we can social distance. Youth sports are still a go, as well as the Fall Festival at Angel Falls. Staff is looking into a Trunk or Treat at Bernard Park to avoid the crowded gym of Spooky Center. There was such a great turn out last year that Bernard Park will give us a little more room. There is hesitation with holding the annual Volunteer Dinner with nearly a hundred attendees and it being held indoors. He would like any feedback from the Council. If we don't hold a dinner for them, we can do a gift card to a Lansing restaurant and a gift.

- Councilmember Brungardt stated he doesn't believe it is safe to have that many people in the facility at once.

Wastewater Utility Director Tony Zell and his staff are being recognized again as the Kansas Wastewater Plant of the year Class 5. It's a huge honor to be recognized as plant of the year so kudos to Tony and his staff. Mill and overlay had started but was paused. They should be back within the next week and half to finish up. The census results came out and it was a little discouraging to see Lansing's population go down. We did some research to find out why. We do have more residents compared to the last census, but there are less inmates at LCF which contributed to our population did go down. We don't want a development prospect to look at neighboring areas that are growing and see that Lansing went down in population. We can explain to them that prison population does have to be added into our numbers and they had a decrease in population which affects us.

**Governing Body:** Councilmember Garvey expressed his condolences to Chief Wayman on the loss of his mother. It's hard when you lose a loved one. He congratulated Tony and his team on their award.

Councilmember Dixon also expressed his condolences to the Chief. He congratulated Tony and his crew and wished everyone a happy and safe Labor Day weekend.

Councilmember Brungardt and Councilmember Studnicka dittoed what Councilmember Dixon stated.

Councilmember Trinkle let Steve know he's thinking of him, and his mom was a real nice lady. He wished everyone a safe three-day weekend. He also stated Covid is amping back up.

Councilmember Kirby let Tim, Beth and all the department heads know he appreciates them working on the budget. It's a team effort. He congratulated Tony and his team as well. He stated if you did not know Chief Wayman's mom then it was your loss.

Councilmember Majure agreed with what Councilmember Kirby just said. He thanked Beth and team along with Tim on the budget, and congratulated Tony.

**ADJOURNMENT:**

Councilmember Majure moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:26 p.m.

**ATTEST:**

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Mayor, Anthony R. McNeill

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City Clerk, Sarah Bodensteiner, CMC