

# CITY OF LANSING

## CITY COUNCIL MEETING

REGULAR MEETING MINUTES  
October 3, 2019

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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:** Andi Pawlowski and Don Studnicka

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

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

**Councilmembers Absent:** Dave Trinkle

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## OLD BUSINESS:

**Approval of Minutes:** Councilmember Buehler moved to approve the regular meeting minutes of September 19, 2019 and the special meeting minutes of September 26, 2019, as presented. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

**Audience Participation:** Mayor Smith called for audience participation and 1 person came forward. Eric Eckhart from the QuikTrip Corporation gave an update on the status of QuikTrip opening a location in Lansing. Removal of the tanks from Co-op will begin at the end of October and once the property is closed on, the first week of December, construction will start the next day. Overall, the project should take approximately 6 months depending on the weather.

**Presentations:** Mayor Smith stated there was going to be a Recognition of Athletic Achievement for Caroline Crawford but due to a change in the Homecoming Parade date, she'll be recognized at a future meeting.

### **COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Request for Cereal Malt Beverage License – Finish Line:** Councilmember Kirby moved to approve the Cereal Malt Beverage License for Shree Nivas Inc., dba Finish Line at 506 North Main Street. Councilmember Buehler seconded the motion. The motion was unanimously approved.

**Ordinance No. 1034 - Rezone Request 210 Gamble Avenue:** Councilmember Studnicka moved to approve and adopt Ordinance No. 1034, as presented. Councilmember Garvey seconded the motion.

- Councilmember Buehler asked can you define mixed zoning please or mixed.
  - Mayor Smith stated Matt, please.
    - Community & Economic Development Director Matthew Schmitz asked so you are referring to the R-3 mixed densities. So, it's a variable district that can do quite a few things based on the road types that are there, the content of the neighborhood, etc. everything from a duplex all the way up to townhouses or row homes, that type of thing.
    - Councilmember Buehler asked is there a limit on the size of the structure. I mean can you put in a three-story quad so it has twelve apartments. I mean is there a limit.
      - Community & Economic Development Director Matthew Schmitz responded there are height requirements and there is also building set back requirements that limit the development. You can't go in there and build a five-story building by any means.
        - City Administrator Tim Vandall asked based on the size this lot would be, what would you anticipate something going in here.
          - Community & Economic Development Director Matthew Schmitz replied this will be a duplex. That is the concept of the neighborhood too.

- Councilmember Garvey asked and it's going to match the other three that are already there.
      - Community & Economic Development Director Matthew Schmitz responded right.
    - Councilmember Kirby stated there's Jeremy right there.
  - Councilmember Buehler stated I saw his head moving, yeah.
    - Community & Economic Development Director Matthew Schmitz stated but Gregg is on the right track, when you look at rezoning options, you should look at what all can go in there even though we have a really good idea of what is. That is how you should look at it.
  - Councilmember Buehler responded ok, you answered my question.
- Councilmember Pawlowski asked but this is a change from the way it use to be because R-3, it didn't use to be mixed, right.
  - Community & Economic Development Director Matthew Schmitz replied so R-3 used to be duplex and that was it, which when you take one zoning district and you narrow it all the way down where it can only be one specific thing that's not, our consultant anyway and I tend to agree with him, that's not really the best way to do that. Even in single family, you've got two districts that represent single family because we have R-1 and R-2 so it's based on different lot sizes, etc. but this was designed, R-3 was designed to give quite a bit of flexibility in it so that you can transitioned from single family to commercial area and have a variety of building types in that district to perform that transition.

The motion was unanimously approved.

**Ordinance No. 1035 - Vacation of Right-of-Way 210 Gamble Avenue:** Councilmember Buehler moved to approve and adopt Ordinance No. 1035, as presented. Councilmember Garvey seconded the motion.

- Mayor Smith stated Andi, go ahead
  - Councilmember Pawlowski asked I have a question. Is this old railroad right-of-way. Do you know?
    - Councilmember Studnicka replied should be.
      - Councilmember Pawlowski asked is that what I thought I read.
        - Councilmember Garvey responded I don't think it is. I think Gamble is old railroad isn't it. It's kind of right there.
          - Mayor Smith replied it goes down behind it.
            - Community & Economic Development Director Matthew Schmitz responded I think part of it is. That's the best answer I can give you off the top of my head.
          - Councilmember Pawlowski stated generally when you vacate a railroad right of way, it splits in half and goes to each property owner correct.
            - Community & Economic Development Director Matthew Schmitz replied when you vacate right-of-way of any form, it's supposed to go back to the underlying property owner,

- Councilmember Garvey responded because Gamble was widened too when we paved it.
- Community & Economic Development Director Matthew Schmitz replied correct, it used to be a very small two lane.
  - Councilmember Pawlowski stated the railroad used to go through there. I've lived here long enough to remember that.
    - Mayor Smith stated yeah, me too.
- Councilmember Garvey stated I can tell you right now as the guy who lives on a property that backs up to this property. I've lived there for 19 years. Whatever he does will improve the way it's looked for 19 years.
  - Councilmember Buehler responded and no trains.
- Councilmember Garvey replied right.
- Councilmember Pawlowski stated I was just curious.

The motion was unanimously approved.

## REPORTS:

**Department Heads:** City Clerk Sarah Bodensteiner let the Council know the Fall Volunteer boards are opening up. We will be taking applications for the Parks & Recreation Advisory Board, the Tree Board as well as the Fire District Board. If anyone knows someone who is interested, the information and applications will be on the City website.

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

**City Engineer:** City Engineer Matt Harding had nothing to report.

**City Administrator:** City Administrator Tim Vandall updated the Council on the resident on Fawn Valley who requested additional land. The City gave him a dollar amount for the .3 acres, and he was generally ok with that land price. He was advised to get the land surveyed and the City is waiting to hear back from him.

**Governing Body:** Councilmember Kirby thanked everyone who was involved with the Volunteer Dinner. Councilmember Pawlowski and Councilmember Garvey echoed Councilmember Kirby's sentiments. Councilmember Buehler asked if Code Enforcement is out looking at political signs.

- Community & Economic Development Director Matthew Schmitz replied the State of Kansas changed the rules and we cannot remove them from the right of way.
  - City Administrator Tim Vandall stated it would have to be a traffic hazard or site issue for us to remove them.
  - City Attorney Greg Robinson stated we are good with our Ordinance.
    - City Administrator Tim Vandall stated some feel the State of Kansas law conflicts with federal law, so even Leavenworth enforces differently than us. The State law probably created more confusion than what it solved.

Councilmember Buehler also provided a fun fact, on this day October 3, 1964, the first buffalo wings were made at the Anchor Bar in Buffalo, NY.

**ADJOURNMENT:**

Councilmember McNeill moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:17 p.m.

**ATTEST:**

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Michael W. Smith, Mayor

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Sarah Bodensteiner, City Clerk