



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

**COUNCIL AGENDA**  
*Regular Meeting*  
Thursday, November 19, 2015  
7:00 P.M.

**WELCOME TO YOUR CITY COUNCIL MEETING**

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

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

***Call To Order***

***Pledge of Allegiance***

***Roll Call***

**OLD BUSINESS:**

1. Approval of Minutes

**NEW BUSINESS:**

***Audience Participation***

***Presentations:***

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

2. Request to Modify Facilities Use Agreement, Rock Creek Ridge, 4<sup>th</sup> Plat
3. Replacement of Pull-Type Rotary Mower
4. 2015 Wastewater Rate Study
5. Appointment to the Leavenworth County Fire District No. 1 Joint Board

***Reports:***

City Attorney; City Engineer; City Administrator; Councilmembers

***Proclamation***

***Other Items of Interest***

6. Department Vehicle and Equipment Mileage Reports
7. Planning Commission Letter
8. Thank You – Police Department

***Adjournment***

TO: Tim Vandall, City Administrator  
FROM: Sarah Bodensteiner, City Clerk *SB*  
DATE: November 13, 2015  
SUBJECT: Agenda Summary

Call To Order  
Pledge of Allegiance  
Roll Call

**OLD BUSINESS:**

- 1. **Approval of Minutes**  
The regular meeting minutes of November 5, 2015, are attached.
  - **ACTION:** A motion to approve the regular meeting minutes for November 5, 2015, as presented.

**NEW BUSINESS:**

Audience Participation  
Presentation:

**Items for Council Consideration:**

- 2. **Request to Modify Facilities Use Agreement, Rock Creek Ridge, 4<sup>th</sup> Plat**
  - Mike Reilly has requested to modify the Facilities Use Agreement to remove the trail behind homes in the fourth phase of Rock Creek Ridge, and pay the City \$19,200.00 in park fees that were originally waived.
  - The front yard sidewalk would remain at 5' and would connect to an existing residential sidewalk.
  - **ACTION:** A motion to deny the request to modify the Facilities Use Agreement for Rock Creed Ridge, 4<sup>th</sup> Plat.  
**OR**  
**ACTION:** A motion to approve the request to modify the Facilities Use Agreement for Rock Creek Ridge, 4<sup>th</sup> Plat, to remove the trail system behind the homes and collect \$19,200.00 in park fees.
- 3. **Replacement of Pull-Type Rotary Mower**
  - \$17,000.00 was set aside in fund 80, Equipment Reserve, for the 2015 budget year for a rotary mower.
  - The dilapidated mower being replaced has a deformed deck and has reached a point that it is unsafe to operate.
  - Quotes were solicited and 3 quotes were returned.
  - **ACTION:** A motion to approve the bid of Heritage Tractor for a John Deere MX8 pull-type rotary mower in the amount of \$6,770.00 from Fund 80, Equipment Reserve, 80-010-43301 (\$10,230.00 less than the amount set aside).
- 4. **2015 Wastewater Rate Study**
  - The 2015 Wastewater Rate Study is complete and was discussed at the October 29<sup>th</sup> Work Session.
  - The new rates, which will take effect in May 2016, will remove the general fund transfer.
  - The new ordinance and executive summary are attached.
  - **ACTION:** A motion to approve Ordinance No. 956: An Ordinance Adopting the Financial Plan and User Charge Rate Schedule for Residential and Commercial Customers in the City of Lansing, County of Leavenworth, State of Kansas.
- 5. **Appointment to the Leavenworth County Fire District No. 1 Joint Fire Board**
  - The City needs to appoint 2 Councilmembers, along with the Mayor to represent the City of Lansing on the Leavenworth County Fire District No. 1 Joint Board.
  - **ACTION:** A motion to appoint Mayor Gene Kirby and two (2) Councilmembers to the Joint Fire District Board that will meet on December 14, 2015 to appoint two (2) representatives from the City of Lansing to serve on the Leavenworth County Fire District No. 1 Board of Trustees.

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

**Proclamations**

**Other Items of Interest**

- 6. Department Vehicle and Equipment Mileage Reports
- 7. Lansing Planning Commission Letter
- 8. Thank You – Police Department

**Adjournment**



**Call To Order:**

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

**Roll Call:**

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

**Councilmembers Present:**

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

**Councilmembers Absent:**

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**OLD BUSINESS:**

**Consent Calendar:** Councilmember Trinkle moved to approve the regular meeting minutes of October 15, 2015. Councilmember Garvey seconded the motion. The motion was approved, with Councilmember Brungardt, Studnicka, and Buehler abstaining from the vote.

**NEW BUSINESS:**

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

**Presentation: Kansas Reads to Preschoolers Week Proclamation:** Mayor Kirby presented a Proclamation to Lansing Community Library Director Terri Wojtalewicz who thanked the City Council, Library Board, the Friends of the Library, and Community for support of the Library and its programs.

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Ordinance No. 953 – Codification of Ordinances for the 2015 Code of the City of Lansing:**

Councilmember Trinkle moved to approve Ordinance No. 953 adopting the Code of the City of Lansing, codifying all ordinances. Councilmember McNeill seconded the motion. The motion was unanimously approved.

**Ordinance No. 954 – Fine, Bond, Court Fees & Costs, and Motor Carrier Fine Schedules Established by the Municipal Court Judge:**

Councilmember Buehler moved to approve Ordinance No. 954 establishing the fine, bond, court fees & costs, and motor carrier fine schedules for Lansing Municipal Court as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

**Ordinance No. 955 – Approval of Fee Schedule:** Councilmember Trinkle moved to approve Ordinance No. 955 accepting the updated fee schedule as presented. Councilmember Buehler seconded the motion. The motion was unanimously approved.

**Library Board Appointments:** Councilmember Brungardt moved to appoint Marlee Marshall and Shanna Persin to the Lansing Community Library Board for a 2 year term ending September 30, 2017. Councilmember Trinkle seconded the motion.

- Councilmember Pawlowski asked were these positions advertised like the rest.
  - Mayor Kirby replied yes.

The motion was unanimously approved.

- Mayor Kirby stated I happened to be in on the interview process for both of these ladies and it was obvious to me that they are very energetic and both bring different strengths to the Board and I think we're lucky to have them.

**Equipment Replacement Policy:** Councilmember Trinkle moved to approve the Equipment Replacement Policy as presented. Councilmember Studnicka seconded the motion.

- Councilmember Pawlowski stated this talks about useful life and condition and stuff, but I just want to make sure that we won't be going out and buying stuff just because it comes up on the list for that year to buy unless we need it replaced.
  - City Administrator Tim Vandall replied yes, we won't be going out and buying equipment just because it's 4 years old or something like that, you have my word on that.
- Councilmember McNeill stated I thought back when we were talking about equipment replacement, that we were going to do something about the police department having their own separate policy and fund. I mean, basically what we've got is a seeder, something that seeds grass, competing with a police vehicle, so if you start racking and stacking priorities, none of that other equipment is ever going to make it through the pipeline because we're going to keep going for police vehicles. Is there a way to set off a portion of the revenue from

the Police Department every year, going into their own fund and then we take the funding out of the general fund to do equipment replacement for the other departments.

- Finance Director Beth Sanford replied we do have a Police Equipment Reserve Fund; however it does not generate enough revenue to pay for police vehicles. We paid for the radios, that they purchased this year, from that reserve fund. It's an additional \$5.00 on tickets that goes into that fund.
    - Councilmember Garvey stated didn't they purchase a couple of vehicles out of their fund and a couple out...
      - Finance Director Beth Sanford replied that was with the alcohol liquor fund.
        - Councilmember Trinkle asked is that fund still active, where they can do that every year.
          - Finance Director Beth Sanford replied special alcohol that had built up for many years that we were spending it on that reserve, so it doesn't generate enough. The only revenue to that fund is the local alcohol liquor tax which is about \$8,000.00 a year.
            - Councilmember McNeill stated every year we estimate what we think the police department is going to bring in on revenue right, so we base our next year budget on what they thought they were going to bring in, and that has gone up or done a little bit, but most of the time I've seen it go up, so we're budgeting against something that was a previous low and we end up making another \$100,000.00 over what they would have made and in my view that should just go into their reserve fund and then buy 3 police vehicles to replace instead of us putting that into this budget and using this policy to try and buy other equipment for other departments. It puts us in a precarious position to vote/prioritize police safety versus a grass seeder and it's not fair to the other departments, but I think we need to come up with some other methodology to feed that fund for the police department.
- Councilmember Pawlowski stated I talked to Tim about it one day this week and I told him I felt like we needed to, because I feel like we have this discussion way to often too, how many police cars are we going to buy this year, how much money do we have and I think that we need to decide on a replacement schedule, we can't have our guys out there driving police cars with 150,000 or 160,000 miles on them, it's not safe.
  - Councilmember McNeill stated I know, that's the same issue. I think it needs to come out of a different fund, so we're not competing the other departments against the police department.
    - Councilmember Brungardt stated you both are saying the same thing.
      - Councilmember Gardner stated what do we need to do to get to that point as a council.
        - Councilmember McNeill stated I think you have a similar policy for the police department, a replacement policy for the police department, and Tim I'll let you figure that out.
          - City Administrator Tim Vandall stated if we begin something for the next budget season it wouldn't take effect until 2017, so I don't know what we can do in the interim to address that.
            - Councilmember Pawlowski stated I don't think we're asking for immediate.
              - Councilmember McNeill stated we're going to end up having to use the current policy, but we ought to be thinking that phase.
                - City Administrator Tim Vandall stated we [Finance Director Beth Sanford] can get together and figure something out.

The motion was unanimously approved.

**Equipment Replacement Request:** City Administrator Tim Vandall stated this is the first year for staff doing this and first year for you guys too, so if my explanation wasn't the best I apologize for that, but Beth, correct me if I'm wrong, but what we're looking for is more of a green light from you guys to go ahead and get bids on specific pieces of equipment or Beth to get the ball rolling on a lease/purchase. The first part of that is it's easier to get bids on maybe 3 or 4 pieces of equipment than 16, and then Beth would get the ball rolling on a lease/purchase that would be executed in 2016, do you guys have any questions on that so far.

- Councilmember Trinkle asked would this come back to a study session before it goes back to be voted on. How do we discuss when the bids come back?
  - Councilmember McNeill stated when the bids come in they'll recommend we purchase it.
    - City Administrator Tim Vandall stated that would be more of another formal recommendation, but all of the equipment that would be requested is over \$15,000.00, so you guys would have to formally approve it by motion at a meeting at that time too. I guess what I would say is, I hope you guys give us the green light, I hope if nothing changes, we don't change our mind, but at the same time, if x, y, z happens in the next 2 or 3 months, or if our financial situation changes, or if we need a different piece of equipment, I think you guys have the ability to change your mind, I hope we don't do that unless something unforeseen happens.
      - Councilmember Trinkle stated that's what we talked about doing, just like Tony, I agree with Tony, we've got to know what it costs and where we're going to pay for it.
- City Administrator Tim Vandall replied in the spreadsheet we put in the agenda materials, I believe the police department ones those were pretty close costs, but other than that all the other costs were just general estimates. So if you see something that is \$10,000.00, it might come in at \$9,800.00.
  - Mayor Kirby stated I think what we'd like to see, and I've talked about this several times, I'd like to see how many cars and or trucks each department has and when they tell us they've spend 'this much' fixing it, which means what? Putting tires on it, which to me is routine maintenance, what are they calling repairs or what would be what I would normal maintenance.
    - City Administrator Tim Vandall stated and that is something I believe Beth would be able to look up, but I don't have that tonight.
      - Mayor Kirby stated I think if we can have that moving forward it kind of helps us. If you spend \$20,000.00 on a piece of equipment, did you put a new motor in it, what did you do.
        - City Administrator Tim Vandall replied I get that.
          - Mayor Kirby stated I know where I work, some of it is maintenance and some of it is fix, and there's a difference. Just to say we spend x amount of dollars on something, well x amount of dollars doing what?
            - Councilmember Pawlowski stated like you said too, you put a new transmission in a vehicle that makes it good to go for a while longer, so you don't want to spend good money.
              - Councilmember Trinkle stated if you've got a transmission that needs to be decided if you're going to put a transmission in it or get rid of it.
            - Councilmember Pawlowski stated you don't want to fix it then get rid of it.
  - City Administrator Tim Vandall stated so on those things I'll pass on to you guys here in a minute, I'll make sure that Beth has numbers for that, or do you want her to get numbers on everything on this list, or just the ones on this list?
    - Mayor Kirby stated just the ones you're going to pass on to us.
  - City Administrator Tim Vandall stated the recommendations that I wanted to pass on to you guys first off 2 police vehicles, the rough estimate is at \$32,000.00 each, per vehicle, and that's outfitting costs and everything.
    - Councilmember Pawlowski asked are we supposed to talk about what kinds of vehicles we're getting.
  - City Administrator Tim Vandall stated I've spoken to Captain Ontiveros about that and I don't think a final decision has been made yet on what kind of police car. The 2 police vehicles puts us at \$64,000.00. The next recommendation, if you guys go down a little bit, number 3 on the street department list, the 1999 Ford F-350 and this one's going to create a little more discussion, the estimated replacement cost is \$71,000.00, but the thing that I had mentioned to staff was if we remove the salt spreader and also hopefully with trade-in costs, hopefully we can get that in an amount where the total cost is one twenty-five for everything, so obviously that's one of those things where if the bid comes in significantly higher, we don't have to get it. Part of the reasoning there is, like you had said, we've spend \$15,000.00, I don't know exactly what those repair costs were, but it was \$15,855.00 there in repair costs. The second side of this if you guys look at number 1 on the street department requests, that's \$150,000.00 for a 1992 Ford F-700 dump truck. I had told staff that is it going to be tough for us to replace that this year, next year, in the next several years, so if we're not able to replace number 1, and we let that go out to pasture in the next few years, it would be nice if we had 1 newer truck.
    - Councilmember Pawlowski stated I have such heartburn with these, but we have lots of dump trucks, or at least it appears on the sheet that we have a lot of trucks, are we positive we need all of those?
      - City Administrator Tim Vandall replied like I said, part of the recommendation and the reasoning behind it is that we wouldn't replace number 1 when that comes up. So we'd be net

1 less, eventually. That being said if it's running adequately now, we keep it in service, but if we had \$10,000.00 worth of repair costs, I'm not sure we'd replace it. That's kind of a 2 pronged approach to that. The second side of that is I don't know what that would do to snow removal.

- Councilmember Garvey stated there's a difference between a running truck and a truck pushing snow.
  - Mayor Kirby stated and that's why I said I'd like to see how many trucks, and how many of those push snow.
- Street Superintendent Jeff Focht stated they all push snow except 1. I've got a sterling tandem axel, I've got 2 single axel dump trucks, I've got 3 one tons, and I've got an old Ford Ranger, that's what I have sir.
  - Mayor Kirby stated but that doesn't count you push snow too, right?
    - Street Superintendent Jeff Focht stated yes, Parks does, right, three.
      - Councilmember Pawlowski stated and that's 9.
        - Councilmember Studnicka stated that's 9 so far.
          - Street Superintendent Jeff Focht stated if we lose that 92 single axel that plows snow and trees. So if we lose that it's going to take us about 6 hours to treat the City. I have 4 sanders, 3 big sanders and 1 little one.
- Councilmember Pawlowski stated and Tony has a truck that pushes snow too right?
  - Street Superintendent Jeff Focht state he has a 1 ton, yes ma'am he does.
- Councilmember Gardner stated when you talk about those 6 hours, you mean 6 hours more or total.
  - Street Superintendent Jeff Focht stated 6 hours total. Usually with my 4 trucks we can treat the City in 4 hours, but if I lose a big truck I'm in a couple more hours. Last year, I lost 2 trucks last year, and it bumped me up to 8 hours to treat the City because I've got no spares, so when it goes down, we're done.
    - Councilmember Garvey asked what's that do to your labor costs, man hours.
      - Street Superintendent Jeff Focht replied oh it hurts us, especially when you drop vehicles, it makes it more time to clean the City. If I've got every truck out we can clean the City in 12 hours, standard snow, but every time I lose a truck, it just puts us farther back, and you've got 88 cul-de-sacs.
        - Councilmember Trinkle asked how many miles of street do we have now Jeff?
          - Street Superintendent Jeff Focht replied I think they said 70 some miles, I think, about 72 something like that. And all the sidewalks too.
- Councilmember Trinkle asked do you still use the rangers to do the sidewalks.
  - Street Superintendent Jeff Focht replied yes, sidewalks, and the curbs, the cul-de-sacs, City Hall parking lot, Library, Public Works.
    - Councilmember Pawlowski asked how many of those are there.
      - Street Superintendent Jeff Focht replied we have 3, there's 2 over at public works and I've got an old one down at the shop that we plow with.
- Mayor Kirby stated if we can get this all put together so we can go forward with this. If anyone has something in the next day or two if they could that to him.
  - City Administrator Tim Vandall stated one additional thing that we'd be looking at, if you guys look a little bit further down that list, the ABI Force Multi-function Sport Field Machine for the Parks & Rec. Department. We would look at doing that, but we wouldn't do that through the lease/purchase, that would be separate through the Parks & Recreation Reserve Fund, so that would be a separate funding source and wouldn't compromise the lease/purchase.
    - Mayor Kirby asked so there's already money in the bank for that.
      - City Administrator Tim Vandall stated there is, I think Jason is going to check on a couple of things with that, but that would be a separate fund.
        - Mayor Kirby stated Jason if you could explain to us just real briefly what this multi-function.
          - Parks & Recreation Director Jason Crum stated the primary thing it does is infield maintenance on the baseball and softball fields. What we have now is about an 18horse Massey Ferguson Tractor 1992, that's listed in there, and essentially it's a two part process what we do now, Kevin you've seen it before, it's a machine called Diamond Demon that you drag the infield with to open it up then scarify it, then come back behind it with a screen and drag it out smooth. This machine does it all in 1 pass. If you see the picture of it you stand up on it, you can see what you're doing a lot better, not looking over your shoulder to see if something's working behind you. It also has some

other features that you can get, you can seed with it, you can aerate with it, there are several other different features and other types of tools you can get to carry on it.

- Councilmember Pawlowski stated the picture has a striper, can you do striping with it.
  - Parks & Recreation Director Jason Crum stated no, that is a separate request item.
- Councilmember Trinkle stated so you can seed with it, would you want to use it to seed out a soccer field or a large field, it could be used either or.
- Parks & Recreation Director Jason Crum stated you could. It's a broadcast seeder, not like the seeder we're asking for tonight later on, but you can get an aeration drum that rides in the front of you. Like I said in that narrative there, we do not have a core aerator in our fleet right now, it is something that we'd really like to have to use particularly for post season seeding.

Councilmember Studnicka moved to authorize the lease/purchase of up to \$125,000.00 of replacement equipment. Councilmember Trinkle seconded the motion.

- Mayor Kirby stated this is just to get bids.
  - City Administrator Tim Vandall replied yes, when we get bids we will come back to you guys, and one other thing that I want to add is the way it's set up right now wouldn't raise the mill levy or anything like that as long as we stay in that \$125,000.00

The motion was unanimously approved.

**Request to Purchase Turf Seeder:** Councilmember Buehler moved to approve the purchase of a Land Pride OS15 75" seeder from Coleman Equipment for \$10,243.00 from fund 80-010-43301 Equipment Reserve. Councilmember Trinkle seconded the motion.

