



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

COUNCIL AGENDA
Regular Meeting
Thursday, October 18, 2018
7:00 P.M.

WELCOME TO YOUR CITY COUNCIL MEETING

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

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

Call To Order

Pledge of Allegiance

Roll Call

OLD BUSINESS:

1. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations:

2. Military Retiree Appreciation Day Proclamation
3. Project Updates – Public Works

Council Consideration of Agenda Items:

4. Treasurer's Report for Quarter Ending September 30, 2018
5. Ordinance No. 1010 – City Code Text Amendment Chapter 2
6. Ordinance No. 1011 – Issuance of GO Bonds, Series 2018-A
7. Resolution No. B-8-18 – Sales and Delivery of GO Bonds, Series 2018-A
8. Request to Complete Easement Acquisition for City Projects 17-04 and 18-02
9. Equipment Replacement Requests

Reports:

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




Proclamations

Other Items of Interest:

10. Monthly Department Vehicle and Equipment Mileage Reports
11. Job Well Done – Police Department
12. Final Valuation for the City of Lansing

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 
THRU: Sarah Bodensteiner, City Clerk 
FROM: Shantel Scrogin, Assistant City Clerk 
DATE: October 11, 2018
SUBJECT: Approval of Minutes

The Regular Meeting Minutes for October 4, 2018, are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes for October 4, 2018, as presented.

AGENDA ITEM #

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
October 4, 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: Dave Trinkle and Gene Kirby

Ward 2: Andi Pawlowski and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler

Councilmembers Absent: Tony McNeill

OLD BUSINESS:

Approval of Minutes: Councilmember Kirby moved to approve the regular meeting minutes of September 20, 2018, as presented. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor Smith called for audience participation and a resident came forward. Mike Langlois at 101 Ethel Lane stated that he has set up a Virtual Reality Haunted House in his home and received a notice from the City that he would need to attend a Council meeting to get permission and a permit to continue. Matthew Schmitz stated the sign outside the home caught the City's attention and doesn't meet any of the City's guidelines. City Inspector Becky Savidge stated the charging of residents is not permitted as a home business occupation. Matthew Schmitz informed the Council there is nothing in the Zoning Ordinance that would allow this type of operation. After discussion throughout the Council, it was suggested to Mr. Langlois to contact his neighbors, gather more information, discuss the signage issue to meet the City Ordinance, and bring it back to the Council.

Mayor pro tem Jermaine Wilson presented the Council with a flyer for the Twin City Initiative Fall Festival. With the idea of the festival to give exposure to businesses, bring community awareness, bring churches together to help and serve the needs of the residents in both Leavenworth and Lansing. City Attorney Greg Robinson's main concern is insurance coverage. Mayor Smith stated the Kansas City Community College is taking care of insurance coverage.

Presentation - Police Chief Steve Wayman presented Officer Beck and Officer Hancock with awards for a job well done on an arrest. The night shift Officers apprehended individuals who broke into several businesses in Lansing and possibly Leavenworth.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Lansing Planning Commission Appointment: Councilmember Trinkle moved to appoint Nancy A. McDougal to the Lansing Planning Commission for a term expiring April 30, 2020. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Ordinance No. 1009 - Rezone of 24481 139th Street: Councilmember Kirby moved to deny the rezone request and deny adoption of Ordinance No. 1009 as presented. Councilmember Studnicka seconded the motion.

- City Administrator Tim Vandall stated I think there are people who would like to speak.
 - Mayor Smith asked are there people who would like to address the Council on this issue.
 - Resident Debbie Dunn stated my husband and I live at 14026 McIntyre Rd. Our property is adjacent to the southern boundary of the adjoining property. As homeowners, we stay completely opposed to the rezoning, the proposed rezoning on Fairway on the following concerns and requests. The proposal presented at the Planning Commission included several buildings and multiple multi-tenant dormitories but did not provide evidence that viable septic system could be installed to handle the wastewater. Little evidence was provided on the environmental impact

water run off for noise abatement. 139th Street is controlled by the State of Kansas and no evidence was provided of a traffic study or approved by KDOT to allow heavy vehicle traffic access to the road and turning radius from southbound K7 onto 139th Street is not conducive to long vehicle traffic as should be expected based on the proposed business. The proposed rezoning should be considered spot track zoning as the property is bordered by agriculture residential property to the northeast, the entire north, west and south property lines. The authorized agent indicated at the Planning Commission that they would have on site security personnel clearly indicating that there are security risk by students at the school. A significant concern for most of us residents that border the property as many of us are retired. If the property is rezoned to B-2 General Business, they could then be resold to a variety of, a wide variety of businesses which are even more intrusive to a family residential environment. We appreciate the concern the Planning Commission raised during their consideration of the proposed rezoning and their vote which clearly supports the homeowner opposition to the rezoning. Thank you.

- Mayor Smith stated thank you. Anyone else like to address the Council on this issue? Yes, ma'am.
- Betty Wilson, realtor for the property stated I just wanted to make sure that you all had received a letter I had written. I would like to request that the letter be introduced to the minutes of the meeting tonight.
 - Mayor Smith asked we do have that. Ok. Yes, ma'am, we can do that.
 - Betty Wilson stated ok, thank you.

****The electronic mail letter(email) from Betty Wilson to the Lansing Governing Body has been attached as Exhibit A.****

- Mayor Smith stated thank you. Any other discussion on this one. We have a motion to deny the rezone request, deny adoption of Ordinance 1009.
 - Councilmember Buehler stated Matt, hang on, I get it and I understand the residents, is there something, is there anywhere else? Are you working with them to try and find somewhere else we can put this? I hate seeing businesses that want to come into this city and saying no to them. I mean we lost a business before because we said no, and I get it. And I'm not going to go against what the Planning Commission says because that is why we have them but is there something we can do. Can you work with them to try to find something that maybe get them to stay in Lansing?
 - Community & Economic Development Director Matthew Schmitz responded there are no other sites available. The only other way they could potential locate in Lansing is if they bought all the properties and combined them together. They're not interested in doing that.
 - Councilmember Pawlowski asked because of the size that they need.
 - Community & Economic Development Director Matthew Schmitz stated correct.
 - Councilmember Pawlowski asked do they need all 10 acres.
 - Community & Economic Development Director Matthew Schmitz responded 5-7, in that range.
 - Mayor Smith asked any other questions, concerns. Ok, Sarah.
 - Councilmember Buehler asked what was the motion?
 - City Clerk Sarah Bodensteiner replied the motion is to deny the rezone request and deny adoption the Ordinance 1009.

The motion was unanimously approved.

Final Plat – Fairway Estates, 5th Plat: Councilmember Kirby moved to accept the public dedications of the final plat for Fairway Estates, 5th Plat. Councilmember Trinkle seconded the motion.

- Councilmember Buehler stated I have a question.
 - Mayor Smith stated yes, sir.
 - Councilmember Buehler asked in the final plat checklist, it says the preliminary plat has not been approved. That's what it says. Preliminary plat has been approved. No is checked.
 - Community & Economic Development Director Matthew Schmitz responded correct and the reason why it is checked is this was done under a development plan, there was no preliminary plat done. Because with a development plan you do a preliminary development plan, a final development plan and a final plat. There is no preliminary plat filed until we're done.
 - Councilmember Garvey stated because you don't need it.
 - Community & Economic Development Director Matthew Schmitz responded correct.
 - Councilmember Pawlowski asked so we've had the discussion before about the road not being a collector width. Is that the only difference or the only thing that is not up to our code. That's not the right word. It's not code.
 - Community & Economic Development Director Matthew Schmitz responded standards. So, Matt you want to help answer. I know it's a collector north of this subdivision, not a collector south. Is that correct?
 - City Engineer Matt Harding stated there is a collector street. Well, first of all, we have to take trucks on residential roads, we have collector street for minor arterials or arterials. A collector street in this neighborhood but when Fairway Estates was originally platted, there was just a residential street back to back.
 - Councilmember Pawlowski stated it comes in as a collector and then goes down to a residential.
 - City Engineer Matt Harding replied well I think it's a residential all the way to the north, I think. But on the south side of this, towards the Maples, there's a collector street that does not go. You want your collector street to go north and south to carry traffic, this comes down to basically the Maples and then veers off to the west.
 - Community & Economic Development Director Matthew Schmitz stated Holiday.
 - City Engineer Matt Harding stated Holiday. So, this collector street does not go anywhere. Part of this thorough fair is collector street standards, part of it is residential as it currently stands.
 - Councilmember Pawlowski stated right, but my question was is that the only.
 - City Engineer Matt Harding stated I think the collector street on the south. As far as I remember that is the only thing.
 - Councilmember Pawlowski responded because we've had the discussion about Pebble Beach more than once. Not recently but over the years.
 - Mayor Smith replied we sure have.
 - Councilmember Buehler asked, and the motion was to approve.
 - Mayor Smith responded yes.

The motion was unanimously approved.

Resolution No. B-7-18 – Desoto Road Project Award of Contract: Councilmember Brungardt moved to adopt Resolution B-7-18 as presented. Councilmember Kirby seconded the motion.

- Councilmember Pawlowski stated I have a question. So, the moving of the utilities is in addition to this.
 - City Administrator Tim Vandall replied so we haven't paid to move any utilities yet. We expect Lan-Del to be around \$200,000. We have funds for that separately. I think we were anticipating some of this going to Westar so when we do our bond issuance, it'll be around \$5.5 million. So, some of that will go to Westar and then some of that would go to the construction inspection.
 - Councilmember Pawlowski asked and we have \$1.8 million.
 - City Administrator Tim Vandall responded it was actually a little less than that.
 - Councilmember Pawlowski replied \$1.7 left.
 - City Administrator Tim Vandall replied \$1.6 or \$1.7 yeah.
 - Councilmember Pawlowski asked but that, out of that money, nothing has been paid for utility relocation.
 - City Administrator Tim Vandall replied yeah, we haven't paid for any utility relocation.
 - Councilmember Pawlowski asked and what about for right of way acquisition.
 - City Administrator Tim Vandall stated that's all done.
 - Councilmember Pawlowski asked was that paid out of this amount or did we pay that somewhere else.
 - City Administrator Tim Vandall responded we paid that I think from capital improvement.
 - Councilmember Pawlowski stated I'm just trying to figure out how much this project is going to cost us.
 - City Administrator Tim Vandall responded when it's all, I could probably get you a break down, so I know total engineering including when it was first designed as a five lane road. That was \$700,000 or \$800,000. I'd have to double check what the final number was for right of way acquisition. But Westar is going to be like \$475,000 or \$480,000. Westar is going to be pretty expensive because of all those poles.
 - Councilmember Pawlowski asked we're over \$8 million from Ida to Eisenhower, right, probably total cost.
 - City Administrator Tim Vandall asked say that again.
 - Councilmember Pawlowski stated \$8 million.
 - Mayor Smith stated something like that.
 - City Administrator Tim Vandall replied yeah, in that ballpark, yeah. But some of those things have already been paid for.
 - Councilmember Pawlowski responded right so but you think \$5.5 million.
 - City Administrator Tim Vandall replied for the bond issuance that will be on the agenda, I think at the next meeting. We're looking at \$5.585.
 - Councilmember Pawlowski stated so \$5.6.
 - City Administrator Tim Vandall replied closer to \$5.6.
 - Councilmember Pawlowski responded thank you.

The motion was unanimously approved.

Museum Building Discussion: Mayor Smith stated the City was notified late last week of the Lansing Historical Society's desire to take possession of the current museum building. If the Council is open to the request made by the Historical Society, the City Attorney will draft documents to transfer the building to the Lansing Historical Society.

- City Administrator Tim Vandall stated I'll start. We were contacted; I think staff is generally pretty open to the idea. Some of you guys recall the Historical Society owned it and operated it prior to 2006. So, staff is open to the idea if you guys are. If you guys are open to it, we'll have Greg and their attorney get working on some type of document that transfers the building to them. So, gets us out of it.
 - Councilmember Buehler asked what about everything that is in the building. Is that the Historical Society's, is that the City's, are we giving it to them, are they buying it from us. If we give it to them.
 - City Administrator Tim Vandall stated I think the language in that agreement says the building and the contents. I don't think we would, if you are talking about the artifacts, I don't think we would have any use for them. Is that what you are talking about?
 - Councilmember Buehler responded yeah, just the stuff that is in the museum. It doesn't make a difference about the building but I'm looking to see where everything else.
 - Councilmember Garvey replied and everything will be transferred into their name, utilities, all that stuff.
 - City Administrator Tim Vandall stated I guess one thing that crossed my mind, I mean, if we're able to find any type of, I know on recent donations, we have receipts and addresses of people who have donated them to us. So, if we have a list we could work with the Historical Society and say hey, just so you guys know the museum is the Historical Society's now and not the City's. I don't know if that make any difference to people who donated.
 - Mayor Smith stated we use to have things on loan.
 - City Administrator Tim Vandall stated yeah but I don't know if any people who've donated artifacts to us would care one way or the other. We should try and make that public.
 - Councilmember Kirby stated so we've owned the building since 2006. It got turned over to the city.
 - Councilmember Pawlowski responded it's been a long time ago.
 - City Administrator Tim Vandall stated yes.
 - Councilmember Kirby stated I'm reading the letter from the lawyer and the arrangement, the fact that we have keys to the museum. I'll read it. "From my review of the limited information it appears somehow during the course of various discussions or at some point thereafter, the City of Lansing acquired the keys to the museum building. That arrangement poses security risks." Why would we not have keys to a building we own? Ok.
 - City Attorney Greg Robinson replied just to your point Mr. Kirby that I think that the letter speaks kind of for itself in the sense that there was incomplete information because my communications with Ms. Hall, the attorney has been nothing but amicable.
 - Councilmember Kirby stated that's fine.
 - City Attorney Greg Robinson stated so I certainly understand and I addressed some of those issues you bring up. And again, I think it was based solely on incomplete information. And when we were able to revive her the signed contract because that's what they had. They didn't have in their files a signed executed

contract. So, when we were able to provide it to them obviously that switches it up.

