



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

COUNCIL AGENDA
Regular Meeting
Thursday, January 3, 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. 2019 Legislative Action Plan
3. Preliminary Development Plan – 400 North Main Street
4. Request to Purchase – Parks & Recreation Department Mowers
5. Request to Purchase – Police Department Vehicles

Reports:

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



Proclamations

Other Items of Interest:

6. Thank You Notes – Police Department

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: December 26, 2018
SUBJECT: Approval of Minutes

The regular meeting minutes for December 20, 2018, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for December 20, 2018, as presented.

AGENDA ITEM #

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
December 20, 2018

Call To Order:

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

Roll Call:

Mayor Mike Smith called the roll and indicated which Councilmembers were in attendance.

Councilmembers Present:

Ward 1: Gene Kirby and Dave Trinkle

Ward 2: Andi Pawlowski and Don Studnicka

Ward 3: Kerry Brungardt and Jesse Garvey

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the regular meeting minutes of December 6, 2018, as presented. Councilmember Kirby seconded the motion. The motion was unanimously approved.

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

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Lansing Parks & Recreation Advisory Board Appointments: Councilmember Brungardt moved to appoint Eric Caldwell, Tom Farris, Roy Foster, Gahvin Frey, Kevin Gardner, and Steve Lillard to the Lansing Parks & Recreation Advisory Board for a term that will expire on December 31, 2020. Councilmember Pawlowski seconded the motion.

- Councilmember Kirby asked who all is here Jason. I see Kevin, I know Kevin; sit down Kevin. I've been wanting to ask you this so don't take this wrong, but I think about it all the time. We always ask for references, does anybody ever check those?
 - Parks & Recreation Director Jason Crum replied no, we don't.
 - Councilmember Kirby stated okay, I figured if I didn't ask you tonight, I'd forget until next time. That's it, thank you.
- Councilmember Pawlowski stated Dave Trinkle is a reference on one of them.
 - Councilmember Garvey stated Jason Crum is a reference on one.

The motion was unanimously approved.

Lansing Tree Board Appointment: Councilmember Buehler moved to appoint Barbara Eikmeier to the Lansing Tree Board for a term that will expire on December 31, 2021. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Ordinance No. 1014 – Amending Text of Chapter 13 Article 3: Councilmember Trinkle moved to adopt Ordinance No. 1014. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Executive Session – Consultation with Attorney: Councilmember Buehler moved to recess into executive session for the consultation with an attorney for the City which would be deemed privileged in an attorney-client relationship. K.S.A. 75-4319(b)(2) for 15 minutes, beginning at 7:03 PM and returning to the Council Chambers at 7:18 PM. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to return to Open Session at 7:18 PM. Councilmember Kirby seconded the motion. The motion was unanimously approved

Renewal of Special Use Permit – 330 Highland Road – More than 4 Animals: Councilmember Brungardt moved to approve the special use permit for more than 4 animals at 330 Highland Road. Councilmember Buehler seconded the motion.

- Councilmember Trinkle asked no objections, nobody complained.
 - Animal Control Office Wendy Burr replied no.

The motion was unanimously approved.

Renewal of Special Use Permit – 401 Fairlane – More than 4 Animals: Councilmember Buehler moved to approve the special use permit for more than 4 animals at 401 Fairlane. Councilmember Kirby seconded the motion.

- Councilmember Pawlowski asked are there any issues with any of these.
 - Animal Control Officer Wendy Burr replied no.

The motion was unanimously approved.

Renewal of Special Use Permit – 128 E. Kansas Avenue – More than 4 Animals:

Councilmember Brungardt moved to approve the special use permit for more than 4 animals at 128 E. Kansas Avenue. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Award of Bid – NW Relief Sewer Project (City Projects 17-04 and 18-02): Councilmember Kirby moved to approve the Grand Total Base plus the Bid Alternate A from Linaweaver Construction Company, Inc. of Lansing, Kansas for the construction of City Project 18-02 Northwest Relief Sewer, in the amount of \$1,739,718.40. Councilmember Buehler seconded the motion.

- City Attorney Gregory Robinson asked Mr. Mayor are you going to give them the opportunity to speak.
 - Mayor Smith replied yes I am. We have a motion and second on this one, gentlemen.
- Toby Hausner, Attorney for Site Rite Construction stated thank Mayor, thank you Councilpersons, my name is Toby Hausner, I represent Site Rite Construction. I am joined tonight with Danny Anderson, one of the owners of Site Rite Construction. First off we appreciate the opportunity to be heard on this issue, as you're aware this was an invitation to bid from the City to construct this sewer project and they asked for competitive bids. Site Rite was the low bidder on that and the City engaged an engineer to review those bids, and they reviewed Site Rite's bid and the bid itself was responsive and that Site Rite was a responsible and competent contractor to perform the construction work for the project. It came to Site Rite's attention that the Council and the City was entertaining the idea of awarding the contract to another contractor that also bid the work that was not the low bid. They found this out about two weeks ago before the December 6th Council Meeting. First, Site Rite wants to alert the City that if it were to chose to award the contract under the local preference policy to another contractor, it would be bad business for the City. It will discourage regional contractors upon which the City relies to bid public works projects from bidding future projects; it has implications that transcend the issue of this specific award and will effect regional contractors interest in bidding on future projects here in Lansing. That will cost the City money and therefore cost the taxpayers money. In additional to these practical implications, there are legal implications. Using this local preference policy is illegal in this instance, for reasons I have outlined in my communication with the City Attorney, Greg Robinson and its my understanding that he shared those insights with you, and so you should all be aware of the legal implications, not the least of which is an infringement of Site Rite's constitutional right's protected by the United States Constitution under the privileges and immunities clause. It's also not permitted and would be a circumvention of Kansas Statute and the local policy itself specifically excludes it's application from these types of construction projects. Obviously Site Rite wants to partner with the City, work with the City and build this project, but if the City elects to utilize this defunct local preference policy, Site Rite would be within its rights and is prepared to file suit against the City, and its prepared to seek injunctive relief and a temporary restraining order to prevent work from occurring on the project until the legal issues can be determined. The City basically has a choice, they can award the contract to the lowest responsive, responsible bidder, Site Rite, or we can sort through the legal issues in front

of a judge and resolve those issues. The City will expend legal fees and they will be subject to the liability of paying Site Rite's fees as well. Like I said, that's up to the City. The City can do what's right and award to the most responsive bidder, Site Rite, who has an immense desire to work and partner with the City and hopefully prove itself and be awarded future projects with the City. I'll turn it over to Danny Anderson to add anything else.

- Danny Anderson of Site Rite Construction stated I'll be brief, Mayor and Councilmembers thanks for hearing us. The long and short of it we want to do the job. We're the low base bid, we're really good at this kind of work; Linaweaver is good at this kind of work too, we've been competitors a really long time. We're the low base bid on this particular size of public works project and we don't think your local preference policy ought to apply, so that's it.
- Mayor Smith stated just to let you know a little something, we've got another motion coming up too. We decided to look at this a little bit and we thought we could save the City of Lansing taxpayers some dollars, so we broke it out to three different bid phases. The first two, which you just heard is to Linaweaver Construction. The next bid, I'm going to ask for a motion, a motion to is coming to your company. So that's the way we're proceeding with this right now. If you listened to my motion there are only three bid elements on this, and we only spoke on two of them. If you'll sit down for just a second and you'll hear the other one, then you'll hear the other motion that we're awarding to Site Rite Construction.
 - Councilmember McNeill stated and we're not using the 2% in this.
 - Mayor Smith stated we're not using that whatsoever. If you check the numbers, you'll notice that 1 and 2 are lower from Linaweaver than yourself, but the other one Linaweaver is higher, and we're going to award that one to you, if you decide to take it. That's the direction we're going. So I appreciate you coming and talking; I've got a motion and a second, can I get a vote on that part of it.
- Councilmember Buehler asked could you refresh that, that's the one point seven.
 - City Clerk Sarah Bodensteiner replied one million, seven hundred thirty-nine thousand...
 - Mayor Smith stated seven eighteen dollars forty cents.
 - Councilmember Garvey stated phases 1 and 2.
 - Councilmember Buehler stated which was the cheapest.
 - City Administrator Tim Vandall replied which was the low bid.
 - Mayor Smith stated I've got a motion let's go.

The motion was unanimously approved.

Councilmember Kirby moved to approve the Golf Course Relief Sewer Total Base Bid from Site Rite Construction of Kansas City, Missouri for the construction of City Project 17-04 Golf Course Relief Sewer in the amount of \$299,092.50, on the condition that Site Rite agrees to an amended start time as determined by project engineers. If this condition is unacceptable to Site Rite, the City asserts its right to reject any and all Golf Course Relief Sewer Total Base Bids. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Resolution No. B-9-18 – Project Authorization: Councilmember Buehler moved to adopt Resolution No. B-9-18. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Resolution No. B-10-18 – Authorizing Sale of GO Bonds: Councilmember Kirby moved to adopt Resolution No. B-10-18. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Notice of Intent to Terminate: Mayor Smith stated this document provides notice of the City's intent to terminate the Interlocal Cooperation Agreement for the Establishment of a Joint Board, a Fire District Board of Trustees and the Funding and Operation of Fire District No. 1, County of Leavenworth, Kansas, in accordance with paragraphs 2 and 10(b) of the agreement. This notice supersedes the notice provided earlier this year and changes the transition date from January of 2020 to June of 2020. I need a motion to

approve the Notice of Intent to Terminate, but before we go there is there anybody that wants to address the Council on this.

- Terry Bartkoski from 16228 Dana Lane, Leavenworth Kansas stated I am the Treasurer for Delaware Township, I just have a couple of questions for the record, first off, Mr. Mayor, I don't want to put you on the spot, but do you believe this action is in the best interest of the City and the Townships to opt out.
 - Mayor Smith replied let me tell you, I know I've kept kind of quiet on this issue because one Councilmember has always said that the Mayor doesn't have any voting power except for ties, I see that in the paper all the time, but when I first came back to the Council, I thought and suggested that maybe we take a year to look at this; but I'm not a voting member and the Council decided not to go that way. And after saying that let me make it very clear that I think Jeff, Jim, and Marcus are outstanding people, well educated and did a great job for us, but this was never designed to last forever. When the late Mayor Bernard put this together it was for 10 years and I think we're on 14 or 15 years right now. The City of Lansing, through elected officials, has chosen to go this direction. Do I think in the long run this was going to happen, you betcha; so the Council has elected to do this, we're moving forward with it, and the only thing that I can see, do I support it, yes, we're on board with it now. The only thing I see that's bothersome is I don't want to look like the County Commissioners from the last few years, this is old, not the new ones coming on, I don't want to see the districts or the City paying thousands, tens of thousands of dollars to attorneys to try to fix something that I don't think is fixable. I think there is a way for the people to get together and make this where we may not be happy with each other, but make it work for everybody, but the bottom line is we are moving forward with this. I hope that answered your question.
 - Terry Bartkoski from 16228 Dana Lane replied it does, it's interesting that you say you don't want to do something again without a lawsuit, when we just heard about a lawsuit. The Townships have said that they will fight this and we will go to court, the City is the one who does not want to work with the Townships. Now I'll give it to Tony McNeill, Tony came to the Townships and just got the hell beat out of him, but Tony had the balls to come in and stand up and try to convince people this was right, and it's not. One, the way you went about it the first time was wrong; apparently you have recognized that since you're starting the clock over with the eighteen month time frame.
 - City Attorney Gregory Robinson stated that has nothing to do with that.
 - Terry Bartkoski from 16228 Dana Lane stated I'm not talking to you.
 - Councilmember Buehler stated he talks for us.
 - City Attorney Gregory Robinson stated you're incorrect, you don't tell us what we do. We do it based on legal advice and we're doing it because that is the end of the term of the contract, sir, and that is it.
 - Terry Bartkoski from 16228 Dana Lane stated that's not the end of the term
 - Mayor Smith stated let me make something very clear, I've been at these meetings also and I know the City Administrator has been up there, he's taking a beating for things we directed him to do, so look this way if any of the Townships or anybody that is not happy about it, because these are the people that made the decision and I'm up here with them now. The bottom line is we've heard a lot of this stuff before, and I appreciate you coming out today, I really do, I had a long talk with Marcus the other day on some of these issues, and I appreciate you giving us some more points, but if we're going to re-hash, and we're not going to sit down and we're going to call each other liars, we're not going to get anywhere folks. Let's get together and see if there is anything on the table, but the City's intent is to move out. For us to keep bickering back and forth and saying he's lying or he's not telling the truth, I'm sure there is miscommunication all over the place, and I'll be honest with you Jeff and Jim, and Marcus are real good friends of mine, and I think they would be willing, at least that share because I talked to Marcus the other day, I think they'd at least be willing to sit down and let's discuss it. But when we go back and attorney's doing this and attorney's doing that and we're not going to be civil and not have that conversation, folks, we're not going to get anywhere. You can

come up here and beat us up and you can say things that you think we're saying, but it's not going to go anywhere, we really need to have that communication. And I know all these councilmembers up here think they are doing what is absolutely right. There's a bunch of bright people up here, just like on the Fire District, but this is what they've decided to do, so what's the next step? Do we spend hundreds of thousands of dollars for attorney's or do we come to the table, find a mutual place to sit down and talk and let's try to see if there is any common ground that we have. These letters going back and forth saying that one thing is saying something or something like that, folks, that doesn't work and that's not how you do business. This is never going to get over with, and I'm not here to lecture everybody, but I've seen this, I've been in the City for 40 years, we don't work this way. I have all the respect for the Townships, I swear I do, I know most of the people out there, I've been in the City for 40 years, but this back and forth, addressing the Council or us going out there making them mad is not going to fix it. You need a group, you need to talk about it and see if there is any common ground that we can get together on, and that means coming in and being civil with each other and not coming in and saying okay he said this or he lied like this, that's not going anywhere, put that behind us; let's go forward with this.

- Terry Bartkoski from 16228 Dana Lane stated Mr. Mayor, I agree with you 100%, the Townships have wanted to work with the City, the City is the one that doesn't.
 - Councilmember Buehler stated we've offered to meet
 - City Attorney Gregory Robinson stated we have evidence of this, let him speak.
 - Terry Bartkoski from 16228 Dana Lane stated Andi Pawlowski has said this is a done deal, there was no talk.
 - Mayor Smith stated I know what you're saying, but isn't this going back to what I just said; he said, she said, they said. I'm not saying who did or didn't, I'm saying we have to go forward now and what's the best way to do it. So let's drop all this other stuff, I'll gladly be part of the, or any of these Councilmembers, or whoever, our City Administrator, whoever, to sit down and see if there is any common ground. The City is going forward now, now is there anyway we can work this out or are we going to continue this conversation with each other.
- Councilmember Brungardt stated Mr. Mayor I'll tell you, I'm tired of hearing we won't come to the table and speak because that is not true and you can vouch for that.
 - Mayor Smith replied Kerry I'm not disagreeing with that, but what I'm saying is that has to get behind us in order to go forward, that's all I'm saying.
- Terry Bartkoski from 16228 Dana Lane stated let's get the Township and get around a table and do this, who said that.
 - City Attorney Gregory Robinson asked who said what.
 - Terry Bartkoski from 16228 Dana Lane replied who has said let's go to a table to discuss.
 - City Administrator Tim Vandall stated we sent you a letter on September 28th at 2:01 p.m.
 - Terry Bartkoski from 16228 Dana Lane replied I have not seen a letter.
 - City Administrator Tim Vandall replied you need to talk to your attorney then.
 - Roberta Ready of High Prairie Township stated I have not either.
 - City Attorney Gregory Robinson stated play the video and show them.
 - City Administrator Tim Vandall stated play the video.
 - Terry Bartkoski stated I'd like to see it.
 - Councilmember Buehler stated the question at this point is can we get together and talk about continued fire support for the future without Fire District No. 1.

- Terry Bartkoski from 16228 Dana Lane stated yes, and in a letter we sent to the City we said.
 - Councilmember Brungardt stated could you hold on please and listen to the tape.
 - Mayor Smith stated the tape is running sir.

The following video was played: <https://www.youtube.com/watch?v=djHOyqKW3F0> of the November 19, 2018 Fire District No. 1 Board Meeting starting at 0:55 and ending at 2:18.

- Councilmember Buehler stated he's got the letter right there in his hand. We have the letters to your attorney.
 - City Administrator Tim Vandall stated we have the letter right there.
 - City Attorney Gregory Robinson stated so you can continue your discussion about how we haven't replied to anybody and here is a 4 page letter to your attorney's, both of them, inviting them to the table for talking points, and you're at that meeting telling that you haven't received anything and we are not reaching out or doing anything.
 - Councilmember Buehler stated and you said the City Administrator told a bold faced lie.
 - City Attorney Gregory Robinson stated, and I got an email back from Mr. Colgan and Mr. Orrick that said got it, I'll discuss it with my clients. Then I recently, when I found out about this video, I sent another email and said please pass this on, and I got scorned and rebuked by these attorney's saying I keep my clients informed. Well, it doesn't seem you're very informed tonight before this audience sir.
 - Terry Bartkoski from 16228 Dana Lane replied no apparently our attorneys did not, and we will check into this.
 - Councilmember Kirby stated that's all we're asking you to do.
 - Terry Bartkoski from 16228 Dana Lane stated but let's just make sure that we all do want to agree, but at the breakfast with the City Administrator he said that we did not want to cooperate.
 - City Administrator Tim Vandall replied you never responded to the letter, what was I supposed to think.
 - Councilmember Buehler stated that's with your lawyers, you did not respond.
 - Mayor Smith stated listen we're going back again folks, we're not going to get anywhere, lets go forward please.
 - Terry Bartkoski from 16228 Dana Lane stated lets work together, let's have a meeting.
 - Councilmember Brungardt stated that's what we've wanted Terry.
 - Terry Bartkoski from 16228 Dana Lane stated we don't need lawyers.
 - Councilmember Kirby stated that's all we've been asking for.
 - Mayor Smith stated that's what we want. We appreciate you.
 - Terry Bartkoski from 16228 Dana Lane replied Mike, I appreciate you and Councilmembers who are willing to work together with the districts, no doubt in my mind we're willing to work.
 - Councilmember Kirby stated it should have been this way the whole time.
 - Councilmember Garvey stated any special meeting you want to get together, we're right there.
 - Terry Bartkoski from 16228 Dana Lane replied Thank you Mr. Mayor
 - Mayor Smith and Councilmember Brungardt stated thank you Terry.
 - Roberta Ready from 24309 Tonganoxie Road and of High Prairie Township stated Mr. Mayor and Councilmembers, give me a date and give me a time we'll be there.

- Councilmember Pawlowski stated I think we tried that in the past.
 - City Attorney Gregory Robinson stated when I reached out in September I had follow up conversations with the attorney's I was told that Mr. Orrick was heading it up. I was told when I kept trying and pressing for these meetings, they said they were advised that, meaning the attorneys were told by their clients, that they wanted to wait until after the elections. Well then about a month after the elections I reached out saying I haven't heard from you, what do you want to do. That's when I found about this and I went back and checked all my emails and said we're not the ones stonewalling.
 - Councilmember Pawlowski stated Tim had tried to reach out before anybody got attorneys to get together.
 - City Administrator Tim Vandall stated I sent 6 emails.
 - Councilmember Pawlowski replied and nothing, so the Council has tired, honestly, to sit down and talk. You know we have Kansas Open Meetings Act we have to be cognizant of and make sure we don't violate the law, so our offer was to get enough people that wouldn't violate the law together that we could sit down and talk about the issues and what we saw as far as going forward. Then, everybody lawyered up.
 - Mayor Smith stated I okayed all those emails that went out, so I saw every one of them. The point is we're going back now, Tim how do you want to go about setting this up.
 - City Administrator Tim Vandall stated I'm fine setting something up in January, we've been fine from the beginning.
 - Councilmember Pawlowski stated but we have to keep moving forward.
 - Mayor Smith stated so our City Administrator Tim will be in contact, is that what we're doing, to set up the dates and get your parties and make sure we have dates that work for everybody.
 - City Administrator Tim Vandall replied yeah I'm fine setting this up.
 - Roberta Ready from 24309 Tonganoxie Road stated please CC everybody and everybody needs to respond not just a lawyer.
 - City Attorney Gregory Robinson stated from my perspective, the legal representative, the problem we run into is that you guys have lawyers, so they generally work through me, then I send to them this information, and if its not disseminated to you, I have no control over that.
 - Roberta Ready from 24309 Tonganoxie Road replied absolutely.
 - City Attorney Gregory Robinson stated however, you as an individual want to have communication with Tim, then you can have all the communication you want, but when you are a board entity, then you're represented by Counsel and that becomes a problem to have this communication, in my opinion.
 - Roberta Ready from 24309 Tonganoxie Road stated I feel that there needs to be open arbitration with everyone and have an open mind.
 - City Attorney Gregory Robinson stated I would say the word arbitration has a legal meaning, but you're saying that we get together and discuss issues.
 - Roberta Ready from 24309 Tonganoxie Road replied yes, everybody brings their wish list to the table, calmly, firmly, but don't be so closed minded that you cannot negotiate.

- Mayor Smith stated that's one thing this will decided, if there isn't no room for negotiation, at least we sat down at the table and talked about it civilly, and we decided we couldn't come to any conclusion, then everybody goes their way or whatever else has to happen, but at least lets have that one meeting, and I think Tim can get that set up.
 - City Attorney Gregory Robinson stated for a final point on this just so they understand it, when we reached out the response was from the Townships, and I'm not saying this lady here personally, but from their legal representative said if the discussion is not to remain in the fire district and fix the fire district issues, then we're not coming, basically.
 - Mayor Smith stated I think we're going back, but the thing is now let's look at it forward and the forward way we do it is get the time set up and see if we can get this meeting set up and go forward and then we take it form there. Is everybody okay with that.
- Councilmember Brungardt stated we are. Mr. Mayor, if I could say one other thing...
- Terry Bartkoski from 16228 Dana Lane stated the letter from our attorneys to the City said if the purpose of such a meeting were to discuss whether the three partners could continue to work jointly improving the existing district, we would be willing to consider attending.
 - City Administrator Tim Vandall stated read the following paragraph.
 - Terry Bartkoski from 16228 Dana Lane replied that is the following paragraph.
 - Mayor Smith stated guys listen, hey Terry, we're going back again, we're not getting anywhere. If we're going to come to a meeting and talk this way, we will not accomplish anything. We made a decision, everybody's in agreement, let's get that meeting date set up and let's see if we can come to common ground. If we can't, then that's the way it goes. Kerry, did you have something?
- Councilmember Brungardt stated I just wanted to say about going to the meetings the Townships had. We as a Council did not all show up, we had our representatives that we picked that showed up. It wasn't that we didn't want to go or shirking our responsibilities or did not want to listen to you, we as a Council chose the people that we wanted to attend these meetings.
 - Roberta Ready from 24309 Tonganoxie Road stated I think it's important that everybody puts their 2 cents in and everybody be heard in a calm atmosphere.
 - Councilmember Brungardt replied we have an Open Meetings Act, laws, that we have to abide by too.
 - Roberta Ready from 24309 Tonganoxie Road replied so do we.
- Mayor Smith stated and again, there may not be any ground that we can come together, I don't know that, I'm not going to speak ahead, but at least let us let the citizens who we represent, know we tried to come together, instead of this back and forth and paying for attorneys. So let's have this meeting, I don't think we need to go any further with this, we've made it all clear to each other and I think we're all on board. Are we good?
- Roberta Ready from 24309 Tonganoxie Road replied I know for a fact for High Prairie that we are open minded, we want to work with you, we want everybody to be happy, and we want the best for everybody in the district. Not just High Prairie, not just Delaware, not just the City, but everybody.
- Councilmember Garvey stated we can't have a meeting like the last one. I went to the High Prairie meeting with Tony, the Mayor, and Tim and we could barely walk after we were so beaten up after that meeting, you know. We can't have a meeting like that again, that's for sure.
 - Roberta Ready from 24309 Tonganoxie Road stated I apologize that you guys were treated that way by the citizens and the way it went down, but I think there is room to improve.
 - Mayor Smith stated it's a passionate issue and we understand that, but we've got to go forward.

- City Attorney Gregory Robinson stated to Mr. Garvey's point, it was the City's suggestion that representatives would not invoke the Open Meetings Act, so we didn't have that beat up the representative thing. We'd get together have our talking points, and let's say for example if you were there, you would show up with your legal representative, they would show up with their legal representative and we'd sit around a table discuss issues, and then you'd go back and brief your folks. Then we could all get together.
 - Mayor Smith stated that hasn't worked for whatever reason, I understand that that was the suggestion. We're re-hashing stuff and this is not going to do any good until we sit down. There might not be anything we can do together, I don't know, but at least we owe it to the taxpayers that we sat down around a table and decided that in the best civil way we could do it in a common way, so I think we're ready to move on.
- Councilmember Pawlowski stated just to make it clear, because of the dates and time and legality issue, we have to go ahead and do the legal stuff we plan to do tonight, right Greg?
- Mayor Smith stated we're going through the motion, but this Council can do whatever they chose to do legally down the line, but we're going through some things tonight that we've been advised to do. That doesn't mean we aren't going to sit down and see what happens.
 - Roberta Ready from 24309 Tonganoxie Road stated right, you've got to do what you've got to do. I'm glad to hear that because I think it will be a win-win for everybody.
- Councilmember Pawlowski stated Greg I just made the point that we needed to proceed with this.
- Mayor Smith stated I hesitate to ask but is there anybody else that would like to speak on this.
 - Rick Huhn from 601 N. 2nd Terrace, Lansing stated most of what I'm going to say has already been hashed but I spent a lot of time writing this up. I would ask you to do some more re-thinking on the subject of breaking up the Fire District, your actions so far have led to thousands of tax dollars going to lawyers, which has been mentioned already and fees, and there is no end in sight. If this goes on as planned, many more thousands of tax dollars will be spent on challenges, audits, who owns what, who owes what, it just won't stop. Four of you all have attended the open meetings the Townships had with their constituents, as did I. And we all heard from those folks as did the Township representatives that they were not at all happy with the decision the City made, and that they were not going to go with what the City planned for a City operated fire department. These are the people that elect the Township representatives and they made their voices well heard, as you all attended those meetings, as I did. You cannot expect the Townships to be able to negotiate with a gun to their heads and that gun being the breakup that is going to happen no matter what they say. As things stand at this time, and I admit I've been out of the loop for three months, but the Townships are not willing to enter into an agreement with the City operated fire department. That means the City will have to fund the entire fire department on its own, and that means there will be an increase in taxes or a decrease in service. It also means the two Townships will have to fund another separate department on their own and increase their taxes. This is a lose-lose for all of us taxpayers. I would like the Council to take a step back and table this action until such time that they meet with the two districts, the two Townships without a gun to their heads of a looming breakup and let the opportunity of true negotiation process to begin, thank you.
 - Councilmember McNeill stated well written Rick.
 - Councilmember Buehler stated Rick, retirement is treating you well, you look relaxed.
 - Mayor Smith stated that's what I told him when he came in. Now do we have a motion and second.
 - Councilmember Pawlowski replied we do not.

- Mayor Smith asked can I get a motion to approve the Notice of Intent to Terminate, as presented.

Councilmember Pawlowski moved to approve the Notice of Intent to Terminate as presented. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Resolution No. B-11-18 – Kansas PRIDE Program Support: Councilmember Pawlowski moved to adopt Resolution No. B-11-18. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Ordinance No. 1015 – Codification of Ordinances: Councilmember Kirby moved to adopt Ordinance No. 1015. Councilmember Pawlowski seconded the motion.

- Councilmember McNeill stated so Chapter 1, I had an issue with the residency thing. I recommend that we add the additional requirement so that any of the division heads that have been here for 5 years, I don't think that should apply to them. Meaning if you maintain your residency here within the school district boundaries that we said for 5 years, I think that it shows your commitment that you might be staying in the City, after that they should be free to go wherever they want in Leavenworth County. That was one of the things that we brought up in the meeting but there was some confusion.
 - Mayor Smith stated I think Sarah, correct me if I'm wrong, the way it stands, that it is just the school district, that we had, anybody that lives in USD 469 for department heads. So is there any, do we want to backtrack that to discuss that.
- Councilmember Kirby asked Tony just wants to add that one piece.
 - Councilmember Pawlowski stated these changes have already been passed, we're just codifying them now.
 - Councilmember McNeill stated this top one has not been codified.
 - Councilmember Buehler stated no, the top one has not been passed.
- Councilmember Pawlowski stated I'm not necessarily in agreement with that.
 - Councilmember McNeill asked what do you want.
 - Councilmember Pawlowski stated I just wanted them to stay in the City, so, so much for that.
 - Councilmember McNeill stated you can work for Leavenworth County and actually live in Platte City. I've heard from several staff members, and I think if you're here for 5 years as a division head, you're pretty much committed to the City and you should be free to move wherever you want.
 - Councilmember Buehler stated I thought we had that discussion at the work session about that too, about the time, so I'm okay modifying it to say that.
 - Councilmember Brungardt stated I'm okay with it.

Mayor Smith asked and received consensus from the Council regarding addition of the modified language.

- City Clerk Sarah Bodensteiner stated I can make that change, so are you ready to vote?
 - Councilmember Buehler asked do we need to vote as modified.
 - Councilmember Pawlowski asked do we need to undo the motion.
 - City Clerk Sarah Bodensteiner replied no, this just approves the codification ordinance. When I go in to make the actual change, I will incorporate the timeframe.
 - Councilmember Pawlowski asked so we have to vote on that separately.
 - Mayor Smith stated so we don't have to withdraw, we just need to vote.
 - City Clerk Sarah Bodensteiner stated correct, it doesn't affect the ordinance itself.

- Councilmember Pawlowski asked so you can make it up as you go.
 - City Clerk Sarah Bodensteiner replied yes.

The motion was unanimously approved.

REPORTS:

Department Heads: Department Heads had nothing to report.

City Attorney: City Attorney Gregory Robinson presented a donation to the Mayor's Christmas Tree Program Fund with funds raised by the business in Lansing he co-owns with his brother Gary Robinson, The Groggery. Mr. Robinson presented the City Clerk funds in the amount of \$182.00.

City Engineer: City Engineer had nothing to report.

City Administrator: City Administrator Tim Vandall had nothing to report.

Governing Body: Councilmember Kirby stated that he had the opportunity to assist with distribution night of the Mayor's Christmas Tree Program. It is rewarding to see the faces of the people when they come to pick up the foods, gifts and bikes, and how grateful they are for the assistance, and he wanted the people who donate items or get angel tree tags to know the affect they have by helping. He also wished everyone a Merry Christmas.

Councilmember Buehler wished everyone a Merry Christmas and Happy New Year. He also provided a fun fact, on this day in 1860 South Carolina became the first State to secede from the Union.

All of the Governing Body wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT:


Councilmember Trinkle moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:57 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Ken Miller, Public Information Officer
THRU: Matthew R. Schmitz, Community and Economic Development Director
DATE: November 26, 2018
SUBJECT: 2019 Legislative Action Plan

Staff plans to make several visits to Topeka during the 2019 Legislative session to discuss pertinent issues and projects with local state lawmakers. Topics to be discussed include Lansing's preferences for KDOT's anticipated 10-year comprehensive transportation plan, which would span the years 2020-2030. With informational sessions and public meetings starting in 2019, it is important for staff to educate lawmakers and other decision makers with information from Lansing's elected leaders. Additional issues may also be addressed as they arise in Topeka. Staff requests a short discussion period.

Action: Motion to approve the 2019 Legislative Action Plan.

2019 City of Lansing Legislative Agenda (Proposed)

The city of Lansing works with the State of Kansas to provide services to our residents. Our City's elected officials and staff know and understand the best interests and needs of Lansing residents and businesses.

***Comprehensive Transportation Program.** We support full funding (and completion) of the Kansas T-Works comprehensive transportation program.

***FUTURE Transportation Program.** We strongly support legislative initiation of public stakeholder meetings to begin planning for the next multi-year comprehensive transportation program. As part of this future program, we support the study, financing and programming of a new highway corridor connecting K-7 in Lansing to I-435 at or near the existing Wolcott interchange. We also strongly support seeking solutions to improve efficiency and safety along the K-7 Corridor, including (but not limited to) the use of restricted crossing U-turn (R-Cut) intersection design.

***Federal Fund Exchange Program.** We support legislation to codify the Federal Fund Exchange Program, including allowing the banking of funds for a minimum of three years and a fixed exchange rate.

***Home Rule.** Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

***Protection of the First Amendment.** The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

***Tax Lid Repeal.** We support repeal of the property tax lid.

***Internet Sales Tax Collections.** The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods for the state and local governments.

***Alternative Property Valuation.** We support proven techniques to define commercial properties at their highest and best use. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation — cost minus depreciation, sales comparison, and income — when determining a property's true value.

***Budget Timeline.** We support legislation to allow the adoption of City budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year.

***Mandates.** We oppose unfunded federal and state mandates regulating the operation of municipal gas, water, electric, sewer, telecommunications, solid waste, stormwater utilities or other utility services. Any mandates passed down to cities should not be imposed without a cost-benefit analysis and should be accompanied by appropriate funding. In addition, regulations should provide for a reasonable implementation schedule.

KPERS & KP&F. We support the full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments that have been made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should not impact a city's ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees.



LKM link:

https://cdn.ymaws.com/www.lkm.org/resource/resmgr/files/policy_process/2019_smp.pdf

R-Cut Information:

- FHWA RCUT video - <https://www.youtube.com/watch?v=BLwI01NCp9I> about 7 minutes long.
- Minnesota DOT video (MnDOT calls them "Reduced Conflict Intersection" instead of RCUT – I've suggested to KDOT that they adopt this name...) - <https://www.youtube.com/watch?v=c5pBnuu1Cno>
- Another MnDOT video - <https://www.youtube.com/watch?v=OPUHDIIYLY4>

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Matthew R. Schmitz, Community & Economic Development Director 
DATE: January 3, 2019
SUBJECT: Preliminary Development Plan – 400 North Main Street, Lot 3, Fairlane Commercial Development, Lansing, Kansas

A preliminary development plan has been submitted by Development Inc. (Jeremy Greenamyre, Agent), property owner, for property currently addressed as 400 North Main Street, Lansing, Kansas, also known as Lot 3, Fairlane Commercial Development.

This proposal begins the development process for this project, which consists of replacing an existing commercial building with a new 11,550 sq. ft. commercial building.

Staff has met with the developer and the engineer regarding this development and have found it to be in compliance with the Main Street Overlay District and the City of Lansing Zoning regulations. The property is currently zoned B-3-P Commercial Business Planned Overlay District, and the developer has not requested modification of zoning at this time. The proposed uses of retail businesses align with the current B-3-P Commercial Business Planned Overlay District zoning for the property.

Stormwater detention for this lot is provided in Tract A of the Fairlane Commercial Development, shown on the attached plans.

On the attached checklist, Item 13 regarding the seal of the architect, engineer, or landscape architect who prepared the development plan being present on the submitted plans is marked no. Because this is a preliminary development plan, staff did not require the seal be placed on the plans. When the final development plan is submitted, the plans will be required by staff to be signed and sealed per the requirements for this process.

There is currently a property dispute on the southern edge of the property, and during the Planning Commission public meeting, Russ Connel, 18312 Eisenhower Road in Leavenworth, came forward to discuss this item. Development Inc. has designed the proposed improvements around the disputed area and seeks to move forward with its development outside of the disputed area. Staff agrees with this approach. If the disputed area is found to be Mr. Connel's property, because there are no planned improvements on this area, it would have no effect on the development proposed in this plan. Minutes from the Planning Commission are included for your review, as well as an exhibit showing the disputed area.

The Future Land Use Map in the Comprehensive Plan shows this area as Commercial, so this request aligns with the map for this area.

Staff Recommendation: Approve, approve with conditions, or remand back to Planning Commission, the preliminary development plan for 400 North Main Street, Lot 3, Fairlane Commercial Development.

AGENDA ITEM

3



LANSING RETAIL



Drawing from: 1. Fairlane Property, 120101-001
 2. Planning for 3 Commercial Units, 120101-001
 3. Planning for 3 Commercial Units, 120101-001
 4. Planning for 3 Commercial Units, 120101-001
 5. Planning for 3 Commercial Units, 120101-001

EXPRESS DRIVE

MAIN STREET

EXISTING 36" RCP
 E OUT = 804.87

TRACT A
 DRAINAGE EASEMENT
 BOTTOM ELEV 805.00
 100' IN ELEV 805.00

EXISTING 36" RCP
 TOP = 804.87
 E IN 36" RCP = 804.87
 E IN 36" RCP = 804.87
 E OUT 36" RCP = 804.87

SANTA FE DRIVE

PROPERTY ADDRESS
 400 N. MAIN STREET
 LANSING, KANSAS

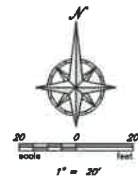
PARKING SUMMARY			
LOCATION	RATIO* (Squ. Feet : # Spaces)	REQUIRED	PROVIDED
UPPER FLOOR	300 : 1	20	31
LOWER FLOOR	300 : 1	20	25

* Parking ratio from City of Lansing Zoning Article 7.4.B.3
 for "Financial, Business, and Professional Offices"

LOT SUMMARY B-3 Commercial Zoning	
YARD SETBACKS	DISTANCE (FT)
FRONT	20
SIDE	0
REAR	20

LEGEND

AREA OF PROPERTY LINE CONCERN



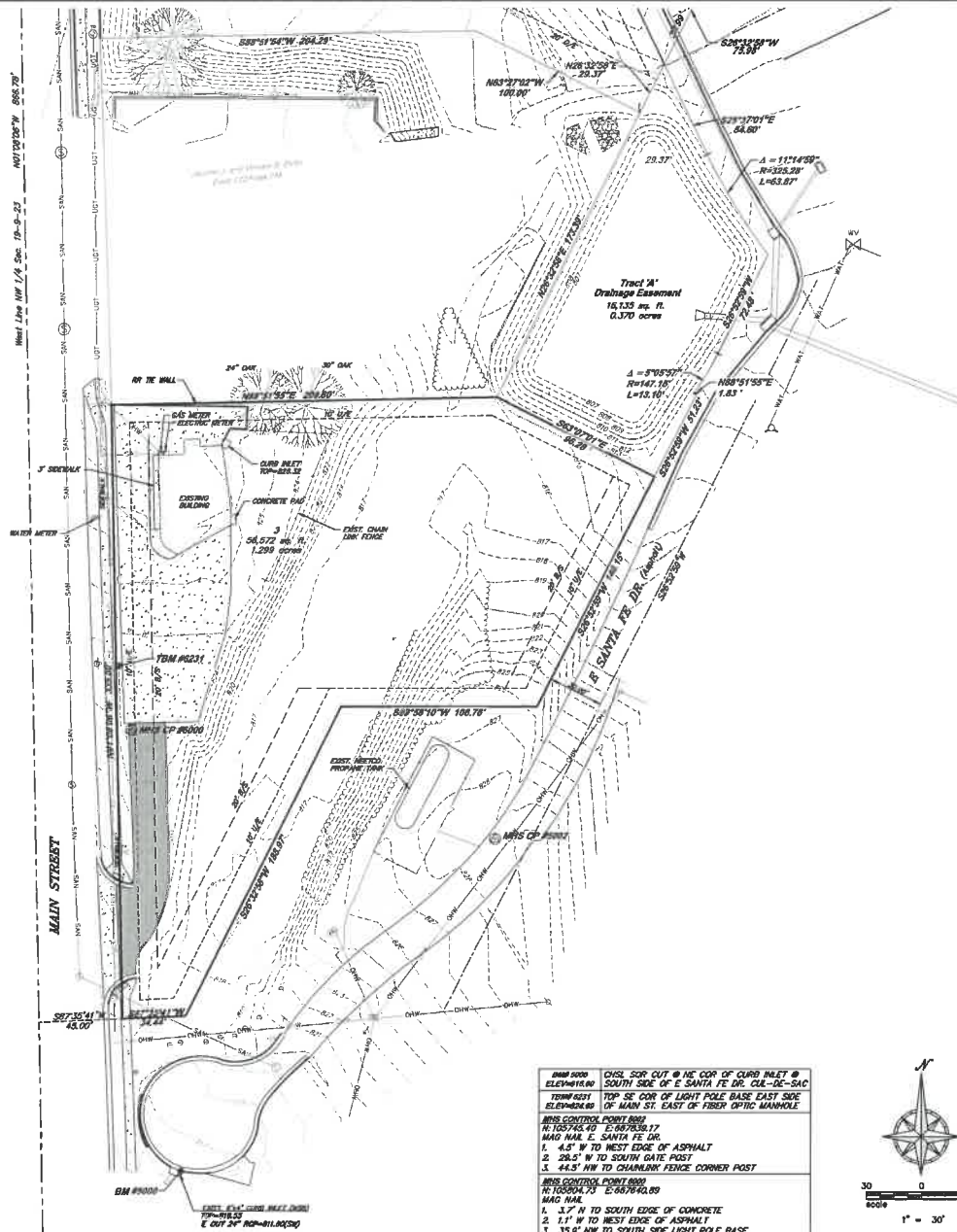
McAFEE HENDERSON SOLUTIONS, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 1001 N. MAIN STREET, SUITE 100
 LANSING, KANSAS 66101
 (781) 333-1111



NO.	DATE	DESCRIPTION
1	11/15/18	DESIGNED
2	11/15/18	DRAWN
3	11/15/18	CHECKED
4	11/15/18	APPROVED
5	11/15/18	PRINTED

**FAIRLANE LOT 3
 LANSING, KANSAS
 SITE PLAN**

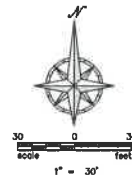
Date: 11/15/18
 Designed: SLS
 Drawn: BMS
 Checked: MCH
 Approved: MCH
 Print No: 2018-041
 Sheet No:



BM #0000
 ELEVATION 1011.80
 CHSL SUR OUT @ NE COR OF CURB INLET @
 SOUTH SIDE OF E SANTA FE DR. CLK-DE-SAC
 TOP OF CURB OF LIGHT POLE BASE EAST SIDE
 OF MAIN ST. EAST OF FISH CATCHER MANHOLE

BM CONTROL POINT #0001
 N: 105743.42 E: 607630.17
 MAG. MAG. E. SANTA FE DR.
 1. 4.5' W TO WEST EDGE OF ASPHALT
 2. 28.5' W TO SOUTH GATE POST
 3. 44.5' NW TO CHARLNEY FENCE CORNER POST

BM CONTROL POINT #0002
 N: 105804.73 E: 607640.09
 MAG. MAG.
 1. 3.7' N TO SOUTH EDGE OF ASPHALT
 2. 1.1' W TO WEST EDGE OF ASPHALT
 3. 33.8' NW TO SOUTH SIDE LIGHT POLE BASE



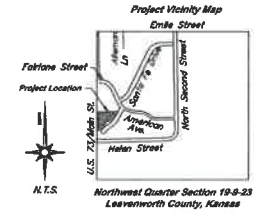
LIST OF DRAWINGS

01	EXISTING CONDITIONS
02	CONCRETE PLAN
03	GRADING & DRAINAGE PLAN
04	LANDSCAPE PLAN
A100	ARCHITECTURAL ELEVATIONS

LEGAL DESCRIPTION:
 LOT 3, FAIRLANE COMMERCIAL DEVELOPMENT,
 A SUBDIVISION IN LEAVENWORTH COUNTY, KANSAS

LEGEND

---	CENTER LINE
---	GAS
---	GAS
---	OVERHEAD WIRE LINE
---	SAW
---	SAW
---	UNDERGROUND ELECTRICAL LINE
---	UNDERGROUND TELEPHONE LINE
---	WATER
---	WATER
---	FENCE LINE
---	TREE LINE
---	ASPHALT
---	CONCRETE
---	GRAVEL
---	SKIN
---	TRASH CONTAINER
---	LIGHT POLE
---	ELECTRICAL BOX
---	PIPE HYDRANT
---	WATER METER
---	TELEPHONE BOX
---	CITY ANCHOR
---	POWER POLE
---	LARGE ROCK



PREPARED FOR:
 Development INC.
 2500 2nd Street
 Leavenworth, KS 66043

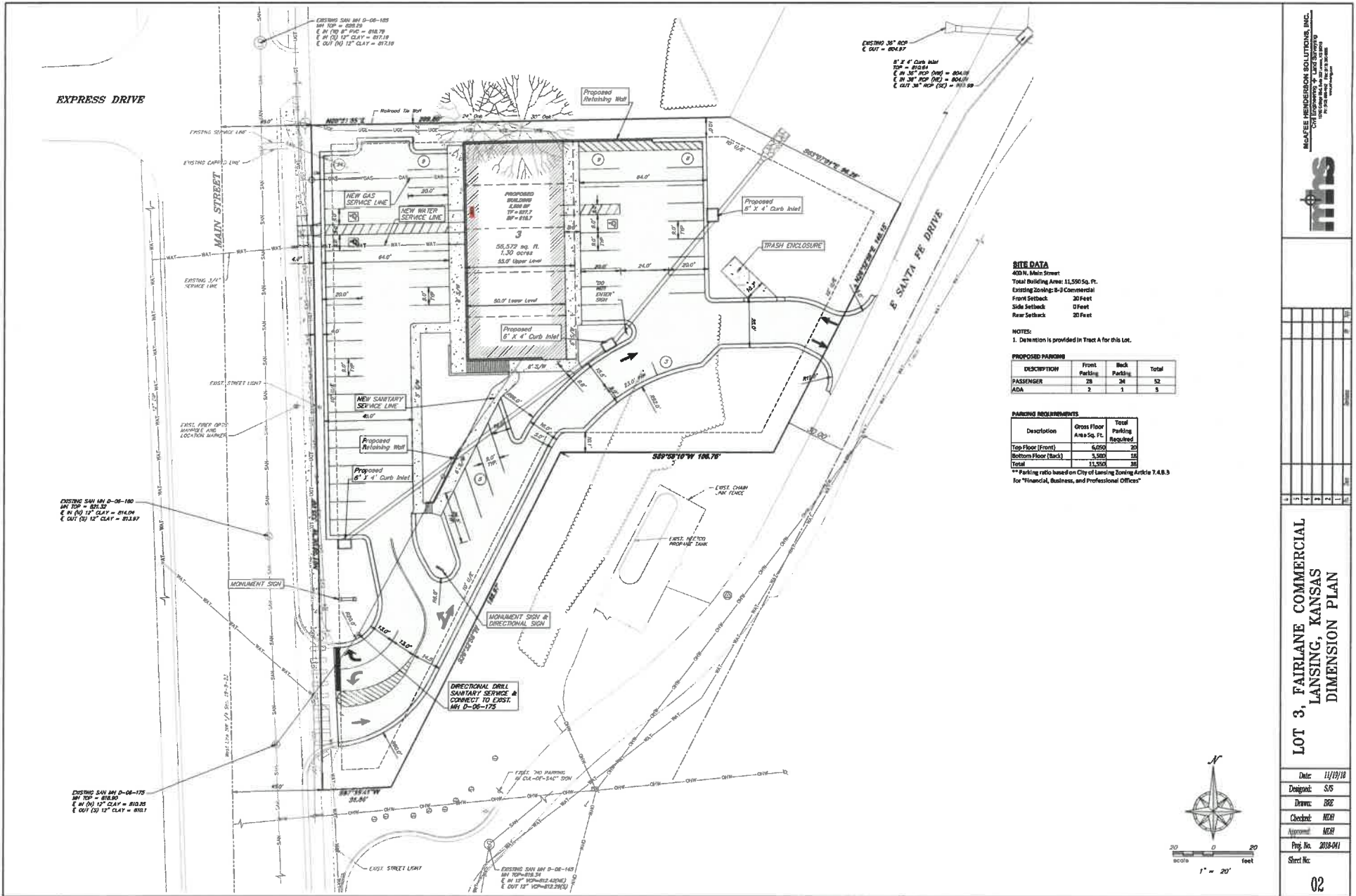
PREPARED BY:



MEAFEE HENDERSON SOLUTIONS, INC.
 Civil Engineering & Land Surveying
 1718 College Blvd., Suite 200 Leavenworth, KS 66043
 P: (913) 666-1111 F: (913) 666-1112

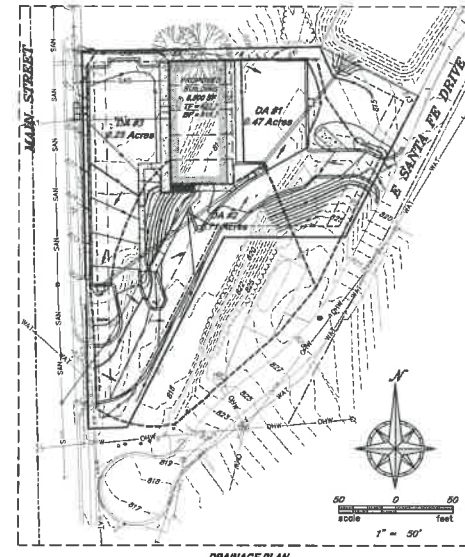
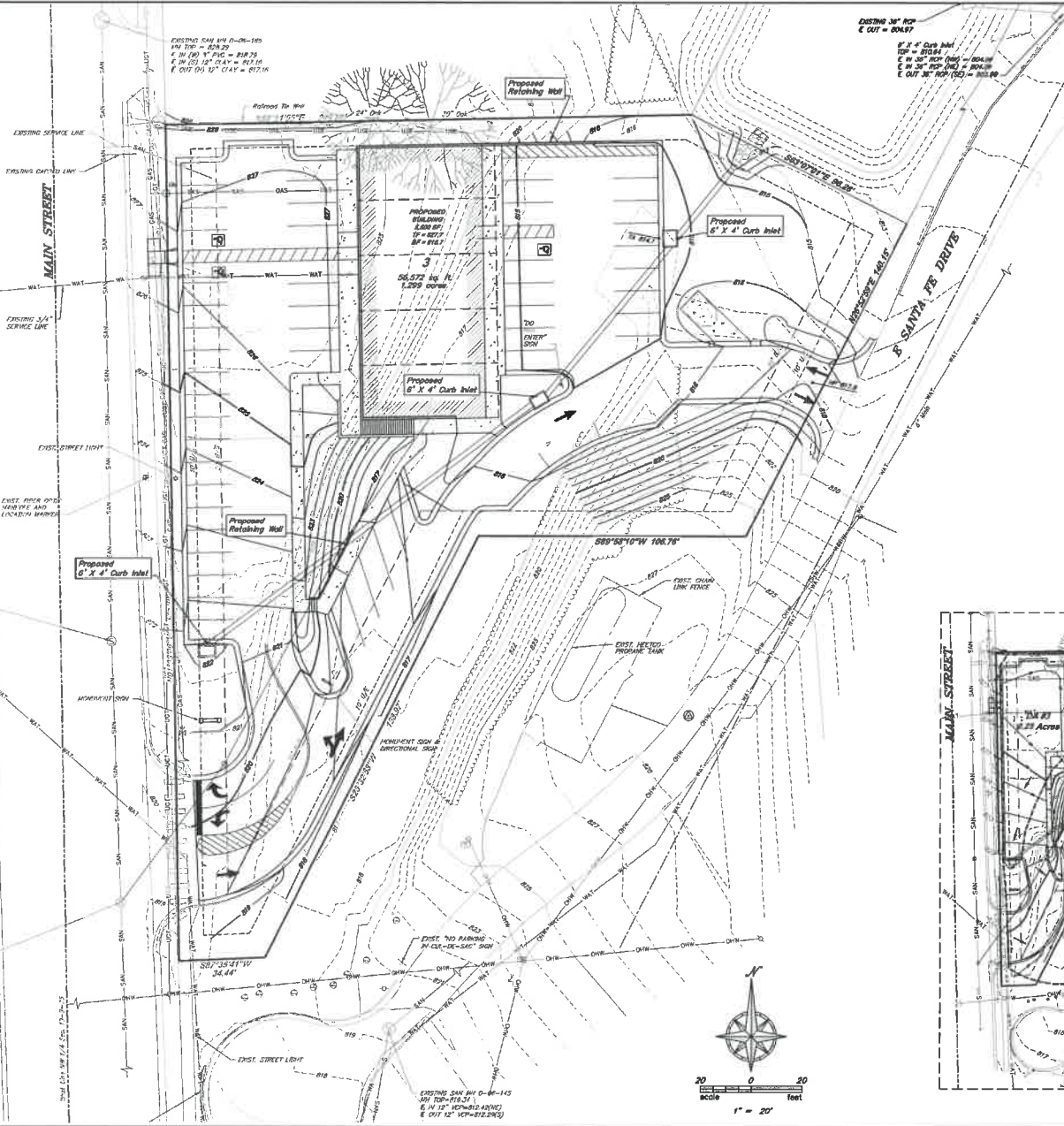
LOT 3, FAIRLANE COMMERCIAL LANSING, KANSAS EXISTING CONDITIONS

Date:	11/19/18
Designed:	TLD
Drawn:	RJS
Checked:	TLD
Approved:	TLD
Proj. No.:	2018-041
Sheet No.:	



Grading Plan: (S) Station, (P) Point, (E) Elevation, (D) Distance, (A) Area, (V) Volume, (M) Mass, (T) Time, (F) Force, (C) Cost, (R) Rate, (I) Interest, (N) Number, (O) Other, (U) Unit, (G) Grade, (H) Height, (W) Width, (L) Length, (B) Bearing, (X) Cross, (Y) Yield, (Z) Zone, (J) Job, (K) Key, (L) List, (M) Map, (N) Name, (O) Office, (P) Plan, (Q) Quantity, (R) Reason, (S) Size, (T) Total, (U) Use, (V) Value, (W) Way, (X) X-ray, (Y) Year, (Z) Zero

EXPRESS DRIVE

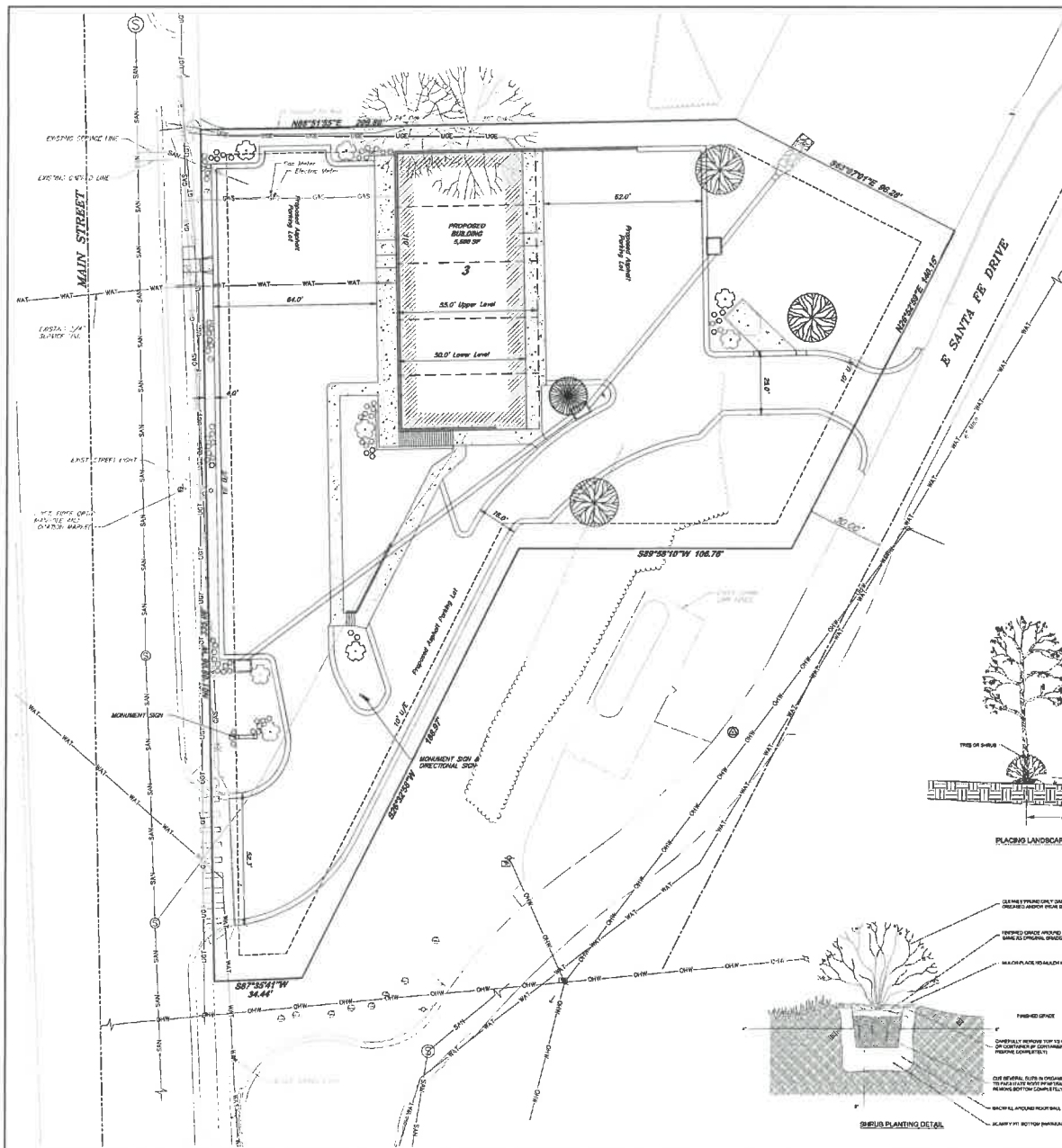


McAFEE HENDERSON SOLUTIONS, INC.
Civil Engineering & Surveying
Professional Seal No. 0000000000



LOT 3, FAIRLANE COMMERCIAL LANSING, KANSAS GRADING & DRAINAGE PLAN

Date:	11/19/18
Designed:	SJS
Drawn:	BDS
Checked:	MDH
Approved:	MDH
Proj. No.:	2018-041
Sheet No.:	

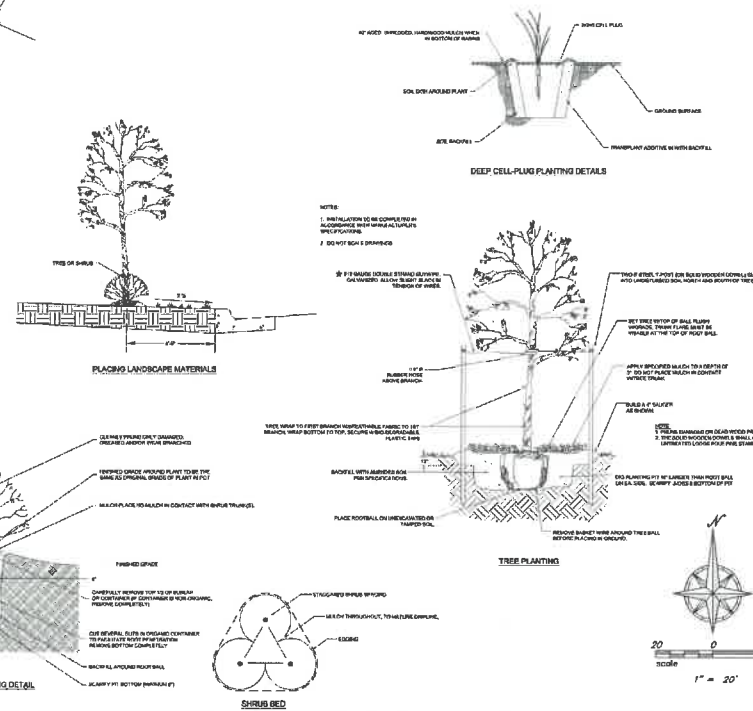


LANDSCAPE PLAN NOTES:

1. CONTRACTOR SHALL STAKE PLANT LOCATIONS IN THE FIELD AND HAVE APPROVAL BY OWNER'S REPRESENTATIVE BEFORE PROCEEDING WITH INSTALLATION.
2. ALL PLANT MATERIAL SHALL BE OF EXCELLENT QUALITY, FREE OF DISEASE AND INFESTATION, AND TRUE TO TYPE, VARIETY, SIZE SPECIFIED, AND FORM PER AMERICAN NURSERY ASSOCIATION STANDARDS. ALL TREES AND SHRUBS SHALL BE LAID OUT IN A UNIFORM AND CONSISTENT PATTERN, FOLLOWING THE LANDSCAPE PLAN ACCURATELY.
3. ALL SHRUB BEDS IN LAWN AREAS SHALL BE EDED AS SHOWN IN THE PLANNING DETAIL.
4. ALL PLANTS SHALL RECEIVE 4" MINIMUM OF SHREDDED HARDWOOD MULCH AS DETAILED, UNLESS OTHERWISE NOTED. IN LANDSCAPE BEDS, MULCH SHALL BE A CONSISTENT 4" DEPTH THROUGHOUT. FOR TREES PLANTED IN TRUNK AREAS, A 4" RING OF MULCH SHALL BE FORMED INTO A SAUCER IN A MINIMUM RING TWICE THE DIAMETER OF THE ROOTBALL FROM THE TRUNK. ELEVATION OF TOP OF MULCH SHALL BE 5" BELOW ANY ADJACENT PAVEMENT.
5. CONTRACTOR SHALL THOROUGHLY WATER IN EACH PLANT IMMEDIATELY FOLLOWING INSTALLATION.
6. CONTRACTOR SHALL INSTALL TURF-TYPE TALL FESCUE SEED AT 210 LBS PURE LIVE SEED PER ACRE AND ANNUAL RYE GRASS AT 40 LBS PURE LIVE SEED PER ACRE IN ALL AREAS DISTURBED DURING CONSTRUCTION NOT OTHERWISE DESIGNATED AS ANOTHER MATERIAL.
7. PROPOSED TREES SHALL NOT BE PLACED OVER EXISTING UTILITY SERVICE LINES.
8. TREES AND SHRUBS LOCATED ADJACENT TO PARKING STALLS MUST BE SET BACK A MINIMUM OF 4 FEET FROM BACK OF CURB TO CENTER OF THE PLANT TO ALLOW FOR VEHICLE OVERHANG.
9. CONTRACTOR TO SEED AREA DISTURBED BY TEMPORARY ENTRANCE AFTER REMOVAL OF GRAVEL SURFACE.

PLANTING SCHEDULE

Symbol	Total	Common Name
	3	Commemoration Sugar Maple
	1	Redbud
	40	Magic Carpet Spirea
	36	Lodense Privet
	8	Goldfinger Potentilla



LOT 3, FAIRLANE COMMERCIAL LANSING, KANSAS LANDSCAPE PLAN

Date: 11/19/18
Designed: SJS
Drawn: BRB
Checked: MCH
Approved: MCH
Proj. No. 2018-041
Sheet No.



LANSING RETAIL BUILDING

400 N. MAIN ST.
LANSING, MI 48203
HIVE DESIGN COLLABORATIVE, INC.
1817 WALNUT STREET, KANSAS CITY, MO 64108
816.581.1380

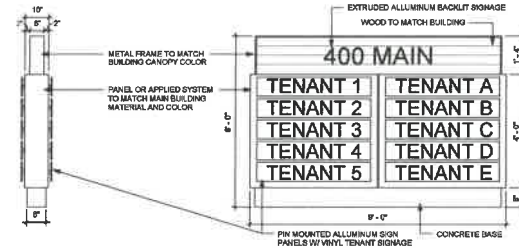
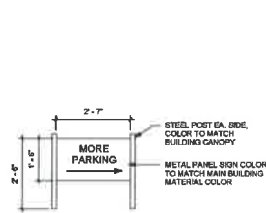
COPYRIGHT © 2017
HIVE DESIGN COLLABORATIVE, INC.
see/initials

project number 2018-034
date 11/16/18
issued for REVIEW
rev date description

ELEVATIONS

sheet number

A100

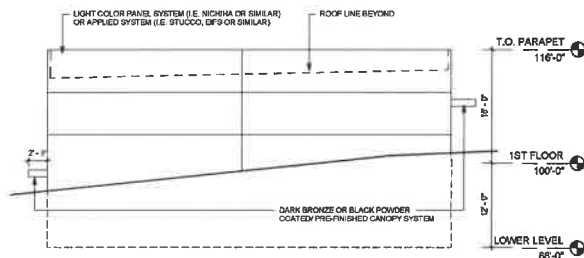


6 DIRECTIONAL SIGNAGE

1/2" = 1'-0"

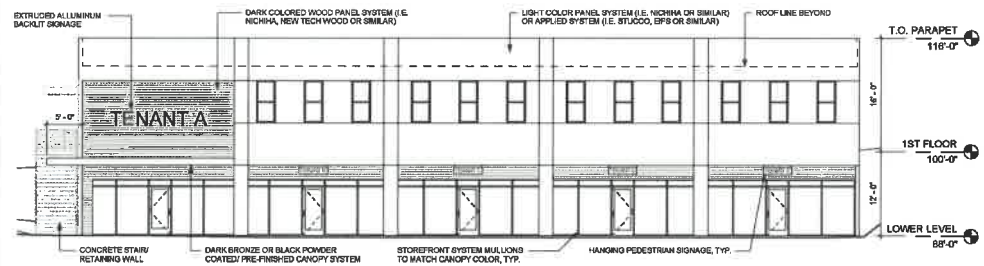
5 MONUMENT SIGN FACE & SIDE ELEVATIONS

1/2" = 1'-0"



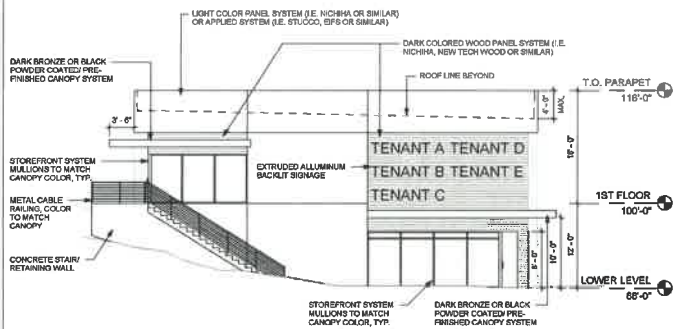
4 NORTH ELEVATION

1/8" = 1'-0"



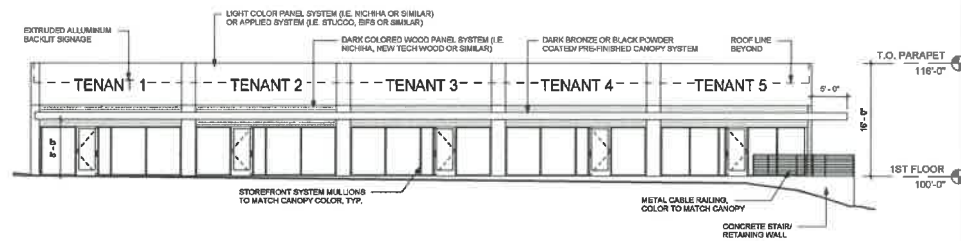
3 EAST ELEVATION

1/8" = 1'-0"



2 SOUTH ELEVATION

1/8" = 1'-0"



1 WEST ELEVATION

1/8" = 1'-0"

CHECKLIST FOR COMPLETENESS
OF
APPLICATION FOR PLANNING COMMISSION
REVIEW AND APPROVAL
OF
MAIN STREET OVERLAY DISTRICT
Preliminary Development Plan
FOR

LOT 3, FAIRLANE COMMERCIAL DEVELOPMENT

Completed by: Matthew R. Schmitz

Date: 12-12-18

COMPLETION OF THIS CHECKLIST IN NO WAY CONSTITUTES AN EVALUATION OF THE MERITS OR ACCURACY OF THE PLANS, DESIGN OR ENGINEERING OF THE PLAN AT. THIS STEP IS INTENDED ONLY AS AN ADMINISTRATIVE REVIEW OF THE COMPLETENESS OF THE APPLICATION FOR APPROVAL.

PRELIMINARY DEVELOPMENT PLAN CHECKLIST

	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. Has a Conceptual Plan been approved by Staff?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have primary and accessory uses been clearly defined in the plan?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3*. Preliminary architectural elevations of all sides of all proposed buildings indicating size, height, materials and colors, location and arrangement of buildings, parking areas with proposed arrangement of stalls and number of cars, entrance and exit driveways and their relationship to existing and/or proposed streets		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Boundaries of the project with dimensions to scale		<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Contour intervals of two (2) feet.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6*. Note provision of the following, if needed: Dedication of new or additional rights-of-way; such to be dedicated to the City prior to approval of a Final Development Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Legally executed cross access easements in all cases where shared parking is approved prior to approval of a Final Development Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Proposed size, height, location and arrangement of buildings, parking areas with proposed arrangement of stalls and number of cars, entrance and exit driveways and their relationship to existing and/or proposed streets.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Drainage plan.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. General landscape plan to include location and height of all walls, fences, signs and screen plantings.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Phases of final development.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Name and address of owner, applicant and architect, engineer or landscape architect who prepared the plan.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Professional seal of architect, engineer or landscape architect who prepared the development plan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Technical evaluation, including drainage, has been completed.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Preliminary Development Plan shall indicate existing and proposed landscaping as follows:

- | | | | |
|-----|--|--|--------------------------|
| 15. | Provide location, type and approximate sizes of all proposed landscape and screening materials. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. | Provide a preliminary planting schedule including size, quantity, type (shade, evergreen, shrub, etc.) and a list of possible plant species for each type indicated. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. | The Director of Public Works may require the submittal of additional information to describe unique project situations. | <input checked="" type="checkbox"/>
N/A | <input type="checkbox"/> |

Call to Order – The regular monthly meeting of the Lansing Planning Commission was called to order at 7:00 p.m. by Chairman Ron Barry. Also in attendance were Vice-Chairman Kirsten Moreland, and Commissioners Mike Suozzo, Marcus Bean, Nancy McDougal, and Jerry Gies. Commissioner Chad Neidig was unable to attend. Chairman Barry noted there was a quorum present.

Approval of Minutes, November 14, 2018, Regular Meeting – Vice-Chairman Moreland made a motion to approve the minutes of the November 14, 2018, regular meeting, seconded by Commissioner Suozzo. The motion was approved unanimously.

Old Business – none

New Business – 1. Public Hearing – Preliminary Development Plan, 400 North Main Street, Lansing, Kansas. Chairman Barry noted that Jeremy Greenamyre, Development Inc., property owner, had submitted a preliminary development plan application in compliance with the Main Street Overlay District for 400 North Main Street, Lansing, Kansas.

Chairman Barry opened the public hearing at 7:01 p.m. He asked Mr. Greenamyre if he would like to give a short overview of the plan. He stated this property was replatted about 10 to 12 years ago and since he has no inventory along K-7, he came up with the two-story, walk-out basement building, and is working with the grade of the land instead of against it. He said there will be plenty of parking and has made sure there is plenty of access on and off the site, and that the access off K-7 will have a northbound and southbound "out" lane. He said there will also be a rear access, with the plan being to go to Santa Fe Street to Fairlane and up to the stoplight. He stated at this point it is just a spec building, with no tenants on hand. He said they are looking at a late spring start assuming all goes well.

Russ Connel, 18312 Eisenhower Road in Leavenworth, stated he owns property adjoining this property and is all for development in Lansing; however, when this was replatted, Mr. Greenamyre knew then that the property lines were off. He stated that two years ago when Mr. Greenamyre was looking to get a permit to build a wall there, that he was obliged to get the property straightened out so the survey would match.

Vice-Chairman Moreland asked Mr. Connel which side of the property does his property adjoin and he stated it was the east side.

City Attorney Greg Robinson stated the last correspondence he had about this issue was from Mr. Connel's attorney. Mr. Robinson said the city has no interest in boundary disputes, as that is between the two owners and we go with whatever documents are legally recorded. He stated if there's a dispute with those documents, the city can decide not to approve something until the issue is resolved. He further stated the parties were advised that they should seek a declaratory judgment from District Court to fix the boundary issues if they can't agree between themselves. Mr. Robinson then said an agreement should be executed with the city, indemnifying the city in the event Mr. Connel should sue, which would make Development, Inc. responsible for all legal fees, attorney fees, etc. to protect the city. He stated the two parties could also agree to their own terms and submit an agreement, which he believes would require a survey to be filed to clear up the disputed area. Mr. Robinson stated he recalls that the

problem is that with Mr. Greenamyre's survey and Mr. Connel's survey, the survey lines overlapped. He said the city cannot clear this up, as it has to be done by the parties themselves, either through agreement or declaratory judgment.

Chairman Barry stated, from what he's understanding from Mr. Connel, that this boundary is in dispute, and Mr. Connel stated that was correct.

At this time, Community and Economic Development Director Matthew R. Schmitz asked Mr. Greenamyre's engineer to come and speak to the amount of property involved and the survey issue. Matt Henderson, from McAfee, Henderson Solutions, engineering firm for the project, stated potentially there is an overlap of two feet. He stated because of the dispute of that area, this plan is offset from that, so there is no encroachment on that area and they are calling it "no man's land". Mr. Schmitz stated that Mr. Greenamyre, his engineer, and architect, met with staff before submitting this plan and asked what the city's take was on it. Mr. Schmitz said he told them that if this could be designed in such a way that the setbacks and improvements are outside that area, he could see no reason why it couldn't move forward, which is what has been done.

Chairman Barry stated he believed Mr. Robinson said that by moving forward, there is no liability to the city, and Mr. Robinson stated he believes, from a legal perspective, it's always better to have issues like this cleared up. He stated he doesn't know if just building outside the disputed area gets it done, as it's always going to be a recurring problem. Mr. Schmitz stated he agrees this needs to be cleared up, but doesn't believe he, as staff, can prevent a development from moving forward solely because of it.

Mr. Henderson said this plan is following a recorded plat from 12 years ago, so they believe they are following what the legal property is. Mr. Robinson then stated that if that's what's on file at the county, then that is the official record and it would be up to Mr. Connel to take steps to change it.

Mr. Connel stated that when he showed his survey to the county surveyor, the county surveyor admitted there was a dispute and that there was an overlap. Mr. Connel stated all he's asking is to get it straightened out. Vice-Chairman Moreland pointed out to Mr. Connel that the city cannot do that for him. Mr. Connel said this has already been in court once and Judge King gave him this property 20 years ago, so it's already on record what he's supposed to get. Mr. Robinson asked if he's talking about when the old railroad right of way was transferred back and they abandoned it, and Mr. Connel said that was correct.

City Administrator Tim Vandall, 521 Hillbrook Drive, stated he was involved in several meetings in 2016 when this first came up and it's certainly the city's desire to get this straightened out. He said they told Mr. Greenamyre the city didn't want to issue a permit if the building was at the location proposed at that time. He stated he understands that Mr. Greenamyre has modified the plans to go away from the disputed area and is reducing the square footage in his building based on Mr. Connel's survey, so staff felt more comfortable with this proposed plan.

Mr. Greenamyre said he had a drawing that wasn't submitted with their packet, but might help with visualization of the land and how the building is situated on it. Chairman Barry stated he

didn't believe it should be submitted now since it wasn't in the original packet, but Mr. Robinson stated with all the testimony that's been given, the board could, if voting to approve this application, put conditions on the disputed area, such as not encroaching on it, until the dispute is resolved. Mr. Schmitz stated he believes the closest planned improvement on the plan is the curbing for the parking lot.

Nancy Hininger, 105 Helen Street, had a question about access to and from the area and Mr. Greenamyre showed her a drawing, which she said answered her question.

Since there were no other comments or questions from the public, Chairman Barry closed the public hearing at 7:21 p.m.

Commissioner Gies asked, when Mr. Greenamyre's property was platted, if it included the abandoned railroad right of way, and Mr. Schmitz said it does. Commissioner Gies then asked about the other part of the railroad right of way and if it was platted. Mr. Schmitz said there was a plat on the other two lots, which was the Santa Fe Subdivision from 1903.

Commissioner Bean asked where the railroad right of way was originally and Mr. Schmitz pointed it out on the plans.

Commissioner McDougal asked if it wouldn't be in everyone's best interest to resolve this now and perhaps make a provision that it needs to be resolved now. Mr. Robinson said that if the official record as the engineer stated is what's on file, then that would be the record we would have to use and base our decision on. Chairman Barry stated that because we as the city can't decide the dispute, we have to go by what's on the public record.

Commissioner Gies asked if the storm retention area is off-site and Mr. Schmitz stated the whole area was platted together in a development plan and the detention basin was designed and put in to be the detention for that whole area, which includes IHOP, Dairy Queen, and this building. City Engineer Matt Harding stated it was his understanding that it was to mitigate this entire watershed. Commissioner Gies then asked if the property owners maintain it and Mr. Schmitz stated the detention tract is owned by Greenamyre Rentals.

Chairman Barry asked Mr. Schmitz, as information for the new members, to outline the general steps for this plan. Mr. Schmitz stated this is a preliminary development plan, which will next go before the City Council. He said a final development plan would then be submitted, which will go before the Planning Commission and the City Council.

Since there were no other questions or comments, Chairman Barry asked members to consider the checklist as a finding of fact for the preliminary development plan for 400 North Main Street. Commissioner Suozzo made a motion to approve the checklist, seconded by Commissioner Gies, and it was unanimously approved.

Chairman Barry then asked for a motion to approve, disapprove, or approve with conditions the preliminary development plan itself and Vice-Chairman Moreland made a motion to recommend approval of the preliminary development plan for 400 North Main Street, seconded by

Lansing Planning Commission
Regular Meeting
December 19, 2018

Commissioner Suozzo. The motion passed unanimously. It was stated this will go before the City Council at its January 3, 2019, meeting.

Notices and Communications – none

Reports – Commission and Staff Members – none

Adjournment – Chairman Barry made a motion to adjourn, seconded by Commissioner McDougal, and approved by acclamation. The meeting adjourned at 7:34 p.m.

Following the regular meeting, a work session was held to discuss articles 5-7 of the proposed Unified Development Ordinance.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,



Matthew R. Schmitz, Community and Economic Development Director

AGENDA ITEM

TO: Tim Vandall, City Administrator *P*
FROM: Jason Crum, Parks and Recreation Director *JC*
DATE: December 27, 2018
SUBJECT: Request to purchase mowers

The Parks and Recreation Department solicited quotes for two mowers to replace current equipment in the fleet. One would replace a 2008 72" Kubota with 1891 hours and the other would replace a 1996 Hustler Range Wing mower with 1905 hours. The following quotes were received:

Blue Valley Tractor

Exmark Lazer Z Diesel 72"	\$23,294.00
Exmark Lazer Z Diesel 96"	\$33,694.00

Jerry's Outdoor Equipment

Exmark Lazer Z Diesel 72"	\$23,272.03
Exmark Lazer Z Diesel 96"	\$33,672.03

Kansas Golf and Turf

Exmark Lazer Z Diesel 72"	\$22,699.00
Exmark Lazer Z Diesel 96"	\$33,299.00

The quotes for the 72" mower came in higher than was expected. However, the quotes for the 96" mower came in lower. The purchase of both mowers from any of the dealers would result in a total cost less than was budgeted. There are 72" mowers with lower horsepower that are available at a lower cost. The last 72" Kubota mower that was purchased for the department was one of these mowers. It does not have the capability of similar mowers that we have purchased in the past. This is due to new emissions system requirements. In order to get similar performance horsepower has to be increased significantly, thus increasing the cost.

Financial Consideration: These items are a City Council approved equipment replacement for 2019. City Council approved \$40,000.00 for the wide area mower and \$20,000.00 for the 72" mower in the 2019 equipment replacement process.

Policy Consideration: N/A

Action: Staff recommends a motion to approve the purchase of a Exmark Lazer Z 72" for \$22,699.00 and a Exmark Lazer Z 96" for \$33,299.00 for a total of \$55,998.00 from Kansas Golf and Turf from account number 80-010-43301 Equipment Reserve.

AGENDA ITEM

4



2018 LAZER Z[®] DIESEL



CUTTING SYSTEMS

ULTRACUT™ CUTTING DECKS

When it comes to durability, Exmark's UltraCut decks are among the strongest in the industry and set the standard for productivity and quality of cut. The Lazer Z Diesel models are available with the option of an UltraCut Series 4, Rear Discharge or 96-inch Rear Discharge with flex wings. These UltraCut decks all have a 5.5-inch deep design, formed and welded from high strength steel to provide superior strength and durability. The UltraCut decks have a patented spherical bearing design on the idler arm pivots that requires only annual greasing. They are all designed with sealed, maintenance-free spindle assemblies to eliminate maintenance and reduce downtime.

Our UltraCut mowing systems are the ultimate in a floating deck for efficiency, quality of cut and rugged durability. Regardless of which one you choose, your mower will deliver the cut quality, durability and longevity you expect from Exmark.



Shown in transport mode with wings up

ULTRACUT REAR DISCHARGE WITH FLEX WINGS

Welded 7-gauge, high-strength low alloy steel deck shell • Four matching blades • Wings flex 20-degrees up and 15-degrees down • Wings fold-up for easy transport and trailering, for a reduced total width of 74-inches • Durable through-axle anti-scalp rollers • Compression molded, ultra-high molecular weight side bumper • Maintenance-free, sealed and non-greasable spindles • 13 coned anti-scalp rollers • Available in 96" deck size



ULTRACUT REAR DISCHARGE

- Welded 7-gauge, high-strength low alloy steel deck shell
- Maintenance-free, sealed and non-greasable spindles
- Counter-rotating blade provides even clipping dispersion
- Durable through-axle anti-scalp rollers
- Compression molded, ultra-high molecular weight side bumper
- Available in 72" deck size



ULTRACUT SIDE DISCHARGE

- Three large, formed-and-welded, 7-gauge steel reinforcement rings
- Flow control baffles
- Maintenance-free, sealed and non-greasable spindles
- Patented spherical bearing design on idler arm pivots requires only annual greasing
- Coned anti-scalp rollers
- Available in 60" or 72" deck size

UltraCut Deck Comparison	Side Discharge	Rear Discharge	Rear-Discharge w/ Flex Wing
Bag	✓		
Mulch	✓	✓	✓
Deck Depth	5.5"	5.5"	5.5"
Cutter Housing	7.75"	7.75"	7.75"
Spindle Shaft	25mm	25mm	25mm

LAZER Z DIESEL



Yanmar® 3TNV80FT 1.3 Liter Turbo
with RED Technology
Yanmar 3TNV88C 1.6 Liter Common Rail
with RED Technology

ENGINES

DECK SIZE

Full-Floating UltraCut Series 4 (60"/72")
Full-Floating UltraCut Rear Discharge Deck (72")
Full-Floating UltraCut Rear Discharge w/ FlexWings (96")

DECK STYLE

Full-Floating Fabricated

CUTTING HEIGHT

1.0" to 5.5" in 0.25" increments

HYDRO DRIVE SYSTEM

Kanzaki KPS-18T

SPEED

Up to 11.0 mph (1.3 Liter)
Up to 12.5 mph (1.6 Liter)

FUEL CAPACITY

12.0 Gallons

SEAT COMFORT

Premium Suspension w/ Seat Isolation System

FEATURES

RED Technology Equipped
Hydraulic Deck Lift

FRONT CASTERS

15" x 6.0-6" Semi-Pneumatic

DRIVE TIRES

26" x 12-12"

WARRANTY
For complete details, visit
exmark.com or your local dealer

5-year or 2,000 Hours, Limited
No Hour Limit First Two Years

AVAILABLE ACCESSORIES



FINISH CUT BAFFLES



MICRO-MULCH SYSTEM



SUN SHADE




ULTRAVAC™
COLLECTION SYSTEMS

Also Available:
Anti-Scalp Roller Kit, Hitch Kit,
Jack, Jack Mount Receiver,
Trash Container, Light Kit, Slow
Moving Sign, Operator Control
Discharge, Rear Guard, Turf
Striping Kit and White Non-
Marking Side Bumper

Accessories may not fit each
mower model. Please visit
exmark.com or check with your
local dealer on accessory fit-up
for each model.

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Steve Wayman, Chief of Police
DATE: December 21, 2018
SUBJECT: Purchase of Police Vehicles

VEHICLES

The Lansing Police Department requested bids for police package patrol vehicles from 3 vendors. Listed below are the results that were received.

<u>Dealer</u>	<u>Make</u>	<u>Cost per vehicle</u>	<u>Total Cost</u>
Landmark Dodge	Dodge Durango Police	\$31,176.00	\$62,352.00
Speedway Dodge	Dodge Durango Police	No Bid Received	No Bid
Davis Moore Dodge	Dodge Durango Police	\$31,584.68	\$63,169.36

This is for the cost of the vehicles only and does not include the additional cost of light bars, In Car Video system, prisoner transport systems, etc.

These vehicles will replace a 2013 Ford Interceptor Utility, this vehicle will be transferred to street department for their use

Delivery time of the police vehicles from order date is approximately 120 days.

Policy Consideration: None for this Item

Financial Consideration: Budget approved for 2019 budget

Action:

The Lansing Police Department is requesting to purchase police vehicles from Landmark Dodge. The purchase price for the Two replacement vehicles is \$62,352.00. This does not include the cost of emergency equipment to be added to the vehicles.



Other Items of Interest: Thank You Notes - Police Department

Hello,

I would like to say thank you to the wonderful Lansing Police Department. A little over a month ago, my daughter and I had a very serious accident. And the quick thinking and persistence of the first responders, not I, saved my daughter's life. But actually helped me learn of a serious issue in my own body that would have killed me. If the officers had not been there to make me go to the hospital, I would have died from it. I love everyday of my life now to the fullest and I am so thankful for every first responder that came. You all have not only changed my life but have given me a chance to continue being a mother. Each and every officer in your department are some of the bravest men and women I know. And I am beyond thankful to be living in Lansing. Thank you all for everything you have done and will do. I hope you all have a very Merry Christmas and a Happy New Year. Please stay safe.

Stacia Radke

Case #

18-3105

officer Robin Mock

6

Jay Weaver
Unassigned

Write a reply...



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