- Mayor Kirby stated is it 72 or 75. I have 72 in the first part and 75 down here, so which is it?
  - Parks & Recreation Director Jason Crum replied 72".
- Councilmember Pawlowski stated I have to ask this Jason, if we were to contract this out and have somebody come in and do this for us rather than buy the equipment, do you have any idea what that would cost.
  - Parks & Recreation Director Jason Crum replied I do not.
    - Councilmember Pawlowski stated because we just seed twice a year is that correct.
      - Parks & Recreation Director Jason Crum replied well no, we seed often. During our soccer season we usually try to do it as many as 3 or 4 times during the season to try and stay on top of it and stay ahead of the wear and tear. We don't have any irrigation to compliment that, other than Mother Nature, but we do seed and then Jeff from the Street Department they use it for repairs if they do stuff in people's yards, the right of way, and things that like as well.
    - Councilmember Garvey stated just like verti-cutting a yard. And verti-cutting a standard size yard, I think is like \$400, \$500 these days.
      - Councilmember Gardner asked if you had to guess, how many times between you and Jeff do you use it a year.
        - Parks & Recreation Director Jason Crum replied we use it to seed every sports field we've got, so all our baseball fields at City Park, all the soccer fields at Bernard Park, and all the fields at Willow Parks, so when we use it, if we were going to do a seed for all of those, we might be on it for 2 or 3 days at a time, doing that. Jeff's kind of more sporadic, like when they have a repair to make.

The motion was unanimously approved.

**Request to Modify Facilities Use Agreement: Rock Creek Ridge, 4<sup>th</sup> Plat:** Councilmember Trinkle moved to approve the request to modify the Facilities Use Agreement for Rock Creek Ridge, 4<sup>th</sup> Plat. Councilmember Studnicka seconded the motion.

- Jerry Reilly stated his son, Mike Reilly couldn't attend and he was here representing Reilly Homes.
- Councilmember Gardner stated the path that you want to do away with, that was already in the original contract agreement.
  - Jerry Reilly replied yes, about 10 years ago, when I started Rock Creek, we did a preliminary plat, a conceptual preliminary plat of the whole development. In that preliminary plat, we showed this trail,



the City wanted that and we showed the trail. Obviously 10 years later, lots of things have changed, and we are now in that phase, it's our last phase, 48 lots, we graded all the lots; the issue is this, after we graded them, we had the Public Works staff come out, and they were very nice to come out and look at it, there are 3 major ravines that are going to take a lot of work to do, it's going to be very expensive to build this, it goes nowhere, it basically goes up to the end of the subdivision and stops. It would be in the backyard of these beautiful homes, all of these homes will have walkout basements, so they'll have bedrooms down below, family rooms down below, so there's an issue there maybe with safety. The bigger issue is we put the pool and the park in at the top of the hill at the entrance and you now have a beautiful new 55 million dollar high school. The current trail system that's in there now, the sidewalks, people use, and that's what we want them to do. We want them to come out of their homes use the sidewalks and walk up to those facilities, up to the school, we think this trail behind these houses that are going to serve maybe, I'm not sure, maybe 20 to 25 homes, we think the economics don't make sense, we think it'll be objections from the homeowners and we don't think it will be used versus what we already have in the subdivision, which is a nice walk way that goes to the park, to the pool, then out.

- Councilmember Gardner replied but it was part of the master plan? What we're talking about. Angel falls turned out so good and the feedback that came out of Angel Falls was so good I'm hesitant to do anything going away from the Master Plan, myself, because the more trails we have, eventually, they are all going to connect and that's why I'm a little hesitant to do anything.
  - Jerry Reilly replied we basically have a trail system in there now, as you know, I mean, the subdivision itself has a trail, what's a defined trail, but a sidewalk, a nice wide sidewalk that goes up to the parks. We obviously want that, we do not want to not have this, so we're not asking to not have a trail, it's how you define it and where you put it, that I think is important in this case. The buyer today, and I'll tell you this, the buyer today is much different than he was 10 years ago, we have safety issues. I think we could be an issue for a host of problems behind these homes, but that being said, we want to make sure that people that move into that subdivision feel like it's the place for them to live, that we want them to come to Lansing Kansas and live here, and that's our number 1 goal.
- Councilmember Buehler stated here's my issue, when we did this in the very beginning you guys came and asked for a waiver of the park fees and we granted that waiver and a lot of that was based on putting the trail in because we knew that the trail was going to cost money. So now, you're asking for a waiver for that too, so now we're waiving A: the park fees, and the trail, and my concern is we have options, we have abilities to do things, or if we continue to waive park fees, we are going to continue to not have the ability to pay for things in our parks, like water, that we want at Bernard Park. So, I don't disagree with you about putting the trails in the back yards, because in my ward and along DeSoto Road, they were going to put an 8 foot sidewalk in the front and they were going to put a trail in the backyard and I don't agree with that, and the residents were the same way, so that part I understand, it's just that I believe if we're going to waive that maybe you should or you could pay the park fee instead, so I mean, I think you're going to still come out ahead financially, if it's as expensive as you've made it sound like it's going to be, and then we have a little bit of park money where we can do things to help improve City Parks, which is what that was for in the first place.
  - Jerry Reilly replied I understand. I want to be clear that we're not asking to waive it, we're asking to relocate it. So we're putting an 8 foot sidewalk in.
    - Councilmember Buehler stated but you already have a 5 foot sidewalk, a 5 foot sidewalk was already required, so you were going to put a 5 foot and an 8 foot, and now what you're doing is putting in an 8 foot.
      - Jerry Reilly stated you're right. Rock Creek Ridge is kind of unique to Lansing, it's got its own park, it's got its own pool, we spent over a quarter of a million dollars putting those facilities in, we're very proud of them. I can tell you that we're not very proud, right now, of the activity we've had this year, and sales aren't what we like. We deal with that buyer first hand every day when he comes in and talks to us about where he wants to live. So we feel, I feel, and Mike feels very strongly that this; we've invested a lot in the Ridge at that park, unlike any other subdivision you have in the community, we want Lansing to prosper, we want your parks to prosper, we've build over 500 homes in Lansing, we will continue to build homes in Lansing, we love your community, our company has been around for 90 years, we are not trying to circumvent anything. We're the ones on the hook, risk, to sell these houses and we want to work and be proud of it, and want you folks to be proud of it and we hope you are. Things have changed a little bit, we've got a brand new 55 million dollar high school across the street, which is phenomenal, which now people can walk to from

this subdivision, I would just say, I'm not sure the trail, 10 years ago, it was a great concept, I'm not sure today in this particular instance it makes sense. People are going to walk out of their homes in this phase and walk to that high school, walk to that pool, walk to that park, and I'm in the subdivision every single day, every day, and when I'm there on the weekends and see people walking they are either walking in the street or on the sidewalk in front of their home, as I think most of us would when we walk out of our homes. So I don't want to appear, at all Commissioner, that we're trying to short change this community, we've got too much at risk to do that. We asked for the waiver of the park fee only because we put our park in and put our pool in, and we hope that that's a great asset to the community.

- Councilmember Garvey stated that doesn't benefit the community, it benefits just that neighborhood itself.
    - Jerry Reilly stated yes, but what it does do is that it benefits people moving to your community.
      - Councilmember Garvey stated but it doesn't benefit me because I live on the other side of town. Where a trail would benefit me because I can use it because it would be public.
        - Jerry Reilly stated right.
- Councilmember Buehler stated where a parks fee would help improve other parts of the City parks, like again, having water out to Bernard Park.
  - Councilmember Trinkle asked what were the parks fees.
    - City Administrator Tim Vandall replied \$19,200.00
- Councilmember Garvey asked do we have any other 8 foot front sidewalks in town, I can't remember.
  - Councilmember Buehler stated I don't think we do and I think...
    - City Attorney Greg Robinson stated just from a terminology standpoint, is it a trail or is it a sidewalk. If it's a sidewalk guess who gets to clean it, if it's a trail the homeowner's association gets to clean it.
      - Councilmember Garvey stated I thought the City would be responsible for the trail.
        - City Attorney Greg Robinson stated oh really, I thought I just saw that on the agreement.
- Councilmember Buehler stated I think the only wide ones that we have are the safe routes to school one that we build right along Ida, and I think that's an 8 foot sidewalk there.
  - Parks & Recreation Director Jason Crum stated up on Gilman, from the highway to Willow Park, there's one too.
    - Councilmember Buehler stated that's right, I forgot about that one.
- Councilmember Pawlowski stated Greg when you have a public improvement that turns over to the City right?
  - City Attorney Greg Robinson replied well it's a dedication yes.
    - Councilmember Pawlowski stated these are considered public improvements.
      - City Attorney Greg Robinson stated well the terminology yes, but.
        - Councilmember Pawlowski stated there's no place where it says who takes care of sidewalks, I mean the trails.
          - City Attorney Greg Robinson stated which, I can't get me finger on it right now, but which tract are we talking about.
            - Councilmember Pawlowski stated I've got a copy here, I printed it out and got my pages messed up.
              - City Attorney Greg Robinson stated I can't locate it either and I had it right here but it says tract C, D, and E shall be owned and maintained by the Rock Creek Homes Association.
  - Councilmember McNeill stated I don't see how that ties directly into the issue, at least from my perspective, but from my view we waived the park fee because you were going to put a trail in. A trail is for the public, not for, and I understand your point from being the developer and doing a lot for Lansing and the community, but the whole reason we waived it was because it was supporting the trail, so my opinion is if you're not putting the trail in, I don't really care how big the sidewalk is in front of the street there, then you should have to pay the park fees.
  - Councilmember Studnicka stated if he puts in the 8 foot sidewalk like he's requesting, does that tie into our trail system. If it does, then it could be used as a trail.
  - Councilmember Buehler stated that's not the point. The point is that we had it as part of the Master Plan.
  - Councilmember Trinkle stated we had trails behind the houses down on Rock Creek and Andi lives on the trail system and we couldn't end up putting them in.

- Councilmember Buehler stated there hasn't been someone that said they were going to do it either, so...
- Councilmember Trinkle stated some of the park fees were waived also because he put the pool and the park in.
  - Councilmember Pawlowski stated no.
- Councilmember Garvey stated if you ignore the park fees, you're still saving money because you're already going to put a 5 foot sidewalk in front, you're adding 3 feet, so 5 foot of the original trail, that you would've put in, you're saving money on that, does that make sense, because you're not pouring that 5 foot, you've already got it in the plan for the front, so that's concrete that you won't have to pay for.
- Councilmember Gardner asked it will tie into the trail system the 8 foot sidewalk in the front yard.
- Councilmember McNeill stated can you show us where that ties in. Don you said it ties into the system.
  - Councilmember Studnicka stated I was asking him a question, because we have other sidewalks that we widen, like on Ida with the Safe Routes to School, but it also ties into our trail plan, and kids, and everybody can walk on it. I don't see an issue here.
    - Councilmember McNeill stated you said it ties into our trail system, so show me. One's behind and links up to a different area.
      - Jerry Reilly stated it's probably important to define trail. And I think it's important to ask ourselves realistically if people walk on the trail or the sidewalk, again we're not trying to circumvent anything, we're trying to do it right, we're trying to sell houses, we've only sold 12 this year, the weakest year we've ever had in Lansing Kansas in the last 30 years, we are challenged folks, I will tell you we are challenged. Look at your core growth, we're trying to make it as affordable. It's fine to say just add it add it add it, but guess who pays for that, the guy that makes the decision if he wants to live here or at Falcon Lakes, or across the river in Missouri, or Wyandotte County, so we deal with it every day. Again, we're not trying to, I would hope, I view us as partners, we always have, I've been doing this for over 40 years, I hope you view us that way, we're not trying to circumvent anything that's going to hurt this city, we would not do that, we wouldn't be building here if we felt that way, we're not like that.
- Councilmember Pawlowski asked Jerry, would you consider not doing the trail in back and paying the park fee and just putting the regular 5 foot sidewalk in front.
  - Jerry Reilly replied if you tell us that's what we've got to do we'll just have to. You understand the market, it's your call. I can tell you this, in all my years I've never seen cost increase from the building permits to the construction of streets, to the construction of homes, we are faced with these new homes, you know, you see it every day, we are faced with terrific cost increase, and we are in a market, ladies and gentlemen, we better open our eyes, this is not Johnson County and we are trying our darndest to compete. Basehor has 108 building permits this year, 108. So I think in theory we can talk about a lot of these things but I think we've got to open our eyes to the reality, and our buyer today, you guys know who our buyers are, we don't have executives in Johnson County that are making \$250,000.00, \$300,000.00 a year, we're trying to build an affordable product, have them come to your community with great schools, great restaurants, good shopping, great community, that's what we're trying to do and do it in an affordable way.
- Lansing resident Janette Labbee-Holdeman stated my respect for Mr. Reilly's situation here, but when the trail plan was originally set up, we really and truly wanted to link them all together, so the goal has always been to move from sidewalks where you're in traffic and things like that, away from them, the traffic, and more or less circle the City in some way or another in the trail system, and we have required the high school to be part of this with their trail system along the creek bed. Personally, I would not like us to deviate from that, as that was our goal, eventually, and it is a quality of life issue. It's wonderful walking on Angel Falls, Andi gets so sick of me saying this, but it's wonderful because you can actually hear the birds singing. You are not confronted with the traffic or a lot of noise, or anything going on, and I think those are the pristine types of areas that we should be encouraging for our trail system. Personally, I would prefer that we did not make an exception here because the next exception is just around the corner, thank you.
- Councilmember McNeill stated the cost that it would take to build that trail now based on the slopes and having to put more...is way above what we waived, so I in no way intend to say you have to stick with that, building the trail that was the deal we made, we can't really do that as there are things that were found after that the trail is not going to be; you know if it was 19,200 or whatever the park fee was, I would say hey you've got to build the trail, so I definitely agree that that shouldn't be an issue.
  - City Attorney Greg Robinson stated but we have a Contract that we negotiated Mr. Councilmember, I just wanted to put that out there.
    - Councilmember McNeill stated I understand that but that's why we're here because we get to vote on what we determine, right. So what I would suggest is that we push this, and I want to

see how this might tie in. If we see the 8 foot trail is going to tie into another piece of the trail system ok, but I'd like to see how that would actually look and how we plan to actually tie that in.

- City Administrator Tim Vandall stated I think you guys had a question before and we got sidetracked a little bit, I'm not sure if it's a front yard 8 foot trail, I'm not sure if that ties in, but my understanding was that the back tied in, was that you're understanding Jason?
  - Parks & Recreation Direction Jason Crum replied it tied into that other piece that is in that homeowner's tract, yes, but then it comes up behind the houses and ties back in to the front sidewalks as a temporary solution so it's not a dead-end. I think ultimately the goal was to carry that on over to DeSoto Road.
    - Councilmember Pawlowski stated its makes a loop around that block. But there's no, the adjacent properties up there are large tracts, so to get it, I don't know how we're going to get it back over to the other side, over DeSoto Road, because those 3 houses there they are all, there's no way to get over there so.
      - Parks & Recreation Direction Jason Crum stated I don't know if it would tie. I think I remember a conversation I had with John Young I thought it would go back to Gilman Road if Gilman ever opened up.
        - Councilmember Trinkle stated we had a discussion about Gilman about opening Gilman up, but we couldn't afford to do that either.
- Mayor Kirby stated there's a motion to approve and a second.
  - Councilmember Pawlowski stated but should there be.
    - Councilmember Buehler stated I agree with Tony.
      - Mayor Kirby stated there's a motion to approve the Facilities Use Agreement for Rock Creek Ridge, 4<sup>th</sup> Plat.
        - Councilmember Pawlowski stated but we don't know what we're modifying it to.
          - Councilmember Buehler stated we're modifying it to going away and putting an 8 foot sidewalk in the front. That's what the motion was, or we can withdraw those and do what Tony said and push it until we figure out how it ties into the trail system and make a better informed decision later on, if you guys withdraw your motion.
- Councilmember Brungardt stated we don't have to make this decision tonight.
  - Councilmember Buehler stated exactly.
    - Councilmember Brungardt stated we don't have to make this decision tonight, let's step back for a minute and gather some more information before we do this.
- Councilmember Trinkle asked what timeline are you on Jerry.
  - Jerry Reilly replied all the lots are graded, we're putting the lines in now, so hopefully we'll be putting some houses in; I think we've got 6 or 8 new houses going up in the spring. And I understand totally, what you're talking about with the trail, but again, I'd like you look around subdivisions in Lansing and show me where there are trails behind houses. There's supposed to be one in Rock Creek down below, but the contractor didn't do it.
    - Councilmember Garvey stated that one was after it was built, yours is before it was built.
- Jerry Reilly stated I guess I would just ask you would any of you want a public trail behind your house.
  - Councilmember Garvey stated I would.
    - Jerry Reilly replied that's great, but not that many people I've talked to would like that, particularly with bedrooms down below and kids
- Councilmember Pawlowski stated it's pretty secluded down there, I don't know if you guys have been down there.
- Jerry Reilly stated to answer your questions, water lines are going in, so you know, hopefully we'll start digging, we've taken 1 lot reservation on that street, but a lot of people looking at it, in spring.
- Mayor Kirby stated we have a motion to approve. We either vote to approve, or we withdraw the motion and bring it back.
  - Councilmember Garvey asked who made the motion.
    - Acting City Clerk Sunshine Petrone replied the motion was made by Mr. Trinkle and seconded by Mr. Studnicka.
      - Councilmember Studnicka stated well, what's the consensus, sounds like we'll be outvoted.

Councilmember Studnicka withdrew his second.

- Councilmember Buehler stated if you don't want to Dave, we can vote on it.
  - Councilmember Studnicka stated it'll die for lack of a second, I just withdrew my second.

Councilmember Trinkle withdrew his motion.

- Councilmember Gardner asked do we set that up for a work session.
  - City Administrator Tim Vandall stated we've got a work session in November, if you guys like, specifically tell me what you want from me and I'll do whatever.
- Councilmember Studnicka stated I want to know how this is going to tie into the trail system, when I read all of this, I assumed that by putting the 8 foot in front it would tie it to our normal trail system. Whether it's in front of the house or in back of the house, it doesn't matter to me, but if it's better for the neighborhood or better for the City as long as it ties in. So if I want to walk from Angel Falls cross over the hill to Stonecrest and through Wyndham 1 and 2, over to the Ridge and I can walk down and it joins that 8 foot sidewalk, I can walk down to the high school that's fine with me, as long as it meets the trail system requirements.
  - Councilmember Trinkle stated but you said the trail system, by putting the sidewalks in is going to make a circle, correct. If it goes back up behind the houses.
    - Mayor Kirby stated this would be a whole lot easier to do, Jason, with maps and pictures. I think that will make it a whole lot clearer for everybody. You can sit here and tell me it ties in here and goes down to tie in there, but I don't get it up here, I need to see it on some paper. If we can get maps and we can all be visual, ok. So then we table this?

Councilmember Studnicka moved to table item 10, the request to modify the Facilities Use Agreement for Rock Creek Ridge, 4<sup>th</sup> Plat. Councilmember Buehler seconded the motion. The motion was unanimously approved.

### **REPORTS:**

**City Attorney:** City Attorney had nothing to report.

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

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

**Governing Body:** Councilmember Garvey thanked the newly appointed Library Board members for their volunteerism with the City and stated way to go Royals.

Councilmember Buehler thanked the volunteers and stated we can't do it without you guys and we appreciate the time you're willing to give for it.

Councilmember McNeill seconded Councilmember Buehler's comments and thanked everyone for staying through the entire meeting.

Councilmember Brungardt thanked the Library Director and volunteers.

Councilmember Studnicka thanked the volunteers and stated we'll solve the trail issue and figure this out. He asked Captain Ontiveros about garage doors being open overnight and if the officers will go up to the house and notify the resident.

- Captain Ontiveros replied yes they do.

Councilmember Trinkle thanked the volunteers and asked Captain Ontiveros about No Shave November.

- Captain Ontiveros replied stop by and see me.

Mayor Kirby thanked the new Library volunteers.


Councilmember Gardner thanked the volunteers and commented on the job well done on the Activity Center Gym Floor.

**ADJOURNMENT:** Councilmember Gardner moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:58 p.m.

**ATTEST:**

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

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

**TO:** Mayor, City Council  
**FROM:** Tim Vandall, City Administrator   
**DATE:** November 12, 2015  
**SUBJECT:** Request to Modify Facilities Use Agreement, Rock Creek Ridge, 4<sup>th</sup> Plat

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Mike Reilly has requested to modify the Facilities Use Agreement to remove the trail behind homes in the fourth phase of Rock Creek Ridge, and pay the City \$19,200 in park fees that were originally waived. The front yard sidewalk would remain at 5', and would connect to an existing residential sidewalk.

Included in the materials are the

- 1) Staff Report/Timeline
- 2) Legal Description from Plat
- 3) Map outlining overall trail system
- 4) Minutes from meeting where FUA was approved and \$19,200 in park fees were waived
- 5) Map outlining this section of proposed trail
- 6) Facilities Use Agreement (pages 2-3 relevant to discussion)
- 7) Pictures of area

Action: Determine whether to leave Facilities Use Agreement as is, or modify FUA to remove trail system behind homes and collect \$19,200 in park fees.

**STAFF REPORT RE:**

**REQUEST FROM MIKE REILLY TO ELIMINATE THE ROCK CREEK RIDGE FOURTH PLAT PLANNED TRAIL FROM ITS PLAN LOCATION ON HOA OPEN SPACE PROPERTY AND INCREASE SIDEWALK WIDTH ALONG CANYON LANE TO 8 FEET**

**2004:**

- Trail corridor is shown in the Master Trail Plan in the Rock Creek Ridge 4<sup>th</sup> Plat approved public improvement plan location
- A portion of this trail was constructed as shown on the Master Trail Plan in Homeowners Association Tract C as part of the public improvements for Rock Creek Estates 2<sup>nd</sup> plat

**2005:**

- Preliminary plat for Rock Creek Ridge 4<sup>th</sup> Plat as approved by Planning Commission called for trail as now shown on approved public improvement plan , in Tract C of Rock Creek Ridge 2<sup>nd</sup> Plat

**2014:**

- Update of Master Trail Plan after considerable public input and discussion in comprehensive plan update shows this trail in the currently approved public improvement plan location

**2015:**

- Construction plans approved by Council show trail in the currently approved public improvement plan location
- Facilities use agreement between developer and City Council calls for trail to be built in the currently approved public improvement plan location
- Cost of the trail is one of the arguments made by the developer as a reason to waive Parkland fees in the amount of \$19,200 for the subdivision (that incentive is formalized in the Facilities Use Agreement).
- A 5 foot sidewalk in front of the homes is already required to be built by the developer as the homes are constructed
- Staff sees no safety issue with the currently approved public improvement plan location
- Staff sees no extraordinary maintenance issue with the currently approved public improvement plan location
- The Facilities Use Agreement is a binding legal document and a new revised Facilities Use Agreement will be required to move trail to a location outside of Tract C of Rock Creek Ridge 2<sup>nd</sup> Plat

[From Rock Creek Estates second Plat]

This is a survey and plat of part of the NW 1/4 of Section 35, T09S, R22E of the Sixth Principal Meridian, now in the City of Lansing, Leavenworth County, Kansas, and a replat of part of SOUTHERN HILLS SUBDIVISION, PLAT 3, a subdivision in the City of Lansing, Leavenworth County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of the NW 1/4 of Section 35, T09S, R22E of the Sixth Principal Meridian, now in the City of Lansing, Leavenworth County, Kansas; thence S 00°04'43" E, along the East line of said NW 1/4 and along the West line of ROCK CREEK WEST SUBDIVISION NO. 3, PHASE 1, a distance of 1,291.17 feet to the Northeast corner of Lot 13, ROCK CREEK ESTATES; thence S 88°45'00" W a distance of 97.62 feet to the Northeast corner of said Lot 13; thence S 82°45'00" W a distance of 233.40 feet to the Northeast corner of Lot 17, ROCK CREEK ESTATES; thence N 60°30'00" W a distance of 148.08 feet to the Northeast corner of Lot 18, ROCK CREEK ESTATES; thence S 18°00'00" W a distance of 90.00 feet to the Northeast corner of Lot 19, ROCK CREEK ESTATES; thence N 68°10'15" W, along the Northernly line of said Lot 19, and its extension thereof, a distance of 208.88 feet to a point on the Westerly right-of-way line of Canyon Lane, as platted; thence Southerly, along said Westerly right-of-way line on a curve to the left having an initial tangent bearing of S 31°46'48" W and a radius of 230.00 feet, for a distance of 37.12 feet to the Northeast corner of Lot 45, ROCK CREEK ESTATES; thence N 77°25'01" W a distance of 170.00 feet, for a distance of 147.88 feet; thence Northwesterly, on a curve to the left having an initial tangent bearing of N 54°50'25" W and a radius of 170.00 feet, for a distance of 25.13 feet; thence N 25°41'28" E a distance of 60.00 feet; thence N 23°28'00" E a distance of 148.00 feet; thence N 00°30'12" E a distance of 83.75 feet; thence N 29°30'00" W a distance of 170.38 feet; thence N 50°00'00" W a distance of 60.00 feet; thence N 73°30'00" W a distance of 110.73 feet; thence N 68°15'00" W a distance of 72.50 feet; thence N 70°19'00" W a distance of 89.98 feet; thence N 72°45'00" W a distance of 168.59 feet; thence N 51°00'00" W a distance of 180.51 feet; thence N 41°00'00" W a distance of 160.00 feet; thence N 28°30'00" W a distance of 80.79 feet; thence N 01°05'28" W a distance of 11.51 feet to a point on the North line of said NW 1/4; thence N 88°53'32" E, along said North line, a distance of 1,730.65 feet to the Point of Beginning, containing 31.024680 acres, more or less.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ROCK CREEK ESTATES, 2ND PLAT".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated.

An easement to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities, upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the City of Lansing, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

An easement is hereby dedicated to the City of Lansing to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, sewer pipes, surface drainage facilities, etc., upon, over, and across those areas outlined and designated on this plat as "Drainage Easement" or "D/E" and Tract "C".

An easement is hereby dedicated to the City of Lansing to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, sewer pipes, manholes, etc., upon, over, and across these areas outlined and designated on this plat as "Sanitary Sewer Easement" or "SS/E".

An easement is hereby dedicated to the City of Lansing to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of sidewalks, upon, over, and across these areas outlined and designated on this plat as "Public Pedestrian Access Easement" or "PDA/E". No fences, utility meters, utility pedestals, landscaping, or any other item that would obstruct pedestrian traffic shall be allowed within the "Public Pedestrian Access Easement" and Tract "C".

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the Rock Creek Homes Association to enter upon, plant, replace, replant, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain, and to authorize any such maintenance, of any and all grass, trees, shrubs, plants and other landscaping and all fences and monuments installed by the undersigned proprietor and by the Rock Creek Homes Association upon, over, or under those areas outlined and designated on this plat as "Landscape Easement" or "L/E".

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the Rock Creek Homes Association to enter upon, construct, replace, repair, and otherwise maintain, and to authorize any such maintenance, of any monuments installed by the undersigned proprietor and by the Rock Creek Homes Association upon, over, or under those areas outlined and designated on this plat as "Monument Easement" or "M/E".

Tracts "C", "D", and "E" shall be owned and maintained by the Rock Creek Homes Association. Tracts "D" and "E" are to be used for landscaping, monuments, fencing, open space, and Home Association amenities. Tract "C" is intended to be used for stormwater drainage, hills/hills paths and open space.

All actions in this subdivision shall hereafter be the sole responsibility of the Rock Creek Homes Association and are to be maintained by said Association.

The lots in this subdivision shall not be subdivided except pursuant to Article 6, Subdivision Regulations or by replat.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The undersigned proprietors of the above described tracts of land hereby consent and agree that the Board of County Commissioners of Leavenworth County, Kansas, and the City of Lansing, Leavenworth County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares or parts thereof, for public use, from the lien and effect of any special assessments and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this 17th day of August, 2004.

JMK PARTNERSHIP, L.L.C.  
(Owner of All except Tracts "A" and "B")

  
JEROME H. REILLY, Managing Partner

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

BE IT REMEMBERED, that on this 17th day of August, 2004, before me a Notary Public in and for said County and State, came JEROME H. REILLY, Managing Partner of JMK PARTNERSHIP, L.L.C. who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he duly acknowledged the execution of the same to be the act and deed of said Corporation.

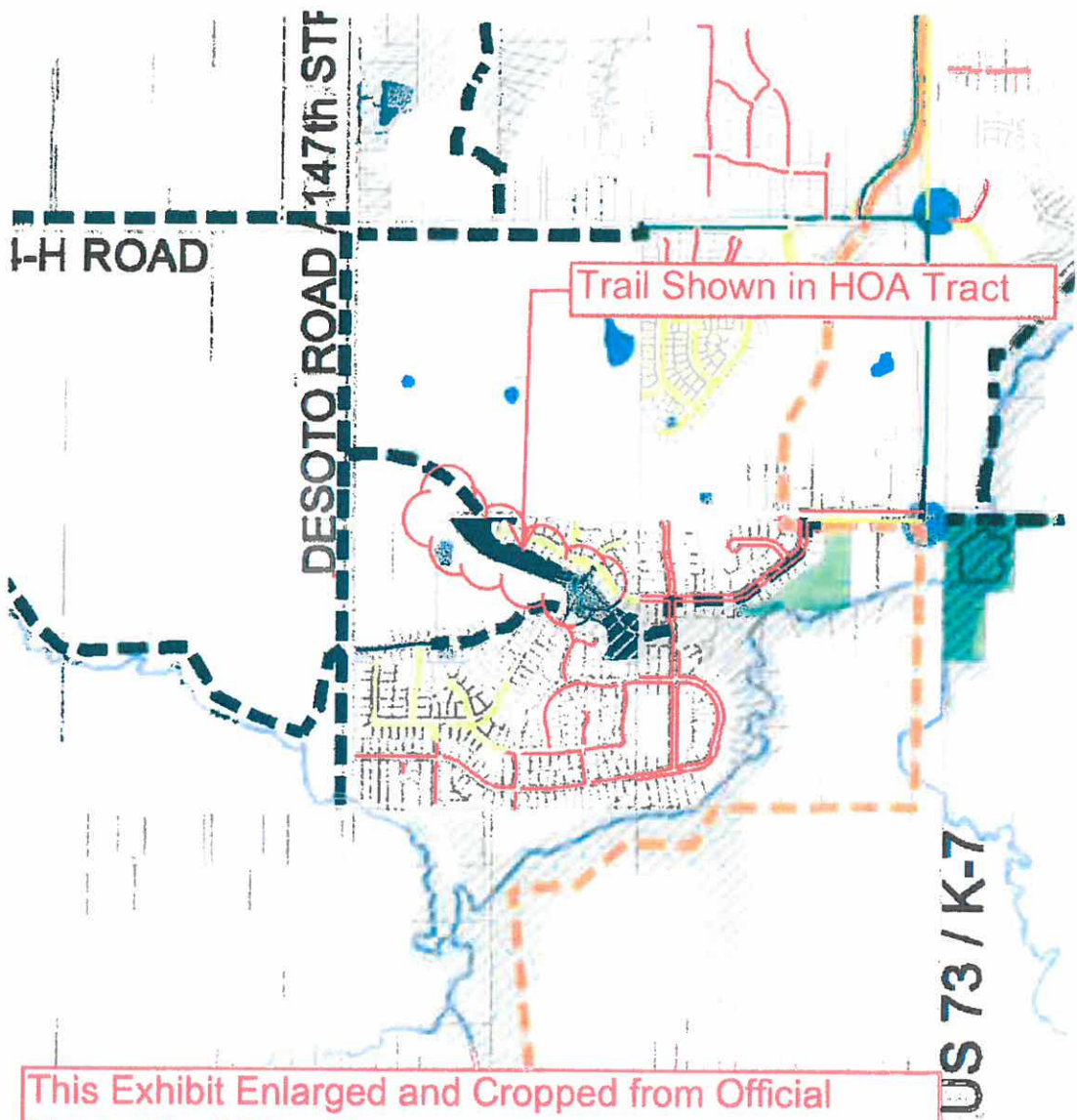
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

  
Notary Public

My Commission Expires: 4-1-08

TEGUNA A FOSTER  
Notary Public  
My Comm. Exp. on 1-7-08





This Exhibit Enlarged and Cropped from Official Master Trail Plan Map

**Call To Order:**

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

**Roll Call:**

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

**Councilmembers Present:**

**Ward 1:** Kevin Gardner and Dave Trinkle

**Ward 2:** Andi Pawlowski

**Ward 3:** Kerry Brungardt

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

**Councilmembers Absent:** Don Studnicka and Jesse Garvey

**OLD BUSINESS:**

**Consent Calendar:** Councilmember Buehler moved to approve the special meeting minutes and regular meeting minutes of February 19, 2015. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

**NEW BUSINESS:**

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

**Presentation: Proclamation – Flood Safety Awareness Week.** Mayor Kirby presented the Flood Safety Awareness Week Proclamation to John Young, Director of Public Works Department.

- Public Works Director John Young stated I would just like to say that we really do want to reach out to the community and make sure that everybody is aware of the potential for flooding in Lansing, and if anybody in the community has any questions at all about flood safety, flood risks, or flood protection, please call the Public Works Department and give us the opportunity to assist you. We have a lot of resources and information there for you, and mapping, and we'll do our best to help. City Council, we hope for the next meeting, to have for you a new Ordinance adopting the updated flood maps that have been done by FEMA, so we'll be able to use those for regulatory purposes. Thank you.

**COUNCIL CONSIDERATION OF AGENDA ITEMS:**

**Final Plat – Rock Creek Ridge, 4<sup>th</sup> Plat:** Councilmember Buehler moved to accept the public dedications of the final plat for Rock Creek Ridge, 4<sup>th</sup> Plat. Councilmember McNeill seconded the motion. The motion was unanimously approved.

**Rock Creek Ridge, 4<sup>th</sup> Plat – Request for Offset of Park Land Fees:** Councilmember Gardner asked if this would go into the Parks & Recreation Budget.

- Public Works Director John Young replied Park Land Fees go into the Parks & Recreation Reserve.
- Councilmember McNeill asked is the trail system part of the ordinance for a developer or anyone who is developing an area that is part of our trail system, isn't that part of the planning I mean isn't it a requirement for them to connect any piece of trail in that developed area, that they plan on developing.
  - Public Works Director John Young replied one of the purposes of placing the Master Trails Plan in the Comprehensive Plan is to be able to use that for leverage to try to get at least the land set aside and if possible, get these constructed. We've been pretty successful at it. This is a cooperative effort, there's been no objection to doing it, but they are just looking for some relief because of the size and the expense of it and the other things going on. Mike Reilly is here if you want to ask him about it.
- Councilmember McNeill stated I am more worried about the park fund. Even when we tried to do the Angel Falls trail, we had to take money out of something else, we don't have any money in the park fund. So waiving \$29,000 00, that's \$29,000 00 that could improve our other City Parks, like Kenneth Bernard Park, so that is the issue I have with it. I understand the cost of the trail, but I don't recall any other developers that had that as a reasoning. The one in Angel Falls, they just did it.
  - Public Works Director John Young stated I don't believe we had park land fees; that was offset as well. In Wyndham Hills the park land fees were offset by the trail there too. There is precedent for this, I understand your concern; we all want to put money in the park fund that's why we raise the fees
    - Councilmember McNeill stated the precedent is we're going to have a really nice trail, but the kids don't play on the really nice trail so much. Families walk on the trail, yes, but little kids like parks to play in. The more money that you drain out of the Parks the less money we have to improve them. I wish Jason [Crum] was here to talk about it.
- Councilmember Buehler stated we did offset the 1<sup>st</sup> plat right.
  - Councilmember Pawlowski replied no, they didn't pay it because staff didn't collect it, but it was included in the first three phases and that is true.

- Public Works Director John Young replied that was collected
  - Councilmember Pawlowski responded not in phase one, phase two and three it was.
    - Public Works Director John Young replied phase one fee was collected.
- Councilmember McNeill asked what one was collected later after the error was found that it wasn't collected.
  - Councilmember Pawlowski stated phase one.
- Councilmember Buehler stated I remember one of them being collected, but I thought one of them was offset, that's why I asked I remember one was late, then we collected it, that's why I'm asking because I don't remember And I thought we waived one of them also, but I don't recall
  - Councilmember Pawlowski stated that was phase two.
    - Developer Mike Reilly stated that I don't believe that anything has been offset, there have only been two phases of all the phases out at either Rock Creek Estates or Rock Creek Ridge that have actually included the trail as of right now, before this phase Rock Creek Estates phase two included the trail back behind that area connecting Willow to Canyon Lane or Canyon View, and then Rock Creek Ridge phase three that we are in now.
- Councilmember Trinkle asked are you doing anything above what is required for the plat.
  - Developer Mike Reilly stated as opposed to leaning on the trail, we view as an amenity that is not only important to the City but also it's important to our community, our homeowners as well, it's something we agreed to early on, and we are certainly going to fulfill that as we have in every phase. What we would like to do, and I don't believe it is required, is to build this construction entrance off of 147<sup>th</sup> Street, to take the major construction traffic, if not the majority of the construction traffic out of our community and off of your streets. Not only the construction equipment to develop the land and the utilities, but also the construction equipment to build our homes for the next four to five years. We think that provides a value and a win win: a win for the City, a win for our homeowners and community members, and a win for us as a developer as well. The \$29,000.00 is a firm estimate that was produced by our contractor to the City. That is the initial cost of that construction entrance. Keep in mind, forty-eight lots and at the pace we are building at now, is a four to five year project. That construction road will have maintenance attached to it, so it's a \$29,000 00 bill to put in for us, but I don't know what that number is going to look like on a maintenance perspective over the next three to four to five years. We would like to do that, it is certainly not a requirement, I think it's benefit to the community, and to do that we are asking for the offset of the park land fees
- Councilmember Trinkle asked so then all the other fees will fall right into place, so they won't ask for anything other than the park land fees.
  - Public Works Director John Young stated one of the points he is making about the construction road, otherwise that would come in on Ridge Drive, like it has for phase two and three, it came on phase one to go on there. They knew that they would have to so they beefed up the pavement to a ten inch pavement instead of an eight inch pavement for that purpose, but now there are a lot of homes there and it's one of the things that the Council has had lots and lots of complaints about on other projects, when construction traffic has to go through an area that already has people living in it, it creates issues and that's one of the primary reasons they are looking at doing this, to try to be sensitive to those kinds of complaints that happen I'm not arguing for it or against it, I just wanted to flush that out.
- Councilmember Gardner asked so you would have entered in where you have entered before, except that there are houses there now.
  - Public Works Director John Young stated without this construction road, they would have to come down Ridge Drive.
    - Developer Mike Reilly stated without the construction entrance we will enter through the main entrance of the Ridge, Ridge Drive.
      - Public Works Director John Young stated the construction entrance requirements that are in our Code have to do with Sediment control and mud tracking, and they have to build something adjacent for the mud tracking.
- Councilmember Gardner stated I hadn't been here, but did anybody have a lot of trouble going through that, with the second and third plats; complaints?
  - Councilmember Trinkle replied I didn't have any complaints
    - Councilmember Pawlowski stated I haven't heard any.
- Councilmember Buehler stated what you were just talking about, construction entrance, as per my email this morning I found that in the Code, that's not the same thing that he's talking about?
  - Public Works Director John Young replied the construction entrance in the code is primarily an improved entrance, so they aren't just running through mud and then driving straight out on the street to try to get rid of the mud or the sediment. Now we have done things in the past where it was absolutely essential to have a maintenance bond on the street that is a provision that can be done, but that doesn't keep the traffic out of the neighborhood

- Mayor Kirby stated the entrance that you're talking about putting in, this construction entrance, keeps all the traffic away from the homes, they won't be effected by it at all with this. You put that in, that's it, the neighbors aren't going to be bothered.
  - Developer Mike Reilly stated correct, as much as humanly possible, recognizing that we're building houses next to some already existing houses, but yes, the heavy load, the majority of the construction traffic on a day to day basis will all access this construction road.
- Councilmember Pawlowski stated that I think if we're going to keep doing this we need to find some other way to get this park land fee. Jason's not here to protect his parks, and we are desperately in need of parks and desperately in need of money to do something with our parks, and that's why this money is here. It's completely separate from the construction entrance.
  - Councilmember McNeill stated what I just want to make sure is if we're going to say the trail system that a developer puts in is an offset to the park land fees, then we ought to make that a policy, so that when a developer comes into an area that is part of the trail system you can offset it. It sounds to me right now that we've offset it for some, and now we're not offsetting it for others which doesn't make any sense.
    - Public Works Director John Young stated it's been a Council decision every time.
      - Councilmember McNeill stated that it has been your [Public Works Department] recommendation every time too, so if we're going to recommend it, then we want to recommend it as part of that.
        - Public Works Director John Young stated what we do is bring forward the requests from the developers when they make them. If they want to make a case for the offset, we bring that forward to you.
          - Councilmember McNeill stated that it starts out with Staff recommends, so if you're going to be recommending, and it's going to be continuous, then we ought to make it a policy that that is an offset to developers who develop in areas of our trail system.
            - Public Works Director John Young replied there wasn't a recommendation there, but we think it's a reasonable request.
              - Councilmember McNeill stated that is a moot point, but what I'm saying is if that's going to be the norm, then I would say we probably should put in our policy that any developer developing that we do offset it, so we're not in situations, but it's an automatic thing.
  - Public Works Director John Young stated that we do look to you, this body for policy direction.
    - City Administrator Mike Smith stated that we should have a discussion on that and we'll get it on a Work Session.
  - Councilmember Gardner asked if we decide to keep the money in the park land fee, does that mean you won't put a road in there. Would it be to your benefit to put a road in there. I know it is tough question.
    - Developer Mike Reilly stated quite honestly I think it's a small ask, what we're asking here. In today's world, with everything that's going on in and around our community, for us to put forty-eight lots in is extremely aggressive. Would I continue to put a construction road in, in the event the request was shot down, then I doubt it. In fact, if the request was shot down then we'd probably have to look at other issues.

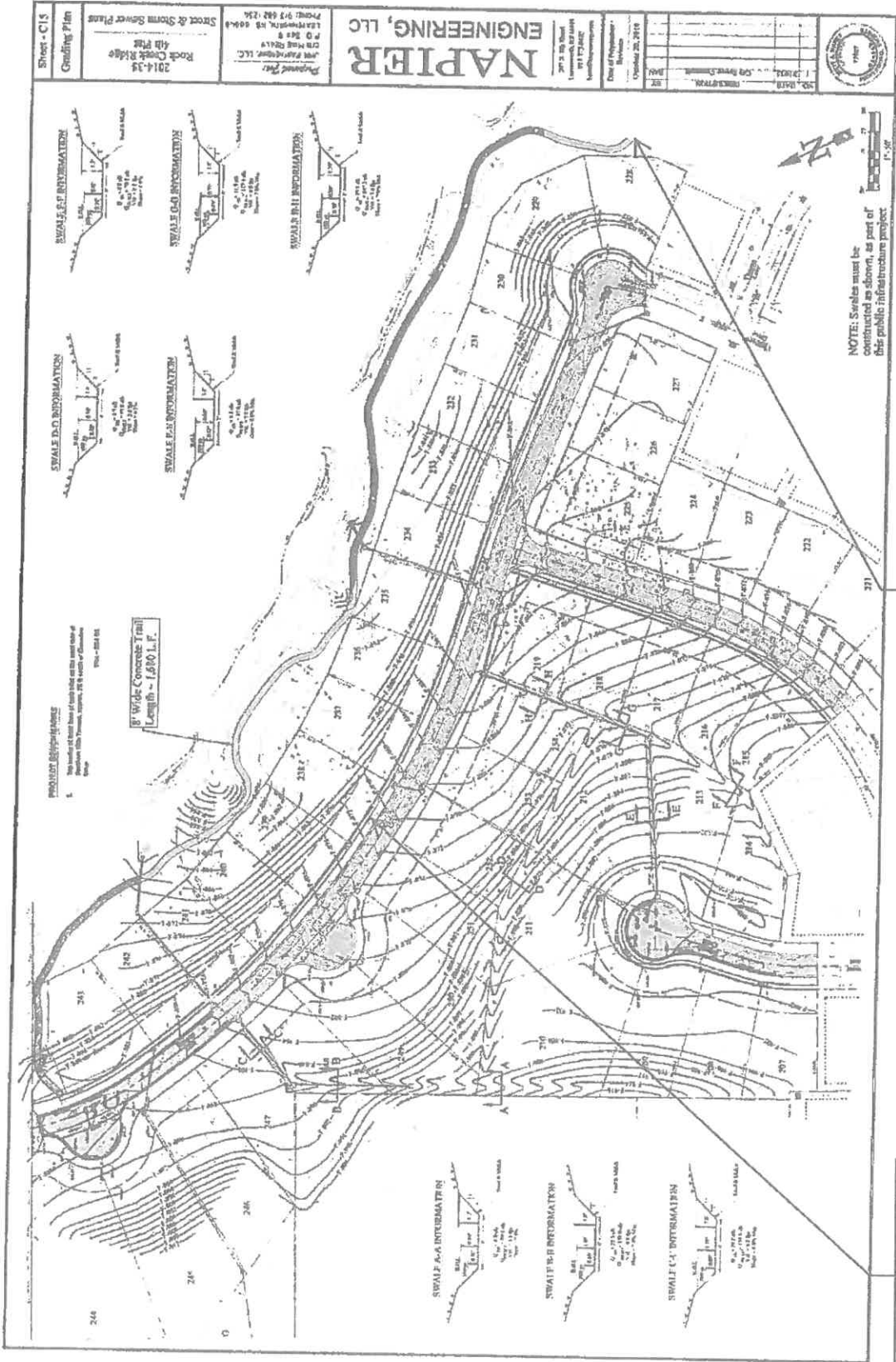
Councilmember Trinkle moved to accept the proposed trail and construction entrance in lieu of the park land fees for Rock Creek Ridge, 4<sup>th</sup> Plat. Councilmember Buehler seconded the motion. The motion was approved with Councilmember Pawlowski and Councilmember Buehler voting against the motion.

**Facilities Use Agreement – Rock Creek Ridge, 4<sup>th</sup> Plat:** Councilmember Buehler moved to approve the Facilities Use Agreement for Rock Creek Ridge, 4<sup>th</sup> Plat, with no park land Fee. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

**Acceptance of Engineering Documents for Public Improvements for Rock Creek Ridge, 4<sup>th</sup> Plat:** Councilmember Buehler moved to accept the Engineering Documents for Rock Creek Ridge, 4<sup>th</sup> Plat, Public Improvements. Councilmember McNeill seconded the motion. The motion was unanimously approved.

**Sanitary Sewer Design Criteria Update:** Councilmember Trinkle moved to approve the updated Sanitary Sewer Design Criteria as presented. Councilmember Buehler Seconded the motion.

- Wastewater Utility Director Tony Zell stated Mayor, I did want to add one thing before we vote. In going back through and talking with other staff, in section T, with the fee for \$500.00 dollars, we'd like to change that to as



connects here to existing trail in HOA tract C of rock Creek estates second plat

planned 5 foot wide sidewalk

The following streets will be constructed as part of this project:

Construction of Ridge Drive beginning at its current east terminus and extending easterly five hundred lineal feet (500 L.F.), and terminating with South Creek Drive.

Construction of South Creek Drive beginning at its intersection with Clearview Drive and extending northwesterly one thousand three hundred fifty lineal feet (1,350 L.F.), and terminating with a class III barricade.

3. Storm Sewer: One thousand three hundred fifty-one lineal feet (1,351 L.F.) of fifteen-inch pipe (HDPE, CMP, or RCP); one hundred sixty-four lineal feet (164 L.F.) of fifteen-inch Class III RCP; two hundred seventeen lineal feet (217 L.F.) of eighteen-inch pipe (HDPE, CMP, or RCP); seventy-two lineal feet (72 L.F.) of twenty-four-inch Class III RCP; eleven (11) 6'x4' curb inlets; two (2) 4x4 area inlets with two throats; two (2) 4x4 area inlets with one throat; one (1) 4x4 area inlet with three throats; seventy-seven square yards (77 S.Y.) of 150 lb. rip-rap; and one five foot (5') diameter storm sewer manhole. Approved road barricades will be erected and maintained at locations as designated on the approved construction drawings or as required by the City.

4. Sidewalks: Sidewalks noted on the public improvement construction plans to be constructed shall be constructed by the Developer at the time of street and storm sewer construction. Construction of other sidewalks shown on the plans will be the responsibility of the building contractors for each individual lot. All ADA ramps shall be constructed by Developer as part of the public improvements in accordance with the approved plans and Lansing Technical Specifications.

Twenty lineal feet (20 L.F.) of five-foot sidewalk.

One thousand six hundred eighty lineal feet (1,680 L.F.) of eight-foot sidewalk.

Four (4) ADA Sidewalk Ramps, with widths as shown on plans.

Sidewalks will be constructed at the time of construction of any adjacent residence. However, it remains the responsibility of the Developer to ensure that sidewalk construction is accomplished on those lots as identified, even if the sidewalk construction is accomplished by the residential builder. Sidewalks must be completed before an occupancy permit will be issued. It is the Developer's responsibility to complete all accessible ramps from the street to the point of connection with the planned or existing sidewalks as part of the public improvements. **The eight foot concrete trail as shown on the street and storm sewer plans shall be constructed as part of the public improvements.**

5. Permanent Traffic Control Signs and Street Name Signs: The Developer is responsible for the cost of the signs and posts as shown on the construction plans. The City will place the sign and post order and install the signs. Payment for the signs and posts must be made to the City prior to acceptance of the public improvements.

**B. Park Land Fees:**

The developer has requested that the Park land fees in the amount of nineteen thousand two hundred dollars (\$19,200) for Rock Creek Ridge, 4th Plat, be waived in consideration for construction of the eight foot wide concrete trail, whose construction value is \$48,000; and the additional consideration of construction of a construction entrance away from the existing residential neighborhood at a cost to the developer of twenty-nine thousand dollars (\$29,000).

**C. Perimeter Street Fees:**

There are no perimeter streets associated with Rock Creek Ridge, 4th Plat; consequently, no fee assessed.

**D. Engineering Drawings:**

Drawings shall be prepared in accordance with Paragraph 6 a, Article 7, of the Subdivision Regulations, and shall be submitted, reviewed, and approved before a construction permit will be issued for construction of the public improvements.

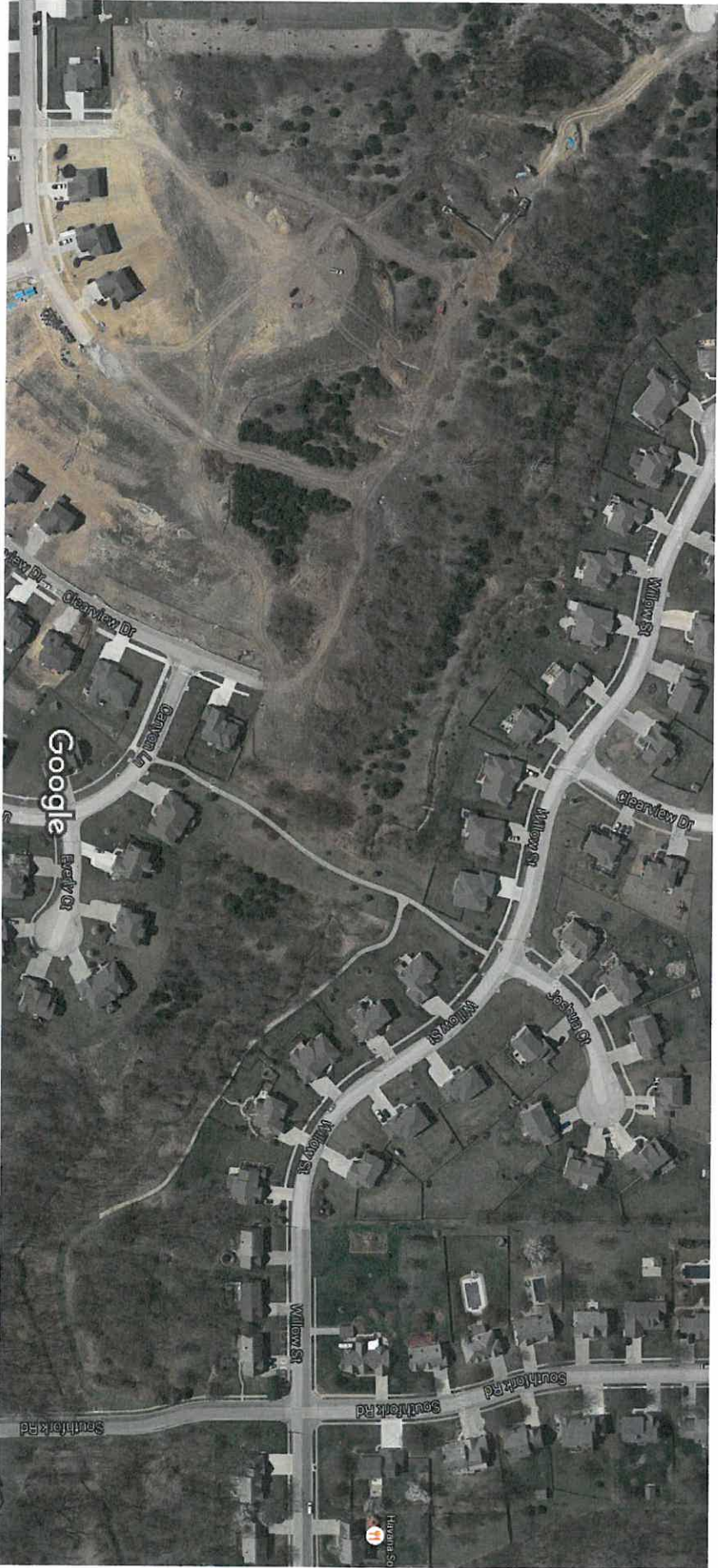
**E. Bonding:**

The developer has elected to provide a performance bond in the form of a corporate surety bond in the amount of 125% (one hundred twenty-five percent) of the construction costs as based upon the actual construction contract amount provided by the Developer and verified as reasonable in the current market by the City Engineer. Once the improvements have been completed and found complete and acceptable by the Director of Public Works, a maintenance bond in the amount of 25% (twenty-five percent) of the construction costs shall be filed with the City Clerk, as a condition of acceptance of the improvements by the City. At that time the performance bond may be released. The maintenance bond will be in effect for a period of three years following the date of acceptance of the public improvements. At the end of the three-year period of the maintenance bond, a subsequent inspection of the public improvements will be conducted prior to release of the maintenance bond. The maintenance bond will not be released until any latent deficiencies have been corrected, all lot boundary pins are set, and all sidewalks across vacant lots have been constructed. Performance Bond for these public improvements is calculated at a face amount of one million two hundred eighty-four thousand seven hundred eighteen dollars (\$1,284,718). Maintenance Bond for these public improvements is calculated at a face amount of two hundred fifty-six thousand nine hundred forty-four dollars (\$256,944).

**F. Construction of Public Improvements:**

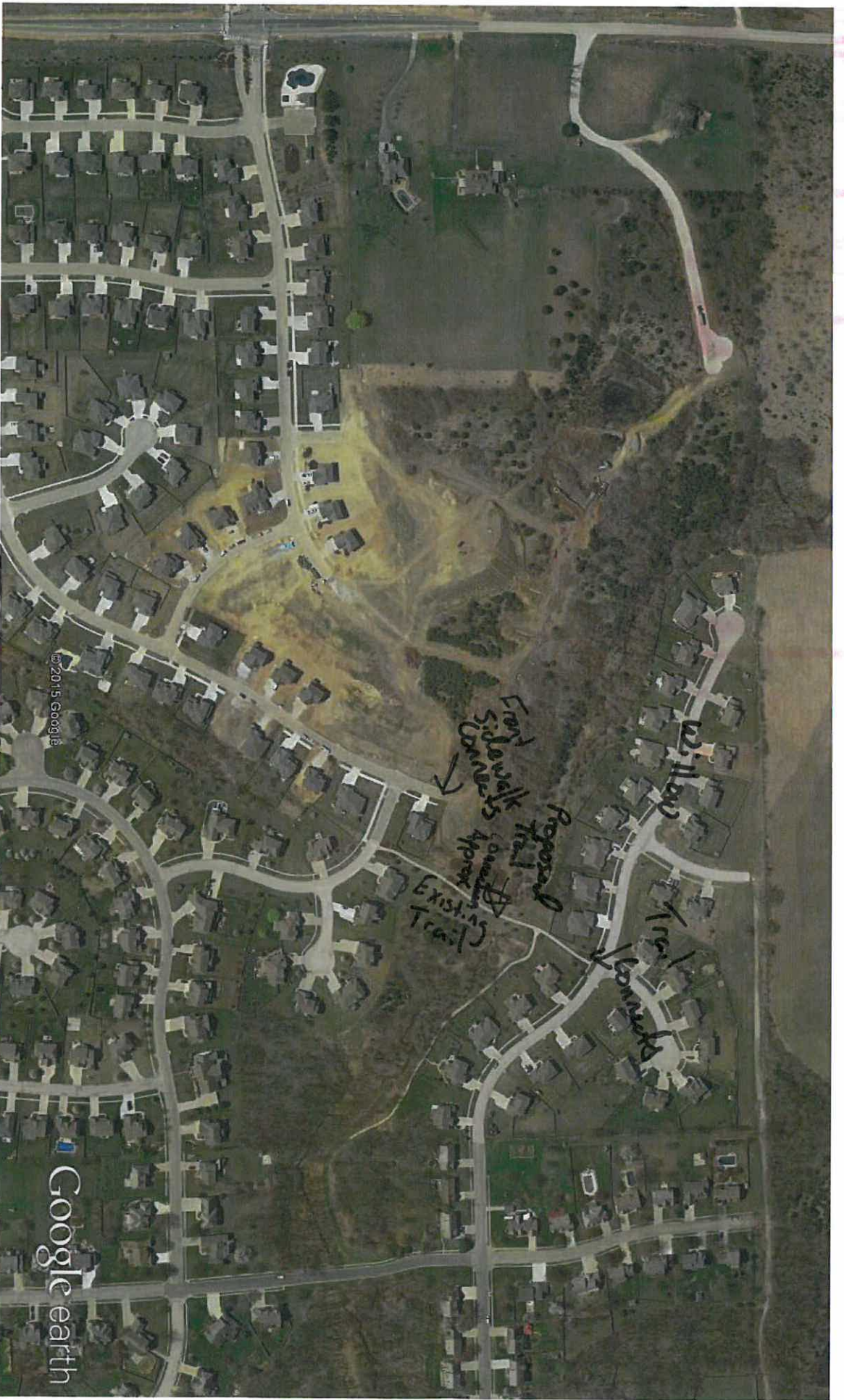
All public improvements will be constructed in accordance with the Technical Specifications for Public and Private Improvement Projects of the City. No public improvement construction shall begin until all the below requirements have been met:

1. This Facilities Use Agreement has been properly executed.



Imagery ©2015 DigitalGlobe, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2015 Google 50 m





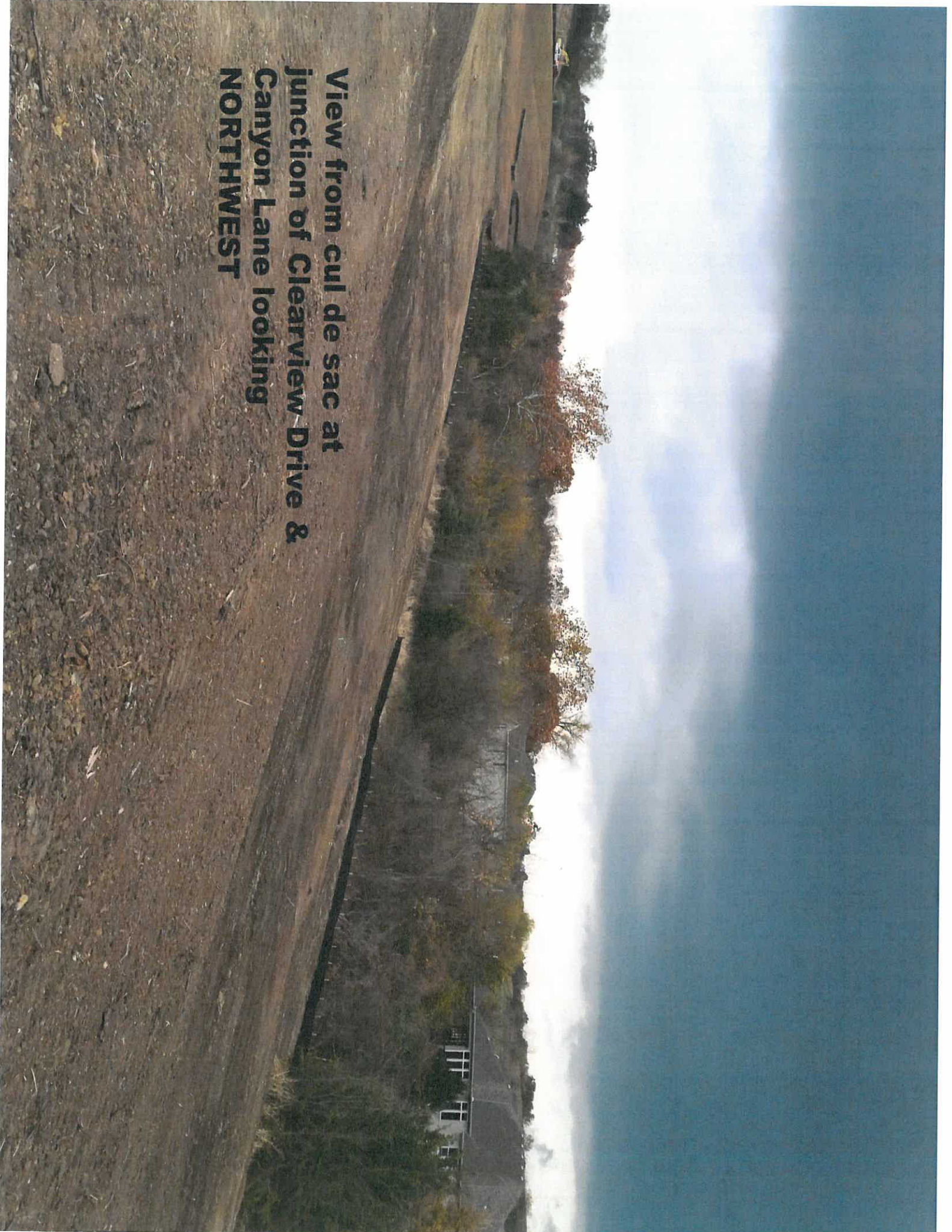
Google earth

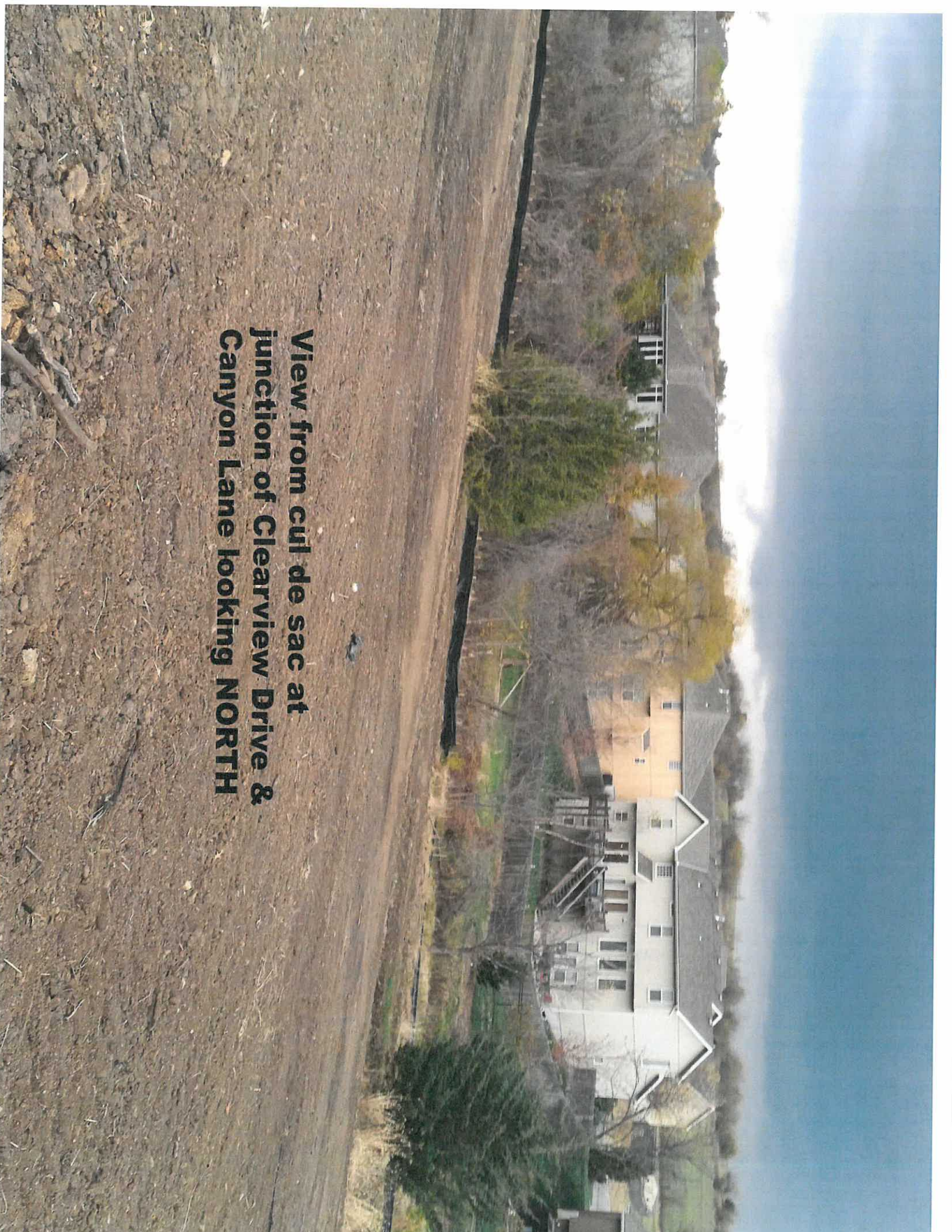
feet  
meters



Google earth

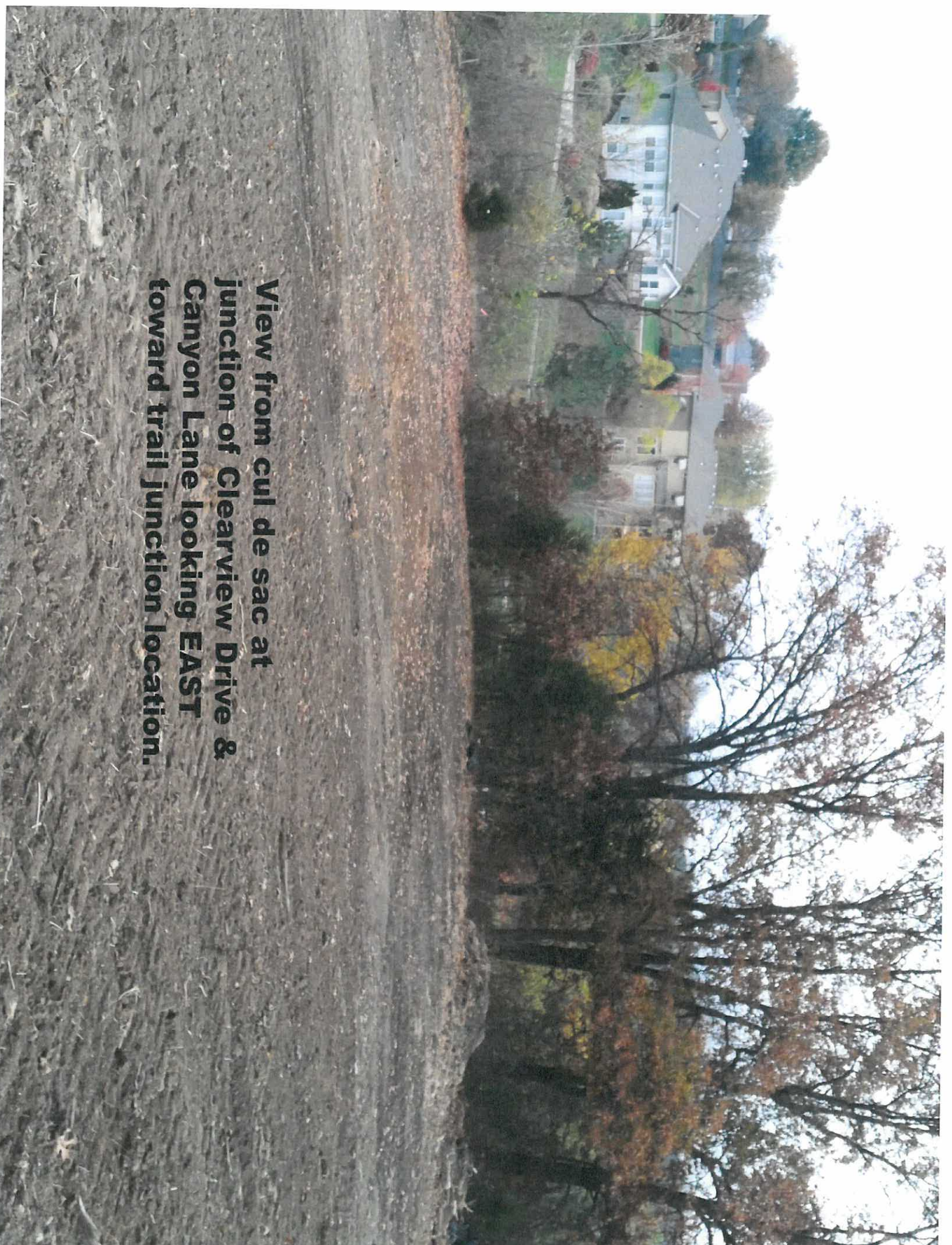
**View from cul de sac at  
junction of Clearview Drive &  
Canyon Lane looking  
NORTHWEST**





**View from cul de sac at  
junction of Clearview Drive &  
Canyon Lane looking NORTH**

**View from cul de sac at  
junction of Clearview Drive &  
Canyon Lane looking EAST  
toward trail junction location.**



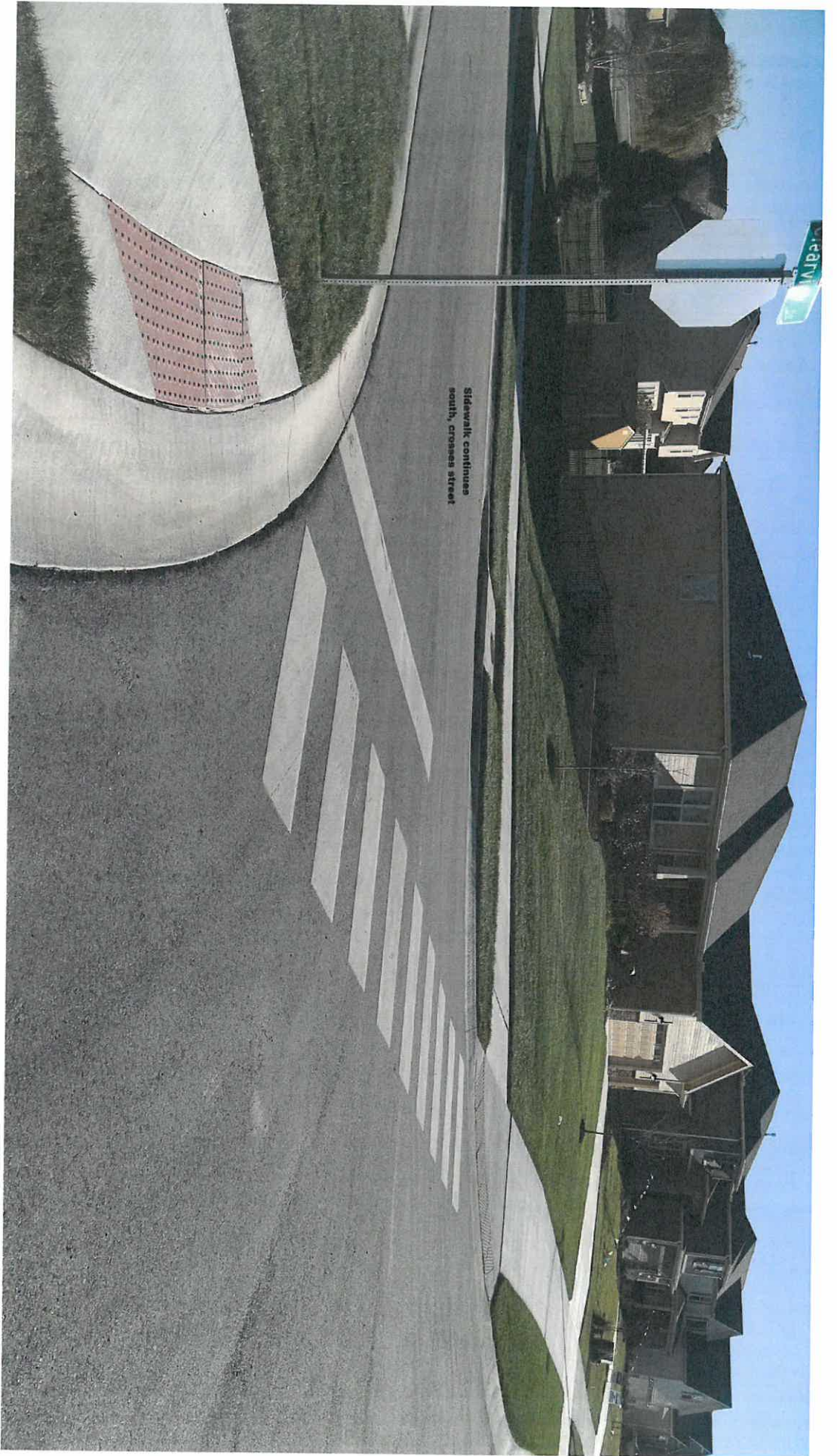


Proposed 8' Trail would connect to existing trail in this approximate location

Existing trail connects to Willow at this location







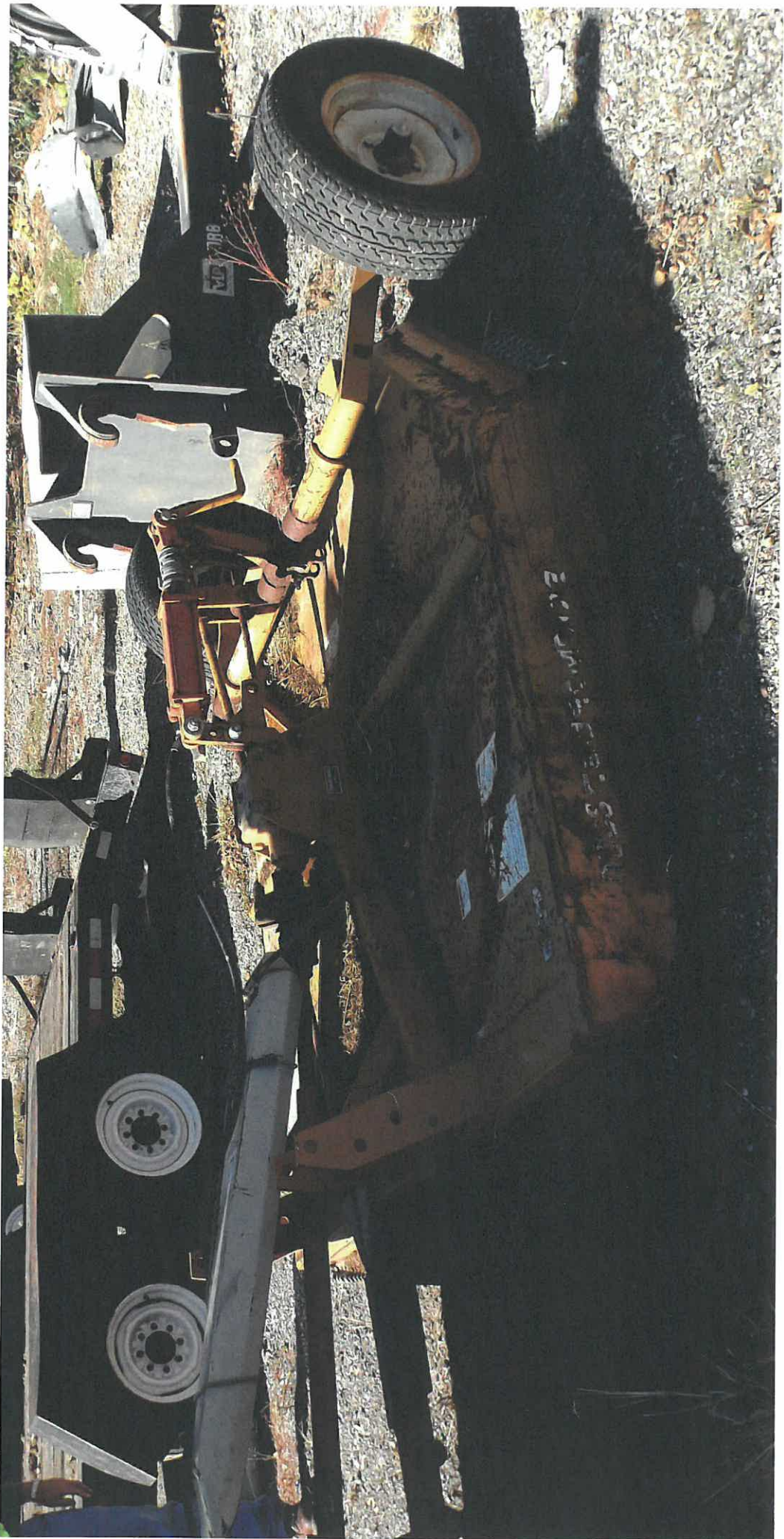
Sidewalk continues south, crosses street





Sidewalktrail goes east, then would need to cross street here to meet existing trail that connects to Willow





**2015 FINAL BUDGET  
EQUIPMENT RESERVE  
FUND 80**

|                                 | 2010<br>ACTUAL | 2011<br>ACTUAL | 2012<br>ACTUAL | 2013<br>ACTUAL | 2014<br>ACTUAL | 2015<br>ADOPTED<br>BUDGET |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|---------------------------|
| <b>Beginning Fund Balance</b>   | <b>31,153</b>  | <b>14,893</b>  | <b>83,631</b>  | <b>153,120</b> | <b>162,724</b> | <b>149,435</b>            |
| <b>Revenues</b>                 |                |                |                |                |                |                           |
| <b>Dept: 009 REVENUES</b>       |                |                |                |                |                |                           |
| 36110 INTEREST ON IDLE FUNDS    | 7              | 0              | 0              | 2              | 4              | 0                         |
| 36112 SALE OF ASSETS            | 0              | 0              | 4,711          | 0              | 2,586          | 0                         |
| 39000 REIMBURSED EXPENSES       | 770            | 0              | 0              | 75,000         | 0              | 145,000                   |
| 39100 MISCELLANEOUS REVENUES    | 0              | 0              | 83,338         | 0              | 0              | 0                         |
| 39900 TRANSFER FROM GENERAL     | 25,000         | 75,000         | 75,000         | 75,000         | 75,000         | 75,000                    |
| <b>Total Revenues</b>           | <b>25,777</b>  | <b>75,000</b>  | <b>163,049</b> | <b>150,002</b> | <b>77,590</b>  | <b>220,000</b>            |
| <b>Expenditures</b>             |                |                |                |                |                |                           |
| <b>Dept: 010 ADMINISTRATION</b> |                |                |                |                |                |                           |
| 43301 ACQUISITION               | 42,038         | 6,262          | 93,561         | 140,398        | 90,879         | 240,000                   |
| <b>Total Expenditures</b>       | <b>42,038</b>  | <b>6,262</b>   | <b>93,561</b>  | <b>140,398</b> | <b>90,879</b>  | <b>240,000</b>            |
| <b>Ending Fund Balance</b>      | <b>14,893</b>  | <b>83,631</b>  | <b>153,120</b> | <b>162,724</b> | <b>149,435</b> | <b>129,435</b>            |

**2014 Capital Replacement Items approved**

|  |         |
|--|---------|
| Loader/Backhoe   | 100,000 |
| 4x4 Heavy Duty Diesel Truck with Dump Bed<br>& Snow plow | 55,000  |

**2015 Budgeted Replacement Items**

|                                     |                 |
|-------------------------------------|-----------------|
| Seeder                              | \$14,000        |
| 7' Rotary Mower                     | \$17,000        |
| 2 Roof Top HVAC Units (730 1st Ter) | \$11,000        |
| <b>Total</b>                        | <b>\$42,000</b> |



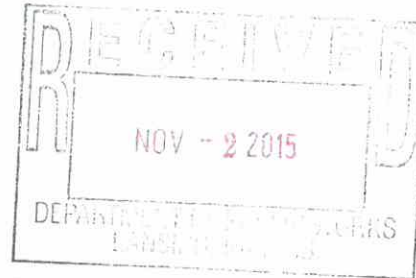


**SELLERS  
EQUIPMENT**

1645 S. West Street  
PO Box 13255  
Wichita, KS 67213  
P 316.943.9311  
F 316.943.8116

City of Lansing  
800 1<sup>st</sup> Terr.  
Lansing, Ks.

