

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
April 21, 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 and Marcus Majure

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler and Dan Clemons

Councilmembers Absent:

Public Hearing for CID: At 7:00 PM Councilmember Studnicka moved to open the public hearing for approving the CID request at 555 N. Main Street. Councilmember Garvey seconded the motion. The motion was unanimously approved.

At 7:01 PM Councilmember Studnicka moved to close the public hearing for approving the CID request at 555 N. Main Street. Councilmember Buehler seconded the motion. The motion was unanimously approved.

OLD BUSINESS:

Approval of Minutes: Councilmember Studnicka moved to approve the Regular Meeting Minutes of April 7, 2022, as presented. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor McNeill called for audience participation and Clint Hiestand at 24120 147th Street came to the podium. He would like to add onto his driveway for landscaping and additional parking. Due to the cost of material, gravel is the preferred way to add on. He has spoken to the neighbors, and they are fine with it.

- Mayor McNeill stated the UDO requires the use of concrete but the driveway up to his house is gravel so why would concrete be necessary behind his house. There were several issues found in the UDO that the Council may want to change with this being one of them.
 - Community & Economic Development Director Matthew Schmitz added the UDO enforced the regulation that there can't be an additional gravel added anywhere in the city. The Council is the only one who can make the change. Discussion occurred.

Presentations: none

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Ordinance No. 1081: Councilmember Buehler moved to approve Ordinance No. 1081. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

First Amendment to Development Agreement to 555 N. Main Street CID: Councilmember Buehler moved to approve the first amendment to Development Agreement to 555 N. Main Street Community Improvement District. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Lansing Historical Society and Museum Board Request: Debra Bates-Lamborn stated she is the President of the Lansing Historical Society. I was curious because in the packet the letter we wrote to Tim Vandall on October 28, 2021, is not included in that packet. I thought that was rather important information for you all to hear. Were you referencing this letter here.

- Mayor McNeill replied I was not. I was referencing your request.
 - Debra Bates-Lamborn responded right and then we also received from your attorney a response to that letter six weeks later. I can take the time to read this letter if you'd like to hear it or I can move on.

- Councilmember Buehler asked is this the one dated January 20, 2022.
 - Debra Bates-Lamborn replied no sir, this is dated October 28, 2021. We got a lot of dates floating around here. Ok, it will take me two seconds.
 - Mayor McNeill responded sure.
 - Debra Bates-Lamborn read it has recently come to our attention that money raised during a ten-year period by the Lansing Historical Society, note, I say Lansing Historical Society, a nonprofit entity was given to the City of Lansing by way of the Kansas Regional Prison Museum. Donations to the Lansing Historical Museum while it was owned and managed by the City of Lansing. This money is now a line item in the City's budget and is earmarked for the Kansas Regional Prison Museum which was a non-profit entity that dissolved two years ago. Leonard Lockwood acting as an officer in the Kansas Regional Prison Museum who by the way was the treasurer for both of these entities had no right to relinquish all funds to the City of Lansing once the Kansas Regional Prison Museum was dissolved. By all rights, the money should have been returned to the Lansing Historical Society that spent a decade raising this money for the two entities. One a non-profit, the other a city government of the state of Kansas. We have documentation to support our claims. Our greatest fear is the general public will find out the memorials they gave for their deceased loved ones was used to benefit the coffers of the City of Lansing. Everything our membership did to raise money now sits as a line item in the City of Lansing's budget. Recently we had to replace the Lansing Historical Society laptop that was once used by Mary Lou Allen, Secretary for the Lansing Historical Society, sister to the President Linda Lockwood, and sister-in-law to Leonard. The laptop was supposedly wiped clean of all information with the exception of the membership list. When PCK transferred the information onto the new laptop there was a lot more than what we expected to see in the membership. There were letters, templates to different businesses throughout this community, Hallmark Cards, Holiday Inn. Each one of those letters specifically stated it was the Lansing Historical Society raising this money to make our museum a better museum. Make your checks payable to the Lansing Historical Society using our 501c3. Now the Regional Prison Museum had their own by the way the Lansing Historical Society paid for that renewal every year. They didn't even pay for their own non-profit status. We are here tonight on behalf of the Lansing Historical Society Museum. We are a non-profit museum whose mission is to preserve the history of Delaware Township, the City of Lansing, Kansas State Penitentiary at Lansing and the United States Penitentiary at Leavenworth. Well that kind of sounds like a regional prison museum to me. We are requesting you release the museums funds in excess of \$140,000 that was raised and donated with a promise of a better museum. Our museum has been located at 115 E Kansas Avenue on the front lawn of the state prison property for 30 years next week. The Lansing Historical Society raised the money to be used for a proposed Kansas Regional Prison Museum which would have been an

expansion of our museum as you can see with the display here that was circulated throughout the community. There was only one way into that Kansas Regional Prison Museum and that was through our front door. And back out our front door. There was not a separate museum there. They were one museum combined. An attempt was made to secure the gallows for a permanent exhibit which you can see inside there as part of the existing prison artifact collection of the Lansing Historical Society Museum. In a news article from 2004, a former museum director of the Kansas State Historical Society made it clear that it was unlikely that was ever going to happen yet three years later the Kansas Regional Prison Museum was formed after being told you will not get those gallows. We are here tonight to represent people of our community and members who donated in good faith to our museum with the promise of making it a better museum. The city is holding \$140,000 that we raised for a museum. We are that museum. We request that the money be returned to the Lansing Historical Society and Museum so that we may continue our mission. What I have here gentlemen, and this is very important, this is the articles of incorporation for the Kansas Regional Prison Museum. The officers, the governing body, Harley Russell, Kenny Wilk, who was a state Representative at the time, found out on Tuesday he was a charter member. He used the F word – fraud. His name was put on this form in order to induce contributions to the Kansas Regional Prison Museum. Also, on here, Jerry Reilly, knew nothing about this. How can you have a governing board, and they don't know they are on it. Then we have David McKune. David was on there the longest. He was on there until 2018. What I have here is a registered letter which Dave McKune wrote to the Secretary of State saying he had no knowledge of being on that board. And so was the same for Kenny Wilk and Jerry Reilly. These names were put on there random. So how can you even lend any credence to this thing here that has you know their by-laws. Who wrote them. Who wrote those by-laws because obviously the governing board that didn't know they were on it, they didn't write it. To me, it all began with this. That is your first mistake. The board was a fraud. Then we have this because I know it has been rumored that this was money raised from Lansing Daze. This was written by a city employee for Lansing, and they are requesting money be donated and I am not talking \$20, I'm not talking \$50. I'm talking \$1500 a pop from different people in the community. It's listed once again payable to the Lansing Historical Society. How can you use our name and then say that is our money. Well, it's not and it all began when they started this whole incorporation and they put people's names on there that did not even know they were part of that committee. They were not part of the governing board. And last but not least on the by-laws here, because on the dissolution of it and I am glad we all know what that is. It says here, they refer to it as assets. They weren't talking about money. They were talking about the items that were inside the museum. They were talking about that museum. Once it was built, if it

was dissolved, who would get that. So, they were talking about the City of Lansing getting it but they also talked about the State Historical Society getting it. It says it right here in the by-laws. The State Historical Society was the third option, but you know what, we're going after the 4th option. Because the 4th option says, if you don't like this take it to district court and that is where we will be heading. This was our last recourse here to come before you in a nice, polite way, state the facts, tell you what we know and then go from there. Thank you, gentlemen. Do you have any questions.

