



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

COUNCIL AGENDA
Regular Meeting
Thursday, September 3, 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:

2. Leavenworth County Fire District No. 1 Update to Council

Council Consideration of Agenda Items:

3. Ordinance No. 951 – Standard Traffic Ordinance Adoption
4. Ordinance No. 952 – Uniform Public Offense Code Adoption
5. League of Kansas Municipalities Voting Delegates
6. Fence Request – 1313 Summit Lane

Reports:

City Attorney; City Engineer; City Administrator; Councilmembers

Proclamations

Other Items of Interest

Adjournment

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: August 27, 2015
SUBJECT: Agenda Summary

Call To Order
Pledge of Allegiance
Roll Call

OLD BUSINESS:

1. **Approval of Minutes**
The regular meeting minutes of August 20, 2015, are attached.
 - **ACTION: A motion to approve the regular meeting minutes for August 20, 2015, as presented.**

NEW BUSINESS:

Audience Participation

Presentation:

2. **Leavenworth County Fire District No. 1 Update to the Council**
 - A representative from the Fire District will present an annual update for the Fire District to the Council.

Items for Council Consideration:

3. **Ordinance No. 951 – Standard Traffic Ordinance Adoption**
 - This ordinance adopts the annual Standard Traffic Ordinance published by the League of Kansas Municipalities with changes as outlined in the ordinance.
 - **MOTION: To approve Ordinance No. 951 adopting the 2015 Standard Traffic Ordinance for Kansas Cities, 43rd Edition.**
4. **Ordinance No. 952 – Uniform Public Offense Code Adoption**
 - This ordinance adopts the annual Uniform Public Offense Code published by the League of Kansas Municipalities.
 - **MOTION: To approve Ordinance No. 952 adopting the 2015 Uniform Public Offense Code for Kansas Cities, 31st Edition.**
5. **League of Kansas Municipalities Voting Delegates**
 - The League’s Annual Conference will be October 10-12, 2015 in Topeka, and the Governing Body may elect up to three officers as voting delegates and up to three alternates to represent the City.
 - **MOTION: To designate three (3) officers of the City as voting delegates and up to three (3) alternates for the 2015 League of Kansas Municipalities Conference.**
6. **Fence Request – 1313 Summit Lane**
 - The property owner Kim Turner wishes to extend the fence into the platted building setback of 20’ on the side due to the lot being a corner lot, which has two front yard setbacks, with the side one being reduced to 20’ from the normal 30’.
 - Placement of the fence will be on the right of way line, which is 16’ from the backside of the curb. The fence will be outside of the 10’ public utility easement that started on the backside of the curb, and the fence would be installed 16’ from the curb, parallel with the street.
 - **MOTION: To approve the fence request for Kim Turner at 1313 Summit Lane.**

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

Proclamations

Other Items of Interest

Adjournment

TO: Tim Vandall, City Administrator



FROM: Sarah Bodensteiner, City Clerk



DATE: August 25, 2015

SUBJECT: Approval of Minutes

The regular meeting minutes for August 20, 2015, are enclosed for your review.

Action:

Staff recommends a motion to approve the regular meeting minutes for August 20, 2015, as presented.

**A
G
E
N
D
A
I
T
E
M
#**

1

Call To Order:

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

Roll Call:

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

Councilmembers Present:

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

Councilmembers Absent: Gregg Buehler

OLD BUSINESS:

Consent Calendar: Councilmember Brungardt moved to approve the regular meeting minutes of August 6, 2015. Councilmember Studnicka seconded the motion. The motion was approved with Councilmember McNeill abstaining from the vote.

NEW BUSINESS:

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

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Ordinance No. 950 – Authorizing and Providing for the Issuance of General Obligation Refunding and Improvement Bonds, Series 2015-A: Councilmember Trinkle moved to adopt Ordinance No. 950 – Authorizing and Providing for the Issuance of General Obligation Refunding and Improvement Bonds, Series 2015-A, of the City of Lansing, Kansas; Providing for the Levy and Collection of an Annual Tax for the Purpose of Paying the Principal of and Interest on Said Bonds as they become due; Authorizing certain other Documents and Actions in Connection Therewith; and Making Certain Covenants with Respect thereto. Councilmember McNeill seconded the motion.

