

# CITY OF LANSING

## CITY COUNCIL MEETING

REGULAR MEETING MINUTES  
August 1, 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 and Dave Trinkle

**Ward 2:** Andi Pawlowski and Don Studnicka

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

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

### Councilmembers Absent:

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## OLD BUSINESS:

**Approval of Minutes:** Councilmember Buehler moved to approve the regular meeting minutes of July 18, 2019 as presented. Councilmember Pawlowski seconded the motion. The motion was approved with Councilmember Studnicka abstaining from the vote.

**Audience Participation:** Mayor Smith called for audience participation and Jamie Horn from Fawn Valley St addressed the Council in regard to acquiring land from the city to add an extra 30-40 ft to his plat. He would like to extend his driveway with this extra land. The Council let Mr. Horn know they are open to the idea, and agree to look into similar purchases such as this and will get back with him with next steps.

### Presentations

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

**Public Hearing on and Consideration of the Proposed 2020 Budget:** Councilmember Kirby moved to open the public hearing for the 2020 Budget. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

- Councilmember McNeill asked does Beth have questions.
  - Finance Director Beth Sanford replied I have none.
    - Councilmember Pawlowski asked does Beth have a statement.
      - Finance Director Beth Sanford responded nope.

Councilmember Buehler moved to close the public hearing for the 2020 Budget. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to approve the 2020 Budget. Councilmember Kirby seconded the motion. The motion was unanimously approved.

**Ordinance No. 1023 – Sewer & Trash Disposal Assessment:** Councilmember Brungardt moved to adopt Ordinance No. 1023 for assessment of delinquent sewer and trash bills. Councilmember Pawlowski seconded the motion.

- Councilmember Pawlowski asked Beth, how does someone get \$6,873.86 behind.
  - Finance Director Beth Sanford responded well, if they have high water usage once the interest starts accruing on that, they can hit that pretty quickly.
    - Councilmember Pawlowski asked so when we pass this and it's applied to their property taxes, that's more than their property taxes.
      - Finance Director Beth Sanford replied we'll get calls from people saying their mortgage company said their escrow is going up, or mortgage payments are going up and then we tell them why.
        - Councilmember Pawlowski asked so then the County, if it goes into foreclosure.
          - Finance Director Beth Sanford replied it's on the assessment, we get calls from agencies that are doing the

foreclosures asking what they are for. Typically, they're paid off when the property is foreclosed on.

- Mayor Smith asked and Beth to make it clear, we ask this question every year but 99 percent of them when it comes around are paid. You expect it to be up there again.
  - Finance Director Beth Sanford responded yeah. Right now, currently from the 2018 assessments we've collected about 88 percent. We'll have two more payments come in from the County this year and hopefully collect close to, it's usually 98-99 percent.
    - Councilmember Brungardt stated because it works.
      - Finance Director Beth Sanford stated if you're paying your property taxes, you're paying this bill.
        - Councilmember Brungardt replied great.
          - Finance Director Beth Sanford stated this is the most effective.
            - Councilmember Pawlowski asked the second property taxes are due in May, so we've already received that money.
              - Finance Director Beth Sanford stated yes.

The motion was unanimously approved.

**Ordinance No. 1024 – Weed Removal Assessment:** Councilmember Buehler moved to adopt Ordinance No. 1024 for assessment of delinquent fees for weed removal. Councilmember Pawlowski seconded the motion.

