



CITY OF LANSING
Council Chambers
800 1st Terrace
Lansing, KS 66043

COUNCIL AGENDA
Regular Meeting (Amended Agenda)
Thursday, November 16, 2017
7:00 P.M.

WELCOME TO YOUR CITY COUNCIL MEETING

Regular meetings are held on the first and third Thursday of each month at 7 pm and are televised on Cable Television Channel 2 on Monday 7 pm, Tuesday 10 am & 7 pm, Friday 5 pm, Saturday 1 pm and Sunday 7 pm.

Any person wishing to address the City Council, simply proceed to the microphone in front of the dais after the agenda item has been introduced and wait to be recognized by the Mayor. When called upon, please begin by stating your name and address. A time designated "Audience Participation" is listed on the agenda for any matter that does not appear on this agenda. The mayor will call for audience participation. Please be aware that the city council and staff may not have had advance notice of your topic and that the city council may not be able to provide a decision at the meeting. If you require any special assistance, please notify the city clerk prior to the meeting.

Call To Order

Pledge of Allegiance

Roll Call

OLD BUSINESS:

1. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations

Council Consideration of Agenda Items

2. Reservation for Street De-Icing Salt
3. Resolution B-7-17 (Resolution authorizing condemnation for two parcels for DeSoto Road)

Reports:

Department Heads, City Attorney, City Engineer, City Administrator, Councilmembers

Other Items of Interest:

4. Department Vehicle and Equipment Mileage Reports

Adjournment

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
November 2, 2017

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

Ward 2: Andi Pawlowski and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent: Dave Trinkle

OLD BUSINESS:

Approval of Minutes: Councilmember Brungardt moved to approve the regular meeting minutes of October 19, 2017, as presented. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Presentations: Veterans Day Proclamation: Councilmember Don Studnicka read and presented the Veterans Day Proclamation to Felix Sanchez of the Lansing VFW.

- Mr. Sanchez updated the governing body on several projects the VFW has completed and been associated with in the past year within Lansing. He thanked them for their continued support of Veterans and hoped everyone could make it out to the parade.

Kansas Reads to Preschoolers Week Proclamation: City Council President Gene Kirby read and presented the Kansas Reads to Preschoolers Week Proclamation to Library Director Terri Wojtalewicz.

- Library Director Terri Wojtalewicz thanked the governing body for their support of the library and invited everyone to the festivities that have been planned for the week.

City Logo Contest Winner Presentation: City Clerk Sarah Bodensteiner and Mayor Mike Smith, presented the City Logo contest winner Gwendolyn Logan a certificate of excellence for her work and the first place prize.

- Gwendolyn Logan thanked the governing body for offering a contest of this nature and thanked them for the opportunity to provide the City with something new they can use and it helps build her resume and portfolio as a graphic designer.

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

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Planning Commission Appointment: Councilmember Kirby moved to appoint Marcus Bean to the Lansing Planning Commission for a term that will expire on April 30, 2019. Councilmember Pawlowski seconded the motion.

- Councilmember Kirby stated I'm glad you've been here before and you were told to stick with it you'd end up somewhere. I'm glad you did and now you're going to be somewhere. We'll see how it goes later on.
 - Mayor Smith stated and we expect good things from you.
 - Councilmember Kirby stated you've seen he's application, he's a lifelong kid who moved back home so thank you.

The motion was unanimously approved.

Ordinance No. 991 – Codification of Ordinances for the 2017 Code of the City of Lansing:

Councilmember Buehler moved to adopt Ordinance No. 991. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Ordinance No. 992 – Fine, Bone, Court Fees & Costs Established by Municipal Court Judge:

Councilmember Buehler moved to adopt Ordinance No. 992. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Ordinance No. 993 – Fee Schedule Approval: Councilmember Brungardt moved to adopt Ordinance No. 993. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Equipment Replacements Requests: City Administrator Tim Vandall stated we included in the packet the requests the department heads submitted to you all. My recommendation, well first off, I should remind you guys what we're doing tonight will just be authorizing department heads to go ahead and get bids for these items. Anything over \$15,000.00 would require final Council approval in January or February anyways. So this is just authorizing everyone to get the ball rolling with prices. A couple of things too I do want to mention we're in a better place this year than we had been in the past so we're going to be able to do a lot of this stuff without lease-purchasing it, so I know Beth and I were really excited that we're not going to be paying thousands of dollars in financing fees, we should be able to purchase these things outright, so we are excited about that. Now on to the items in the request, first off are items that would be funded from the Equipment Replacement Fund, a Kubota gas zero turn deck mower, we're looking at some

pretty significant repair costs on that, so that's why that's included. A Parks & Recreation 4x4 1-ton truck, the older truck is a 2003 and I believe it had 123,000 miles on it, so that would replace that vehicle. The asphalt roller as you guys probably saw in Jeff's explanation, it doesn't compact asphalt as well as we would like, and Jeff can give you more details on that a little bit later. I included a 4th thing that's contingent on other bids coming at or below, and I would agree it is a little bit discretionary, but we are having problems with the 2005 or 2006 Dodge Caravan, even though it is low miles we're having problems with the brakes, it vibrates a little bit and we have employees that don't even like driving it, so that's the reason why that's in there, but as I stated in the explanation that would be contingent on the other things coming in at or below the bids. So those would be the items that would come from the Equipment Replacement Fund. Out of the Wastewater Fund, and this is a different pool of money and these funds are already there, a half-ton truck; this replaces the Dodge truck, the famous Dodge that we had the air conditioning removed from. So Tony would get a half-ton truck to replace a full 1-ton truck. The other item, pavement at the treatment facility, that's getting to be a safety issue, the joints are really bad and have eroded away. Tony Zell and I have spoken about that a little bit and we want to get final estimates and final costs for that wastewater line project before we get bids on this because we do want to pay for that project as well in cash, so that's why we want to wait for that until we move forward with the parking lot. So that's a summary of the recommendations that are in the council packets, I've asked all the department heads who have equipment listed to be here, so with that if you guys have any questions.

- Councilmember Brungardt stated I've got a question on the 2006 Dodge Caravan, it would appear to me that a vehicle with that kind of mileage, which the Brungardt family would love to have a vehicle will 44,800 miles on it, it would be worth looking at seeing exactly what the problems are and maybe spend the money on that end to get it fixed and make sure it's safe and all those kinds of good things, at least get a cost on what it would take to fix something like that. I just wanted to get your thoughts on that.
 - City Administrator Tim Vandall replied I'll defer to Terri on that.
 - Library Director Terri Wojtalewicz stated in regards to the caravan, we have taken it in two or three times to have the brakes fixed and each time we're told that it's fixed or that there is nothing wrong with it; Jim Magee has taken it in for us. They're soft, it vibrates when it gets up to 45 miles per hour. It's okay for in town driving, but I went to Ottawa today and I took my own car because I'm not going to get on the interstate with that vehicle. We've taken it in several times for the brakes.
- Councilmember Brungardt stated I'm not a car guy, but nobody's talked about tires or rotors?
 - Library Director Terri Wojtalewicz responded they have looked at everything and they keep telling us there is nothing wrong with it.
- Mayor Smith asked Terri how much money have we spent on it, have we put money into it.
 - Library Director Terri Wojtalewicz replied right now, each time we're taken it in, a few times for brakes and I'm not sure what we can do about the rust, it's starting to rust out in the wheel well, I'm not sure that can be fixed. We're not having huge repair issues right now but I can look it up.
 - Councilmember Garvey asked are you taking it back to the same place again and again.
 - Library Director Terri Wojtalewicz replied no, Jim has taken it, I believe he's taken it to Speedway once, we took it to DNZ and to Platinum once.
- Mayor Smith asked have you ever taken it in and said bring it up to where you're comfortable with it on cost, I'm just asking.
 - Library Director Terri Wojtalewicz replied no I have not, and I can look into that.
 - Mayor Smith stated I think that would be a good way of looking at what we're trying to do here if it's falling apart, 40,000 miles is not many miles.
 - Library Director Terri Wojtalewicz replied no it's not but it is rusting out too and we're sharing this with the Economic Development Department.
 - Mayor Smith stated don't get me wrong we've had some vehicles with 45,000 miles and it was costing us, we had engines go out and it cost more than it was worth, so we went ahead and purchased, but that's why I was just wondering if you'd done that.
 - City Administrator Tim Vandall stated that was going to be the other thing I was going to remind you guys about too, we had two Dodge Caravans for pretty low miles and the goal was to take two old vehicles that are having maintenance problems and have one decent vehicle, since the two departments are sharing one vehicle instead of each department having one.
 - Library Director Terri Wojtalewicz stated actually we share with Sunshine and Sarah, so we share between the three departments.
 - Councilmember Kirby stated off of what Kerry said I mean this is the first time I'm hearing about brakes and all that, because my initial reaction is you're putting 4,500 miles a year on it, that van hasn't paid for itself yet probably. This is the first that I'm hearing about brakes and all that, which gets me back to your list which was very, I mean you laid it down to the nub, you spelled it all out, which to me was beneficial. Just to say it's old and it's got a lot of miles. My livelihood depends on equipment that's reliable and efficient and run every day, so I get that part, but I think the more detail you give us the better off.

- Library Director Terri Wojtalewicz replied I will do more research.
 - Councilmember Kirby stated and I would say that about probably everything on here.
- City Administrator Tim Vandall stated since this item is contingent on the other three we can come back after we get the other bids and talk about this more, the van.
- Mayor Smith stated by no means Terri are we saying it's not to look at I'm saying I'd like more information.
 - Library Director Terri Wojtalewicz replied I will, absolutely.
- Councilmember Garvey stated maybe it's because it's not driven enough. It sits around a whole lot.
 - Councilmember Pawlowski stated it's sat around for 10 years.
 - City Administrator Tim Vandall replied it's been driven more in the last year though since we got rid of the other Caravan.
 - Mayor Smith stated I drove it to Hutch or someplace like that for the Mayor's thing and it runs good downhill, but I don't know what the cost is and that's why I want to wait to see the difference of the cost of new versus putting money into it with only 44,000 miles. So any more information you can help us with I know I'd appreciate.
 - Councilmember Kirby stated and that's my point, I mean she's got every part, how much it costs, right down to the short of labor, because some of those items you don't know what it'll run and in that regard that helped me on that mower.
- Councilmember McNeill stated I have a question on the fund itself, is there one fund for replacement except for the Police Department, how is the fund set up for this.
 - Finance Director Beth Sanford replied the equipment replacement fund, the general, is for all departments, then Wastewater. The Police Department has an Equipment Reserve fund but it's not a huge fund, so we do try to pay for things for the Police Department out of that reserve. Things like the police cars are built into the base budget because those are obviously bigger dollar items and that fund wouldn't be able to support that.
 - Councilmember McNeill asked so how many equipment funds do we have.
 - Finance Director Beth Sanford replied we really just have two. We have the Police and then just the general Equipment Replacement fund. The Wastewater Equipment Reserve is within the Wastewater Fund.
 - Councilmember McNeill responded and it's separate it just comes out of Wastewater funds
 - Finance Director Beth Sanford replied right.
 - Wastewater Utility Director Tony Zell stated there is an annual allotment designated as equipment replacement.
 - Councilmember Garvey asked but it's not a separate line item is it.
 - Finance Director Beth Sanford replied it's a line item.
 - Councilmember McNeill stated so I guess my question would be with the whole Wastewater side are we looking at that separate since that's a separate fund, if we rack and stack 'em are we throwing them in the same pool.
 - City Administrator Tim Vandall replied it would be separate.
 - Councilmember McNeill stated third question is why are the mowers under the City Clerk's office.
 - Councilmember Pawlowski stated that's the one that they have for City Hall.
 - City Clerk Sarah Bodensteiner replied that's for the one that mows City Hall, the Annex Building and the field next door because we do the yard maintenance for the two buildings.
 - Councilmember Pawlowski stated my question was and we've had this discussion before too and I had this discussion with both Sarah and Tim, is that I think it's time we look at it because if Jim mows City Hall with City Hall's mower then the rest of the time it just sits there, so why don't we have one department that mows. Whether it be Jason, I don't care who's it is but one department that mows all the City's property and have all the mowing equipment, that way we get the most utilization out of the equipment and some of it doesn't sit. That's not probably a discussion for here, but it's a discussion we're not going to finish tonight, but it's something that we ought to think about or that Tim ought to think about.
 - Mayor Smith asked Tony did you have another question.
 - Councilmember McNeill replied no that was all my questions.
 - Mayor Smith stated Greg did you have something.
 - City Attorney Gregory Robinson stated Mr. Mayor I just wanted to say based on Terri's comment is that if we are publicly indicating that a vehicle may be unsafe, I certainly can't sit here and recommend that this be driven on the street because if there is an accident and we have publicly stated that it may be unsafe to operate then what liability would we open up the City to.

- Councilmember McNeill stated they've taken it into a shop and they've said there's nothing wrong with it, so it's an opinion that it's unsafe.
 - City Attorney Gregory Robinson stated we've been told that a shop has said that, the shop did not come in here and say that. Or we've had an employee say that they are not comfortable driving it and publicly stated. If we get a statement from the repair shop that says that it is safe to drive then I do agree with your statement, however that's not what we have presented here tonight.
 - Councilmember Kerry stated I need some clarification because I don't know what was presented, I never, did anybody hear that it was unsafe.
 - City Attorney Gregory Robinson stated she said it was unsafe to drive.
 - City Administrator Tim Vandall stated Terri if you can try to get some type of verification from the mechanic.
 - Library Director Terri Wojtalewicz replied I will.
 - Mayor Smith stated Greg we understand your point, I think the guidance was for Terri to go and have it checked out.
 - City Attorney Gregory Robinson stated I have no problem with that, I was just saying if there are concerns about a vehicle then we should consider whether or not it should be operated on the street until we get that information.
 - Mayor Smith stated I totally agree and it's your job to remind us and I want to thank you.
- Councilmember Kirby asked you say you've had it where, Speedway.
 - Library Director Terri Wojtalewicz replied Speedway, DNZ, and Platinum. I will get further information.
 - Councilmember Garvey stated Speedway is Dodge so they would be able to fix it.
 - Councilmember Pawlowski stated so you'd think. So all we're talking about, none of this stuff was on our budget?
 - City Administrator Tim Vandall replied this is separate from like C and S requests, so this is just replacing things that we already have.
 - Councilmember Kirby stated like the twenty year old mower.
 - City Administrator Tim Vandall replied yes.
- Councilmember Pawlowski stated Sarah and I had a discussion about something that we discussed prior to her tenure here and prior to Tim's tenure here I think, and it was about document storage, and I said to her if we have money that we can spend, we had that discussion four or five years ago and we've never solved that problem. If we have money that we can put other places I think it's time, as I remember I think it was a huge number when we did it, but I think it's time that we also look at that.
 - City Administrator Tim Vandall asked do you remember what it was.
 - Councilmember Pawlowski replied it was a couple hundred thousand dollars, wasn't it Don. It was a lot. Like Sarah said if something bad happens and we have a fire or whatever and all of our old documents are here, then they're gone.
 - Councilmember Kirby stated they are not just here they are at the Activity Center too.
 - Councilmember Garvey asked what number was it on the list though, it was like eight wasn't it.
 - Councilmember Pawlowski replied I don't know, I mean the last time we had that discussion was a long time ago.
- City Attorney Gregory Robinson stated I think there was some discussion by the League in reference to when Greensburg got hit by that tornado about some kind of action plan or something that cities can take.
 - Councilmember Pawlowski stated and we had a discussion and punted it because we didn't have any money, it's been four or five years ago I think, if I remember correctly. So my question looking at all this other stuff is maybe could we also look at some of that? And it's nothing we're going to do right now.
 - City Administrator Tim Vandall replied yeah, we can bid that out and get a price. I thought you were going to say like twenty-five thousand dollars or something like that.
 - Councilmember Pawlowski stated I think it was six figures somewhere because it was scary.
- Councilmember McNeill stated the whole idea would be to start doing it and you can actually contract somebody over time by task order every year to do x amount of documents and get them digitized and over time we'd have them all done, but we could start doing something.

- Councilmember Pawlowski stated if we've gotten ourselves into such the shape that we have with money where we could do something like that in addition to Jeff doing some of the water things that we've got, it seems to me like we've got to; and Sarah is so good about not asking for stuff.
 - City Attorney Gregory Robinson stated Sarah may be able to speak to this but there is also certain retention requirements and it may not be everything, but you could actually carve out what you don't have to backup so that may cut down your cost a lot as well.
 - Councilmember Pawlowski stated and I think we also, and I don't know what Steve's situation is, but didn't we also have that discussion about Steve's stuff too. I know it'd be separate.
 - Councilmember Kirby stated Steve's stuff has to be kept for fifty years.
 - Councilmember Pawlowski stated so I think maybe we ought to put that on, my request would be that we task Sarah to research it.
 - Councilmember Garvey stated not to totally disagree with you, but these are moving part of the City that keep the City rolling. That's stuff that's stored in a room that nobody really thinks about hardly ever.
 - Councilmember Buehler stated there are regulatory requirements.
 - Councilmember Pawlowski stated but the problem is when you need them and think about them then it's too late.
 - City Administrator Tim Vandall replied we can get prices and report back.
 - Councilmember Pawlowski stated we have a van, I don't know if she wants to drive that one, I mean Steve's van.
 - Councilmember Kirby stated I'll make the motion to authorize the purchase of up to \$130,000.00.
 - Councilmember Pawlowski stated no, it's not a purchase.
 - Councilmember Kirby stated but that's what it says.
 - City Administrator Tim Vandall replied everything over fifteen thousand has to come back to you guys.
 - Councilmember Garvey stated so you're going out for bids.
 - City Administrator Tim Vandall replied yeah.
 - Councilmember Pawlowski stated make up your own motion.
 - City Administrator Tim Vandall stated I should have worded that better sorry.

Councilmember Kirby moved to authorize City Staff to get bids of up to \$130,000.00 of replacement equipment from the Equipment Reserve Fund, and \$33,000.00 from the Wastewater Fund. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Public Works Director Jeff Rupp provided costs for a survey to be completed west of 7th Street and north of Beth per the previous meetings request from the Council in response to resident Russ Connell's request to consider vacating an alley. The costs ranged between \$5,750 and \$9,600. The survey would provide clear boundary lines and identify any encroachments should an alley split be considered. The Council wondered if it were possible to vacate a portion of an alley or if you had to vacate the entire alley. City Attorney Gregory Robinson advised that he needed to do further research on that topic and he will provide an update to the Council at a future date. The Council agreed that further steps cannot be discussed until information from the City Attorney is received.

City Attorney: City Attorney Gregory Robinson said as Veterans Day is approaching, if anyone hasn't been to the World War I museum in Kansas City, they should do so because it is the only one dedicated to World War I in the nation and it's a very nice museum.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall mentioned that the deadline for the Fire Board applications was Friday, October 27th and at that point nothing had been received; however an application has been received since then, after the position was re-posted. He also stated that a citizen request has been received to change the hours of Halloween treat-or-treating to an hour shorter than what is currently posted. There have been no major issues with the times that the City has observed over the last several years, so unless the Council felt otherwise, they were not going to change the hours of treat-or-treating. He finished his report with advising the Council of the changes to the museum schedule of hours, to be open 1 day a week and by appointment as well. Staff will divvy up duties in the meantime and the January Work Session is where the Council will have a chance to fully review and discuss the museum in full.

Governing Body: Councilmember Kirby congratulated the Parks Department and Library for a good job on the Spooky Center, as well as other staff who worked the event. There was a great turn out and it was very fun for all. Councilmember Garvey congratulated the Logo Contest Winner for her design.

Councilmember Buehler echoed Councilmember Garvey's sentiment and provided a fun fact, on this day in 1948, Harry S. Truman defeated Thomas E. Dewey to the surprise of everyone, which was known as the greatest presidential upset in history, until last year.

Councilmember McNeill thanked Marcus Bean for volunteering to serve on the Planning Commission.



ADJOURNMENT: Councilmember McNeill moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:48 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Jeff A. Rupp, Public Works Director 
DATE: November 8, 2017
SUBJECT: Reservation of up to 500 Tons of Street De-icing Salt

Lansing Public Works participated again this year in a group purchasing bid process with Leavenworth County and the other cities in the county. This agreement guarantees up to 500 tons of salt. We are not obligated to take delivery of the entire amount, and the price is guaranteed for the 2017-2018 winter season for additional salt as available beyond 500 tons if needed.

The low bid from Hutchinson Salt Company of Baxter Springs, Kansas, was accepted by the county. The bid amount was \$50.53/ton delivered to our Service Center. To formalize Lansing's acceptance of the bid, we need City Council approval.

Policy Consideration: n/a

Financial Consideration: We have sufficient salt on hand for the remainder of 2017, and ice control is funded in Fund 22, Consolidated Street and Highway, Line 22-014-42200 at \$35,000 for 2018.

Action: Approve the bid of Hutchinson Salt Company of Baxter Springs, Kansas, for de-icing salt at delivered unit price of \$50.53/ton, and authorize the Public Works Department to purchase up to 500 tons as needed.



COUNTY OF LEAVENWORTH

Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

08.05.2017

Hutchinson Salt Co.
136 W. 12th Street
Baxter Springs, KS 66713

Dear Mr. Bingham:

On Wednesday, August 2, 2017 bids were opened for 3,000 tons of medium rock salt (with the option to purchase more if necessary) for Leavenworth County. In addition, the City of Tonganoxie, City of Basehor and City of Leavenworth and the City of Lansing are added as bulk bids. Each municipality would make arrangements and purchase their requested amount of rock salt directly from Hutchinson Salt Co. The following is a bid tabulation of the bids received:

2017 Salt Bid Tabulation

Vendor	Bid Price	Bid Alternate
Hutchinson Salt Company	\$49.10	\$50.53
Central Salt, LLC	\$56.67	\$56.67
Independent Salt Company	\$58.62	\$58.62
Double D Inc (dba Dale Brothers)	\$68.00	\$68.00
Compass Minerals	\$117.21	\$117.21
Cargill, Inc	No Bid	No Bid
Morton Salt, Inc	No Bid	No Bid

At a regular session of the Board during the Public Works monthly report on Monday, August 14th, 2017 the Board of County Commissioners awarded the bid to the low bidder, Hutchinson Salt Co.


We are pleased that you were awarded the bid, and look forward to working with Hutchinson Salt this upcoming winter. If you have any questions or concerns, please feel free to contact either myself or Vincent Grier, Rd & Br Superintendent at 913-727-1800.