- Councilmember Kirby responded and from my standpoint, all that, I don't care. We have keys to a building we own and we're responsible for it. And I take offense that, according to somebody, poses a security risk. So that's all I got to say.
- Mayor Smith asked does anybody else want to address this issue.
 - Councilmember Garvey asked how much money do we save by just giving it to them. In utilities and all that kind of stuff.
 - Councilmember Brungardt responded I thought it said \$42,000.
 - City Administrator Tim Vandall responded well when it was staffed, around \$42,000. The bulk of that was the staff person though. There are still some utilities, I believe, water and sewer are on LCF. I believe we pay for electricity. I think we pay for natural gas, phone, internet, security system, insurance.
 - Councilmember Garvey stated lots of things to consider
 - City Administrator Tim Vandall replied I think there's benefit to, I know we talked about this back in January. There's just not a lot of cities our size that are in the museum business. I think when we did this, I think there was this hope it would turn into a tourist mecca and it hasn't.
 - Councilmember Studnicka stated but it still can.
 - City Administrator Tim Vandall replied yeah and it still can.
 - Councilmember Studnicka stated I mean at one time we got it moved down. We did a lot of volunteer stuff, community got to help fix the building up and all that other kind of stuff, put in some utilities. We talked about a regional prison museum to be built along there, try to get Leavenworth people involved and prison people involved. That kind of didn't really go anywhere. It can still be a, whatever, but I think the Historical Society could have it and let them run and deal with it.
 - Mayor Smith responded it's a new building to a certain degree. Cause inmates when they were doing some work on it years ago, tried to burn it down. So, our insurance paid to have it fixed. Quite a few thousands dollars if you all recall but I agree with you Don. I think we should, we're not overseeing it.
 - Councilmember Studnicka replied however it's got to be done legally with an agreement. You know, whatever.
 - City Attorney Greg Robinson stated and that's what I was going to ask for some guidance on. There was some preliminary discussions with the City Administrator about that in reference to the contents. There may be, let's say some electronics there that are pass their useful life so to speak. You know maybe running on Windows 7 now or whatever, it's like, do we really want that back. You know that type of thing. Maybe that be included as part of the contents if the Council doesn't have any objections to something like that. My thought was that, I thought we would like to for preservation purposes, for redundancy like NASA would do. Hey, give us a copy of all the E archives so that we will have them as well. So, if something ever happen to your stuff, we'd have a backup. That way because it does involve our city, we'd like to

at least have a copy of archival electronic data type stuff.

- Mayor Smith stated as there's nothing to say years to come down the line something else may happen to. You know switch back and forth a couple of times but Tim is correct. Cities our size for the most part don't oversee museums anymore.
- City Attorney Greg Robinson responded again not, again totally just off the cuff, but I think it was with our conversation today, does anyone have any information about a boundary issue on that museum? Does anybody have any knowledge of that?
 - Councilmember Studnicka asked what do you mean boundary issue?
 - City Attorney Greg Robinson there might be overlap.
 - City Administrator Tim Vandall responded I know the previous Fire Chief told me.
 - Mayor Smith stated oh yeah, I know where you're going.
 - City Administrator Tim Vandall replied the East boundary extended partially onto the deck. I don't know if that is true or not but honestly, they have already completed most of their utility work anyways.
 - Councilmember Pawlowski responded they got the deed to that property. We should be able to find the deed and get a from the courthouse.
 - City Administrator Tim Vandall replied I guess when that was brought up to me, it was kind of a head scratcher to me because they just got that property from LCF for the Department of Corrections. So, I don't know why the legal boundary went 3-4 feet onto the deck. I don't know why the legal boundary wasn't just 3 feet to the west but that's also me going off what Rick had told me. So, I'm not positive one way or the other.
 - City Attorney Greg Robinson stated I just didn't know if anybody had any information so when future discussions start.
 - Councilmember Garvey stated come to the microphone.
 - Debra Bates-Lamborn of the Lansing Historical Society replied no, I don't want the microphone. I'm good from here. If you look on LeavenworthCounty.org under GIS map, it does show the new boundary for the Fire Station and it does go up, maybe 2 feet onto where the deck is, the railroad tracks and you know, the crossbars. You know what I told Rick, I said if you don't like it, you can have it. But they agreed, you now, they don't want our deck. It's fine right now and it wasn't a big deal.
 - Mayor Smith replied ok, thank you.
 - Councilmember Pawlowski stated sometimes those pictures also depending on the angle at which they're taken from.
 - City Attorney Greg Robinson stated there, well at least in reference to the properties I have they are not accurate. The GIS that is.

- Councilmember Pawlowski responded I would guess when they did that, that they did a survey. I would think there are stakes out there
- City Attorney Greg Robinson stated I think there could be.
 - Mayor Smith replied just recently, yeah. I think Andi's right.
 - City Attorney Greg Robinson stated I was just asking for clarification. If anybody had any historical knowledge on that.
- Councilmember Trinkle stated the only thing I can say, you draft the document to the release or whatever we're going to be, insurance, we're completely out of it for any kind of liability. When it goes over, it's their baby.
 - Councilmember Kirby stated they want it, it's theirs. Lock, stock and barrel.
 - Councilmember Pawlowski asked you think you can do that by the next meeting.
 - City Attorney Greg Robinson responded we can try. I mean, well.
 - Councilmember Pawlowski asked you don't have other things to do, do you.
 - City Attorney Greg Robinson responded I think Ms. Hall has to confer with her client to see, ok, is this really what they want.
 - Councilmember Pawlowski asked but can't you just take the old agreement, turn it around and say we give it back.
 - City Attorney Greg Robinson stated sort of, I mean, it shouldn't take a huge amount, I would think, a huge amount of time but it's, you know, she still has to confer with her client so that we can proceed, so.
 - Mayor Smith asked ok is everybody comfortable with that.
 - Councilmember Brungardt responded yes.
 - Mayor Smith stated you've got your marching orders then, Greg.

REPORTS:

Department Heads: Department Heads had nothing to report

City Attorney: City Attorney asked if everyone saw correspondence that went out, in regard to the Fire District. We offered a sit down with discussion for a reduction in mills and we proposed to reduce the mill levy from 8.9 to 8.25. There was also a mention of returning authority back to elected officials and not just appointed officials. Another part of the discussion would be for compensated absences, approved sick leave and to alleviate fear that there would be less fire protection in the Districts/Townships. The City does want to maintain current staffing levels. We are still waiting to hear back if a sit-down discussion will occur.

- Councilmember Pawlowski pointed out that a County Commissioner had put out wrong information and was wondering if someone had spoken to that individual about the actual facts.
 - Greg Robinson said he did speak to the person and let them read the actual correspondence, so that individual is now aware of the truth.
- Councilmember Kirby was concerned that the taxpayers in the High Prairie Township are not aware that we are offering them the same conditions they currently have. We are talking about it all the time but the people that need to know, don't know.
 - Greg Robinson stated if they don't want to discuss contract issues then the City will need to make decisions to protect its contractual rights. The City would prefer the Townships input but it may come to the City formalizing an offer of their own.
 - City Administrator Tim Vandall stated a good faith effort has been made on the City's part from letting everyone speak at Council meetings, the City attending their Council meetings, a trail of emails and they won't even talk to us.
 - Councilmember Buehler stated he has spoken to Delaware Township residents and they aren't aware of what is going on either.
 - City Attorney Greg Robinson stated there is so much misinformation out there. If an amicable sit down with discussion

and/or negotiations don't happen, the Council will need to make the decision to move forward as they want.

City Engineer: City Engineer had nothing to report

City Administrator: City Administrator Tim Vandall informed the Council that the engineers who designed Bittersweet and are currently working on the roundabout may be attending the October 18th meeting to give a briefing on those projects. The Regional Supper in Overland Park is Oct 30th at the Matt Ross Community Center if anyone is interested in attending. The October Work Session will include a briefing from Matthew Schmitz on the Urban Growth Management Area, the Unified Development Ordinance and possibly a retail recruitment firm.

Governing Body: Councilmember Buehler congratulated Officer Beck and Officer Hancock. He says it shows what quality employees the city has and what they will do to help residents. He also provided a fun fact, on this day in 1895, the first U.S Open Men's Golf Championship was played at New Port Country Club in New Port, Rhode Island.

Councilmember Brungardt thanked Terri for an awesome Appreciation Dinner. He joked he had something to do with Officer Beck and Officer Hancock's work since he was their principal.

Councilmember Studnicka echoed Councilmember Brungardt and Councilmember Buehler's sentiments to the Officers as well as Terri for the Appreciation Dinner for volunteers. Councilmember Studnicka suggested looking into the interest of the virtual reality request as an ongoing business for other holidays.

Councilmember Trinkle, Councilmember Kirby and Councilmember Garvey echoed thank you's to the Police Officers and for the Appreciation Dinner. Councilmember Pawlowski inquired if the individuals arrested for breaking into businesses where the same ones breaking into cars. Police Chief Steve Wayman said not likely.

ADJOURNMENT:

Councilmember Garvey moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:00 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

EXHIBIT A

Tim Vandall

Subject: FW: Rezoning 24481139th St. Leavenworth Ks

----- -- Original message -----

From: Betty Wilson <wilson9079@gmail.com>

Date: 9/30/18 10:59 PM (GMT-06:00)

To:

Subject: Rezoning 24481139th St. Leavenworth Ks

Hello,

I would like to address the City Council. Thank you for your service to Leavenworth County.

I represent Emmanuel Baptist Church located at 24481139th St. as a member of their church and also as their real estate agent. As the church property is currently listed for sale, there is a party interested in fulfilling obligations to purchase the site. The potential buyer, Ironworkers Academy, will need to make changes to the current zoning status to enable them to proceed with their purchase and their plans and dreams to build a school to educate tradesmen in the welding profession. As my son is in a similar trade school at this time in another state, I see first-hand the value and the need for this type of training facility which unfortunately, is a very limited resource at this time and the demand for schools of this nature is growing constantly.

With that being said, the proposed site for this facility is ideal. The current building will fulfill needs for housing and the proposed building plans will blend with the landscape and be in harmony with the lay of the land.

Over the years, the church has been host to upwards of 300 members, joining together on Sunday mornings, Sunday evenings, Wednesday evenings, with many events and ceremonies on various days. There has never been issues with building utilities, such as drainage, lagoon, nor water. The proposed trade school should house possibly 20 students. The possibility of water or drainage issues are minimal, and certainly redeemable, considering the nature of the proposed buyer's expertise.

While the subject of 'spot zoning' did come up, it should not be a matter of debate as any growing town will need to incorporate businesses as the opportunities arise and especially when a city is limited in areas of growth, such as Lansing. With the area to the south of the city the only direction for growth, the city should welcome such an opportunity for a respectable and much needed business. And as stated in the K-7 Corridor Economic Development Strategy:

"The future McIntyre Road interchange may serve as the connection for an improved and relocated K-5 Corridor, which is proposed by Leavenworth County and the City of Lansing as a parkway-type facility extending along the McIntyre Road and Marxen Road location at the Leavenworth/Wyandotte County line."

Growth and change will come to Lansing; this is an opportunity for advancement and business development for this fine city.

Most sincerely,

Betty Wilson
Platinum Realty LLC

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: October 11, 2018
SUBJECT: Military Retiree Appreciation Day Proclamation

A proclamation in recognition of Military Retiree Appreciation Day, October 27, 2018.

Retired Command Sergeant Major John Cross will be present to receive the proclamation.

Action:

No action required.



Military Retiree Appreciation Day Proclamation

Whereas: Military retirees have served our country faithfully in times of peace and war; and

Whereas: Military retirees have made significant sacrifices in defense of our freedom and liberty; and

Whereas: A large number of military retirees and their families live, work and play in the Lansing community; and

Whereas: The Fort Leavenworth Garrison will conduct a Retiree Appreciation Day on October 27, 2018,

Now, Therefore: I, Michael W. Smith, Mayor of the City of Lansing, State of Kansas, do hereby join the Fort Leavenworth Garrison in recognizing the contributions, sacrifices, and loyalty of military retirees in our community by designating October 27, 2018 as

"Military Retiree Appreciation Day"

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

City of Lansing

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 

FROM: Jeff A. Rupp, Director of Public Works 

DATE: October 11, 2018

SUBJECT: Project Updates

A representative from Benesch Engineering will brief the City Council on project progress for the 147th Street roundabout, box culvert, and Bittersweet Street and bridge.



Action: Directive decision on right of way for future expansion for roundabout and box culvert.

AGENDA ITEM #

3



AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Elizabeth Sanford, Director of Finance 
DATE: October 12, 2018
SUBJECT: Treasurer's Report for Quarter Ending September 30, 2018

Please find the Treasurer's Report for the third quarter (July through September 30, 2018) attached for your review. This report is published quarterly in accordance with KSA 12-1608, 12-1609.

Action:

Staff recommends a motion to approve the Treasurer's Report for the quarter ending September 30, 2018 as presented.

AGENDA ITEM #

4



CITY OF LANSING
TREASURER'S REPORT - QUARTER ENDING SEPTEMBER 30, 2018

| Fund Name | Fund Number | Unencumbered Cash Balance 6/30/18 DR / (CR) | Receipts | Disbursements | Unencumbered Fund Balance 9/30/18 DR / (CR) | Add Reserves, Account Payable, and Encumbrances | Subtract Receivables, Other Assets, and Net Fixed Assets | Treasurer's Cash Balance 9/30/18 |
|-------------------------------|-------------|---|---------------------|---------------------|---|---|--|----------------------------------|
| General: | 10 | 2,439,026.55 | 1,175,207.96 | 1,400,752.87 | 2,213,481.64 | 158,131.32 | 16,420.09 | 2,355,192.88 |
| Special Revenue: | | | | | | | | |
| Library | 20 | 166,010.34 | 33,411.14 | 72,353.78 | 127,067.70 | 5,009.03 | 0.00 | 132,076.73 |
| Consolidated Street & Highway | 22 | 469,272.01 | 125,597.51 | 113,594.97 | 481,274.55 | 3,844.80 | 0.00 | 485,119.36 |
| Special Parks & Recreation | 23 | 276,137.97 | 30,878.24 | 69,417.73 | 237,598.48 | 0.00 | 0.00 | 237,598.48 |
| Special Alcoholic Liquor | 24 | 41,115.00 | 4,403.15 | 0.00 | 45,518.15 | 0.00 | 0.00 | 45,518.15 |
| Sales Tax (\$.45) Fund | 26 | 250,736.34 | 118,866.98 | 0.00 | 369,603.32 | 0.00 | 0.00 | 369,603.32 |
| KS Regional Prisons Museum | 62 | 138,540.43 | 1.84 | 0.00 | 138,542.27 | 0.00 | 0.00 | 138,542.27 |
| Hillbrook Subdivision Escrow | 66 | 0.00 | 0.00 | 0.00 | 0.00 | 19,385.40 | 0.00 | 19,385.40 |
| Agency: | | | | | | | | |
| Bonds Posted | 41 | 0.00 | 0.00 | 0.00 | 0.00 | 10,391.11 | 0.00 | 10,391.11 |
| Park Land Trust | 59 | 16,523.62 | 0.00 | 0.00 | 16,523.62 | 0.00 | 0.00 | 16,523.62 |
| Mayor's Christmas | 61 | 11,288.51 | 189.00 | 0.00 | 11,477.51 | 0.00 | 0.00 | 11,477.51 |
| Transient Guest Tax | 63 | 41,504.76 | 21,567.54 | 40,376.37 | 22,695.93 | 0.00 | 0.00 | 22,695.93 |
| Facilities Renovation | 73 | 0.00 | 0.00 | 0.00 | 0.00 | 93,461.66 | 0.00 | 93,461.66 |
| Debt Service: | | | | | | | | |
| Bond & Interest | 40 | 2,262,135.25 | 783,990.71 | 2,547,576.25 | 498,549.71 | 0.00 | 0.00 | 498,549.71 |
| Enterprise: | | | | | | | | |
| Wastewater Utility | 50 | 14,378,422.45 | 749,923.35 | 705,992.97 | 14,422,352.83 | 258,602.13 | 12,771,130.10 | 1,909,824.85 |
| Solid Waste Utility | 51 | 605,721.11 | 143,682.69 | 154,281.33 | 595,122.47 | 3.48 | 311,003.12 | 284,122.83 |
| Investment Fixed Assets | 90 | 3,992,316.82 | 0.00 | 0.00 | 3,992,316.82 | 0.00 | 3,992,316.82 | 0.00 |
| Capital Projects: | | | | | | | | |
| Capital Projects Fund | 70 | 533,335.06 | 395,570.37 | 65,450.53 | 863,454.90 | 0.02 | 0.00 | 863,454.92 |
| Equipment Reserve Fund | 80 | 171,697.06 | 25,203.00 | 50,744.00 | 146,156.06 | 0.00 | 0.00 | 146,156.06 |
| Police Equipment Reserve Fund | 45 | 52,641.37 | 3,924.50 | 0.00 | 56,565.87 | 0.00 | 0.00 | 56,565.87 |
| 147th St./9B Interceptor Fund | 79 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 7 Mile Creek Project Fund | 82 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 9 Mile Creek Project Fund | 83 | 255,648.70 | 384.49 | 256,033.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total All Funds | | 26,102,073.35 | 3,612,802.47 | 5,476,573.99 | 24,238,301.83 | 548,828.95 | 17,090,870.13 | 7,696,260.66 |

| STATEMENT OF BOND INDEBTEDNESS | | | | |
|--------------------------------|--------------------|-----------------|---------------------|---------------|
| Bonds | General Obligation | | Waste Water Revenue | Total |
| | Improvement | Revolving Loans | | |
| Outstanding as of 7/1/18 | \$ 22,980,000 | \$ - | \$ - | \$ 22,980,000 |
| Retired | - | - | - | - |
| Issued | - | - | - | - |
| Refunded | (2,220,000) | - | - | (2,220,000) |
| Outstanding as of 9/30/18 | \$ 20,760,000 | \$ - | \$ - | \$ 20,760,000 |
| Temporary Notes | \$ - | \$ - | \$ - | \$ - |
| Total Outstanding 9/30/18 | | | | \$ 20,760,000 |

*Published quarterly in accordance with KSA 12-1608, 12-1609 - Elizabeth Sanford, Director of Finance.

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: October 9, 2018
SUBJECT: Ordinance No. 1010 – City Code Text Amendment Chapter 2

On May 17, 2018, the City Council approved to amend the Zoning Ordinance to allow bees/apiaries in R-1 and R-2 zoned areas through a Conditional Use Permit. The amended text in the Zoning Ordinance requires an update to the City Code to alleviate any contradiction and keep the Zoning Ordinance and City Code consistent on this topic.

Policy Consideration: This Ordinance ensures the City Code and Zoning Ordinance are consistent on this matter.

Financial Consideration: N/A

Action: Motion to adopt Ordinance No. 1010, as presented.

ORDINANCE NO. 1010

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1 OF THE CODE OF THE CITY OF LANSING REGARDING ANIMAL PERMITS

An ordinance amending Chapter 2, Article I of the Code of the City of Lansing regarding the permitting of certain animals within the City limits.

Be it ordained by the Governing Body of the City of Lansing, Kansas:

SECTION 1: Chapter 2, Article 1, Section 105 shall be amended to read as follows:

Sec. 2-105. - Animals prohibited in residentially zoned areas.

A. A person wanting to own, keep, harbor or shelter any of the following in a residentially zoned area shall be required to apply for and obtain a permit as stated in Article V of this chapter:

1. Livestock, including but not limited to cattle, horses, mules, goats, swine, and/or sheep

B. A person wanting to own, keep, harbor or shelter any of the following within the City limits shall be required to apply for and obtain a permit as stated in Article 9 of the conditional use permits under the Zoning Ordinance of the City of Lansing:

1. Bees and/or apiaries

SECTION 2: Chapter 2, Article 1, Section 108 shall be amended to read as follows:

Sec. 2-108. - Penalty.

Violation of Article 1 of this chapter, unless provided elsewhere within this article, shall be a municipal offense for which a mandatory court appearance is required, and upon conviction, the defendant shall be fined no less than \$90.00 nor more than \$500.00 per offense, plus applicable court costs.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its publication in The Leavenworth Times.

PASSED AND APPROVED by the Governing Body of the City of Lansing, Kansas, on this 18th day of October, 2018.

{SEAL}

Michael W. Smith, Mayor

Attest:

Sarah Bodensteiner, City Clerk



APPROVED AS TO FORM:

Published: *Leavenworth Times*

Date Published:

Catalina Thompson, City Prosecutor

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Beth Sanford, Finance Director 
DATE: October 10, 2018
SUBJECT: Ordinance No. 1011 - Authorizing and Providing for the Issuance of General Obligation Bonds, Series 2018-A

Bond Counsel, Gilmore & Bell, has prepared Ordinance No. 1011 requesting that the City Council authorize and provide for the issuance of General Obligation Bonds, Series 2018-A, of the City of Lansing, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and make certain covenants with respect thereto.

Several items have intentionally been left blank. Once the sale of the bonds occurs, the document will be completed and will be available at the council meeting.

Staff and the City's Bond Counsel, Mr. Kevin Wempe (Gilmore & Bell), will be present to answer questions.

Action:

Staff recommends a motion to adopt Ordinance No. 1011.

AGENDA ITEM #

6

ORDINANCE NO. 1011

OF

THE CITY OF LANSING, KANSAS

PASSED

OCTOBER 18, 2018

**GENERAL OBLIGATION BONDS
SERIES 2018-A**

ORDINANCE NO. 1011

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2018-A, OF THE CITY OF LANSING, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

WHEREAS, the City of Lansing, Kansas (the “City”) is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, by proceedings duly had, the City Council of the City (the “Governing Body”) has authorized the following improvements (the “Improvements”) to be made in the City, to-wit:

| <u>Project Description</u> | <u>Res. No.</u> | <u>Authority</u> | <u>Amount</u> |
|-----------------------------------|------------------------|------------------------------|----------------------|
| De Soto Road Project | B-5-18 | K.S.A. 12-685 <i>et seq.</i> | \$5,500,000 |

WHEREAS, the Governing Body is authorized by law to issue general obligation bonds of the City to pay a portion of the costs of the Improvements; and

WHEREAS, the City previously issued and has outstanding the Refunded Bonds and is authorized by K.S.A. 10-427 *et seq.* to issue general obligation refunding bonds of the City for the purpose of refunding the Refunded Bonds; and

WHEREAS, in order to achieve interest cost savings through early redemption of the Refunded Bonds and provide an orderly plan of finance for the City, it has become desirable and in the best interest of the City and its inhabitants to refund the Refunded Bonds; and

WHEREAS, the Governing Body has advertised the sale of the Bonds in accordance with the law and at a meeting held in the City on this date, awarded the sale of such Bonds to the best bidder.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS, AS FOLLOWS:

Section 1. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“**Act**” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, K.S.A. 10-620 *et seq.*, and K.S.A. 12-685 *et seq.*, all as amended and supplemented from time to time.

“**Bond and Interest Fund**” means the Bond and Interest Fund of the City for its general obligation bonds.

“Bond Resolution” means the resolution to be adopted by the Governing Body prescribing the terms and details of the Bonds and making covenants with respect thereto.

“Bonds” means the City’s General Obligation Bonds, Series 2018-A, dated October 31, 2018, authorized by this Ordinance.

“City” means the City of Lansing, Kansas.

“Clerk” means the duly appointed and acting Clerk of the City or, in the Clerk’s absence, the duly appointed Deputy, Assistant or Acting Clerk.

“Governing Body” means the City Council of the City.

“Mayor” means the duly elected and acting Mayor of the City or, in the Mayor’s absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the City.

“Ordinance” means this Ordinance authorizing the issuance of the Bonds.

“Refunded Bonds” means collectively: (a) the Series 2008-A Bonds maturing in the years 2019 to 2020, inclusive, in the aggregate principal amount of \$710,000; and (b) and the Series 2010-A Bonds maturing in the years 2019 to 2025, inclusive, in the aggregate principal amount of \$515,000.

“Series 2008-A Bonds” means the City's General Obligation Bonds, Series 2008-A, dated October 29, 2008.

“Series 2010-A Bonds” means the City's General Obligation Bonds, Series 2010-A, dated July 8, 2010.

“State” means the State of Kansas.

“Substitute Improvements” means the substitute or additional improvements of the City authorized in the manner set forth in the Bond Resolution.

Section 2. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Bonds, Series 2018-A, of the City in the principal amount of \$[PRINCIPAL AMOUNT], for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements; (b) refund the Refunded Bonds; and (c) pay costs of issuance of the Bonds.

Section 3. Security for the Bonds. The Bonds shall be general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the improvements financed by the Refunded Bonds and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 4. Terms, Details and Conditions of the Bonds. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the Governing Body.

Section 5. Levy and Collection of Annual Tax. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the City in the manner provided by law.

The taxes and/or assessments above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the paying agent for the Bonds. The proceeds derived from said taxes and/or assessments shall be deposited in the Bond and Interest Fund.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the City Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes and/or assessments are collected.

Section 6. Further Authority. The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 7. Governing Law. This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of the Ordinance or a summary thereof in the official City newspaper.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

PASSED by the Governing Body on October 18, 2018 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

Mayor

ATTEST:

Clerk

(Published in the *Leavenworth Times* on October __, 2018)

SUMMARY OF ORDINANCE NO. [_____]

On October 18, 2018, the Governing Body of the City of Lansing, Kansas passed an ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2018-A, OF THE CITY OF LANSING, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.



The Series 2018-A Bonds approved by the Ordinance are being issued in the principal amount of \$[PRINCIPAL AMOUNT] to finance certain internal improvements in and refund previously issued general obligation bonds of the City, and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 800 First Terrace, Lansing, Kansas 66043. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.lansing.ks.us.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: October 18, 2018.

City Attorney

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Beth Sanford, Finance Director 
DATE: October 10, 2018
SUBJECT: Resolution No. B-8-18 - A Resolution Prescribing the Form and Details of and Authorizing and Directing the Sale and Delivery of General Obligation Bonds, Series 2018-A, of the City of Lansing, Kansas.

Bond Counsel, Gilmore & Bell, has prepared Resolution B-8-18, requesting that the City Council authorize a Resolution authorizing and directing the sale and delivery of General Obligation Bonds, Series 2018-A, of the City of Lansing, Kansas, previously authorized by Ordinance No. 1011 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

Several items have intentionally been left blank. Once the sale of the bonds occurs, the document will be completed and will be available at the council meeting.

Action:

Staff recommends a motion to adopt Resolution No. B-8-18.

AGENDA ITEM #

7

RESOLUTION NO. B-8-18

OF

THE CITY OF LANSING, KANSAS

ADOPTED

OCTOBER 18, 2018

**GENERAL OBLIGATION BONDS
SERIES 2018-A**

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RESOLUTION NO. B-8-18

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2018-A, OF THE CITY OF LANSING, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1011 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

WHEREAS, the City of Lansing, Kansas (the “Issuer”) has previously passed the Ordinance authorizing the issuance of the Bonds; and

WHEREAS, the Ordinance authorized the City Council of the Issuer (the “Governing Body”) to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, KANSAS, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms as used in this Bond Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“**Act**” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, K.S.A. 10-620 *et seq.*, and K.S.A. 12-685 *et seq.*, all as amended and supplemented from time to time.

“**Authorized Denomination**” means \$5,000 or any integral multiples thereof.

“**Beneficial Owner**” of the Bonds includes any Owner of the Bonds and any other Person who, directly or indirectly has the investment power with respect to such Bonds.

“**Bond and Interest Fund**” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“**Bond Counsel**” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“**Bond Payment Date**” means any date on which principal of or interest on any Bond is payable.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

“Bond Registrar” means the State Treasurer, and any successors and assigns.

“Bond Resolution” means this resolution relating to the Bonds.

“Bonds” or “Bond” means the General Obligation Bonds, Series 2018-A, authorized and issued by the Issuer pursuant to the Ordinance and this Bond Resolution.

“Business Day” means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

“Cede & Co.” means Cede & Co., as nominee of DTC and any successor nominee of DTC.

“City” means the City of Lansing, Kansas.

“Clerk” means the duly appointed and/or elected Clerk or, in the Clerk’s absence, the duly appointed Deputy Clerk or Acting Clerk of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder by the United States Department of the Treasury.

“Costs of Issuance” means all costs of issuing the Bonds, including but not limited to all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code, all expenses incurred in connection with receiving ratings on the Bonds, and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

“Dated Date” means October 31, 2018.

“Debt Service Account” means the Debt Service Account for General Obligation Bonds, Series 2018-A created within the Bond and Interest Fund pursuant to **Section 501** hereof.

“Debt Service Requirements” means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Bonds for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

“Defaulted Interest” means interest on any Bond which is payable but not paid on any Interest Payment Date.

“Defeasance Obligations” means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) evidences of ownership of proportionate interests in future interest and principal payments on United States Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor and the underlying United States Government Obligations are not available to any person claiming through the custodian or to whom the custodian may be obligated; or

(c) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) such obligations are rated in a rating category by Moody's or Standard & Poor's that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

“Derivative” means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

“Disclosure Undertaking” means the Issuer's Omnibus Continuing Disclosure Undertaking, as may be amended and supplemented, relating to certain obligations contained in the SEC Rule.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

“DTC Representation Letter” means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

“Event of Default” means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise;

(b) Payment of any installment of interest on any of the Bonds shall not be made when the same shall become due; or

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Bond Resolution (other than the covenants relating to continuing disclosure requirements contained herein and in the Disclosure Undertaking) on the part of the Issuer to be performed, and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the Issuer by the Owner of any of the Bonds then Outstanding.

“Federal Tax Certificate” means the Issuer’s Federal Tax Certificate dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the Governing Body to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

“Fiscal Year” means the twelve month period ending on December 31.

“Funds and Accounts” means funds and accounts created pursuant to or referred to in *Section 501* hereof.

“Governing Body” means the City Council of the Issuer.

“Improvement Fund” means the Improvement Fund for General Obligation Bonds, Series 2018-A created pursuant to *Section 501* hereof.

“Improvements” means the improvements referred to in the preamble to the Ordinance and any Substitute Improvements.

“Independent Accountant” means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Bond Resolution.

“Interest Payment Date(s)” means the Stated Maturity of an installment of interest on any Bond which shall be March 1 and September 1 of each year, commencing March 1, 2019.

“Issue Date” means the date when the Issuer delivers the Bonds to the Purchaser in exchange for the Purchase Price.

“Issuer” means the City and any successors or assigns.

“Maturity” when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

“Mayor” means the duly elected and acting Mayor, or in the Mayor’s absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the Issuer.

“Moody’s” means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody’s” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Notice Address” means with respect to the following entities:

(a) To the Issuer at:

City of Lansing, Kansas
Attn: City Clerk
800 First Terrace
Lansing, Kansas 66043
Fax: (913) 828-4579

(b) To the Paying Agent at:

State Treasurer of the State of Kansas
Landon Office Building
900 Southwest Jackson, Suite 201
Topeka, Kansas 66612-1235
Fax: (785) 296-6976

(c) To the Purchaser:

[

_____]

(d) To the Rating Agency(ies):

Moody’s Municipal Rating Desk
7 World Trade Center
250 Greenwich Street
23rd Floor
New York, New York 10007

or such other address as is furnished in writing to the other parties referenced herein.

“Notice Representative” means:

(a) With respect to the Issuer, the Clerk.

(b) With respect to the Bond Registrar and Paying Agent, the Director of Bond Services.

- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

“Official Statement” means Issuer’s Official Statement relating to the Bonds.

“Ordinance” means Ordinance No. 1011 of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

“Outstanding” means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

- (a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Bonds deemed to be paid in accordance with the provisions of *Article VII* hereof; and
- (c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register. Whenever consent of the Owners is required pursuant to the terms of this Bond Resolution, and the Owner of the Bonds, as set forth on the Bond Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Bonds.

“Participants” means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

“Paying Agent” means the State Treasurer, and any successors and assigns.

“Permitted Investments” shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the Issuer’s temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody’s or Standard & Poor’s; (i) investments and shares or units of a money market fund or trust, the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the State as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f), all as may be further restricted or modified by amendments to applicable State law.

“Person” means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

“Purchase Price” means the principal amount of the Bonds plus accrued interest to the date of delivery[, plus a premium of \$ _____, less an underwriting discount of \$ _____].

“Purchaser” means [_____, _____, _____], the original purchaser of the Bonds, and any successor and assigns.

“Rating Agency” means any company, agency or entity that provides, pursuant to request of the Issuer, financial ratings for the Bonds.

“Rebate Fund” means the Rebate Fund for General Obligation Bonds, Series 2018-A created pursuant to *Section 501* hereof.

“Record Dates” for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” means, when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Bond Resolution.

“Redemption Fund” means the Redemption Fund for Refunded Bonds created pursuant to *Section 501* hereof.

“Redemption Price” means, when used with respect to any Bond to be redeemed, the price at which such Bond is to be redeemed pursuant to the terms of this Bond Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

“Refunded Bonds” means collectively: (a) the Series 2008-A Bonds maturing in the years 2019 to 2020, inclusive, in the aggregate principal amount of \$710,000; and (b) and the Series 2010-A Bonds maturing in the years 2019 to 2025, inclusive, in the aggregate principal amount of \$515,000.

“Refunded Bonds Paying Agent” means the respective paying agent for each series of the Refunded Bonds as designated in the respective Refunded Bonds Resolution, and any successor or successors at the time acting as paying agent for any of the Refunded Bonds.

“Refunded Bonds Redemption Date” means November 20, 2018.

“Refunded Bonds Resolution” means each ordinance and resolution which authorized the Refunded Bonds.

“Replacement Bonds” means Bonds issued to the Beneficial Owners of the Bonds in accordance with *Section 210* hereof.

“SEC Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

“Securities Depository” means, initially, DTC, and its successors and assigns.

“Series 2008-A Bonds” means the City’s General Obligation Bonds, Series 2008-A, dated October 29, 2008.

“Series 2010-A Bonds” means the City’s General Obligation Bonds, Series 2010-A, dated July 8, 2010.

“Special Record Date” means the date fixed by the Paying Agent pursuant to *Article II* hereof for the payment of Defaulted Interest.

“Standard & Poor’s” or “S&P” means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor’s shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“State” means the state of Kansas.

“State Treasurer” means the duly elected Treasurer or, in the Treasurer’s absence, the duly appointed Deputy Treasurer or acting Treasurer of the State.

“Stated Maturity” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in *Article V* hereof.

“Term Bonds” means the Bonds scheduled to mature in the year ____.

“____ Term Bonds” means the Bonds scheduled to mature in the year ____.]

“Treasurer” means the duly appointed and/or elected Treasurer of the Issuer or, in the Treasurer’s absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds have been previously authorized and directed to be issued pursuant to the Ordinance in the principal amount of \$[PRINCIPAL AMOUNT], for

the purpose of providing funds to: (a) pay a portion of the costs of the Improvements; (b) refund the Refunded Bonds; and (c) pay Costs of Issuance.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in an Authorized Denomination and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated as of the Dated Date, shall become due in the amounts, on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in *Article III* hereof, and shall bear interest at the rates per annum as follows:

SERIAL BONDS

| <u>Stated Maturity</u>
<u>September 1</u> | <u>Principal</u>
<u>Amount</u> | <u>Annual Rate</u>
<u>of Interest</u> | <u>Stated Maturity</u>
<u>September 1</u> | <u>Principal</u>
<u>Amount</u> | <u>Annual Rate</u>
<u>of Interest</u> |
|--|-----------------------------------|--|--|-----------------------------------|--|
| 2019 | \$ _____ | ____% | 2029 | \$ _____ | ____% |
| 2020 | _____ | _____ | 2030 | _____ | _____ |
| 2021 | _____ | _____ | 2031 | _____ | _____ |
| 2022 | _____ | _____ | 2032 | _____ | _____ |
| 2023 | _____ | _____ | 2033 | _____ | _____ |
| 2024 | _____ | _____ | 2034 | _____ | _____ |
| 2025 | _____ | _____ | 2035 | _____ | _____ |
| 2026 | _____ | _____ | 2036 | _____ | _____ |
| 2027 | _____ | _____ | 2037 | _____ | _____ |
| 2028 | _____ | _____ | 2038 | _____ | _____ |

[TERM BONDS

| <u>Stated Maturity</u>
<u>September 1</u> | <u>Principal</u>
<u>Amount</u> | <u>Annual Rate</u>
<u>of Interest</u> |
|--|-----------------------------------|--|
| 20__ | \$ _____ | ____%] |

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid on the Interest Payment Dates in the manner set forth in *Section 204* hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as *EXHIBIT A* or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq.*

Section 203. Designation of Paying Agent and Bond Registrar. The State Treasurer is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Bond Registrar and Paying Agent for the Bonds.

The Issuer will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Bond Registrar by (a) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (b) causing notice of appointment of the successor

Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq.* and K.S.A. 10-620 *et seq.*, respectively.

Section 204. Method and Place of Payment of the Bonds. The principal of, or Redemption Price, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the Issuer.

Section 205. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

Section 206. Registration, Transfer and Exchange of Bonds. The Issuer covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any Authorized Denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Bond Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Code § 3406, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The Issuer and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to **Article III** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the Issuer of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to this **Article II**.

The Issuer and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners (or a designated representative thereof) of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

Section 207. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the Issuer by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk, and the seal of the Issuer shall be affixed thereto or imprinted

thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the Issuer affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds as herein specified, and when duly executed, to deliver the Bonds to the Bond Registrar for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form attached hereto as **EXHIBIT A** hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Bond Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Bond Registrar. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Bond Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the Issuer or its representative.

Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the Issuer and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the Issuer and the Paying Agent may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the Issuer, and shall be entitled to all the benefits of this Bond Resolution equally and ratably with all other Outstanding Bonds.

Section 209. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the Issuer.

Section 210. Book-Entry Bonds; Securities Depository. The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in this Section. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the Beneficial Owners as described in the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds; or

(b) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the Issuer, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the Issuer.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Issuer may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and

Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in an Authorized Denominations and form as provided herein.

Section 211. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Bond Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

Section 212. Preliminary and Final Official Statement. The Preliminary Official Statement dated October [], 2018, is hereby ratified and approved.

The Official Statement is hereby authorized to be prepared by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor and chief financial officer of the Issuer are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of the SEC Rule and Rule G-32 of the Municipal Securities Rulemaking Board.

Section 213. Sale of the Bonds. The sale of the Bonds to the Purchaser is hereby ratified and confirmed. The Mayor and Clerk are hereby authorized to execute the official bid form submitted by the Purchaser. Delivery of the Bonds shall be made to the Purchaser on the Issue Date (which shall be as soon as practicable after the adoption of this Bond Resolution), upon payment of the Purchase Price.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption by Issuer.

Optional Redemption. At the option of the Issuer, Bonds maturing on September 1 in the years 2026, and thereafter, will be subject to redemption and payment prior to their Stated Maturity on September 1, 2025, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may

determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

[Mandatory Redemption. 20__ Term Bonds. The 20__ Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in *Article IV* hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on September 1 in each year, the following principal amounts of such 20__ Term Bonds:

| <u>Principal
Amount</u> | <u>Year</u> |
|------------------------------------|--------------------|
| \$ _____ | 20__ |
| _____ | 20__* |

*Final Maturity

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the Issuer may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the Issuer under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the Issuer to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity as designated by the Issuer, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the Issuer intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the Issuer will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.]

Section 302. Selection of Bonds to be Redeemed. Bonds shall be redeemed only in an Authorized Denomination. When less than all of the Bonds are to be redeemed and paid prior to their Stated Maturity, such Bonds shall be redeemed in such manner as the Issuer shall determine. Bonds of less than a full Stated Maturity shall be selected by the Bond Registrar in a minimum Authorized Denomination of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption a minimum Authorized Denomination of face value shall be treated as though it were a separate Bond of the denomination of a minimum Authorized Denomination. If it is determined that one or more, but not all, of a minimum Authorized Denomination of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem a minimum Authorized Denomination, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar:

(1) for payment of the Redemption Price and interest to the Redemption Date of a minimum Authorized Denomination of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of a minimum Authorized Denomination of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the Issuer desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Bond Registrar at least 45 days prior to the Redemption Date of written instructions of the Issuer specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. [The foregoing provisions of this paragraph shall not apply in the case of any mandatory redemption of Term Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the Issuer and whether or not the Paying Agent holds moneys available and sufficient to effect the required redemption.]

Unless waived by any Owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the State Treasurer. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the Owners of said Bonds. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and
- (e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. Further notice may be given by the Issuer or the Bond Registrar on behalf of the Issuer as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed:

(a) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2) the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) Each further notice of redemption shall be sent at least one day before the mailing of notice to Owners by first class, registered or certified mail or overnight delivery, as determined by the Bond Registrar, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

The Paying Agent is also directed to comply with any mandatory standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the improvements financed by the Refunded Bonds and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax; Transfer to Debt Service Account. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by, to the extent necessary, levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes and/or assessments referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be transferred to the Debt Service Account and shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS DEPOSIT AND APPLICATION OF BOND PROCEEDS

Section 501. Creation of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Improvement Fund for General Obligation Bonds, Series 2018-A.
- (b) Redemption Fund for Refunded Bonds.
- (c) Debt Service Account for General Obligation Bonds, Series 2018-A (within the Bond and Interest Fund).
- (d) Rebate Fund for General Obligation Bonds, Series 2018-A.

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Bond Resolution so long as the Bonds are Outstanding.

Section 502. Deposit of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

(a) All accrued interest received from the sale of the Bonds, if any, shall be deposited in the Debt Service Account.

(b) The sum of \$[] shall be deposited into the Redemption Fund.

(c) The remaining balance of the proceeds derived from the sale of the Bonds shall be deposited in the Improvement Fund.

Section 503. Application of Moneys in the Improvement Fund. Moneys in the Improvement Fund shall be used for the sole purpose of: (a) paying the costs of the Improvements, in accordance with the plans and specifications therefor approved by the Governing Body and on file in the office of the Clerk, including any alterations in or amendments to said plans and specifications deemed advisable and approved by the Governing Body; (b) paying interest on the Bonds during construction of the Improvements; (c) paying Costs of Issuance; and (d) transferring any amounts to the Rebate Fund required by this *Article V*. Upon completion of the Improvements, any surplus in the Improvement Fund shall be deposited in the Debt Service Account.

Section 504. Substitution of Improvements; Reallocation of Proceeds.

(a) The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Bonds provided the following conditions are met: (1) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the Governing Body in accordance with the laws of the State; (2) a resolution or ordinance authorizing the use of the proceeds of the Bonds to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the Governing Body pursuant to this Section, (3) the Attorney General of the State has approved the amendment made by such resolution or ordinance to the transcript of proceedings for the Bonds to include the Substitute Improvements; and (4) the use of the proceeds of the Bonds to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Bonds under State or federal law.

(b) The Issuer may reallocate expenditure of Bond proceeds among all Improvements financed by the Bonds; provided the following conditions are met: (1) the reallocation is approved by the Governing Body; (2) the reallocation shall not cause the proceeds of the Bonds allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (3) the reallocation will not adversely affect the tax-exempt status of the Bonds under State or federal law.

Section 505. Application of Moneys in the Redemption Fund. Moneys in the Redemption Fund shall be paid and transferred to the Refunded Bonds Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Bonds on the Refunded Bonds Redemption Date. The Clerk is authorized and instructed to provide appropriate notice of redemption in accordance with the Refunded Bonds Resolution authorizing the issuance of such Refunded Bonds. Any moneys remaining in the Redemption Fund not needed to retire the Refunded Bonds shall be transferred to the Debt Service Account.

Section 506. Application of Moneys in Debt Service Account. All amounts paid and credited to the Debt Service Account shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the Bonds shall be transferred and paid into the Bond and Interest Fund.

Section 507. Application of Moneys in the Rebate Fund.

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Federal Tax Certificate), for payment to the United States of America, and neither the Issuer nor the Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Federal Tax Certificate.

(b) The Issuer shall periodically determine the arbitrage rebate, if any, under Code § 148(f) in accordance with the Federal Tax Certificate, and the Issuer shall make payments to the United States of America at the times and in the amounts determined under the Federal Tax Certificate. Any moneys remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor, shall be deposited into the Bond and Interest Fund.

(c) Notwithstanding any other provision of this Bond Resolution, including in particular *Article VII* hereof, the obligation to pay arbitrage rebate to the United States of America and to comply with all other requirements of this Section and the Federal Tax Certificate shall survive the defeasance or payment in full of the Bonds.

Section 508. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer; or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account other than the Redemption Fund may be invested in accordance with this Bond Resolution and the Federal Tax Certificate in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account; provided that, during the period of construction of the Improvements, earnings on the investment of such funds may, at the discretion of the Issuer, be credited to the Debt Service Account.

Section 509. Redemption of Refunded Bonds. The Refunded Bonds are hereby called for redemption and payment prior to maturity on the Refunded Bonds Redemption Date. The Refunded Bonds shall be redeemed in accordance with the Refunded Bonds Resolution by the payment of the principal thereof, together with the redemption premium and accrued interest thereon to the Refunded Bonds Redemption Date. The Clerk is hereby directed to cause notice of the call for redemption and payment of the Refunded Bonds to be given in the manner provided in the Refunded Bonds Resolution. The officers of the Issuer and the Refunded Bonds Paying Agent are hereby authorized and directed to take such other action as may be necessary in order to effect the redemption and payment of the Refunded Bonds as herein provided.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Bond Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Bond Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the Issuer, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the Issuer contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Bond Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Bond Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the Issuer and the Owners of the Bonds shall, subject to any determination in such action or proceeding or applicable law of the State, be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Issuer's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Bond Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of or Redemption Price of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments. If the amount to be so deposited is based on the Redemption Price of any Bonds, no such satisfaction shall occur until (a) the Issuer has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the Issuer has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with *Article III* hereof. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the Issuer, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Bond Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants. The Issuer covenants and agrees that it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor, chief financial officer, and Clerk are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

Section 802. Survival of Covenants. The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to *Article VII* hereof or any other provision of this Bond Resolution until such time as is set forth in the Federal Tax Certificate.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The Issuer hereby covenants with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking, the provisions of which are incorporated herein by reference. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the Issuer fails to comply in a timely manner with its covenants contained in the preceding section, the Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy, as the Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section. Notwithstanding any other provision of this Bond Resolution, failure of the Issuer to comply with its covenants contained in the preceding section shall not be considered an Event of Default under this Bond Resolution.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Annual Audit. Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any of the Bonds, or by anyone acting for or on

behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner. As soon as possible after the completion of the annual audit, the Governing Body shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Bond Resolution, the Issuer shall promptly cure such deficiency.

Section 1002. Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of this Bond Resolution, may be amended or modified at any time in any respect by ordinance or resolution of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal of or interest on any Bond;
- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Bond Resolution.

Any provision of the Bonds or of this Bond Resolution may, however, be amended or modified by ordinance or resolution duly adopted by the Governing Body at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more precisely identify the Improvements, to reallocate proceeds of the Bonds among Improvements, to provide for Substitute Improvements, to conform this Bond Resolution to the Code or future applicable federal law concerning tax-exempt obligations, or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Bond Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution or ordinance adopted by the Governing Body amending or supplementing the provisions of this Bond Resolution and shall be deemed to be a part of this Bond Resolution. A certified copy of every such amendatory or supplemental ordinance or resolution, if any, and a certified copy of this Bond Resolution shall always be kept on file in the office of the Clerk and shall be made available for inspection by the Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Bond Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or resolution or of this Bond Resolution will be sent by the Clerk to any such Owner or prospective Owner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the ordinance or resolution of the Issuer hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of

the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The Issuer shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Bond Resolution which affects the duties or obligations of the Paying Agent under this Bond Resolution.

Section 1003. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Bond Resolution, and shall be conclusive in favor of the Issuer and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Bond Resolution, Bonds owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Bond Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the Issuer.

Section 1004. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Bond Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent, and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

Section 1005. Electronic Transactions. The issuance of the Bonds and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

Section 1006. Further Authority. The officers and officials of the Issuer, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may

deem necessary or advisable in order to carry out and perform the purposes of this Bond Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 1007. Severability. If any section or other part of this Bond Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Bond Resolution.

Section 1008. Governing Law. This Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1009. Effective Date. This Bond Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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ADOPTED by the Governing Body on October 18, 2018.

(SEAL)

Mayor

ATTEST:

Clerk

EXHIBIT A
(FORM OF BONDS)

**REGISTERED
NUMBER __**

**REGISTERED
\$**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation (“DTC”), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF LEAVENWORTH
CITY OF LANSING
GENERAL OBLIGATION BOND
SERIES 2018-A**

**Interest
Rate:**

**Maturity
Date: September 1, 2019**

**Dated
Date: October 31, 2018**

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Lansing, in the County of Leavenworth, State of Kansas (the “Issuer”), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, unless called for redemption prior to said Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 of each year, commencing March 1, 2019 (the “Interest Payment Dates”), until the Principal Amount has been paid.

Method and Place of Payment. The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The interest payable on this Bond on any Interest Payment Date shall be paid to the person in whose name this Bond is registered on the registration books maintained by the Bond Registrar at the close of business on the Record Date(s)

for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the Interest Payment Date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Bond Resolution.

Definitions. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Bond Resolution.

Authorization of Bonds. This Bond is one of an authorized series of Bonds of the Issuer designated "General Obligation Bonds, Series 2018-A," aggregating the principal amount of \$[PRINCIPAL AMOUNT] (the "Bonds") issued for the purposes set forth in the Ordinance of the Issuer authorizing the issuance of the Bonds and the Resolution of the Issuer prescribing the form and details of the Bonds (collectively, the "Bond Resolution"). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 10-427 *et seq.* and K.S.A. 12-685 *et seq.*, as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

General Obligations. The Bonds constitute general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the improvements financed by the Refunded Bonds and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Redemption Prior to Maturity. The Bonds are subject to redemption prior to maturity, as provided in the Bond Resolution.

Book-Entry System. The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Bond Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The Issuer and the Bond Registrar will recognize the Securities Depository nominee, while the Registered Owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial

owners. The Issuer and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the Issuer, the Bond Registrar and the Securities Depository.

Transfer and Exchange. EXCEPT AS OTHERWISE PROVIDED IN THE BOND RESOLUTION, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY. This Bond may be transferred or exchanged, as provided in the Bond Resolution, only on the Bond Register kept for that purpose at the principal office of the Bond Registrar, upon surrender of this Bond, together with a written instrument of transfer or authorization for exchange satisfactory to the Bond Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Bond Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Bonds are issued in fully registered form in Authorized Denominations.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Bond Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IT IS HEREBY DECLARED AND CERTIFIED that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of the Issuer, including this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, and its seal to be affixed hereto or imprinted hereon.

CITY OF LANSING, KANSAS

(Facsimile Seal)

By: _____ (facsimile)
Mayor

ATTEST:

By: _____ (facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Bonds, Series 2018-A, of the City of Lansing, Kansas, described in the within-mentioned Bond Resolution.

Registration Date _____

Office of the State Treasurer,
Topeka, Kansas,
as Bond Registrar and Paying Agent

By: _____

Registration Number: _____

CERTIFICATE OF CLERK

STATE OF KANSAS)
) SS.
COUNTY OF LEAVENWORTH)

The undersigned, Clerk of the City of Lansing, Kansas, does hereby certify that the within Bond has been duly registered in my office according to law as of October 31, 2018.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Clerk

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

JAKE LATURNER, Treasurer of the State of Kansas, does hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in the office of the State Treasurer, and that this Bond was registered in such office according to law on _____.

WITNESS my hand and official seal.

(Seal)

By: _____
Treasurer of the State of Kansas

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

(Name and Address)

(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$_____, standing in the name of the undersigned on the books of the Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____

Name

Social Security or
Taxpayer Identification No.

Signature (Sign here exactly as name(s)
appear on the face of Certificate)

Signature guarantee:

By _____

LEGAL OPINION



The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Bonds:

GILMORE & BELL, P.C.

Attorneys at Law
2405 Grand Boulevard
Suite 1100
Kansas City, Missouri 64108

(PRINTED LEGAL OPINION)

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Anthony J. Zell, Jr., Wastewater Utility Director 
DATE: October 11, 2018
SUBJECT: Request to Complete Easement Acquisition for City Projects 17-04 and 18-02

The next step in the Northwest Relief Sewer Project is to acquire the necessary temporary and permanent sanitary sewer easements for the construction of the improvements. Attached is a summary table of the needed parcels, along with the values of the appraisals. While some of these improvements occur in existing easements, the new easements necessitate the removal of several fences, gates, and dozens of mature trees.

The acquisition consultant is awaiting council approval before meeting with the affected property owners and negotiating agreements. To keep the project moving forward, easement acquisition will occur simultaneously with bid activities. An enabling resolution for condemnation has already been filed, and we have asked the consultant to move forward with acquisition as quickly as possible. Offer letters will be mailed on October 18th.

The opinion of just compensation for the temporary easements, permanent easements, and cost to cure items as determined by Valbridge Property Advisors is \$164,663. Attached is a summary spreadsheet with the tract ID numbers and appraised values.

Policy Consideration: N/A

Financial Consideration: Funds will be taken from the Utility's acquisition account (Fund 50).

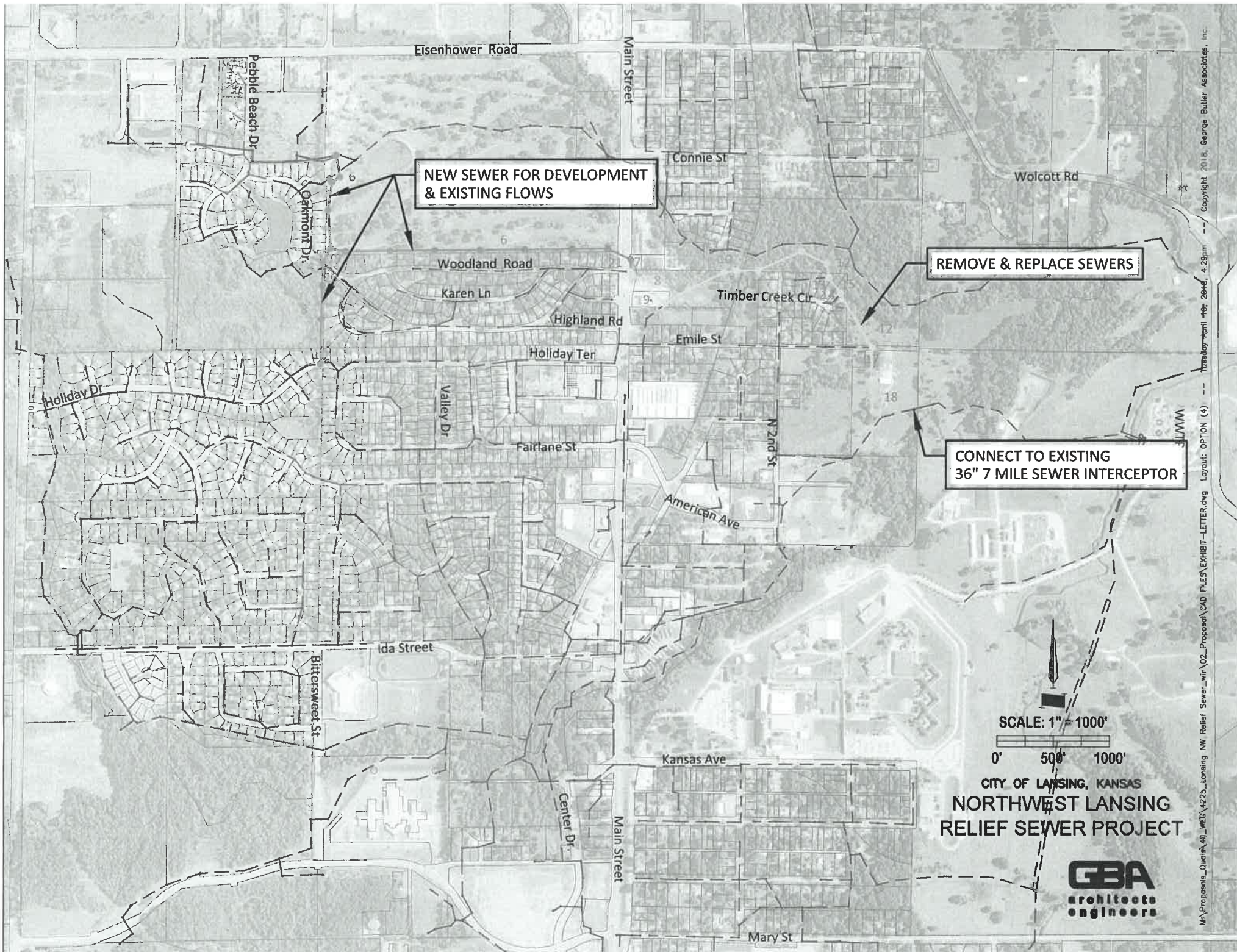
Recommended Action: A motion to authorize staff and Skeen's Consulting to complete easement acquisition activities for the Northwest Relief Sewer Project.

AGENDA ITEM #

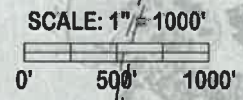


NW Relief Sewer #1 and #4
Opinion of Just Compensation
Valbridge Property Advisors

| Tract ID # | Land | | Cost to Cure | Comments | Total Costs |
|------------|------------------|------------------|------------------|---|-------------------|
| | TCE | Perm | | | |
| P1T1 | \$ - | \$ 899 | \$ 500 | Cap and relocate sprinklers | \$ 1,399 |
| P1T2 | \$ - | \$ 153 | \$ 150 | Mature landscaping | \$ 303 |
| P1T3 | \$ 1,440 | \$ 1,453 | \$ 500 | 1 mature tree | \$ 3,393 |
| P4T1 | \$ 1,147 | \$ 1,443 | \$ 5,900 | 2 mature trees, 220' wood fence | \$ 8,490 |
| P4T2 | \$ 424 | \$ - | \$ - | | \$ 424 |
| P4T3 | \$ 1,397 | \$ 546 | \$ 3,000 | Volunteer trees | \$ 4,943 |
| P4T4 | \$ 672 | \$ 349 | \$ 2,650 | 4 mature trees, sod watering, irrigation | \$ 3,671 |
| P4T5 | \$ 426 | \$ 365 | \$ 500 | 1 tree | \$ 1,291 |
| P4T6 | \$ 10,067 | \$ 4,719 | \$ 15,000 | Perimeter trees | \$ 29,786 |
| P4T7 | \$ 276 | \$ - | \$ - | | \$ 276 |
| P4T8 | \$ 43,887 | \$ 19,864 | \$ - | | \$ 63,751 |
| P4T9 | \$ 1,167 | \$ - | \$ - | | \$ 1,167 |
| P4T10 | \$ 172 | \$ 25 | \$ - | | \$ 197 |
| P4T11 | \$ 614 | \$ - | \$ 4,740 | Volunteer trees, 87' wood fence | \$ 5,354 |
| P4T12 | \$ 2,632 | \$ 805 | \$ 5,000 | Volunteer trees | \$ 8,437 |
| P4T13 | \$ 1,420 | \$ - | \$ - | | \$ 1,420 |
| P4T14 | \$ 1,429 | \$ - | \$ 1,400 | 70' wood fence | \$ 2,829 |
| P4T15 | \$ 1,007 | \$ 1,030 | \$ 6,650 | 240' wood fence, 3 mature trees, storage shed | \$ 8,687 |
| P4T16 | \$ 347 | \$ 503 | \$ 2,405 | 90' wood fence, steps, landscaping | \$ 3,255 |
| P4T18 | \$ 1,097 | \$ 600 | \$ - | | \$ 1,697 |
| P4T19 | \$ 846 | \$ - | \$ 750 | 50' chain link fence | \$ 1,596 |
| P4T21 | \$ 1,474 | \$ 1,060 | \$ 600 | 20' chain link fence, tree | \$ 3,134 |
| P4T22 | \$ 2,875 | \$ 964 | \$ - | | \$ 3,839 |
| P4T23 | \$ 1,260 | \$ 1,814 | \$ 2,250 | 50' chain link fence, 2 trees | \$ 5,324 |
| | \$ 76,076 | \$ 36,592 | \$ 51,995 | | \$ 164,663 |




Copyright 2018, George Butler Associates, Inc. Thursday, April 11, 2019, 4:29pm Layout: OPTION (4) M:\Proposals_Quail\40_WES\4225_Lansing NW Relief Sewer_wm\02_Proposal\CAD FILES\EXHIBIT-LETTER.dwg



CITY OF LANSING, KANSAS
NORTHWEST LANSING
RELIEF SEWER PROJECT



AGENDA ITEM

TO: Mayor; Lansing City Council
FROM: Tim Vandall, City Administrator 
DATE: October 15, 2018
SUBJECT: Equipment Replacement Requests

Explanation: Each year in the fall, Department Heads submit requests for equipment replacement. For 2019, there are six requests totaling \$213,000. Over the last three years, we strive to be in the \$125,000 range from the Equipment Replacement Fund. Wastewater equipment requests are usually separate, as those funds come directly from the Wastewater Fund, and not the Equipment Replacement Fund. Feedback on the wastewater request is desired.

Although final bids could change the recommendations this winter, at this point the City Administrator recommends acquiring formal bids for the replacement of:

- 1996 Hustler Range Wing Mower (Parks): \$40,000
- 2008 Kubota ZD 331 72" Zero Turn Mower (Parks): \$20,000
- 2008 Ford Ranger Pickup (to be transferred to Streets): \$19,250
- 1993 Ford 5030 Tractor (Streets): \$46,000
 - Projected Total of \$125,250

Financial Considerations: We project a year-end fund balance of \$171,158 in the Equipment Replacement Fund. Staff is striving to be in the \$125,000 range. Based on our reserves, we should not need to enter into a lease purchase for any of the equipment requests in 2019.

Policy Considerations: All purchases over \$15,000 will need to go back to the council in early 2019. Approval of this motion allows department heads to get formal bids for the recommended equipment.

Action: Approve recommendation allowing Department Heads to acquire bids for formal action in early 2019.

**EQUIPMENT REPLACEMENT REQUEST SUMMARY
FY2019**

| <u>New Equipment</u> | <u>Replacing</u> | <u>Department</u> | <u>Cost</u> |
|--|--|-------------------|-------------------------|
| Mower - Wide format deck | 1996 Hustler Range Wing | Parks | \$40,000 |
| Mower - 72" zero turn | 2008 Kubota ZD 331 | Parks | \$20,000 |
| SUV 4-wheel drive | 2008 Ford Ranger XLT Pickup | Public Works | \$19,250 |
| Tractor with cab | 1993 Ford 5030 tractor | Streets | \$46,000 |
| 1 ton dump truck with 8 1/2ft snowplow | 2002 1 ton dump truck with 8 1/2 ft snowplow | Streets | \$57,000 |
| GRAND TOTAL | | | <u><u>\$182,250</u></u> |

WASTEWATER EQUIPMENT REPLACEMENT REQUESTS

| <u>New Equipment</u> | <u>Replacing</u> | <u>Department</u> | <u>Cost</u> | |
|---------------------------|--|-------------------|------------------------|----------------|
| Crew cab 4x4 pickup truck | 2003 Ford F350 4x4 and a 2005 Ford F550 flatbed dually | | \$30,000 | Budget neutral |
| GRAND TOTAL | | | <u><u>\$30,000</u></u> | |

Equipment Replacement Request

Department: Parks and Recreation

Requested Item: Mower – wide format deck

Item being replaced: 1996 Hustler Range Wing

Justification for replacement:

This request is a replacement for the 1996 Hustler range wing mower that we acquired used from the school district several years ago. The Hustler frequently overheats under normal mowing conditions and replacement parts are very limited. Mowing is one of the most time-consuming routine tasks that the department performs during the growing season. Most of the current mowers that we use are 72” wide. Ideally, this one would be at least 100” wide to expedite the mowing of large areas at Bernard Park and on the sports fields.



Replacement Cost: \$40,000.00

Equipment Replacement Request

Department: Parks and Recreation

Requested Item: Mower – 72” zero turn

Item being replaced: 2008 Kubota ZD 331

Justification for replacement:

This request is a replacement for the 2008 Kubota zero turn that was purchased by the Street Department and has been shared with the Parks and Recreation Department. The Parks and Recreation Department uses the mower much more frequently than the Street Department, so that is the reason for the origin of the request. This mower would continue to be a shared use item. This mower would be used throughout the Park System daily during the growing season and by the Street Department as needed. The current mower has been overheating regularly which costs staff time. Since 2015 we have spent approximately \$2600.00 on non-routine maintenance items such as the starter, spindle bearings, fuel lines, wiring harnesses, and safety switches. With the age of the mower, these issues will continue to occur. The mower has 1891 hour of use.



Replacement Cost: \$20,000.00

Equipment Replacement Request

Department: Public Works (Engineering Technician)

Requested Item: SUV 4-wheel drive

Item being replaced: 2008 Ford Ranger XLT Pick-up

Justification for replacement: Not the type of vehicle needed for this position as inside storage is necessary; replaced vehicle will be utilized by the Street Division, replacing a 2001 vehicle with over 117,000 miles on it

Replacement Cost: \$20,000



Engine: 14

Trans: Automatic

Drivetrain: 4WD

Exterior: Gray

Interior: Medium Light Stone

HWY: 29 MPG/CITY: 23MPG

Based on 2018 EPA mileage ratings. Use for comparison purposes only. Your actual mileage will vary depending on how you drive and maintain your vehicle.

MSPR: \$22,490

Zeck Savings: \$3,240

Your Value Price: \$19,250

Finance: \$351/mo Lease: 478/mo

Equipment Replacement Request #1

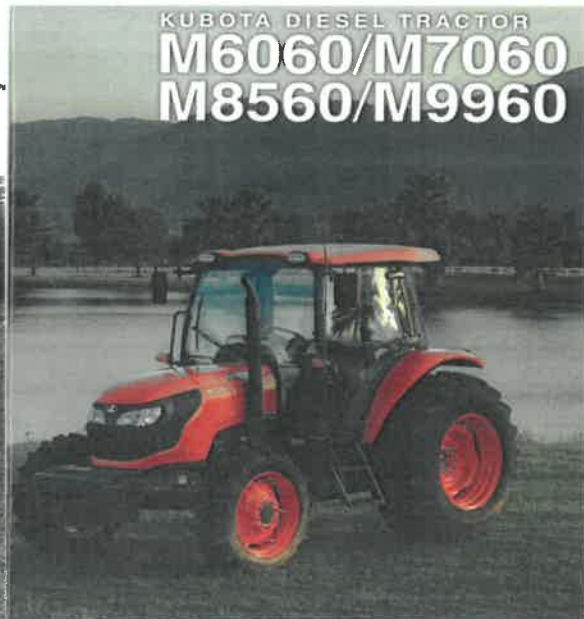
Department: Public Works/Street Division

Requested Item: Tractor with cab

Item being replaced: 1993 Ford Model 5030 Diesel Tractor (2,500 hours of use)

Justification for replacement: The city currently has two tractors that we use for mowing all the city right of ways. One tractor is shared with the parks department. The tractor that we need to replace has served its time. The hydraulics are getting weak. To repair the hydraulics would cost more than the value of the tractor. The new tractor will be used to maintain all city right of ways and will be used to operate our big roto tiller and seeder on drainage projects.

Replacement Cost: \$ 46,000



Equipment Replacement Request # 2

Department: Public works/Street Division

Requested Item: One Ton Dump Truck and 8 ½ ft Snowplow

Item being replaced: 2002 One Ton Dump Truck with 8 ½ ft Snowplow. This truck has 73,687 miles on it and is 16 years old.

Justification for replacement: This truck is used to do our daily tasks. We put up signs, pick up sign orders, plow snow, and check out complaints. This truck is always on the run doing something. This truck is also used to pull the crack sealer, trailer, and the air compressor.

Replacement Cost: \$ 57,000



EQUIPMENT REPLACEMENT REQUEST

DEPARTMENT: Wastewater Utility Department

REQUESTED ITEM: Crew cab 4x4 pickup truck

ITEM BEING REPLACED: This request will replace a 2003 Ford F350 4x4 and a 2005 Ford F550 flatbed dually.

JUSTIFICATION FOR REPLACEMENT: After examining the department's fleet and future needs, it is appropriate to right-size the inventory by selling off two older trucks and replacing them with one new model. The sale of both vehicles will adequately fund a brand-new vehicle. Attached are two valuations for the current vehicles, as well as a build sheet for the new truck.

There are also several other advantages to this approach, which include:

- This purchase is budget neutral and will not require an excess of funds.
- A new vehicle will carry a 3-year warranty.
- Eliminates maintenance costs associated with two vehicles which are 12+ years old.
- The approximate value of the 2005 F550 is in excess of \$23,000.
- The approximate value of the 2002 F350 with plow is in excess of \$9,000.
- Downgrading to a gas engine will save on future fuel costs.
- Eliminating one vehicle will save vehicle insurance for the department.
- Capitalizing on the sale of both vehicles while still both mechanically AND cosmetically sound.

REPLACEMENT COST: \$30,000 (BUDGET NEUTRAL)



NADAguides Value Report 9/14/2018

2002 Ford Super Duty F-350 SRW

Regular Cab XL 4WD

Values

| | Rough
Trade-In | Average
Trade-In | Clean
Trade-In | Clean
Retail |
|-------------------------|-------------------|---------------------|-------------------|-----------------|
| Base Price | \$1,775 | \$2,625 | \$3,325 | \$5,450 |
| Mileage (94,000) | \$1,200 | \$1,200 | \$1,200 | \$1,200 |
| Total Base Price | \$2,975 | \$3,825 | \$4,525 | \$6,650 |
| Options (change) | | | | |
| Snow Plow Pkg./Plow | \$650 | \$650 | \$650 | \$725 |
| Towing/Camper Pkg | \$75 | \$75 | \$75 | \$100 |
| Turbo Diesel Engine | \$4,000 | \$4,000 | \$4,000 | \$4,450 |
| Price + Options | \$7,700 | \$8,550 | \$9,250 | \$11,925 |

Rough Trade-In - Rough Trade-in values reflect a vehicle in rough condition. Meaning a vehicle with significant mechanical defects requiring repairs in order to restore reasonable running condition. Paint, body and wheel surfaces have considerable damage to their finish, which may include dull or faded (oxidized) paint, small to medium size dents, frame damage, rust or obvious signs of previous repairs. Interior reflects above average wear with inoperable equipment, damaged or missing trim and heavily soiled /permanent imperfections on the headliner, carpet, and upholstery. Vehicle may have a branded title and un-true mileage. Vehicle will need substantial reconditioning and repair to be made ready for resale. Some existing issues may be difficult to restore. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition.

Average Trade-In - The Average Trade-In values on nadaguides.com are meant to reflect a vehicle in average condition. A vehicle that is mechanically sound but may require some repairs/servicing to pass all necessary inspections; Paint, body and wheel surfaces have moderate imperfections and an average finish and shine which can be improved with restorative repair; Interior reflects some soiling and wear in relation to vehicle age, with all equipment operable or requiring minimal effort to make operable; Clean title history; Vehicle will need a fair degree of reconditioning to be made ready for resale. Because individual vehicle condition varies greatly, users of nadaguides.com may need to make independent adjustments for actual vehicle condition.

Clean Trade-In - Clean Trade-In values reflect a vehicle in clean condition. This means a vehicle with no mechanical defects and passes all necessary inspections with ease. Paint, body and wheels have minor surface scratching with a high gloss finish and shine. Interior reflects minimal soiling and wear with all equipment in complete working order. Vehicle has a clean title history. Vehicle will need minimal reconditioning to be made ready for resale. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition.

Clean Retail - Clean Retail values reflect a vehicle in clean condition. This means a vehicle with no mechanical defects and passes all necessary inspections with ease. Paint, body and wheels have minor surface scratching with a high gloss finish and shine. Interior reflects minimal soiling and wear with all equipment in complete working order. Vehicle has a clean title history. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition. Note: Vehicles with low mileage that are in exceptionally good condition and/or include a manufacturer certification can be worth a significantly higher value than the Clean Retail price shown.



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2005 Ford Super Duty F-550 DRW XLT Crew Cab 176 WB 60 CA



Trim info:

Rear Wheel Drive, Crew Cab

☐ Other Trims
[Need Help?](#)

Estimated Mileage

 Miles

Enter current mileage for most accurate info about this vehicle

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2005 Ford Super Duty F-550 DRW Prices and Car Value

Get instant price details on the market value of the 2005 Ford Super Duty F-550 DRW. Free black book market values for buying, selling, or trade-ins. MSRP, dealer invoice price and cost-to-own data for new Ford Super Duty F-550 DRW.

Mileage: Zip Code:

DriverSide Estimated Value

Introducing DriverSide Estimate™. We search millions of listings to find how much your type of car, in your local market, is actually selling for, so you get the best price.

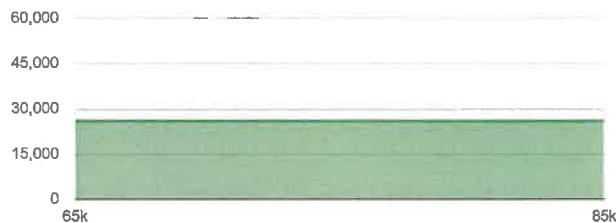
Lansing, KS

\$25,995
☒ Retail Value

☐ Trade-In Value

When to Sell?

Choosing the right time to sell can help you keep your cost of vehicle ownership low. Values typically dip sharply after the initial new sale, then again at 100,000 miles or 5 years.



Tips on Servicing

Car Brakes: How Do You Know When to Change Them?

Vehicle brakes are vital to your safety when driving. What signs indicate that they're wearing out?

By Zach Bowman For those who suffer a daily commute through heavy traffic, your vehicle's braking system can bring thousands of pounds of metal, plastic and empty Starbucks cups to a stop hundreds of times before you get to work. It goes without saying that these pieces wear out, but they do so slowly, meaning you may not notice they need attention until ... [Read more](#)

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VIRTC1DP



CNGP530

VEHICLE ORDER CONFIRMATION

09/29/18 11:20:05

==>

Dealer: F53407

2019 F-SERIES SD

Page: 1 of 1

Order No: W005 Priority: L4 Ord FIN: QD739 Order Type: 5B Price Level: 930

Ord PEP: 600A Cust/Flt Name: CITYOFLANSING PO Number:

| | | RETAIL | DLR INV | | RETAIL | DLR INV |
|-----------|--------------------|---------------------|------------|--------------------------|--------|-----------|
| W2B | F250 4X4 CREW/C | \$39545 | \$37369.00 | JOB #1 BUILD | | |
| | 160" WHEELBASE | | | FLEET ADV CRED | NC | (835.00) |
| UX | INGOT SILVER | | | 17F XL DECOR PKG | 220 | 203.00 |
| A | VNYL 40/20/40 | | | 10000# GVWR PKG | | |
| S | MEDIUM EARTH GR | | | 425 50 STATE EMISS | NC | NC |
| 600A | PREF EQUIP PKG | | | 512 SPARE TIRE/WHL2 | NC | NC |
| | .XL TRIM | | | 52B BRAKE CONTROLLR | 270 | 249.00 |
| | .TRAILER TOW PKG | | | TELE TT MIR-PWR | | |
| 572 | .AIR CONDITIONER | NC | NC | 56M FLEET INCENTIVE | NC | (2750.00) |
| | .AM/FM STER/CLK | | | JACK | | |
| 996 | .6.2L EFI V8 ENG | NC | NC | FUEL CHARGE | | 22.72 |
| 44S | 6-SPD AUTOMATIC | NC | NC | DEST AND DELIV | 1495 | 1495.00 |
| TD8 | .LT245 BSW AS 17 | | | TOTAL BASE AND OPTIONS | 42655 | 36788.72 |
| X37 | 3.73 REG AXLE | NC | NC | TOTAL | 42655 | 36788.72 |
| 90L | PWR EQUIP GROUP | 1125 | 1035.00 | *THIS IS NOT AN INVOICE* | | |
| F1=Help | F2=Return to Order | F3/F12=Veh Ord Menu | | | | |
| F4=Submit | F5=Add to Library | | | | | |

S099 - PRESS F4 TO SUBMIT

QC05025

V1DP0047

2,6

Dealer Add: +\$500

Dealer Concession: -\$8,400

Total: \$28,889 as of 9/29/18



City Clerk's Office/Building Maintenance Vehicle and Equipment Report

Vehicles

| Year | Make | Model | Description | Mileage
Start | Mileage
Ending | Miles
Driven | Comments |
|-------|------|-----------|--------------------|------------------|-------------------|-----------------|--------------------------------|
| 2007 | Ford | Econoline | 15 Passenger Wagon | 18763 | 18,931 | 168 | Inherited from PD in Jan. 2016 |
| | | | | | | 0 | |
| | | | | | | 0 | |
| | | | | | | 0 | |
| | | | | | | 0 | |
| Total | | | | | | 168 | |

Equipment

| Year | Make | Model | Description | Hours
Start | Hours
End | Hours
Used | Comments |
|-------|---------|---------|----------------------------|----------------|--------------|---------------|---------------------------|
| 2018 | Advance | SC1500 | AutoScrubber Floor Machine | 9.35 | 9.76 | 0.41 | Community Center Cleaning |
| 2018 | Kubota | ZG227-A | Mower | 42.1 | 47.9 | 5.8 | |
| | | | | | | 0 | |
| | | | | | | 0 | |
| | | | | | | 0 | |
| | | | | | | 0 | |
| Total | | | | | | 6.21 | |

Parks and Recreation Fleet Report October 2018

Vehicles

| Year | Make | Model | Description | Mileage
Start | Mileage
Ending | Miles
Driven | Current Use | Comments |
|-------|-----------|-----------|---------------|------------------|-------------------|-----------------|---------------------|----------|
| 2002 | Ford | Explorer | SUV | 127951 | | | Parks Maintenance | |
| 2011 | Dodge | Charger | passenger car | 77191 | | | Activity Center use | |
| 2014 | Ford | F-350 | Dump truck | 11096.7 | | | Parks Maintenance | |
| 2017 | Chevrolet | Silverado | truck | 7982 | | | Parks Maintenance | |
| 2018 | Ford | F-350 | 4-door crew | | | | Parks Maintenance | |
| Total | | | | | | | | |

Equipment

| Year | Make | Model | Description | Hours
Start | Hours
End | Hours
Used | Current Use | Comments |
|-------|-----------------|------------|-----------------|----------------|--------------|---------------|-------------------|----------|
| 1992 | Massey Ferguson | 1020 | Tractor | 1977 | | | Parks Maintenance | |
| 1996 | Hustler | Range Wing | mower | 1905.5 | | | Parks Maintenance | |
| 2005 | Kubota | F3060 | mower | 281.3 | | | Parks Maintenance | |
| 2007 | Turbo Tool Cat | 5600 | utility vehicle | 1003.3 | | | Parks Maintenance | |
| 2012 | Wright | ZK | stand mower | 992.4 | | | Parks Maintenance | |
| 2014 | Kubota | ZD331LP-72 | mower | 1261.3 | | | Parks Maintenance | |
| 2016 | ABI | Force | infield groomer | 126.5 | | | Parks Maintenance | |
| 2017 | Kubota | ZD1211 | mower | 338.9 | | | Parks Maintenance | |
| 2018 | Polaris | Ranger | utility vehicle | 64.2 | | | Parks Maintenance | |
| Total | | | | | | | | |

Lansing Police Department
Vehicle Fleet End of Month Report

Sep-2018

| Unit | Year | Make/Model | Last 5 VIN | Mileage
as of 09/01 | Mileage
as of 10/01 | Miles
Driven | Current Use | Future Use | Comments |
|------|------|---------------|------------|------------------------|------------------------|-----------------|----------------|----------------|-----------------------------|
| 1 | 2013 | Ford Explorer | 40459 | 73755 | 76096 | 2341 | Detective | Detective | Limited Use - Detective |
| 2 | 2012 | Dodge Charger | 07028 | 46767 | 47716 | 949 | Sergeant | Sergeant | Fit for patrol duty |
| 3 | 2015 | Ford Explorer | 40975 | 43135 | 43918 | 783 | Patrol | Patrol | Fit for patrol duty |
| 4 | 2015 | Ford Explorer | 40976 | 31049 | 31613 | 564 | Patrol | Patrol | Fit for patrol duty |
| 5 | 2012 | Dodge Charger | 07027 | 35959 | 36493 | 534 | Lieutenant | Lieutenant | Limited Use - Lieutenant |
| 6 | 2013 | Ford Explorer | 40458 | 57641 | 58355 | 714 | Patrol | Patrol | Fit for patrol duty |
| 7 | 2018 | Ford Explorer | 34004 | 1009 | 1293 | 284 | Captain | Captain | Limited Use - Captain |
| 8a | 2017 | Dodge Charger | 86270 | 19446 | 21346 | 1900 | Patrol | Patrol | Fit for patrol duty |
| 9 | 2018 | Ford Explorer | 34003 | 2798 | 3466 | 668 | Patrol | Patrol | Fit for patrol duty |
| 10 | 2011 | Dodge Charger | 52349 | 45780 | 46568 | 788 | Chief | Chief | Limited Use - Chief |
| 11 | 2003 | Ford F150 | 64639 | 79954 | 80049 | 95 | Animal Control | Animal Control | Fit for animal control duty |
| 13a | 2017 | Dodge Charger | 96163 | 20197 | 21467 | 1270 | Patrol | Patrol | Fit for patrol duty |
| 15 | 2018 | Ford Explorer | 34002 | 2908 | 3994 | 1086 | Patrol | Patrol | Fit for patrol duty |
| 17 | 2016 | Dodge Charger | | 21843 | 22713 | 870 | Patrol | Patrol | Fit for patrol duty |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | Mileage Total: | 12846 | | | |

Lansing Public Works Department**Monthly Fleet Report****Month** September **Year** 2018**Vehicles**

| Year | Make | Model | Description | Mileage Starting | Mileage Ending | Miles Driven | Comments |
|-------------|---------------|--------------|--------------------|-------------------------|-----------------------|---------------------|-----------------|
| 2008 | Ford | Ranger XLT | LT. Pick-up Ext | 55,124 | 55,274 | 150 | |
| 2007 | Ford | Ranger XLT | LT. Pick-up Ext | 41,668 | 42,277 | 609 | |
| 1998 | Ford | 1/2 ton | Pick-up | 63,633 | 63,850 | 217 | |
| 2001 | Ford | Ranger | LT. Pick-up Ext | 117,008 | 117,126 | 118 | |
| 2005 | Ford | Ranger | LT. Pick-up Ext | 41,867 | 42,012 | 145 | |
| 2000 | Ford | Explorer | SUV | 187,658 | 187,862 | 204 | |
| 2005 | Sterling | LT 8500 | Dump Truck | 49,587 | 49,755 | 168 | |
| 2007 | Elgin | Crosswind J+ | Street Sweeper | 5,760 | 5,760 | 0 | |
| 1992 | Ford | 700 | Dump Truck | 63,462 | 63,785 | 323 | |
| 2017 | Chevrolet | 3500 | Pick-up Truck | 7,221 | 7,516 | 295 | |
| 2002 | Ford | F350 4x4 | Dump Truck | 73,658 | 73,702 | 44 | |
| 2011 | International | 7400 | Dump Truck | 14,056 | 14,216 | 160 | |
| 2016 | Ford | F350 4x4 | One-ton Dump Truck | 5,300 | 6,127 | 827 | |
| 2006 | Dodge | Charger | Sedan | 123,443 | 123,520 | 77 | |

Equipment

| Year | Make | Model | Description | Hours Starting | Hours Ending | Hours Used | Comments |
|------|--------|----------|----------------|----------------|--------------|------------|--------------------|
| 1997 | JD | 770BH | Grader | 5,038 | 5,041 | 3 | |
| 2004 | IR | DD-24 | Asphalt Roller | 269 | 270 | 1 | |
| 2006 | IR | 185 | Air Compressor | 192 | 192 | 0 | |
| 1993 | Ford | 5030 | Tractor | 517 | 523 | 6 | |
| 1997 | Bobcat | 763 | Skid Steer | 2,099 | 2,106 | 7 | |
| 2014 | Case | 580 SNWT | Backhoe | 887 | 891 | 4 | |
| 2002 | Crafc | 110 | Crack Sealer | 808 | 808 | 0 | |
| 2003 | Kubota | L3710 | Tractor | 1,565 | 1,573 | 8 | |
| 2009 | Case | 465 | Skid Steer | 589 | 592 | 3 | |
| 2004 | Case | 621D | Front Loader | 2,186 | 2,186 | 0 | at treatment plant |

Sep-18

| | | | |
|-----------------|----------|----------------|---------|
| City Influent | 20.77 MG | City Avg Daily | .692 MG |
| LCF Influent | 12.36 MG | LCF Daily Avg | .412 MG |
| Total Biosolids | .922 MG | Precip | 1.14" |

Vehicles

| Year | Make | Model | Description | Mileage Start | Mileage Ending | Miles Driven | Current Use | Comments |
|-------|--------------|--------|---------------|---------------|----------------|--------------|--------------------|-------------------|
| 1999 | Sterling | Vactor | Jet Truck | 8168 | 8168 | 0 | Collection System | |
| 2002 | Ford | 350 | Pick Up Truck | 94028 | 94053 | 25 | Ops/Maint. | |
| 2006 | Ford | Cr Vic | Sedan | 95488 | 95833 | 345 | Ops/Maint. | |
| 2005 | Ford | 550 | Flatbed Truck | 42634 | 42692 | 58 | Ops/Maint. | |
| 2019 | Ford | F250 | Pick Up Truck | 16 | | | Ops/Maint. | new vehicle added |
| 2005 | Freightliner | M2106 | Dump Truck | 19923 | 19979 | 56 | Biosolids Disposal | |
| Total | | | | | | 484 | | |

Equipment

| Year | Make | Model | Description | | | Hours Used | Current Use | Comments |
|------|------------|------------|-----------------|------|------|------------|--------------------|----------|
| 1991 | Case | 1825 | Uni-Loader | 942 | 942 | 0 | Plant Activities | |
| 1999 | Sterling | Vactor | Jet Truck | 2235 | 2235 | 0 | Collection System | |
| 1999 | Aries | Saturn III | Camera Trailer | 344 | 344 | 0 | Collection System | |
| 2004 | John Deere | 7920 | Tractor | 1206 | 1207 | 1 | Biosolids Disposal | |
| 2005 | Polaris | Ranger #1 | Utility Vehicle | 1229 | 1229 | 0 | Operations | |
| 2004 | Case | 621D | Loader | 2275 | 2278 | 3 | | |
| 2005 | Polaris | Ranger #2 | Utility Vehicle | 1198 | 1202 | 4 | Maintenance | |
| 2006 | JCB | 531-70 | Telehandler | 559 | 559 | 0 | Plant Activities | |

Steven Wayman

From: Benjamin Ontiveros
Sent: Wednesday, September 26, 2018 10:40 AM
To: @Police
Subject: Good Job

I received a call today from a John Walker at 2606 Spring Garden in Leavenworth, who wished to express how good a job SGT Blackwell did in handling the situation regarding the vehicle vs. bicyclist accident.

Keep up the good work!!!

Ben Ontiveros CPT/DCP
Investigations
Lansing Police Department
Tel: 913.727.3000 | Fax: 913.727.5428

This email transmission and any attachments are for the exclusive use of the intended recipient(s) to whom addressed and may contain information that is confidential, privileged or exempt from public disclosure and which is the sole property of the Lansing Police Department. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient or believe you received this communication in error, please contact the sender at (913) 727-3000; permanently delete this message from your system, without first forwarding or replying to it; and destroy and delete any and all copies or printouts of this email and any attachments thereto.

JANET KLASINSKI

Leavenworth County Clerk
300 Walnut, Leavenworth, KS 66048

PHONE: 913-684-0422

FAX: 913-680-1489

EMAIL: jklasinski@leavenworthcounty.org

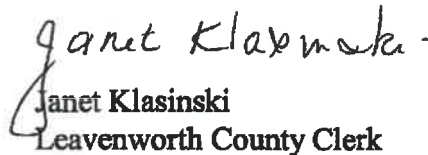
October 4, 2018

City of Lansing
Beth Sanford, Finance Director
800 First Terrace
Lansing, KS 66043

The final valuation for the City of Lansing is 83,479,756. The tax levies required to finance your 2019 budget are as follows:

| | | | |
|--------------|--------------|-----------|-------------------|
| General Fund | 27.355 | PRODUCES: | \$2,283,588.72 |
| Debt Service | 10.768 | | 898,910.01 |
| Library | <u>3.433</u> | | <u>286,586.00</u> |
| TOTAL | 41.556 | | \$3,469,084.73 |

If you have any questions, please call me at 684-0422 before October 19, 2018. Please review your 2019 budget to insure the above dollars will fund your budget.


Janet Klasinski
Leavenworth County Clerk