- Finance Director Beth Sanford stated I have Mr. Dave Arteberry here from George K. Baum and Mr. Kevin Wempe, he's with Gilmore & Bell, and Dave is going to review the results of the sale today and review the documents you have in front of you.
 - City Financial Advisor Dave Arteberry stated thank you Beth, again my name if Dave Arteberry with George K. Baum, we serve as the Financial Advisor to the City and it's a pleasure to be here tonight. As Beth mentioned, I'm just going to go over a few things about the results of the sales that occurred today for some temporary notes for the City and some bonds, and answer any questions you might have about the sale. Then as far as the action items on the agenda, I think what I'd like to do is turn that over to Kevin Wempe with Gilmore & Bell, the legal Bond Counsel on the transaction, and he can answer questions that you might have about those and guide you through that. Today at eleven o'clock the City opened up bids for the sale of four million four hundred fifty thousand dollars of short term temporary notes; this is temporary financing for the 7 Mile Project. You ended up, I'm pleased to say, getting two really good bids on these notes, a bid from Commerce Bank and a bid from Oppenheimer & Co. Oppenheimer's bid with slightly better interest rate .6512%, a little bit better than Commerce Bank's bid which was .758%, so both in my opinion were excellent bids, lower than I think the interest rate that you got when you sold temporary notes last year; so I was real pleased. Both bids meet all the bidding parameters, Oppenheimer's bid is a little bit better so we're recommending that you go ahead and accept the bid from Oppenheimer. Then at eleven thirty this morning we opened bids for the sale of approximately seven million dollars of general obligation bonds, and these bonds did two things: they provided permanent financing of about 2.2 million dollars for the school district benefit district project, there are some outstanding temporary notes, so last year, for that project this bond issue will pay those notes off, and it also, the bond issue also provided money to refinance two old bond issues that the City has, 2006 bond issue and 2008 bond issue. We ended up getting four bids on that, and again I was real pleased. The low bid, the firm that offered to buy the bonds at the lowest rate was submitted by, it says BOSCO, that's actually Bank of Oklahoma Securities Company, with a true interest cost of 2.339%, again, we're really pleased with the results, I think I had been projecting in the last numbers that I ran about a 2.6% rate, so we even beat that. The bid from the Bank of Oklahoma meets all the bidding parameters that we had, including they provide a good faith deposit of 2%, and it's all mathematically correct, and again, I see no reason you wouldn't want to accept the bid. I did put together some schedules I want to go over real quick if you don't mind looking at a few numbers. You should have a report in front of you that says Final Schedules, this sort of summarizes the results of the bond sale and what the final bond issue will look like. If you turn to page 1 here, you can see the two different purposes of the issue, the benefit district project on a total of

2.145 million dollars of bonds will be issued and the refunding component was just a shade under 5 million dollars, so the total bond issue size will be seven million one hundred-thirty thousand dollars. If you flip over to the next page then what you'll see is what the payments will look like on the benefit district portion of the issue. You can see there, there are payments of approximately one hundred-eighty thousand dollars a year over the next 15 years, and half of this will be paid for by the school district. On the next page I think is probably the good news here, and this is the savings, because the interest rate was lower than we had anticipated, that results in more savings, and what you'll see over on the right hand side of the paper is the total savings that you'll get on an annual basis. And you can see the total savings that the City will realize in 2016 is four hundred-twenty thousand dollars, so your payment next year is going to be four hundred-twenty thousand dollars less than what was budgeted for. On a present value basis, as a percentage of the bond issue, the present value benefit is 8.9%, I think the minimum target you'd established a couple meetings ago was 5%, so we're pleased to report that well exceeds what you're minimum target is. Obviously, I'm real happy with that result, that's really about it. On the next page you should see the total debt service on the whole issue, then on the final page you'll see some details about how the bonds were priced. I'd be happy to answer any questions that you have.

