



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

**COUNCIL AGENDA**  
**Regular Meeting**  
**Thursday, December 15, 2016**  
**7:00 P.M.**

**WELCOME TO YOUR CITY COUNCIL MEETING**

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

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

***Call To Order***

***Pledge of Allegiance***

***Roll Call***

**OLD BUSINESS:**

1. Approval of Minutes

**NEW BUSINESS:**

***Audience Participation***

***Presentations***

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

2. Resolution for Kansas PRIDE Program
3. Renewal of Special Use Permit (401 Fairlane)
4. Renewal of Special User Permit (336 Fawn Valley Ct)
5. Councilmember Resignation – Kevin Gardner

***Reports:***

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

***Other Items of Interest***

6. Department Vehicle and Equipment Mileage Reports
7. Thank you – Lansing Community Library
8. Informational Timeline of Events for Sales Tax Mail Ballot Election

***Adjournment***

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# AGENDA SUMMARY

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TO: Tim Vandall, City Administrator  
FROM: Sarah Bodensteiner, City Clerk  
DATE: December 9, 2016  
SUBJECT: Agenda Summary

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## Call To Order

## Pledge of Allegiance

## Roll Call

## OLD BUSINESS:

### 1. Approval of Minutes

- The regular meeting minutes of December 1, 2016, are attached.
- **MOTION:** To approve the regular meeting minutes of December 1, 2016.

## NEW BUSINESS:

## Audience Participation

## Presentations:

## Items for Council Consideration:

### 2. Resolution for Kansas PRIDE Program

- A resolution pledging support for the Kansas PRIDE Program.
- **MOTION:** To adopt Resolution B-5-16.

### 3. Renewal of Special Use Permit – 401 Fairlane

- Renewal of Special Use Permit for more than 4 animals.
- **MOTION:** To approve or deny the special use permit for 401 Fairlane.

### 4. Renewal of Special Use Permit – 336 Fawn Valley Ct.

- Renewal of Special Use Permit for more than 4 animals.
- **MOTION:** To approve or deny the special use permit for 336 Fawn Valley Ct.

### 5. Councilmember Resignation – Kevin Gardner

- Councilmember Gardner has submitted a letter of resignation from the Council.
- **MOTION:** To accept the resignation of Councilmember Kevin Gardner.

## Reports: Department Heads; City Attorney; City Engineer; City Administrator;

## Councilmembers

## Proclamations

## Other Items of Interest:


6. Department Vehicle and Equipment Mileage Reports
7. Thank you – Lansing Community Library
8. Informational Timeline of Events for Sales Tax Mail Ballot Election

## Adjournment

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Sarah Bodensteiner, City Clerk  
DATE: December 5, 2016  
SUBJECT: Approval of Minutes

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The regular meeting minutes for December 1, 2016, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for December 1, 2016.

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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 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:**

**Ward 4:** Tony McNeill and Gregg Buehler

**Councilmembers Absent:** Kerry Brungardt and Jesse Garvey

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**OLD BUSINESS:**

**Approval of Minutes:** Councilmember Buehler moved to approve the regular meeting minutes of November 17, 2016. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

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

**Presentation: National Flood Insurance Program Community Rating System Plaque:** Mayor Kirby was presented a plaque by Sara Henry, National Flood Insurance Program Specialist for Kansas Region VII. Ms. Henry commended the City for its achievement of a lower rating and continued efforts in the program.

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Consent Calendar:** Councilmember Pawlowski moved to approve the consent calendar as presented. Councilmember Buehler seconded the motion.

- Councilmember Trinkle asked have there been any problems or anything with these Steve.
  - Police Chief Steve Wayman replied no.

The motion was unanimously approved.

**Renewal of Special Use Permit – 125 Rock Creek Loop:** Councilmember Buehler moved to approve the special use permit for 125 Rock Creek Loop. Councilmember Pawlowski seconded the motion.

The motion was unanimously approved.

**Renewal of Special Use Permit – 128 E. Kansas:** Councilmember Buehler moved to approve the special use permit for 128 E. Kansas. Councilmember Studnicka seconded the motion.

- Councilmember Gardner stated Steve is this one, I noticed in my full packet here, some of them didn't have up to date vaccinations, is this one of them?
  - Police Chief Steve Wayman replied this was, but she has taken care of this today, so it has been taken care of and it is up to date on that.
- Councilmember Pawlowski asked and there are not problems or anything is there.
  - Police Chief Steve Wayman replied no.

The motion was unanimously approved.

**Renewal of Special Use Permit – 336 Fawn Valley Ct:** Councilmember Buehler moved to approve the special use permit for 336 Fawn Valley Ct. Councilmember Studnicka seconded the motion.

- Councilmember Gardner asked is everything good on this one.
  - Police Chief Steven Wayman replied this one they have not.
    - Police Captain Benjamin Ontiveros stated I checked after close of business today and she had not come in to take care of that. I would recommend that you either table it until December 15<sup>th</sup>, or approve it on the condition that she comes in and takes care of that by December 15<sup>th</sup>. I will be sending out a letter tomorrow with these deadlines on there for her to get that accomplished, and if she does not she will be informed that citations will be issued.

Councilmember Studnicka withdrew his second.

Councilmember Buehler withdrew his motion.

Councilmember Studnicka moved to table this item until December 15, 2016. Councilmember Buehler seconded the motion.

- Mayor Kirby stated I've got some questions, I assume that they would know that they have to have this stuff done.
  - Police Captain Benjamin Ontiveros replied I did the inspection on, I believe, the 21<sup>st</sup> of November, and when I was there with her I verbally told her that she had to get it done prior to the council meeting.
    - Mayor Kirby stated but this is the renewal for a permit, correct, so this is something that she should already be aware of as far as paperwork and the rabies and all that stuff, vaccinations.
      - Police Captain Benjamin Ontiveros replied yes.

The motion was unanimously approved.

**Renewal of Special Use Permit – 110 N. Ethel Ln.:** Mayor Kirby stated Mr. Nelson you have the floor sir.

- Mr. Nelson at 108 N. Ethel Ln. stated I am here today to speak against the renewal of the special use permit of 110 N. Ethel Ln. The topics that I plan to cover today are simply updates from the two previous discussions we've had, 16 June and 15 September. Point number 1, when Animal Control Officer Dave Asmus completed the special use permit packet he never contacted the neighbor on the adjoining property to the back. Officer Asmus only requested information and comments from 108 Ethel Ln. and 112 Ethel Ln. For example, Mr. Cook at 116 Ralph Drive which shares a property line with the Thompsons was never contacted. I feel in order for a special use permit to be valid and for all voices to be heard, everyone that shares a property line with the persons filing for the application needs to be contacted. Point number 2, Mrs. Thompson's daughter still walks all six dogs around the neighborhood without poo bags. These six dogs poop in the neighborhood during their walks and it's not cleaned up. I mentioned this on 16 June and 15 September, the situation has not changed. According to Chapter 2, Section 302, paragraph bravo of Lansing City Code, it shall be unlawful for any person who is an owner or possessor of an animal in their care to fail to remove excrement deposited by the animal upon any public or private property, other than the property owner of the animal. To be completely honest, I don't blame the little girl for her actions, I don't think it's her fault, I think the parents need to take time to explain the rules and if the parents don't know or didn't know that it was against city code, they should at least know that it's considered rude to allow your pet to deposit excrement in a neighbor's yard. The dogs are constantly barking. Most nights they bark after daylight hours, and City Code Chapter 12, Section 301, paragraph B6, the owning, keeping, or harboring of any animal that continuously, repeatedly, or persistently for 30 minutes or more, without provocation by the complainant, howls, barks, or emits audible sounds which shall annoy, distress, or disturb the quiet, comfort, or response of any person of reasonable sensibilities within the vicinity. I also brought this to the Council on 16 June and 15 September. Since 15 September and removal of one of the dogs, it has gotten better, but I believe the root cause is the dogs from Unleashed are rotated in and out of the home every six to eight weeks, therefore never adjusting to their environment. The dogs are never corrected for their barking behavior, they are allowed to bark until the residents get tired of the barking and yell and tell them to come inside. In my opinion, if the Thompsons would spend more time training the dogs not to bark the issue could correct itself. Point number 4, the residents don't clean up the dog poop in the backyard. While I was gone for approximately two months, I had someone house sit for me. The young lady that was house sitting refused to go into the backyard and take care of the things in the backyard because of the smell. I asked her to contact the police, she said she didn't want to get involved and that I could handle it when I got back. Once again, if the occupants of the home would pick up after the dogs at least once a day, the issue could correct itself. Point number 5, I called the police several times and I reported the smell. I reported when they had one dog tethered over two hours to something near the garage. This particular dog was tethered so close to the garage door it could not reach the grass. As the dog stood outside and barked at every car that drove by and every person that walked by. Again, this issue could be resolved if they spent more time training the dogs. Point number 6, the dogs dig under the fence. I have provided Mr. McNeill and Mr. Buehler copies of pictures earlier today, I brought copies with me if any of you would like to see them. Once again, this problem could be resolved if they would train the dogs. Point number 7, the most recent time when I've contacted the City to complain about the residents at 110 Ethel Ln., was Monday the 28<sup>th</sup>. I contacted Tim Dossey, to notify him that all fall the people at 110 Ethel Ln. have been raking their leaves into the street. This may seem like an unrelated issue, but if people can't clean up after themselves how can they be expected to clean up after six dogs. In closing, I am strongly opposed to the special use permit being renewed for 110 N. Ethel Ln., for the points I've mentioned. Most of the issues could be resolved by the residents spending more time training the dogs, cleaning up after the dogs, and cleaning up after themselves. Since it has been demonstrated time and time again this is not a feasible option. I request no renewal at this time. Please understand I'm not totally against the idea of them having more than four animals, what I am against is the fact that they have not demonstrated that they can handle the added responsibility. Therefore, until they can demonstrate they can handle four animals I don't see why they should be allowed to have six. This concludes my statements, I'll stand by for any questions.
- Councilmember McNeill stated the form here stated that there were no complaints. We either had complaints or we didn't have complaints.



- Police Captain Benjamin Ontiveros stated I did a local records check in our database for the addresses that adjoin 110 N. Ethel Ln. There were associated complaints before September 1<sup>st</sup> and I've talked with Sarah about this and I believe that was when the previous permit had been approved. Since that time there are no reports listed in our database as far as complaints associated with the animals. There are other issues, or at least Police have been called there for other reasons, but not related to the animals that we have in the Police Department. If he's contacted Code Enforcement, we don't have access to those records.
  - Mr. Nelson stated at least two weeks after the 15 September City Council meeting I called an Officer out because of the smell. He came over and suggested I assist Jerry, who lives behind them, that I mentioned in my statements, to pick up leaves, pick up some stuff in his backyard and hopefully that would alleviate the smell. That's what Tim told me to do.
- Councilmember Pawlowski asked if you call Police and an Officer goes and they don't anything, just talk to him, do they log that.
  - Police Chief Steve Wayman responded normally on a call like that, did you call dispatch or the office?
    - Mr. Nelson replied dispatch, Leavenworth County dispatch because it was after hours.
      - Police Chief Steve Wayman stated when we get called to an address, they do an automatic logging report on whatever it would be. Not saying he didn't, we're just not showing any record of it. Anytime they dispatch us any place they log a case number for us.
- Councilmember McNeill stated one of the things, my reasoning for either approval or disapproval of special use permits is highly based on whether or not that person has had complaints. It's important to know whether or not we've had complaints or no complaints, I know you've been here before, we did the special use permit in September and this is coming up for renewal, we're being told there's no complaints.
  - Councilmember Pawlowski stated but he's complaining.
    - Councilmember McNeill stated I know, but at the time, I mean it's been a year right?
      - Police Chief Steve Wayman replied this one was just approved in September.
        - Councilmember McNeill stated so since September you still had issues.
          - Mr. Nelson stated I've had officers out there twice.
  - Councilmember McNeill stated the actual permit stated two dogs and various other animals, I mean, do we know what the various other animals are or is it another four dogs is it six?
    - Police Captain Benjamin Ontiveros stated from my understanding it's a foster home, so they could have their four animals one week, and they could have all dogs then get rid of those, then the following week, they could have four dogs and two cats.
      - Councilmember McNeill stated so it's a mix.
        - Police Captain Benjamin Ontiveros stated because it's a foster shelter and they are having animals come in and out.
          - Councilmember Gardner stated they hold them there until they go to a different place.
            - Police Chief Steve Wayman stated yes, they foster them until they find a permanent home to take them to, so they would have animals in and out of the house.
    - Councilmember Buehler asked so the pictures that you sent from their yard digging into your yard under the fence.
      - Mr. Nelson replied yes sir.
    - Councilmember Gardner stated if they are only there a short time I don't know how you would expect them to train them or train a dog to behave for a short amount of time before they ship them off somewhere else.
      - Mr. Nelson replied that's kind of my point sir, I get that they want to help animals, I'm not opposed to that, but if their other four dogs, if they aren't training those dogs then the other two dogs that are introduced into the environment are gonna act just the same as the other two.
    - Councilmember McNeill stated it's kind of the issue of having a rescue shelter in the middle of your neighborhood. Most rescue shelters are out on lots of property so they are not normally impacting the residents in a cul-de-sac or in a residential area.
    - Mayor Kirby stated to your point, we're not asking them to get rid of the animals they own, this just probably isn't the right place for a rescue.
      - Councilmember Pawlowski stated but at the same token if they can't handle their own dogs isn't that also a problem.
        - Councilmember McNeill stated but that's a separate issue. The special use permit is for more animals than they can actually have.
    - Mayor Kirby stated so essentially what you'd be doing is they be allowed to keep their dogs, just not be able to operate as a rescue.

- City Administrator Tim Vandall asked would they be able to operate with their two dogs and then two rescue dogs.
  - Councilmember Pawlowski stated they just can't have more than four and they have to be tagged.
    - Councilmember McNeill stated this falls under the same rules as anybody that owns a pet, and if there are complaints like barking and things like that, it's still a violation.
      - Councilmember Pawlowski stated the neighbors shouldn't have bear the brunt of these people not being able to control.
- Councilmember McNeill stated I'm with Kevin, you aren't going to train rescue dogs when you have them for two or three weeks, it's just not possible, unless you're the dog whisperer or something.
- Councilmember Pawlowski asked do we have a motion.
  - Councilmember Buehler stated no we don't.
- Councilmember Trinkle stated the picking up of the poo doesn't matter if it's a rescue or whatever they are, that needs to happen.
  - Councilmember Buehler stated it's just courtesy.

Councilmember Pawlowski moved to deny the special use permit for 110 N. Ethel Ln. Councilmember Studnicka seconded the motion.

- Councilmember Gardner asked if we deny this they are still allowed up to four animals.
  - Mayor Kirby stated correct.
    - Councilmember Gardner stated and if the problems persist then it's...
      - Councilmember Pawlowski stated then they get tagged and ticketed.
        - Councilmember Buehler stated then they get ticketed and ticketed and ticketed.
          - Police Chief Steve Wayman stated they can have up to four animals, it's anything over four they can't have.
- Councilmember McNeill stated I want to clarify that the dogs they currently have, once those go then it's four. If they have six right now, then three weeks from now, the rescue dogs are out, then you don't bring more rescue dogs in.
- Councilmember Pawlowski stated I think the special use permit expires on January 1<sup>st</sup> right?
  - Councilmember McNeill stated right.
    - Councilmember Pawlowski stated the one that is currently in effect.
      - City Clerk Sarah Bodensteiner stated correct, as of January 1 the permit will no longer exist.
        - Councilmember McNeill stated that gives them a month.
          - Mayor Kirby stated that gives them time to get rid of what they have.
- Councilmember McNeill asked they're not here tonight right.
  - Police Chief Steve Wayman replied no, they are not.
    - Mayor Kirby stated and they are not here. We have a motion to deny, is there any other discussion?

The motion was unanimously approved.

- Mayor Kirby asked so Steve they'll be notified.
  - Police Chief Steve Wayman replied yes they will be.

**Parks & Recreation Advisory Board Appointments:** Councilmember Buehler moved to appoint Brian Sweet to the Lansing Parks & Recreation Advisory Board for an unexpired term ending December 31, 2017, and to appoint Eric Caldwell, John Orkwis, Tom Pawlowski, Tom Farris, and Cheryl Farris to the Lansing Parks & Recreation Advisory Board for a term ending December 31, 2018. Councilmember McNeill seconded the motion.

The motion was unanimously approved.

**Tree Board Appointment:** Councilmember Trinkle moved to re-appoint Kevin Gardner to the Lansing Tree Board for a term ending December 31, 2019. Councilmember Pawlowski seconded the motion.

The motion was approved, with Councilmember Gardner abstaining from the vote.

**Court Services Contract:** Councilmember Pawlowski moved to approve the Court Services Contract as presented. Councilmember Buehler seconded the motion.

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 that the County would like to have a Joint Meeting regarding the McIntyre Road project to discuss the design and let the public weigh in. The Governing Body thought January 12<sup>th</sup> would be a good date. Tim will forward that date to the County to see if that works for them. Tim also mentioned that the City has sent the County the modifications to the Memorandum of Understanding for McIntyre road about a month ago and we have not yet heard back. The County staff is aware that the ball is in their court on that document. Tim also mentioned that the street itself is a combination of a collector and arterial road and as such, the standards are a combination of both City and County standards and that all the standards were laid out in the Memorandum of Understanding. Tim also mentioned that KDOT has moved up the timeline on the DeSoto Road project and that effects the timing of the Sales Tax Election and when money would be available. He also discussed options for the timing of the Sales Tax Election and advised the Council to think the options over and we would discuss at a future meeting and he would provide a more definitive timeline. Tim mentioned that in discussions regarding spurring growth, ideas have been kicked around regarding waiving permit fees on new construction. Tim asked the Council and staff to think about this option and other options and we will discuss at a future meeting. Tim advised that we have hired two police officers and they will be starting soon and going to the academy. Tim also advised that he has been in contact with Lan-Del regarding status on the water line to Bernard Park. He stated that Lan-Del is working on the easement acquisitions, and that it is taking longer than they had anticipated, but they are working on them.

**Governing Body:** Mayor Kirby sends his prayers, thoughts, and gratitude to the officers who have worked the two fatality accidents in the last week. It has been the same guys and he knows how difficult it has been and thanks them for their hard work. He also thanked the community for taking Angel Tree Tags and/or made a donation and that the City Hall tree is all out of tags. Tags do remain at the Library.

Councilmember Gardner congratulated staff for their efforts in getting the flood rating down and that it is another indicator that the City is making strides to be the best City that it can with safety, finances, and efforts like the flood rating.

Councilmember Buehler congratulated the Economic Development and Public Works Department for their efforts on the flood rating. He also provided a fun fact, on this day in 1955 in Montgomery, Alabama, Rosa Parks was arrested for breaking the Montgomery segregation laws by refusing to give up her seat to a white man and it was the start of the Civil Rights Movement.

Councilmember McNeill echoed the congratulations for getting the lowered flood rating.

Councilmember Studnicka stated it's always great to get a break on insurance and it was good work by the staff.

Councilmember Trinkle seconded the sentiments about the flood rating and officer's wellbeing regarding the fatality accidents.

**ADJOURNMENT:** Councilmember Trinkle moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:43 p.m.

**ATTEST:**

\_\_\_\_\_  
Louis E. Kirby, Mayor


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



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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Sarah Bodensteiner, City Clerk  
DATE: November 29, 2016  
SUBJECT: Resolution for Kansas PRIDE Program

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Lansing PRIDE is asking that the City Council adopt Resolution B-5-16 pledging their support to the Kansas PRIDE Program. Having an annual resolution in support of PRIDE is very worthwhile and confirms the City's on-going commitment to the organization.

Action: Staff recommends a motion to adopt Resolution B-5-16 supporting the Kansas PRIDE Program.

**KANSAS PRIDE PROGRAM  
ENTRY GOVERNMENT RESOLUTION  
YEAR 2017**

**Resolution No. B-5-16**

**WHEREAS**, local municipal government has a responsibility to develop the capacity to undertake a viable community development effort; and

**WHEREAS**, community development needs and problems can best be determined and solved through a cooperative effort between elected officials and those citizens they represent; and

**WHEREAS**, the Kansas PRIDE Program, co-administered by the Kansas Department of Commerce & Housing and K-State Research and Extension, has been reviewed and found to be a means to improve our community, and

**WHEREAS**, the Mayor and Council do herewith pledge their full support, endorsement, and cooperation in carrying out the requirements of the Kansas PRIDE Program.

**NOW THEREFORE BE IT RESOLVED**, that the community of the City of Lansing urges its citizens to join this effort and hereby declares this city to be an official entrant in the PRIDE Program for the year of 2017.

**PASSED AND APPROVED THIS 15th DAY OF DECEMBER IN THE YEAR OF 2016.**

**{SEAL}**

\_\_\_\_\_  
**Louis E. Kirby, Mayor**


**Attest:**

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

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Steven L. Wayman, Chief of Police  
DATE: November 29, 2016  
SUBJECT: Renewal of Special Use Permit (401 Fairlane)

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The resident at 401 Fairlane has submitted a renewal request for a special use permit for more than four (4) animals at their property. Police Captain Ben Ontiveros conducted a re-inspection and his report is included for your review.

Action: A motion to approve or deny the Special Use Permit as requested.



# City of Lansing

## Police Department



To: Steve Wayman, Chief of Police

Date: 11/28/2016

CC:

Subject: 401 W. Fairlane

Thru:

Annual Permit Renewal

From: B. Ontiveros, Captain

City Clerk Sarah Bodensteiner provided a copy of an annual permit renewal submitted by Angelia DeHaven who resides at 401 W. Fairlane, Lansing, KS, 66043.

The permit renewal is a request to continue the housing of ten (10) dogs and five (5) cats.

401 W. Fairlane is situated on the south side of W. Fairlane. It is a single family residence with adjoining residences to the east, south, west, and bordered to the north by city maintained roadway. All adjoining/border residences are single family residences.

On 11/28/2016 I met with DeHaven at her residence. I was escorted throughout the house and the back yard where all animals are to be maintained. Photos were taken and are attached.

A preliminary local records check from 1 Jan 2016 to date found no. Records prior to 1 Jan 2016 were not checked.

A preliminary city licensing and rabies vaccination check from 1 Jan 2016 to date found DeHaven to be current and in compliance with registration/vaccination requirements.

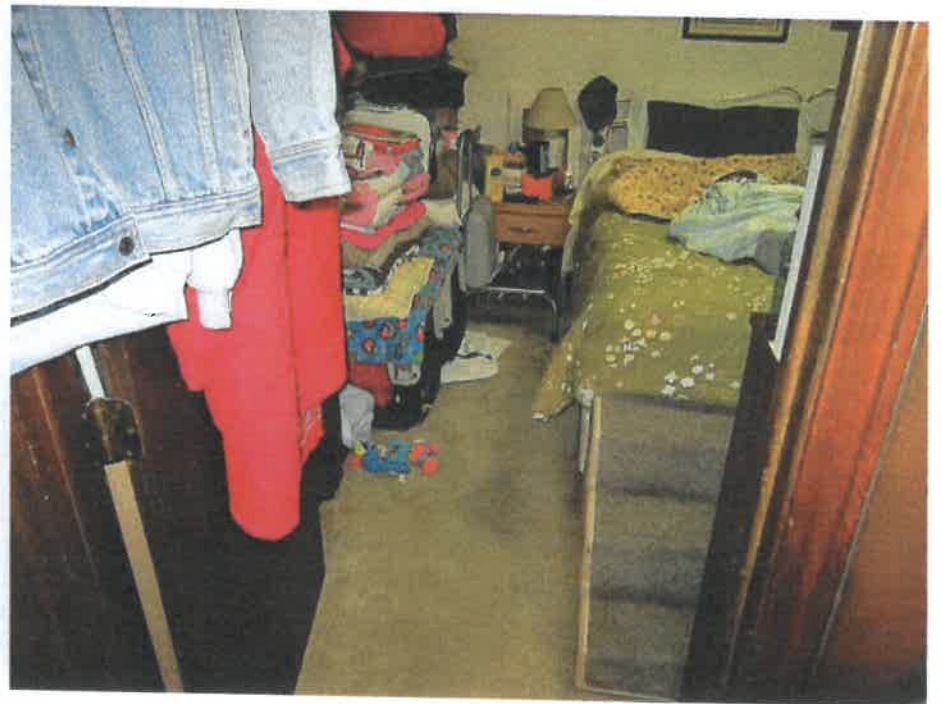


2017 Annual Permit Renewal  
Angelia DeHaven  
401 Fairlane  
Lansing, KS 66043

10 Dogs & 5 Cats

DOI: 28 Nov 2016  
B. Ontiveros #1504













Applicant Name: ANGELIA M. DEHAVEN

Address: 401 FAIRLANE STREET LANSING KANSAS 66043  
Street City State Zip Code

Proposed Location (if different): SAME  
Street City State Zip Code

Mailing Address (if different): SAME  
Street City State Zip Code

Telephone (Day): 913-306-5683 Telephone (Evening): SAME Email: ljohnson6@kc.rr.com  
Street City State Zip Code

Property Owner Name: ANGELIA M. DEHAVEN Property Owner Telephone: 913-306-5683

Property Owner Address: 401 FAIRLANE STREET LANSING KANSAS 66043  
Street City State Zip Code

Number of Each Type of Animal: 10 DOGS, 5 MALE 5 FEMALE

General Description of Each Animal: 8 MINIATURE DACHSHUNDS, 5 RED, 3 ARE MALE, 2 ARE FEMALE, 3 BLACK AND TAN, 2 ARE MALE, 1 IS FEMALE. 1 BLACK AND TAN CHIWEENIE, FEMALE. 1 BLACK AND TAN MEAGLE, FEMALE.

Noises or Odors Anticipated: MINIMAL NOISE OR ODOR AS THE ANIMALS ARE NOT LEFT OUT SIDE UNATTENDED AND THE YARD IS CLEANED 3 TIMES A WEEK.

Housing Arrangements for All Such Animals including Safety or Structure, Locks, Fencing, etc.: BACKYARD IS ENCLOSED BY A 6' PRIVACY FENCE WITH THE GATE CLOSED AND SECURLY LATCHED AND ANIMALS ARE KENNELED WHILE IN THE HOUSE ALONE.

Interest in Such Animal(s): EACH DOG WAS A RESCUE AND SOME HAVE SPECIAL NEEDS REQUIRING SPECIAL DIETS, MEDICATIONS, AND TREAMENTS.

Any Information Regarding Vicious or Dangerous Propensities of All Such Animals: NONE

Safety Precautions to be Taken: \_\_\_\_\_

Prior Incidents Involving Public Health or Safety: NONE

**LICENSE INFORMATION**

Type of License: ☒ More than 4 Animals (\$25.00) ☐ Other: \_\_\_\_\_ (\$25.00) Renewal: ☒ Yes ☐ No

I declare under penalty of false statement that, to the best of my knowledge and belief, the statements made herein are true and correct.

Signature: [Signature] Date: 14 Nov 16

No license shall be issued until the applicant or premise complies with all codes and ordinances of the City of Lansing. The Police Department may also review this application and schedule an inspection prior to license approval.

**FOR OFFICIAL USE ONLY:**

Application Received By: \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
Cost: \_\_\_\_\_ License Period: \_\_\_\_\_  
Amount Received: \_\_\_\_\_ ☐ Cash ☐ Check ☐ Credit  
Additional Information Required: ☐ Copy of Insurance  
☐ Indemnity Statement ☐ Vaccination Information  
☐ Spay/Neuter Information ☐ Identification Photographs  
Inspection Scheduled: \_\_\_\_\_  
Police Signature: \_\_\_\_\_  
Council Meeting Date: \_\_\_\_\_ ☐ Approved ☐ Denied

15 DEC Council Mtg  
7:00 pm



Applicant Name: ANGELIA M. DEHAVEN

Address: 401 FAIRLANE STREET LANSING KANSAS 66043  
Street City State Zip Code

Proposed Location (if different): SAME  
Street City State Zip Code

Mailing Address (if different): SAME  
Street City State Zip Code

Telephone (Day): 913-306-5683 Telephone (Evening): SAME Email: ljohnson6@kc.rr.com

Property Owner Name: ANGELIA M. DEHAVEN Property Owner Telephone: 913-306-5683

Property Owner Address: 401 FAIRLANE STREET LANSING KANSAS 66043  
Street City State Zip Code

Number of Each Type of Animal: 5 CATS, 2 FEMALE, 3 MALE (dogs are on page 2)

General Description of Each Animal: DOMESTIC SHORT HAIR WHITE FEMALE, DOMESTIC SHORT HAIR ORANGETABBY MALE,  
DOMESTIC SHORT HAIR BLACK MALE, DOMESTIC SHORT HAIR TORTISESHELL FEMALE,  
DOMESTIC LONG HAIR BLACK/WHITE MALE.

Noises or Odors Anticipated: NO NOISE OR ODOR OFFENSIVE TO THE NEIGHBORS AS THE ANIMALS ARE KEPT INSIDE  
AND LITTER IS CHANGED DAILY.

Housing Arrangements for All Such Animals including Safety or Structure, Locks, Fencing, etc.: MALE CATS ARE HOUSED IN ONE  
BEDROOM AND THE FEMALE CATS ARE HOUSED IN A SECOND BEDROOM.

Interest in Such Animal(s): THESE ANIMALS ARE RESCUES AND ARE FAMILY PETS.

Any Information Regarding Vicious or Dangerous Propensities of All Such Animals: NONE

Safety Precautions to be Taken: NONE

Prior Incidents Involving Public Health or Safety: NONE

#### **LICENSE INFORMATION**

Type of License: ☒ More than 4 Animals  
(\$25.00)

☐ Other: \_\_\_\_\_  
(\$25.00)

Renewal: ☒ Yes ☐ No

I declare under penalty of false statement that, to the best of my knowledge and belief, the statements made herein are true and correct.

Signature: [Signature]

Date: 14 Nov 16

**No license shall be issued until the applicant or premise complies with all codes and ordinances of the City of Lansing. The Police Department may also review this application and schedule an inspection prior to license approval.**

#### **FOR OFFICIAL USE ONLY:**

Application Received By: \_\_\_\_\_  
Signature Date

Cost: \_\_\_\_\_ License Period: \_\_\_\_\_

Amount Received: \_\_\_\_\_ ☐ Cash ☐ Check ☐ Credit

Additional Information Required: ☐ Copy of Insurance  
☐ Indemnity Statement ☐ Vaccination Information  
☐ Spay/Neuter Information ☐ Identification Photographs

Inspection Scheduled: \_\_\_\_\_

Police Signature: \_\_\_\_\_


Council Meeting Date: \_\_\_\_\_ ☐ Approved ☐ Denied



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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Sarah Bodensteiner, City Clerk  
DATE: November 25, 2016  
SUBJECT: Renewal of Special Use Permit (336 Fawn Valley Ct)

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The resident at 336 Fawn Valley Ct. has submitted a renewal request for a special use permit for more than four (4) animals at their property. Police Captain Ben Ontiveros conducted a re-inspection and his report is included for your review.

Action: A motion to approve or deny the Special Use Permit as requested.



# City of Lansing

## Police Department



To: Steve Wayman, Chief of Police

Date: 12/09/2016

CC:

Subject: 336 Fawn Valley

Thru:

Annual Permit Renewal

From: B. Ontiveros, Captain

At the 1 Dec 2016 City Council meeting, the council tabled the permit renewal request by 336 Fawn Valley until 15 Dec 2016. The request was tabled because 336 Fawn Valley had not provided current rabies vaccination and obtained current registration for their animals.

On 2 Dec 2016 I drafted a letter (see attached copy) advising the Junns (who reside at 336 Fawn Valley and made the request) of the following:

- Their request was tabled by the council until 15 Dec 2016.
- They had until close of business on 15 Dec 2016 to provide current rabies vaccination and obtain current registration.
- Failure to do so would result in the issuance of notices to appear and their request would be denied.
- They may notify my office no later than close of business on 31 Dec 2016 if they no longer housed/maintained more than four animals.

The letter was mailed out the same day it was drafted.

As of 9:00am on 9 Dec 2016, the Junns have not provided proof of vaccination and have not obtained current registration on their animals.



**City of Lansing**  
**Police Department**  
Steven L. Wayman, Chief



2 Dec 2016

Gradin & Nancy Junn  
336 Fawn Valley Dr  
Lansing, KS 66043

Ref: Ord. 973; 2-501 Permit Required for More Than Four Animals  
Ord. 973; 2-507(E) Licensing & Vaccination

Mr. & Mrs. Junn,

On 21 Nov 2016, I conducted a site inspection of your residence regarding your request for renewal of an animal permit allowing you to house/maintain more than four (4) animals.

During my visit I informed you that you were not in compliance with animal licensing and would need to provide proof of vaccinations and obtain licensing prior to the council meeting scheduled for 1 Dec 2016.

A records check after the close of business on 1 Dec 2016 showed you did not provide proof of vaccination and/or obtain licensing.

Your request for renewal has been tabled by the City Council until 15 Dec 2016.

Please provide proof of current vaccinations and obtain licensing no later than close of business, 15 Dec 2016. Failure to do so will result in the issuance of notices to appear for violation of city ordinance 973, section 2-507(E), and your renewal request will be denied.

If you no longer house/maintain more than four (4) animals at your residence, please notify my office upon providing proper proof of vaccination and obtaining licensing, or no later than 31 Dec 2016.

Should you have any questions, feel free to contact me at the number below.

Ben Ontiveros  
Captain, Investigations

**COPY**



# City of Lansing

## Police Department



To: Steve Wayman, Chief of Police

Date: 11/21/2016

CC:

Subject: 336 Fawn Valley

Thru:

Annual Permit Renewal

From: B. Ontiveros, Captain

City Clerk Sarah Bodensteiner provided a copy of an annual permit renewal submitted by Gradin and Nancy Junn who reside at 336 Fawn Valley, Lansing, KS, 66043.

The permit renewal is a request to continue the housing of three (3) dogs, three (3) cats, two (2) guinea pigs, and various foster animals

336 Fawn Valley is situated in the Fawn Valley cul-de-sac. It is a single family residence with adjoining residences to the north and south. All adjoining/border residences are single family dwellings.

On 11/21/2016 I met with the Junns at their residence. I was escorted throughout the house and the back yard where all animals are to be maintained. Photos were taken and are attached.

A preliminary local records check from 1 Jan 2016 to date found no associated complaints listed for 336 Fawn Valley. Local records were not checked prior to 1 Jan 2016.

A preliminary city licensing and rabies vaccination check from 1 Jan 2016 to date found no licensing or proof of vaccination(s) on file.

While in contact with the Junns, they were advised to provide proof of rabies vaccination to the clerk's office and obtain proper animal licensing/registration prior to the 1 Dec 2016 council meeting.



2017 Annual Permit Renewal  
Gradin & Nancy Junn  
336 Fawn Valley  
Lansing, KS 66043

3 dogs, 3 cats, 2 guinea pigs  
6 chickens, additional foster  
animals

DOI: 21 Nov 2016  
B. Ontiveros #1504















# CITY OF LANSING

## ANIMAL PERMIT APPLICATION

Applicant Name: Gradin and Nancy Junn

Address: 336 Fawn Valley Ct Lansing KS 66043  
Street City State Zip Code

Proposed Location (if different): \_\_\_\_\_  
Street City State Zip Code

Mailing Address (if different): Same  
Street City State Zip Code

Telephone (Day): 913-704-7590 Telephone (Evening): 913-547-4710 cell Email: nancyjunn@gmail.com  
Street City State Zip Code

Property Owner Name: Gradin & Nancy Junn Property Owner Telephone: Same

Property Owner Address: Same  
Street City State Zip Code

Number of Each Type of Animal: 2 dog, 3 cat and foster animals Rescue K911

General Description of Each Animal: 2 guinea pigs, 4 chickens. Street cats  
We had 6 chickens but neighbors dog climbed fence &  
killed 2. 2 more will be added in the Spring.

Noises or Odors Anticipated: Fence barking with neighbors dogs.

Housing Arrangements for All Such Animals including Safety or Structure, Locks, Fencing, etc.: Over 3,000 sq ft living  
space inside & fully fenced yard.

Interest in Such Animal(s): Our pets & we enjoy fostering. Chickens  
provide eggs

Any Information Regarding Vicious or Dangerous Propensities of All Such Animals: None

Safety Precautions to be Taken: Animals are socialized and up to date on shots.  
Only outside if owners are home

Prior Incidents Involving Public Health or Safety: None

### LICENSE INFORMATION

Type of License: ☒ More than 4 Animals  
(\$25.00)

☐ Other: \_\_\_\_\_  
(\$25.00)

Renewal: ☒ Yes ☐ No

I declare under penalty of false statement that, to the best of my knowledge and belief, the statements made herein are true and correct.

Signature: \_\_\_\_\_ Date: 10/10/16

No license shall be issued until the applicant or premise complies with all codes and ordinances of the City of Lansing. The Police Department may also review this application and schedule an inspection prior to license approval.

### FOR OFFICIAL USE ONLY:

Application Received By: \_\_\_\_\_

Signature

Date

Additional Information Required: ☐ Copy of Insurance  
☐ Indemnity Statement ☐ Vaccination Information  
☐ Spay/Neuter Information ☐ Identification Photographs

Cost: 25

License Period: annual

Inspection Scheduled: \_\_\_\_\_

Amount Received: 25

☐ Cash

☒ Check

☐ Credit

Police Signature: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

☐ Approved ☐ Denied

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator and Governing Body Members  
FROM: Sarah Bodensteiner, City Clerk  
DATE: December 5, 2016  
SUBJECT: Councilmember Resignation – Kevin Gardner

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Councilmember Kevin Gardner has submitted a letter of resignation from the City Council. The letter has been included for your review.

Action: A motion to accept the resignation of Councilmember Kevin Gardner.



To: Lansing City Council

Mayor Gene Kirby

Cc: Tim Vandall

Date: December 9, 2016

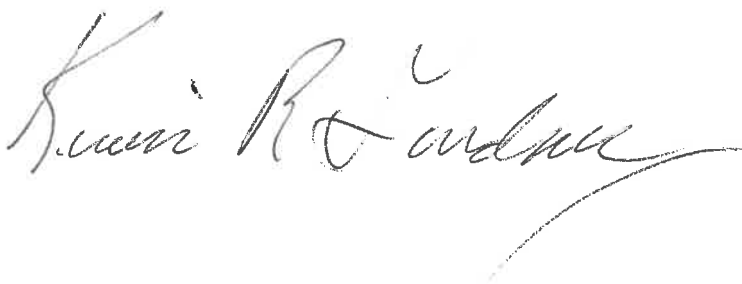
Andy, Jesse, Greg, Tony, Kerry, Don, and Dave;

Please accept my letter of resignation and appreciation. During my short time on the council, I have been part of a group of people that consistently lead this city in a progressive and positive way. I have witnessed potentially volatile situations handled in a civil manner. I have seen people with a strong view on an issue display the ability to change their mind when new information is provided. I have been very fortunate to be a member of a council where each person has the opportunity, and encouraged, to express their opinion, and the democratic process whereby the "majority rules" is accepted and respected.

I have always tried to do what is best for the city, and my resignation is proof of that. Because of the experience you have allowed me, I would not consider a move of this nature unless I was positively sure that there was another person more knowledgeable, more dedicated, and more qualified to replace myself. That person exists and it is my hope that everything moves in the direction that keeps the council cohesive and the leadership strong.

I owe each of you a debt of gratitude and after I try that "taking some time off" thing again, I hope to be a part of Lansing's future in other opportunities.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kevin R. Vandall". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Lansing Police Department  
Vehicle Fleet End of Month Report

Dec-2016

Unit	Year	Make/Model	Mileage as of 11/02	Mileage as of 12/01	Miles Driven	Current Use	Future Use	Comments
1	2013	Ford Explorer	54030	54982	952	Patrol	Patrol	Fit for patrol duty
2	2012	Dodge Charger	26974	28166	1192	Sergeants	Sergeants	Limited Use - Sergeants
3	2015	Ford Explorer	16156	16657	501	Patrol	Patrol	Fit for patrol duty
4	2015	Ford Explorer	11227	11915	688	Patrol	Patrol	Fit for patrol duty
5	2012	Dodge Charger	20664	20827	163	Captain	Captain	Limited Use - Captain
6	2013	Ford Explorer	37346	38099	753	Patrol	Patrol	Fit for patrol duty
7	2011	Dodge Charger	95176	95919	743	Detective	Detective	Limited Use - Detective
8	2011	Dodge Charger	65617	65617	0	Patrol	Patrol	Down for repairs
9	2012	Chevy Tahoe	76203	77143	940	Patrol	Patrol	Fit for patrol duty
10	2011	Dodge Charger	32177	32690	513	Chief	Chief	Limited Use - Chief
11	2003	Ford F150	74047	76203	2156	Animal Control	Animal Control	Fit for Animal Control duties
13	2010	Dodge Charger	91923	92432	509	Patrol	Patrol	Fit for patrol duty
14	1995	Ford EOC Vehicle	162138	162184	46	EOC	EOC	Limited Use - EOC
15	2016	Dodge Charger	4140	4800	660	Patrol	Patrol	Fit for patrol duty
17	2016	Dodge Charger	4856	5532	676	Patrol	Patrol	Fit for patrol duty
					0			
				<b>Mileage Total:</b>	10492			

6

**Lansing Public Works Department****Monthly Fleet Report**Month November Year 2016**Vehicles**

Year	Make	Model	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	LT	LT. Pick-up Ext	50,831	51,130	299	
2007	Ford	LT	LT. Pick-up Ext	33,854	34,124	270	
1998	Ford	1/2 ton	Pick-up	59,067	59,103	36	
2001	Ford	Ranger	LT. Pick-up Ext	115,007	115,103	96	
2005	Ford	Ranger	LT. Pick-up Ext	38,606	38,730	124	
2000	Ford	Explorer	SUV	182,837	183,315	478	
2005	Sterling	LT 8500	Dump Truck	46,344	46,344	0	
2007	Elgin	Crosswind J+	Street Sweeper	4,947	4,958	11	
1992	Ford	700	Dump Truck	62,594	62,597	3	
2000	Ford	F350 4x4	Pick-up Utility	94,629	94,881	252	
2002	Ford	F350 4x4	Dump Truck	69,743	69,806	63	
2011	International	7400	Dump Truck	10,783	10,796	13	
2016	Ford	F350 4x4	One-ton Dump Truck	706	1,179	473	
2006	Dodge	Charger	Sedan	120,727	120,863	136	

**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	4,974	4,975	1	
2004	IR	DD-24	Asphalt Roller	251	252	1	
2006	IR	185	Air Compressor	167	167	0	
1993	Ford	5030	Tractor	422	423	1	
1997	Bobcat	763	Skid Steer	2,014	2,020	6	
2014	Case	580 SNWT	Backhoe	427	437	10	
2002	Crafco	110	Crack Sealer	748	748	0	
2003	Kubota	L3710	Tractor	1,455	1,456	1	
2009	Case	465	Skid Steer	514	515	1	
2004	Case	621D	Front Loader	2,013	2,013	0	at wastewater plant

Nov-16

City Influent	27.63 MG	City Avg Daily	0.921
LCF Influent	11.47 MG	LCF Daily Avg	.382 MG
Total Biosolids	.991 MG	Precip	.5 inches

#### Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1995	Dodge	3500	Flatbed Truck	87345	87382	37	Collection System	
1999	Sterling	Vactor	Jet Truck	8030	8036	6	Collection System	
2002	Ford	350	Pick Up Truck	89220	89443	223	Ops/Maint.	
2006	Ford	Cr Vic	Sedan	146857	147063	206	Ops/Maint.	
2005	Ford	550	Flatbed Truck	41600	41606	6	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	17832	17926	94	Biosolids Disposal	
Total						572		

#### Equipment

Year	Make	Model	Description			Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	937	937	0	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2215	2216	1	Collection System	
1999	Aries	Saturn III	Camera Trailer	342	342	0	Collection System	
2004	John Deere	7920	Tractor	1111	1121	10	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	1098	1117	19	Operations	
2004	Case	621D	Loader	2151	2159	8		
2005	Polaris	Ranger #2	Utility Vehicle	1025	1032	7	Maintenance	
2006	JCB	531-70	Telehandler	508	509	1	Plant Activities	



Dear Lansing Library -

Thank you so very much  
for allowing us to display our  
silhouettes in your establishment.

It means a lot to us that you  
would take the time to support  
us and help us be a voice  
throughout the community!

Thank you!

♥ - AA#V staff



**TIMELINE OF EVENTS**  
**FOR**  
**CITY SALES TAX ELECTION BY MAIL BALLOT**

*Note: Mail ballots are allowed when (1) the mail ballot election is not scheduled for the same day as another election in which any City voters would vote, and (2) the mail ballot election date is agreed on by the City and the county election officer.*

<b><u>Timing from Election Day</u></b>	<b><u>Statutory Requirement</u></b>	<b><u>Responsible Party</u></b>	<b><u>Event</u></b>
General Rule: at least one day before request to County	12-187	City	City Council adopts Ordinance calling election <ul style="list-style-type: none"> <li>• Ordinance must specify purpose of proposed sales tax</li> </ul>
84 to 120 days	KSA 25-432, County Election Office Rules	District	Deliver request for mail ballot election to County election officer <ul style="list-style-type: none"> <li>• ≤ 120 days before election; county election offices may set minimum time <ul style="list-style-type: none"> <li>▪ Johnson County: ≥ 12 weeks before election</li> </ul> </li> <li>• Include certified copy of ordinance and ballot wording</li> </ul>
63 days	KSA 25-432	County	County election officer submits mail ballot election plan to Secretary of State <ul style="list-style-type: none"> <li>• Johnson County: 9 weeks before election</li> </ul>
56 days	KSA 25-432	Secretary of State	Approval of mail ballot election plan by Secretary of State <ul style="list-style-type: none"> <li>• Johnson County: 8 weeks before election</li> </ul>
		County	County election officer orders ballots and envelopes
55 days	KAR 7-23-4	County	County election officer publishes Notice of close of registration books <ul style="list-style-type: none"> <li>• ≥ 10 days prior to close; county election offices may set minimum time <ul style="list-style-type: none"> <li>▪ Johnson County: 2 weeks plus 10 days before close</li> </ul> </li> </ul>

<b><u>Timing from Election Day</u></b>	<b><u>Statutory Requirement</u></b>	<b><u>Responsible Party</u></b>	<b><u>Event</u></b>
30 days*	KSA 25-436	County	Deadline for voter registration to automatically receive ballot <ul style="list-style-type: none"> <li>• 30 days prior to election date (counting weekend days and holidays, see KSA 25-2311)</li> </ul>
21 to 52 days	KSA 10-120	City	Publish Notice of Bond Election (first publication) <ul style="list-style-type: none"> <li>• once a week for two consecutive weeks</li> <li>• first publication <math>\geq</math> 21 days before election</li> <li>• last publication <math>\leq</math> 45 days before election (<math>\leq</math> 90 days before special question election held in conjunction with a general election)</li> <li>• Notice of Election must include:** <ul style="list-style-type: none"> <li>▪ Time and place of election</li> <li>▪ Purpose of election</li> </ul> </li> <li>• Must be signed by county election officer</li> </ul>
19 days	KSA 25-433(a)	County	County election officer mails election ballots to electors <ul style="list-style-type: none"> <li>• <math>\leq</math> 20 and <math>\geq</math> 10 days before election date</li> </ul>
15 to 45 days	10-120	City	Publish Notice of Election (second publication) <ul style="list-style-type: none"> <li>• Seven days after first publication</li> <li>• <math>\leq</math> 45 days before election</li> </ul>
14 days*	KSA 25-2311, KSA 25-436	County	Last day to register for election Books close <ul style="list-style-type: none"> <li>• 14 days before election (counting weekend days and holidays, see KSA 25-2311)</li> </ul>
4 days	KSA 25-443(d)	County	Last day for county election officer to mail replacement ballots <ul style="list-style-type: none"> <li>• close of business second business day prior to Election day</li> </ul>
0 days	KSA 25-437, KSA 25-433(b)	County	Election day (original canvass) Noon deadline for delivery of ballots <ul style="list-style-type: none"> <li>• not later than 120 days from submission of request to County Clerk to hold election</li> </ul>
Friday after Election Day	KSA 25-3101	County	Final canvass

\* Includes weekend days and holidays. See KSA 25-2311.

\*\* Additional requirements specified by KSA 10-120a when ballot question includes issuance of bonds.