

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
July 18, 2019

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

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler and Tony McNeill

Councilmembers Absent: Don Studnicka

OLD BUSINESS:

Approval of Minutes: Councilmember Garvey moved to approve the regular meeting minutes of July 2, 2019 as presented. Councilmember Kirby 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:

Treasurer's Report for Quarter Ending June 30, 2019: Councilmember Brungardt moved to approve the Treasurer's Report for the Quarter Ending June 30, 2019, as presented. Councilmember Buehler seconded the motion.

- Councilmember Pawlowski stated well if there were, our Treasurer isn't here to ask.
 - Mayor Smith replied yeah, she is.
 - Councilmember Kirby responded that's what Georgia is here for.
 - Mayor Smith stated that's what Georgia is here for.
 - Councilmember Buehler replied she is shaking her head no.

The motion was unanimously approved.

Conditional Use Permit – Apiary – 125 Rock Creek Loop: Councilmember Kirby moved to approve the Conditional Use Permit for 125 Rock Creek Loop for a period not to exceed five years. Councilmember Pawlowski seconded the motion.

- Councilmember Buehler asked is this just the same two that he's had for the last six or seven years.
 - Community & Economic Development Director Matthew Schmitz replied yeah.
 - Councilmember Buehler asked is he making it bigger.
 - Community & Economic Development Director Matthew Schmitz responded he's not making it any bigger. He's keeping what he had but because of the change in the zoning regulation instead of it being issued out of the police department, now it's issued as a conditional use permit.
 - Councilmember Buehler replied ok, thank you.
- Councilmember Pawlowski asked so are there other things we're going to have to change.
 - Community & Economic Development Director Matthew Schmitz replied no.
 - Councilmember Pawlowski asked just that one.
 - Community & Economic Development Director Matthew Schmitz responded that was the only one that was affected by it and it was because we added apiaries in when we were talking with Breck Ricketts about his property and all that.
 - Councilmember Pawlowski asked what about that guy on, down the street from Tim.

- City Administrator Tim Vandall replied that's Mr. Ricketts.
 - Community & Economic Development Director Matthew Schmitz stated when this body did the conditional use permit for his property initially, we changed the zoning ordinance in order to make that so we could do that and because of that, this is the result.
 - Councilmember Pawlowski responded I was thinking the UDO.
 - Councilmember McNeill stated so since now that's outside, normally we run that through the Police Department, now it's being run through your department. Are we going to get, are you the one that would go and make sure there are no complaints against that?
 - Community & Economic Development Director Matthew Schmitz replied the building inspector, anytime we do a Conditional Use Permit, the building inspector always does, she goes out and inspects.
 - Councilmember McNeill stated ok so she's doing it.
 - Community & Economic Development Director Matthew Schmitz stated we also talked with Steve, you know, if there's complaints. We would note those when we bring them forward. As far as we know there hasn't been any complaints about this property.
 - Councilmember Pawlowski asked but on a Conditional Use, we can still revoke them like we could the other thing.
 - Community & Economic Development Director Matthew Schmitz replied yeah.
 - Mayor Smith responded yes.
 - Councilmember Garvey stated special use, yes.
 - Mayor Smith asked any other questions for Matt.
 - City Administrator Tim Vandall stated I was going to say also to clarify for apiary, this is only for hobbies.
 - Community & Economic Development Director Matthew Schmitz replied correct.

The motion was unanimously approved.

Executive Session – Non-Elected Personnel: Councilmember Buehler moved to recess into executive session to discuss an employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) for 45 minutes, beginning at 7:05 PM and returning to the Council Chambers at 7:50 PM. Councilmember Pawlowski seconded the motion. The motion was approved with Councilmember McNeill voting against the motion.

Councilmember Pawlowski moved to return to open session at 7:50 p.m. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to authorize the Mayor to sign an amendment to the City Administrator's Contract and provide a financial incentive based on the results of the performance evaluation. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Community & Economic Development Director Matthew Schmitz updated the Council with answers to the some of the questions they had at the last meeting, in regards, to the Homestead Acres project near Mount Calvary. An estimate for extending the sewer lines through Sycamore Ridge over to Mount Calvary Road is around \$200,000. Questions on whether perimeter street fees were paid for the newer homes along DeSoto Rd were also asked. Those homes were part of phase four of the Maples/Willows subdivision and street fees were collected since it was a 37-lot subdivision. Community & Economic Development Director Matthew Schmitz checked if there was a separate account for perimeter street fees. City Administrator Tim Vandall let the Council know around 10 years ago there

was a separate fund for these fees but one has not been kept in the last 10 years. The Council also asked if improvements had been made to Mount Calvary through the years. Staff reported that Mount Calvary had been overlaid sometime in the last ten years but that is the only maintenance that has been done to the road. Community & Economic Development Director Matthew Schmitz let the Council know the Homestead Acres property had been annexed in April 1989. He also answered the question about the closest sidewalk, which is North of Eisenhower. It is approximately 1300 ft from the Homestead Acres property and there is no sidewalk along Sycamore Ridge or to the subdivision to the west or east.

