

# CITY OF LANSING

## CITY COUNCIL MEETING

REGULAR MEETING MINUTES  
September 21, 2023

### Call To Order:

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

### Roll Call:

Councilmember Brungardt called the roll and indicated which Councilmembers were in attendance.

### Councilmembers Present:

**Ward 1:** Kevin Gardner

**Ward 2:** Don Studnicka and Marcus Majure

**Ward 3:** Jesse Garvey and Kerry Brungardt

**Ward 4:** Dan Clemons

**Councilmembers Absent:** Gene Kirby and Gregg Buehler

Mayor Tony McNeill was absent.

## OLD BUSINESS:

The regular meeting minutes of September 7, 2023, were provided for review.

**Councilmember Majure made a motion to approve the Regular Meeting Minutes of September 7, 2023, as presented. Councilmember Studnicka seconded the motion.** No discussion took place. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Brungardt, and Studnicka; Nay: none; Abstain: Councilmember Clemons; Absent: none. The motion was approved.**

**Audience Participation:** Becky Gordon, 102 S 3<sup>rd</sup> Court – Requested the council consider an app called Text My Gov that allows citizens to opt in for text messages from the city. She thought it might be of benefit regarding the military training, prisoner escapes, Amber Alerts, and other emergencies.

### Presentations:

#### **County Commission Demand Transfers discussion**

Michael Smith, County Commissioner for District 4, presented regarding LAVTR. The local County Commissioners are encouraging the State Legislature to re-implement LAVTR funds to help local governments lower property taxes. With LAVTR in place, monies sent from the State of Kansas to local governments are directly applied to lowering property tax levies. Commissioner Smith emphasized that this is a state statute and for citizens and the city to compose letters to their state representatives to support LAVTR to help with the burden created by increased property taxes.

City Administrator Tim Vandall verified that there was a consensus from the council that he should move forward and consult with the mayor about composing a letter to send on the city's behalf to the state representatives about LAVTR.

Becky Gordon and Commissioner Smith discussed that the LAVTR funds have been staying at the state level for the last 20 years. Councilmember Majure reiterated that the \$2.3 billion LAVTR funds are in a pot at that the state level.

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Hunt Conditional Use Permit – 104 Daisy Street**

The Applicant is requesting the approval of an in-home day care. This property is classified as Single-Family Residential. The Applicant is licensed through the Kansas Department of Health and Environment (KDHE) with a maximum capacity of 10 children. The UDO requires a Conditional Use Permit for any in-home day care with more than 6 children. The Planning Commission voted 6-0 (1 absent) to recommend approval.

**Councilmember Studnicka made a motion to approve the Conditional Use Permit application for 104 Daisy Street. Councilmember Gardner seconded the motion.** Councilmember Garvey and City Attorney Greg Robinson clarified that the conditional use permit would be valid for 5 years. Councilmembers Majure, Garvey, Gardner, and Community Economic Director Joshua Gentzler discussed the applicant's understanding of the requirements and regulations from the city and whether any complaints had been filed regarding the daycare. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**Salt Prices for 2023-2024**

Leavenworth County has again solicited pricing for bulk purchase of rock salt. The quantity on the bid tabulation includes material for LVCO, City of Leavenworth, City of Basehor, City of Tonganoxie, and the City of Lansing.

**Councilmember Studnicka made a motion to accept the bid of \$58.74 per ton from Central Salt LLC of Lyons, KS, in cooperation with Leavenworth County. Councilmember Garvey seconded the motion.** Councilmember Studnicka and Public Works Director Michael Spickelmier discussed the price compared to previous year. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Abstain: none; Absent: none. The motion was approved.**

**Centre Drive Improvements: Project 2023-04 Bid Results**

If the Council chooses to proceed with the project, then acceptance of the low bid and to give direction for staff to proceed with the bid award with the necessary budget adjustments.

**Councilmember Garvey made a motion to accept the low bid from Linaweaver Construction for \$535,310.45 with a 5% construction contingency, and direct staff to proceed with the project and necessary budget adjustments. Councilmember Studnicka seconded the motion.** Councilmember Majure, Brungardt, and Director Spickelmier discussed the differences in bids submitted. Councilmember Clemons asked for clarification about charges related to additional inspections or oversight. Director Spickelmier and City Administrator Vandall explained the plan and expectations for Centre Drive. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Abstain: none; Absent: none. The motion was approved.**

**Purchase of StressCrete Poles and King Luminaire Equipment**

The StressCrete poles and fixtures were selected by a subcommittee of the city council for use in the upcoming Towne Centre project.

**Councilmember Gardner made a motion to authorize the purchase of the 48 StressCrete Poles and King Luminaire equipment in the amount of \$199,825.20. Councilmember Garvey seconded the motion.** Director Spickelmier and Councilmember Gardner discussed the reason for the quantity of lights. Manny Ramos and Matt Lacey from StressCrete gave a demonstration of the lights proposed in the bid. Councilmembers Clemons and Gardner requested information on the height of the light, and the life expectancy of the poles and LED's. Discussion continued regarding adding a plug option to the light fixture, timing of install, and globe discoloration. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**Engineering Services for the 147th Street Box Culvert**

The City Council authorized replacement of the 147th Street box culvert in the 2024 budget.

**Councilmember Studnicka made a motion to accept the proposal and execute the supplemental work agreement with Benesch in the amount of \$31,350.00. Councilmember Majure seconded the motion.** Councilmember Gardner asked for clarification if this was the same company as line item #8 and whether Benesch would come back to ask for more funding regarding this proposal. Rob Krewson from Benesch clarified that any additional funds requested would be because of changes or requests beyond the original scope of the project. Councilmember Clemons and Director Spickelmier discussed the change from the original proposal that included the roundabout and that this would be the design phase of the project. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**Additional Construction and Inspection Services for the K7 & Eisenhower Project**

The City Council approved the initial contract with Benesch for the Construction Engineering and Inspection for the K7 & Eisenhower Project for a total of \$109,650 in February of 2022. The original completion date for the project was November 20, 2022, which was the basis for the contract. An additional \$38,000 was added in November of 2022 to cover the extension. Benesch is asking for another additional \$4,200.41.

**Councilmember Majure made a motion to accept the supplemental agreement for CE&I services from Benesch in the amount not to exceed \$4,200.41. Councilmember Studnicka seconded the motion.** Councilmember Gardner and Garvey discussed with Wade Heim, construction group manager, what the additional fees addressed. Mr. Heim explained that the original scope was for six to eight weeks. The project was completed in nine weeks. Discussion continued to include Mr. Krewson regarding previous projects and requests for additional funds. Councilmember Clemons and Director Spickelmier also discussed the cost share and how Leavenworth would be involved. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Clemons, Brungardt, and Studnicka; Nay: Councilmember Garvey; Abstain: none; Absent: none. The motion was approved.**

**Construction Observation Services Contract - City Project 2021-04**

Kansas state law requires full time construction observation during all active phases of all sanitary sewer construction. Lansing has previously used Monarch Engineering of Olathe, KS for these services. Monarch Engineering has proposed a fee of \$75/hour and \$50/day travel expenses. Monarch Engineering has completed this work for Lansing on two recent sanitary sewer projects (NW Relief Sewer and Ward One Rehab project) with great success. The City's purchasing policy Section

4.4.1 allows the City Administrator to waive the selection process for consultants who have worked on projects of a similar nature within the previous 18 months.

**Councilmember Studnicka made a motion to authorize staff to execute a contract for construction observation services in support of the McIntyre Interceptor Sanitary Sewer Project. Councilmember Clemons seconded the motion.** Councilmember Clemons and Brungardt asked Wastewater Director Tony Zell to clarify the proposed fees. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**Councilmember Studnicka made a motion to enter into Executive Session for the preliminary discussion of the acquisition of real property pursuant to K.S.A. 75-4319(b)(6) for 20 minutes, beginning at 8:17 PM and returning to the Council Chambers at 8:37 PM and to include City Council, City Administrator, City Attorney and Wastewater Director Zell. Councilmember Majure seconded the motion. Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**Councilmember Garvey made a motion to return to Open Session at 8:37 PM. Councilmember Studnicka seconded the motion.** No binding action was taken. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

**REPORTS:**

**Department Heads:** Wastewater Director Tony Zell stated that the bidding for the McIntyre project will begin next month. Bid opening would be toward the first of November. It should be on the first meeting for November for approval and notice to proceed for that project. Director Zell was at the KWEA conference, and the City of Lansing’s Treatment Plant was awarded a Class V Treatment Plant of the Year award for the fifth time. They also received their first Safety Award by the association. He gave kudos to the staff that put in the work to make that happen.

**City Attorney:** Nothing to discuss.

**City Administrator:** The council should be receiving invitations for the Volunteer Dinner coming up. Reiterated that there will be Department of Defense training going on Friday, September 22, 2023. Has had positive discussions with the new superintendent of the school district regarding ways to improve pedestrian access for schools. They spoke about applying for a grant to the state to do a sidewalk from Lansing High School to West Mary Street. The city is still trying to work out the details with the school district, but they are looking to apply for the grant. Things to keep in mind would be that the grant is very competitive. Even with the grant, the cost would be at least six figures.

**Governing Body:**

**Councilmember Gardner:** Thanked Councilmember Clemons for the emails. Appreciated the long-term staff’s input when working on the budget. Emphasized what Councilmember Brungardt stated last meeting about the council putting political views aside for the benefit of Lansing – the financial stability and the growth of the city. Wished Councilmembers Majure and Brungardt good luck in the election.

**Councilmember Majure:** While the agenda was long, it was good. Acknowledged the great questions asked by fellow council members.

Councilmember Garvey: Thanked the people hosting the forums. Thanked the City Administrator and Police Chief Steve Wayman for the quick response regarding the questions on the military exercise. Sent get well wishes to Councilmember Kirby.

Councilmember Clemons: Transportation Study was turned in. All the governing bodies involved unanimously approved it. Highway 5 corridor was the top pick.

Councilmember Brungardt: Ditto. Thanked Director Zell. Stated that he always gets a prompt answer when he emails questions.

Councilmember Studnicka: Congratulated Director Zell and his crew for the awards.

**ADJOURNMENT:**

**Councilmember Studnicka made a motion to adjourn. Councilmember Garvey seconded the motion.** No discussion took place. **Roll Call Vote: Aye: Councilmembers Gardner, Majure, Garvey, Clemons, Brungardt, and Studnicka; Nay: none; Abstain: none; Absent: none. The motion was approved.**

The meeting was adjourned at 8:48 p.m.

**ATTEST:**

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City Clerk Tish Sims, CMC