



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

**COUNCIL AGENDA**  
**Regular Meeting**  
**Tuesday, July 2, 2019**  
**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. Fence Request – 690 Creekside Place
3. Final Plat – Homestead Acres
4. Structure Removal Cost Share Policy Update
5. Structure Removal Cost Share Request – 124 E. Kansas Avenue
6. Executive Session – Acquisition of Real Estate

***Reports:***

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

***Proclamations***




***Other Items of Interest***

***Adjournment***

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
THRU: Sarah Bodensteiner, City Clerk   
FROM: Shantel Scrogin, Assistant City Clerk   
DATE: June 24, 2019  
SUBJECT: Approval of Minutes

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The Regular Meeting Minutes for June 20, 2019 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes for June 20, 2019 as presented.

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**AGENDA ITEM #**

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**CITY OF LANSING**  
**CITY COUNCIL MEETING**

**REGULAR MEETING MINUTES**  
**June 20, 2019**

**Call To Order:**

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

**Roll Call:**

Council President Kirby called the roll and indicated which Councilmembers were in attendance.

**Councilmembers Present:**

**Ward 1:** Gene Kirby and Dave Trinkle

**Ward 2:** Don Studnicka

**Ward 3:** Jesse Garvey

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

**Councilmembers Absent:** Tony McNeill, Don Studnicka, Gregg Buehler and Mayor Smith

**OLD BUSINESS:**

**Approval of Minutes:** Councilmember Pawlowski moved to approve the regular meeting minutes of June 6, 2019, as presented. Councilmember Trinkle seconded the motion. The motion was approved with Councilmember Brungardt abstaining from the vote.

**Audience Participation:** Council President Kirby called for audience participation and there was none. Council President Kirby recognized Representative David French and County Commissioner Chad Schimke, who were in attendance at the meeting.

**Presentations**

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Ex-Officio Member for Parks & Recreation Advisory Board Appointment:** Councilmember Trinkle moved to appoint Gene Kirby as an Ex-Officio member of the Parks & Recreation Advisory Board. Councilmember Brungardt seconded the motion.

- Councilmember Pawlowski stated surprise.
  - Councilmember Trinkle asked have we investigated this guy.
    - City Attorney Greg Robinson replied Chief did a background check.

The motion was unanimously approved.

**Special Use Permit Request – More than 4 Animals – 411 Hillbrook Ct:** Councilmember Trinkle moved to approve the special use permit for more than 4 animals at 411 Hillbrook Ct. Councilmember Garvey seconded the motion.

- Councilmember Pawlowski stated she wants to talk, I think.
  - City Attorney Greg Robinson responded I just said she could come up here if she wanted to.
    - Councilmember Kirby replied she would rather not.
      - Councilmember Pawlowski stated from reading the stuff over, it appeared to me that your more than 4 animals was by accident.
        - Resident Heather Jones responded we inherited 3 animals when my grandmother passed away. One of them passed away a few weeks ago so now we are down to five – 2 cats and 3 dogs.
          - Councilmember Pawlowski asked so when you get down to four, you're not going to go back up to five probably.
            - Resident Heather Jones replied more than likely not.

The motion was unanimously approved.

**Independence Day Celebration Special Event Permit and Temporary Special Event CMB/Beer**

**Sales:** Councilmember Brungardt moved to approve the Temporary Special Event Permit and Temporary Special Event Cereal Malt Beverage License to Elite Occasions for the selling of Cereal Malt Beverages and

Beer not to exceed 6% Alcohol by Volume at the Independence Day Celebration Event. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

**Award of Bid – Municipal Annex Building Tuck Pointing Repairs:** Councilmember Brungardt moved to approve the bid from Renz Restoration to remove and repair the sealant and masonry at the municipal annex building in an amount not to exceed \$26,010.00. Councilmember Trinkle seconded the motion.

- Councilmember Pawlowski asked did we set money aside for this in the budget. I forgot what we did with this.
  - City Administrator Tim Vandall replied we originally planned on doing this in 2020 and then I think at a work session a couple of months ago we had talked about how we had received the grant to offset the costs for the Records Management System. And since we got the grant for the Records Management System, that money will be used for this.
    - Councilmember Pawlowski stated ok.
- Councilmember Garvey asked we only got one bid.
  - City Attorney Greg Robinson responded one complete bid.
    - Councilmember Garvey stated complete, yes.
      - City Administrator Tim Vandall responded I think we had received other ones that were of lesser completion.
- Councilmember Kirby asked they were a low bid last year weren't they. Looks like you talked to them before.
  - Library Director Terri Wotjalewicz replied yes, we had talked to them last year to get a quote for in the future and we didn't move forward with it last year.

The motion was unanimously approved.

## **REPORTS:**

**Department Heads:** Parks & Recreation Director Jason Crum updated the Council on the Master Plan. GIS data has been compiled by the Community & Economic Development department and the County. He asked the Council to take a look at the website, [www.ActivateLansing.org](http://www.ActivateLansing.org), that has been developed for the Parks Master Plan Project, in particular the public survey, and see if they have any feedback to pass along.

- Councilmember Pawlowski passed along she has seen a Party in the Park sign in a neighborhood in Merriam. She thought it was an event put on by the Parks Department of Merriam, not the neighborhood and thought it was a great idea..

Public Works Director Jeff Rupp thanked Tim Vandall and the City Council for allowing him to serve as the Public Works Director. His job was a lot easier thanks to Jeff Focht, Kenny Payne, Chris Hermann, Tom Kusler, Jim Ogden, Mike Henre, Yomi Alli, Cindy Tripp and Becky Savidge.

- Councilmember Trinkle, Councilmember Kirby, Councilmember Pawlowski and Councilmember Garvey thanked Jeff with Councilmember Brungardt letting him know he did a marvelous job.

Community & Economic Development Director Matthew Schmitz updated the Council on the condemnation projects within the city. Three commercial and nine residential structures are in the works. Some of these will come before the Council at the next meeting.

- Councilmember Trinkle asked if someone purchased one of these places that is being condemned, it is zoned as commercial but has a house on it, can they tear the house down and build another house on it.
  - Community & Economic Development Director Matthew Schmitz responded once you re-zone a property, example a residential property to commercial, if anything happens to that house, you can't put another house on it. It has to be sold as commercial property.
    - City Attorney Greg Robinson stated the use has to stay the same. It can't be turned into something it's not.

Community & Economic Development Director Matthew Schmitz continued that there is a 3-lot plat being developed on Mt Calvary Road and a question has come up on whether or not they would be required to pay perimeter street fees with the total being around \$110,000.

- Councilmember Kirby asked if it's within our code for perimeter street fees to be paid.

- Community & Economic Development Director Matthew Schmitz said it is but in his opinion this one is questionable due to no public street being put in. Perimeter street fees make sense when a development is being put in that involves a large amount of lots, ground and a public street being put in. This situation involves tract split lots with three homes being put in so it's a little more difficult.

**City Attorney:** City Attorney Greg Robinson updated the Council on the filing of the eminent domain action on a property for a sewer project. There was a court hearing and the judge approved it as a public purpose and the appraisers are agreed upon. There will be a hearing in July because the appraisers report is due August 2<sup>nd</sup>.

- Councilmember Pawlowski asked several parcels didn't settle with the Main Street Enhancement project but the City was told to go ahead, start the project and those parcels were done later. Does this project need to be held off?
  - City Administrator Tim Vandall stated he understood it was able to progress while the numbers are getting finalized.
    - Greg Robinson replied once we have the number, we can proceed. However, if we don't pay the number, it becomes void.
      - City Administrator Tim Vandall the part that has been challenging about this is the properties on the east. Typically, you want to start properties on the lower end and work your way up. So, we normally want to start east and go west, not west and go east.

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

**City Administrator:** City Administrator Tim Vandall asked the Council to check out the website Parks & Recreation Jason Crum directed them to, [www.ActivateLansing.org](http://www.ActivateLansing.org), and any feedback they have will be directed back to the consultant. Alliance Against Family Violence will be having a fundraiser and Councilmembers have been sent a flyer with details.

**Governing Body:** Councilmember Trinkle suggested Parks & Recreation Director Jason Crum gets the new Advisory Board member, Gene Kirby, the PRAB polo shirt.

Councilmember Kirby thanked Public Works Director Jeff Rupp for getting things moving and wished him good luck.

Councilmember Pawlowski and Councilmember Garvey echoed Councilmember Kirby's sentiments and told Public Works Director Jeff Rupp to enjoy his retirement.

#### **ADJOURNMENT:**

Councilmember Garvey moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:25 p.m.

**ATTEST:**

\_\_\_\_\_  
Louis E. Kirby, Council President

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

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator *TV*  
THRU: Matthew R. Schmitz, Community and Economic Development Director *MRS*  
FROM: Rebecca L. Savidge, City Inspector *RLS*  
DATE: June 25, 2019  
SUBJECT: Fence Request – 690 Creekside Place

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Jim Nabors, property owner at 690 Creekside Place, wishes to extend his fence into the platted setback of 20'. The planned placement of the fence will be outside of the right of way line, which is 16' from the back of the curb. The fence would be installed at 26.5' from the curb, or 12' from the side (south) of the home, parallel with the street, on the south side of the property.

The fence is proposed as a 6' privacy fence to be installed by the property owner. He wants to install the fence to provide privacy for two windows, both of which are bedroom windows on the south side of the home, from the public sidewalk. Pictures are attached to provide visuals in determining the approval or denial.

The City Code allows residents to bring before the City Council consideration of variances on fence requests. In reviewing the application to construct the fence with a reduced setback as shown in the attached drawing, staff finds no apparent conflicts with adjoining site triangles, easements, or road right of ways. Attached is the plat for The Maples of Woodland Hills, Phase 4.

Staff will issue or deny the building permit based on the City Council's subsequent decision.

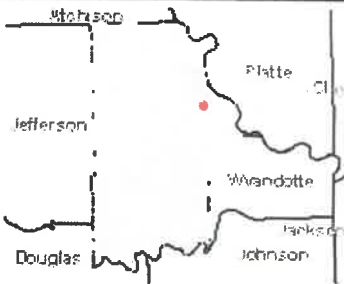
Action: Staff recommends the Council approve the fence request from Mr. Jim Nabors for 690 Creekside Place.