Respectfully,

David Lutgen

Director of Public Works/County Engineer

AGENDA ITEM

TO: Mayor, Lansing City Council
FROM: Tim Vandall, City Administrator 
DATE: November 14, 2017
SUBJECT: DeSoto Road Improvements-Land Acquisition

Land acquisition for the DeSoto Road project has been continuing. Due to circumstances beyond the City's control, we need to add two properties to the list for condemnation.

Budget Considerations: We have signed contracts with property owners for both parcels, but we are unable to close on either property.

Policy Considerations: The City currently has signed contracts with both of these properties, but one property is in foreclosure and the other refused to move forward with property closing after the contract was already signed. We need to move forward if we want to meet our goal of a bid letting date in early 2018.

Action: Motion to approve resolution B-7-17.

AGENDA ITEM #

RESOLUTION NO. B-7-17

A RESOLUTION PURSUANT TO K.S.A. 26-201 REGARDING CONDEMNATION OF PROPERTY FOR THE CONSTRUCTION OF A PUBLIC STREET AND ASSOCIATED DRAINAGE IMPROVEMENTS IN THE CITY OF LANSING, KANSAS.

WHEREAS, the City of Lansing, Kansas has undertaken the construction and improvement of Desoto Road, a public street, within the City, which also includes associated drainage improvements, all hereinafter referred to as the "Project"; and,

WHEREAS, whenever the term "permanent right of way easement" is used herein, it shall mean a grant of easement, in perpetuity, for the purpose of constructing, maintaining, repairing, inspecting, operating and using streets, sidewalks, utilities and drainage improvements, and said easement shall be for the benefit of the public and shall include the right of vehicular and pedestrian travel by the general public; and,

WHEREAS, whenever the term "temporary easement" is used herein, it shall mean a temporary grant of easement for a period commencing on January 1, 2018, or the date upon which the appraiser's report is filed in any condemnation action, whichever date is later, and terminating on December 31, 2020, and shall be for the purpose of surveying, excavating, filling, grading, storage of materials and equipment, and all other purposes incidental to the construction of a street, sidewalks, utilities, or drainage improvements on the permanent public right-of-way adjacent thereto, and shall be conditioned upon: (i) the City constructing a driveway that connects the newly improved adjacent street to the remaining property; and, (ii) the City providing access from the public right of way to the remaining property during the construction and providing the temporary surfacing of such access; and (iii) upon the termination of the temporary easement, the City restoring the unimproved portion of the easement to a neat and sightly condition and reseeding the grass; and,

WHEREAS, in order to complete the Project, it is necessary for the City to acquire certain property interests from certain property owners, as set forth below, hereinafter collectively referred to as the "Property", to-wit:

A.

NAME OF PROPERTY OWNERS: Virginia L. McQuillan, Trustee of the Virginia L. McQuillan Living Trust, dated January 15, 2016.

LEGAL DESCRIPTION OF PROPERTY:

Tract I: A permanent right of way easement over: That part of Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 1080.00 feet to the Northeast corner of a tract described in Book 598, Page 2115 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence S 01°19'57" E along said right-of-way line a distance of 322.15 feet; thence S 88°40'03" W a distance of 10.00 feet; thence N 01°19'57" W a distance of 322.15 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 10.00 feet to the point of beginning. The above described contains 3221 square feet, more or less.

Tract II: A permanent right of way easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:
Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 920.00 feet to the Northeast corner of a tract described in Book 598, Page 2113 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence S 01°19'57" E along said right-of-way line a distance of 160.00 feet; thence S 88°40'03" W a distance of 10.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 10.00 feet to the point of beginning. The above described contains 1600 square feet, more or less.

Tract III: A permanent right of way easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:
Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 760.00 feet to the Northeast corner of a tract described in Book 598, Page 2111 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence S 01°19'57" E along said right-of-way line a distance of 160.00 feet; thence S 88°40'03" W a distance of 10.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 10.00 feet to the point of beginning. The above described contains 1600 square feet, more or less.

Tract IV: A permanent right of way easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:
Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 600.00 feet to the Northeast corner of a tract described in Book 598, Page 2109 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence S 01°19'57" E along said right-of-way line a distance of 160.00 feet; thence S 88°40'03" W a distance of 10.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said

tract; thence N 88°40'03" E along said North line a distance of 10.00 feet to the point of beginning. The above described contains 1600 square feet, more or less.

