



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

**COUNCIL AGENDA**  
**Regular Meeting**  
**Thursday, May 18, 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:***

2. Leavenworth County Development Corporation

***Council Consideration of Agenda Items:***

3. Lansing Tree Board Appointment
4. Award of Bid –Capital Improvements Program, City Project 17-04
5. Ordinance No. 977 – Wastewater Utility Rate Schedule
6. Agreement with Lan-Del for Water Line to Bernard Park

***Reports:***

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

***Proclamations:***

7. National Kids to Parks Day
8. National Public Works Week

***Other Items of Interest:***

9. Department Vehicle and Equipment Mileage Reports

***Adjournment***

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator

FROM: Sarah Bodensteiner, City Clerk

DATE: May 9, 2017

SUBJECT: Approval of Minutes

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The regular meeting minutes for May 4, 2017, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for May 4, 2017, as presented.

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**AGENDA ITEM #**

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**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:** Dave Trinkle and 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:**

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**OLD BUSINESS:**

**Approval of Minutes:** Councilmember Buehler moved to approve the regular meeting minutes of April 20 2017, as presented. Councilmember McNeill seconded the motion. The motion was unanimously approved.

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

**Presentation**

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Election of Council President:** Councilmember Trinkle moved to elect Gene Kirby as the Council President. Councilmember Brungardt seconded the motion. The motion was unanimously approved.

**Room Rental Policy and Fee Schedule:** Councilmember Pawlowski moved to approve the Room Rental Policy and Fee Schedule with an effective date of July 1, 2017. Councilmember Kirby seconded the motion.

- Councilmember Pawlowski stated good work Sarah.
  - City Clerk Sarah Bodensteiner responded it wasn't just me.

The motion was unanimously approved.

**Award of Bid – Lansing Activity Center Roof:** Councilmember Kirby moved to award the bid of the Activity Center Flat Roof replacement to Midwest Coatings, Inc., in an amount not to exceed \$31,079.87. Councilmember Pawlowski seconded the motion.

- Councilmember Garvey stated I wish our local companies could be more competitive when they bid on this stuff.
- Councilmember McNeill asked for the manufacturer's warranty it talked about there are no exclusions for damages caused by ponding water, and then I think in the one that we're recommending, MWC does not guarantee ponding water will be completely eliminated when using a tapered insulation system.
  - Parks & Recreation Director Jason Crum replied right, so two separate things there. It is a flat roof and there is only going to be a limited amount of pitch to it, so what they're saying is that the water may not run off however the warranty covers it.
    - Councilmember McNeill asked any damage by ponding water.
      - Parks & Recreation Director Jason Crum replied that is correct, the warranty covers it.

The motion was unanimously approved.

**Request to Advertise – Project 17-03: Ida Storm Water Erosion Control Project:** Councilmember Trinkle moved to authorize the Public Works Department to prepare contract documents and advertise for bids for Project 17-03: Ida Storm Water Erosion Control Project. Councilmember Garvey seconded the motion.

- Councilmember Pawlowski asked the area that you're going to be working in do we need to acquire right-of-way for that or do we already have it.
  - Public Works Director Jeff Rupp replied no we did require permanent easement and temporary easement and that has been signed by the property owner.
    - Councilmember Pawlowski asked and we didn't have to pay for that correct.
      - Public Works Director Jeff Rupp responded no.

The motion was unanimously approved.

**Request for Conditional Use Permit – 707 Holiday Drive:** Councilmember Trinkle moved to approve the Conditional Use Permit for 707 Holiday Drive.

- Councilmember Buehler asked can we discuss something before we make the motion, because I was at the meeting and I have a couple questions that will effect I think how we go with the final motion. So instead of making a motion and having to pull it back.
  - Mayor Smith stated go ahead.

Motion made by Councilmember Trinkle died due to lack of a second.

- Councilmember Buehler stated I was at the meeting and there was a lot of pros and a lot of cons, they have a four foot fence and the City Code requires a six foot fence, but the Planning Commission did not put a timeline on it.
  - City Inspector Rebecca Savidge replied but I did.
    - Councilmember Buehler stated I know you did but the Planning Commission didn't, so it didn't come to us with a timeline on it as to when they have to have the six foot fence installed by. So they have not filed a permit yet or a permit for the six foot fence.
      - City Inspector Rebecca Savidge replied correct.
        - Councilmember Buehler stated and I know I talked to them and they are waiting on the home owners association.
          - City Inspector Rebecca Savidge stated and the final approval here because there is an added expense that they wouldn't need to do if they didn't get approved.
            - Councilmember Buehler asked any your recommendation was August 31<sup>st</sup>.
              - City Inspector Rebecca Savidge replied right.
  - Councilmember Buehler asked how large can the daycare grow to.
    - City Inspector Rebecca Savidge responded twelve is the maximum.
      - Councilmember Buehler stated twelve is the maximum.
        - Councilmember Pawlowski asked is that by state law.
          - City Inspector Rebecca Savidge responded the state governs the numbers and it depends on her ages, but that's the maximum you're going to anyway, correct.
            - Applicant Annie Schmalbeck replied yes. They give you two weeks after school and two weeks before school starts and then during school breaks you can have fourteen, if you have extra school aged children, but they can't be small children.
              - Councilmember Buehler stated ok, alright, those answered my questions, so thank you.
  - Councilmember McNeill asked the six foot fence, is that for any daycare.
    - City Inspector Rebecca Savidge replied that is for any daycare yes.
      - Councilmember McNeill stated my question is whether we give them a conditional use permit or not, they've got to build a six foot fence.
        - City Inspector Rebecca Savidge replied right because that is a condition of the Conditional Use Permit, is the six foot fence.
          - Councilmember McNeill stated let me re-phrase that, to have a daycare business in our City and you only have six, or whatever the limit is, is it not required to have a six foot fence.
            - City Inspector Rebecca Savidge replied no, not if it is six or under.
              - Councilmember McNeill stated why do we have a six foot fence rule, I mean I don't get it.
                - City Inspector Rebecca Savidge replied that's part of the Conditional Use process in the Zoning Ordinance that it requires a six foot fence if you do more than six.
  - Councilmember Pawlowski asked but if our Code requires a six foot fence, why wouldn't you make them have a six foot fence in before they had children there.
    - Councilmember McNeill replied she is saying it doesn't. You can have a daycare business without a Conditional Use Permit if you have a certain amount, and you don't have to have the six foot fence.
      - Councilmember Pawlowski stated right, but if she has more than six, our Code requires a six foot fence, and so my question is if she is going to have more than six why would we allow her to have more than six without a six foot fence, since it is part of our Code.
        - Councilmember McNeill replied we wouldn't.

- Mayor Smith asked we aren't going to are we Becky.
  - Councilmember Pawlowski stated but she's telling her she doesn't have to have it in until August 31<sup>st</sup>.
    - City Inspector Rebecca Savidge replied I thought that was a reasonable time, after she found out whether or not the Conditional Use was approved.
      - Councilmember Garvey stated and not to mention the fence companies are already backed up. I got a bid on a fence and it is six months out.
- Councilmember McNeill stated the Conditional Use Permit is for additional children on top of what you would have normally, what is that six and they are asking for twelve, am I getting that right?
  - City Inspector Rebecca Savidge replied yes.
    - Councilmember McNeill stated with six you need a four foot fence and there is no use for a Conditional Use. So until that fence is built, is that when we increase the amount of kids?
      - City Inspector Rebecca Savidge replied right, as long as she doesn't have more than six unrelated children.
- Councilmember Garvey asked so she could have six of her own kids and six daycare kids and it would be twelve.
  - City Inspector Rebecca Savidge replied technically she could, yes, but she's trying to abide by the rules.
- Councilmember McNeill stated what I'm getting at is until the six foot fence is built, she's not going to go over that limit, is what I'm asking.
  - City Inspector Rebecca Savidge replied correct.
- Applicant Annie Schmalbeck stated I just wanted to say that we're ready to get the fence and we got the okay from the HOA but in writing we haven't received that okay, and that's all we're waiting for to get the permit and the contractor is all ready to apply for the permit, we're just waiting for that written okay.
  - Councilmember Brungardt asked Annie how long do you think it will be, sounds like probably within a month or so.
    - Applicant Annie Schmalbeck replied oh yeah, I would definitely say that.

Councilmember Buehler moved to approve the Conditional Use Permit for 707 Holiday Drive with the condition that the six foot fence is installed no later than August 1, 2017. Councilmember Brungardt seconded the motion.

- Councilmember Kirby stated I want to say number one Stefanie could you tell Cindy what a great job she did on all these minutes, she provided a very clear picture of what was going on there. And I've said it before and I'll say it again that's what the Planning Commission is here for and I don't see any reason to overrule them at all.
  - Councilmember Trinkle stated I have to agree with you Mr. Kirby.
    - Councilmember Buehler stated okay I get that, but my concern is then yes she has to have a fence but if we don't put a timeline on the Conditional Use Permit then we're not...
      - Councilmember Kirby stated right, I'm not saying that, you're right.
        - Councilmember Brungardt stated nobody is arguing that point.

The motion was unanimously approved.

**Wastewater Rate Revisions:** City Administrator Tim Vandall stated this is something we mentioned off and on for the last several months. So option B keeps everything as proposed, so option B is basically what the Wastewater Rate Study says. Option C decreases the base fee increase from five dollars to three dollars, so it still would be an increase, and then it would still go up seventy-five cents per unit. I tried to outline the total costs, and this is including trash, I tried to outline the total cost for customers with two units, four units, six units, and eight units, and then we would lower the solid waste administration fee by fifty cents, so it would save people two dollars and fifty cents a month. Since the previous project came in under budget and we feel like there is a pretty good balance in the Wastewater Fund, Beth and I feel pretty confident that we'd be fine implementing the hybrid option C. Worst case scenario if we monitor the fund and there is problems with it after six months, nine months, twelve months, there is nothing that says we can't add a dollar to it in a year, if anything that would spread it out a little bit more, but I think we do feel confident about option C that we'd be able to pay all of our debt, keep options open in the future for future projects, and also slightly reduce the rate adjustment.

Councilmember Studnicka moved to direct staff to prepare and ordinance to amend Ordinance No. 956. Councilmember Trinkle seconded the motion.

- Councilmember Buehler asked what one are we amending it to.
  - Councilmember Pawlowski replied option C, because B is as it is currently in our ordinance.
    - City Administrator Tim Vandall responded yeah, B would keep it as is. Did you have a question?
      - Councilmember Pawlowski replied yes I do. We talked about this last year when we were having this discussion, and you said at the time it was before we knew how much Seven Mile Creek was going to cost, and you said at that time that we were on target with the rate study, and then we got this number in and we were saving some funds.
        - Finance Director Elizabeth Sanford replied well since then we've started the Nine Mile Project as well and that came in under the engineer's estimate.
          - Councilmember Pawlowski stated so far.
            - Finance Director Elizabeth Sanford responded yes, and I think we're forty-eight percent complete.
              - Wastewater Utility Director Tony Zell replied yes we're half-way complete.
- Councilmember Pawlowski stated so my question is with this change are we still on that scale with the PEC Estimate of what we are supposed to have in, because the last thing I want to do is put us back in the position we were in before.
  - Finance Director Elizabeth Sanford responded as long as we don't have any big change orders, which fifty percent complete, I think Tony can probably speak to that better than I can as far as the project.
    - Wastewater Utility Director Tony Zell stated so far so good, subject to change as we go.
      - Councilmember Pawlowski stated yeah we've found rock before, we know right.
        - Wastewater Utility Director Tony Zell stated we have been very fortunate, knock on wood, this project has gone real well. We haven't had to use some special trench that we were anticipating doing on the outset. I think a lot of the other savings comes from the fact that a lot of the engineering and the easements, and the acquisition was actually done out of the base budget, but those costs were included in the 2015 Rate Study as total project costs. So since we actually used cash to pay for those that further reduces really the amount of debt we had to issue.
- Councilmember Pawlowski stated but you understand what I'm saying we spent ten years trying to get this thing under control, so that's my concern, is to make sure we keep it under control because we don't want to go back to having to take money out of the General Fund.
  - Finance Director Elizabeth Sanford responded correct.
    - Councilmember Pawlowski stated no more General Fund. But you're confident like Tim said?
      - Finance Director Elizabeth Sanford replied yes and we're going to monitor this fund pretty closely because of that.
        - City Administrator Tim Vandall stated and like I said, if there is a major change order or if x, y, z happens, we'll be able to keep tabs on it and like I said if we need to add seventy-five cents in a year we can do that. There is nothing that says we can't, but like I said at the very least that would spread it out a little more.

The motion was unanimously approved.

## **REPORTS:**

**Department Heads:** Department Heads had nothing to report.

**City Attorney:** City Attorney had nothing to report.

**City Engineer:** City Engineer had nothing to report.

**City Administrator:** City Administrator Tim Vandall advised the Council that HR Director Sunshine Petrone had heard back from our Health Insurance Broker and the Health Insurance rate was further reduced by about two percent. While there is still an increase, it is less than initially discussed. He also mentioned that Base Budgets have been turned in by Department Heads and he and Finance Director Beth Sanford are plugging in numbers and awaiting numbers from the County.

**Governing Body:** Councilmember McNeill thanked the Community and Economic Development Department for their work on the Conditional Use Permit.

Councilmember Brungardt reminded everyone about the Lansing Education Foundation Breakfast on Friday.

Councilmember Studnicka mentioned that Lansing DAZE is Friday and Saturday and invited all to attend.

Councilmember Trinkle echoed Councilmember Studnicka's remarks about Lansing DAZE.

Mayor Smith reminded all to attend Lansing DAZE.

Councilmember Kirby stated he'd see whoever was getting up early for the breakfast in the morning.

Councilmember Pawlowski asked about two guys carrying a ladder that were headed towards the bridge on DeSoto Road that she saw today.

- Public Works Director Jeff Rupp replied that we will be contracting with a welding specialist to do some work on the bridge to increase the lifespan of the bridge into the next phase of the DeSoto Road Project, but they were probably out there reviewing the area, as that will begin shortly after school is out of session.

Councilmember Garvey wanted all to enjoy Lansing DAZE for those who can make it out.

Councilmember Buehler echoed the sentiments regarding Lansing DAZE and provided a fun fact, on this day in history Ernest Hemingway won the Pulitzer Prize for *The Old Man and the Sea*.

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

**ATTEST:**

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Michael W. Smith, Mayor



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Sarah Bodensteiner, City Clerk



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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Stefanie Leif, Community & Economic Development Director   
DATE: May 11, 2017  
SUBJECT: Presentation by Leavenworth County Development Corporation (LCDC)

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Steve Jack, Executive Director of the Leavenworth County Development Corporation (LCDC), will provide an annual report and review the plan of work related to economic development within the city of Lansing and Leavenworth County.

**Policy Consideration:** No policy consideration at this time.

**Financial Consideration:** The fiscal year 2018 budget request from LCDC is \$17,054, and staff has included this amount in the FY18 preliminary base budget request under Fund 63, line item 63-060-41131.

**Action:** Receive and file.

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AGENDA ITEM #

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator  
FROM: Jason Crum, Parks and Recreation Director   
DATE: May 12, 2017  
SUBJECT: Tree Board Appointment

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The Lansing Tree Board recommends the appointment of Dale Eikmeier to the Lansing Tree Board for a term ending December 31, 2019. This position on the board was advertised and has been posted at City Hall for several months.

Policy Consideration: N/A

Financial Consideration: N/A

Action:

Appoint Dale Eikmeier to the Lansing Tree Board for a term ending December 31, 2019.

**CITY OF LANSING**  
800 First Terrace  
Lansing, Kansas 66043  
Telephone: 913-727-3036 \* Fax: 913-828-4579  
www.lansing.ks.us

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**APPLICATION FOR TREE BOARD MEMBER**

Name: DALE C EIKMEIER  
Lansing Address: 527 South DESOTO  
Home Phone: 727 2668  
Secondary Phone: 680 8557  
E-mail: DEIKMEIER@KC.RR.COM

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

1. Qualifications for the position.
2. Personal philosophy concerning community trees.
3. Desired accomplishments as a Board Member.
4. Willingness to attend board meetings on the 2<sup>nd</sup> Thursday of January, March, May, September and November at 6:00 p.m.
5. The name, address, and telephone number of three personal references.

This appointment is to fulfill an unexpired term on the Tree Board term ending December 31, 2019. Applicants must reside within the Lansing Unified School District # 469, be 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".

**RECEIVED**  
**MAY 08 2017**  
**CITY OF LANSING**

## Application for Tree Board Member

Dale C. Eikmeier

1. Qualifications: I am a nine year resident of Lansing. A retired US Army Colonel with a history of community services in Rotary, the Knights of Columbus, and the Boy Scouts.
2. Philosophy. Trees and woodlands are a valuable natural and spiritual resource that enhances community well-being and civic pride; not only for the current but for future generations.
3. Board Accomplishments. Maintain Tree City status. Increase tree planting.
4. Board meeting attendance. Will strive for active attendance and participation.
5. References:

Barb Eikmeier Tree Board member

527 South Desoto Rd, Lansing, KS 66043 (913) 727-2668

Karen Jessup, Neighbor

14814 Hillside Rd, Leavenworth KS 66048 (931)680 6903


Randy Dorf Tree Board Member

121 Willow, Lansing , KS 66043 (913) 306-4641

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator  
FROM: Jeff A. Rupp, Public Works Director   
DATE: May 11, 2017  
SUBJECT: Project No. 17-02: 2017 Capital Improvements Program Project – Award of Bid

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Four bids were received for the project. The low bid was submitted by Little Joe's Asphalt, Inc. of Bonner Springs, Kansas, in the amount of \$529,456.87.

Policy Consideration: n/a

Financial Consideration: There is \$471,657 available for mill and overlay in Fund 70, Street Contract; \$100,000 available for sidewalk repair in Fund 70, Sidewalk Construction; and \$10,000 available for curb replacement in Fund 70, Curb Replacement, bringing total funding for the project to \$581,657.

Action: Staff recommends a motion to accept the primary base bid of Little Joe's Asphalt, Inc. in the amount of \$529,456.87 for Project No. 17-02: 2017 Capital Improvements Program project, and also, if approved by Lansing Correctional Facility, the add-alternate bid of \$14,548.05 for the museum roadway, for a grand total of \$544,004.92.

City of Lansing  
CIP Bid Tabulations  
Project No. 17-02

[illegible]


City of Lansing  
CIP Bid Tabulations  
Project No. 17-02

				LITTLE JOE'S ASPHALT, INC.		ENGINEER'S ESTIMATE	
ITEM NO	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	L.S.	1	\$3,912.00	\$3,912.00	\$6,000.00	\$6,000.00
2	Traffic Control	L.S.	1	\$4,416.00	\$4,416.00	\$5,000.00	\$5,000.00
3	Asphaltic concrete overlay (BM-2) or HMA Commercial Grade (Class A) No RAP	Tons	4,491	\$60.15	\$270,133.65	\$60.00	\$269,460.00
4	Milling (0"-2")	S.Y.	28,450	\$1.80	\$51,210.00	\$2.00	\$56,900.00
5	Curb & Gutter (Lansing Type A) (2'0") [includes asphalt wedging for spot repairs]	L.F.	3,076	\$29.00	\$89,204.00	\$27.50	\$84,590.00
6	4' Concrete Sidewalk (4") – Remove and Replace	S.Y.	648	\$48.84	\$31,648.32	\$56.00	\$36,288.00
7	5' Concrete Sidewalk (4") – Remove and Replace	S.Y.	101	\$49.76	\$5,025.76	\$56.00	\$5,656.00
8	6' Concrete Sidewalk (4") – Remove and Replace	S.Y.	15	\$59.62	\$894.30	\$56.00	\$840.00
9	7' Concrete Sidewalk (4") – Remove and Replace	S.Y.	58	\$52.18	\$3,026.44	\$56.00	\$3,248.00
10	8' Concrete Sidewalk (4") – Remove and Replace	S.Y.	57	\$52.25	\$2,978.25	\$56.00	\$3,192.00
11	Earthwork	C.Y.	175	\$23.85	\$4,173.75	\$25.00	\$4,375.00
12	Handicap Ramp Replacement with Truncated Dome Panels (contractor provided)	Each	8	\$930.00	\$7,440.00	\$2,000.00	\$16,000.00
13	8" Concrete Valley Gutter	S.Y.	32	\$73.15	\$2,340.80	\$67.00	\$2,144.00
14	Seeding	L.S.	1	\$4,560.00	\$4,560.00	\$2,360.00	\$2,360.00
15	Sodding (Valley sidewalk)	S.Y.	1,611	\$5.40	\$8,699.40	\$6.75	\$10,874.25
16	Concrete Driveway Repair	S.Y.	315	\$61.80	\$19,467.00	\$70.00	\$22,050.00
17	Manhole Adjustment (post-overlay except 2)	Each	11	\$985.00	\$10,835.00	\$1,000.00	\$11,000.00
18	Pavement Marking 4" White	L.F.	4,580	\$0.49	\$2,244.20	\$0.50	\$2,290.00
19	Pavement Marking 4" Yellow	L.F.	4,580	\$0.49	\$2,244.20	\$0.50	\$2,290.00
20	Left/Straight Thermal Plastic Arrows	Each	1	\$625.00	\$625.00	\$950.00	\$950.00
21	Pavement Marking 24" White	L.F.	2,670	\$1.64	\$4,378.80	\$1.25	\$3,337.50
	<b>GRAND TOTAL BASE BID</b>				<b>\$529,456.87</b>		<b>\$548,844.75</b>
	<b>TOTAL WITH ADD-ALTERNATES (MUSEUM ROADWAY)</b>				<b>\$544,004.92</b>		

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## AGENDA ITEM

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TO: Mayor; Lansing City Council  
FROM: Tim Vandall, City Administrator   
DATE: May 12, 2017  
SUBJECT: Wastewater Rates

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Explanation: Pursuant to the council's direction at the previous meeting, staff has prepared an updated wastewater rate ordinance. Wastewater rates are still increasing, but the base charge increase is less than originally planned.

Financial Considerations: The original rate study from 2015 called for a \$5 base fee increase for residential and commercial customers in 2017. Due to lower bid costs, we are able to reduce the base fee increase to \$3. Staff will continue to monitor the wastewater fund to ensure we continue to pay our debts, maintain our infrastructure, and are able to tackle upcoming projects. Staff will ensure the Wastewater Fund remains self sufficient.

Policy Considerations: Ordinance No. 977 repeals and replaces Ordinance 956.

Action: Approve Ord. 977 as presented.



## ORDINANCE NO. 977

**AN ORDINANCE REPEALING ORDINANCE NO. 956 IN ITS ENTIRETY AND ADOPTING AND REPLACING IT WITH ORDINANCE NO. 977 REGARDING THE FINANCIAL PLAN AND USER CHARGE RATE SCHEDULE FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN THE CITY OF LANSING, COUNTY OF LEAVENWORTH, STATE OF KANSAS.**

Pursuant to Article 2 (Sewers), Section 16-207 of the Code of the City of Lansing, Kansas, published under the authority and by the directions of the Governing Body of the City of Lansing, Kansas on March 5, 2015, the City of Lansing is required to develop and implement a User Charge Rate Schedule to generate adequate revenues to spread the costs of operation, maintenance, and replacement costs (O, M & R) for the City's sewer system among users.

BE IT ORDAINED by the Governing Body of the City of Lansing, Kansas

**Section 1.** Pursuant to recommendations made by staff, with consultation of others in the utility industry, the following four (4) year user-charge rate schedule for residential customers hereof is adopted by the Governing Body of the City of Lansing, Kansas.

**Combined Monthly  
Residential User Charge Rate**

Year	Base Charge	Volume Charge (per unit)**	New Customer Charges (6 units)
2016	\$16.00	\$6.00	\$52.00
2017	\$19.00	\$6.75	\$59.50
2018	\$19.00	\$6.75	\$59.50
2019	\$19.00	\$6.75	\$59.50

\*\*1 unit = 750 gallons of water

**Section 2.** Pursuant to recommendations made by staff, with consultation of others in the utility industry; the following four (4) year user charge rate schedule for commercial customers hereof is adopted by the Governing Body of the City of Lansing, Kansas.

**Combined Monthly  
Commercial User Charge Rate**

Year	Base Charge	Volume Charge (per unit)**
2016	\$18.00	\$6.15
2017	\$21.00	\$6.90
2018	\$21.00	\$6.90
2019	\$21.00	\$6.90

\*\*1 unit = 750 gallons of water

**Section 3.** Pursuant to recommendations made by staff, with consultation of others in the utility industry, discharges to the sanitary sewer system in excess of 300mg/L BOD<sub>5</sub>, 300 mg/L TSS, or 100mg/L FOG shall pay an additional surcharge based on the following stated rates or as determined by the City of Lansing after appropriate sampling and analysis.

\$0.85/Pound BOD<sub>5</sub>/Month

\$0.38/Pound TSS/Month

\$0.33/Pound FOG/Month

**Section 4.** Pursuant to recommendations made by staff, Lansing Correctional Facility representative, and consultation of others in the utility industry, the Kansas Department of Correction's monthly User Charge shall be determined proportional to its actual use of the treatment plant based on negotiations and related agreement between the City of Lansing and the Lansing Correctional Facility. The City of Lansing and the Lansing Correctional Facility shall also enter into reasonable, good faith negotiations to determine an acceptable solution if the Lansing Correctional Facility generates sewage flows, over an extended period of time, in excess of its purchased treatment capacity. Incremental changes shall be fully justified and documented by the City of Lansing on an annual basis.

**Section 5. REPEAL.** This ordinance shall repeal Ordinance No. 956 in its entirety.

**Section 6. SEVERABILITY.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**Section 7.** That this ordinance shall be effective from and after its passage, approval and publication in the official City newspaper.

**PASSED AND APPROVED** by the governing body of the City of Lansing, County of Leavenworth, State of Kansas, this 18<sup>th</sup> day of May, 2017.

{SEAL}

\_\_\_\_\_  
Michael W. Smith, Mayor

**Attest:**

\_\_\_\_\_  
Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory Robinson, City Attorney

Published:  
*Leavenworth Times*

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## AGENDA ITEM

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TO: Mayor; Lansing City Council  
FROM: Tim Vandall, City Administrator  
DATE: May 15, 2017  
SUBJECT: City of Lansing-LanDel Agreement-Water Line to Bernard Park

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Explanation: The City has been working with LanDel over the last several months to get water access near Bernard Park. This agreement outlines the City's responsibility for the cost of the installation of the line, up to \$95,000. The line would terminate outside of Bernard Park on the south side of the road, thus the project would not bore under 4H Road at this time. Getting water inside the park would take place once we finalize the park layout, as we do not want to install water lines that could conflict with future dirt work.

Financial Considerations: The City would be responsible for initial costs up to \$95,000. LanDel originally agreed to pay for the cost of upsizing the line to 8", as that helps them to service the area for future growth and development.

Policy Considerations: This is our first step in getting utilities to Bernard Park. Maintenance and upkeep of the waterline would be the responsibility of Lan-Del Water District.

Action: Approve or disapprove of agreement with Lan-Del Water District.

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**AGENDA ITEM #**

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6

**AN AGREEMENT, PURSUANT TO THE AUTHORITY GRANTED BY K.S.A 12-2901  
ET. SEQ., BETWEEN THE CITY OF LANSING, KANSAS, AND THE LAN-DEL  
WATER DISTRICT, FOR THE EXTENSION OF A WATERLINE TO A POINT AT  
THE BOUNDARY OF BERNARD PARK LOCATED IN LANSING, KANSAS**

**WHEREAS** city of Lansing, Kansas and LAN-DEL Water District, are authorized by K.S.A. 12-2901, et. Seq. to enter into agreements in order to undertake projects of common interest and benefit; and

**WHEREAS** the Lansing Governing Body has expressed its interest in an extension of a waterline ("Project") to Lansing Bernard Park; and

**WHEREAS** Lansing and Lan-Del Water District, desire that such improvement be undertaken in such fashion as to maximize the current and future benefit to the citizens of Lansing and Lan-Del users; and

**NOW BE IT THEREFORE AGREED**

1. **Purpose.** That the stated purpose of this agreement between the city of Lansing, Kansas, ("Lansing") and the LAN-DEL Water District ("Lan-Del"), Kansas (collectively known as the "Parties") is to improve and extend a waterline from Lan-Del's current infrastructure to the southeast side of 4-H Road near the boundary of Lansing Bernard Park. The installation of the Project will conform to generally accepted engineering standards for the common good of the Parties, the future development of Lansing and expansion of Lan-Del's service area.

2. **Cooperation.** That the Parties shall cooperate in the Project through mutual and timely consultation and shall execute such future agreements and documents as may be needed to achieve the common purpose of the Parties.

3. **No separate entity created.** It is expressly agreed upon by the Parties that this agreement is entered into under the provision of K.S.A. 12-2901 et. Seq. and that no separate entity is hereby created.

4. **Scope of Project.** The Parties hereby agree that the following, subject to any supplemental agreements as needed to achieve the purpose of the Project, shall serve as the definition of the scope of the Project:

- (a) That Lansing has agreed to pay for the installation (extension) of a waterline from existing Lan-Del infrastructure;
- (b) That Lan-Del has advised that it intends to upsize the waterline to an 8 inch capacity waterline to support future expansion and demand for water in the service area. Lansing has agreed to pay a sum not to exceed \$95,000 for the costs associated with its portion of the installation of the waterline while Lan-Del has agreed to be responsible all cost increases associated with the upsizing to an 8 inch waterline.

5. **Maintenance.** Upon the completion of the Project, Lan-Del shall assume responsibility for the maintenance, repair and upkeep of the Project and its appurtenances.
6. **Cash-basis law.** The provisions of this agreement, as they pertain to the Parties, shall be subject to the provisions of the laws of the state of Kansas, to include the cash-basis laws of the state.
7. **Severability.** In the event that any court, tribunal or administrative agency with competent jurisdiction over the matters addressed within this agreement determines that any specific provision of this agreement is void or ultra-vires, the remaining provisions, terms and obligations as set forth herein shall remain binding upon the Parties.
8. **Authority to enter into the Agreement.** Each of the undersigned state and covenant that they have the express authority of their respective governing bodies to enter into this agreement and bind them to the terms contained herein.
9. **Date of Entry into Agreement.** That this agreement shall become binding upon the Parties upon the date of the execution of this agreement by the party last doing so.
10. **Title VI.** The Parties assure that no person shall on the grounds of race, color, national origin, sex, disability, age or low income status as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Parties further assure every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.
11. **Governing Law and Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas. Each Party hereby consents to the personal jurisdiction of any state or federal court located in the State of Kansas.
12. **Counterparts.** This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed to be an original instrument.
13. **Waiver.** No waiver by any Party, at any time, of any breach of any provision of this Agreement shall be deemed a waiver or a breach of any other provision herein or consent to any subsequent breach of the same or any other provision. If any action by any Party shall require the consent or approval of another Party, such consent or approval of such action on any one occasion shall not be deemed a consent to or approval of such action on any subsequent occasion or a consent to or approval of any other action.
14. **Headings.** The captions and the paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and do not define, limit, construe or describe the scope or intent of this Agreement.
15. **Binding Effect.** This Agreement shall be binding upon and enure to the benefit of the

Parties hereto, their respective heirs, legal representatives, administrators, successors-in-interest and assigns.

16. **Assignment.** No Party to this Agreement shall assign any right or interest arising under this Agreement without the prior written consent of the other parties to this Agreement.

**FOR THE CITY OF LANSING, KANSAS**

\_\_\_\_\_  
**MAYOR**

**DATE:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**FOR THE LAN-DEL WATER DISTRICT**

\_\_\_\_\_  
**CHAIRMAN**

**DATE:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**Water District Clerk**



## *Proclamation - National Kids to Parks Day*

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*Whereas, May 20, 2017 is the seventh National Kids to Parks Day organized and launched by the National Park Trust; and*

*Whereas, National Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and*

*Whereas, it is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and*

*Whereas, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and*

*Whereas, National Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and*

*Whereas, National Kids to Parks Day will broaden children's appreciation for nature and the outdoors; and*

*Now Therefore, be it resolved that I, Michael W. Smith, Mayor of the City of Lansing, in the State of Kansas designate May 20, 2017 as*

### ***National Kids to Parks Day***

*And urge residents of Lansing to make time on May 20th to take the children in their lives to a neighborhood, state, or national park,*

*In witness thereof, I have hereunto set my hand and caused the great seal of the City of Lansing to be affixed this 18th day of May, in the Year of Two Thousand and Seventeen.*

*City of Lansing*

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*Michael W. Smith, Mayor*

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*Sarah Bodensteiner, City Clerk*

7





# *Proclamation - National Public Works Week*

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***WHEREAS**, public works infrastructure, facilities, and services are of vital importance to sustainable communities and to the health, safety, and well-being of the people of Kansas; and*

***WHEREAS**, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers, and employees from state and local units of government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to serve our citizens; and*

***WHEREAS**, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain a progressive interest and understand the importance of public works and public works programs in their respective communities; and*

***WHEREAS**, the year 2017 marks the 57th annual National Public Works Week sponsored by the American Public Works Association:*

***NOW, THEREFORE**, I, Michael W. Smith, Mayor of the city of Lansing, Kansas, do hereby proclaim May 21-27, 2017, as*

## ***National Public Works Week***

*in Lansing, Kansas, and I urge all our citizens to join with representatives of the American Public Works Association and government agencies in activities and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they have made to our national and local health, safety, welfare, and economy.*

***In Witness Whereof**, I have hereunto set my hand this 18th day of May, in the year Two Thousand Seventeen.*

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*Michael W. Smith, Mayor*

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*Sarah Bodensteiner, City Clerk*

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Lansing Police Department  
Vehicle Fleet End of Month Report

Apr-2017

Unit	Year	Make/Model	Mileage as of 03/31	Mileage as of 05/01	Miles Driven	Current Use	Future Use	Comments
1	2013	Ford Explorer	59188	60048	860	Patrol	Patrol	Fit for patrol duty
2	2012	Dodge Charger	31319	32106	787	Sergeants	Sergeants	Limited Use - Sergeants
3	2015	Ford Explorer	21360	23226	1866	Patrol	Patrol	Fit for patrol duty
4	2015	Ford Explorer	15355	15901	546	Patrol	Patrol	Fit for patrol duty
5	2012	Dodge Charger	21699	22540	841	Captain	Captain	KLETC transport
6	2013	Ford Explorer	41129	41670	541	Patrol	Patrol	Fit for patrol duty
7	2011	Dodge Charger	97606	97805	199	Detective	Detective	Limited Use - Detective
8	2011	Dodge Charger	70285	71939	1654	Patrol	Patrol	Fit for patrol duty
9	2012	Chevy Tahoe	81148	82360	1212	Patrol	Patrol	Fit for patrol duty
10	2011	Dodge Charger	34419	36141	1722	Chief	Chief	Limited Use - Chief
11	2003	Ford F150	75290	75437	147	Animal Control	Animal Control	Fit for Animal Control duties
13	2010	Dodge Charger	99661	101631	1970	Retired	Retired	Awaiting downfit
14	1995	Ford EOC Vehicle	162184	162184	0	EOC	EOC	Limited Use - EOC
15	2016	Dodge Charger	7855	8000	145	Patrol	Patrol	Down for repairs
17	2016	Dodge Charger	9832	10788	956	Patrol	Patrol	Fit for patrol duty
X13	2017	Dodge Charger	0	111	111	Captain	Patrol	Awaiting parts for upfit
				<b>Mileage Total:</b>	13557			

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

Year	Make	Model	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	LT	LT. Pick-up Ext	51,794	52,104	310	
2007	Ford	LT	LT. Pick-up Ext	35,499	35,895	396	
1998	Ford	1/2 ton	Pick-up	59,700	59,904	204	
2001	Ford	Ranger	LT. Pick-up Ext	115,577	115,694	117	
2005	Ford	Ranger	LT. Pick-up Ext	39,215	39,348	133	
2000	Ford	Explorer	SUV	184,887	185,135	248	
2005	Sterling	LT 8500	Dump Truck	47,138	47,138	0	
2007	Elgin	Crosswind J+	Street Sweeper	5,288	5,438	150	
1992	Ford	700	Dump Truck	62,887	62,887	0	
2017	Chevrolet	3500	Pick-up Truck	0	548	548	
2002	Ford	F350 4x4	Dump Truck	70,736	70,792	56	
2011	International	7400	Dump Truck	11,830	11,839	9	
2016	Ford	F350 4x4	One-ton Dump Truck	1,703	1,917	214	
2006	Dodge	Charger	Sedan	121,453	121,622	169	

**Equipment**

<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Description</b>	<b>Hours Starting</b>	<b>Hours Ending</b>	<b>Hours Used</b>	<b>Comments</b>
1997	JD	770BH	Grader	4,985	5,002	17	
2004	IR	DD-24	Asphalt Roller	252	252	0	
2006	IR	185	Air Compressor	177	179	2	
1993	Ford	5030	Tractor	423	424	1	
1997	Bobcat	763	Skid Steer	2,021	2,021	0	
2014	Case	580 SNWT	Backhoe	574	588	14	
2002	Crafco	110	Crack Sealer	778	778	0	
2003	Kubota	L3710	Tractor	1,462	1,465	3	
2009	Case	465	Skid Steer	530	531	1	
2004	Case	621D	Front Loader	2,186	2,186	0	at treatment plant

Apr-17

City Influent	47.1 MG	City Avg Daily	1.57 MG
LCF Influent	14.66 MG	LCF Daily Avg	.489 MG
Total Biosolids	1.0 MG	Precip	5.51"

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1995	Dodge	3500	Flatbed Truck	87389	87389	0	Collection System	
1999	Sterling	Vactor	Jet Truck	8052	8052	0	Collection System	
2002	Ford	350	Pick Up Truck	90541	90823	282	Ops/Maint.	
2006	Ford	Cr Vic	Sedan	148717	148941	224	Ops/Maint.	
2005	Ford	550	Flatbed Truck	41821	41856	35	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	18332	18462	130	Biosolids Disposal	
Total						671		

Year	Make	Model	Description			Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	938	938	0	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2219	2219	0	Collection System	
1999	Aries	Saturn III	Camera Trailer	343	344	1	Collection System	
2004	John Deere	7920	Tractor	1136	1136	0	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	1144	1145	1	Operations	
2004	Case	621D	Loader	2174	2180	6	Operations	
2005	Polaris	Ranger #2	Utility Vehicle	1056	1066	10	Maintenance	
2006	JCB	531-70	Telehandler	515	516	1	Plant Activities	