STACY R. HANCOCK  
REGISTER OF DEEDS



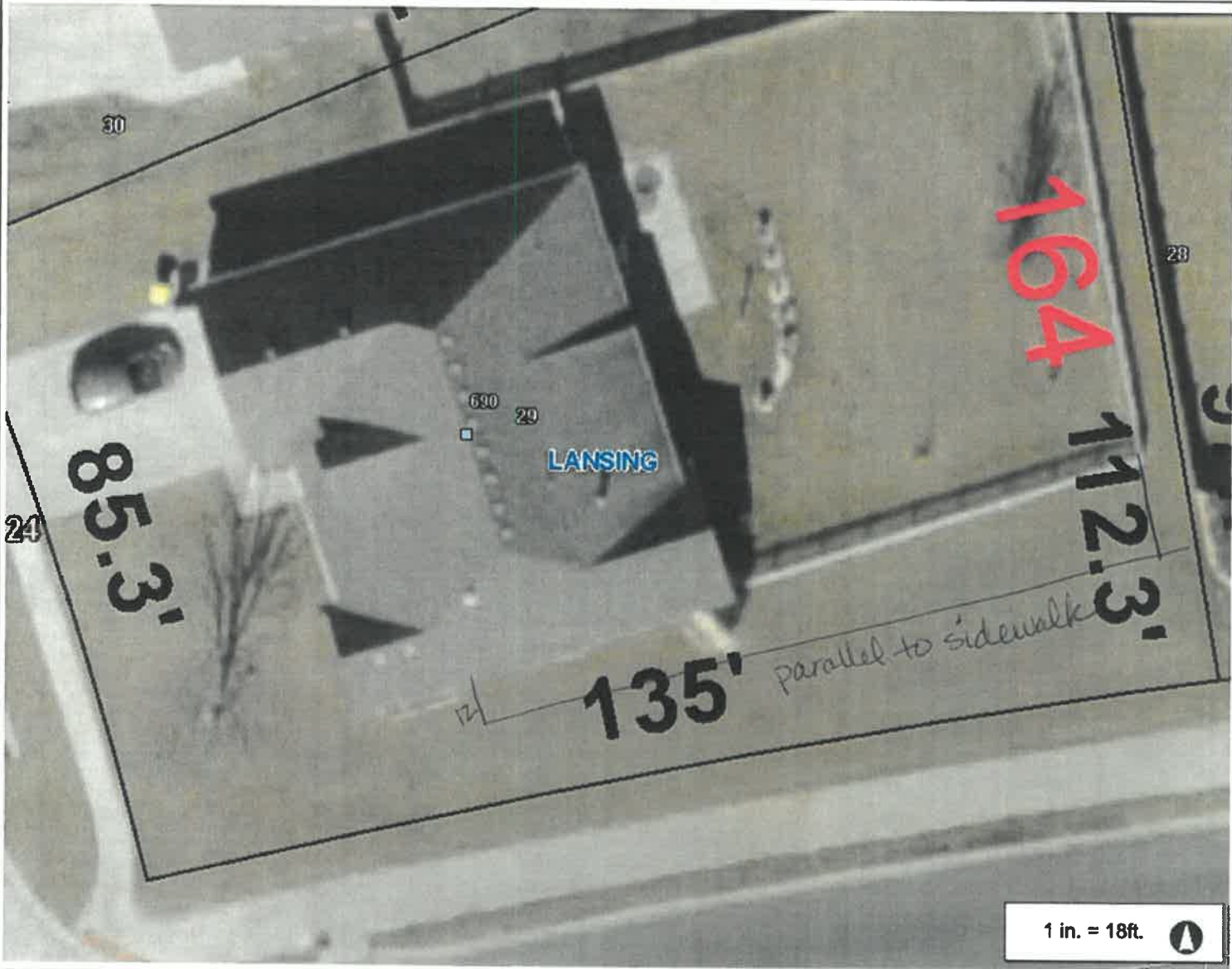
Leavenworth County, KS



Legend

- Address Point
- Parcel
- Parcel Number
- Lot Line
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary

Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

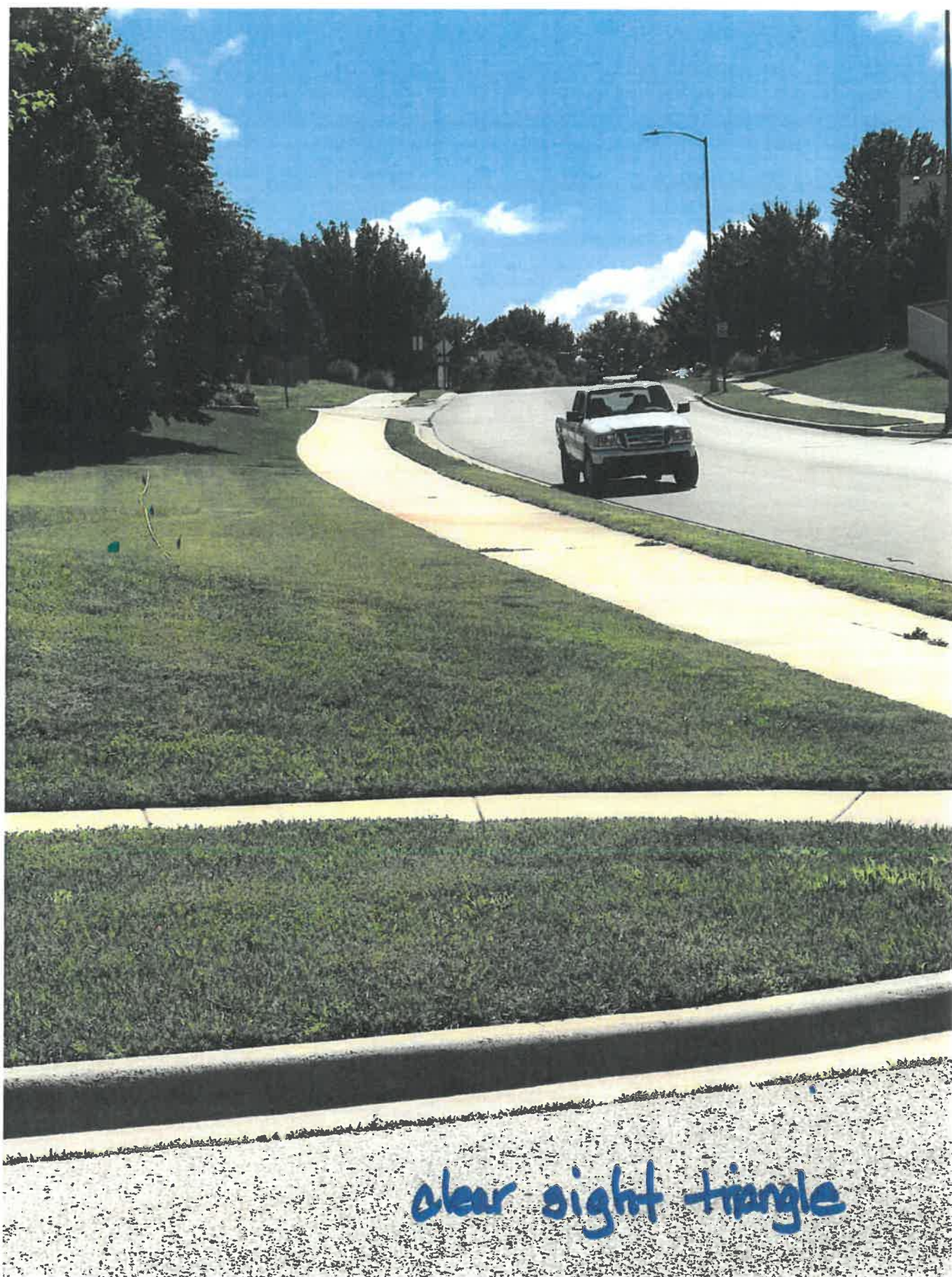













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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Matthew R. Schmitz, Director, Community & Economic Development *MRS*  
DATE: July 2, 2019  
SUBJECT: Final Plat – Homestead Acres

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Explanation: A final plat for Homestead Acres has been submitted by Joe Herring, agent, for Elizabeth Heslop and Ray Jones, property owners, for property currently addressed as 00000 Mt. Calvary Road, Lansing, Kansas.

The proposed final plat finishes the platting process for 17.86 acres for Homestead Acres Subdivision. This plat allows for three residential lots, with a remaining 10.22-acre tract to the east. There are no proposed streets with this subdivision, and staff has talked with the agent and property owners regarding the connection of Sycamore Ridge Drive to Mt. Calvary Road. Due to the need for 2.5 acre lots for septic system installation, the continuation of the road was not desired by the applicant. Additionally, there is no Sanitary Sewer in the area that could be easily connected to serve these lots.

The final plat does not meet all the requirements of the checklist; however, the missing items are minor and are easily corrected before filing of the plat with the County. Missing items are:

- Item 2 – Original is not on Mylar, tracing cloth or similar material.
  - This is an old requirement that we are considering removing.
- Item 4 – Property owners have not signed the plat that was submitted.
  - This can be completed before filing the plat.
- Item 7.I. – This item is not applicable, as there are no streets to be dedicated for public use.
- Item 7.J. – This item has not been requested by the Planning Commission.
- Item 8 – No restrictive covenants have been provided to date.
  - Staff does not believe that there are any, other than what is shown on the plat itself.
- Item 9.A. – The certification is on the plat, but it is not signed yet.
  - This can be completed before filing the plat.
- Item 9.D. – The certification is on the plat, but it is not signed yet.
  - This can be completed before filing the plat.

The final plat was sent to the County Surveyor, Wayne Malnicof, and his comments have been incorporated into the attached final plat.

The City Engineer has also provided comments, which have been addressed on the attached final plat. The City Engineer's comments are attached for your review, along with the revised final plat, the checklist, and minutes from the June 19<sup>th</sup> Planning Commission meeting.

The Planning Commission voted to recommend approval of this final plat application at its June 19, 2019 meeting with a 5-0 vote.

Action: Staff recommends a motion to approve the final plat for Homestead Acres.



## **MEMORANDUM**

To: Matthew Schmitz, Community and Economic Director  
From: Matthew Harding, P.E., City Engineer  
Regarding: Homestead Acres, Final Plat Review  
Date: June 4, 2019

I received the single sheet Final Plat of Homestead Acres, dated May 30, 2019. Below are comments regarding this Final Plat.

1. I had a question regarding the 30' Right-of-Way along Mt. Calvary Road, shown on this plat. I have assumed that that 30' Right-of-Way is an existing Right-of-Way since the road is an existing road, but I am not sure based upon the way the plat is drawn?
2. The Sycamore Ridge Dr. label running north-south along the Mt. Calvary Road Right-of-Way, has been included on this Final Plat. As we have already discussed, this error should be corrected.
3. It will be interesting to see if the City Council will concur with the Planning Commission's opinion that Sycamore Ridge Road does not need to be extended through this subdivision.

Please let me know if you have any questions or comments regarding this review.

**A Minor Subdivision in the Southwest Quarter of Section 14, Township 9 South, Range 22 East of the 6th P.M., City of Lansing, Leavenworth County, Kansas.**

## FINAL PLAT

DESCRIPTION OF RECORD: Deed 8k 876 Pg 1642  
The North Eighteen (18) acres of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section  
Fourteen (14), Township Nine (9), Range Twenty-two (22), off in Leavenworth County, Kansas.

PREPARED FOR:  
Elizabeth Hestrop  
Ray E. Jones  
00000 Hill Calvary Road  
Levens, KS 66043  
PID # 052-106-14-0-00-04-002

**SURVEYORS DESCRIPTION:**

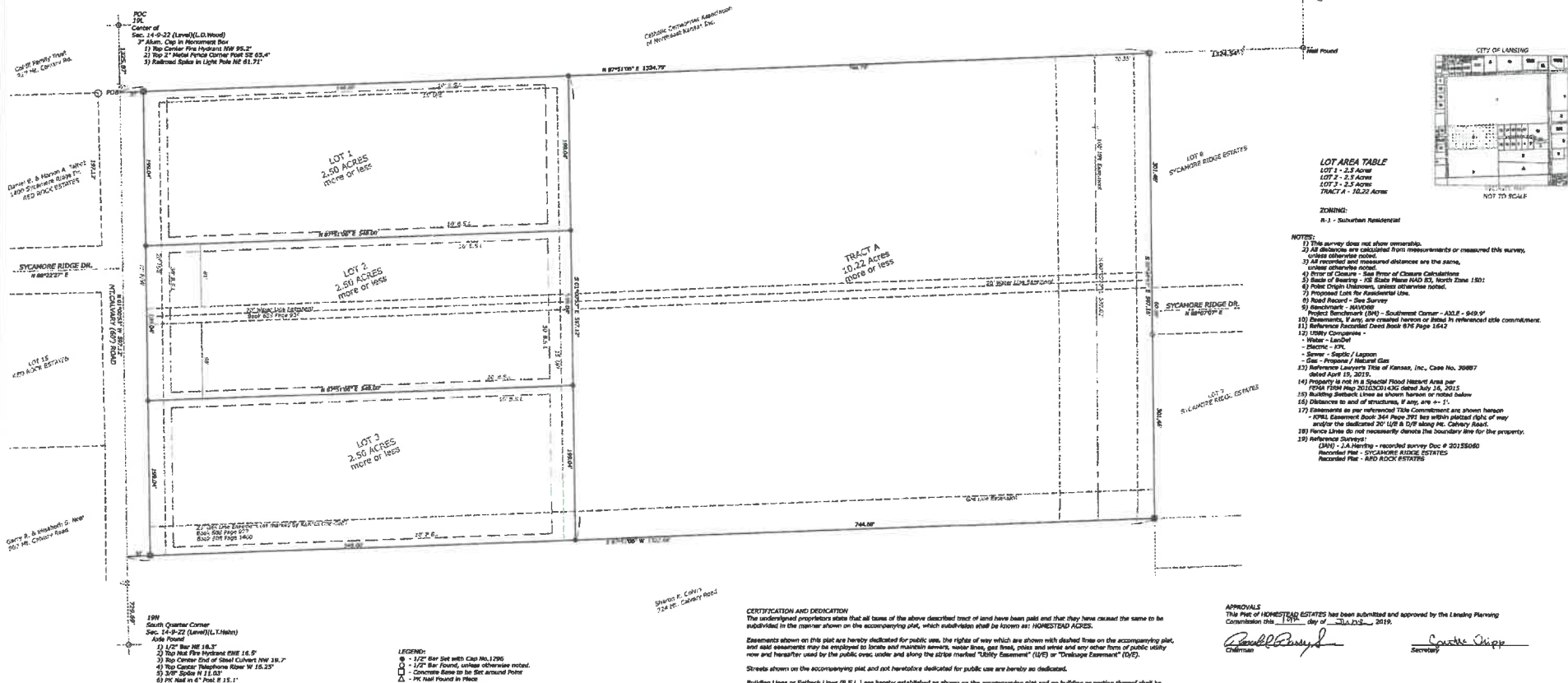
A tract of land in the Southwest Quarter of Section 14, Township 9 South Range 22 East of the 60th P.M., City of Lansing, Leavenworth County, Kansas; being more fully described as follows: Commencing at the Northeast corner of the SW<sup>1</sup>/<sub>4</sub> Sec 14 T9S R22E S48° 02' 57" E for a distance of 132.22 feet; then along the West line of said Southwest <sup>1</sup>/<sub>4</sub> quarter to the TRUE POINT OF BEGINNING; thence North 87 degrees 51' 08" East for a distance of 124.79 feet to the Northwest corner of Symonside Ridge Subdivision; thence South 06 degrees 48' 03" East for a distance of 107.12 feet to the intersection of the West line of said Southwest <sup>1</sup>/<sub>4</sub> quarter and the West line of Section 14; thence of 1322.66 feet to the West line of said Southwest Quarter; thence North 01 degree 02' 57" West for a distance of 507.12 feet along said west line to the point of beginning.

The above-described section contains approximately 100 acres, less or more, including road right of way of said property containing 13.4 acre, plus or minus.

ERROR OF CLOSURE:  
Bearing Distance  
N 87°51'06" E 1324.79  
S 00°48'43" E 597.16  
S 87°51'06" W 1322.68  
N 01°00'33" W 597.12

211.  
East Quarter Corner  
Sec. 24-9-22 (Level)(T.B. Wiswell)  
3' Alum. Caps in Monument Box

- 1) PK Nail & Shiner in Power Pole SE 57.84'
- 2) PK Nail & Shiner in Side Power Pole SE 46.83'
- 3) PK Nail & Shiner in Side Power Pole SW 59.32'
- 4) Top of Five Holes NW 84.0'
- 5) PK Nail & Shiner in Side Power Pole NW 78.03'
- 6) "x" Cut Top Curve SW 40.34'
- 7) "x" Cut Top Curve NE 54.4'
- 8) PK Nail & Shiner W Side Power Pole NE 79.59'



REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_  
2019 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County,  
Kansas.

Register / Deeds - Stacy Orfisch

**LEGEND:**  
 ● - 1/2" Bar Set with Cap No. 1296  
 □ - Bar Found, unless otherwise noted.  
 ○ - Concrete Bar to be Set around Point  
 △ - PC Not Found in Place  
 △ - Rebar / Dashed Distance  
 1/2" - UTILITY Easement  
 D/E - Drainage Easement  
 B.S.L. - Building Setback Line  
 R/W - Permanent Dedicated Roadway Easement dedicated this plat  
 E - Easement  
 S - Easement Line  
 B/W - Easement  
 POB - Point of Beginning  
 N of C - North of Corner

**COUNTY SURVEYOR**  
I hereby certify this plat meets the requirements of KSA-58-2001 through 58-2005. The  
face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys.  
No field verification is implied. This review is for surveying information only.

COUNTY SURVEYOR - Wayne Malincol, RLS

#### CERTIFICATION AND DEDICATION

**DEDICATION AND DEDICATORY**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: **HONESTAD ACRES.**

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, pipes and wires and any other form of public utility now and hereafter used by the public over and along the strips marked "Utility Easement" (U/E) or "Drainage Easement" (D/E).

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

**Building Lines or Setback Lines (B.S.L.)** are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and this street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of HOMESTEAD ACRES, have set our hands this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

Raymond E. Jones

James B. Thompson

1402a BY CROSSLAND

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a notary public in and for said County and State came Raymond K. Jones and Raymond F. Jones, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ (month)

DE: It is remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a notary public in and for said County and State came Larry A. Huxlop and Elizabeth A. Huxlop, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ fnsd

**APPROVALS**  
This Plan of **HOMESTEAD ESTATES** has been submitted and approved by the Lansing Planning Commission this 19<sup>th</sup> day of JULY, 2019.

Donald B. Barry, Jr. Constance Shipp

This Plat approved by the City Council of Lansing, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Director of Public Works

I hereby certify, as the County Treasurer of Leavenworth County, Kansas, that all taxes and special assessments due and payable on the foregoing subdivision have been paid on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

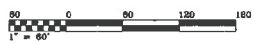
Leavenworth County Treasurer

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January 11, February 2019 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring



Scale 1" = 80'



# Leavenworth County, KS



## Legend

- Address Point
- Parcel
- Parcel Number
- Lot Line
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad
- Section
- Section Boundaries
- County Boundary

## Notes

796.7 0 398.37 796.7 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

**CHECKLIST FOR COMPLETENESS  
OF  
APPLICATION FOR PLANNING COMMISSION  
REVIEW AND APPROVAL  
OF  
FINAL PLAT  
FOR**

**HOMESTEAD ACRES  
(Name of Subdivision)**

Matthew R. Schmitz *MRS*  
**Person Completing Checklist**

6-12-2019  
**Date**

COMPLETION OF THIS CHECKLIST IN NO WAY CONSTITUTES AN EVALUATION OF THE MERITS OR ACCURACY OF THE PLANS, DESIGN OR ENGINEERING OF THE FINAL PLAT. THIS STEP IS INTENDED ONLY AS AN ADMINISTRATIVE REVIEW OF THE COMPLETENESS OF THE APPLICATION FOR APPROVAL BEFORE IT UNDERGOES STAFF EXAMINATION BY THE CITY ENGINEER FOR HIS RECOMMENDATION TO THE PLANNING COMMISSION.



## FINAL PLAT CHECKLIST

	<u>YES</u>	<u>NO</u>
1. Preliminary Plat has been approved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Original is on Mylar, tracing cloth or similar material, six (6) copies provided, along with electronic copy emailed to the Community and Economic Development Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Material is submitted at least fourteen (14) days prior to Planning Commission meeting at which it is desired to be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Original copy contains names and duly acknowledged and notarized signatures of the owner(s) of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Final Plat is drawn at scale of at least 1" = 200'	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Size of sheet on which final plat is prepared is at least 36 inches by 24 inches. If more than one sheet required, all are same size and index map is provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. FINAL PLAT CONTAINS:		
A. Name of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Location, including section, township, range, county and state	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Location and description of existing monuments or benchmarks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Location of lots and blocks with dimensions in feet and decimals of feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E. Location of alley, street and highway rights-of-way, parks and other features including radii on curves with dimensions in feet and decimals of feet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F. Clear numbering for all lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G. Clear numbering or lettering.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Locations, widths and names of all streets and alleys to be dedicated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I. Boundaries and descriptions of any areas other than streets to be dedicated or reserved for public use. (If applicable)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. Minimum area and associated minimum elevation for the building on each lot (building site). (If requested by Planning Commission)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Checklist  
Page 2

		<u>YES</u>	<u>NO</u>
K.	Building setback lines along all streets, with dimensions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
L.	Name, signature, seal of licensed engineer or registered land surveyor preparing plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
M.	Scale of plat, (shown graphically) date of prep and north point.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N.	Statement dedicating all easements, streets, alleys and all other public areas not previously dedicated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	A copy of any restrictive covenants applicable to the subdivision is provided. (N/A if not applicable)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Required certifications/acknowledgements are present:		
A.	Certificate signed and acknowledged by all parties having any record, title or interest in the land subdivided, and consenting to the preparation and recording of said subdivision map.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B.	Certificate (as above) dedicating or reserving all parcels of land shown on the final plat and intended for any public or private use including easements, and those parcels which are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants and servants.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C.	Certificate of responsibility by registered land surveyor preparing final map, accompanied by seal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D.	Certificate(s) signed by City Clerk and County Treasurer that all taxes and special assessments due and payable have been paid.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E.	Notary acknowledgement in form shown in Subdivision Regulation (Pg. 10).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F.	Endorsement by Planning Commission in form shown in Subdivision Regulations (Pg. 10).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G.	Public use acceptance by Governing Body in form shown in Subdivision Regulation (Pg. 10, 11).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Call to Order** – The monthly meeting of the Lansing Planning Commission was called to order by Chairman Ron Barry at 7:03 p.m. Also present were Vice-Chairman Kirsten Moreland, and Commissioners Marcus Bean, Nancy McDougal, and Jake Kowalewski. Commissioners Mike Suozzo and Jerry Gies were unable to attend. Chairman Barry noted that a quorum was present.

