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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:** Tony McNeill and Gregg Buehler

**Councilmembers Absent:**

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**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 split 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 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 4<sup>th</sup>, the Independence Day celebration?
  - Councilmember Pawlowski stated well it's not on the 4<sup>th</sup>, because then it would be the 4<sup>th</sup> 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 31<sup>st</sup> of June.
            - Councilmember Garvey replied the 30<sup>th</sup>.
              - Mayor Smith responded the 30<sup>th</sup>.
                - Councilmember Buehler stated the 30<sup>th</sup> of 2019 is on a Thursday. So, it's the 31<sup>st</sup> of June. Hang on.
              - City Clerk Sarah Bodensteiner stated it's Friday, the 28<sup>th</sup>.
            - Councilmember Buehler replied no, you're right. I'm looking at the wrong month.
              - Community & Economic Development Director Matthew Schmitz responded it's the 28<sup>th</sup>.
          - Mayor Smith replied it's the 28<sup>th</sup>.
        - 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







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 is.
- 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.



- 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 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 26<sup>th</sup> 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:**

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Michael W. Smith, Mayor

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Sarah Bodensteiner, City Clerk