

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
May 16, 2024

Call To Order:

The regular meeting of the Lansing City Council was called to order by Mayor McNeill at 7:00 p.m.

Roll Call:

Mayor McNeill called the roll and indicated which Councilmembers were in attendance.

Councilmembers Present:

Ward 1: Gene Kirby and Kevin Gardner
Ward 2: Marcus Majure
Ward 3: Kerry Brungardt and Jesse Garvey
Ward 4: Dan Clemons Pete Robinson

Councilmembers Absent: Donald Studnicka

OLD BUSINESS:

The Regular Meeting minutes of May 2, 2024, were provided for review.

Councilmember Clemons made a motion to approve the Regular Meeting Minutes of May 2, 2024, as presented. Councilmember Kirby seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, and Clemons; Nay: none; Abstain: Councilmembers Brungardt; Absent: Councilmember Studnicka; The motion was approved.

Audience Participation:

Presentations:

Public Works Week Proclamation

A proclamation in recognition of Public Works Week on May 19th–25th, 2024 was presented to Public Works Director Michael Spickelmier by Councilmember Majure and Mayor McNeill.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Leavenworth County Humane Society

The City Council heard a presentation and proposal from the Leavenworth County Humane Society at the March 28th work session. Feedback was received to continue working on the contract to find a number that was feasible for all parties. Costs for all impound services between LCHS and Leavenworth Animal Control totaled approximately \$21,000 in 2024. The fixed price for intake and impound shall be firm for the term of the contract, and shall be \$42,000.00 per year, payable in twelve \$3,500 monthly installments. Annual increase during the period of the contract shall not exceed the rate of estimated population increase of the jurisdiction or 5% per year whichever is lesser.

Councilmember Brungardt made a motion to approve the contract with Leavenworth County Humane Society for \$42,00.00 per year for the term of the contract, for pet animal sheltering services. Councilmember Majure seconded the motion. Councilmember Clemons asked City Administrator Tim Vandall to clarify regarding the monetary offset indicated for the unfilled Animal Control Officer. Discussion continued between the council and Leavenworth County Humane Society Director, Crystal Swann Blackdeer. Paragraph 20 of the contract was found to be a duplicate of paragraph 10 and will be removed. Ms. Blackdeer stated that paragraph 16 regarding the intake quarantine costs covers the cost of staff time and boarding as volunteers are not allowed to handle those animals. Ms. Blackdeer clarified that paragraph 17 is regarding extraordinary circumstances or life saving measure expenses and further stated that they have not charged the

city regarding additional standard veterinary costs. Though LCHS is a no-kill shelter, compassionate euthanasia does happen based on veterinary recommendations. Councilmember Clemons requested that “while under contract” be added to paragraph 24 and that the reference to any increase state “whichever is lesser” instead. Discussion continued regarding updating the cancellation period to reflect 30 days not 90 days in sections III and IX. Councilmember Robinson and Ms. Blackdeer discussed that roughly 26% or around 80 animals a year are turned over to LCHS from Lansing.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Engineering Services Contract – Ida/Gamble Street Sewer Relocation (City Project 2024-02)
The City Council was briefed at the April work session. This project will reroute sewers from the 43-year-old 21” interceptor to the new 36” interceptor that was installed as part of the 7 Mile Creek Action Plan. Staff have met with and negotiated a scope and fee for the design of this project and anticipates it will be bid in conjunction with the Town Centre project (scheduled for September 2024).

Councilmember Kirby made a motion to approve the scope and fee from GBA for design services of City Project 2024-02, in the amount of \$91,265.00 (base fee of \$86,919.00 plus a contingency of 5%). Councilmember Majure seconded the motion. Councilmember Clemons and Wastewater Director Anthony Zell discussed that this will address the area where the city received complaints regarding smell.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Engineering Services Contract – Phase I Inflow and Infiltration Study (City Project 2024-03)
Staff briefed the City Council at the April work session. This project will begin in the old Town of Progress, south of the prison and east of K7 highway. This sub-basin has shown to be one of the “leakiest” and should be addressed first. Future studies will allow for the same scope of work in other sub-basins over the next few years. Staff have met with and negotiated a scope and fee for the design of this project. Funds are available in the 2024 base budget, line account for collection system maintenance.

Councilmember Brungardt made a motion to approve the scope and fee from GBA for professional engineering services of City Project 2024-03, in the amount of \$132,253.00 (base fee of \$125,955.00 plus a contingency of 5%). Councilmember Clemons seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1109 – Unified Development Ordinance Amendment - Section 4.02, Table 4-1: General Development Standards

At the February work session, Staff was tasked with reviewing the Unified Development Ordinance (UDO) to recommend revisions that would open up opportunity for development within the City. The first revision addresses Lansing’s capacity for residential development. This revision to the UDO

involves amending the allowed lot sizes within the R-1 and R-2 zoning districts. As a result of these changes, the minimum setback of the R-1 and R-2 districts are also adjusted to allow a building envelope that would allow construction on these lots.

Councilmember Robinson made a motion to approve and adopt Ordinance No.1109 to amend the City of Lansing’s Unified Development Ordinance. Section 4.02, Table 4-1: General Development Standards. Councilmember Majure seconded the motion.

Councilmember Kirby asked Community and Economic Development Director Joshua Gentzler to clarify the changes for the council. City Administrator Vandall and CED Director Gentzler stated that this is just changing the minimums of the lot sizes and setback requirements. Councilmember Garvey and CED Director Gentzler also confirmed that any pre-existing lots that did not meet the minimum lot size prior would now be conforming. Councilmember Brungardt, City Administrator Vandall and CED Director Gentzler discussed whether this would lead to an increased interest to build in Lansing.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1110 – Unified Development Ordinance Amendment - Section 4.02 General Development Standards, Section 4.03 Table 4-2: Permitted Uses, Section 4.03 Permitted Uses, and Section 4.04 Accessory Use Standards

Staff proposed to amend the UDO to allow Accessory Dwelling Units, also known as Casitas, Carriage Houses, or Granny Flats, by-right and remove the familial restrictions on the residents of the ADU on residentially zoned property. ADUs will require a building permit and must meet all relevant building code rules. Additionally, the exterior of the ADU must be of a similar façade to the main structure. The Planning Commission voted 4-1 in favor of recommending the adoption of the proposed language.

Councilmember Brungardt made a motion to approve and adopt Ordinance No. 1110, to amend the City of Lansing’s Unified Development Ordinance, Permitted uses and Accessory Use Standards. Councilmember Clemons seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1111 – Unified Development Ordinance Amendment - Section 7.03 Required Parking

Staff proposed to amend the UDO to remove the Minimum Parking requirements from Article 7 of the UDO. The Planning Commission voted 5-0 in favor of recommending the adoption of the revision.

Councilmember Clemons made a motion to approve and adopt Ordinance No. 1111, to amend the City of Lansing Unified Development Ordinance. – Required Parking.

Councilmember Kirby seconded the motion. Councilmember Clemons and CED Director Gentzler discussed that this change will apply to both residential and commercial properties. Discussion continued between Mayor McNeill, City Administrator Vandall, and CED Director Gentzler regarding the guidelines for parking specifically for businesses.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1112 – Amending City Code Section 8-306

City Code Section 8-306 establishes the procedures for “Notice of violations, abatement; immediate hazard.” Currently, the code refers to K.S.A. 60-303(c) which specifically allows return receipt delivery (certified mail) to service notice of violations. The Code Enforcement division is currently limited in its ways of service and has proposed to expand the options available to be able to serve residents their notice of violations. Staff is proposing to amend Section 8-306 A.4. to allow all methods allowed by K.S.A. 60-303, including return receipt delivery and personal and residence service.

Councilmember Brungardt made a motion to approve and adopt Ordinance No. 1112, An Ordinance Amending City Code Section 8-306 Authorizing Personal Service of Notice of Violations. Councilmember Kirby seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1113 – Mobile Food Vending Policy Manual

Ordinance No. 1113 adopts the Mobile Food Vending Policy Manual for the purpose of establishing fees, clarifying regulations and guidelines regarding mobile food vending.

Councilmember Clemons made a motion to approve and adopt Ordinance No. 1113 - Mobile Food Vending Policy Manual and establish fees, regulations, and guidelines regarding mobile food vending in the City of Lansing, Kansas. Councilmember Majure seconded the motion. Councilmember Clemons and City Clerk Tish Sims discussed the added clarification to the definition for a food vending vehicle.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Ordinance No. 1114 – Amending Fee Schedule

Ordinance No. 1114 adopts the updated fee schedule for service charges and fees for various departments, including Finance, Business License, Community & Economic Development and Parks & Recreation.

Councilmember Clemons made a motion to approve and adopt Ordinance No. 1114 Approval of Fee Schedule. Councilmember Majure seconded the motion. Councilmember Clemons and Parks and Recreation Director Jason Crum discussed when the pool fees would be added to the fee schedule.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Resolution No. B-6-2024 – A Resolution of Support

The City is submitting an application to the Kansas Department of Transportation for Transportation Alternatives Program funds for the Lansing Trail from 4-H Road to Lansing High School Project.

Councilmember Brungardt made a motion to approve Resolution B-6-2024, A Resolution of Support to be submitted by City Administrator Timothy Vandall and authorize the Mayor to sign the necessary documents. Councilmember Garvey seconded the motion. City Administrator Vandall stated that 18 letters of support came from adults, but 40 letters of support came from two fourth grade classroom students. He further discussed the breakout of costs and requirements of the city to maintain the sidewalk if approved. This route is listed on the Mid-America Regional Council’s Regional Bikeways Plan. This corridor is listed as a future transportation route. That’s one of the reasons why this project fit the grant requirements more so than other projects. Discussion continued regarding the requirements for the grant application compared to citizen requests.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Executive Session – Economic Development

Councilmember Kirby made a motion to go into Executive Session for the preliminary discussion of Economic Development activities, K.S.A. 75-4319(b)(4) for 15 minutes, beginning at 7:44 PM and returning to the Council Chambers at 7:59 PM and to include the Governing Body, City Administrator, City Attorney and Economic Development Director. Councilmember Clemons seconded the motion.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

Councilmember Garvey made a motion to return to Open Session at 7:59 PM. Councilmember Clemons seconded the motion. No binding action was taken.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

REPORTS:

Department Heads: CED Director Gentzler asked that the council give the code enforcement officer and that department a bit of grace as they are working on addressing the grass violation complaints.

City Attorney: Nothing to report.

City Administrator: The city’s employee benefits broker received bids for the updated health insurance. That came back at 5.8% to stay with United Healthcare. That will be the health insurance provider for the next 12 months. While it was a coincidence that they developers that have discussed building in Lansing had talked about more dense lots and closer setbacks, the other thing that came up was the RHID program. Without that program, investing millions of dollars doesn’t work. The builders cannot make the projects pencil out. RHID will likely come up again. During the

work session, there was discussion of looking at the future land use map. A link to that map was put in the City Administrator's report for the council to review and discuss possible development of certain parcels. At one point, there was discussion about a citizen satisfaction survey, but it was not cost feasible at that time. At a conference, a company that provides citizen satisfaction surveys provided a tentative pricing that was a quarter of what the city was quoted 7 or 8 years ago. Mr. Vandall did advise the company to approach the council about the feasibility of it. That company may come to the June 6 meeting to discuss the benefits of citizen satisfaction surveys. A big thank you to those that wrote letters of support for the Trail Grant.

Governing Body:

Councilmember Gardner: City Administrator Vandall, your staff does an excellent job of responding to emails, allowing extra time to answer our questions, and in turn makes these meetings run a lot more efficiently. I appreciate you and your staff for all of that.

Councilmember Kirby: Last Wednesday was Police Officer Memorial Day, and it was Police Week in the United States. Police Chief Wayman and his staff do a good job despite the struggle to hire and keep staff. I appreciate the work of the Lansing Police Department. I had the opportunity to talk with Lori Redford, who I believe is the director of Independent Living at Twin Oaks about the micro-transit survey. That facility has issues with some of those folks and computers and the ability to submit more than one survey per computer. Some residents are using an address directly across Eisenhower from the facility to be able to access the bus service. We are going to meet with the Director of Activities at the facility. Can we print off paper surveys?

City Administrator Vandall: We can print off paper surveys.

Councilmember Kirby: The activity director is fairly confident the interest in the extended bus service is there. The residents know about the service from Leavenworth. There is a need for this service. I would hope in the near future we can do something to accommodate those people. Once we know what we're going to do, we'll get in touch with the director and set something up to be sure these people are heard.

Councilmember Majure: I want to thank my fellow councilmen and staff for tonight with the Leavenworth County Humane Society in what we're doing and where we are going with that. That's a really good thing. I want to thank City Administrator Vandall and his team and his staff and Mr. Gunter. You did a lot of work. There was a lot of issues, and ordinance, and more ordinance, and more things that we reviewed tonight that are for a good reason and a good cause that we've updated. I just cannot thank the staff enough for what you do, and how you are doing it. Police Chief Wayman, thanks so much, and our city lawyer for helping with all of this. Last thing, were we going to get a presentation on the fourth of July celebration?

City Administrator Vandall: We can give you an update on how the planning is coming along.

Councilmember Kirby: We are set to use the high school?

City Administrator: Yes.

Councilmember Majure: If we could see the layout and big festivities and food trucks, that would be a lot of fun.

Councilmember Garvey: Ditto what everyone else has said. Thank you to City Administrator Vandall and your staff. It's all our city employees keeping our city rolling.

Councilmember Robinson: One thing that's really clear to me since I've joined the board is that City Administrator Vandall and his team are very pro-active. There could be a lot more issues but because they are handling them so efficiently, even before it becomes an issue. It makes our job as council members a lot easier. I'm really impressed with... we have a work session, and we talk about how this will help our city grow and help the citizens pay less taxes. We make an idea, and you come here and we're making that idea become truth. I know the people will appreciate it. Recently, one of my neighbors came to me and said that if their taxes continued to go up that they might not be able to continue living in Lansing. Prices are going up, and they're on a fixed retirement income. This board has done a great job making sure we don't increase taxes. I'm just so impressed with City Administrator Vandall and his staff.

Councilmember Clemons: The time is coming that we need to talk about the Fire Board in open session. Talk about where we're going and the plans. What's High Prairie going to do and not going to do. What's Delaware going to do. What's the Leavenworth County Commissioners stance on all of this. Maybe put it on the calendar for the next open meeting.

City Administrator Vandall: We had spoken with Delaware about having some type of joint meeting. Whether it's downstairs or wherever that citizens can come in and ask us questions. That's something we could do at some point this summer. We're not positive about what High Prairie's game plan is at the moment. I think they've scheduled a work session with the County Commissioners for next week. What they do is what they do. Best of luck to them. The meeting is at the courthouse.

Councilmember Majure: Let me just say, they are not out. High Prairie is seeking answers, seeking some questions. And they're probably going to come back to Lansing. There is a lot of rumor mill about what High Prairie wants to do. There are emails flying. Those three elected officials represent the entire community of High Prairie. There are a lot of landowners and residents in High Prairie that want to ensure they have fire protection. And it is quality fire protection from Lansing that they know.

Discussion continued with the plan to put the Fire Board on a future agenda.

Councilmember Brungardt: Ditto to what everyone has said.

ADJOURNMENT:

Councilmember Brungardt made a motion to adjourn. Councilmember Garvey seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Gardner, Kirby, Majure, Garvey, Robinson, Clemons, and Brungardt; Nay: none; Abstain: none; Absent: Councilmembers Studnicka; The motion was approved.

The meeting was adjourned at 8:14 PM.

ATTEST:


City Clerk Tish Sims, CMC