**Approval of Minutes, May 15, 2019, Regular Meeting** – Vice-Chairman Moreland made a motion to approve the minutes of the May 15, 2019, meeting, seconded by Commissioner Kowalewski. The motion passed, with Chairman Barry abstaining.

**Old Business** – none

**New Business: 1. Public Hearing – Conditional Use Permit – 125 Rock Creek Loop, Lansing, Kansas.** Chairman Barry stated an application was submitted by John Bradford, property owner, that would allow an apiary at the property located at 125 Rock Creek Loop, Lansing, Kansas. He noted the property is zoned R-1, Suburban Residential.

Chairman Barry opened the public hearing at 7:04 p.m. Since there was no one in the audience who wished to speak, he closed the public hearing at 7:05 p.m. He noted this begins the 14-day protest period.

Chairman Barry then asked Commissioners to consider the checklist as a finding of fact. Since there were no questions or comments regarding the checklist, Commissioner Bean made a motion to approve the checklist as a finding of fact. The motion was seconded by Vice-Chairman Moreland and passed unanimously.

Chairman Barry stated Mr. Bradford has been operating this apiary for many years and no comments or complaints have been received by staff.

Chairman Barry then asked for a motion to recommend approval, approval with conditions, or disapproval the conditional use permit for 125 Rock Creek Loop. Commissioner Bean made a motion to recommend approval, seconded by Commissioner Kowalewski, and the motion was unanimously approved.

It was stated that, because of the requirement for a 14-day protest period and because the next City Council meeting was moved up from July 4 to July 2, this application will go before the Council at its July 18 meeting.

**2. Final Plat – Homestead Acres – Sycamore Ridge Drive and Mt. Calvary Road, Lansing, Kansas.** Chairman Barry stated an application was submitted by Joe Herring, acting as the agent for Elizabeth Heslop and Ray F. Jones, property owners, for a final plat for Homestead Acres, generally located at Sycamore Ridge Drive and Mt. Calvary Road, Lansing, Kansas. He noted the property is zoned R-1, Suburban Residential.

Chairman Barry asked members to consider the checklist as a finding of fact. Chairman Barry asked if staff had any issues that still needed to be addressed. Community and Economic Development Director Matthew Schmitz stated the plat was sent to the County Surveyor, Wayne Malnicof, for his review. He stated Mr. Malnicof had a couple of comments that were minor things that can be cleared up before the final plat is signed and filed. Mr. Schmitz also stated

there were several items on the checklist marked "no" for which the explanation was given in the agenda memo. He stated the majority of these were also issues that can be taken care of before filing. One item on the checklist that Mr. Schmitz stated he intends to clean up is the requirement for the plat to be submitted on Mylar. He said since everything is filed and kept electronically now, there's really no need for that.

Mr. Schmitz also stated that he and City Engineer Matt Harding had talked about perimeter street fees on this property. He stated this is something staff will be asking the City Council to weigh in on, as perimeter street fees for this property would be approximately \$110,000. Chairman Barry asked for further explanation about this. Mr. Schmitz stated perimeter street fees are collected whenever a piece of ground is platted to put money away for future street construction. He stated there is 560' of frontage along Mt. Calvary Road that would need to have perimeter street fees collected on it, plus the fact that Mt. Calvary is a collector street, which would require sidewalk, etc. according to our standards. He noted that adds up to around \$110,000. Chairman Barry clarified this has no bearing on the final plat and Mr. Schmitz stated that was correct, that he brought it up for informational purposes only.

Chairman Barry next stated he thought on the preliminary plat there were some setback issues. Mr. Harding stated that the legal description shown includes the right of way, which is not owned by these property owners, but by the city or county. Mr. Harding said that if that is okay with the County Surveyor, it was okay with him. Mr. Schmitz stated the County Surveyor had no comment on it. Mr. Herring stated this property was in the county before it came into the city and that county descriptions include right of way, but the county doesn't go out and seek right of way like the cities do, so it is in the description that this plat will clean up that dedication to the city. He also stated the lot acreage shown does not include right of way, but the total acreage does.

Mr. Harding asked Mr. Herring about the 30' right of way that's being dedicated by these property owners and Mr. Herring said it was his understanding that the 30' right of way exists as an easement to Leavenworth County, so this will clean it up to where it's dedicated to the city and the city owns it fee simple. Mr. Schmitz said the difference between an easement used for road purposes and right of way is that the city owns right of way, whereas an easement used for the road is still owned by the property owners, but a piece of it is used by the county.

Since there were no other questions regarding the checklist, Chairman Barry entertained a motion to approve it as a finding of fact. Commissioner McDougal made the motion to approve, seconded by Vice-Chairman Moreland. The motion passed unanimously.

Chairman Barry then asked for a motion to recommend approval, approval with conditions, or disapproval the final plat for Homestead Acres. Commissioner McDougal made a motion to recommend approval of this final plat. The motion was seconded by Commissioner Kowalewski and was unanimously approved. It was stated this plat will go before the City Council at its July 2 meeting.

**Notices and Communications** – none

**Reports – Commission and Staff Members** – Chairman Barry asked Mr. Schmitz about the funding for the Comprehensive Plan update and he stated he won't have a decision on that probably until August since the budget won't be approved until the end of July. Mr. Schmitz also



Lansing Planning Commission  
Regular Meeting  
June 19, 2019

stated the possibility of obtaining agenda software has been pushed back until probably the beginning of 2020.

Since there was no other business to discuss, Chairman Barry entertained a motion for adjournment. Vice-Chairman Moreland made a motion to adjourn. It was seconded by Commissioner McDougal and passed by acclamation. The meeting adjourned at 7:26 p.m.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,


*MRS*

Matthew R. Schmitz, Community and Economic Development Director

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Matthew R. Schmitz, Director, Community & Economic Development  
DATE: July 2, 2019  
SUBJECT: Structure Removal Cost Share Policy Update

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Explanation: The City Council has budgeted, since the FY17 budget, an amount for structure removals within the Community & Economic Development Department budget. The revitalization of neighborhoods by removing blighted, abandoned, and unsafe buildings has been established in the past as a high priority of the City Council. As part of this priority setting, Council has approved in the past a matching grant program where the city would pay a portion (prior policy stated \$4,000 or less, as does this policy) of the demolition costs and the property owner would pay the remaining costs. This program is voluntary and designed to incentivize property owners to remove dilapidated structures in a timely manner.

The attached Structure Removal Cost Share Policy outlines criteria for this program, and the criteria remains the same as the previous iteration of the policy.

The only modification from the prior policy is the removal of an expiration date in the policy. The policy states that these items will be brought to the council for consideration, so the inclusion of an expiration date was removed from the policy by staff.

Financial Considerations: The policy has been funded in the past through the Community & Economic Development Department Budget. It will continue to be funded in this manner in the future, and should the funds be depleted, the Council could reject an application based on a lack of available funds.

Additionally, the policy states that demolition fees (currently \$150) will be waived for property owners operating under this policy.

Action: Staff recommends a motion to approve the Structure Removal Cost Share Policy.



# Lansing KANSAS

## Policy

### **Purpose: Structure Removal Cost Share Policy**

Removal of unsafe and dilapidated structures in Lansing is a part of the process to maintain the vitality of Lansing' business district and residential neighborhoods. The city of Lansing is participating in a property owner cost share program of eligible structures for 50% of qualified expenses up to \$4,000.00 per structure.

For property owners to qualify for reimbursement, the following conditions must be met:

1. **Previously identified by the city of Lansing.** Structures must have been previously identified by city staff as unsafe and dilapidated and a property owner notified in writing in order for the structural removal costs to be reimbursed to the property owner; and
2. **Owner completed application.** An application for reimbursement must be completed by the authorized agent for the property owner or the property owner to include:
  - a. Application for reimbursement under the cost share program. Application must indicate if payment from the city should be made to the owner or the contractor after completion of the project; and
  - b. a completed demolition permit application (fee will be waived) from the Lansing Building Inspector;
  - c. Two (2) written estimates from contractors for qualifying demolition expenses including:
    - i. demolition permit;
    - ii. the costs of demolition: foundations, wood framing, brick or block walls, asphalt or metal roofing, drywall, insulation, plumbing, electrical or mechanical equipment;
    - iii. costs of environmental mitigation (e.g. asbestos or lead abatement);
    - iv. costs of capping sewer; and
    - v. costs of earth fill, re-grading and seeding of the site.
3. **Application and amount approved by city staff.**
  - a. Community & Economic Development staff will review the application and make a recommendation to the City Council. The application will be placed on the next available Council agenda for consideration.
  - b. Following the City Council's decision, the property owner shall receive written approval of eligible structure(s) and amount of qualifying expenses to be reimbursed from the city of Lansing.



# Lansing KANSAS

## Policy

4. **Reimbursement.** Structure removal must occur within 90 days of the approved application. If weather conditions impede the ability to meet this deadline, the Community & Economic Development Director may approve a 30 day extension. After completion of the structure removal, owner shall submit:
- a. If payment is due to contractor: Proof that the owner's share of the payment has been made; or
  - b. If payment is due to the owner: Proof that the owner has paid the contractor in full; and,
  - c. Approval of the Building Inspector that the site has been cleared, graded, and re-seeded.

The city will reimburse the property owner within 30 days from receipt of the proof of structural removal, site remediation, and supporting documents as indicated in this policy.

Adopted by the City Council this 2nd day of July, 2019.

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Michael W. Smith, Mayor

ATTEST:

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Sarah Bodensteiner, City Clerk

**END OF POLICY STATEMENT**



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## AGENDA ITEM

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TO: Tim Vandall, City Administrator *TV*  
FROM: Rebecca Savidge, City Inspector *RS*  
THRU: Matthew R. Schmitz, Community and Economic Development Director *MRS*  
DATE: June 26, 2019  
SUBJECT: Structure Removal Cost Share Application – 124 East Kansas Avenue

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Removal of unsafe and dilapidated structures in Lansing is a part of the process to maintain the vitality of Lansing's business district and residential neighborhoods. The city of Lansing is participating in a property owner cost share program of eligible structures for 50% of qualified expenses up to \$4,000 per structure.

For property owners to qualify, they must meet certain guidelines outlined in the Structure Removal Cost Share Policy set by the city of Lansing. A copy of the policy is attached.

The property owner of an accessory structure located off the alley at 124 East Kansas Avenue was put on notice about conditions of the structure and the City Inspector met with the owner in 2015. The structure has deteriorated more since the initial meeting. This structure is unsafe and should be taken down. Attached are two bids submitted from two local contractors.

Structure removal must be completed within 90 days of the approved application to remain eligible for the reimbursement.

Policy Consideration: Payment to the contractor would be released within thirty (30) days once the city has received written proof that the owner has paid the contractor the remaining portion of the bid and the site has been cleared with a final inspection by the City Inspector.

Financial Consideration: The financial consideration to the City Council is 50% of a qualified bid up to \$4000.00, and the portion due the contractor from the city cost share program would be \$1400.00, if approved.

Action: Staff recommends a motion to approve the structure removal cost share application with the bid from Linaweaver Construction for the accessory structure located at 124 East Kansas Avenue, Lansing, Kansas.



## CITY OF LANSING

730 First Terrace, Suite 2  
Lansing, KS 66043  
(913) 727-5488/Fax (913) 351-3618

### APPLICATION FOR STRUCTURE REMOVAL COST SHARE

Applicant's Name (Property Owner): Melanie King aka Melanie Smith

Authorized Agent (if applicable): N/A

Address of Property to be Considered for Cost Share: 124 E Kansas

City: Lansing State: KS Zip: 66043

Telephone Number: (Daytime) 913-221-3696 (Evening) 913-221-3696

Was this property previously identified by city staff as unsafe and dilapidated and property owner notified in writing? yes

If approved, will payment from the city be made to the owner or the contractor after completion of the project? to Contractor

Has a demolition permit been approved by the Lansing Building Inspector (fee will be waived)? yes

Two written estimates from contractors for qualifying demolition expenses must be provided, to include:

1. Cost of Demolition (foundations, wood framing, brick or block walls, asphalt or metal roofing, dry wall, insulation, plumbing, electrical, or mechanical equipment)
2. Cost of environmental mitigation (e.g. asbestos or lead abatement)
3. Cost of capping sewer
4. Cost of earth fill, regrading, and seeding of the site

Structure removal must occur within 90 days of the approved application. If weather conditions impede the ability to meet this deadline, the Community and Economic Development Director may approve a 30-day extension. After completion of the structure removal, owner shall submit:

1. Proof that the owner's share of the payment has been made if payment is due to contractor; or
2. Proof that the owner has paid the contractor in full if payment is due to owner; and
3. Approval from the Building Inspector that the site has been cleared, graded, and reseeded.

I do hereby solemnly swear (or affirm) under penalty of law that the information provided herein is true and correct and that I understand what documents must be provided for consideration of structure removal under the Structure Removal Cost Share Policy of the city of Lansing.

Melanie King  
Signature of Applicant

6/24/19  
Date

### FOR COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT USE ONLY

Application Received By: Sheela David 6/24/19  
Signature Date

Date Considered by City Council: \_\_\_\_\_ Approved or Disapproved: \_\_\_\_\_

Date of Property Owner/Authorized Agent Notification: \_\_\_\_\_ Amount Approved: \_\_\_\_\_







**KELLNER REALTY**

2300 South Fourth Street • Leavenworth, Kansas 66048  
Phone 913-682-9882

STATE OF KANSAS  
LEAVENWORTH COUNTY  
Filed for record on

IAN 5 1975

at 8:30 AM  
The State  
Register of Deeds

TO Veteran's Administration Center

DATE December 31, 1975

SUBJECT Joint Occupancy of 2 Car Garage.

This is to certify that the undersigned occupy jointly a brick garage located at 122 N. Kansas and 124 N. Kansas, legally described as Lots 6 and 7, Block 5, Town of Progress, a subdivision in the city of Lansing, Leavenworth County, Kansas.

Each party gives the owner of the properties described above, right of access & ingress to this garage with the owners of 122 N. Kansas utilizing the west half of the garage and the owners of 124 N. Kansas utilizing the East half of the garage.

The owners agree to maintain the garage jointly and co-operate with each other in the maintenance of the said building. The property is divided by a wall separating the two sides and both parties agree to abide by this division now in place.

OWNERS OF 122 N. Kansas, Lansing, Ks.

William E. Holland

William E. Holland

Maxine M. Holland

Maxine M. Holland

Subscribed and sworn to, this

OWNERS OF 124 N. Kansas, Lansing, Ks.

Madra Chastney

A Single Woman

Madra Chastney

Charles D. Wimsley  
Charles D. Wimsley, Notary Public

NOT 519 Not 624

My Commission expires 30 October 1979

20K519  
Page 624



# *Lansing, KANSAS*

## *Policy*

### **Purpose: Structure Removal Cost Share Policy**

Removal of unsafe and dilapidated structures in Lansing is a part of the process to maintain the vitality of Lansing' business district and residential neighborhoods. The city of Lansing is participating in a property owner cost share program of eligible structures for 50% of qualified expenses up to \$4,000.00 per structure. The cost share program will end on December 31, 2017, unless extended by the City Council.

For property owners to qualify for reimbursement, the following conditions must be met:

1. **Previously Identified by the city of Lansing.** Structures must have been previously identified by city staff as unsafe and dilapidated and a property owner notified in writing in order for the structural removal costs to be reimbursed to the property owner; and
2. **Owner completed application.** An application for reimbursement must be completed by the authorized agent for the property owner or the property owner to include:
  - a. Application for reimbursement under the cost share program. Application must indicate if payment from the city should be made to the owner or the contractor after completion of the project; and
  - b. a completed demolition permit application (fee will be waived) from the Lansing Building Inspector; and
  - c. Two (2) written estimates from contractors for qualifying demolition expenses including: 1) demolition permit; 2) the costs of demolition: foundations, wood framing, brick or block walls, asphalt or metal roofing, dry wall, insulation, plumbing, electrical or mechanical equipment; 3) costs of environmental mitigation (e.g. asbestos or lead abatement); 4) costs of capping sewer; and 5) costs of earth fill, re-grading and seeding of the site.
3. **Application and amount approved by City Council.**
  - a. Community & Economic Development staff will review the application and make a recommendation to the City Council. The application will be placed on the next available Council agenda for consideration.
  - b. Following the City Council's decision, the property owner shall receive written approval of eligible structure and amount of qualifying expenses to be reimbursed from the city of Lansing.





## Lansing, KANSAS


### Policy

4. **Reimbursement.** Structure removal must occur within 90 days of the approved application. If weather conditions impede the ability to meet this deadline, the Community and Economic Development Director may approve a 30-day extension. After completion of the structure removal, owner shall submit:
- If payment is due to contractor: Proof that the owner's share of the payment has been made; or
  - If payment is due to the owner: Proof that the owner has paid the contractor in full; and,
  - Approval of the Building Inspector that the site has been cleared, graded, and re-seeded.

The city will reimburse the property owner within 30 days from receipt of the proof of structural removal, site remediation, and supporting documents as indicated in this policy.

Adopted by the City Council this 1st day of September, 2016.

ATTEST:

  
Sarah Bodensteiner, City Clerk



  
Louis E. Kirby, Mayor

END OF POLICY STATEMENT

**LINAWEAVER CONSTRUCTION, INC.**  
**719 E. GILMAN RD. LANSING KS 66043**  
**(913) 351-3474 FAX (913) 351-2749**

124 EAST KANSAS ACCESSORY STRUCTURE

Rebecca,

We propose to remove and haul off the fallen accessory structure at the above address for \$2800.00

Thank you,  
Spencer Foster

## Rebecca Savidge

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**From:** Christy Britz <christy@flatlandexcavating.com>  
**Sent:** Wednesday, June 26, 2019 2:23 PM  
**To:** Rebecca Savidge  
**Subject:** Re: Demo cost

I am out of the office today with a sick kiddo. We can demo and remove debris, excluding any environmental for \$3,150.

I can't get you an official proposal today but can shoot one over in the morning.

Hope this helps.

Christy

On Jun 26, 2019, at 1:49 PM, Rebecca Savidge <[savidge@lansing.ks.us](mailto:savidge@lansing.ks.us)> wrote:

Christy,

I talked to Shawn this morning and he said he thought maybe you were sending the quote since he was not able to yesterday. I am needing to get turned in. He left on voicemail that 3500.00 would cover it but would probably be more like 2800.00. Could you respond to this with a clear number or just write me up something.

Thanks for your help on this just want to move forward and get it approved July 2 council meeting.



Respectfully,

Rebecca Savidge  
City of Lansing  
City Inspector  
913-727-2400  
[savidge@lansing.ks.us](mailto:savidge@lansing.ks.us)

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## AGENDA ITEM

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TO: Tim Vandall, City Administrator   
FROM: Sarah Bodensteiner, City Clerk   
DATE: June 27, 2019  
SUBJECT: Executive Session – Acquisition of Real Estate

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Executive Session will be called to discuss the acquisition of real estate.

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AGENDA ITEM #

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