Tract V: A temporary easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 1080.00 feet to the Northeast corner of a tract described in Book 598, Page 2115 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 60.00 feet to the Point of Beginning; thence S 01°19'57" E a distance of 322.15 feet; thence S 88°40'03" W a distance of 5.00 feet; thence N 01°19'57" W a distance of 322.15 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 5.00 feet to the point of beginning. The above described contains 1611 square feet, more or less.

Tract VI: A temporary easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 920.00 feet to the Northeast corner of a tract described in Book 598, Page 2113 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 60.00 feet to the Point of Beginning; thence S 01°19'57" E a distance of 160.00 feet; thence S 88°40'03" W a distance of 5.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 5.00 feet to the point of beginning. The above described contains 800 square feet, more or less.

Tract VII: A temporary easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 760.00 feet to the Northeast corner of a tract described in Book 598, Page 2111 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of 60.00 feet to the Point of Beginning; thence S 01°19'57" E a distance of 160.00 feet; thence S 88°40'03" W a distance of 5.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 5.00 feet to the point of beginning. The above described contains 800 square feet, more or less.

Tract VIII: A temporary easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 600.00 feet to the Northeast corner of a tract described in Book 598, Page 2109 recorded in the Office of the Register of Deeds of said County; thence S 88°40'03" W along the North line of said tract a distance of

60.00 feet to the Point of Beginning; thence S 01°19'57" E a distance of 160.00 feet; thence S 88°40'03" W a distance of 5.00 feet; thence N 01°19'57" W a distance of 160.00 feet to the North line of said tract; thence N 88°40'03" E along said North line a distance of 5.00 feet to the point of beginning. The above described contains 800 square feet, more or less.

Tract IX: A temporary easement over: That part of the Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 161.15 feet; thence S 88°40'03" W a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence N 77°17'46" W a distance of 20.62 feet; thence N 01°19'57" W a distance of 20.00 feet; thence N 62°06'09" E a distance of 22.36 feet to said West right-of-way line; thence S 01°19'57" E along said West right-of-way line a distance of 35.00 feet to the point of beginning. The above described contains 550 square feet, more or less.

ALSO,

That part of Southeast Quarter of Section 23, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Northeast Corner of said Southeast Quarter; thence S 01°19'57" E (assumed bearing) along the East line of said Southeast Quarter a distance of 56.15 feet; thence S 88°40'03" W a distance of 50.00 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence N 59°19'37" W a distance of 28.30 feet; thence N 01°19'57" W a distance of 20.00 feet; thence N 66°02'52" E a distance of 26.00 feet to said West right-of-way line; thence S 01°19'57" E along said West right-of-way line a distance of 45.00 feet to the point of beginning. The above described contains 780 square feet, more or less.

B.

NAME OF PROPERTY OWNERS: Donald R. Brown and Hedwig M. Brown, husband and wife; and/or Bank of America, NA.

LEGAL DESCRIPTION OF PROPERTY:

Tract I: A permanent right of way easement over: That part of Lot 5, Block 1, Adam's Acres Subdivision, City of Lansing, Leavenworth County, Kansas, described as follows: Beginning at a the Southwest corner of said Lot 5; thence N 00°54'27" W along the West line of said Lot 5 a distance of 140.00 feet to the Northwest corner of said Lot 5; thence N 87°04'05" E along the North line of said Lot 5 a distance of 1.62 feet; thence S 03°00'21" E a distance of 66.20 feet; thence S 01°19'57" E a distance of 52.15 feet; thence S 50°31'25" E a distance of 32.01 feet to the South line of said Lot 5; thence S 87°04'05" W along said South line a distance of 28.83 feet to the point of beginning. The above described contains 768 square feet, more or less.

WHEREAS, the City has been unable to negotiate the purchase of the necessary interests in the Property, and it is therefore necessary to exercise the City's power of eminent domain to acquire said interests.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lansing, Kansas, that it is necessary to acquire interests in the Property for the purpose of completion of the Project, and it is necessary to acquire said interests by the exercise of eminent domain.

BE IT FURTHER RESOLVED, that Professional Engineering Consultants, P.A., professional engineers competent to conduct land surveys, acting as the City's agent, shall cause the Property to be surveyed, and shall file the survey and description with the City Clerk.

BE IT FURTHER RESOLVED, that this Resolution be published once in the official city newspaper.

PASSED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS,
ON THIS ____ DAY OF NOVEMBER, 2017.

ATTEST:

SARAH BODENSTEINER,
City Clerk

MICHAEL W. SMITH,
Mayor

Lansing Police Department
Vehicle Fleet End of Month Report

Oct-2017

Unit	Year	Make/Model	Mileage as of 10/02	Mileage as of 11/02	Miles Driven	Current Use	Future Use	Comments
1	2013	Ford Explorer	67174	67987	813	Patrol	Patrol	Fit for patrol duty
2	2012	Dodge Charger	38295	39247	952	Sergeants	Sergeants	Limited Use - Sergeants
3	2015	Ford Explorer	31551	32518	967	Patrol	Patrol	Fit for patrol duty
4	2015	Ford Explorer	18405	18405	0	Patrol	Patrol	Down for repairs
5	2012	Dodge Charger	24490	24829	339	Captain	Captain	Fit for patrol duty
6	2013	Ford Explorer	46733	47881	1148	Patrol	Patrol	Fit for patrol duty
7	2011	Dodge Charger	99778	99968	190	Detective	Detective	Limited Use - Detective
8	2011	Dodge Charger	259	1303	1044	Patrol	Patrol	Fit for patrol duty
9	2012	Chevy Tahoe	88916	89302	386	Patrol	Patrol	Fit for patrol duty
10	2011	Dodge Charger	39146	39878	732	Chief	Chief	Limited Use - Chief
11	2003	Ford F150	76942	77341	399	Animal Control	Animal Control	Fit for Animal Control duties
13a	2017	Dodge Charger	1916	3134	1218	Patrol	Patrol	Fit for patrol duty
14	1995	Ford EOC Vehicle	162184	162184	0	EOC	EOC	Limited Use - EOC
15	2016	Dodge Charger	16013	17694	1681	Patrol	Patrol	Fit for patrol duty
17	2016	Dodge Charger	14029	15204	1175	Patrol	Patrol	Fit for patrol duty
				Mileage Total:	11044			

3

Lansing Public Works Department**Monthly Fleet Report**Month October Year 2017**Vehicles**

Year	Make	Model	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	LT	LT. Pick-up Ext	53,819	54,012	193	
2007	Ford	LT	LT. Pick-up Ext	37,974	38,345	371	
1998	Ford	1/2 ton	Pick-up	61,128	61,289	161	
2001	Ford	Ranger	LT. Pick-up Ext	116,099	116,133	34	
2005	Ford	Ranger	LT. Pick-up Ext	40,006	40,144	138	
2000	Ford	Explorer	SUV	185,854	185,940	86	
2005	Sterling	LT 8500	Dump Truck	47,934	47,974	40	
2007	Elgin	Crosswind J+	Street Sweeper	5,545	5,555	10	
1992	Ford	700	Dump Truck	62,887	62,890	3	
2017	Chevrolet	3500	Pick-up Truck	2,407	2,770	363	
2002	Ford	F350 4x4	Dump Truck	71,828	71,823	195	
2011	International	7400	Dump Truck	12,805	12,805	0	
2016	Ford	F350 4x4	One-ton Dump Truck	3,452	3,544	92	
2006	Dodge	Charger	Sedan	122,487	122,590	103	

Equipment

Year	Make	Model	Description	Hours Starting	Hours Ending	Hours Used	Comments
1997	JD	770BH	Grader	5,018	5,019	1	
2004	IR	DD-24	Asphalt Roller	256	256	0	
2006	IR	185	Air Compressor	181	181	0	
1993	Ford	5030	Tractor	476	476	0	
1997	Bobcat	763	Skid Steer	2,042	2,053	11	
2014	Case	580 SNWT	Backhoe	646	656	10	
2002	Crafco	110	Crack Sealer	778	778	0	
2003	Kubota	L3710	Tractor	1,523	1,523	0	
2009	Case	465	Skid Steer	542	543	1	
2004	Case	621D	Front Loader	2,186	2,186	0	at treatment plant

Oct-17
City Influent 43.69 MG City Avg Daily 1.41 MG
LCF Influent 1.8 MG LCF Daily Avg .360 MG
Total Biosolids .995 MG Precip 4.04"

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1999	Sterling	Vactor	Jet Truck	8075	8141	66	Collection System	
2002	Ford	350	Pick Up Truck	92304	92638	334	Ops/Maint.	
2006	Ford	Cr Vic	Sedan	150322	150545	223	Ops/Maint.	
2005	Ford	550	Flatbed Truck	42211	42253	42	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	18968	19051	83	Biosolids Disposal	
Total						748		

Equipment

Year	Make	Model	Description			Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	938	938	0	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2226	2230	4	Collection System	
1999	Aries	Saturn III	Camera Trailer	344	344	0	Collection System	
2004	John Deere	7920	Tractor	1156	1157	1	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	1170	1177	7	Operations	
2004	Case	621D	Loader	2212	2213	1		
2005	Polaris	Ranger #2	Utility Vehicle	1098	1119	21	Maintenance	
2006	JCB	531-70	Telehandler	527	530	3	Plant Activities	