- Mayor McNeill asked anybody have any questions.
 - Councilmember Kirby stated well you brought stuff here tonight that I haven't seen or heard. The people that are named on this committee, who are now claiming, I don't know.
 - Debra Bates-Lamborn responded it's all in the Secretary of States office, it's all filed under Kansas Regional Prison Museum
 - Councilmember Kirby replied I'm not questioning it.
 - Debra Bates-Lamborn stated there's a website.
 - Councilmember Brungardt asked who came up with the people, Jerry Reilly, Kenny Wilk.
 - Debra Bates-Lamborn replied that would have been, thank you. The former mayor, there you go.
 - Councilmember Brungardt asked he came up with those names.
 - Debra Bates-Lamborn responded those names, and those gentlemen know nothing about being on that board. Let me tell you what it was 2018 when David McKune found out because I called him and asked him when he found out and he immediately called the Secretary of State's office and wrote a letter.
 - Councilmember Brungardt stated he was long gone.
 - Debra Bates-Lamborn stated he was long gone by 2018 but we were still there, the Kansas Regional Prison Museum with that board. So, I don't know how you could have a board decide to give away money that was raised by the Lansing Historical Society. I don't know how you could have done it. I don't know how they could have done it. I don't know how you could have accepted it. Knowing the circumstances of just having three board members. That doesn't make a quorum.
 - Councilmember Kirby stated that is all that was available.
 - Debra Bates-Lamborn replied well if you didn't have a board, you should have dissolved before, but you had these members on there that really didn't, weren't on it. They didn't know they were on it. You know it's not our responsibility to make sure you got a board, but it is our responsibility to make sure the decisions you make, you have to have quorum. The by-laws state you had to have nine members of that governing.
 - Councilmember Kirby responded that is not our board though.
 - City Administrator Tim Vandall replied that is not our board.
 - Debra Bates-Lamborn stated I know that's not your board, but it is all part of City of Lansing
 - City Administrator Tim Vandall replied no it's not.
 - Debra Bates-Lamborn responded on here it says right here on the by-laws City of Lansing, City of Lansing, City of Lansing. I'm sorry, you are about as connected to this as you could possibly be. When you all, you

- Gene Kirby gave that money to the City of Lansing.
 - Councilmember Kirby replied I didn't give money to the City of Lansing.
 - Debra Bates-Lamborn asked who was on the board at the time.
 - Councilmember Kirby replied I was never on the board.
 - Debra Bates-Lamborn asked of the Kansas Regional Prison Museum.
 - Councilmember Kirby responded no.
 - Debra Bates-Lamborn stated well this document says you are. This document says you gave money to the city.
 - Councilmember Kirby stated I'd like to see that document.
 - Debra Bates-Lamborn replied you bet.
 - Councilmember Kirby responded I have never been on any board in any way connected with this.
 - City Administrator Tim Vandall stated I think the document you are referring to says he is a witness. I don't think it says board member. I think it says witness.
 - Debra Bates-Lamborn asked a witness. So that means there were only two people that voted on that.
 - Councilmember Buehler stated it says Mr. Lockwood and Mr. Young and that is it.
 - Councilmember Brungardt asked Debra, where did you get this information.
 - Debra Bates-Lamborn asked which part.
 - Councilmember Brungardt replied the majority of it. You said something about the Secretary of State.
 - Debra Bates-Lamborn responded oh that. Secretary of State's website under businesses. I mean you could look it up and see the Lansing Historical Society there but if you want to find the Kansas Regional Prison Museum you have to actually enter Leonard Lockwood's name in order to find any information. And all the reports that were ever filed from the beginning until the end are on there and everyone that was on there is listed. Think about it gentlemen.
 - Councilmember Brungardt stated Mayor, I think we need some time to process all this, gather some information.
 - Debra Bates-Lamborn replied of course.
 - Mayor McNeill responded yeah; we're not doing anything now.
 - Councilmember Garvey stated there are a lot of things that are confusing and misunderstood. You said for ten years they collected money for the Historical Society and not for the Prison Museum right. But they put it all in one kitty. So why didn't someone notice that and separate it within ten years.
 - Debra Bates-Lamborn responded because it was in a private institution, and it was called the Federal Credit Union under United States Penitentiary. We did not have access to that. We did not even have access to the actual account number.