- Councilmember Pawlowski asked Beth how many of these get paid.
  - Finance Director Beth Sanford replied same. We usually do 100% collection on these.
    - Councilmember Pawlowski stated because a lot of times those properties are in foreclosure.
      - Finance Director Beth Sanford responded no, just whoever is paying the property tax, they end up paying this with it. We've already collected everything for 2018 for these. Of course, we had three compared to ninety. This year we just have one.
- Councilmember McNeill asked Beth this is the one I called you on.
  - Finance Director Beth Sanford replied yes. The property owner is deceased.
    - Councilmember McNeill asked the property owner doesn't, I mean, when does the ownership change.
      - Finance Director Beth Sanford responded this is in a trust.
        - Councilmember McNeill asked so we're just going to keep billing them for the weeds until they finish selling the property or something. Should we call them, do they know this thing is being assessed against their property?
          - Finance Director Beth Sanford replied yes, he sent out a notice and a statement.
            - Councilmember McNeill stated if they live out of state and by the time they come to sell it, it's not worth anything and they owe us money.
              - Finance Director Beth Sanford replied right.
                - Councilmember McNeill stated that wouldn't be a good thing. Ok.

The motion was unanimously approved.

**Executive Session:** Councilmember Buehler moved to recess into executive session to review economic development activities pursuant to the discussion of confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception, K.S.A. 75-4319(b)(4)

for 20 minutes, beginning at 7:12 PM and returning to the Council Chambers at 7:32 PM. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to return to open session at 7:32 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

## **REPORTS:**

**Department Heads:** Library Director Terri Wojtalewicz updated the Council on the tuckpointing which is scheduled for mid-late August but is weather dependent.

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

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

**City Administrator:** City Administrator Tim Vandall let the Council know the design charrette for Bernard Park will begin soon as well as other city parks. There will be a meeting in the Community Center for Bernard Park on August 14<sup>th</sup> and 15<sup>th</sup> with all other parks being discussed on August 27<sup>th</sup> and 28<sup>th</sup>. Results should be in soon for the survey Parks & Rec. conducted and those will be passed along to the Council. The consultant for Parks & Rec. will attend the October Work Session. The joint meeting with the school district is August 12<sup>th</sup> from 6-6:45pm. The Educational Foundation is doing something at 6:45pm and everyone is welcome to stay for that. The area on Robin Road that had a pipe erosion emergency got repaired. The estimate for the area beyond the right of way where we don't have an easement came in more than expected. The property owner has spoken to a couple members of the Governing body and has indicated they would grant the easement. The issue now becomes the cost went from a \$28,000 estimate in 2016 to over \$50,000 now.

- Councilmember Kirby stated we had asked for the easement years ago and didn't get it.
  - City Administrator suggested a compromise might be needed. There is concerns another pipe could erode and cause a sinkhole or the creek bank eroding.
    - Mayor Smith suggested this is something the new Public Works Director could take on with his knowledge on the subject.
- Councilmember Pawlowski asked if the City has any liability if we don't do anything and the water is coming through our pipe.
  - City Attorney Greg Robinson stated he did not foresee any liability.
    - City Engineer Matt Harding stated no improvements have been made on Robin Road until the last 2-3 months. The City wanted to assist in improvements previously, but we were not given permission to make improvements on that property.
- Councilmember Studnicka asked if we have permission now on the easements, do we fix it or is there a bigger problem because the one easement won't go the length needed.
  - City Administrator Tim Vandall stated if we do get the easement and we spend that \$50,000, that all becomes the City's problem whereas, right now, it's not.

The Council agrees to Staff giving the new Public Works Director all the information on this project, see what he thinks the best approach is going forward and bring it back to the Council.

**Governing Body:** Councilmember Trinkle provided a fun fact, in Washington state you must ask permission before sleeping in someone else's outhouse.

Councilmember Garvey stated 4H Road looks great and it's a great example of tax dollars at work.

Councilmember Buehler provided a fun fact, on this day at 12:01am, MTV began broadcasting and aired the first music video, Video Killed the Radio Star by the Buggles.

Councilmember McNeill and Councilmember Brungardt echoed Councilmember Garvey comments about 4H Road. Councilmember McNeill also commented just about every road in Ward 4 is tore up right now, but it will look great once it is done.

## **ADJOURNMENT:**

Councilmember Brungardt moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:47 p.m.

**ATTEST:**

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Michael W. Smith, Mayor

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Sarah Bodensteiner, City Clerk