

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
October 5, 2023

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: Kevin Gardner and Gene Kirby
Ward 2: Don Studnicka and Marcus Majure
Ward 3: Jesse Garvey
Ward 4: Dan Clemons

Councilmembers Absent: Kerry Brungardt and Gregg Buehler

OLD BUSINESS:

The regular meeting minutes of September 21, 2023, were provided for review.

Councilmember Majure made a motion to approve the Regular Meeting Minutes of September 21, 2023, as presented. Councilmember Studnicka seconded the motion. No discussion took place. **Roll Call Vote: Aye: Councilmembers Majure, Garvey, Clemons, Studnicka, and Gardner; Nay: none; Abstain: Councilmembers Kirby; Absent: Councilmembers Brungardt and Buehler.** The motion was approved.

Audience Participation:

Presentations:

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Dangerous Animal Permit – Kathleen Edwards, 705 Canyon View Dr.

The Applicant submitted a dangerous animal permit application on 09.05.2023. The Applicant was issued a disapproval letter for the permit application on 09.09.2023 due to the animal having a disposition or propensity to attack or bite any person or animal without provocation. The Applicant filed an appeal with the City Clerk's office and has submitted documents and a letter with the appeal.

Councilmember Kirby made a motion to deny the Dangerous Animal Permit for 705 Canyon View Dr. Councilmember Gardner seconded the motion.

The applicant read a statement to the Council regarding the steps that have been taken to secure the animal in the house and backyard. Ms. Edwards also shared letters from the veterinarian, trainer and community members that have visited her home.

Councilmember Gardner and Chief Wayman discussed the updated information regarding the steps taken by Ms. Edwards, permit process, and the city's liability.

Citizens spoke for and against the permit application.

City Attorney Gregg Robinson clarified Kansas law regarding the two incidents that happened within the fenced yard.

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

Discussion occurred regarding the next steps once a decision has been made.

Executive Session – Personnel Matters of Non-Elected Personnel

Councilmember Kirby made a motion to go into Executive Session to discuss personnel matters pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) for 15 minutes, beginning at 7:45 PM and returning to the Council Chambers at 8:00 PM and to include the City Administrator, City Attorney, Police Chief and City Clerk. Councilmember Studnicka seconded the motion. No discussion occurred. Roll Call Vote: Aye: Councilmembers Kirby, Majure, Garvey, Clemons, Studnicka, and Gardner; Nay: none; Abstain: none; Absent: Councilmembers Brungardt and Buehler. The motion was approved.

Councilmember Kirby made a motion to return to Open Session at 8:00 PM. Councilmember Majure seconded the motion. No binding action was taken. Roll Call Vote: Aye: Councilmembers Kirby, Majure, Garvey, Clemons, Studnicka, and Gardner; Nay: none; Abstain: none; Absent: Councilmembers Buehler and Brungardt. The motion was approved.

Executive Session – Consultation with Attorney

Councilmember Kirby made a motion to go into Executive Session for consultation with the Attorney for the City which would be deemed privileged in an Attorney-Client relationship, K.S.A. 75-4319(b)(2) for a period of 20 minutes, beginning at 8:02 PM and returning to the Council Chambers at 8:22 PM and to include the City Administrator and City Attorney. Councilmember Majure seconded the motion. Roll Call Vote: Aye: Councilmembers Kirby, Majure, Garvey, Clemons, Studnicka, and Gardner; Nay: none; Abstain: none; Absent: Councilmembers Brungardt and Buehler. The motion was approved.

Councilmember Kirby made a motion to return to Open Session at 8:22 PM. Councilmember Studnicka seconded the motion. No binding action was taken. Roll Call Vote: Aye: Councilmembers Kirby, Majure, Garvey, Clemons, Studnicka, and Gardner; Nay: none; Abstain: none; Absent: Councilmembers Buehler and Brungardt. The motion was approved.

REPORTS:

Department Heads: Nothing to discuss.

City Administrator: Reminded the council regarding Bill Linn’s retirement ceremony on October 6, 2023. Updated the council regarding the water line through Town Centre. The original quote for the city’s portion was up to \$400,000. The final total was \$314,000. Lan-Del paid \$100,000 as well. Thanked Chairman Kovalesky and the Lan-Del board for the partnership on that project. About \$500,000 remains of the ARPA funds. Reminder about the KDOT regional consult on October 17, and the need for strength in numbers at this event to advocate for K5 and other Leavenworth County Projects. The city received six proposals for IT services. The subcommittee has whittled that down to three and will be interviewing the companies next week. In the next few weeks, the city should be receiving proposals for banking services.

City Attorney: Nothing to discuss.

Governing Body:

Councilmember Kirby: It was a tough call on the vicious animal, but at the end of the day, the council made the right call. The city has to think of everybody’s safety first.

Councilmember Majure: Echoed what Councilmember Kirby said. He thanked everyone for all the work regarding the meeting.

Councilmember Garvey: Congratulated Bill Linn on his retirement and thanked him for his years of service. He agreed that it was a hard decision regarding the animal, but the right decision was made for the community. Last night’s recognition dinner was an awesome event. Thanked everyone that put that event together.

Councilmember Clemons: Echoed what’s been said.

Councilmember Studnicka: Ditto on previous comments.

Councilmember Gardner: In looking over the library report, Director Terri Wojtalewicz continues to do a stunning job. Thanked the Rotary Club of Leavenworth for the big donation. It was able to take care of 201 children. Thanked Director Wojtalewicz for her continued hard work.

ADJOURNMENT:

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

The meeting was adjourned at 8:28 p.m.

ATTEST:

City Clerk Tish Sims, CMC