



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

COUNCIL AGENDA
Regular Meeting
Thursday, May 19, 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 :

2. Leavenworth County Development Corporation

Council Consideration of Agenda Items:

3. Lansing Board of Zoning Appeals Appointment
4. Conditional Use Permit – 24132 139th Street
5. Award of Bid – 2016 Capital Improvements Program, City Project 16-02
6. Wastewater Utility Rate Agreement

Reports:

City Attorney; City Engineer; City Administrator; Councilmembers

Proclamations:

7. National Kids to Parks Day

Other Items of Interest:

8. Department Vehicle and Equipment Mileage Reports
9. Thank you – Police Department
10. Draft Economic Development Policy

Adjournment

AGENDA SUMMARY

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: May 13, 2016
SUBJECT: Agenda Summary

Call To Order
Pledge of Allegiance
Roll Call

OLD BUSINESS:

1. **Approval of Minutes**

The regular meeting minutes of May 5, 2016, are attached.

- **ACTION:** A motion to approve the regular meeting minutes of May 5, 2016, as presented.

NEW BUSINESS:

Audience Participation

Presentations:

2. **Leavenworth County Development Corporation**

- Executive Director of LCDC, Steve Jack will present to the Council.

Items for Council Consideration:

3. **Lansing Board of Zoning Appeals Appointment**

- There is currently a vacancy on the Board of Zoning Appeals for a term expiring April 30, 2018. Chad Neidig had previously applied for appointment and is still interested in serving.

- **ACTION:** A motion to appoint Chad Neidig to the Lansing Board of Zoning Appeals to fill an unexpired term ending April 30, 2018.

4. **Conditional Use Permit – 24132 139th Street**

- A request has been made for a conditional use permit to allow commercial use of an agricultural building for an event barn.
- The applicant plans to renovate a historic barn for the purpose of holding events such as wedding, parties, family gatherings, and other meetings.
- The application was considered at the April 20th Planning Commission meeting and was approved by a vote of 4-2.

- **ACTION OPTIONS:**

1. Deny the conditional use permit as presented.
2. Remand the conditional use permit back to the Planning Commission.
3. Approve the conditional use permit as presented.

5. **Award of Bid – 2016 Capital Improvements Program, City Project 16-02**

- Bids were requested for this project, and three bids were received.
- The low bid was submitted by Little Joe's Asphalt, Inc., of Bonner Springs, Kansas, in the amount of \$521,307.97.
- Funds are available for this project through Fund 70.
- **ACTION:** A motion to award the bid for City Project 16-02 to Little Joe's Asphalt, Inc., of Bonner Springs, Kansas.

6. **Wastewater Utility Rate Agreement**

- The current agreement between the City and LCF for wastewater utility rates expires May 31, 2016.
- The changes have been verbally approved by LCF and upon Council approval, will be sent to LCF for final signatures.
- The agreement increases annually based on the Consumer Price Index.
- This agreement is for six years and would expire on June 30, 2022.
- **ACTION:** A motion to approve the Wastewater Utility Rate Agreement with LCF, as presented.

Reports: City Attorney; City Engineer; City Administrator; Councilmembers

AGENDA SUMMARY

TO: Tim Vandall, City Administrator



FROM: Sarah Bodensteiner, City Clerk



DATE: May 13, 2016

SUBJECT: Agenda Summary

Proclamations:

- 7. National Kids to Parks Day

Other Items of Interest:

- 8. Department Vehicle and Equipment Mileage Reports
- 9. Thank you – Police Department
- 10. Draft Economic Development Policy

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 

FROM: Sarah Bodensteiner, City Clerk 

DATE: May 12, 2016

SUBJECT: Approval of Minutes

The regular meeting minutes for May 5, 2016, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for May 5, 2016, as presented.

AGENDA ITEM #

Call To Order:

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

Roll Call:

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

Councilmembers Present:

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

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the special meeting minutes and the regular meeting minutes of April 21, 2016, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Audience Participation: Mayor Kirby called for audience participation and one citizen came forward.

- Resident stated first off thanks for your service, I am Ralph Moore and live out in Timber Ridge which is a little addition that's West of Sherwood Forest, our only access to the highway is through Sherwood Forest. I want to talk about the grass in the street there, mainly on Huntington and Nottingham Streets, and I'm not talking about a few clippings, I'm talking about people that cover the street. And this isn't from commercial mowers, so you don't need to be worried about some commercial establishment. Some of them mow counterclockwise instead of clockwise, and they blow the grass completely across the street. If they make the first two laps clockwise this problem would go away, or they could blow it back in their yard after mowing, but that takes some time because there is a lot of volume. Others mow straight lines and make turns in the street, leaving large piles of grass in the street. I mow part of the area around the highway and pick up litter throughout the addition, as I am an exercise walker. I don't want to walk in this heavy grass and I don't appreciate it stuck inside my car when it is wet. This practice does little to make the addition attractive and is inconsiderate of others who don't do such things. It is a Code violation as well, I think. Thanks for any help you can give us with the situation.
 - Mayor Kirby stated get with us afterwards and give us some addresses so we can narrow it down to where we need to be.

Presentation: Presentation to Sharon Henke: Mayor Kirby presented Sharon Henke with a plaque of appreciation for her years of service on the Lansing Planning Commission.

Citizens' Academy 2015-2016 Graduation: Mayor Kirby presented the 2015-2016 Citizens' Academy class with their plaque of completion. The graduates are: Emily Bean, Marcus Bean, Michael Crutchfield, Kathleen Daly Copeland, Kim Dalen, Joseph Donalbain, Anne Ehrsam-Holland, Mary Fallesen, Michael Persin, Shanna Persin, Tom Pawlowski, and Vernon Walker.

- Community and Economic Development Director Stefanie Leif stated so next is our Citizens' Academy graduation, so hopefully you had a chance to enjoy some cake and visit with some of our participants this past year. It is our 2015-2016 class, they've been meeting from September through April once a month, and each class lasted about 2 hours. They get to meet with all of our departments, staff, see the facilities, and this year we tried to incorporate tours or at least meeting in as many facilities as we could, so I know that was something that was a real highlight for some of the participants. I really appreciate all of their dedication and time taken to learn more about the city and more about the operations, and we'd love the support to offer this program again next year, so just a bit of a shout out that we will be offering it, advertising it again this summer, as long as we have support to continue that, so if anybody knows of additional folks in the community that would like to be part of it, please let our community and economic development department know.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Election of Council President: Councilmember Brungardt moved to nominate Andi Pawlowski as Council President. Councilmember Gardner seconded the motion.

Councilmember Trinkle moved to nominate Don Studnicka as Council President. Councilmember Gardner seconded the motion.

Councilmember Pawlowski moved to close nominations. Councilmember Brungardt seconded the motion. The motion was unanimously approved.

Mayor Kirby called for a vote on the nomination of Councilmember Pawlowski as Council President. The nomination was approved to appoint Councilmember Pawlowski as Council President with Councilmembers Studnicka and Trinkle voting against the motion.

Authorization to Advertise Bids – City Project 15-01, 9 Mile Creek Action Plan: Councilmember Buehler moved to authorize staff to solicit bids for the 9 Mile Creek Action Plan. Councilmember Pawlowski seconded the motion.

- Wastewater Utility Director Tony Zell stated just a couple of corrections. We will actually advertise for bids through Drexell starting tomorrow, we had it listed incorrectly, so the bid opening gets pushed up to June 2nd, and we'll bring that back to the Council for approval on June 16th, with a notice to proceed to follow. Everything's in line and we're ready to go.
- Councilmember Trinkle asked can I ask something as long as it pertains to the sewer.
 - Mayor Kirby stated as long as it pertains to this.

The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer has nothing to report.

City Administrator: City Administrator Tim Vandall stated he and Jason Crum presented to the Lan-Del board requesting design and bids for the water line to Bernard Park. The City Engineer, Jeff Rupp, and Tim will be meeting with Lan-Del and USD 469 regarding the slope failure on West Mary Street. No commitments have been made by the City in regards to financing and if a request is made, the Council will be the decision maker on that. Tim mentioned that community and economic development director Stefanie Leif is working on scheduling Land Use training, and we would need to move our June Budget Work Session a week earlier, to June 23rd, in order to hold the Land Use training class on Thursday, June 30th. The City submitted a letter to the City of Leavenworth regarding the Tobacco 21 initiative and seeing if Leavenworth would reconsider their position, we are waiting on a response. Letters to businesses selling tobacco products have been sent out updating the businesses of the changes the Ordinance brings with it effective July 1, 2016. In follow up to a previous inquiry regarding modifying the plans to 147th Street and McIntyre, the County informed the City that any changes to the road projects would have to go out to a formal vote to the public. In scaling back the City Wide Clean-Up from 2 days to 1, the City was able to realize a savings around \$5,000.00 and is looking into alternative options to make the process more seamless next year.

Governing Body: Councilmember Trinkle congratulated the Citizens' Academy graduates and reminded everyone that Lansing DAZE and the Car Show are Friday and Saturday out at Bernard Park.

Mayor Kirby thanked Citizens' Academy participants and hoped they found it informative. He also thanked Sharon Henke for her time served on the Planning Commission, and mentioned that there are 2 openings for volunteers on the Lansing Community Library Board.

Councilmember Gardner congratulated the Citizens' Academy graduating class and Sharon Henke for all her years of service.

Councilmember Pawlowski echoed Councilmember Gardner's remarks. She asked Wastewater Utility Director Tony Zell if due to the recent rains, part of a bank on a property that runs along the current sewer construction site were lost.

- Wastewater Utility Director Tony Zell replied there is an area down by the City Park where they had the roadway opened and that's where they stopped. The contractor paused pipe operations in that location to finish up the City Park in time for ball season, then they used that as their access point to move material, because they don't really have a good place to go from there all the way to 7 Highway to get rock and pipe in, so they had left that open and it was exacerbated by the rain, of course they left their off road dump parked a little too close to the edge, and that also lead to a little bit of it. It's going to get fixed, it's going to get cleaned up appropriately.

Councilmember Pawlowski asked if there was any damage to any homes.

- Wastewater Utility Director Tony Zell replied I have not heard of any damage to anybody's homes, no.

Councilmember Garvey congratulated Sharon Henke and the Citizens' Academy graduates, and stated his wife is interested in going through the academy next year. He also stated he is excited for the Lansing DAZE festivities.

Councilmember Buehler thanked Sharon Henke for all her years of service and stated the City can't run without its volunteers. He thanked the Citizens' Academy graduates and hopes to see them on volunteer boards in the future. He also provided a fun fact, on this day in history, May 5, 1891, the Music Hall of New York City, which we now know as Carnegie Hall, had its grand opening and first public performance and Tchaikovsky as the guest conductor.

Councilmember McNeill thanked Sharon Henke and congratulated the graduates. He also asked the graduates to pass on the information to friends who may be interested in participating in next year's program. He also asked if Code Enforcement did any enforcing on the weekends, since most people mow their grass on weekends. He asked about

giving the Code Enforcement officer Monday off and have them work Saturday or every other weekend. He has experienced the grass clipping issue in his own ward and people are even blowing the grass clippings into the sewer.

- Councilmember Trinkle stated that in the past the Animal Control officer used to do that on the weekends.
 - Councilmember Garvey asked if we could post information on the City Facebook Page
 - City Administrator Tim Vandall replied that we will make sure to get the word out and look into the suggestion.

Councilmember Brungardt thanked Mrs. Henke for her service and congratulated the graduates of Citizens' Academy.

- An unnamed Citizens' Academy participant stated I know it's not our turn to speak, but I think I speak for everybody, that the staff we got presentations from were so impressive and there are so many people who really care about their jobs, and it totally comes across and the extra things that they do all the time is very impressive.

Councilmember Studnicka congratulated Sharon Henke for her service and congratulated the graduates from the Citizens' Academy and their kind words about the City staff. He stated he hoped to see everyone at Lansing DAZE, and congratulated the new Council President.



ADJOURNMENT: Councilmember Studnicka moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:24 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Stefanie Leif, Community & Economic Development Director 
DATE: May 11, 2016
SUBJECT: Presentation by Leavenworth County Development Corporation (LCDC)

Steve Jack., Executive Director of the Leavenworth County Development Corporation (LCDC), will provide an annual report and review the 2016 plan of work related to economic development within the city of Lansing and Leavenworth County.

Financial Considerations: The fiscal year 2017 budget request from LCDC is \$16,924, and staff has included this amount in the FY17 preliminary base budget.

Action: Receive and file

Leavenworth County Development Corporation

Annual Report to the
City of Lansing
May 19, 2016



DEDICATED TO THE INDUSTRY
OF INNOVATION

LCDC Overview

*Mission: To facilitate the creation and
retention of jobs and capital investment in
Leavenworth County*

- Marketing
- Business Recruitment
- Business Retention & Expansion
- Workforce Development
- Communication, Coordination, Facilitation

DEDICATED TO THE INDUSTRY
OF INNOVATION

2016 Marketing Initiatives

- External Marketing
 - Business Xpansion Journal (May food issue)
 - K.C. Options (November)
 - Real Estate E-Blasts (10+)
- Internal Marketing
 - LCDC Newsletter (Quarterly)
 - LCDC Golf Tournament (September 7)
 - LCDC VIP Event (November 4)
- Partnering Regional Event
 - Joint LCDC/Platte Co. EDC Luncheon (June 3)
 - Fort Leavenworth & Centennial Bridge

DEDICATED TO THE INDUSTRY
OF INNOVATION

2016 Marketing Initiatives

- Marketing/Networking Events
 - *Colliers Economic Forecast K.C. Event (January)*
 - *KCADC Phoenix CBRE Meetings (March)*
 - *Team Kansas N.Y./New Jersey Events (April)*
 - *Team Kansas Dallas Meetings (April)*
 - KCADC Nat'l Site Consultants K.C. Tour (June)
 - Team Kansas In-State Consultants Tour (June)
 - SEDC Annual Conference in K.C./Sponsor (July)
 - KCADC Animal Health Corridor Homecoming (August)
 - KCADC/KC Real Estate Council-Royals Game (August)
 - K.C. SIOR (Society of Industrial & Office Realtors) Development Day (September)
 - Denton's Real Estate Reception (September)
 - KCADC Annual Meeting (November)

2016 Partner Investments (\$20,585)

- KCADC Membership - \$9,375 (\$10,000 in '17)
- *Team Kansas** - \$2,500
 - 2 KS Dept. of Commerce Site Locator Events
- *Workforce Partnership** - N/A
- *Kansas Economic Development Alliance** - \$400
 - Location One (LOIS)/ESRI Demographics
- Xcelligent Building & Sites Data Base - \$2,400
- Regional Workforce Intelligence Network - \$1,250
 - Workforce Dashboard/Labor Shed Study
- IEDC, SEDC - \$810 (plus \$2,500 sponsorship)
- WSU Economic Impact Model - \$3,850 (LCPA)

** Board Member*

DEDICATED TO THE INDUSTRY
OF INNOVATION

Lansing Projects

- Cameron Industries Production Facility
 - Consolidated kitchens in Lansing in 2013.
 - 6 KC-area retail stores should grow to 8 this year.
 - \$2,400 LCPA incentive (2013); \$10,200 internship program savings through WFP(2016) as well as tax savings through an energy audit.
 - Proposed incentives if kitchen is expanded.
 - 20 full-time plus part-time employees.
- Lansing Lumber
 - Brought SBDC in to provide consulting services related to financial challenges and opportunities.
 - Now in strong position moving forward.

DEDICATED TO THE INDUSTRY
OF INNOVATION

Lansing Projects

- **Health Care Related Business**
 - Interested in starting new practice in Lansing/Leavenworth area.
 - Currently pursuing Eisenhower Crossing.
- **Project Southern**
 - Call Center; based in Alabama; 100 employees
 - Put together incentive package (City, LCPA).
 - Visited on 10/11; project on hold at this time.
- **Project Memphis**
 - Major project looking at Lansing & Leavenworth
 - International contingent visited on 6/18. On hold.

DEDICATED TO THE INDUSTRY
OF INNOVATION

Lansing Projects

- **Custom Shop**
 - Interested in leasing garage-sized property along Main St (K-7).
 - Reviewed LOIS data base & referred to Stefanie.
- **Auto Repair Shop**
 - Interested in locations along K-7 in Lansing.
 - Met with LCDC, SBDC & Stefanie on 5/12.
- **Project Madison**
 - Looking for 1 acre on K-7 in Lansing.
 - Submitted 9 options. Project on hold.

DEDICATED TO THE INDUSTRY
OF INNOVATION

Business Retention and Expansion/ Workforce Development

- **BRE Program**
 - Ashley Hardin – ED Coordinator
 - Calls on 100 companies/year
 - \$1,525,181 in savings in 2015 through HPIP, KIT, KIR, Utility Sales Tax Exemption, etc.
- **Classroom to Career**
 - V.A. Hospital – *May 5th*
 - 14th Classroom to Career Day
 - 37 students (including Lansing High)
 - Manufacturer – *Fall 2016*

DEDICATED TO THE INDUSTRY
OF INNOVATION

Looking Forward

- **E-community Loan Program (NetWork Kansas)**
 - First City Development Corporation (FCDC)
 - Assistance to small business & entrepreneurs
 - \$45,000 low or no interest loans
 - Countywide expansion in Fall 2016
- **Industrial Park Development (LCPA)**
 - Gary Carlson is nearly full; 500 employees (USD 469)
 - LCPA is working with city staff in Leavenworth and Lansing on identifying properties.
- **Major Marketing Effort (LCDC)**
 - Gathering input from marketing firms
 - Exploring funding source

DEDICATED TO THE INDUSTRY
OF INNOVATION

2017 LCDC Budget Request

- LCDC requests \$16,924 from Lansing
- Represents an increase of \$236 from 2016
- Based on a formula (population & valuation)
- Funding comes from private & public sectors
 - 28% - county
 - 28% - cities (58%, 21%, 12%, 9%)
 - 28% - port authority
 - 17% - private sector (75 members)
- 2017 LCDC budget will be approx. \$290,000

DEDICATED TO THE INDUSTRY
OF INNOVATION





LEAVENWORTH
COUNTY

DEVELOPMENT CORP
DEDICATED TO THE
INDUSTRY OF INNOVATION

Blaine Weeks, President
Steve Jack, Executive Director
Ashley Hardin, Economic Development Coordinator
Mary Mack, Office Manager


AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Stefanie Leif, Community and Economic Development Director 
DATE: May 13, 2016
SUBJECT: Appointment to Lansing Board of Zoning Appeals

There is currently a vacancy on the Board of Zoning Appeals for a term expiring April 30, 2018. Chad Neidig had applied previously for an appointment to the Board of Zoning Appeals and is still interested in serving.

Action: A motion to appoint Chad Neidig to the Lansing Board of Zoning Appeals to fill an unexpired term ending April 30, 2018.

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Stefanie Leif, AICP, Community and Economic Development Director 
DATE: May 12, 2016
SUBJECT: Conditional Use Permit – 24132 139th Street

The applicant, Chad R. Schimke, has applied for a conditional use permit to allow commercial use of an agricultural building for an event barn at 24132 139th Street. The applicant plans to renovate a historic barn for the purpose of holding events such as weddings, parties, family gatherings, and other meetings and events.

- The property is zoned A-1 (Agricultural) and has been in agricultural use. The property includes a single family home, barns, and other outbuildings. The use of “banquet hall” or “event venue” is not found in Appendix A of the Lansing Zoning Ordinance, but uses such as resorts and dude ranches; civic, social, and fraternal associations; and campgrounds and retreat, are conditional uses in the A-1 zone. Staff suggests that the proposed use is similar in impact to these conditional uses.
- Access to the property is off of State Highway K-7. The existing driveway is gravel, and the applicant proposes to install two additional gravel parking lots.

Standards of Evaluation: Lansing Zoning Ordinance, Article 9, Section 3 “Conditional Uses” applies to this application. Please see attached checklist of standards of evaluation and analysis.

This application was considered at the April 20 Planning Commission Meeting and approved 4-2. The minutes from that meeting are attached for your review. The dissenting votes primarily were in regard to fire district review and traffic impact. The applicant has planned to meet with the fire district prior to the City Council meeting, and the applicant has indicated that prior to issuance of a building permit for the renovation of the barn, he would conduct a traffic study to assess potential impacts of the event facility.

Action: *Options - Deny, remand back to the Planning Commission, or approve subject to the following conditions:*

1. Prior to commencement of renovation and/or construction on the property, applicant shall apply for all applicable permits and all work shall conform to adopted city of Lansing codes and requirements of Leavenworth County Fire District #1.
2. Prior to issuance of a building permit for the renovation of the barn, a traffic impact study addressing items recommended by the Kansas Department of Transportation (KDOT) shall be submitted to staff for review by the City and KDOT.
3. Septic system shall be upgraded to meet requirements and demands of the event venue. Upgrade shall be completed prior to certificate of occupancy being issued.
4. Owner shall control dust along the gravel driveway and parking lot at all times.
5. Parking lot size shall meet city of Lansing standards.
6. Parking shall be prohibited along K-7 at all times.

Proposed Site Plan

Tract in the Northwest Quarter
Section 6-10S-23E,
Lansing, Kansas.

PREPARED FOR:
Kevin Schimke
Chad Schimke
24132 139th Street
Lansing, KS 66043

NOTES:

- 1) This does not constitute a boundary survey.
- 2) Aerial and structures as per Leavenworth County GIS.
- 3) See application for detailed use of Event Barn
- 4) Proposed parking/driveway to match existing driveway.
- 5) Ground area disturbed less than 1 acre.
- 6) Point Origin Unknown, unless otherwise noted.



Scale 1" = 100'

K-15-970
February 8, 2016



THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

**Lansing Planning Commission
Regular Meeting
April 20, 2016**

These minutes have not yet been approved.

Call to Order – The regular meeting of the Lansing Planning Commission was called to order by Chairman Joe Herring at 7:02 p.m. Also present were Vice-Chairman Brian Schwanz and Commissioners Sharon Henke, Chuck Holland, Ron Barry, and Mike Suozzo. Commissioner Kirsten Moreland was not present. Chairman Herring noted there was a quorum present.

Approval of Minutes, March 16, 2016, Regular Meeting – Vice-Chairman Schwanz made a motion to approve the minutes of the March 16, 2016, regular meeting, seconded by Commissioner Suozzo. The motion passed, with Commissioners Henke and Suozzo abstaining.

Old Business - Public Hearing – Conditional Use Permit - 24132 139th Street – Chairman Herring stated that this application was for a conditional use permit for 24132 139th Street and at this time recused himself as he is acting as the agent for the applicant. He then turned the meeting over to Vice-Chairman Schwanz.

Vice-Chairman Schwanz opened the public hearing at 7:03 p.m. Chad Schimke, applicant, began by giving some of his background information.

At 7:04 p.m. Commissioner Moreland joined the Commission.

Mr. Schimke stated he and his father had bought this farm, on which was a barn that had been built in 1926, but had been neglected. He noted they had previously tried to plan a family event, but had a hard time finding a suitable place to hold it. He decided to talk to others to see if there was an interest in having a place for family events and found that there was, which is why he is here tonight seeking this conditional use permit. He stated this is a 60' x 30' barn, 1800 square feet, and will be for a 50-100 person space, but has not yet had a chance to talk to Chief Huhn about that. Mr. Schimke stated that one issue that has come up is the whole safety aspect, particularly parking and lighting, and he said that will all be done above board and then some. He stated there had also been concern with KDOT regarding entry and exit and he has reached out to several vendors to do a road impact study. He stated that a study will be quite an expense and he has had a lot of expense with this property already. He said the road study will be contingent upon approval of the conditional use permit and he will plan a course of action to meet the KDOT traffic study's recommendations. He stated he understands the concern of the neighbors and respects their privacy and that safety will also be a concern of his.

At this time Andi Pawlowski of 186 Canyon View stated she owns property adjacent to this. She stated she had two questions: Is it just going to be the barn, or will it be the house and other buildings around that? She said she didn't have a problem with that, but just wanted to know if it was going to be limited to the area around there or the entire property as she didn't feel it was specific and asked if a limit could be put on it.

Vice-Chairman Schwanz stated the Commission had a clarifying question for her question. Commissioner Barry asked Mrs. Pawlowski if she was asking if the conditional use permit was just for the barn and surrounding houses or the whole acreage and she stated it was.

**Lansing Planning Commission
Regular Meeting
April 20, 2016
Page 2**

Vice-Chairman Schwanz asked if anyone else wanted to address the Commission during the public hearing and since no one did, he closed the public hearing at 7:11 p.m. Vice-Chairman Schwanz then asked if Commissioners had any questions or comments.

Commissioner Holland asked Mr. Schimke if he was planning on going ahead with the development regardless of the road impact study and is he bound by what that study says? Mr. Schimke said the plan would be to take the recommendations of the study and make changes accordingly.

Stefanie Leif, Community and Economic Development Director, stated that if the Commission is comfortable going forward with this application, a condition could be put on that before they have any event in the barn or before a building permit is issued, they would have to abide by whatever the traffic impact study recommendations are. She stated if the study made recommendations the applicant wasn't comfortable with, he could come back to the Commission to possibly amend that. City Attorney Greg Robinson stated that if the Commission does want to put that condition on the application, since there are various levels of traffic impact studies and can be very expensive, they could probably leave it to staff's discretion as to what level they need.

Commissioner Moreland stated that Mr. Schimke had talked about the historical nature of the barn and wondered if it was on the register. Mr. Schimke stated it is currently not. Commissioner Moreland stated he then isn't bound by any rules as to how he remodels or makes any changes and he stated that is correct.

Commissioner Barry stated that, along those lines, Mr. Schimke had stated in the application that one of the driving factors is it being an historic building, so what then makes it historic? Mr. Schimke stated the fact that it's almost 100 years old, in addition to the tiles and bricks in the building being put together by the prison here. He also stated sharing the stories behind the building, as well as the uniqueness of its age, would be more what he would be speaking to.

Commissioner Henke asked if she was reading correctly in that the total property is shown on the application and not just the five acres? Vice-Chairman Schwanz stated that is what he is reading as well. Commissioner Henke said that even though it's not designated as historical, just by the fact of its age, it can be considered historical, and Commissioner Moreland agreed.

In answer to the previous statement, Mr. Schimke stated it could have been an error on the application, but his intent is for the conditional use permit to be basically from 7 Highway to the main event space and nothing to the east of the event space, which will continue to be farmed. Commissioner Henke then asked if the application is then in error and Ms. Leif stated that even though the conditional use permit would be for the entire parcel, they would be limited to the plan they submitted for the event space and parking, so that would be the plan the Commission would be approving if it is approved. Commissioner Henke stated it makes sense for the permit to cover the entire property, so the Commission is not limiting the applicant. Ms. Leif stated in case one day he wants to add another building to it, he could come back to the board and request another conditional use permit. Commissioner Henke stated the Commission's

purview was to look at what he's applied for now and Ms. Leif stated that is correct. Mr. Robinson clarified that this is limited to what's shown in the plans, which is an event barn. Vice-Chairman Schwanz stated he understood what Mr. Robinson was saying, but disagreed a little bit because the application says "event barn", but doesn't say "existing facility barn", so technically, if it was approved, he could build another barn and that could fall under this permit. Mr. Robinson stated if it's limited to exactly what was submitted, then those bases are covered. Ms. Leif said if it makes the Commission feel more comfortable, that could be stated in the recommended action that it is applicable to the plans and they are limited to what was submitted, which is the existing barn. Commissioner Henke stated she didn't really believe an extra statement was necessary, as the Commission would just be going by what the applicant submitted.

Vice-Chairman Schwanz asked about the proposed parking – gravel versus paved. Mr. Schimke stated the parking will be directly to the north and that would be new parking and would be concrete. He said there could also be additional parking on the north side of the building if they find they need the additional space. Vice-Chairman Schwanz asked if that would also be paved and Mr. Schimke said it would. Vice-Chairman Schwanz then asked if the drive up to that would stay gravel and Mr. Schimke stated that might depend on the traffic impact study as he feels it would keep more of the historical look if it remained gravel and he also doesn't know if the expense would justify the return.

Commissioner Moreland asked about the plans for utilities and stated she assumed it is septic out there. Mr. Schimke confirmed that it is septic and there is currently septic at the house, but nothing for the barn, so anything put in would be new and have to be approved and up to code.

Commissioner Barry stated Mr. Schimke had stated earlier he hadn't had a chance to meet with Chief Huhn from a fire and safety perspective and wondered why that was so as he's concerned because it would need to be brought up to present day code, which could get quite expensive. Mr. Schimke said he only found out a few days ago that he needed to meet with him and has left a message to arrange a meeting, as he has every intention of meeting him on-site to make sure it's as safe as any other event space and will go along with whatever the Chief's recommendations are to bring it to code. He also stated that if it's too costly to get it up to code, then this project is over before it's started.

Commissioner Suozzo commented that if the Commission is granting a conditional use permit, then all these things that are being talked about have to be there before he could occupy the building, so all the Commission is saying is that he can use it, but he still has to follow all the rules and regulations or it won't open, regardless of what the Commission says. Mr. Robinson stated he would have to meet all the requirements of the building permit process. He stated it's a good question, but the applicant just doesn't want to go out and put all that money into it before he knows if it can even get started. Commissioner Barry stated he agreed with that, but asked the question because there's no money involved in meeting with the Chief. He stated that would give him an idea as a businessman and us as a Commission what level of effort has to go into bringing it to code without the outlay of any money.

**Lansing Planning Commission
Regular Meeting
April 20, 2016
Page 4**

Commissioner Henke stated she didn't believe it was up to the Commission to discuss the future beyond just the permitting process and need to stay focused on what the actions of the Commission actually are. Vice-Chairman Schwanz stated conditions can be put on the application as some valid points have been raised. Commissioner Henke stated the finances aren't in the Commission's purview and Vice-Chairman Schwanz agreed.

Commissioner Holland said Mr. Schimke had mentioned earlier that he had the support of many of his neighbors and wondered if any were here tonight. Mr. Schimke then introduced several of the neighbors that were in attendance. A lady from the audience told Mr. Schimke he had neighbors behind him, too, and Mr. Schimke stated because of the size of their properties, he had never met them before, but was glad to meet them now.

At this time, Vice-Chairman Schwanz asked Ms. Leif to review the conditional use process. Ms. Leif stated they are good for five years, and then they must apply for renewal. She stated that if during those five years any problems have been reported with neighbors, etc., that would be taken into consideration at the renewal. Mr. Robinson stated the permit can actually be reviewed before then if there are any complaints. Vice-Chairman Schwanz asked if it can be pulled at any time and Mr. Robinson said, with Council action, that's correct. Mr. Robinson stated that an example might be if they were having an event there with the sale of alcohol but hadn't gone through the Department of Revenue to get proper licensing, then that would be a violation the Council would consider. Mr. Schimke said he has no intention of obtaining a liquor license or anything of that nature. He also stated that for the original application, he was interested in a ten-year permit, still knowing it can be revoked if they do anything not in the best interest of their neighbors or the city, because it is a six-figure investment. Mr. Robinson stated that would have to be changed at the Council level, as all conditional use permits now are only good for five years.

Commissioner Barry asked, since this is agriculturally zoned now, if the conditional use permit is granted, does that automatically change the zoning or would it stay agricultural? Ms. Leif stated it would stay agricultural as that is the base zoning.

Commissioner Barry then stated that in the Comprehensive Plan that is targeted for an extension of the Main Street Overlay District, so if it was extended in the middle or the end of his five-year review, how would that impact the conditional use permit? Ms. Leif stated if they came back and wanted to put up some new buildings, then those buildings would have to comply with the Main Street Overlay District. Commissioner Barry asked if his present structure would be grandfathered in and Mr. Robinson said it would.

Vice-Chairman Schwanz asked if the property was sold, would the conditional use permit stay in effect and Mr. Robinson said it would not as the permit does not go with the land. He stated it would terminate and the new owner would have to make a new application.

Vice-Chairman Schwanz then asked how often the city inspects the property should the permit go into play and Ms. Leif stated inspections are mostly complaint driven. Mr. Robinson said the number one inspection will be from the Fire Department.

Lansing Planning Commission
Regular Meeting
April 20, 2016
Page 5

Since there was no further discussion, Vice-Chairman Schwanz entertained a motion on the checklist as a finding of fact for the conditional use permit for 24132 139th Street. Commissioner Henke made a motion to accept the checklist as a finding of fact, seconded by Commissioner Suozzo. The motion passed 6-0.

Vice-Chairman Schwanz then asked for a motion on the conditional use permit application itself, reminding members there are different options, such as adding restrictions. Commissioner Henke made a motion to approve the conditional use permit application for 24132 139th Street. The motion was seconded by Commissioner Holland and was approved 4-2, with Commissioner Barry and Vice-Chairman Schwanz voting "no".

Vice-Chairman Schwanz then asked when this would go forward and the Commission secretary stated it would be considered at the May 5 City Council meeting.

At this time, Vice-Chairman Schwanz passed the chair back to Chairman Herring.

New Business - Chairman Herring stated there was no new business to consider.

Notices and Communications – Ms. Leif stated at the last meeting it was discussed about having an in-house law training, but because of changes in personnel coming up on the Planning Commission and Board of Zoning Appeals, she would try to get something scheduled for early June, as members had previously stated they would like to stay away from the May graduation time period.

Ms. Leif then talked about review of the Comprehensive Plan and stated she was planning at the May meeting to have a couple of chapters to start looking at. Commissioner Barry wished to make the comment that since there will be new people coming in who may not have any idea about the Comprehensive Plan, perhaps it would be more courteous to give them a chance to meet people and get into the groove of things before getting them involved in reviewing the Comprehensive Plan or any education. Ms. Leif stated that was a good observation and she was just trying to be conscious of the UDO getting started later this year. Ms. Leif said what she could do was get a schedule out to members of ideas and they could get ideas back to her.

Commissioner Holland asked if there's an end date by when it all has to be reviewed and Ms. Leif said it's recommended it be done every year, but doesn't believe it was done last year. Mr. Robinson said he believed a section is supposed to be reviewed every year. Vice-Chairman Schwanz asked if he understood correctly that she would be handing out a tentative schedule at the May meeting and Ms. Leif said she would if that works for everyone or it may be emailed out if there is no May meeting.

Ms. Leif then stated there may be one item for a May meeting that she has been talking with the City Administrator about concerning a policy going before the City Council about parkland in lieu fees for a new subdivision. She said since this is referred to in our Subdivision Regulations with the formula of \$400 per lot, she felt it should be amended in our Subdivision Regulations to add

Lansing Planning Commission
Regular Meeting
April 20, 2016
Page 6

in this new policy language. She stated this would be done by a resolution at the Council level and once that resolution is passed, there would need to be a public hearing in front of the Planning Commission to then amend the Subdivision Regulations. Mr. Robinson agreed that both should say the same thing.

Commissioner Moreland made the comment that she feels it would have been helpful to her to have had a copy of the Comprehensive Plan beforehand, even in a file. Mr. Robinson stated that another helpful publication is the League of Kansas Municipalities Municipal Governing Handbook that contains a very concise section on planning and zoning.

Reports – Commission and Staff Members – Ms. Leif stated this is Chairman Herring's last meeting and the city would like to present him with a certificate of appreciation and thank him for his years of service on the Planning Commission.

Adjournment – Vice-Chairman Schwanz made a motion to adjourn, seconded by Commissioner Suozzo and approved by acclamation. The meeting adjourned at 7:47 p.m.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,

Stefanie Leif, Community and Economic Development Director

CONDITIONAL USE CHECKLIST

Conditional Use Case No. CU2016-1

Date Filed: February 12, 2016

Date Advertised: February 20, 2016

Date Notices Sent: February 22, 2016

Public Hearing Date: March 16, 2016

I. **Applicant's Name:** Chad R. Schimke

Applicant's Authorized Agent: Joe Herring

II. **Information in Application Correct?** Yes ☒ No ☐

If no, explain: _____

III. **Adjacent Zoning and Land Use:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North		RR-2.5
South		A-1
East		A-1
West		A-1

IV. **Present Use of Property:** agricultural and residential (single family dwelling)

V. **Conditional Use Requested:** event facility

Excerpt from Lansing Zoning Ordinance, Article 9, Section 3:

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

A. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations, unless specifically exempted by the provisions of these regulations. The proposed use conforms with regulations.

Yes ☒ No ☐

B. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public. The renovation of the barn and conversion to an event space will provide new economic activity, bringing visitors to the community who may stay in local hotels and dine at area restaurants. The restoration of the barn conserves a historic building in the community.

Yes ☒ No ☐

C. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located. The property is surrounded on three sides by agricultural land. Unincorporated county land lies to the south and east. Lots zoned Rural Residential 2.5 lie to the north, along McIntyre Road. Due to the distance of the barn from surrounding

residential, the distance should lessen noise, light, and other impacts from events.

Yes ☒ No ☐

D. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to the location, nature, and height of buildings, structures, walls, and fences on the site; and the nature and extent of landscaping and screening on the site. Access to the event space will be from State Highway K-7. The driveway is currently gravel and additional gravel parking lots will be installed surrounding the barn. Staff recommends a condition of approval regarding dust abatement on the driveway and parking lots. Additionally, overflow parking cannot occur on K-7.

Yes ☒ No ☐

E. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect. The event barn is 0.25 (1,300 feet) miles from the single family lots to the north and 860 feet from the property to the west (across K-7 Highway).

Yes ☒ No ☐



F. Adequate utility, drainage, and other such necessary facilities have been or will be provided. The septic system will be upgraded prior to events taking place in the barn, and staff has recommended a condition of approval regarding the septic system.

Yes ☒ No ☐

G. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. No changes to the existing driveway are proposed. All traffic will ingress and egress from K-7 Highway.

Yes ☒ No ☐

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Jeff A. Rupp, Director of Public Works 
DATE: May 13, 2016
SUBJECT: Project No. 16-02: 2016 Capital Improvements Program Project – Award of Bid

Three 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 \$521,307.91.

There is \$560,000 available for mill and overlay in Fund 70, Street Contract; \$16,275 available for sidewalk work in Fund 70, Sidewalk Construction; and \$38,850 available for curb replacement in Fund 70, Curb Replacement, bringing total funding for the project to \$615,125.

Action: Staff recommends a motion to accept the bid of Little Joe's Asphalt, Inc. in the base bid amount of \$521,307.91.


City of Lansing
2016 CIP Bid Tabulations
Project No. 16-02

ITEM NO	ITEM DESCRIPTION	UNIT	QTY.	LITTLE JOE'S ASPHALT		MCANANY CONSTRUCTION		SEAL-O-MATIC PAVING COMPANY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	L.S.	1	\$6,000.00	\$6,000.00	\$11,000.00	\$11,000.00	\$25,100.00	\$25,100.00
2	Traffic Control	L.S.	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$7,300.00	\$7,300.00
3	Asphaltic concrete overlay (BM-2) or HMA Commercial Grade (Class A): No RAP	TONS	6,612	\$57.62	\$380,983.44	\$69.95	\$462,509.40	\$69.60	\$460,195.20
4	Milling (0"-2")	S.Y.	31,418	\$1.88	\$59,065.84	\$1.38	\$43,356.84	\$1.63	\$51,211.34
5	Curb & Gutter (Lansing Type A) (2'0") [includes asphalt wedging for spot repairs]	L.F.	970	\$26.50	\$25,705.00	\$39.00	\$37,830.00	\$45.32	\$43,960.40
6	Curb & Gutter (Lansing Type B) (2'6") [includes asphalt wedging for spot repairs]	L.F.	130	\$35.00	\$4,550.00	\$39.00	\$5,070.00	\$48.57	\$6,314.10
7	Concrete Sidewalk (4") – Remove and Replace	S.Y.	234	\$55.00	\$12,870.00	\$60.00	\$14,040.00	\$82.11	\$19,213.74
8	Seeding (Curb and Gutter and Sidewalk)	L.S.	1	\$2,360.00	\$2,360.00	\$1,100.00	\$1,100.00	\$2,800.00	\$2,800.00
9	Concrete Driveway Repair	S.Y.	22	\$67.00	\$1,474.00	\$84.00	\$1,848.00	\$100.73	\$2,216.06
10	Asphalt Driveway Wedge (5' max.)	S.Y.	670	\$18.00	\$12,060.00	\$29.95	\$20,066.50	\$46.47	\$31,134.90
11	Manhole Adjustment (post-overlay)	EACH	8	\$970.00	\$7,760.00	\$600.00	\$4,800.00	\$4,263.00	\$34,104.00
12	Pavement Marking - 4" (White) (Traffic Paint)	L.F.	5,302	\$0.27	\$1,431.54	\$0.14	\$742.28	\$0.42	\$2,226.84
13	Pavement Marking 4" (Yellow) (Traffic Paint)	L.F.	5,692	\$0.27	\$1,536.84	\$0.14	\$796.88	\$0.42	\$2,390.64
14	Pavement Marking - 24" (White) (Traffic Paint)	L.F.	89	\$1.25	\$111.25	\$0.87	\$77.43	\$3.21	\$285.69
15	Pavement Marking Left Arrow (White) (Traffic Paint)	EACH	2	\$200.00	\$400.00	\$54.00	\$108.00	\$70.00	\$140.00
	GRAND TOTAL BASE BID				\$521,307.91		\$608,345.33		\$688,592.91
	ALTERNATES/ADD ALTERNATES								
16	Wastewater Treatment Plant Parking Lot - Asphaltic concrete overly (BM-2) or HMA commercial Grade (Class A): No RAP	TONS	170	\$76.00	\$12,920.00	\$77.00	\$13,090.00	\$98.21	\$16,695.70
17	Wastewater Treatment Plant Parking Lot - Regular Milling (0"-4")	S.Y.	735	\$3.35	\$2,462.25	\$2.45	\$1,800.75	\$12.51	\$9,194.85
					\$15,382.25		\$14,890.75		\$25,890.55

City of Lansing
2016 CIP Bid Tabulations
Project No. 16-02

				ENGINEER'S ESTIMATE	
ITEM NO	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL
1	Mobilization	L.S.	1	\$7,500.00	\$7,500.00
2	Traffic Control	L.S.	1	\$13,000.00	\$13,000.00
3	Asphaltic concrete overlay (BM-2) or HMA Commercial Grade (Class A): No RAP	TONS	6,612	\$70.00	\$462,840.00
4	Milling (0"-2")	S.Y.	31,418	\$2.00	\$62,836.00
5	Curb & Gutter (Lansing Type A) (2'0") [includes asphalt wedging for spot repairs]	L.F.	970	\$35.00	\$33,950.00
6	Curb & Gutter (Lansing Type B) (2'6") [includes asphalt wedging for spot repairs]	L.F.	130	\$35.00	\$4,550.00
7	Concrete Sidewalk (4") – Remove and Replace	S.Y.	234	\$70.00	\$16,380.00
8	Seeding (Curb and Gutter and Sidewalk)	L.S.	1	\$3,500.00	\$3,500.00
9	Concrete Driveway Repair	S.Y.	22	\$70.00	\$1,540.00
10	Asphalt Driveway Wedge (5' max.)	S.Y.	670	\$30.00	\$20,100.00
11	Manhole Adjustment (post-overlay)	EACH	8	\$1,000.00	\$8,000.00
12	Pavement Marking - 4" (White) (Traffic Paint)	L.F.	5,302	\$0.70	\$3,711.40
13	Pavement Marking 4" (Yellow) (Traffic Paint)	L.F.	5,692	\$0.70	\$3,984.40
14	Pavement Marking - 24" (White) (Traffic Paint)	L.F.	89	\$1.50	\$133.50
15	Pavement Marking Left Arrow (White) (Traffic Paint)	EACH	2	\$32.00	\$64.00
	GRAND TOTAL BASE BID				\$642,089.30
	ALTERNATES/ADD ALTERNATES				
16	Wastewater Treatment Plant Parking Lot - Asphaltic concrete overly (BM-2) or HMA commercial Grade (Class A): No RAP	TONS	170	\$70.00	\$11,900.00
17	Wastewater Treatment Plant Parking Lot - Regular Milling (0"-4")	S.Y.	735	\$4.00	\$2,940.00
					\$14,840.00

AGENDA ITEM

TO: Mayor Gene Kirby, Lansing City Council
FROM: Tim Vandall, City Administrator 
DATE: May 13, 2016
SUBJECT: Wastewater Utility Rate Agreement

Included on the agenda is the updated wastewater utility rate agreement between the City of Lansing and the Lansing Correctional Facility. The current agreement expires May 31, 2016. The changes have been verbally approved by LCF, and upon approval by the City, will be sent to the facility for final signatures. The agreement increases annually based on the Consumer Price Index, which was .7% last year. The agreement lasts for six years and expires on June 30th, 2022.

Action: Approval of Wastewater Utility Rate Agreement with LCF, as presented.

**WASTEWATER UTILITY RATE AGREEMENT BETWEEN
THE CITY OF LANSING, KANSAS AND THE
LANSING CORRECTIONAL FACILITY**

This WASTEWATER UTILITY RATE AGREEMENT (Agreement), made and entered into this ____ day of June, 2016, by and between the CITY OF LANSING, KANSAS, a Kansas Municipal Corporation duly organized under the laws of the State of Kansas, hereinafter referred to as "City", and LANSING CORRECTIONAL FACILITY, 301 East Kansas Street, Lansing, Kansas 66043, hereinafter referred to as "LCF".

City has agreed to continue its wastewater utility service to LCF and LCF has agreed to accept such City services. The parties intend that this Agreement establish wastewater usage charges commencing on June 1, 2016 and ending on June 30, 2022. The parties also intend that such wastewater utility usage rate shall be based on a historical annual usage level for which LCF agrees to pay to City an annual usage fee of \$676,704 to be paid in 12 equal monthly installments of \$56,392. The parties further agree that this annual usage fee shall be subject to an adjustment of the annually reported Consumer Price Index (CPI) each year on July 1st. The parties also agree that any increase implemented as a result of an increase of the CPI will be added to the 12 equal monthly installments period.

WITNESSETH:

WHEREAS, K.S.A. 12-631 *et seq.* authorizes the City to create an ordinance or resolution to collect just and equitable rates of service charges for the use of the sewerage system by all persons or organizations or users of the system whose premises are connected to the City's sewer system to be used for the sewerage system. "Sewerage system" as used in this section means sewers, mains, pumping stations, treatment works, storage facilities and all appurtenance to the collection, storage, treatment, and disposal of sewage and/or waste water;

WHEREAS, the governing body of the City adopted a Code of the City of Lansing, Kansas, providing for the establishment of wastewater services to residential and commercial properties within City limits;

WHEREAS, K.S.A. 12-2901 *et seq.* encourages cooperation between local governmental units, allowing them to make the most efficient use of their powers by enabling them to cooperate with other entities on a basis of mutual advantage;

WHEREAS, City and LCF have a longstanding partnership, which warrants a reduction in commercial rates to offset the cost of services provided on the City's behalf by LCF;

WHEREAS, the City and LCF have determined that the terms and conditions set forth herein will serve as a reminder of the historic partnership between the two parties, and their desire to enter into the following agreement in order to continue this partnership;

WHEREAS, this Agreement will be in force for SIX (6) years beginning June 1, 2016, and terminating on June 30, 2022;

WHEREAS, LCF acknowledges and agrees it shall be responsible for the upkeep and mowing of certain areas within the City's legal boundaries as designated in Attachment A.

NOW, THEREFORE, City and LCF in consideration of the mutual covenants and agreements contained herein, do mutually agree to enter into this Wastewater Utility Rate Agreement, to include the fee structure as defined herein, for the purpose of establishing wastewater usage charges beginning June 1, 2016, and terminating on June 30, 2022; and in consideration of the mutual covenants and agreements contained herein, do mutually agree as follows:

1. **PURPOSE:** The purpose of this Agreement is to provide LCF with a six-year wastewater utility rate and usage charges to allow the parties sufficient time to request appropriate budget funding levels based on anticipated multi-year usage agreements including increases based on the annual CPI.
2. **FEE STRUCTURE:** LCF agrees to pay to City an annual wastewater fee as set forth in this Agreement, in each year of the six-year period including CPI increases, billed on a monthly basis, and consistent with parties' budget year.
3. **OTHER CONSIDERATION:** As part of its consideration for this six-year agreement, LCF acknowledges and agrees to be responsible for all mowing associated with the areas within City's legal boundaries shown in Attachment "A".
4. **NATURE OF AGREEMENT:** This Agreement contains the entire agreement between the parties hereto, and that the terms of this agreement are contractual and not a mere recital.
5. **MODIFICATION:** The terms, conditions and provisions of this Agreement can be neither modified nor eliminated except by written agreement between City and LCF. Any such modification to this Agreement as approved shall be attached hereto and incorporated by reference.
6. **HEADINGS:** The headings or captions of this Agreement are for convenience and reference only, and in no way define, limit or describe the scope or intent of the contract or any provisions in this Agreement.