- Councilmember Trinkle stated I appreciate you staying on top of it.
 - City Financial Advisor Dave Arteberry replied you know we had some fits and starts there about some things, but it turned out real well.
 - Councilmember Trinkle stated it's one of those things you expect, you aren't going to hear nothing, then the Mayor says well you know we've got, we need to move on this and it's good.
- Councilmember Pawlowski asked so the total amount we're refunding is 5 million give or take.
 - City Financial Advisor Dave Arteberry replied yeah.
 - Councilmember Pawlowski stated and then, so what makes it seven? Are we doing temp notes and permanent financing on the 2 million dollars?
 - City Financial Advisor Dave Arteberry replied no, the bond issue will be in the ordinance and resolution you have will be for seven million one hundred and thirty, and that is sort of split apart and there's two purposes for that money. One purpose is two million one forty-five for the high school benefit district, that's a long term financing that repays some old temporary notes. And then the balance, four million nine eighty-five, that's for the refinancing component. The temporary notes that are being issued are for the 7 Mile Project that was the first sale that is separate from the other.
 - Councilmember Pawlowski asked so we're taking the two old series and the temp notes and combining them into one.
 - City Financial Advisor Dave Arteberry replied exactly.
 - Councilmember Pawlowski asked but we'll have to go back and finance, permanently, those temp notes next year.
 - City Financial Advisor Dave Arteberry replied yes I think that is the plan.
 - Councilmember Pawlowski asked we couldn't do those right now at 2 point whatever, pretty good interest rate.
 - City Financial Advisor Dave Arteberry replied well no, the project is not done. I'll turn it over to Kevin to walk you through, if you don't have any questions, to go over the steps you need on action items.
 - City Bond Counsel Kevin Wempe stated hi Mayor, councilmembers, as Dave said, I'm Kevin Wempe from Gilmore & Bell bond counsel to the City. I can keep pretty short after Dave, I can echo what a great result it was and congratulations; and tonight for your action items, I believe you have in front of you the bond ordinance and resolution, which will need separate motions, and the note resolution, again, another separate item. Your action tonight will lock in the interest rate for these purchasers and authorize the finance team to move forward with closing with expected delivery of funds on September 10th for both the note and bond, with that, I'd be happy to answer any questions you may have on the documents in front of you.

The motion was unanimously approved.

Resolution No. B-4-15, A Resolution Prescribing the Form and Details of an Authorizing and Directing the Sale and Delivery of General Obligation Refunding Bonds, Series 2015-A:

Councilmember Studnicka moved to approve Resolution No. B-4-15, a Resolution Prescribing the Form and Details of and Authorizing and Directing the Sale and Delivery of General Obligation Refunding Bonds, Series 2015-A, of the City of Lansing, Kansas, Previously Authorized by Ordinance No. 950 of the Issuer; Making Certain Covenants and Agreements to Provide for the Payment and Security Thereof; and Authorizing Certain Other Documents and Actions Connected Therewith. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

Resolution No. B-5-15, Authorizing the Sale of General Obligation Temporary Notes, Series 2015-1, of the City of Lansing, Kansas: Councilmember Trinkle moved to approve Resolution No. B-5-15, Authorizing the Sale of General Obligation Temporary Notes, Series 2015-1. Councilmember Brungardt seconded the motion. The motion was unanimously approved.

Title VI Agreement and Plan: Councilmember Trinkle moved to approve the Nondiscrimination Agreement and adopt the Title VI Program as they are presented, and make recommended modifications to the Purchasing Manual. Councilmember Studnicka seconded the motion.

- Councilmember Pawlowski stated and the way I read that is this becomes Sarah's realm of excellence.
 - City Clerk Sarah Bodensteiner replied that is correct.

The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report.

Governing Body: Councilmember Brungardt stated great start to the school year, high school's awesome, there is construction started on the new middle school/the old high school, it's pretty cool. There's cranes, rebar, lots of things to look at, pretty excited.

Councilmember Gardner stated I'd like to thank everybody, Beth and everybody for the effort to get the rates down and the savings up. Jesse, the other day you had a real good speech at Angel Falls, I appreciate it, it was real good oration that you had for everybody. The high school visit with Dr. Bagby and Mr. Dike, I'd like to thank them for their help getting us through there, but Colby, I believe her name is Mortenson, the girl that took us through there, she had a certain level of energy and professionalism that just made us listen to everything she had to say while she was taking us through there, she did a real good job.

Councilmember Garvey stated the attendance for the ribbon cutting was awesome, it was great to see everybody out there. With that being said, do we have any other opportunities to expand the trails? I know there's an area out here by Leavenworth/Lansing Nursery, on Gillman up to Willow.

- Public Works Director John Young stated well there's a section through there where we can widen the existing 4 foot sidewalks for about \$25,000.00 to complete a connection from the new high school to the rest of the trail system. The only other remaining section to make that connection is being constructed as part of the current phase of Rock Creek Ridge subdivision. This could be done without encroaching in anyone's yard and this would probably be a good next priority.
 - Councilmember Garvey asked can you look into that for us.
 - Public Works Director John Young replied I sure will.

Councilmember McNeill stated I just want to echo the comments on Angel Falls Trail and recommend to everybody who hasn't been out there yet to go ahead and walk the trail because it's a really nice trail, it's a great addition. