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: Tony McNeill and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Brungardt moved to approve the regular meeting minutes of January 17, 2019, as presented. Councilmember Pawlowski seconded the motion. The motion was approved with Councilmember Buehler abstaining from the vote.

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

Presentations: Councilmember Studnicka read and presented the proclamation designating February 25 through March 2, 2019 as Military Saves Week to representatives from Armed Forces Bank.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Meeting Date Reschedule: Councilmember Buehler moved to reschedule the regular City Council meeting of July 4, 2019 to Tuesday, July 2, 2019. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Lansing Library Board Appointment: Councilmember Brungardt moved to appoint Karen Averill to the Lansing Community Library Board for a term that will expire on April 30, 2021. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

- Mayor Smith stated welcome aboard.
 - Councilmember Brungardt asked do you want to make a speech Karen.
 - Councilmember McNeill stated speech.
 - Councilmember Pawlowski responded we could make her do a speech.
 - Mayor Smith replied we've already had her at one meeting so thank you, Karen for volunteering.

Request to Approve Highland Park Improvements: Councilmember Trinkle moved to approve Highland Park Improvements by Linaweaver Construction, Inc., in an amount not to exceed \$32,905.00. Councilmember Buehler seconded the motion.

- Councilmember McNeill stated I have a question on who we send these bids out to Jason. I mean I see it in here, it's not, it doesn't seem like we went way out to get a bunch of bids from outside the local. I mean if we just did it in the *Leavenworth Times*. I mean Leavenworth gets the Times and some Lansing people.
 - Parks & Recreation Director Jason Crum replied right.
 - Councilmember McNeill responded it doesn't seem like we get a good turnout.
 - Parks & Recreation Director Jason Crum stated so that is what the policy calls for is advertising in the *Leavenworth Times* so that is what we did. We did reach out to some others. I did reach out to some other construction companies. I was expecting to probably get some bids from them but did not. And I also, learned that, John help me with this if I am wrong, there is a company called Drexel, I believe that has online host if you want to pull down a set of plans and I believe our architect had put those plans up on that site. A lot of companies go to that to find potential projects to bid on. So,

I don't know if it just wasn't a big enough project that it brought a lot of interest.

- Councilmember McNeill stated I'll look at the policy.
 - City Administrator Tim Vandall responded that was my understanding of it that it was probably a small project and it didn't really drum up a lot of interest.
- Councilmember McNeill asked and was the original design, estimate, I thought we had an estimate by a company that was going to do it all for x amount.
 - Parks & Recreation Director Jason Crum replied the first time.
 - Councilmember McNeill asked did we spilt it out.
 - Parks & Recreation Director Jason Crum responded we split it out to try and save money. That's why we did it that way.
 - Councilmember McNeill replied alright.
 - Councilmember Buehler stated it was like for \$125,000.
 - Parks & Recreation Director Jason Crum responded when we did it all as one big package, it was \$125,000.
 - Councilmember Kirby stated I just know a local contractor, I won't mention any names but he serves on a board where I work. He won't start on a piece of equipment for less than \$50,000. It's just not worth his time.
 - Councilmember McNeill replied no I was more curious about the bid process and who we actually send them out to.
- Mayor Smith asked any other questions. So ahead Andi.
 - Councilmember Pawlowski stated I just want to say I still question the wisdom of spending \$100,000 on a triangle in the middle of a street. I mean I understand that it was designed as a park way back when, but it's a park in the middle of a street.
 - Councilmember Buehler stated there were kids there on Saturday.
 - Councilmember Garvey replied I see people there all the time.
 - Councilmember Pawlowski responded I know, I know.
 - Councilmember McNeill stated you didn't have a problem when we redid the park in your ward there.
 - Councilmember Pawlowski asked what park in my ward.
 - Councilmember Garvey replied Willow.
 - Councilmember Pawlowski responded we've already done Willow park.
 - Councilmember McNeill stated this one is an issue.
 - Councilmember Garvey asked when was this park established, do you know?
 - Councilmember Pawlowski replied a long time ago, the 40's
 - Parks & Recreation Director Jason Crum responded I think I looked at the original plat from 1950 when they did that subdivision.
 - Councilmember Garvey stated it's almost a historic marker.
 - Parks & Recreation Director Jason Crum replied maybe, most likely is the oldest park I have.
 - Councilmember Brungardt stated and people are going to use it.
- Councilmember Garvey responded I take that short cut from my neighborhood over to Fairway Estates all the time.

- Councilmember Pawlowski stated I'm not disagreeing with any of that. I just still question the wisdom of doing it.
 - City Administrator Tim Vandall responded part of the other thing I guess with the cost that came up, I think when we did Willow that was pretty easy because the park was established whereas in this instance, you've got roadway on three different sides. So, we tried to make it safer, we put in those sidewalks, we put in the fencing, so kids don't run out into it, we put in the bollards. If this was an area where there was no traffic, it would be \$15-20,000 but we tried to make it safe for the families and the kids in that area.
 - Councilmember McNeill stated right now, it's pretty safe.
- Mayor Smith asked any other comments.
 - Councilmember Brungardt stated and guys this does draw people to our community, believe it or not.
 - Mayor Smith responded quality of life.
 - Councilmember Brungardt stated it does draw people to our community.

The motion was approved with Councilmember Pawlowski voting against the motion.

Request to Approve Highland Park Playground Replacement: Councilmember Trinkle moved to approve Highland Park Playground Replacement by Fry & Associates in an amount not to exceed \$52,662.08. Councilmember Buehler seconded the motion. The motion was approved with Councilmember Pawlowski voting against the motion.

Request to Purchase - Police Department Portable Radios: Councilmember Trinkle moved to approve the purchase of 5 portable radios and equipment from TBS Electronics in an amount not to exceed \$20,005.00. Councilmember Buehler seconded the motion.

- Councilmember Trinkle stated back years ago when they went to digital, we use to have scanners and a radio in a car. The scanners is it cheaper now to just go with the radio than trying to buy a scanner and have a scanner in a vehicle. Now everything the radio scans these days.
 - Police Chief Steve Wayman responded to answer your question you asked simply because the radios we currently have now have so many banks of channels that I could put basically everything in the County is put into that radio. To buy a scanner, you have to scan so many channels at one time. There's a good chance you're going to miss out on stuff. The digital scanner that is starting to come out a little bit cheaper now but, I mean they're just not efficient enough to put in a car like they used to be.
 - Councilmember Trinkle replied years ago when we had the scanner, you had to talk to another department through the scanner. We listened to what they said then talked to dispatch, dispatch relayed to them. The digital sure has made a difference.
 - Police Chief Steve Wayman stated our portables and base units now Leavenworth PD, they switched over to a digital two, three years ago. We have their channel on our portables so I can go direct with Leavenworth PD with the County and stuff. There are also other channels used in the greater Kansas City area we can click into and go direct with.
 - o Councilmember Trinkle asked so this is the most frugal way to go.
 - Police Chief Steve Wayman responded yeah we don't buy scanners for the cars anymore. Nobody is transmitting on those channels anymore.
 - Councilmember Pawlowski stated you can just get CB's.
 - Police Chief Steve Wayman replied you know some days you think they might work a little bit better because nobody uses them as much.
 - Councilmember Garvey asked the Nextel's.

- Councilmember Trinkle stated the ones that's robbing, is the ones that got the scanner. Sorry you asked.
- Councilmember Pawlowski stated let's vote.

The motion was unanimously approved.

Request to Purchase – Police Department – Police Department Fingerprint System:

Councilmember Brungardt moved to approve the purchase of a Desktop Fingerprint System with printer from Dataworks Plus in an amount not to exceed \$22,487.00. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Approval of Contract - 2019 Fireworks Displays: Councilmember Trinkle moved to approve the contract with Victory Pyrotechnics, & FFX, LLC to perform both fireworks displays in 2019 in a total amount not to exceed \$22,000. Councilmember Buehler seconded the motion.

- Councilmember Buehler asked is this, now is that bid for what date? For the 4th, the Independence Day celebration?
 - Councilmember Pawlowski stated well it's not on the 4th, because then it would be the 4th of July.
 - Councilmember Garvey responded it's the weekend before.
 - Community & Economic Development Director Matthew Schmitz replied it's the Friday before.
 - Councilmember Garvey responded the Friday before.
 - Councilmember Buehler asked so we're doing it on the 31st of June.
 - Councilmember Garvey replied the 30th.
 - Mayor Smith responded the 30th.
 - Councilmember Buehler stated the 30th of 2019 is on a Thursday. So. it's the 31st of June. Hang on.
 - City Clerk Sarah Bodensteiner stated it's Friday, the 28th.
 - Councilmember Buehler replied no, you're right. I'm looking at the wrong month.
 - Community & Economic Development Director Matthew Schmitz responded it's the 28th.
 - Mayor Smith replied it's the 28th.
 - Councilmember Brungardt stated thank you Sarah.
 - Councilmember Buehler stated thanks Sarah. I was looking at the wrong month.
 - City Clerk Sarah Bodensteiner responded it happens.
- Councilmember Garvey asked this is a different company than we normally use. Correct?
 - Community & Economic Development Director Matthew Schmitz responded this is a new company for us, yes. The reason that we selected this company, they will do the pyrotechnic show but they also have a laser light show they will do with it at the same time.
 - Councilmember Garvey replied cool.
 - Community & Economic Development Director Matthew Schmitz stated so it's a little bit more for what we're spending.
 - Councilmember Garvey asked and they have the music and everything also.
 - Community & Economic Development Director Matthew Schmitz replied yes. Patriotic music yes.
 - Councilmember Garvey stated patriotic. They always say the music goes with the fireworks but I just think it's just something they say.

- Community & Economic Development Director Matthew Schmitz responded sometimes it does depend on how they set the shoot up.
- Mayor Smith asked any other comments.

The motion was approved with Councilmember Pawlowski voting against the motion.

Ordinance No. 1017 - Rezone Request 00000 N. Main Street: Councilmember Kirby asked where is 00000 N. Main.

- Community & Economic Development Director Matthew Schmitz responded so this is the undeveloped portion of 101 N. Main Street. They had, the Planning Commission had approved a lot split on that lot which was the old high school building, the apartment complex that is there on the corner of Kansas.
 - City Attorney Gregory Robinson stated Zinser's Apartments.
 - Community & Economic Development Director Matthew Schmitz asked sorry.
 - City Attorney Gregory Robinson stated Zinser's Apartments.
 - Community & Economic Development Director Matthew Schmitz responded yeah, Zinser's apartments. So they split that, the apartment piece off because they are leaving that as R-4 and the remainder of that parcel will be rezoned as B-3 with the approval of this Body.
- Councilmember McNeill stated yeah, I got some questions. So, is the owner of the apartments the same as this owner.
 - Community & Economic Development Director Matthew Schmitz replied yes.
 - Councilmember McNeill responded ok because, is the idea to do the office building, I guess, the business/gym thing first. I mean I don't think the car wash was in the, is the car wash in there.
 - Community & Economic Development Director Matthew Schmitz stated there was a car wash shown on the plan.
 - Councilmember McNeill asked where.
 - Community & Economic Development Director Matthew Schmitz stated the developer is here. Come on up.
 - Mayor Smith stated come on up. If you would, state your name for the record please.
 - Chad Schimke stated I'm Chad Schimke. To answer the question, that architectural group was challenged to come up with several different use cases as far as what the potential of the corner property could be. The idea is as far as phases go, building A which would have been on the site plan that hopefully everybody received which is the office space retail. The main reason this, the lot split occurred and obviously coming in front of Planning and Zoning and City Council was and I think it's being addressed now. We don't technically have the zoning as I understand it, even though we're working towards it to have more of a mixed use capability where you can have retail, office and multi family, you know, all in the same parcel. This was

the most sensible approach as we understood it from the City Council.

- Councilmember McNeill responded yeah and I mean I totally agree with that concept. My question is B-3 also includes a bunch of manufacturing so, vou know. I know he owns it right now but if he was to sell it, the apartment complex could have a manufacturing building right behind them. I mean, is it B-1 or B-2 you could probably do most of what he wants to do with B-1.
- Community & Economic Development Director Matthew Schmitz replied B-3 is the least restrictive zoning, yes.
- Councilmember McNeill responded I understand.
- Community & Economic Development Director Matthew Schmitz replied it's the one that is most open.
- Chad Schimke stated I think the idea was not only the flexibility even though I don't have any interest in industrial, but it's also to match what's surrounding it. So literally adjacent to the North, South, East so all four corners of that intersection are B-3.
- Community & Economic Development Director Matthew Schmitz responded there's a lot directly to the North that butts up this that is zoned as B-3. Plus it aligns, the proposed zone of B-3 goes along with the Comprehensive Plan as well.
- Councilmember Garvey replied the house directly to the North on that property. sorry, go ahead.
- Community & Economic Development Director Matthew Schmitz stated directly to the North, there is a house there. That house is actually zoned as a B-3.
- Councilmember Pawlowski replied they use to have a business in there.
 - Councilmember Garvey responded Young Sign Company use to be out of that building I believe.
 - Councilmember Pawlowski replied she had a yoga studio or something.
 - Councilmember Garvey responded yeah.
 - Councilmember McNeill stated I mean, I just when looking at what he's talking about using, it doesn't match. Zoning, we went beyond and to me if you're going to have a mixed neighborhood of apartments and retail that's fine but apartments and manufacturing, not so fine especially if I'm living in the apartment. These guys are doing 24 hour operations over here across the street. So I was just wondering if you could be more restrictive and still meet all his requirements. So if anything should happen to that property. I mean I don't agree with a B-3 being right next them either but because what I just told him, another manufacturer could just buy that house next to them and put up a giant manufacturing plant and you got the same situation.
 - Community & Economic Development Director Matthew Schmitz stated well both of those lots are MSOD as well so there's preliminary development plat that has to happen as well so there are two more chances for this

Council to see what is going to be built there and say ves or no to it during that process.

- Councilmember McNeill responded ok I'm just curious. I mean the only thing in this picture that really required B-3 is the car wash according to what I looked up. The other two would be B-2 or B-1.
 - Councilmember Pawlowski stated if you built a car wash there, there would be a lot of people that would be really happy.
 - Chad Schimke replied I've heard that a time or two.
- Mayor Smith asked any other questions on this one. Go ahead Gene.
 - Councilmember Kirby stated I'm kind of with Tony on this. We've turned down two others because we knew what the guy that owned them wanted to do but we didn't know what could happen down the road.
 - Councilmember McNeill stated so in the UDO, in how they have mixed, when they are briefing us during the work shop, what were they talking about a mixed when you have. It was my impression they were talking about retail and maybe some office spaces, kind of the way it was in here.
 - Community & Economic Development Director Matthew Schmitz responded sort of yeah but the UDO is a little more flexible it also allows for a mixed use situation where you have retail and residential all within the same zone.
 - Councilmember McNeill stated I know, that kind of what you have here, right. You have some residential and this all in the same. I get what you're saying all in the same zone. This one has been split into two zones but if we went with that idea that the UDO is talking about, that whole area would be rezoned and that kind of multi-use. Is that the what?
 - Community & Economic Development Director Matthew Schmitz responded I'd have to go through the UDO. I don't know off the top of my head I'm not sure.
 - Councilmember McNeill stated because I would rather, I would much rather do the rezoning once we figure out the UDO definition for mixed use with family because that is probably not going to include manufacturing under our current.
 - o Community & Economic Development Director Matthew Schmitz replied I understand where you are going with that. The thing that I would tell you there is the lot has already been split so if you were to do that, you'd have to rezone both pieces of property at the same time which you can do.
 - Councilmember McNeill asked he owns them right.
 - Community & Economic Development Director Matthew Schmitz stated he does. That would be up to him whether he wants to come back and ask for both of them to be rezoned.
 - Councilmember McNeill responded no I'm just saying, if we want to move forward and make this a little easier then, you know, I was thinking

if you did it under the UDO format, it would be a lot easier to say we're moving in this kind of mixed use. Right now, we've got two split lots and like I said, we've done it before. I mean we had owners who want to do it and it makes sense at the time but if you sell your property and they put, you know, somebody else comes in at B-3, knocks that stuff down, puts in a manufacturing plant right next to an apartment complex that doesn't make zoning sense in my view.

- Councilmember Pawlowski stated but I think what Matt is saying is the property to the North is already B-3.
- Councilmember McNeill replied yeah but there is a house there. It's not like there's a manufacturing plant.
- Councilmember Pawlowski responded but somebody could tear it down.
- Councilmember McNeill replied somebody could buy it.
- Community & Economic Development Director Matthew Schmitz stated but when you are looking, from a planning perspective, when you are looking at zoning, we're looking at uses around that zone whether or not it fits with the neighborhood. We're not necessarily looking at what's built on it today or what could be built on it in the future. We're looking at it from a perspective of this is what is zoned next to it. Does that fit in this neighborhood or in this area?
- Councilmember McNeill stated we know why it just...
 - Councilmember Brungardt asked what do you mean by, can you explain that.
 - Community & Economic Development Director Matthew Schmitz responded for instance you wouldn't want R-1 zoning next to industrial.
 - Councilmember Brungardt replied correct.
 - Community & Economic Development Director Matthew Schmitz responded they don't compliment each other but a R-4 which is heavy density district next to a business district. That is a more amicable situation.
 - Councilmember Pawlowski stated because they use R-4 as a buffer in a lot of places. And the other thing is. Main Street, when the school building was built which is now apartments, if that was vacant or we're building on it now it wouldn't be apartments probably. It would be a retail of some sort establishment, so I think that is what he is saying. Just because it's got apartments now doesn't mean that's the highest and best use for that property in the future.
 - Community & Economic Development Director Matthew Schmitz replied correct. Yeah, the future land use map for that area shows commercial development along Main Street, all the way through that whole area. So, if a developer was to come in and purchase that building and decide I want to take this out, put retail in, that would align with what the Comprehensive Plan says should be there.
 - Councilmember McNeill responded yeah it would align with what he's trying to do on the other side too. I don't have a problem with the you know, like I said we're moving on to a new zoning so this

is right in there, right before we move to that.

- Councilmember Trinkle asked that's in our Comprehensive Plan that we have for both sides of Main street, correct, I mean we're staying with what we, the Council in the past have decided we were going to do, right.
- Community & Economic Development Director Matthew Schmitz responded we're not making any modifications in the Comprehensive Plan right now. That is something we will need to consider as we move forward with the UDO.
- Councilmember Brungardt asked is the new zoning going to muddy things.
- Community & Economic Development Director Matthew Schmitz responded the only modification to the zoning districts that could potentially modify things a little is the R-3 district changing that from duplex to higher density are scenarios in the City that are currently zoned R-3 that it may impact. When we bring that forward for this Body to approve, the UDO to approve, you'll have that outlined where those are at and what that specific impact
- Councilmember Brungardt replied ok, thank you.
- Mayor Smith asked any other questions, comments, if not, we need a motion.

Councilmember Pawlowski moved adopt Ordinance No. 1017 as presented by approving the re-zoning request of 00000 N. Main Street to B-3. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Resolution No. B-3-2019 - Long Range CIP Projects: Councilmember Buehler moved adopt Resolution No. B-3-2019. Councilmember McNeill seconded the motion.

- Councilmember Pawlowski asked 2050.
 - City Administrator Tim Vandall responded twenty-fifty.
 - Councilmember Pawlowski replied yeah, I know, that's like really.
 - Councilmember Kirby stated that's her point.
 - Councilmember Pawlowski responded yeah 2050.
 - Councilmember Kirby replied 30 years from now.
 - Councilmember Pawlowski responded I would hope that some of these would have been built by then.
 - Councilmember McNeill stated it takes 10 years just to build the first piece so they're just adding that up.
 - Councilmember Pawlowski replied I know, that's true.

The motion was unanimously approved.

Resolution No. B-4-2019 – Condemnation Resolution for Realignment of City Project 18-02: Councilmember Studnicka moved adopt Resolution No. B-4-19. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Ordinance No. 1018 - Approval of Fee Schedule: Councilmember Pawlowski moved adopt Ordinance No. 1018. Councilmember Kirby seconded the motion. The motion was approved with Councilmembers McNeill, Garvey and Buehler voting against the motion.

Ordinance No. 1019 - City Code Text Amendment Chapter 2: Councilmember Pawlowski moved adopt Ordinance No. 1019. Councilmember Kirby seconded the motion.

- Councilmember Pawlowski stated Steve.
 - Police Chief Steve Wayman replied ma'am.
 - Mayor Smith stated go ahead Andi.
 - Councilmember Pawlowski asked so living roosters are grandfathered?
 - Police Chief Steve Wayman responded we're not necessarily going to say they're grandfathered in.
 - Councilmember Pawlowski asked cause how long does a chicken live, I don't even know.
 - Police Chief Steve Wayman replied we looked that up awhile ago actually.
 - Councilmember Pawlowski asked did you?
 - Police Chief Steve Wayman replied a healthy rooster can be 5-7 or 8 years. I'm on it.
 - Mayor Smith stated that is a lot of crowing.
 - Police Chief Steve Wayman responded we're not, if the Police Department doesn't have anything better to do than go hunt down roosters that are in the City, I mean that's a two-edged sword. We need to find something else. We're pretty lucky that's all we got to do. But the bottom line is this, the rooster that is in question that brought this up over the last 2-3 weeks. It has been multiple times a day being called on that, responding out and it ran into the one that just, you know, he wouldn't shut up.
 - Councilmember Pawlowski stated somebody used him for target practice.
 - Police Chief Steve Wayman stated and I know there are several roosters throughout the city and a lot of people that have the chickens, they want them for the eggs and you don't need a rooster to have hens that lay eggs. So, Sarah did a lot of research and there are a lot of towns in Kansas that don't allow the roosters. They allow the hens but they don't allow the roosters. So, having it open like it was, we were kind of in the minority with having that.
 - Councilmember Pawlowski asked I thought we had done that. Don, didn't vou?
 - Councilmember Studnicka replied I did too, yeah.
 - Councilmember Pawlowski responded I thought when we did the whole.
- Councilmember Studnicka replied took care of that when we had the free-range chickens.
 - Councilmember Pawlowski stated we had the whole chicken thing. I thought we said.
 - Mayor Smith responded I thought Council discussed it but no one ever passed it. My question to you Steve, these roosters that are in there now disturbing the peace. Does this go into effect now?

- Police Chief Steve Wayman replied well the situation we are currently dealing with, she was in the process of applying for Special Use Permit, she didn't meet standards, the housing and stuff wasn't there. She's been, has been or is going to be getting a letter. She has 10 days to relocate this bird. I'm on it so.
 - Councilmember Pawlowski asked and is it a mean one. I mean I've been chased by those little birds.
 - Councilmember Trinkle asked is this the first complaint we've had on a rooster in Lansing.
 - Police Chief Steve Wayman responded oh you know, we get some places that complain on, you know it's not a problem until it is. And then when it is a problem, it's a big problem because, you know like I said we, I listen to the radio this weekend and the guys were going over there on Saturday, probably went over there 7 or 8 times for complaints on this.
 - Councilmember Trinkle asked on the same place.
 - Police Chief Steve Wayman replied on the same place.
 - Councilmember Trinkle responded I'm talking about city wide. Is this been the only instance city wide, do we have just one fowl?
 - Police Chief Steve Wayman stated and again, it's not a problem until it is and then when it is a problem, the people are absolutely furious that there is nothing we can do about it.
 - Councilmember Trinkle stated we're not going to have any way to prove how long anybody's had a rooster or gets an old rooster and brings it home. So, it's going to pass one way or the other.
 - Councilmember Pawlowski responded the neighbors are going to know how long they've had that rooster.
- Police Chief Steve Wayman stated there's one around my house some place because I keep hearing it.
- Mayor Smith replied there's one on Ida too.
- Councilmember Trinkle asked I don't know, are we gonna start banning dogs next because they bark.
- Councilmember Pawlowski asked can a rooster make that little meter thing of yours, that noise.
 - Police Chief Steve Wayman responded well actually that would fall in noise ordinance where we have to send an officer out there for 30 mins and listen to see if it's continuously crowing for 30 mins and then that is what we have to issue the citation on. So, if we get a complaint, I have to put an officer out there and he has to sit there for 30 mins.
 - Mayor Smith replied but this will eliminate, from now on going forward, we're not allowing it. We got to do what's preexisting right now.
 - Police Chief Steve Wayman stated just don't bring roosters in. Some people can have chickens, up to four chickens as long as they are properly cared for.
 - Councilmember Trinkle stated those who have them, don't have to get rid of them. You said you don't want to use grandfathered.
 - Police Chief Steve Wayman stated they're going die by attrition basically. They are going to die by attrition. That's how we're going to treat these.

- Councilmember Buehler responded unless they become like this one and get so noisy, people complain about it all the time.
 - Councilmember Garvey replied then we can yank their Special Use Permit if we need to.
 - Police Chief Steve Wayman stated well a lot of people come in with special, I don't think I've seen to many roosters added in when they have a special, most of them are doing it for the eggs SO.
 - Councilmember Pawlowski stated and you don't have to have a rooster to get eggs.
- Mayor Smith stated ok. Gene go ahead.
 - Councilmember Kirby stated I've got one more question and then we can put this sucker to the frying pan. People that got roosters now, if you know about them. Huh?
 - Police Chief Steve Wayman replied we're not going to actively go after them.
 - Councilmember Kirby responded I understand that. Are they going to be told, I mean how or if you've got one now that's it?
 - Police Chief Steve Wayman stated basically Wendy does a really good job keeping stuff and if she comes across it, she's going to tell them.
 - Councilmember Kirby responded alright I don't want them to come back, well I had one, I didn't know I couldn't have one so now you've got to let me.
 - Police Chief Steve Wayman stated when he goes to the big bird heaven then don't replace him.
 - Mayor Smith replied ok.
 - Councilmember Buehler responded or to the fryer.
 - Mayor Smith replied oh geez, I've lost control.
 - Councilmember Kirby stated time to move on.
 - Mayor Smith replied we've got a motion. Sarah.

The motion was unanimously approved.

Executive Session: Consultation with Attorney: 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 30 minutes, beginning at 7:35 PM and returning to the Council Chambers at 8:05 PM. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to return to Open Session at 8:05 PM. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Executive Session: Consultation with Attorney: Councilmember Buehler moved to recess into executive session for the consultation with an attorney for the City which would be deemed privileged in an attorney-client relationship. K.S.A. 75-4319(b)(2) for 15 minutes, beginning at 8:05 PM and returning to the Council Chambers at 8:20 PM. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to return to Open Session at 8:20 PM. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Community & Economic Development Director Matthew Schmitz stated proposals for a new phone system will be coming in around the beginning of March. Some Councilmembers will be needed for the committee to review the proposals.

Public Works Director Jeff Rupp updated the Council on 4-H Road not surviving the harsh winter. He stated there is a plan in the works to repair 4-H Road this summer and staff has taken traffic, residents and businesses into consideration with trying to get it resurfaced without too much of an inconvenience.

Mayor Smith asked Public Works Director Jeff Rupp to pass along to the road crews they are doing a great job given this winter has been worse than previous years.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall asked if some Councilmembers could attend the DeSoto Road meeting on February 19th from 7-9 pm at the Community Center. He would like the Council to hear the resident's concerns, get feedback from them and offer background knowledge on the project. Tim Vandall thanked Captain Ontiveros and Chief Wayman for securing a substantial grant that will help offset the costs of the Records Management System and the Fingerprint System.

Governing Body: Councilmember Trinkle asked Public Works Director Jeff Rupp if we are still ok on salt to clear the roads for the remaining winter.

Public Works Director Jeff Rupp stated at this point we are ok on supplies.

Councilmember Kirby announced that on March 5th at 7 pm the League of Women Voters and the Give Me Five Committee will host a candidate forum for the three candidates for the Special Election on March 26th at City Hall in the Council Chambers.

Councilmember Pawlowski confirmed the time of the Town Hall meeting with State Senator Braun on Saturday, February 9th from 10-12pm.

Councilmember Brungardt echoed Mayor Smith's sentiment on the great job by the Street crew on clearing the roads during bad weather.

Councilmember Buehler stated on this day in 1935, the game of Monopoly was invented.

ADJOURNMENT:

Councilmember Brungardt moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:36 p.m.

ATTEST:	Michael W. Smith, Mayor
Sarah Bodensteiner, City Clerk	