7. **SOLE AGREEMENT:** This Agreement, including any exhibits or addenda attached hereto, constitutes the sole agreement between the parties and supersedes any prior understandings including any written or oral agreements between the parties. This agreement may be modified by the parties only through the adoption and execution of a subsequent wastewater utility rate agreement signed by all parties to this agreement.

City: City Administrator
800 First Terrace
Lansing, KS 66043

LCF: Warden
Lansing Correctional Facility
Lansing, Kansas

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Rex Pryor, Warden
Lansing Correctional Facility
Lansing, Kansas

Louis E. Kirby, Mayor
City of Lansing, Kansas

ATTEST:

Sarah Bodensteiner, Lansing City Clerk

**WASTEWATER UTILITY RATE AGREEMENT BETWEEN
THE CITY OF LANSING, KANSAS AND THE
LANSING CORRECTIONAL FACILITY**

**ATTACHMENT A
DESIGNATED MOWING AREAS**





National Kids to Parks Day

Whereas, May 21, 2016 is the sixth 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, Louis E. Kirby, Mayor of the City of Lansing, in the State of Kansas designate May 21, 2016 as

National Kids to Parks Day

And urge residents of Lansing to make time on May 21st 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 19th day of May, in the Year of Two Thousand and Sixteen.

City of Lansing

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

7

Lansing Wastewater Utility Department
Monthly Lab Data and Vehicle Report

Apr-16

City Influent	35.501 MG	City Avg Daily	1.183 MG
LCF Influent	14.229 MG	LCF Daily Avg	.474 MG
Total Biosolids	.899 MG	Precip	5.78"

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1995	Dodge	3500	Flatbed Truck	87116	87300	184	Collection System	
1999	Sterling	Vactor	Jet Truck	7973	7981	8	Collection System	
2002	Ford	350	Pick Up Truck	86887	87341	454	Ops/Maint.	
2006	Ford	Cr Vic	Sedan	144332	144442	110	Ops/Maint.	
2005	Ford	550	Flatbed Truck	40737	40961	224	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	17269	17365	96	Biosolids Disposal	
Total						1076		

Year	Make	Model	Description			Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	936	936	0	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2196	2198	2	Collection System	
1999	Aries	Saturn III	Camera Trailer	332	335	3	Collection System	
2004	John Deere	7920	Tractor	1062	1083	21	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	987.6	993	5.4	Operations	
2004	Case	621D	Loader	2118	2139	21	Operations	
2005	Polaris	Ranger #2	Utility Vehicle	958	964	6	Maintenance	
2006	JCB	531-70	Telehandler	482	483	1	Plant Activities	

8

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

Year	Make	Model	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	LT	LT. Pick-up Ext	48,017	48,905	888	
2007	Ford	LT	LT. Pick-up Ext	30,677	30,997	320	
1998	Ford	1/2 ton	Pick-up	57,796	58,216	420	
2001	Ford	Ranger	LT. Pick-up Ext	113,881	113,926	45	
2005	Ford	Ranger	LT. Pick-up Ext	37,478	37,529	51	
2000	Ford	Explorer	SUV	180,488	180,853	365	
2005	Sterling	LT 8500	Dump Truck	45,559	45,640	81	
2007	Elgin	Crosswind J+	Street Sweeper	4,869	4,936	67	
1992	Ford	700	Dump Truck	62,580	62,580	0	
1999	Ford	F350 4x4	Dump Truck	82,917	82,918	1	
2000	Ford	F350 4x4	Pick-up Utility	92,483	92,672	189	
2002	Ford	F350 4x4	Dump Truck	68,341	68,706	365	
2011	International	7400	Dump Truck	9,853	9,943	90	

Equipment

Year	Make	Model	Description	Hours Starting	Hours Ending	Hours Used	Comments
1997	JD	770BH	Grader	4,943	4,946	3	
2004	IR	DD-24	Asphalt Roller	242	242	0	
2006	IR	185	Air Compressor	165	165	0	
1993	Ford	5030	Tractor	368	368	0	
1997	Bobcat	763	Skid Steer	1,970	1,970	0	in the shop
2014	Case	580 SNWT	Backhoe	354	362	8	
2002	Crafco	110	Crack Sealer	748	748	0	
2003	Kubota	L3710	Tractor	1,379	1,381	2	
2009	Case	465	Skid Steer	485	489	4	
2004	Case	621D	Front Loader	2,013	2,013	0	at wastewater plant

Lansing Police Department
Vehicle Fleet End of Month Report

May-2015

Unit	Year	Make/Model	Mileage as of 04/01	Mileage as of 05/02	Miles Driven	Current Use	Future Use	Comments
1	2013	Ford Explorer	46316	47234	918	Patrol	Patrol	Fit for patrol duty
2	2012	Dodge Charger	19921	21320	1399	Sergeants	Sergeants	Limited Use - Sergeants
3	2015	Ford Explorer	9255	10583	1328	Patrol	Patrol	Fit for patrol duty
4	2015	Ford Explorer	6311	7100	789	Patrol	Patrol	Fit for patrol duty
5	2012	Dodge Charger	17066	17608	542	Captain	Captain	Limited Use - Captain
6	2013	Ford Explorer	31546	32210	664	Patrol	Patrol	Fit for patrol duty
7	2002	Ford Explorer	118819	120207	1388	Patrol	Patrol	Limited Use - Detective
8	2011	Dodge Charger	55052	57821	2769	Patrol	Patrol	Fit for patrol duty
9	2012	Chevy Tahoe	67005	68376	1371	Patrol	Patrol	Fit for patrol duty
10	2011	Dodge Charger	28622	29294	672	Chief	Chief	Limited Use - Chief
11	2003	Ford F150	73485	73710	225	Animal Control	Animal Control	Fit for Animal Control duties
13	2010	Dodge Charger	82418	83861	1443	Patrol	Patrol	Fit for patrol duty
14	1995	Ford EOC Vehicle	162103	162138	35	EOC	EOC	Limited Use - EOC
15	2006	Dodge Charger	119420	119420	0	Patrol	Patrol	In Decomission
16								
17	2010	Dodge Charger	93604	93604	0	Patrol	Patrol	In Decomission
					0			
				Mileage Total:	13543			

PATRICK N. DELAVAN

Colonel (Ret)
United States Army

604 N. Desoto Road
Lansing, KS 66043

8 APR 16
(913) 250-6265

Chief of Police

Lansing, KS

Dear Sir: This note is to
express my appreciation for the
efficient and courteous work of
Officer Gable.

On ~~Seven~~ April Officer Gable
answered a request to transport
a raccoon I trapped at my house.
He responded quickly and returned
my trap in short order.

Officer Gable is an exemplary
police man and is a credit to
the community.

Please thank him for his
service.

Sincerely,

Pat Delavan



CITY OF LANSING
ECONOMIC DEVELOPMENT POLICY
DRAFT 5-19-16 City Council Meeting

On January 28, 2016, the City Council held a work session to discuss a draft economic development policy. Based on City Council feedback as well as review and revisions by the City's bond counsel, Gilmore & Bell, staff has prepared a second draft of the policy for Council review. Please note that incentives prescribed by statute have been removed from the policy at the recommendation of Gilmore & Bell since they are governed by state law, not local law. Further, the policy states that application fees are listed in the City Code fee schedule. The fees are not currently part of this schedule, so they will be added to the fee schedule and adopted by the City Council following adoption of the policy.

Also enclosed for the City Council's reference is a document prepared by Gilmore & Bell outlining "big picture" considerations for staff and the Council to consider when developing and adopting an economic development policy.

Staff recommends that the City Council review the policy over the next two weeks and discuss it at the June 2 City Council meeting.



CITY OF LANSING
ECONOMIC DEVELOPMENT POLICY
DRAFT 5-19-16 City Council Meeting

Purpose

The City of Lansing Economic Development Policy is intended to serve as the official policy for those interested in economic development incentives. This policy does not provide information on possible incentives from other economic development partners; including, but not limited to Leavenworth County, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth-Lansing Chamber of Commerce, Kansas City Area Development Council, Kansas Small Business Development Center, and Kansas Department of Commerce. The City of Lansing is committed to the retention and expansion of current businesses, attraction of new businesses, and increasing the quality of life for the citizens of Lansing.

Types of Economic Development Tools Available

The City will consider using all legally-available economic development tools, with some limited exceptions. A brief listing of tools currently available are as follows:

- Lansing Job Bounty Program
- Lansing Tourism and Convention Promotion Facilities Renovation Fund
- Tax Increment Finance (TIF)
- Transportation Development District (TDD)
- Community Improvement District (CID)
- Industrial Revenue Bonds (IRB)
- Infrastructure Development Assistance (Special Assessment Districts and fee waivers)
- Tax exemptions and/or abatements
- Sales Tax Reimbursement

For more information regarding each of these tools, contact the City of Lansing Community & Economic Development Director at 913-727-5488 or sleif@lansing.ks.us.

Even if permitted by state law, the City will not consider the use of cash grants to applicants. Similarly, the City will generally only use incentives to pay or reimburse the applicant for capital expenditures (as opposed to operating expenses – with the exception of the Job Bounty Program).

Preferred Economic Development Projects

Economic Development projects that provide a return on investment, livable wages, and add to the city's tax base, and increase quality of life for residents and visitors to the community.

Retroactive Granting of Incentives; "But For" Principle

No incentives will be distributed on a retroactive funding basis. Incentives will be granted pursuant to the guidelines of this policy and effective on the date indicated and approved by the City Council.

Each application for incentives shall demonstrate that the incentive will make such a difference in determining the decision of the business to locate, expand or remain in the city that the business would not otherwise be established, expanded or retained without the availability of the incentive. The city may request additional documentation such as a business plan and/or financial statements to assist the city in determining these factors.

Job Bounty Program

The Job Bounty program of the City is to encourage new and/or existing businesses to hire employees. To participate in the Job Bounty program, a prospective employer must agree to hire at least ten (10) full-time employees at an hourly wage of no less than \$10.00 per hour. For the purpose of this program, a full-time employee is one who works forty (40) hours per week or two thousand eighty (2080) hours per year. Anything below these levels will be considered part-time and will not be eligible for benefits under this program.

For those employers creating ten (10) or more full-time jobs paying no less than \$10.00/hour, the Job Bounty program, subject to the City's budgetary limitations, shall receive the following:

1. For each full-time position created paying no less than \$10.00/hour base salary, not including employee benefits, tips, commissions, bonuses, or other incentives, the City will pay to the employer \$1,000 per job provided that funds shall be paid in 20% increments over a five (5) year period. The employer will be required to provide, at the end of each year, in order to receive Job Bounty funds for that year, an audited payroll showing those ten (10) or more jobs were filled throughout the one year period.
2. For full-time jobs exceeding \$15.00 per hour base salary, not including employee benefits, tips, commissions, or other incentives, the City will be \$1,500 per job on the same basis as noted previously including creation of a minimum of ten (10) jobs per company per agreement.

No Job Bounty proceeds will be paid for the creation of jobs that do not meet established hour and wage requirements as outlined above. The Development Agreement shall stipulate a minimum number of jobs created to be eligible for the incentive. If this minimum is not met by the employer within a designated timeframe, no Job Bounty funds will be distributed. Job Bounty funding is allocated on a one-time occurrence per company.

Tourism and Convention Promotion Facilities Renovation Fund

The City of Lansing established a Facilities Renovation Fund in 1998 for the purpose of renovation of such businesses, hotel, motel, and tourist court facilities who are subject to the Transient Guest Tax. After the first of February of each year, businesses subject to the tax may apply for revenue collected from the previous four quarters. This tax is levied upon businesses in the amount of seven percent (7%) (*as of May 2016*) of the gross rental receipts for lodging or sleeping accommodations. Funds requested by the business shall not exceed its actual remittances to the State of Kansas for half of the seven percent (7%) total transient guest tax levy, minus state administrative expenses. No business may claim remittances from another business, and no new business may claim remittance which it has not paid to the State. Funds requested may be used for any of the following:

- a. Reimburse an expenditure for capital improvement
- b. Reimburse payments for retiring the debt on a capital improvement
- c. Reimburse payments for a lease/purchase of capital improvements
- d. Perform a capital improvement
- e. Reimburse a down payment on a lease agreement or reimburse a lease buyout
- f. Reimburse for new hotel related construction in the city of Lansing

Applications for this program are available at the City of Lansing. Eligible business may submit an application which will then be reviewed and approved by the City Administrator or his/her designee.

General Application Process

When an economic development incentive request is made to the Lansing City Council various City staff members will be involved in reviewing the applicant's materials. All requests for assistance must include the following:

- General description of the project
- Description of types of incentive tools requested to be used, including amount of assistance requested
- General description of developer/company requesting assistance

City staff will review the information and make a recommendation to the City Council as to the viability of the proposal. City staff may request additional information from the applicant in order to more fully evaluate the request and make an appropriate recommendation to the City Council.

If a recommendation is made to the City Council and should the City Council agree "in principle" with the City Administrator's recommendation, the City and the applicant will enter into negotiations to draft a development agreement and begin any statutorily-required process for the City Council to consider approval of the requested economic development tool(s).

Application Fees

Applications fees are outlined in the fee schedule within the adopted Lansing City Code.

Payment of Certain Costs and Administrative Fees

Prior to beginning negotiation of any development agreement, the applicant is required to enter into a funding agreement with the City of Lansing. The funding agreement will include provisions for the applicant to pay for any expense in regards to the evaluation of the proposal and negotiating and implementing the requested incentive, including necessary outside consulting, attorney fees, financial advisers, and bond counsel. The funding agreement will require the application to make an initial deposit of at least \$5,000.00, which the City may use to pay such third party expenses.

Development Agreement

Any incentive granted pursuant to this policy shall be accompanied by a Development Agreement setting forth the specific rights and obligations of the applicant and the City. The Agreement shall include provisions governing the situation if an applicant fails to meet the wage, number of jobs, and/or capital investment projections agreed upon between the City and the Developer. Each incentive shall be reviewed annually by city staff, and in the case of failure to meet the terms of the Development Agreement, by the City Council.

Waiver of Policy Requirements

The City Council reserves the right to grant or not to grant an incentive under circumstances beyond the scope of this policy, or to waive any procedural requirement. However, no such action or waiver shall be taken or made except upon a finding by the City Council that a compelling or imperative reason or emergency exists, and that such action or waiver is found and declared to be in the public interest.

Amendments

The City Council retains the right to amend any portion of this policy as needed.

Review of Policy

This policy will be subject to a review by the City Council every three years.

ECONOMIC DEVELOPMENT POLICY DEVELOPMENT: BIG PICTURE CONSIDERATIONS

- What does the City want to incentivize?
 - Sometimes easier to provide a list of things the City doesn't want to incentivize
 - Things to consider:
 - Target industries (bioscience, financial services, etc.)
 - Target development types (commercial, retail, residential, warehouse, etc.)
 - Geographic areas for development
 - Job creation; minimum wages
 - Minimum \$ amount of investment
- What will the City use public \$ for?
 - Only public improvements?
 - Limited private improvements?
 - Capital expenditures vs. operating expense
 - Site work vs. vertical construction
 - Project management expenses? Construction financing?
 - Limit on expenses to be paid – only reimburse costs incurred after incentive approved?
- What public \$ will the City use?
 - Only revenues from project – both sales and property tax or just one or the other?
 - Other City funds? Does the City want to limit potential sources?
 - Will the City specify limits on amount of public \$?
 - Examples: IRB less than 100% abatement? TIF capture less than 100% increment? CID/TDD limit on amount of sales tax?
- What risk is the City willing to take?
 - Up-front grant vs. pay-go vs. special obligation bonds vs. general obligation bonds
 - If something other than Pay-Go, will the City require any developer guarantees?
- If the City gives public \$, will it require heightened development standards?
- Does the City want to specify a maximum % of total project costs that the incentives will fund?
- Will the City require a minimum amount of equity investment from the developer?
- What is the application process?
 - Forms?
 - Fee Schedule?
- Funding Agreement? Amount of required deposit?
- How will the City evaluate the proposed project?
 - What format will the City use for determining Cost-Benefit?
 - Does the City require a “but-for” test? What is the standard that will be applied?
 - Who does the analysis?
- Consider whether application /evaluation process should differ depending on type of incentive requested.
- If incentives are approved:
 - Will the City charge an annual administration fee? How much?
 - What annual financial reporting, if any, will be required?
- Other considerations:
 - Should policy specify specific consequences for not meeting development expectations, or does the City leave this to be negotiated as part of the Development Agreement?