

CITY OF LANSING
CITY COUNCIL MEETING

MEETING MINUTES
September 1, 2022

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 Dave Trinkle

Ward 2: Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler and Dan Clemons

Councilmembers Absent: Marcus Majure

OLD BUSINESS:

Approval of Minutes of the Regular Meeting of August 18, 2022, as presented:

Councilmember Buehler made a motion to approve Regular Meeting Minutes of August 18, 2022, as presented. Councilmember Garvey seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: Kerry Brungardt; Absent: Marcus Majure. The motion was approved.

Approval of Minutes of the Special Meeting of August 25, 2022, as presented.

Councilmember Brungardt made a motion to approve Special Meeting Minutes of August 25, 2022, as presented. Councilmember Buehler seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Garvey, and Buehler; Nay: none; Abstain: Dave Trinkle and Gene Kirby; Absent: Marcus Majure. The motion was approved.

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

Presentations: None

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Public Hearing to Exceed the Revenue Neutral Rate and Consideration of Resolution No. B-9-2022

A public hearing is required for taxing entities who are planning on exceeding the revenue neutral rate. Although the city does not intend to exceed the RNR, the budget was prepared using estimated property valuations and it is recommended that the city hold the RNR hearing to levy the tax dollars needed to fund the 2023 budget should final valuations differ from the estimates.

Councilmember Kirby made a motion to Open the public hearing for Exceeding the Revenue Neutral Rate. Councilmember Buehler seconded the motion. The City Finance Director stated that guidance from the state indicated that even if we were staying at the Revenue Neutral Rate the city should still hold the Revenue Neutral Rate hearing because we are working with estimates. After consulting with the State and County, it was recommended that we publish and go ahead and hold the RNR hearing despite staying at the Revenue Neutral Rate. If the evaluation comes in at a different amount and we did not hold this Revenue Neutral Rate, it will cap the city at the mill levy and reduce the amount of tax dollars we need to fund our budget. Tax dollars are not going to change from last

year. We just want to be able, if the estimated value changes, to have that wiggle room to keep the tax dollars the same as what we need to fund our budget. The intent is still that we are not increasing taxes. We are staying Revenue Neutral. **Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.**

Councilmember Kirby made a motion to Close the public hearing for Exceeding the Revenue Neutral Rate. Councilmember Buehler seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmember Buehler made a motion to Approve Resolution No. B-9-2022. Councilmember Kirby seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Public Hearing on and Consideration of Proposed 2023 Budget

The proposed 2023 Budget will reflect a mill levy decrease of 4.605 mills.

Councilmember Brungardt made a motion to Open the public hearing for the 2023 Budget. Councilmember Garvey seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmember Clemons made a motion to Close the public hearing for the 2023 Budget. Councilmember Kirby seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmember Brungardt made a motion Approve the 2023 Budget with a 36.426 mill levy. Councilmember Kirby seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

MSE Wall Repair (Lansing Project 2022-3 Proposals)

The Mechanically Stabilized Earth (MSE) wall installed as part of the original Town Centre Project has been gradually moving over the past few years. This project was identified as a future project in the 2022 CIP work session and submitted for engineering as part of the 2023 budget. During a rain event over the 4th of July weekend 2022, the wall experienced a failure. It was decided to accelerate the project and solicit for proposals

Proposals were solicited for a COMPETITIVE SEALED PROPOSAL. Due to the nature of this project and the need to move quickly, the prospective contractors were asked to solicit outside engineering expertise to address the wall failure.

Proposals will be opened and evaluated by either the City Council or a special committee of the city council.

Councilmember Kirby made a motion to designate a proposal review committee consisting of members of the City Council, City Engineer, and City Administrator to open and evaluate the proposals. This committee will then determine if additional information is needed from the submitting proposal teams and conduct interviews if needed. This committee will then report back their findings and recommendations to the City Council for review and approval.

Councilmember Buehler seconded the motion. Councilmember Garvey asked if we know who built the wall originally. The City Engineer stated Linaweaver Construction indicated they were the general contractor, but he would have to check the file for the information on the sub-contractor.

Councilmember Garvey stated that he would not want to hire them again. Councilmember Kirby asked who is responsible for repairing the walls on private property and the golf course down Main Street.

The City Engineer clarified that in certain cases the developer would be responsible. However, he would have to check the files regarding the golf course to determine who is responsible for those repairs. Councilmember Kirby and Trinkle both stated that we need to identify the responsible party for the rest of Main Street. The Mayor and City Engineer clarified that we are specifically addressing the detention wall that was part of the Town Center. Councilmember Kirby agreed and asked if the other sections of wall down Main Street fail, who would that be on? The City Administrator and Mayor both stated that they would look into it further to determine who would be responsible. The City Engineer asked if anyone from the City Council would like to sit on the selection committee that will make the recommendation to the full council on which contractors' proposal is in the best interest of the city.

Councilmembers Kirby, Brungardt, and Clemons will serve. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmembers Kirby, Brungardt, and Clemons will serve. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmembers Kirby, Brungardt, and Clemons will serve. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Executive Session – Preliminary Discussion of the Acquisition of Real Property

Councilmember Buehler made a motion to go into Executive Session to discuss the acquisition of real property pursuant to K.S.A. 75-4319(b)(6) for 30 minutes, beginning at 7:14 PM and returning to the Council Chambers at 7:44 PM. Councilmember Clemons seconded the motion. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

Councilmember Kirby made a motion to return to Open Session at 7:44 PM. Councilmember Buehler seconded the motion. No binding actions were taken during the Executive Session. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

REPORTS:

City Attorney: Nothing to discuss.

City Administrator: City Administrator Tim Vandall stated that the city was applying for a grant from the state to repair the Desoto Rd bridge. We would need to include our share next summer for the budget in 2024. Discussion continued clarifying that there is an agreement with the County to pay half for any repairs to the Desoto Rd. bridge. The code report discussed in the last meeting was added to the council packet. The City Administrator stated he will continue to include the report. Councilmember Kirby asked for clarification from the CED Director regarding the certified letters on the vehicle report. CED Director stated he would double check the code regarding the notification times required for vehicle related violations and inform the council to clarify that section of the report.

Department Heads: Nothing to discuss.

City Engineer: Nothing to discuss.

Governing Body:

Councilmember Clemons: Nothing to discuss.

Councilmember Brungardt: Liked the City Administrator's ideas for the pool. Liked the open house to allow citizens to come in and get the correct information to dispel the rumors. Feels it necessary to counteract the misinformation with what's actually factual. The City Administrator stated that he would be willing to attend possibly with the Mayor or the Parks and Recreation director to educate groups. Councilmember Brungardt asked if we could have an information booth set up at the football games with education and information only. The City Administrator stated that there will be an information booth at the fall fest. Discussion continued regarding how to best inform the citizens.

Councilmember Studnicka: Asked for clarifications on when the mailings regarding the pool would start. The City Administrator stated that they were shooting for the first week of October. Discussion continued regarding realistic estimates of costs and how the fees and taxes will be distributed. The City Administrator also addressed Councilmember Garvey's comment regarding beginning of construction stating that if approved, they would start working on the design immediately. The design would take about six months followed by the bidding process taking six months. Barring any significant issues, the pool could possibly be completed in 2024. Councilmember Studnicka then addressed the internet fiber going in. Clearwave's Lansing manager has been going around the neighborhoods introducing himself. The main complaint is with AT&T and the boxes being placed. Is there any way to get in touch with AT&T and have the boxes flush with the ground? The City Administrator stated that after the previous concerns expressed by Councilmembers Studnicka and Majure, he had reached out to AT&T and scheduled a meeting for Wednesday of next week. Councilmember Studnicka expressed that he would like to make the aesthetic consistent even if it means holding permits until we can make a deal with them to make them ground level.

Councilmember Trinkle: Asked is there anything we can do to notify the citizens when situations happen at the prison? Similar to an Amber Alert. The City Administrator stated that the Amber Alert type idea came up from someone else as well. They reached out to Senator French about the issue. Senator French was going to talk to the KDOC to see what it would take. The City Administrator was not sure if it is possible. Councilmember Trinkle asked about maybe using the sirens with a different tone to indicate for a possible walk away prisoner. Discussion continued indicating that the schools had sent out notifications regarding the prisoner and when the prison would use a whistle to alert regarding a walk away prisoner. Councilmember Brungardt asked if we could contact the prison to see how they notify the school, if there was a way to do something similar to notify the citizens, and what happened to the siren/whistle to indicate the walk away prisoners. Discussion continued about the best ways to notify the public.

Councilmember Kirby: Offered condolences to the Young Family regarding the death of Ada Young. Emphasized given the current issues in other states that we need to keep our infrastructure up to snuff.

Councilmember Garvey: Acknowledged the hard work that Ada Young put into our community and expressed condolences to her family. He is excited about the pool, the aerial shots of the ball field, and improvements happening. He then thanked the PIO regarding the updates.

Councilmember Buehler: Nothing to discuss.

ADJOURNMENT:

Councilmember Buehler made a motion to adjourn. Councilmember Clemons seconded the motion. Roll Call Vote: Aye: Councilmembers Clemons, Brungardt, Studnicka, Trinkle, Kirby, Garvey, and Buehler; Nay: none; Abstain: none; Absent: Marcus Majure. The motion was approved.

The meeting was adjourned at 8:07 p.m.

ATTEST:


City Clerk Tish Sims, CMC