
AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Tish Sims, City Clerk
DATE: August 11, 2022
SUBJECT: Approval of Minutes

The Regular Meeting Minutes of August 4, 2022 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes of August 4, 2022, as presented.

AGENDA ITEM #

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
August 4, 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: Kerry Brungardt and Jesse Garvey

Ward 4: Gregg Buehler and Dan Clemons

Councilmembers Absent: Marcus Majure

OLD BUSINESS:

Approval of Minutes of the Regular Meeting of July 21, 2022, as presented:

Councilmember Kirby made a motion to approve Regular Meeting Minutes of July 21, 2022, as presented. Councilmember Buehler seconded the motion. No discussion took place. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons, Brungardt, Studnicka, Trinkle, and Kirby; Nay: none; Abstain: None.; 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:

Take 5 Oil Change Site Plan Appeal

During the recent Planning Commission meeting which occurred on July 20, 2022, the site plan for Take 5 Oil Change to be located at 1112 N. Main St. was conditionally approved. The conditions outlined in the meeting minutes include "conditions in the staff report, and to also require improvement of the entire alley." The applicant is appealing the requirement that they improve the entire alley, with the attached e-mail received by the Department Head on July 26, 2022. The UDO clearly explains that the City Council is the appellate authority for site plans. This item is only to consider the appeal by the developer of the condition that they improve the entirety of the alley way, even the portion which is not adjacent to their project. They have already agreed, when working with Staff on the project, to improve the portion of the alley which is adjacent to their project.

Councilmember Studnicka made a motion to uphold the condition placed on the developer by the Planning Commission that they improve the entirety of the alley. Councilmember Trinkle seconded the motion. Discussion included Councilmembers Buehler, Trinkle, Kirby, Garvey, Brungardt, CED Director Matt Schmitz, Public Works Director Michael Spickelmier, and City Administrator Tim Vandall. Clarification was requested regarding what parts of the alley the developer had agreed to improve. Further discussion continued with the reasons the Planning Commission asked for the extension of the improvement to include the entire alley. CED Director indicated that the developer would be unable to proceed with the project if the motion was upheld. Councilmember Kirby indicated that he was shocked that we're telling a business that wants to come to town that they are responsible to pave an alley that they're not responsible for. Discussion included the cost to the city and plans by the city to pave alley related to the project in the future. City Public Works Director indicated we have progressively installed alleys in the past few years and confirmed the city was

working to improve all alleys. Councilmember Kirby stated I don't think it's fair to ask them to pave, asphalt, whatever an alley that they are not responsible for. Discussion continued regarding the access for the trash pickup. Councilmember Garvey thinks it's wrong for us to ask them to do the whole alley. Not only because it's not right, but it's also in a ward where we've abandoned the alleys. We've literally split the property and the alley, gave it to the residents, and walked away from it. And now you're asking someone to pave an alley in a ward where we've abandoned it. I think I'm okay with waiting and improving the alley with the CIP program down the road. Councilmember Trinkle stated that's the idea we had with the program. That's why we started milling the houses and lenient on the permits. Trying to excite that part of town. Because we have nothing to be able to improve the area. Mayor McNeill: Reiterated the current motion and second would uphold and tie them to that condition.

Further discussion commenced regarding how to rescind the motion and second. McNeill called for a vote on the motion and second to uphold the condition placed on the developer by the Planning Commission to improve the entirety of the alley. **Roll Call Vote: Aye: Councilmembers Studnicka and Trinkle; Nay: Councilmembers Garvey, Buehler, Clemons, Brungardt, and Kirby; Abstain, None; Absent: Councilmember Majure. The motion failed.**

Discussion continued regarding the specifics of the motion and the definitions for rescind and uphold pertaining to this motion.

Councilmember Buehler made a motion to rescind the condition placed on the developer by the Planning Commission to improve the entirety of the alley. Councilmember Kirby seconded the motion. Councilmember Buehler clarified that they will be doing just the part adjacent to their property. Mr. Schmitz: Correct, the requirements listed in the staff report would still be upheld, and that would require them to improve the part adjacent to their property only. Clemons: Will the city incur any costs until we do the blacktop? Schmitz: The developer has not asked for any concessions from the city. Nothing. **Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons, Brungardt, Trinkle, Kirby, Garvey; Nay: Studnicka; Abstain: None; Absent: Councilmember Majure. The motion was approved.**

Repairs to the Fire Suppression System for City Hall

On June 11, 2022, the fire suppression system leaked and flooded the downstairs of City Hall. To stop the flooding, the sprinkler system was shut down and is now inoperable in the event of a fire. This system also provides fire suppression for the Lansing Community Center. Jayhawk Fire Sprinkler is under contract for annual fire suppression system inspection and maintenance. The city contacted Jayhawk for diagnosis and requested a quote for the repairs. The quote includes removing 12'x6' of concrete sidewalk and removal of soil around the broken 6" underground fire line. The price includes replacement of sidewalk. If the break is not within 10' of building or is under the building, further coordination will be needed, and additional pricing would be incurred.

Councilmember Brungardt made a motion to approve the repairs to the water lines for the sprinkler system with the initial quote from Jayhawk Fire Sprinkler in the amount of \$25,424.57. Councilmember Garvey seconded the motion. Discussion occurred regarding location of break and location of concrete to be replaced. **Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons Brungardt, Studnicka, Trinkle, and Kirby; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved**

Executive Session

Councilmember Buehler made a motion to go into Executive Session for the preliminary discussion of the acquisition of real property, K.S.A. 75-4319(b)(6) for 30 minutes, beginning at 7:18 PM and returning to the Council Chambers at 7:48 PM and to include City Council, City Administrator, City Attorney, the Community and Economic Development Director, English Pope, and Rick Hurst. Councilmember Kirby seconded the motion. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons, Brungardt, Studnicka, Trinkle, and Garvey; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved.

Councilmember Kirby made a motion to return to open session at 7:48 PM. Councilmember Buehler seconded the motion. No formal action took place. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons Brungardt, Studnicka, Trinkle, and Kirby; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved

Councilmember Kirby made a motion to enter into Executive Session for the preliminary discussion of the acquisition of real property, K.S.A. 75-4319(b)(6) for an additional 15 minutes starting at 7:49 PM and ending at 8:04 PM and to include City Council, City Administrator, City Attorney, the Community and Economic Development Director. Councilmember Brungardt seconded the motion. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons, Brungardt, Studnicka, Trinkle, and Garvey; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved.

Councilmember Kirby made a motion to return to open session at 8:04 PM. Councilmember Buehler seconded the motion. No formal action took place. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons Brungardt, Studnicka, Trinkle, and Kirby; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

Department Heads:

City Clerk Tish Sims introduced the new Assistant City Clerk, Leslie Welch.

Public Works Director Michael Spickelmier updated the council regarding the mill and overlay program and its current budget and status. The project for the mill and overlay on 147th Street went over budget and will have to be continued next year. Because of this overage, the maps for the projected repairs will not match the actual repairs completed this year.

City Administrator Tim Vandall explained that citizen's academy does not have enough participants at this point in time. He encouraged anyone still interested in the academy to sign up.

Governing Body:

Councilmember Trinkle: Nothing to discuss.

Councilmember Kirby: Reminders about adherence to bus safety as we approach the new school year.

Councilmember Garvey: Nothing to discuss.

Councilmember Buehler: On this day in history in 1693, Dom Perignon invented champagne.

Councilmember Clemons: Reminders about school year starting soon and that Lansing was the only city in the local area that did not raise taxes. The other five cities raised taxes. He encouraged anyone unhappy with their tax bill to go to the entities that raised the taxes.

Councilmember Brungardt: Nothing to discuss.

Councilmember Studnicka: Welcomed the new Assistant City Clerk. Nothing to discuss.

Councilmember Kirby: Nothing to discuss.

ADJOURNMENT:

Councilmember Kirby made a motion to adjourn. Councilmember Brungardt seconded the motion. Roll Call Vote: Aye: Councilmembers Garvey, Buehler, Clemons, Brungardt, Studnicka, Trinkle, and Kirby; Nay: none; Abstain: None; Absent: Councilmember Majure. The motion was approved. The meeting was adjourned at 8:08 p.m.

ATTEST:

City Clerk Tish Sims, CMC