- Councilmember Garvey replied yet you are willing to sue us to get access. Why aren't you willing to sue them to get access to it.
 - Debra Bates-Lamborn responded I know, I know. Exactly.
 - Councilmember Garvey stated I don't understand that.
- Councilmember Buehler asked the Regional Prison Museum account. It's not the Historical Society.
 - Debra Bates-Lamborn replied yeah, no.
 - Councilmember Garvey asked so why didn't the Historical Society go after them and say part of the money in that account is ours. Why is it in your account. Why don't we separate it and have two separate accounts.
 - Mayor McNeill responded you should have two accounts.
 - Debra Bates-Lamborn stated we did not have knowledge of what was in that account. You know, I got to say the accounting boxes mysteriously showed up one day in the museum.
 - City Administrator Tim Vandall stated I don't understand how they were able to deposit funds though that weren't written out to them in checks. If there is a check written out to the Historical Society, how is the Regional Prison Museum fund able to deposit that. Shouldn't be that be something the Credit Union would have been able to make available.
 - Debra Bates-Lamborn replied because they were all part of the same account at the credit union. They were all part of that. There were five, maybe six accounts at least that we know of, but we were not able to see what was being deposited into the Kansas Regional Prison Museum. We only saw what was being deposited into the Lansing Historical Society. But he was taking those checks and running them through, so we have no idea.
 - City Administrator Tim Vandall asked who was.
 - Debra Bates-Lamborn replied Leonard Lockwood was Leonard. Leonard Lockwood was the treasurer for both. He was the treasurer for the Historical Society and the Kansas Regional Prison Museum. If that isn't a conflict, I don't know what is but I'm not going there.
 - Mayor McNeill replied it sounds like there is more issues.
 - Debra Bates-Lamborn responded there really are Mayor.
 - Councilmember Garvey asked the letters you spoke about on the computer that you found can you send those to Tim and Tim send them to us so we can read them for ourselves.
 - Debra Bates-Lamborn replied certainly.
 - City Administrator Tim Vandall stated yeah, I have never seen those documents. So please feel free to send them to us.
 - Debra Bates-Lamborn replied yes, oh definitely.
 - Mayor McNeill stated I'd like to know if there is any accounts that is available
 - Debra Bates-Lamborn asked any what.
 - Mayor McNeill responded any accounts. I know the City itself did donate or helped raised funds for the prison museum right.
 - Debra Bates-Lamborn stated oh yeah. Right.

- Mayor McNeil asked so what portion of what they had in their assets was actually that and what portion are you planning was specifically for the Historical Society.
 - Debra Bates-Lamborn stated well we are claiming that the money that was raised that they used the Lansing Historical Society's name, ok. And when you are told to make checks payable to the Lansing Historical Society using our 501c3, not the Kansas Regional Prison museum's 501c3. Ours, the Lansing Historical Society and that is how they did it time and time again. In fact, back to this thing that was written.
 - Mayor McNeill responded but it was never deposited into any of your accounts is what you are saying.
 - Debra Bates-Lamborn stated we have no knowledge of that without subpoena.
 - City Attorney Greg Robinson stated you go to your bank to get it.
 - Debra Bates-Lamborn replied no it's a Federal Credit Union, it's private. They won't let us have access to that information.
 - City Attorney Greg Robinson asked so your entity, which is an organized entity that has a bank account there and you have no access to it.
 - Debra Bates-Lamborn replied we had no access to that information there.
 - City Attorney Greg Robinson responded alright.
 - Debra Bates-Lamborn stated when Leonard finally resigned and we had our new treasurer come in, they gave us one check, one check and there were six different accounts. But we weren't able to back and see what was going on with those accounts. We just got one check. Now you know gentlemen.
 - Mayor McNeill asked how much was that check for.
 - Councilmember Brungardt asked Debra, could you explain to me why they are not letting you have access to the account because I don't understand, I'm ignorant on this issue. I don't understand why you guys don't
 - Debra Bates-Lamborn replied because it is a private Credit union.
- Councilmember Garvey asked but you are a member.
 - Debra Bates-Lamborn responded no, not of that. I'm not a member of that. When we received the money from Leonard, we moved it into Country Club Bank. And now it's in Mutual Savings. He didn't have that available to us. What accounts were there and numbers that were at the Credit Union. We did not have access to that information. So, we have no idea how much was raised, how much was moved but we do know
 - Mayor McNeill replied but you did say when it dissolved and everything, you did get a check.
 - Debra Bates-Lamborn responded yes, we did.
 - Mayor McNeill asked and what was that.
 - Debra Bates-Lamborn stated I believe it was \$31,000.
 - Mayor McNeill stated ok. So right now, what we struggle with is what was really given to who in support of what.
 - Debra Bates-Lamborn replied right.
 - Mayor McNeill stated you are claiming and personally I think is a tad bit outrageous saying you want

governing body to at least hear Mr. Lockwood's side of the story as well. I really can't speak to the people who were part of the Regional Prison Museum board or not. At least some people on that board were meeting at some point. I don't know how many funds were raised but funds were raised for that, and it was a functioning board at one point. I don't know about the roster or anything like that. I do think it would be worthwhile for this board to hear Mr. Lockwood. In my experience with him, I found him to be a meticulous note taker and I think it would be worth it for at the very least the mayor a couple Councilmembers to sit down and hear his side of the story. I guess the other thing that is challenging too, and I don't think you were referring to us in this sense Ms. Lamborn. During this process in 2009, we included our auditors, we went through everything. I mean from our perspective; we have the Regional Prison Museum by-laws that states the assets go to the City of Lansing. So, when that board dissolved, right wrong or otherwise, we didn't force the Regional Prison board to dissolve. When they dissolved, we followed the by-laws to a T, so I wrestle with this insinuation that we are taking something when we didn't take anything from the Historical Society. The Regional Prison board dissolved, and we followed the by-laws. So, I do want to clarify the wording there.

- Debra Bates-Lamborn responded but I have a problem with members of that governing body because that is what they are called here, the governing body. That the majority of them didn't know they were part of it so how could they come up with by-laws. How could they be responsible for by-laws if they didn't even know they were on this governing body. There surely wasn't a vote taken that would have included them because they would have had to been there. And if they didn't even know they were on the board, how can you even take the by-laws as something that is important.
- City Administrator Tim Vandall asked if Mr. Lockwood can produce minutes from the Regional Prison Museum, would that satisfy you guys.

- Councilmember Garvey asked what did Tim just say. He said something.
 - City Administrator Tim Vandall stated she can drop off the documents whenever. I'm aware of the by-laws and we included them in the minutes but some of the things that she is referencing we've never seen before, we're not aware of. I don't know about them. Again, I am really good reviewing this stuff and I think Beth would review it with me. And maybe we can even talk to some accountants as well. I do think it would be worthwhile for the mayor and couple of people to speak with Mr. Lockwood since his name was dropped quite a bit and hear his perspective on this.
 - Mayor McNeill stated from my perspective, I would go back and get whatever documentation that builds your case. So that when we do meet, you can lay that out and say here is what we have.
 - Councilmember Brungardt stated I'd like to hear from former City Administrator Mike Smith. I think that would be some help too.
 - Debra Bates-Lamborn responded we would have had liked to have had him here as well.
 - Councilmember Trinkle asked do you think Mayor that we need to get Jerry Reilly and all the others that was accused and interview them.
 - Mayor McNeill stated they were either on the board or off the board. That's by gone to me. There were signed by-laws that is a legal document. What we are trying to figure out is whose money went where and is any of that money belonging to you. If you can show that to the Council and the governing body, then I would think we'd be favorable in doing something.
 - Debra Bates-Lamborn replied thank you.
 - Councilmember Clemons stated if we could get Mr. Lockwood, he was treasurer. He should be able to get into the bank records because he was on it.
 - Mayor McNeill stated Tim is going to set that up.
 - Debra Bates-Lamborn replied that would be awesome, that would be great.
 - City Administrator Tim Vandall stated every time I have called Mr. Lockwood, he calls me back right away. He has always provided the information that I have asked for. So again, I think we could set something up with him pretty quick.
 - Debra Bates-Lamborn replied that would be great. You just let us know.
 - Mayor McNeill stated ok, thank you.
 - Debra Bates-Lamborn stated thank you gentlemen.
 - Councilmember Brungardt stated thank you
 - Councilmember Studnicka stated thanks Debra.

Library Board Re Appointment: Councilmember Clemons moved to approve the Lansing Community Library Advisory Board reappointment of Sharon Mueller to fill a term ending on April 30, 2026. Councilmember Majure seconded the motion. The motion was unanimously approved.

Tree Board Appointments: Councilmember Buehler moved to appoint Bethany Magee to the Lansing Tree Board for a term ending December 31, 2022, and Kathleen Gledhill for a term ending December 31, 2024. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Parks and Recreation Advisory Board Appointments: Councilmember Brungardt moved to appoint Norine Lauhon to the Parks and Recreation Advisory Board for a term ending December 31, 2022. Councilmember Buehler seconded the motion.

- Councilmember Majure asked if any other applications were received.
 - Parks & Recreation Director Jason Crum stated not that he was aware of.

The motion was unanimously approved.

South Activity Center Gym Doors Bid: Councilmember Kirby moved to approve the bid of \$53,111 from Overhead Door Company of KC for the replacement of the south gym doors and authorize the necessary signatures. Councilmember Buehler seconded the motion.

- Councilmember Trinkle asked if it was just the outside doors.
 - Parks & Recreation Director Jason Crum replied it's the exterior doors only.

The motion was unanimously approved.

2022 Pavement Preservation Program (Mill & Overlay) Bids: Councilmember Kirby moved to accept the bids and unit prices as presented and award the low bid to Little Joes Asphalt Inc. for the Base Bid and Alternate #1 in the amount of \$789,344.45, with any budget overrun to be paid for out of the capital reserve account and authorize the necessary signatures. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Executive Session – Economic Development: Councilmember Clemons moved to enter Executive Session to review Economic Development activities pursuant to the discussion of confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorship, pursuant to K.S.A. 75-4319(b)(4) for 30 minutes, beginning at 7:55 PM and returning to the Council Chambers at 8:25 PM. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Councilmember Kirby moved to return to open session at 8:25 PM. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Executive Session – Preliminary Discussion of the Acquisition of Real Property: Councilmember Kirby moved to enter Executive Session for the preliminary discussion of the acquisition of real property, pursuant to K.S.A 75-4319(b)(6) for 5 minutes, beginning at 8:27 PM and returning to the Council Chambers at 8:32 PM. Councilmember Brungardt seconded the motion. The motion was unanimously approved.

Councilmember Garvey moved to return to open session at 8:32 PM. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Councilmember Kirby authorized Mayor to enter into negotiations for acquisition of real estate property. Councilmember Buehler seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Department Heads had nothing to report.

City Attorney: City Attorney Greg Robinson had nothing to report.

City Administrator: City Administrator Tim Vandall had nothing to report.

Governing Body: Councilmember Majure thanked all the volunteers and stated we got a lot accomplished tonight.

Councilmember Garvey thanked the volunteers and appreciates all they do for the city.

Councilmember Buehler thanked the volunteers. He also provided a fun fact, on this day in 1753, Romulus found Rome.

Councilmember Clemons let the Council know we did hear about the Base Grant and no one from Leavenworth County was approved.

Councilmember Kirby asked people to do whatever they can to help out Ukraine.

ADJOURNMENT:

Councilmember Kirby moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:36 p.m.

ATTEST:

Assistant City Clerk, Shantel Scrogin