**PRICE QUOTE  
SCHULTE 327-15 MOWER**



400 N. Chicago  
PO Box 1940  
Salina, KS 67402  
P 785.823.6378  
F 785.823.8083

3030 S.W. 57th Street  
Topeka, KS 66609  
P 785.862.0031  
F 785.862.0034

395 N. Industrial  
PO Box 1309  
Garden City, KS 67846  
P 620.275.9621  
F 620.275.9623

- 7 FT Rotary Schulte Mower
- 7 Gauge slope deck
- Double chains front and rear
- Heavy duty 210 hp gearbox
- 12 ½" deep, ¼" thick side bands
- 7 gauge stump jumper dish pan
- 540 RPM
- 3 Point mount
- 1 year full warranty w / 5 year pro rated gear box warranty

Your cost \$ 7,780.00

Thank you for the opportunity to quote you. We look forward to working with you on this and future equipment needs.

15325 S. Keeler St.  
Olathe, KS 66062  
P 913.764.2011  
F 913.764.2014

Sincerely,

Rich Cox

Visit us at:  
[www.sellersequipment.com](http://www.sellersequipment.com)

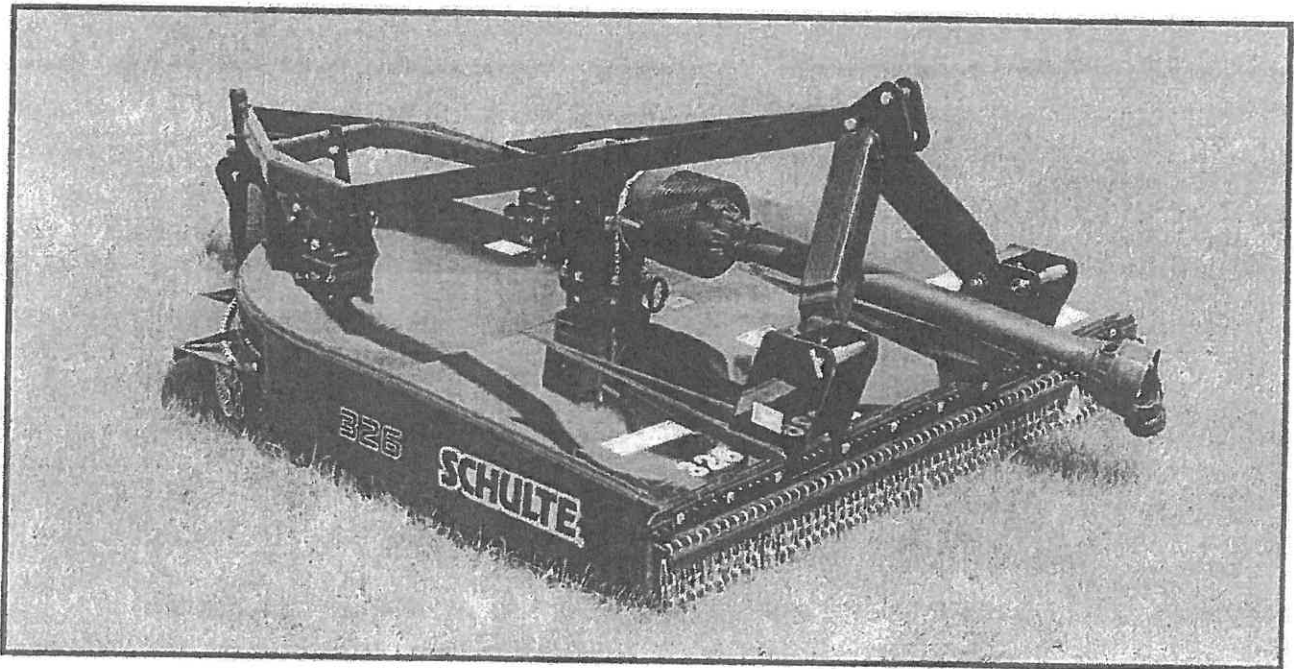
**Sellers Equipment  
913-515-4097**

Equal Opportunity Employer

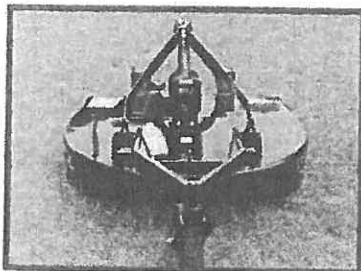


# SCHULTE

## 326 - 327 Rotary Cutters



### Proven, Reliable Performance That You Can Count On



- 1 Improved 7 gauge sloped deck design sheds water and debris to increase deck life.
- 2 Decks are reinforced with internal 7-gauge steel strongbacks that run the full length of the deck tying together the entire structure with the gearbox stand.
- 3 326 and 327 decks are 7-gauge thick steel. Strongbacks are 7-gauge steel.
- 4 Heavy duty 210 hp gearbox rating.
- 5 Sidebands are strong and deep. Formed of 1/4" thick steel, they are 12 1/2" deep.
- 6 Blade pans are 7-gauge steel formed in dished shape for extra strength.

WORLD CLASS - BUILT TO LAST

# 326 / 327 Specifications

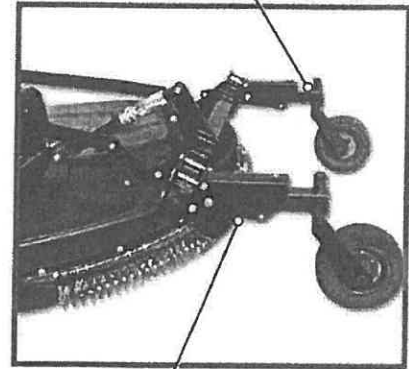
## SPECIFICATIONS 326

|                             |   |
|-----------------------------|---|
| Cutting Width               | 72" (1.83 m)  |
| Cutting Capacity            | 4" (10.1 cm)  |
| Cutting Height              | 2' - 12" (5 cm - 30.5 cm)                                   |
| Approximate Weight          | 1400 lbs (635 kg)   |
| Dimensions (width x length) | 78" x 1181" (198 cm - 465 cm)                               |
| Type Hitch                  | HD 3 Point Category<br>Cat. II & III standard & Quick Hitch |
| Deck Thickness              | 7 gauge   |
| Sidebands                   | .25" x 12.5" (.63 cm x 30.5 cm)                             |
| Driveshaft                  | ASAE Cat 5  |
| Gearbox                     | 210 HP (157 kw)   |
| Tractor PTO Speed           | 540 RPM   |
| Driveline Protection        | Slip Clutch Standard  |
| Blade Holder(s)             | Round   |
| Blades                      | .5" x 4" (1.27 cm x 10.2 cm)                                |
| Blade Tip Speed             | 13,996 FPM  |
| Tires                       | Laminated   |
| Minimum Tractor HP          | 60 PTO  |
| Front and Rear Deflectors   | Chain shielding is standard,<br>double row front and rear   |

## 327

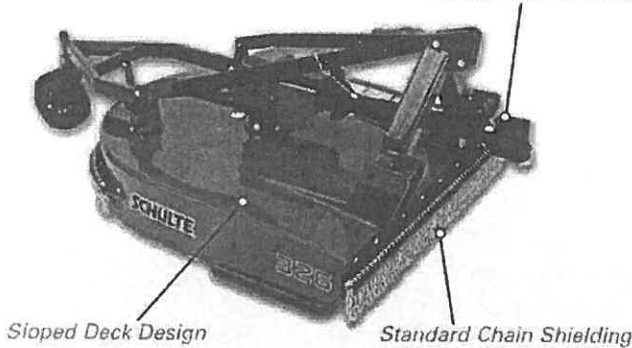
|                             |   |
|-----------------------------|---|
| Cutting Width               | 84" (2.13 m)  |
| Cutting Capacity            | 4" (10.1 cm)  |
| Cutting Height              | 2' - 12" (5 cm - 30.5 cm)                                   |
| Approximate Weight          | 1950 lbs Lift (884 kg)                                      |
| Dimensions (width x length) | 78" x 1181" (198 cm - 465 cm)                               |
| Type Hitch                  | HD 3 Point Category<br>Cat. II & III standard & Quick Hitch |
| Deck Thickness              | 7 gauge   |
| Sidebands                   | .25" x 12.5" (.63 cm x 30.5 cm)                             |
| Driveshaft                  | ASAE Cat 5  |
| Gearbox                     | 210 HP (157 kw)   |
| Tractor PTO Speed           | 540 RPM   |
| Driveline Protection        | Slip Clutch Standard  |
| Blade Holder(s)             | Round   |
| Blades                      | .5" x 4" (1.27 cm x 10.2 cm)                                |
| Blade Tip Speed             | 11,875 FPM  |
| Tires                       | Laminated   |
| Minimum Tractor HP          | 60 PTO  |
| Front and Rear Deflectors   | Chain shielding is standard,<br>double row front and rear   |

Heavy Duty Tail Wheel Assembly



Lift type cushioned axle on 327

Heavy Duty Driveline



Sloped Deck Design

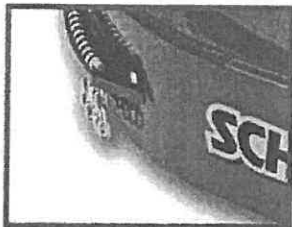
Standard Chain Shielding

Built of heat treated alloy steel, blades are genuine tough and have been refined based on years of experience in rugged, real world conditions.

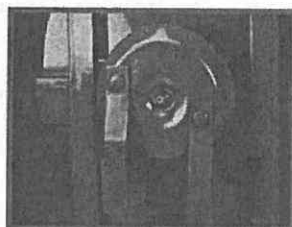
Heavy-duty tail wheel assemblies are standard on both models. 327 comes equipped with a heavy-duty axle and dual wheels for both lift an models. Both lift and pull models come with laminated tires that are built for rugged conditions.

Heavy-Duty Gearbox Stand. An integral part of the cutter's structure, the gearbox stand runs between the strongbacks.

Category 5 Driveline. Rugged ASAE Cat 5 drivelines are standard on both 320 Series cutters.



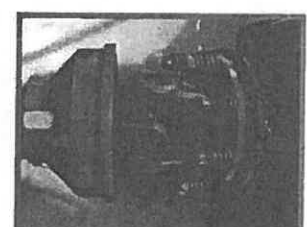
- 12" deep side bands -



- Alloy steel blades & blade pans -



- 210 hp heavy duty gearbox -



- Category 5 driveline -

# SCHULTE

**A** MEMBER OF THE  
**ALAMO GROUP**  
ALWAYS ON THE CUTTING EDGE.

**Schulte Industries Ltd.**

P.O. Box 70, Englefeld, Saskatchewan, Canada S0K 1N0

Tel: (306) 287-3715 Fax: (306) 287-3355

E-Mail: [info@schulte.ca](mailto:info@schulte.ca)

Visit our Web site at: [www.schulte.ca](http://www.schulte.ca)

Schulte is a registered trademark of Alamo Group Inc.

Schulte Industries Ltd. reserves the right to change the design, specification of it's products without notice. Illustrations may include optional equipment and accessories, and may not include all standard equipment.

Sold By:



ISO 9001

PRINTED IN CANADA

PREPARED by NELSON GRAPHIC DESIGN

201410

Manufactured by Bush Hog Inc., as sister company of Schulte Industries Ltd.



Both mowers 8 foot cut, front and rear chain guards, new solid (foam filled) tires.

Prepared For:  
City Of Lansing  
800 1st Ter  
Lansing, KS 66043  
Business: 913-727-1700

Prepared By:  
Kevin Harper  
Heritage Tractor, Inc.  
1110 East 23rd Street  
Lawrence, KS 66046  
Phone: 785-843-8444  
kharper@heritagetractor.com

Quote Id: 12196839  
Created On: 01 October 2015  
Last Modified On: 01 October 2015  
Expiration Date: 30 October 2015

Has double deck with stiffeners. Has domed deck

| Equipment Summary   | Suggested List | Selling Price | Qty | Extended            |
|---|----------------|---------------|-----|---------------------|
| JOHN DEERE MX8 Pull-Type Center Drive Rotary Cutter - 540 RPM PTO | \$ 8,595.90    | \$ 6,770.00 X | 1 = | \$ 6,770.00         |
| LANDPRIDE RCR2596 PULL TYPE ROTARY CUTTER                         | \$ 5,695.00    | \$ 5,695.00 X | 1 = | \$ 5,695.00         |
| <b>Equipment Total</b>  |                |               |     | <b>\$ 12,465.00</b> |

**Quote Summary**

|                    |                     |
|--------------------|---------------------|
| Equipment Total    | \$ 12,465.00        |
| SubTotal           | \$ 12,465.00        |
| Total              | \$ 12,465.00        |
| Down Payment       | (0.00)              |
| Rental Applied     | (0.00)              |
| <b>Balance Due</b> | <b>\$ 12,465.00</b> |

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_



## Cindy Tripp

---

**From:** Jeffrey Focht  
**Sent:** Monday, October 26, 2015 1:32 PM  
**To:** Cindy Tripp  
**Subject:** Re: NEW BRUSH HOG MOWER

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**From:** Kenneth Morgan <[kmorgan@colemanequip.com](mailto:kmorgan@colemanequip.com)>  
**Sent:** Monday, October 12, 2015 10:15 AM  
**To:** Jeffrey Focht  
**Subject:** RE: NEW BRUSH HOG MOWER

Jeff,

Here is the price on the unit you requested. Please call me to talk about the two optional units listed below. I think they would better suit the city in the long run.

- RCR2596 ← \$5,646 extra blades \$225 set 8 foot cut
- Includes front and rear chain guards, pull type hitch, used aircraft tires, 540 rpm equal angle drive line, and hydraulic height adjustment. used aircraft tires
- RC2512 ← \$9,386 extra blades \$280 set
- Includes front and rear chain guards, aircraft tires, and constant velocity drive line. 12 foot cut
- RC5610 ← \$13,711 extra blades \$240 set
- Includes front and rear chain guards, new foam filled tires, 540 rpm conventional u-joint drive line, deck rings, and standard clevis hitch

Thanks,

*Ken Morgan*  
Sales Representative

Coleman Equipment Inc.  
24000 W. 43<sup>rd</sup> Street  
Bonner Springs, KS 66012  
913-710-8789 Cell  
913-422-3044 Fax

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**From:** Jeffrey Focht [<mailto:focht@lansing.ks.us>]  
**Sent:** Monday, October 5, 2015 7:05 AM  
**To:** Kenneth Morgan <[kmorgan@colemanequip.com](mailto:kmorgan@colemanequip.com)>  
**Subject:** NEW BRUSH HOG MOWER

## MX8 Specifications

NOTE: Weights are with typical optional equipment. Weight varies with other optional equipment.

The maximum static vertical load for a pull type cutter occurs in the road transport position when equipped with authorized attachments.

| Item  | Measurement | Specification    |
|---|-------------|------------------|
| MX8 Maximum Static Vertical Load on Tractor Drawbar | Weight      | 363 kg (801 lb.) |

|   |   |
|---|---|
| <b>MANUFACTURER</b>                           | <b>John Deere</b>   |
| <b>MODEL</b>                                  | <b>MX8</b>  |
| <b>Capacity</b>                               |   |
| Cutting Width, mm (in.)                       | 2450 (96)   |
| Cutting Height, mm (in.)                      | 25 to 305 (1 to 12)   |
| Cutting Diameter of Material, mm (in.)        | 50 (2)  |
| Cutting Chamber Depth, mm (in.)               | 216 (8.5)   |
| <b>Tractor Compatibility</b>                  |   |
| Tractor PTO kW (hp.) Range                    | Minimum 30 (40) (Pull-Type, Semi-Mount, and Semi-Mount Hydraulic Off-Set)<br>Minimum 37 (50) (Lift-Type)                      |
| Tractor PTO rpm                               | 540   |
| <b>Hitch</b>                                  |   |
| Type  | Pull-Type, Lift-type, Semi-mount, Semi-mount Hydraulic offset (Pull-Type has standard 4536 kg ([10 000 lb.] Safety Tow Chain) |
| Category                                      | 2, 3, 3N  |
| <b>Dimensions</b>                             |   |
| Transport Width, mm (in.)                     | 2580 (102)  |
| Overall Width, mm (in.)                       | 2580 (102)  |
| Overall Length, mm (in.)                      | 2810 (111)  |
| Deck Shape                                    | Domed   |
| Deck Type                                     | Double Deck   |
| <b>Deck Thickness, mm (in.) (gauge)</b>       |   |
| —Upper  | 3 (0.125) (11)  |
| —Lower  | 3 (0.125) (11)  |
| <b>Side Skirt Thickness, mm (in.) (gauge)</b> | 4.5 (0.177) (7)   |
| <b>Approximate Weight, kg (lb.)</b>           | 759 (1670)  |
| <b>Drivelines</b>                             |   |
| <b>Size</b>                                   |   |
| Main Driveline                                | ASAE Category 4   |
| Connecting Driveline                          | —   |
| <b>Protection Type</b>                        |   |
| Main Driveline                                | Non-seize, self-adjusting clutch (Pull-Type has equal-angle Category 4 driveline)   |
| Connecting Driveline                          | —   |

|                        |   |
|------------------------|---|
| <b>MANUFACTURER</b>    | <b>John Deere</b>   |
| <b>MODEL</b>           | <b>MX8</b>  |
| <b>Gearcases</b>       |   |
| Quantity               | 3   |
| <b>kW (hp.) Rating</b> |   |
|                        | 89.4 (120) continuous   |
| Transfer Gearcase      | 97 (130) peak   |
| Center Gearcase        | —   |
|                        | 56 (75) continuous  |
| Outer Gearcase         | 74.5 (100) peak   |
| <b>Blades</b>          |   |
| Thickness, mm (in.)    | 13 (0.5)  |
| Width, mm (in.)        | 102 (4)   |
| Type                   | Suction   |
| Overlap, mm (in.)      | 75 (2.8)  |
| <b>Blade Tip Speed</b> |   |
| 540 rpm                | 80 m/s (15 739 fpm)   |
| 1000 rpm               | —   |
| Material Flow System   | Max Flow  |
| Holder                 | Round Stumpjumper   |
| <b>Wheels</b>          |   |
| Type                   | Puncture Proof Laminated (Pull-Type has Severe-Duty Ag tire option) |
| Row Width Adjustment   | Yes - Pull-Type only  |
| <b>Shielding</b>       |   |
| Front                  | Chain   |
| Rear                   | Chain   |

Specifications are based on published information at the time of publication. Specifications are subject to change without notice. Contact your local John Deere™ dealer for more information.

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*John Deere is a trademark of Deere & Company*

OUO6074,0000A68-19-201

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# MX8 Rotary Cutter

## FEATURES

- Max Flow cutting chamber for a clean cut
  - Safety chain shields
  - Stump jumper blade holder
- ▶ [See All Features](#)

[LOCATE A DEALER](#)



[Overview](#)

[Features](#)

[Accessories & Attachments](#)

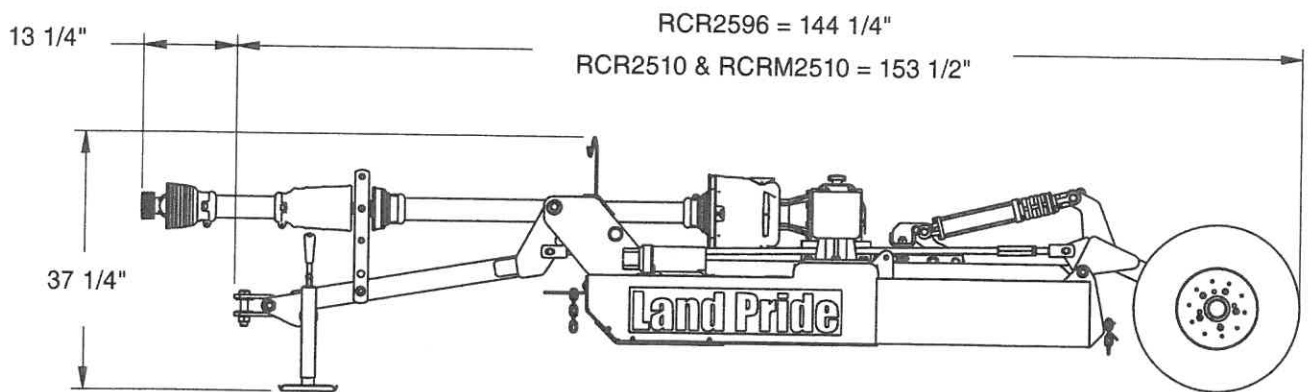
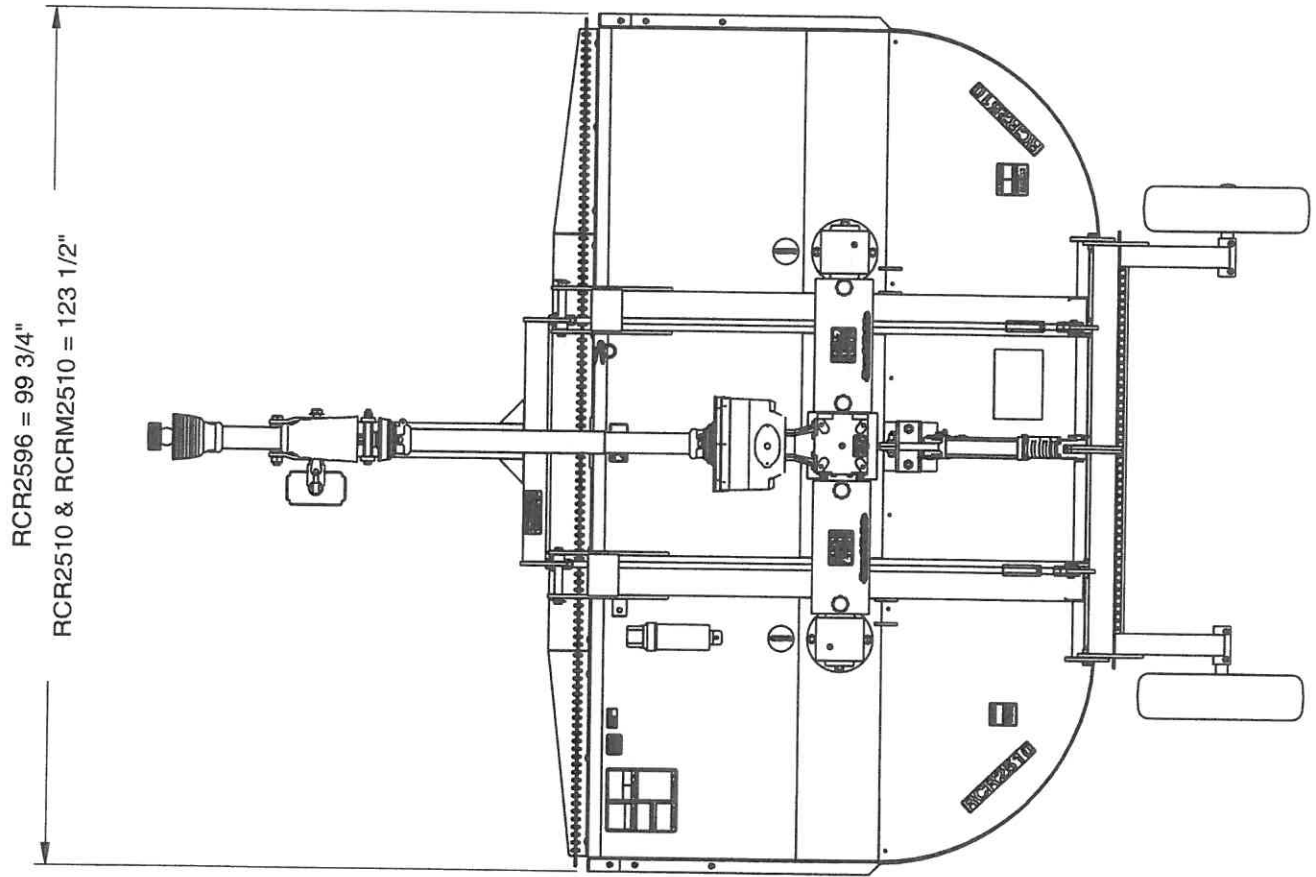
### MX8 Rotary Cutter

The patented Double-Decker design improves cutting performance, while the internal stiffeners are sandwiched between the decks to add extra strength and rigidity.

\*Manufacturer's suggested price. MSRP may be different in California. Taxes, freight, setup, and delivery not included. Optional accessories and attachments not included. Equipment, models and prices may vary by dealer. Product options and accessories may not be available in all regions. Product features are based on published information at the time of publication. Product features are subject to change without notice. Contact your local John Deere dealer for more information.

## RCR25 Series

|  | Specifications & Capacities  |  |
|--|--|--|
| Model Numbers                                      | RCR2596 (540 RPM)  | RCR2510 (540 RPM)<br>RCRM2510 (1000 RPM)   |
| Machine Weight (With Front and Rear Chain Shields) | Lift-Type 1,380 lbs.<br>Pull-Type 1,665 lbs.   | Lift-Type 1,750 lbs<br>Pull-Type 2,035 lbs.  |
| Hitch  | Lift-Type Category 1 & 2<br>Quick-Hitch adaptable<br>Pull-Type - w/Dual Level Rods                                     | Lift-Type Category 2 & 3<br>Quick-Hitch adaptable<br>Pull-Type - w/Dual Level Rods |
| Cutting Width                                      | 7' - 10"   | 9' - 10"   |
| Overall Width                                      | 8' - 3 3/4"  | 10' - 3' 1/2"  |
| Overall Length                                     | Lift-Type: 8' - 6"<br>Pull-Type: 12' - 1/4"  | Lift-Type: 9' - 0"<br>Pull-Type: 12' - 9 1/2"                                      |
| Deck Height  | 9 5/8"   |  |
| Cutting Height                                     | 2" - 12"   | 2' - 10 1/2"   |
| Cutting Capacity                                   | 1 1/2"   |  |
| Tractor H.P. Rating (PTO)                          | Lift-Type: 50 - 110<br>Pull-Type: 40 - 110   | Lift-Type: 60 - 110<br>Pull-Type: 50 - 110   |
| PTO Speed  |  |  |
| Gearbox Rating H.P.                                | Center - 100 HP Outboard 60 HP   |  |
| Gearbox<br>(Speed up beveled gears)                | 540 rpm or 1000 rpm PTO Driven Gearbox<br>Cast Iron Housing, Beveled Gears   |  |
| Gearbox Lubrication                                | 80-90W EP  |  |
| Gearbox Oil Capacity                               | End Boxes<br>T-Box   |  |
|  | 2.5 Pints<br>4.5 Pints   | 2.5 Pints<br>4.5 Pints   |
| Gear box Input/ Output Shaft Size                  | Input Shaft = 1 3/4" - 20 Spline<br>Output Shaft = 2" Dia.   |  |
| Deck Material Thickness                            | 10 gauge   |  |
| Deck Side Skirt Thickness                          |  |  |
| Skids  | Replaceable  |  |
| Stump Jumper                                       | Round Pan 3/16"  |  |
| Blades (2)   | 1/2" x 4" Heat Treated<br>Free-Swinging Suction Blades   |  |
| Blade Bolts  | Keyed with Harden Flat Washer and Lock Nut   |  |
| Blade Tip Speed                                    | 540 RPM 14,592 fpm   | 540 RPM 17,749 fpm<br>1000 RPM 18,035 fpm  |
| Driveline  | Cat 4, w/Equal Angle U-Joint   | Cat 4 w/Equal Angle U-Joint or<br>Constant Velocity U-Joint                        |
| Driveline Protection                               | 540 rpm - 4 plate slip clutch<br>1000 rpm - 2 plate slip clutch  |  |
| Tailwheel Option                                   | Lift-Type (2 ea.) 4" x 8" x 15 1/4" Laminated<br>Pull-Type (2 ea.) 6" x 9" x 21" Laminated or 24" Recap Aircraft tires |  |
| Optional Safety Shields                            | Front & Rear Chain/ Front & Rear Rubber  |  |



26816

Pull Type RCR25 Series

Overview    Features    Specifications    **Compare**

1 - 2 of 2 Models Displayed    Add/Remove Models

EXPAND ALL    COLLAPSE ALL

**- CAPACITY**

|                                | <b>John Deere<br/>MX8</b>   | <b>Landpride<br/>RCR3596</b> <sup>x</sup> |
|--------------------------------|-----------------------------|---|
| Cutting Width                  | 2,450 mm<br>96 in.          | 2,489 mm<br>98 in.                        |
| Cutting Height                 | 25 to 305 mm<br>1 to 12 in. | 50 to 267 mm<br>2 to 10.5 in.             |
| Cutting Capacity<br>(Diameter) | 50 mm<br>2 in.              | 50 mm<br>2 in.                            |
| Cutting Chamber<br>Depth       | 216 mm<br>8.5 in.           | 244.5 mm<br>9.625 in.                     |

**- TRACTOR COMPATIBILITY**

|                         | <b>John Deere<br/>MX8</b>   | <b>Landpride<br/>RCR3596</b>  |
|-------------------------|---|---|
| Tractor PTO HP<br>Range | Minimum PTO pull-type,<br>semi-mount, semi-<br>mount hydraulic offset<br>30 kW<br>40 hp | Lift-type; 37 to 89 kW<br>50 to 120 hp<br>Pull-type, semi-mount;<br>22 to 89 kW<br>30 to 120 hp |

|             | John Deere<br>MX8                       | Landpride<br>RCR3596 |
|-------------|---|----------------------|
|             | Minimum PTO lift-type 37<br>kW<br>50 hp |                      |
| Tractor PTO | 540 rpm                                 | 540 rpm              |

#### HITCH

|          | John Deere<br>MX8   | Landpride<br>RCR3596 | X |
|----------|---|----------------------|---|
| Type     | Pull-type, lift-type, semi-mount, semi-mount hydraulic offset (Pull-type has standard 10,000 lb; 4536 kg, safety tow chain) | Lift-type            |   |
| Category | 2, 3, 3N  | 1, 2                 |   |

#### DIMENSIONS

|                      | John Deere<br>MX8           | Landpride<br>RCR3596   | X |
|----------------------|-----------------------------|--|---|
| Transport Width      | 2,580 mm<br>102 in.         | 2,604 mm<br>102.5 in.  |   |
| Overall Width        | 2,580 mm<br>102 in.         | 2604 mm<br>102.5 in.   |   |
| Overall Length       | 2,810 mm<br>111 in.         | Lift-type 2,667 mm<br>105 in.<br>Semi-mount 2,794 mm<br>110 in.<br>Pull-type 3,429 mm<br>135 in. |   |
| Deck Shape           | Domed                       | Flat   |   |
| Deck Type            | Double decker               | Single   |   |
| Deck Thickness       | ---                         | ---  |   |
| Upper                | 3 (11) mm<br>0.125 (11) in. | 3.4 (10) mm<br>0.314 (10) in.  |   |
| Lower                | 3 (11) mm<br>0.125 (11) in. | ---  |   |
| Side Skirt Thickness | 4.5 (7) mm<br>0.177 (7) in. | 6.3 (3) mm<br>0.25 (3) in.   |   |
| Approx. Weight       | 759 kg<br>1,670 lb          | 611 kg<br>1,347 lb   |   |

#### DRIVELINES

|            | John Deere<br>MX8  | Landpride<br>RCR3596 | X |
|------------|--|----------------------|---|
| Size       | ---  | ---                  |   |
| Main       | ASAE Category 4  | ASAE Category 4      |   |
| Connecting | ---  | ---                  |   |
| Protection | ---  | ---                  |   |
| Main       | Non-seize, slip-clutch driveline, pull-type has equal-angle Category 4 driveline | 4-plate slip clutch  |   |
| Connecting | Shock absorbing shafts   | ---                  |   |

#### GEARCASES

|        | John Deere<br>MX8 | Landpride<br>RCR3596 |
|--------|-------------------|----------------------|
| Number | 3                 | 3                    |



|           | John Deere<br>MX8                                  | Landpride<br>RCR3596 |
|-----------|--|----------------------|
| HP Rating | ---  | ---                  |
| Transfer  | Continuous 89 kW<br>120 hp<br>Peak 97 kW<br>130 hp | 89 kW<br>120 hp      |
| Center    | ---  | ---                  |
| Outer     | Continuous 56 kW<br>75 hp<br>Peak 75 kW<br>100 hp  | 75 kW<br>100 hp      |

#### • BLADES

|                      | John Deere<br>MX8                                | Landpride<br>RCR3596      | X |
|----------------------|--|---------------------------|---|
| Thickness            | 13 mm<br>0.5 in.                                 | 13 mm<br>0.5 in.          |   |
| Width                | 102 mm<br>4 in.                                  | 102 mm<br>4 in.           |   |
| Type                 | Suction  | High-suction              |   |
| Overlap              | 72 mm<br>2.8 in.                                 | ---                       |   |
| Blade Tip Speed      | ---  | ---                       |   |
| 540 RPM              | 4,797 m/min<br>15,739 fpm<br>288 km/h<br>179 mph | 4,335 m/min<br>14,223 fpm |   |
| 1000 RPM             | ---  | ---                       |   |
| Material Flow System | Max flow   | ---                       |   |
| Holder               | ---  | ---                       |   |
| Type                 | Round stump jumper                               | Round pan stump<br>jumper |   |

#### • WHEELS

|                         | John Deere<br>MX8  | Landpride<br>RCR3596 | X |
|-------------------------|--|----------------------|---|
| Type                    | Puncture proof<br>laminated (Pull-type has<br>severe-duty Ag tire<br>option) |                      |   |
| Row Width<br>Adjustment | Yes, pull-type only  | ---                  |   |

#### • SHIELDING

|       | John Deere<br>MX8 | Landpride<br>RCR3596                        | X |
|-------|-------------------|---|---|
| Front | Chain             | Optional chain guard or<br>rubber deflector |   |
| Rear  | Chain             | Optional chain guard or<br>rubber deflector |   |



## EXECUTIVE SUMMARY

The City of Lansing contracted Professional Engineering Consultants, P.A., to update the City's current wastewater user charge system based on the City's historical; growth, future wastewater system needs, imposed user rates, revenues, expenses, cash flow, Lansing Correctional Facility (LCF) impacts, Aramark Laundry Facility impacts, and administrative costs. This report utilizes the previous *Wastewater User Charge Assessment* prepared in July 2007 and its November 2012 update as a base from which to project conditions for the period of 2016 to 2026. Additionally, goals, budgets, and projects supplied by the City's 2014 Wastewater Master Plan were incorporated into this update. The 2007 report should be referenced for a detailed explanation of the development of the current user charge system in use by the City. This report presents analyses and summaries of future expenditures, revenues, budgets, system users, and proposed rates for the City of Lansing.

The basic user charge system has served the City well since 2007 and through 2015. However, the following major issues have served to impact its continued effective implementation and have reduced the ability of the City to provide adequate day to day services and to maintain the long term viability of the system's infrastructure;

1. Limited residential and commercial growth
2. Increasing annual operational costs
3. Continued Use of Ad Valorem Tax contributions
4. Deferred collection system maintenance and rehabilitation
5. Inability to effectively address new capital needs in the collection system
6. Establishment and management of self-sustaining equipment funds necessary to meet periodic mechanical and electrical needs
7. Continued stringent regulatory oversight

An overall initial review of City operations yielded the following general observations:

1. **Service:** Excellent service is provided to the utilities' customers.
2. **Regulatory:** Excellent other than a need to provide more frequent and effective sampling of the LCF flow stream.
3. **Staff and Operations:** Excellent staff, with expertise and abilities, provide effective operations for the wastewater treatment plant. Lack of adequate and timely funding result in inadequate abilities to address normal inspections, preventative maintenance, and rehabilitation efforts within the wastewater collection system.
4. **Financial:** Inadequate revenue, LCF rate requirements, and retention of funds within replacement and planning accounts have caused impacts to all other segments of the system management. The day to day operations and management of the user charge system and the system's debt obligations is good.
5. **Planning:** Other than the wastewater treatment plant, detailed system planning and inspection is inadequate to provide for the long term adequacy and condition of the wastewater collection system.

To address these conditions and issues, a diverse working group including City operational and administrative staff, City council members, and PEC was formed to provide input and oversight during the system update. The major goals of the work were to:

1. Eliminate the use of Ad Valorem Tax revenue for system operations

2. Maintain an annual operational fund carryover of at least \$600,000
3. Modify and implement rates for LCF that more clearly reflect actual cost of service
4. Accumulate and manage equipment replacement funds for the utility use only
5. Provide base funds for implementation of capital improvement projects
6. Establish and maintain ongoing funding for collection system inspections, maintenance, and rehabilitation
7. Continue to evaluate the implementation of extra strength charges for the City's major industrial wastewater dischargers.

Based on the considerations above, all of the goals were realized with the proposed rate structure with the LCF schedule modified to reflect cost of service and revenue and the continued phasing out of Ad Valorem Tax use by 2017. The following residential and commercial rate structures have been recommended for implementation beginning in 2016:

| <b>Residential Wastewater User Charges</b> |                    |                      |                                       |                   | <b>Commercial Wastewater User Charges</b> |                    |                      |                                       |                   |
|--|--------------------|----------------------|---------------------------------------|-------------------|---|--------------------|----------------------|---------------------------------------|-------------------|
| <b>Year</b>                                | <b>Base Charge</b> | <b>Volume Charge</b> | <b>New Customer Charges (6 Units)</b> | <b>% Increase</b> | <b>Year</b>                               | <b>Base Charge</b> | <b>Volume Charge</b> | <b>New Customer Charges (6 Units)</b> | <b>% Increase</b> |
| 2014                                       | \$14.50            | \$4.30               | \$40.30                               | -                 | 2014                                      | \$16.50            | \$4.45               | \$43.20                               | -                 |
| 2015                                       | \$15.75            | \$4.75               | \$44.25                               | 10%               | 2015                                      | \$17.75            | \$4.90               | \$47.15                               | 9%                |
| <b>2016</b>                                | <b>\$16.00</b>     | <b>\$6.00</b>        | <b>\$52.00</b>                        | <b>18%</b>        | <b>2016</b>                               | <b>\$18.00</b>     | <b>\$6.15</b>        | <b>\$54.90</b>                        | <b>16%</b>        |
| <b>2017</b>                                | <b>\$21.00</b>     | <b>\$6.75</b>        | <b>\$61.50</b>                        | <b>18%</b>        | <b>2017</b>                               | <b>\$23.00</b>     | <b>\$6.90</b>        | <b>\$64.40</b>                        | <b>17%</b>        |
| <b>2018</b>                                | <b>\$21.00</b>     | <b>\$6.75</b>        | <b>\$61.50</b>                        | <b>0%</b>         | <b>2018</b>                               | <b>\$23.00</b>     | <b>\$6.90</b>        | <b>\$64.40</b>                        | <b>0%</b>         |
| <b>2019</b>                                | <b>\$21.00</b>     | <b>\$6.75</b>        | <b>\$61.50</b>                        | <b>0%</b>         | <b>2019</b>                               | <b>\$23.00</b>     | <b>\$6.90</b>        | <b>\$64.40</b>                        | <b>0%</b>         |
| <b>2020</b>                                | <b>\$26.00</b>     | <b>\$6.75</b>        | <b>\$66.50</b>                        | <b>8%</b>         | <b>2020</b>                               | <b>\$28.00</b>     | <b>\$6.90</b>        | <b>\$69.40</b>                        | <b>8%</b>         |

Note: See Table 6-1 in the Report for complete, proposed Residential, Commercial, and LCF Rates, Connection Fees, and Extra Strength Charges. Also see Appendix D for LCF cost of service and extra strength charge analysis.

Implementation of these proposed rates, procurement of additional office administrative software, and adherence to strict internal (replacement) fund administration will provide the basis for more effective and efficient annual operations, long term planning and system care, and an ability to address system needs and necessary planning for capital improvements.

By current agreement, the City of Lansing and the LCF are to renegotiate the LCF user charge rates by May of 2016 for implementation beginning in June of 2016.

## ORDINANCE NO.956

### AN ORDINANCE ADOPTING THE FINANCIAL PLAN AND USER CHARGE RATE SCHEDULE FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN THE CITY OF LANSING, COUNTY OF LEAVENWORTH, STATE OF KANSAS.

Pursuant to Article 2 (Sewers), Section 16-207 of the Code of the City of Lansing, Kansas, published under the authority and by the directions of the Governing Body of the City of Lansing, Kansas on March 5, 2015, the City of Lansing is required to develop and implement a User Charge Rate Schedule to generate adequate revenues to spread the costs of operation, maintenance, and replacement costs (O, M & R) for the City's sewer system among users.

**Section 1.** Pursuant to recommendations made by staff, with consultation of others in the utility industry, the following five (5) year user-charge rate schedule for residential customers hereof is adopted by the Governing Body of the City of Lansing, Kansas.

#### Combined Monthly Residential User Charge Rate

| Year | Base Charge | Volume Charge (per unit)** | New Customer Charges (6 units) |
|------|-------------|----------------------------|--------------------------------|
| 2016 | \$16.00     | \$6.00                     | \$52.00                        |
| 2017 | \$21.00     | \$6.75                     | \$61.50                        |
| 2018 | \$21.00     | \$6.75                     | \$61.50                        |
| 2019 | \$21.00     | \$6.75                     | \$61.50                        |
| 2020 | \$26.00     | \$6.75                     | \$66.50                        |

\*\*1 unit = 750 gallons of water

**Section 2.** Pursuant to recommendations made by staff, with consultation of others in the utility industry; the following five (5) year user charge rate schedule for commercial customers hereof is adopted by the Governing Body of the City of Lansing, Kansas.

#### Combined Monthly Commercial User Charge Rate

| Year | Base Charge | Volume Charge (per unit)** |
|------|-------------|----------------------------|
| 2016 | \$18.00     | \$6.15                     |
| 2017 | \$23.00     | \$6.90                     |
| 2018 | \$23.00     | \$6.90                     |
| 2019 | \$23.00     | \$6.90                     |
| 2020 | \$23.00     | \$6.90                     |

\*\*1 unit = 750 gallons of water

**Section 3.** Pursuant to recommendations made by staff, with consultation of others in the utility industry, discharges to the sanitary sewer system in excess of 300mg/L BOD<sub>5</sub>, 300 mg/L TSS, or 100mg/L FOG

shall pay an additional surcharge based on the following stated rates or as determined by the City of Lansing after appropriate sampling and analysis.

\$0.85/Pound BOD<sub>5</sub>/Month

\$0.38/Pound TSS/Month

\$0.33/Pound FOG/Month

**Section 4.** Pursuant to recommendations made by staff, Lansing Correctional Facility representative, and consultation of others in the utility industry, the Kansas Department of Correction's monthly User Charge shall be determined proportional to its actual use of the treatment plant based on negotiations and related agreement between the City of Lansing and the Lansing Correctional Facility. The City of Lansing and the Lansing Correctional Facility shall also enter into reasonable, good faith negotiations to determine an acceptable solution if the Lansing Correctional Facility generates sewage flows, over an extended period of time, in excess of its purchased treatment capacity. Incremental changes shall be fully justified and documented by the City of Lansing on an annual basis.

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

That this ordinance shall be effective from and after its passage, approval and publication in the official City newspaper.

**PASSED AND APPROVED** by the governing body of the City of Lansing, County of Leavenworth, State of Kansas, this 19<sup>th</sup> day of November, 2015.

{SEAL}

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



**Attest:**

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory Robinson, City Attorney

Published:  
*Leavenworth Times*

**TO:** Tim Vandall, City Administrator   
**FROM:** Sarah Bodensteiner, City Clerk   
**DATE:** November 12, 2015  
**SUBJECT:** Appointment to the Leavenworth County Fire District #1 Joint Board

---

The Leavenworth County Fire District # 1 Board of Trustees currently has two City of Lansing representative positions that will expire on December 31, 2015. The City is accepting applications for these positions through November 20, 2015. The inter-local cooperation agreement requires a Joint Board to name Fire District Board of Trustee members. The Joint Board consists of the Mayor of the City of Lansing, two members of the Lansing City Council, the Delaware Township Board Trustee, and the High Prairie Township Board Trustee.

Action: Staff recommends a motion to appoint Mayor Gene Kirby and two (2) council members to the Joint Fire District Board that will meet on December 14, 2015 to appoint two representatives from the City of Lansing to serve on the Leavenworth County Fire District #1 Board of Trustees.

Lansing Police Department  
Vehicle Fleet End of Month Report

Oct-2015

| Unit | Year | Make/Model       | Mileage as of 10/01 | Mileage as of 11/02   | Miles Driven | Current Use    | Future Use     | Comments                      |
|------|------|------------------|---------------------|-----------------------|--------------|----------------|----------------|-------------------------------|
| 1    | 2013 | Ford Explorer    | 40112               | 41447                 | 1335         | Patrol         | Patrol         | Fit for patrol duty           |
| 2    | 2012 | Dodge Charger    | 15651               | 16190                 | 539          | Lieutenant     | Lieutenant     | Limited Use - Lieutenant      |
| 3    | 2015 | Ford Explorer    | 3522                | 4410                  | 888          | Limited        | Limited        | Fit for patrol duty           |
| 4    | 2015 | Ford Explorer    | 2145                | 2793                  | 648          | Limited        | Limited        | Fit for patrol duty           |
| 5    | 2012 | Dodge Charger    | 15920               | 16129                 | 209          | Captain        | Captain        | Limited Use - Captain         |
| 6    | 2013 | Ford Explorer    | 27392               | 28310                 | 918          | Patrol         | Patrol         | Fit for patrol duty           |
| 7    | 2002 | Ford Explorer    | 115457              | 115889                | 432          | Patrol         | Patrol         | Limited Use - Detective       |
| 8    | 2011 | Dodge Charger    | 48215               | 49577                 | 1362         | Patrol         | Patrol         | Fit for patrol duty           |
| 9    | 2012 | Chevy Tahoe      | 58900               | 59942                 | 1042         | Patrol         | Patrol         | Fit for patrol duty           |
| 10   | 2011 | Dodge Charger    | 23549               | 25280                 | 1731         | Chief          | Chief          | Limited Use - Chief           |
| 11   | 2003 | Ford F150        | 72511               | 72657                 | 146          | Animal Control | Animal Control | Fit for Animal Control duties |
| 13   | 2010 | Dodge Charger    | 76069               | 76823                 | 754          | Patrol         | Patrol         | Fit for patrol duty           |
| 14   | 1995 | Ford EOC Vehicle | 162103              | 162103                | 0            | EOC            | EOC            | Limited Use - EOC             |
| 15   | 2006 | Dodge Charger    | 113795              | 114863                | 1068         | Sergeants      | Sergeants      | Fit for patrol duty           |
| 16   | 2007 | Ford Van         | 13024               | 13024                 | 0            | Transport      | Transport      | Limited Use - Transport       |
| 17   | 2010 | Dodge Charger    | 82575               | 83674                 | 1099         | Patrol         | Patrol         | Fit for patrol duty           |
|      |      |                  |                     | <b>Mileage Total:</b> | 12171        |                |                |                               |



**Lansing Public Works Department  
Monthly Fleet Report**

Month October Year 2015

**Vehicles**

| Year | Make          | Model        | Description     | Mileage Starting | Mileage Ending | Miles Driven | Comments                      |
|------|---------------|--------------|-----------------|------------------|----------------|--------------|-------------------------------|
| 2008 | Ford          | LT           | LT. Pick-up Ext | 42,800           | 43,758         | 958          |                               |
| 2007 | Ford          | LT           | LT. Pick-up Ext | 29,457           | 29,677         | 220          |                               |
| 1998 | Ford          | 1/2 ton      | Pick-up         | 56,005           | 56,042         | 37           |                               |
| 2001 | Ford          | Ranger       | LT. Pick-up Ext | 112,525          | 112,797        | 272          |                               |
| 2005 | Ford          | Ranger       | LT. Pick-up Ext | 36,981           | 37,079         | 98           |                               |
| 2000 | Ford          | Explorer     | SUV             | 177,078          | 177,657        | 579          |                               |
| 2005 | Sterling      | LT 8500      | Dump Truck      | 44,136           | 44,540         | 404          |                               |
| 2007 | Elgin         | Crosswind J+ | Street Sweeper  | 4,266            | 4,293          | 27           |                               |
| 1992 | Ford          | 700          | Dump Truck      | 62,236           | 62,347         | 111          |                               |
| 1999 | Ford          | F350 4x4     | Dump Truck      | 82,862           | 82,862         | 0            | back in the shop (electrical) |
| 2000 | Ford          | F350 4x4     | Pick-up Utility | 90,869           | 91,048         | 179          |                               |
| 2002 | Ford          | F350 4x4     | Dump Truck      | 66,681           | 66,973         | 292          |                               |
| 2011 | International | 7400         | Dump Truck      | 8,491            | 8,890          | 399          |                               |

**Equipment**

| <b>Year</b> | <b>Make</b> | <b>Model</b> | <b>Description</b> | <b>Hours Starting</b> | <b>Hours Ending</b> | <b>Hours Used</b> | <b>Comments</b>     |
|-------------|-------------|--------------|--------------------|-----------------------|---------------------|-------------------|---------------------|
| 1997        | JD          | 770BH        | Grader             | 4,903                 | 4,910               | 7                 |                     |
| 2004        | IR          | DD-24        | Asphalt Roller     | 241                   | 242                 | 1                 |                     |
| 2006        | IR          | 185          | Air Compressor     | 159                   | 159                 | 0                 |                     |
| 1993        | Ford        | 5030         | Tractor            | 344                   | 356                 | 12                |                     |
| 1997        | Bobcat      | 763          | Skid Steer         | 1,961                 | 1,966               | 5                 |                     |
| 2014        | Case        | 580 SNWT     | Backhoe            | 196                   | 203                 | 7                 |                     |
| 2002        | Crafco      | 110          | Crack Sealer       | 732                   | 734                 | 2                 |                     |
| 2003        | Kubota      | L3710        | Tractor            | 1,358                 | 1,368               | 10                |                     |
| 2009        | Case        | 465          | Skid Steer         | 458                   | 460                 | 2                 |                     |
| 2004        | Case        | 621D         | Front Loader       | 2,013                 | 2,013               | 0                 | at wastewater plant |

Oct-15

City Influent 27.76 MG City Avg Daily .896 MG  
 LCF Influent 12.01 MG LCF Daily Avg .388 MG  
 Total Biosolids 1.04 MG Precip 1.43

Vehicles

| Year  | Make         | Model  | Description   | Mileage Start | Mileage Ending | Miles Driven | Current Use        | Comments |
|-------|--------------|--------|---------------|---------------|----------------|--------------|--------------------|----------|
| 1995  | Dodge        | 3500   | Flatbed Truck | 86630         | 86748          | 118          | Collection System  |          |
| 1999  | Sterling     | Vactor | Jet Truck     | 7791          | 7935           | 144          | Collection System  |          |
| 2002  | Ford         | 350    | Pick Up Truck | 84783         | 85192          | 409          | Ops/Maint.         |          |
| 2006  | Ford         | Cr Vic | Sedan         | 142573        | 142882         | 309          | Ops/Maint.         |          |
| 2005  | Ford         | 550    | Flatbed Truck | 40489         | 40500          | 11           | Ops/Maint.         |          |
| 2005  | Freightliner | M2106  | Dump Truck    | 16739         | 16837          | 98           | Biosolids Disposal |          |
| Total |              |        |               |               |                | 1089         |                    |          |

Equipment

| Year | Make       | Model      | Description     | Hours Used | Current Use           | Comments       |
|------|------------|------------|-----------------|------------|-----------------------|----------------|
| 1990 | Ag Chem    | 2004       | Solids Tanker   | 6506       | 0 Spare               | Out of Service |
| 1991 | Case       | 1825       | Uni-Loader      | 932        | 2 Plant Activities    |                |
| 1999 | Sterling   | Vactor     | Jet Truck       | 2171       | 18 Collection System  |                |
| 1999 | Aries      | Saturn III | Camera Trailer  | 331        | 0 Collection System   |                |
| 2004 | John Deere | 7920       | Tractor         | 1008       | 27 Biosolids Disposal |                |
| 2005 | Polaris    | Ranger #1  | Utility Vehicle | 848        | 12 Operations         |                |
| 2004 | Case       | 621D       | loader          | 2067       | 23                    |                |
| 2005 | Polaris    | Ranger #2  | Utility Vehicle | 914        | 12 Maintenance        |                |
| 2006 | JCB        | 531-70     | Telehandler     | 472        | 4 Plant Activities    |                |

November 6, 2015

Lansing City Council Members:

Recently I was asked to attend a meeting with Chris from Confluence to discuss the issue of revising our current Zoning Ordinances, as they exist, or to go forward with a UDO Plan. During the discussion some dollar amounts were estimated for the revision of the Zoning Ordinance and also starting from scratch and creating a UDO Plan. These fees were all in excess of the \$70,000 - \$75,000 that is currently budgeted for this project.

During the meeting Chris was presented with the Preliminary UDO document that all of us have received. He took a copy with him to review and has replied to said document. He has stated that the cost to use the preliminary UDO and proceed for a final version would range between \$50,000 and \$60,000. Cost is below the budgeted amount possibly leaving some money to address some areas of concern with the Comp Plan / Land Use, etc.

Hopefully everyone has had some time to review the pros and cons of a UDO as well as had time to review the Preliminary UDO as provided. In follow up to our joint study session, we are looking for guidance on how the city would like to proceed. If another meeting is required or more information is needed, please let me know. Look forward to the decision of the Commission so we can move forward with this process.

Thank you –

Joe Herring

Lansing Planning Commissioner - Chairperson

7

From: Benjamin Ontiveros  
To: 'Arn Magee (amagee@lansing.ks.us)'; 'Austin Hansen (ahansen@lansing.ks.us)'; 'Bill Linn (linn@lansing.ks.us)'; 'Billy Blackwell (blackwell@lansing.ks.us)'; 'Dave Asmus'; 'Dustin Grace'; 'Fred Grenier (grenier@lansing.ks.us)'; 'Greg Rader (grader@lansing.ks.us)'; 'John Gable (gable@lansing.ks.us)'; 'Manual Olmos (olmos@lansing.ks.us)'; 'Mike Dickason (dickason@lansing.ks.us)'; 'Mike Heuer (heuer@lansing.ks.us)'; 'Richard DeMateo (demateo@lansing.ks.us)'; 'Richard Fairbanks (fairbanks@lansing.ks.us)'; 'Robin Mock (mock@lansing.ks.us)'; 'Steve Wayman (wayman@lansing.ks.us)';  
Cc:  
Bcc: Tim Vandall  
Subject: Thank You

All,

FBI Special Agent Bauer stopped in and saw me this morning. He wanted to say thanks for all the hard work and diligence put into this case by all our officers.

He also specifically named Officer Osen, expressing appreciation for all the hard work Osen put into this case.

Good job to all involved!!!

Ben Ontiveros  
Captain, Investigations  
Lansing Police Dept.  
800 First Terrace  
Lansing, KS 66043  
Tel. 913.727.3000 | Fax. 913.727.5428



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U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

J. C. Bauer  
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Kansas City

1300 Summit  
Kansas City, MO 64105

Telephone: (816) 512-8200  
Fax: (816) 512-8545  
Cell: (816) 805-5884  
E-mail: j.bauer@ic.fbi.gov

**Benjamin Ontiveros**

---

**From:** Fred Grenier  
**Sent:** Friday, October 09, 2015 2:18 PM  
**To:** Patrol  
**Subject:** Thank You and Good Job

Mr. John Dalby called to express his thanks and relay reports of the positive community interaction with the Police Department during the Homecoming Parade.

**GOOD JOB GANG 😊**

Fred



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## Benjamin Ontiveros

---

**From:** Domenick Tvano <dtvano@yahoo.com>  
**Sent:** Thursday, October 08, 2015 1:24 PM  
**To:** Benjamin Ontiveros  
**Subject:** Fw: Great JOB

On Thursday, October 8, 2015 1:20 PM, Domenick Tvano <[dtvano@yahoo.com](mailto:dtvano@yahoo.com)> wrote:

Early this week I went out my garage and a black lab type DOG come charging at me showing teeth and all. He went away the I went on my morning walk and as I was walking on Highland the dog came after my wife and I and we had our dogs, I had a walking stick and stopped his charging by hitting the ground with the stick, We where able to get our dogs home safe, I went back out in my truck and when I arrived in the area the was a Lansing Police cars cruising down the street, (Not Normal) for this area, Anyway I stopped the Officers, which one was SGT BLACKBURN. ?? After telling him the information about this dog and his behavior and aggressive type towards people , Then today while walking our dogs we came upon the same Lansing Police Officers, He stated they were following up on my report and found the dog running loose , A neighbor lady got the dog and put it back into the yard he got out of.

I was very much impressed that they listen to what I said and followed up and handle this problem, Nice to see Officers in our area, I mention about the speeder on Highland and they went and placed the radar up . WOW great work. We have lots of appreciation for their response to our local problem, The SGT said we will be seeing them more in this area. That is great for it has be without a patrol during the day and evening for a long time. Hats off to Lansing P.D. for community relations

Our neighbors look forward in seeing this guys in the future. Thank you for the time and BE SAFE