- Councilmember Kirby asked if the perimeter street fees are collected that it has to go to Mount Calvary Road.
 - Community & Economic Development Director Matthew Schmitz stated he understands it goes to a fund to improve streets within the City. It's not designated to specific streets. The next step for this will be to bring a motion to the next Council meeting for the Council to officially require or not require perimeter street fees on Homestead Acres.

City Attorney: City Attorney had nothing to report.

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

City Administrator: City Administrator Tim Vandall stated a press release about the work on 4H Rd will go out this evening. Within a week, 4H Rd will be in much better condition. The Bittersweet project is complete and it was done well before school started so we're thrilled with that. Progression photos were taken of DeSoto Road and it's impressive how much wider the road is compared to the existing road. Linaweaver has done a great job considering the rain we received in the Spring.

- Mayor Smith asked if we still paint the crosswalks before school starts.
 - City Administrator Tim Vandall stated he'll check with Jeff on that.

City Administrator Tim Vandall let the Council know one more signature was received for the upcoming Wastewater project with one signature still outstanding. Negotiations are ongoing but we are close to an agreement. Wastewater Utility Director Tony Zell is expecting to receive appraisals soon for the sewer project that would service the businesses on the North side of Eisenhower such as QuikTrip and Aldi. It's projected to be under \$15,000 and if the Council is okay with that figure, Wastewater Utility Director Tony Zell will move ahead since time is of the essence for this project.

The resident at 220 Fawn Valley asked to extend their lot by acquiring property the City owns. The owner is open to coming to a future Council meeting to address his request.

- Councilmember Pawlowski mentioned this has been done before and the owner turned it into a junk yard.
 - Community & Economic Development Director Matthew Schmitz replied the owner finds it difficult to get in and out of his driveway so he would like to extend it 20-40 ft. It is considered an administrative plat. A surveyor would prepare an administrative plat where the property is then transferred from the City tract to his lot. It can be done in one motion with an administrative plat.
- Councilmember Garvey asked if we did sell him the property, where would the money go.
 - City Administrator Tim Vandall probably go in the General Fund.
- Councilmember Buehler expressed concern that at a later point the resident could sell this additional land with the possibility of someone building a home on it.
 - Community & Economic Development Director Matthew Schmitz clarified that when an administrative plat is done, it's a one-time thing. He can't come back at a later time and ask to split the property.

Mr. Vandall continued that a citizen had contacted staff and asked about policy on solar panels. The citizen was told the City doesn't prohibit solar panels but some HOA's do not allow them. The citizen was going to do some research on solar panels and possibly come to a Council meeting in August with information on them.

- Councilmember McNeill asked if there was anything in our ordinances that say you can or can't have them.
 - Community & Economic Development Director Matthew Schmitz stated the UDO does not address solar at all. If someone came in for a building permit for a solar panel, they would be given one as long as it wasn't on the front facing side of the house.

City Administrator Tim Vandall reminded that Council that the joint meeting with the School District is August 12th at 5pm.

Governing Body: Councilmember Kirby asked Matthew Schmitz about a problem we are having with travel trailers in a mobile home park.

- Community & Economic Development Director Matthew Schmitz said he will check into it.
 - Councilmember Pawlowski asked if there was a limit on the amount of travel trailers they could have in there.
 - Community & Economic Development Director Matthew Schmitz stated he hasn't seen any written documentation on it.

Councilmember Pawlowski went to D.C and brought back a notepad of \$100,00 bills from the Bureau of Engraving and Printing for City Administrator Tim Vandall since there never seems to be enough money. Councilmember Buehler provided a fun fact, on this day in 1976, Nadia Comaneci became the first person to score a perfect 10 in gymnastics in the Olympics.

Councilmember McNeill asked City Administrator Tim Vandall and Community & Economic Development Director Matthew Schmitz about the sewer at Sycamore Ridge, where the 13 homes are, if they develop a cul-de-sac with another 4-5 homes, would it be worth it to run sewer up there to our water shed.

- Community & Economic Development Director Matthew Schmitz stated the \$200,000 cost gets the sewer to the East side of the 17-acre tract. The City would spend the \$200,000 to get it to the property line and if they decide to put more homes in there, it would be their responsibility to connect to our manhole.

ADJOURNMENT:

Councilmember Brungardt moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:16 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk