
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 Buehler moved to approve the regular meeting minutes of March 7, 2019, as presented. Councilmember Pawlowski seconded the motion. The motion was approved with Councilmember Brungardt abstaining from the vote.

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

Presentations: Graduation of Citizen's Academy Participants: Mayor Mike Smith and Event & Marketing Coordinator Tim Dossey presented participants of the 2018-2019 Citizen's Academy with plaques. The graduates are Jacob Kowalewski, Tyler J. Swift, Ronald Webb, Dr. Harold Laurence, Don Wallace and Judy Wallace.

Arbor Day Proclamation: Councilmember Buehler read a proclamation declaring April 12, 2019 as Arbor Day in Lansing.

- Parks & Rec Director Jason Crum invited everyone to a ceremonial tree planting at the library on April 12th at 10:45am.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Ordinance No. 1020 – Cereal Malt Beverage Amendment Chapter 3, Article 2: Councilmember Kirby moved to adopt Ordinance 1020. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Request for Cereal Malt Beverage License – Aldi Inc: Councilmember Buehler moved to approve the Cereal Malt Beverage License for Aldi Inc, at 1217 North Main Street. Councilmember Brungardt seconded the motion.

- Councilmember Trinkle asked this makes them fall under the new regs for April 1. They didn't sell beer before, did they.
 - City Clerk Sarah Bodensteiner responded no, they are going to start.
 - Mayor Smith stated this is new.

The motion was unanimously approved.

Request for Special Use Permit – 101 N. Ethel Lane – More than 4 Animals: Councilmember Studnicka moved to approve the special use permit for 101 N. Ethel Lane. Councilmember Kirby seconded the motion.

- Councilmember Buehler asked any response to the letters sent out by the neighbors or to the neighbors.
 - Police Chief Steve Wayman responded Wendy had a prior engagement tonight, but I talked to her about it and she said no there wasn't any complaints or anything. I think the only real difference between this is they got rid of their chickens, so they have three dogs and two cats. Something like that but the chickens they had are gone now.
 - Councilmember Buehler replied alright.
 - Councilmember Trinkle asked rooster in the pan.

- Police Chief Steve Wayman replied I don't know what they did with them.
 - Mayor Smith stated yeah, I used to hear it.

The motion was unanimously approved.

Award of Contract – Retail Development Services: Councilmember Buehler moved to authorize the mayor to sign a 3-year contract with The Retail Coach in an amount not to exceed \$94,000. Councilmember Pawlowski seconded the motion.

- Councilmember McNeill stated yeah, I have an issue on the option year. The way I interpret it was we're paying for the base year and then if we like them, then the option years. I mean why would we fully fund all those years.
 - Community & Economic Development Director Matthew Schmitz replied the Council can award it way if that's how they would like to award it.
 - Councilmember McNeill responded yeah I prefer that. That totally makes more sense than doing it for three years and finding the first year that people aren't doing their jobs.
 - City Administrator Tim Vandall asked is the subsequent year \$40,000 though.
 - Community & Economic Development Director Matthew Schmitz responded no it would still be with their proposal. It would still be the same price.
 - Councilmember McNeill asked proposed it by an option year, right.
 - Community & Economic Development Director Matthew Schmitz replied right, the thing I would point out is this type of contractor or consultant, it's hard to justify or hard to quantify the type of work they do within only a single year because a lot of economic development projects take multiple years.
 - Councilmember McNeill stated I'm not saying don't use them for multiple years. I'm saying don't pay them for multiple years before we start.
 - Community & Economic Development Director Matthew Schmitz responded we wouldn't pay them the whole thing up front anyway. The payment schedule was structured over three years even if this body approves the entire three years, they only get what they put in there each year.
 - Mayor Smith replied and Matt you could.
 - Councilmember McNeill responded it says to sign a three-year contract, this is to sign a three-year contract. That means you signed it for three years.
 - Community & Economic Development Director Matthew Schmitz replied correct.
 - Mayor Smith asked but Matt in the contract, does it say we can pull out at a certain amount of time, say within a year and it would only be a certain amount to be paid.
 - Community & Economic Development Director Matthew Schmitz responded well yeah, you can terminate the contract.

- Mayor Smith stated I want to know what the contract says. I think Tony is going not to pay it all ahead. I'm just trying to figure that out. If we got a three-year contract but we only pay one year at a time and we have the option to get out of it then it does the same thing.
- Councilmember Pawlowski responded the motion was for not to exceed.
- City Administrator Tim Vandall stated I thought that was the point of them giving the discount for years two and three and then sign up. I suppose there's less risk if we do it year by year but we're paying \$10,000 more per year
 - Mayor Smith replied I wouldn't recommend that. I just want to know if we weren't happy.
 - Councilmember McNeill responded the cost doesn't change.
 - Community & Economic Development Director Matthew Schmitz stated their particular proposal, some of them were structured that way, but The Retail Coach particular proposal was not. Theirs was structured that the first year is \$38,000 and then each year after that you could optionally extend the contract for another year for \$25,000 each year. So, we can come back in a year, if we're happy with them and extend the contract by a year and then do the same thing in two years if that's what this body would like to do.
 - Councilmember McNeill replied that's what I recommend but it's up to you guys.
 - Councilmember Buehler stated I agree.
 - Councilmember Kirby responded that makes sense to me.
- Mayor Smith stated ok, we need to withdraw the motion then.

Councilmember Pawlowski withdrew her second.
Councilmember Buehler withdrew his motion.

Councilmember Buehler moved to authorize the mayor to sign a 1-year contract with the option to extend a year at a time up to two years with The Retail Coach in an amount not to exceed \$94,000. Councilmember Pawlowski seconded the motion.

- Councilmember Buehler is that right Greg.
 - City Attorney Gregory Robinson I understand what you're saying.
 - Councilmember Pawlowski but is it legal.
 - City Attorney Gregory Robinson yeah but it depends on who else is hearing it. We're familiar with the terms. Does everybody out there understand. I don't know.
 - Councilmember Pawlowski we don't have the contract in front of us.
- Mayor Smith asked we have a motion. Do we have a second on that.
 - Councilmember Pawlowski I seconded it.

The motion was unanimously approved.

Award of Contract – Phone System and Building Connection: Councilmember Buehler moved to authorize the mayor to sign an agreement with Towner Communications in an amount not to exceed \$53,927.25 for the phone system, and an agreement with K&W Underground in an amount not to exceed \$17,979.97 for the installation of fiber. Councilmember Pawlowski seconded the motion.

- Councilmember Pawlowski stated I have a question.
 - Councilmember Kirby replied go ahead.
 - Councilmember Pawlowski asked you have a question too.
 - Councilmember Kirby replied yeah.
 - Councilmember Pawlowski asked so, sorry I didn't call you about this because I was busy this week. There was a thing in there that said it was hard to find, trying to find where because everything is voice over internet and my question is why aren't we doing that.

- Community & Economic Development Director Matthew Schmitz responded that is what we're doing. The phone service will be voice over internet service which I am kind of confused by what you are referencing.
 - Councilmember Pawlowski stated well maybe I read it wrong.
 - Councilmember Kirby responded he wasn't the first one.
 - Councilmember Pawlowski replied I expect it from you. So, nevermind. Go ahead Gene.
- Councilmember Kirby stated the difference between the two bids. I mean if we were talking about a couple hundred thousand dollars, probably wouldn't be a whole lot of money but we're not talking about a whole lot of money. You know there's twenty some thousand dollars difference between the two bids.
 - Community & Economic Development Director Matthew Schmitz replied correct.
 - Councilmember Kirby asked because somebody wanted it worse than somebody or the equipment or.
 - Community & Economic Development Director Matthew Schmitz responded NCS included a lot of equipment we don't need the way we're modeling this, the way we're building it.
 - Councilmember Kirby replied ok.
 - Community & Economic Development Director Matthew Schmitz stated they didn't account for some changes that happened since they gave us a quote originally when we budgeted for this.
 - Councilmember Kirby stated ok, I have one more here if I can scroll down quick enough. Sorry about that. One of them talked about there's going to be some added expense, it had to do with, ok 'proposal does not include any possible data wire needed, each location is subject to final walk through to determine network readiness'.
 - Community & Economic Development Director Matthew Schmitz responded so all of our city facilities right now where we're going to put a phone at, they already have a data connection there. That was just included in there for their protection basically but if we need to install drops, they are roughly \$200-300 a piece and our contractor NCS can do that. And we can do that out of my department budget rather than come out of this project.
 - Mayor Smith asked anything else Gene.
 - Councilmember Kirby stated nope.
 - Mayor Smith asked anybody else.
 - Councilmember Brungardt stated thanks Matt.

The motion was unanimously approved.

Construction Inspection Services – Bittersweet Road & Bridge Improvements Project 18-03:

Councilmember McNeill moved to authorize the mayor to sign the Construction Inspection Services Agreement for Benesch & Company for the Bittersweet Road and Bridge Improvement Project in an amount not to exceed \$32,900. Councilmember Brungardt seconded the motion.

- Councilmember Trinkle asked how does this fit in with the school and you got DeSoto Road now and then this. Are they going to start right away?
 - Public Works Director Jeff Rupp responded as soon as school is out, we have the overlay project and this project starting.
 - Councilmember Trinkle asked so they're not going to wait to do it while school is in session.
 - Public Works Director Jeff Rupp replied no, I mean there may be an issue when we get to the end if there is an overrun in time but we're trying to schedule it so it gets done between the break and school.

- Mayor Smith stated go ahead Andi.
 - Councilmember Pawlowski stated I'm getting my projects mixed up in my head. Have we already awarded the contract for the bridge.
 - Public Works Director Jeff Rupp replied no, those bids are coming in the 26th and we'll be back April 4th with the bids.
 - Councilmember Pawlowski asked ok but Benesch did the work on what we're doing to the bridge.
 - Public Works Director Jeff Rupp responded right they designed everything and originally in 2017 when we put the package together this was part of that. They reupped in 2018 and we broke it down. We've got a pretty full schedule for things to be inspected on that project, sixty days worth.
 - Councilmember Pawlowski stated ok, thank you.

The motion was unanimously approved.

Kansas Regional Prisons Museum: Councilmember Brungardt moved to approve the transfer of Kansas Regional Prisons Museum Funds to the City of Lansing for a recreational/cultural purpose. Councilmember Pawlowski seconded the motion.

- Mayor Smith asked discussion.
 - Councilmember Kirby responded yes. I know we don't know what we're going to with this but it's my desire that whatever we do, Jason if it ends up with you that its something permanent. Not a one time shot that we do something or pay for something and then it goes away. Something that will be permanent in that we can acknowledge with a plaque or something why that project was possible through their donation. So, I think we need to keep that in mind. I think Leonard is here and I think they agree with that.
 - Councilmember Garvey stated something permanent.
 - Councilmember Kirby replied right. A recognition plaque.
 - Mayor Smith responded I think it's a good idea.
 - Councilmember Pawlowski stated I'd like to see a shelter.
 - Mayor Smith asked anybody else.
 - Councilmember McNeill are we just saying what we'd like to see.

The motion was unanimously approved.

- Mayor Smith stated and folks, thanks for all that you did over the years, I know you kept this thing running and we really appreciate it you staying on top of it and I know you did a lot of work in the meantime so thank you. And I think Gene's idea is excellent and I hope we go in that direction in the future.

REPORTS:

Department Heads: Public Works Director Jeff Rupp stated the 2nd Street project is going to start this coming week. The storm water boxes came in and are cured so the work will start. Library Director Terri Wojtalewicz shared the library is adding OverDrive to the library. It is a popular audiobook and e-book app for patrons to use. The library is also getting ready to go fines free as of April 1st. Trends show taking this step increases circulation and participation when overdue fines are removed.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall stated its pothole season and staff has been busy patching those and street sweeping will begin soon. Westar is going to start replacing all their street lights with LED bulbs, however, if there is an older light pole that is going to be replaced within the next 2 months they will hold off on installing those bulbs until the pole is replaced. There may be some street lights that will be out a little longer than normal.

- Councilmember Pawlowski asked if that was the issue with a lot of the lights being out on Centre Dr.
 - Public Works Director said he would check on it.

City Administrator Tim Vandall stated staff was happy the state approved the Change Order for the Desoto Road Project. So that will be a win-win in regards to access and efficiency for the citizens and the contractor.

Governing Body: Councilmember Garvey congratulated the Citizens Academy graduates and thanked the Regional Kansas Prisons Museum representatives for all they did over the years.

Councilmember Buehler, Councilmember McNeill, Councilmember Brungardt, Councilmember Studnicka and Councilmember Kirby echoed Councilmember Garvey's sentiments.

Councilmember Buehler stated on this day in 1905, Albert Einstein published his theory of special relativity.

Councilmember Trinkle congratulated Terri on her library endeavors and mentioned we need to keep the people in Nebraska and Iowa in our thoughts and prayers amidst the flooding.

ADJOURNMENT:

Councilmember Kirby moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:29 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk