



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

COUNCIL AGENDA
Regular Meeting
Thursday, June 4, 2015
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:

2. Lansing High School Valedictorian
3. Baseball/Softball Update
4. Presentation to David F. Anaya

Council Consideration of Agenda Items:

5. PRAB Appointment
6. Library Board Appointment
7. Request to Purchase 5 Replacement Portable Radios – Police
8. Conditional Use Permit – Recreational Vehicle Parking at Parkwood Mobile Home Park

Reports:

City Attorney; City Administrator; Councilmembers

Proclamations

Other Items of Interest:

Adjournment

TO: Mayor and Governing Body *JK*
 FROM: Sarah Bodensteiner, City Clerk *SB*
 DATE: May 29, 2015
 SUBJECT: Agenda Summary

Call To Order
 Pledge of Allegiance
 Roll Call

OLD BUSINESS:

1. Approval of Minutes

The regular meeting minutes of May 21, 2015, are attached.

- **ACTION:** A motion to approve the regular meeting minutes for May 21, 2015, as presented.

NEW BUSINESS:

Audience Participation
 Presentation

2. Lansing High School Valedictorian

- Mayor Kirby will recognize the 2014-2015 Lansing High School Valedictorian Emily Laurence.

3. Baseball/Softball Update

- The available Baseball and Softball Commissioners along with Parks & Recreation Director Jason Crum will update the governing body on the current baseball and softball season.

4. Presentation to David F. Anaya

- Mayor Kirby will present David F. Anaya a plaque to show the City's appreciation for his years of service on the Lansing Board of Zoning Appeals.

Items for Council Consideration:

5. PRAB Appointment

- There is a vacancy on the Parks & Recreation Advisory Board. Advertisements for volunteers were in the spring and fall of 2014, and recently re-advertised in May of 2015.
- One applicant has applied for the vacant position.
- **MOTION:** To appoint Mike Smith to the Parks & Recreation Advisory Board for a term ending December 31, 2016.

6. Library Board Appointment

- Mr. Ben Ontiveros has expressed interest in serving another term on the Lansing Community Library Board.
- He is the lone applicant for the vacant position.
- **MOTION:** To re-appoint Ben Ontiveros to the Lansing Community Library Board for a term ending April 30, 2019.

7. Request to Purchase 5 Replacement Portable Radios - Police

- The Police Department is requesting to purchase 5 replacement portable radios from TBS Electronics out of Topeka, Kansas.
- The cost of the radios will be \$16,387.50 and the cost of the radio accessories will be \$2,034.00.
- This purchase was approved for the 2015 Budget Cycle.
- **MOTION:** To approve the purchase of 5 replacement portable radios from TBS Electronics.

8. Conditional Use Permit – Recreational Vehicle Parking at Parkwood Mobile Home Park

- A request has been received to allow recreational vehicles to be placed in the mobile home park for extended periods of time for transient occupants.
- The Planning Commission voted 4-3 to approve the conditional use permit at its May 20, 2015 meeting. The conditional use permit checklist, minutes, and several drawings were provided for review.
- The conditional use permit process gives the Council the ability to revoke if the terms of any potential approval are not met.
- **MOTION:** To approve or deny the Conditional Use Permit for Recreational Vehicle Parking at Parkwood Mobile Home Park at Gaslight and Helen Streets.

Reports: City Attorney; City Administrator; Councilmembers

Proclamations

Other Items of Interest

Adjournment

Action:
Staff recommends a motion to approve the regular meeting minutes for May 21, 2015, as presented.

Call To Order:

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

Roll Call:

Mayor Gene Kirby called the roll and indicated which councilmembers were in attendance.

Councilmembers Present:

Ward 1: Kevin Gardner and Dave Trinkle
Ward 2: Andi Pawlowski and Don Studnicka
Ward 3: Jesse Garvey and Kerry Brungardt
Ward 4: Gregg Buehler and Tony McNeill

Councilmembers Absent:

OLD BUSINESS:

Consent Calendar: Councilmember Brungardt moved to approve the regular meeting minutes of May 7, 2015, and the special meeting minutes of May 7, 2015 and May 11, 2015. Councilmember Buehler seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

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

Presentation: Lansing Historical Museum Update – Economic Development and CVB Director Stefanie Leif and Museum Site Supervisor Jennifer Myer updated the Governing Body on changes and upcoming programs at the Museum.

- Changes at the Museum- The Leavenworth Historical Museum will see the following changes.
 - 1) A children/family guide has been added to our rotating exhibit.
 - 2) We will be installing an ipad kiosk video center as part of our permanent prison exhibit. This will play a short (5 minute) documentary on the prison and its role in the community.
 - 3) We will be digitizing and downloading our photographs, archives, and delicate artifacts into a user friendly, web based, digital program. A research station will be placed upstairs for patron use.
- Outreach Programs/volunteers & interns
 - 1) We are reaching out to school and community groups to schedule visits, and are creating new educational programs for visiting organizations.
 - 2) We are also be reaching out to the local academic community (USM, CGSC, etc..) to give them the option of utilizing the museum as an offsite location for special academic programs.
 - 3) USM will be sending interns to the museum again starting in the fall. We are also accepting applications for volunteers and interns.
- Upcoming Special Events
 - 18 May 1000- Memorial poppy wreaths
 - 20 June 1400- Guest speaker. WW1 Aviation. Mr. Fischer
 - 23-26 June 1000-1200 History Camp, WW1. 4th-6th grades **tentative**
 - 27 June 1000-1200- WW1 Family Workshop **tentative**
 - 29 June 1000- Knit your bit

Presentation to David F. Anaya: Postponed to June 4, 2015 Council Meeting.

Presentation to James T. Pittman: Mayor Kirby presented James T. Pittman with a plaque of appreciation for his years of service on the Lansing Planning Commission.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Plaque Donation Request: Councilmember Buehler moved to approve the plaque donation request as presented. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Request for Special Use Permit (336 Fawn Valley Ct): Councilmember Buehler moved to approve the special use permit for 336 Fawn Valley Ct. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Ordinance No. 945 – An Ordinance Amending Chapter 2 of the Lansing City Code regarding Animal Control and Regulation in regards to Pit Bull Dogs, with certain omissions, changes, and additions: Councilmember Buehler moved to adopt Ordinance No. 945 – An Ordinance Amending Chapter 2 of the Lansing City Code regarding Animal Control and Regulation in regards to Pit Bull Dogs, with certain omissions, changes, and addition. Councilmember Garvey seconded the motion. The motion was approved with Council member Trinkle voting against the motion.

Authorization to Advertise for Bids – City Project 13-07 (7 Mile Creek Action Plan): Councilmember Buehler moved to authorize staff to solicit bids for 7 Mile Creek Action Plan. Councilmember Pawlowski seconded the motion.

- Councilmember Gardner asked if there is any progress on the two properties.
 - Wastewater Utility Director Tony Zell replied we are still in negotiations.
- Councilmember Pawlowski asked does it look hopeful.
 - Wastewater Utility Director Tony Zell replied it does.

The motion was unanimously approved.

Project No. 15-02: Annual CIP Paving, Pavement Preservation, and Curb Contract – Award of Bid:

Councilmember Buehler moved to accept the bid of Little Joe's Asphalt, Inc., of Bonner Springs, Kansas, in the base amount of \$488,278.72, and to add the mill and overlay of Pebble Beach Drive to the contract. Councilmember Gardner seconded the motion.

- Councilmember Studnicka stated didn't we have problems with Little Joe's the last time we use them John.
 - Public Works Director John Young stated no, one of their subcontractors we had some problems with, but we're not doing any chip/seal this year, so we don't have a subcontractor for that.
 - Councilmember Studnicka stated ok, thank you.
- Councilmember Trinkle stated is the milling, I thought there was discussion one time some years back we talked about a lot of the roads weren't the proper thickness, and milling them, we never seem to gain that thickness, or am I thinking two different things; bomagging and milling, are those two different things.
 - Public Works Director John Young stated they are two different things. We started last year on some of our substandard thickness pavements, and we've gotten the pavement up in one of the neighborhoods. We'll try to do that as we can as they come up on the list if we can make them full depth again we will. The other thing that we've used from time to time if we've had one with a thin pavement or where the curbs were bad, we replaced the curbs first at a higher elevation.
 - Councilmember Trinkle stated is this a two inch or four inch.
 - Public Works Director John Young replied this is a two inch mill and overlay, and all of these streets meet our standards.
 - Councilmember Trinkle stated so there's still fresh blacktop or hardtop underneath.
 - Public Works Director John Young replied yes.
 - Councilmember Trinkle stated I remember when they used to come up in Ward One, on some of the streets in Ward One and chewed them completely up, graded them out, rolled them, and we never gained anything by it by taking all the blacktop out.
 - Councilmember Gardner asked we won't run into that.
 - Councilmember Tinkle stated no.
 - Public Works Director John Young stated no.
 - Councilmember Garvey stated no, these streets are newer.

The motion was unanimously approved

Acceptance of Engineering Documents for Public Improvements within Gamble's Crossing

Subdivision: Councilmember Brungardt moved to accept the Engineering Documents for Gamble's Crossing Public Improvements. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Facilities Use Agreement – Gamble's Crossing: Councilmember Buehler moved to approve the Facilities Use Agreement for Gamble's Crossing, with no perimeter street fee. Councilmember Garvey seconded the motion. The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Administrator: Nothing to report.

Governing Body: Councilmember Buehler stated Jim [Pittman] thank you very much for all the service you've given to the city. I know I always say this, but we can't do this without volunteers and it really does help our city move forward, thank you very much, the city owes you a debt of gratitude. Jennifer [Myer] welcome, we're looking forward to what you're going to do with the museum, and I'd like to congratulate Officer Heuer for winning the Leavenworth County Police Officer of the Year this Monday at the awards ceremony, so congratulations to him.

Councilmember McNeill stated I do want to say a special thank you to Jim for all his hard work, I know there were trying times, even when I was on the council, which was pretty recent, but you've always prepared us well to make decisions, so thank you.

Councilmember Brungardt stated Jim thank you very much, it was a pleasure to get to know you, and we appreciate all your hard work, and tomorrow's the last day of school.

Councilmember Studnicka stated congratulations Jim and thanks.

Councilmember Tinkle stated congratulations Jim.

Mayor Kirby stated one more time, thanks Jim.

Councilmember Gardner stated a lot of good people have said a lot of good things about you [Jim Pittman] and you're leadership, I hope that whoever takes over your spot continues with your guidance. Welcome Jennifer sounds like you're going to busy for the next few months, and congratulations to Mike [Heuer] on his award.

Councilmember Pawlowski stated I agree with everything Kevin [Gardner] said, thanks Jim. Thanks for stopping and talking to me when I drive by your house and slam on the brakes.

Councilmember Garvey stated welcome Jennifer, thanks Jim, and I'm sure they'll still be looking to you for advice, so keep your phone on. Congratulations to Mike for his award, and if you walk down Angel Falls Trail it's really coming along, looking pretty awesome, it's a great addition to the City Trail System, I can't wait to see it completed.

ADJOURNMENT: Councilmember Garvey moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:21 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

JK

JB

DATE: May 27, 2015

SUBJECT: Lansing High School Valedictorian


Mayor Kirby will recognize Lansing High School Valedictorian Emily Laurence for her outstanding academic achievements.

Action: None

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AGENDA AGENDA AGENDA ITEM # 3

Action: None


 Superintendent

I would ask Mayor Kirby to present David F. Anaya with a plaque to show the city's appreciation for his many years of service on the Lansing Board of Zoning Appeals.

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CITY OF LANSING

800 First Terrace

Lansing, Kansas 66043

Telephone: 913-727-3036 * Fax: 913-828-4579

www.lansing.ks.us

APPLICATION FOR LANSING PARKS & RECREATION ADVISORY BOARD MEMBER

Name: Michael W Smith

Lansing Address: 707 Iba, Lansing KS 66043

Home Phone: (913) 605-2991

Secondary Phone: _____

E-mail: MSmith@lansing-smith.com

Please attach a written statement expressing your interest in being appointed to the Lansing Parks and Recreation Advisory Board. Your written statement should address the following four topics:

1. Qualifications for the position.
2. Personal philosophy of Parks and Recreation Activities.
3. Desired accomplishments as a Board Member.
4. Willingness to attend board meetings on the 2nd Thursday of every other month.

Also, attach the name, address, and telephone number of three personal references.

This appointment is to fulfill a Parks & Recreation Advisory Board term of two (2) years. Applicants must be a resident of the Lansing School District, 18 years of age and a U.S. citizen.

All applications should be returned to Lansing City Hall, 800 First Terrace, marked to the "Attention of the City Clerk."

1) Qualifications for the Position: Coached Lansing Sports for over 21 years, 16 as Football Coach. I serve as Vice President for North East Kansas Football Association. This is a organization that serves Lansing Football team.

2) Personal philosophy of Parks and Recreation Activities:
I was part of devoted citizens that formed the Parks program. I help write the city rules that the governing body uses today. I believe every child deserves the right to play sports. Sports programs help young people become team players. This is a social skill that will help them as they grow into adults.

3) Desired Accomplishments As A Board Member:
To help develop young people in our community. To keep these programs going and to add the excellent employees of the Parks Department.

4) Since I am Retired I will have the opportunity to make meetings, and I will start my 17th year as a Football Coach.

PERSONAL REFERENCES:

- 1.) Kevin Jensen 966 Ridge Drive, Lansing MI
66043 - ph. 913.547-1463
- 2) Edward Rowe: 700 Bittersweet, Lansing, MI
66043 ph.
- 3) Dale Behnman: 4505 Park Ten CT., LEANING
MI, 66044 - ph. 683-0335



Action:

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CITY OF LANSING

800 First Terrace

Lansing, Kansas 66043

Telephone: 913-727-3036 * Fax: 913-828-4579

www.lansing.ks.us

APPLICATION FOR LIBRARY BOARD MEMBER

Name: Ben Ontiveros
Lansing Address: 444 Hillbrook Ct, Lansing KS 66043
Home Phone: 727-1873
Secondary Phone: 727-3000
E-mail: Bontiverosa@lansing.ks.us

Please attach a written statement expressing your interest in being appointed to the Lansing Community Library Board. Your written statement should address the following three topics:

1. Qualifications for the position.
2. Desired accomplishments as a Board Member.
3. Willingness to attend board meetings and trustee training.

Also attach the name, address, and telephone number of three personal references.

This appointment is to fulfill a Library Board term of four years. Applicants must be a resident of Lansing in the USD 469 school district, 18 years of age, a U.S. citizen, and registered to vote.

All applications should be returned to Lansing City Hall, marked to the "Attention of the Library Director".

April 30, 2015

Attn: Library Director

I would like to re-apply for my position on the Lansing Public Library Board. I have already served one term on the library board. I have also volunteered at the library when a shortage of personnel occurred.

Listed below is my contact information and three references:

Ben M. Ontiveros
414 Hillbrook Ct
Lansing, KS 66043
913.727.1873
bontiveros@lansing.ks.us

Charity Briggs	913.680.1169
Ryan Gant	913.680.1169
Sunshine Petrone	913.727.2487

**MOTOROLA SOLUTIONS****Quote Number:** QU0000319969**Effective:** 08 MAY 2015**Effective To:** 07 JUL 2015**Bill-To:**

LANSING POLICE DEPT, CITY OF
800 FIRST TERR
LANSING, KS 66043
United States

Ultimate Destination:

LANSING POLICE DEPT, CITY OF
800 FIRST TERR
LANSING, KS 66043
United States

Attention:

Name: Steve Wayman
Email: wayman@lansing.ks.us
Phone: 913-727-3000

Sales Contact:

Name: Brad Grabar
Email: bgrabar@tbselectronics.com
Phone: 7858627450

Contract Number: KANSAS STATE
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	5	H98UCF9PW6AN	APX6000 700/800 MODEL 2.5 PORTABLE	\$4,342.00	\$3,277.50	\$16,387.50
1a	5	QA01837AA	ALT: LIION IMPRES IP67 2900MAH (NNTN7038)			
1b	5	H885BK	ENH: 2 YR SFS LITE			
1c	5	QA02756AA	ADD: 9600 TRUNKING OR 3600 DIGITAL TRUNKING			

Total Quote in USD**\$16,387.50****THIS QUOTE IS BASED ON THE FOLLOWING:**

1 This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, Motorola Solutions, Inc. ("Motorola") will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products.

2 Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes.

3 Purchaser will be responsible for shipping costs, which will be added to the invoice.

4 Prices quoted are valid for thirty(30) days from the date of this quote.

5 Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.

EQUIPMENT PROPOSAL



To:	Steve Wayman	From:	Brad Grabar
Company:	Lansing PD	Company:	TBS Electronics, Inc.
Address:	800 1 st Terr	Address:	5225 SW Topeka Blvd.
	Lansing, KS 66043		Topeka, KS 66609
Phone:	913-727-3000	Phone:	785-862-7450
Fax:		Fax:	785-862-7647
Project:	APX6000Li Accessories		Date: 5/6/15

<u>Qty</u>	<u>Description</u>	<u>Your Price</u>	<u>Extended</u>
6	WPLN7080 APX6000 Charger	\$100	\$600
6	NNTN7038 Spare Battery	\$110	\$660
6	PMMN4062 Speaker Microphone	\$85	\$510
6	V1-10433 Earpieces	\$44	\$264
		TOTAL:	\$2,034

Feel free to call me at 1-800-530-5550 with any questions about this quote.

Thanks,

Brad Grabar

TBS Electronics

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Action: Staff recommends that the City Council approve or deny the conditional use permit for Parkwood Mobile Home Park at Gaslight and Helen Streets.

AGENDA AGENDA AGENDA

ITEM # 

CONDITIONAL USE CHECKLIST

Conditional Use Case No. 2015-2

Date Filed: March 26, 2015

Date Advertised: April 24, 2015

Date Notices Sent: April 27, 2015

Public Hearing Date: May 20, 2015

I. Applicant's Name: Parkwood Investments, LLC

Applicant's Authorized Agent: Ronald G. Bates

II. Information in Application Correct? Yes ☒ No ☐

If no, explain: _____

III. Adjacent Zoning and Land Use:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Light Industrial	I-1
South	Agricultural	A-1
East	Agricultural/City Park	A-1
West	Residential/Commercial Business	B-3

IV. Present Use of Property: R-5 Mobile Home Park

V. Conditional Use Requested: To permit recreational vehicle parking on site

VI. The proposed conditional use does or does not meet the standards:

A. The proposed conditional use complies with all applicable provisions of the regulations, including intensity of use regulations, yard regulations, and use limitations. _____

Yes ☒ No ☐

B. Off-street parking and loading areas will be provided in accordance with the standards set forth in the regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect. _____

Yes ☒ No ☐

C. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public. _____

Yes ☒ No ☐

D. Adequate utility, drainage, and other such necessary facilities have been or will be provided. _____

Yes ☒ No ☐

E. The proposed conditional use will dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

Yes ☐ No ☒

VII. Will the proposed conditional use be detrimental to the neighborhood?

A. Are the number and location of driveways and parking lots such that they are likely to create traffic congestion or traffic hazards? No - contained within park; one common entrance and exit.

B. Is the proposed conditional use likely to cause a substantial reduction in neighboring property values? No

**Lansing Planning Commission
Regular Meeting
May 20, 2015**

These minutes have not
yet been approved.

Call to Order – The regular meeting of the Lansing Planning Commission was called to order to Vice-Chairman Brian Schwanz. Others in attendance were Commissioners Sharon Henke, Kirsten Moreland, Joe Herring, Mike Suozzo, Chuck Holland, and Ron Barry. Vice-Chairman Schwanz noted that all Commission members were present and welcomed new members Mr. Holland and Mr. Barry.

Approval of Minutes, March 18, 2015, Regular Meeting – Commissioner Suozzo made a motion to approve the minutes of the March 18, 2015, regular meeting, seconded by Commissioner Herring. The motion was approved, with Commissioners Henke, Holland, and Barry abstaining.

Old Business – none

New Business – 1. Election of Chairman of the Lansing Planning Commission – Commissioner Henke nominated Joe Herring as Chairman. Since there were no other nominations, Commissioner Henke made a motion to close the nominations, seconded by Commissioner Suozzo. This motion passed unanimously. Commissioner Henke then made a motion to elect Joe Herring as Chairman of the Planning Commission, seconded by Commissioner Suozzo, and the motion passed unanimously.

At this time, Chairman Herring began moderating the meeting.

2. Election of Vice-Chairman of the Lansing Planning Commission – Commissioner Henke nominated Mike Suozzo as Vice-Chairman and Commissioner Suozzo nominated Brian Schwanz as Vice-Chairman. Since there were no other nominations, Commissioner Suozzo made a motion to close the nominations, seconded by Commissioner Henke. That motion passed unanimously. After some discussion, Commissioner Suozzo advised he would like to remove himself from consideration as he is already the Chairman of another board. Commissioner Henke then made a motion to close the nominations as amended, seconded by Commissioner Suozzo. The motion passed unanimously. Commissioner Henke next made a motion to elect Brian Schwanz as Vice-Chairman of the Planning Commission. The motion was seconded by Commissioner Barry, and was approved, with Vice-Chairman Schwanz abstaining.

3. Public Hearing – Conditional Use Permit – Helen Street and Gaslight Street. Chairman Herring stated that Ronald G. Bates, acting as the agent for Parkwood Investments, LLC, property owner, is requesting a conditional use permit to allow recreational vehicle parking in the mobile home park located at Helen Street and Gaslight Street, Lansing, Kansas. He said the property is zoned R-5, Mobile Home Park.

Chairman Herring opened the public hearing at 7:10 p.m. Mr. Bates stated he had nothing to add to the application packet submitted, but Mike Hooper, one of the owners of Parkwood Investments, would like to make some comments at this time.

Mr. Hooper said he and his wife are the managing partners for Parkwood Investments, LLC, and handle the everyday running of the mobile home park. He stated the application was submitted

**Lansing Planning Commission
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because they felt it would fulfil a need in the community. He said there is an RV park located about seven miles west of town that is currently full, with a 30-unit waiting list. He stated there are no other places in town to speak of that allow RV parking except for the RV park in Leavenworth. He said he also believes it would provide customers and income for restaurants and an increased tax base for the community. He said 14 lots in the park have been identified and they have tried to locate those lots so they are not next to residential properties, but next to agricultural or commercial zoned properties. He stated they do currently have an RV in the park that is a park-based model that is constructed a bit differently than the typical RV. He stated the owners are business owners in Leavenworth, and this was done on a short-term basis as an experiment to see how many expenses they would occur, as well as how to charge people who are interested in doing this. He said they are not looking for overnight campers because, unlike other parks in the area, each lot in this park has its own water meter, and along with electricity, it costs them a deposit every time the utilities have to be turned off and on. Mr. Hooper said they are looking for people wanting to stay three, six, and nine months and want people who are working.

Next to speak was Nancy Hininger, who stated she owns three houses on Helen Street. She said she lives at 105 and rents 103 and 111. She stated she drove through the park the day she received the notice and observed several empty trailers with broken windows, several empty lots with trash and debris, and an open fire burning on the south end of the park, for which there may or may not have been a permit. She said that years ago, she attended a planning and zoning meeting when this park was just an empty field and the proposal was to build an upscale mobile home park. She stated when she drove through today, she observed there are a few nice homes on the west side that are nicely maintained, but she believes the owner/developer should want to clean up and take care of what is there now before making a proposal for a change. She said every Wednesday she walks down the street, picking up trash, and feels this trash is from people walking from nearby fast food restaurants. She stated every week she ends up with a bagful of trash that has been thrown on her three properties. She stated she would ask the Commission to think hard before approving changes when the original agreement has not been maintained the way it was supposed to be.

Mr. Delmar Hininger, 105 Helen Street, spoke next. He stated he drove through the park on his way here and stated that since the owner is here now requesting a permit, there should be no reason why there is an RV parked there already. He said he believes that RV should be taken out of there and only be put back in if the permit is granted. He stated he worries that, if there are vacant lots and someone just wants to stay a week or two or overnight, the owner will allow that. He also stated there are plenty of mobile home parks in the area and approximately 15 mobile home parks for RVs. He stated his main concern is to keep the transients down as much as possible.

Mr. Hooper then addressed some of the concerns that had been brought up. He stated again that the RV currently there is designed a little differently than the typical RV. He said it does meet the length requirement in the Zoning Ordinance and he has not received any official notification that it was a code violation. He said he made sure it was a park model before allowing it to come in. He stated he's had numerous people from Fort Leavenworth wanting to

**Lansing Planning Commission
Regular Meeting
May 20, 2015
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stay there while attending the nine-month class. He said they are looking for people who are working on projects in the Kansas City or Leavenworth area. He stated in the last year he's had 14-15 requests to place an RV in the park, which he's had to turn down since he didn't have a permit. He said in every case he can think of, the RV or motor home wanting to come in had considerable more value than any of the other trailers in the park. He next stated that all access is through the commercially zoned property via American Avenue and would not go through any residential area. He said they have talked to every tenant in the park and they are all for it. Mr. Hooper also stated they do get burn permits at times to burn a stack of tree limbs, leaves, etc. As far as vacant trailers, he said they do have to evict people for not paying their rent and they usually leave the trailer there for them to get rid of. He stated there are two there now that he's in the process of getting removed and tries to get rid of them as quickly as possible.

Since there were no other comments or questions from the audience, Chairman Herring closed the public hearing at 7:26 p.m.

Chairman Herring then asked Commissioners if they had any questions or comments. Commissioner Moreland asked if Mr. Hooper was previously aware of the Hiningers' concerns. He stated he was, as they spoke the last time this conditional use permit application was submitted. Commissioner Moreland asked if he knew the trash was coming from the tenants of the mobile home park and Mr. Hooper replied he didn't really know where the trash was coming from, but there is no vehicular access coming from the park to Helen Street as it's blocked off.

Commissioner Holland asked how long the vacant trailers have been vacant and Mr. Hooper stated around three months. He stated there's a process they have to go through to evict people, so it does take some time. Commissioner Holland asked if he started the process right away and Mr. Hooper said he did and that they have to go to court to get them evicted. City Attorney Greg Robinson stated he believed the people could be evicted, but then the park owners have to get title and that is quite a lengthy process. Mr. Robinson said once that is done, the park owners have to have somewhere to take it. Mr. Hooper stated each step can take several months and it costs them around \$2,000 each time they have to do this, not counting court costs. Commissioner Holland stated he understood that and just wanted to be sure there wasn't a gap in time between when people were evicted and the process to get rid of the trailer was started.

Commissioner Holland next asked if there is a minimum time required for the RVs to stay and Mr. Hooper said they don't want anything less than three months. Commissioner Holland then asked if there's anything to prevent people from switching spots and Mr. Hooper said they don't want them to live there permanently, but have no problem with people wanting to stay nine months, just not any less than three months.

Commissioner Moreland asked if any of the RVs would be unoccupied, such as a military person moving in and going TDY for six months, and Mr. Hooper said that's not his intent. He said the military people are usually there for the nine-month classes and don't typically go TDY during that time.

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Mr. Hooper stated that another requirement is that each RV must have its own bath facility – shower, bathtub, stool, vanity, etc.

Commissioner Barry said he understood that Mr. Hooper had been before the Council before and Mr. Hooper stated that was correct. Mr. Hooper said the last time, the Planning Commission unanimously approved the permit and the City Council disapproved it. Mr. Barry said, since he knew the process, why did he move in the park model without permit or conditional use? Mr. Hooper said they brought it in because it was a park model, which is a different standard than an RV. He said it meets the length requirement and the ability to tie down, which is a requirement in the Zoning Ordinance for a mobile home. Commissioner Barry then asked Mr. Robinson if what was brought in is an RV or a mobile home and Mr. Robinson stated he couldn't answer that because he doesn't have the specs.

Commissioner Barry stated that Mr. Hooper said his intent was to have working members or families come in for three to nine months, but that can't be restricted if they sign a lease for three months and are working or not, as far as who comes in if they meet the criteria as far as down payment or rent. Mr. Robinson stated if Commissioner Barry is talking about age or income restrictions or anything like that, Mr. Hooper cannot control that, but can control the time. Commissioner Barry stated his point was that it's the length that's the factor, not who's going to be in the park. Mr. Hooper said what was done with the current tenant and would be done with future tenants if the permit is granted, was to have them fill out the application just like those moving in a mobile home, along with a credit application, and a credit and background check are done by a company hired by the park owners.

Chairman Herring asked if Mr. Hooper has a time limit on how long people can stay and Mr. Hooper said he does not. City Inspector Rebecca Savidge stated the guidelines regarding RVs in the ordinance does not limit the length of time they can stay. Mr. Robinson stated that it could be put in as a condition of approval of the application. Mr. Hooper said he believes Oak Lane Park currently has a conditional use permit to allow RVS with no restrictions attached to it.

Vice-Chairman Schwanz asked Ms. Savidge to explain just what a conditional use permit is. She stated it is a use not typically allowed in a particular zoning district, such as a day care in a residential area. She then read the definition, which states "Conditional uses are those type of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts specific uses may be permitted only after additional requirements are complied with as established within this section." She also stated there is a list in the Zoning Ordinance specific to RV parking and these are requirements Mr. Hooper would have to meet.

Commissioner Moreland asked how difficult it is for staff to enforce conditional use permits and Ms. Savidge said they are actually easier because they are very clearly defined and the requirements are spelled out to the "T".

Vice-Chairman Schwanz asked when a conditional use can be pulled and Ms. Savidge stated it can be pulled at any time for any violation of the conditions. Mr. Robinson stated a warning would usually be given first, but if the violation is not taken care of, it could be brought before the City Council and the Council could pull the permit.

Ms. Savidge stated these conditional use permits have to be renewed every five years and complaints are also addressed at that time.

Mr. Bates stated at this time that if a violation was found, the owner would not even have to be given a warning, and any individual or Council member could submit a petition to have it put on the Council agenda to have the conditional use permit pulled.

Vice-Chairman Schwanz asked how many lots there are in the park and Mr. Hooper stated there are 60, and Vice-Chairman Schwanz said he understood Mr. Hooper wants to designate 14 of those for RV and Mr. Hooper stated that was correct. Vice-Chairman Schwanz said he recalled when this was brought up previously, the owners were asking for 30 lots and Mr. Hooper said that was correct. He stated they were asked to reduce it to less than 25% and that's why they are now asking for 14. Vice-Chairman Schwanz thought at that time they were also looking to serve the speedway traffic, but were now moving away from that. Mr. Hooper stated that if that was the inference that was sent at that point in time, that was incorrect, as he has never wanted to get the speedway traffic or the overnight part of it.

Vice-Chairman Schwanz asked if the RV there now is included in those 14 lots and Mr. Hooper said it is. Mr. Bates said that while the home there now is being called an RV, they believe it is in compliance with the ordinance currently because it is different than an RV and satisfies the current requirement. Vice-Chairman Schwanz said he believed it was stated that this was a pilot test and was being looked at as short term. Mr. Hooper said the homeowner would like to stay as long as he can, but if a conditional use is not granted, the situation would have to be reassessed. Vice-Chairman Schwanz noted he had built a nice deck around it and Mr. Hooper said it makes it look more like the nature of the neighborhood. He said that's why it's a park model RV so it does meet stiffer criteria as far as construction. Vice-Chairman Schwanz said it seemed to him that in building the deck, it made it look like they intended to stay awhile. Mr. Hooper said he was making it easier for his wife to get in and out as she had to use a walker.

Vice-Chairman Schwanz next asked Ms. Savidge what the requirements are in regard to length for a mobile home to be parked in there. She stated she believed it was 24' for the RV. Mr. Hooper said the definition for a mobile home is 32' or longer.

Vice-Chairman Schwanz next expressed concern about access and constantly moving these in and out. Mr. Hooper replied that the roads inside the park are private and that American Avenue is a collector arterial street and is built to a heavier standard to handle big trucks, such as the ones going in and out of there every day.

At this time, Ms. Savidge said she didn't find a required length for mobile homes, but listed some of the other requirements, such as maximum height, etc.

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Commissioner Henke asked about length of leases and how staff would keep track of how long people were staying and Ms. Savidge stated the park owner has to keep records for three years and they have to be available for inspection at any time.

Commissioner Henke then asked if the property changed hands, would the conditional use permit stay with the property, and Mr. Hooper stated the new property owner would have 120 days to obtain a new conditional use permit.

Commissioner Henke said she believes the task of the Commission is to evaluate the application as to whether or not it meets the criteria and not necessarily whether they like it or not. Mr. Robinson stated their opinion can also be a part of it.

Ms. Savidge, at this time, went back to the question of length for a mobile home and stated she'd found, under the definition, that it must be 36' or more. She stated she didn't see a definition for an RV.

Commissioner Holland asked if it would be considered a transient if one company parked an RV there, and then moved different workers in every few weeks. He stated he knew of an incident in Florida with a condo where an insurance company wanted to come in and adjust for hurricane damage, so they rented a condo to them. He stated they had people come in every other week and trashed the place, so he was concerned that might be a possibility. Mr. Robinson stated that one advantage to having an RV in a park instead of a trailer as far as eviction is that they are much easier to get rid of in that you can just put it on a tow truck and take it out of there.

Chairman Herring asked Mr. Hininger if traffic is blocked off there and he replied you could ride a motorcycle through there, but it's mostly foot traffic. He also stated he knows several companies that own RVs and have employees go back and forth all the time. Mrs. Hininger stated she also knows of a situation like that, with ten temporary workers using the RV, and this is a concern. Mr. Hininger stated he would like to see at least a 90-day minimum condition on the permit if the Commission decides to approve it. Mr. Robinson also suggested perhaps Mr. Hooper could send out a newsletter or something with bills reminding tenants not to trash the neighborhood.

Chairman Herring stated he would like staff, before this goes to the City Council, to research more as to whether or not the home parked there now is an RV or is compliant.

Since there were no other questions or comments, Chairman Herring asked for a motion on the checklist as a finding of fact. Commissioner Henke made a motion to accept the checklist as a finding of fact, seconded by Commissioner Suozzo. This motion was unanimously approved.

Chairman Herring then asked for a motion on the application itself. Commissioner Henke made a motion to approve the conditional use permit application for Helen Street and Gaslight Street, seconded by Commissioner Suozzo. Chairman Herring asked if there was any stipulation on time frame and Commissioner Henke said "no". Commissioner Henke again stated she

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believed the responsibility of the Planning Commission was to be sure the application meets the requirements. Commissioner Barry stated he believes the Commission should also see how this fits with future land use and the Main Street Corridor. Mr. Robinson stated the park was intentionally left out of the Main Street Overlay District, but understands it does have an impact. Commissioner Barry stated that even though it's not in the MSOD, it does have an impact in terms of sightlines to the Main Street Corridor and the use or potential use of areas around there. Commissioner Henke stated she believes that is more of a decision for the City Council and Commissioner Barry stated he disagrees.

Ms. Savidge stated that while she understands what's being said, right now this park is legally zoned and Mr. Robinson stated it does have a carve out for the requested use. He also stated that even if this body denied the application, the City Council could go ahead and approve it. He said that he does believe, however, that Commission members can take outside information into their decision making process.

Vice-Chairman Schwanz stated his concern is that there is no minimum amount of time put in as a condition of approval. Chairman Herring stated a motion had been made and seconded. Commissioner Henke asked if a vote should be taken and the motion voted down. Mr. Robinson said whoever made the second could withdraw it, so Commissioner Suozzo withdrew his second at this time. Commissioner Henke asked how staff would monitor how long RVs had been there. Mr. Robinson stated Mr. Hooper has to keep logs and he would have to make that available for staff to check. Commissioner Henke said she believed that would be a staffing nightmare and didn't want to add that condition to the permit. Chairman Herring stated we still have a motion, unchanged, to approve as per staff recommendation. Commissioner Suozzo seconded the motion again so it could be voted on one way or another. Roll was taken and the motion was approved 4-3, with Vice-Chairman Schwanz and Commissioners Holland and Barry voting "no". Chairman Herring noted this would go to the City Council on June 4.

Notices and Communications – Chairman Herring stated special presentations will be made to both James Pittman and David Anaya at the May 21 City Council meeting in appreciation of their many years of service on the Lansing Planning Commission and Board of Zoning Appeals, respectively.

He also stated Ronald Barry and George "Chuck" Holland were appointed to the Planning Commission at the May 7 City Council meeting and Richard Hannon has been reappointed to the Board of Zoning Appeals for another three-year term. He said there are still two vacancies and the position is being advertised again.

Reports – Commission and Staff Members - Vice-Chairman Schwanz asked why there hasn't been a renewal of the conditional use permit for Oak Lane brought before the Commission and Ms. Savidge said she believes that was done through the Council a long time ago, before this process began, and that it was grandfathered in, but she would check on it.

Commissioner Suozzo asked about the conditional use permit for the Methodist Church parking lot, but the secretary stated that was actually a variance granted by the Board of Zoning

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Appeals. She stated she would check on when that is set to expire and let Commissioner Suozzo know.

Commissioner Henke asked about the area across from Lansing Lumber. Mr. Robinson said the Council used to make Mr. Asher come in every year about it, but a motion was later made to discontinue making him do that. Ms. Savidge said she will say Mr. Asher has started looking at some plans.

Commissioner Moreland stated she had attended some MARC training regarding traffic impact studies and how Johnson County is handling things like empty malls. She encouraged everyone to attend whenever possible.

Adjournment – Vice-Chairman Schwanz made a motion to adjourn, seconded by Commissioner Henke, and it was approved by acclamation. The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,

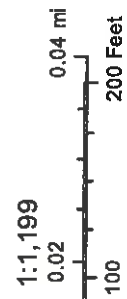
Rebecca Savidge, City Inspector

RV Lots



January 7, 2015

City of Leavenworth, Kansas GIS Web Mapping

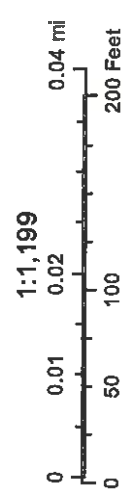


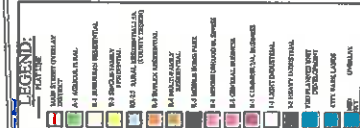
Street Widths



January 7, 2015

City of Leavenworth, Kansas GIS Web Mapping





CITY OF LAUSING

ZONING MAP

SCALE NOT TO SCALE

DATE: JULY, 2010

APPROVED BY _____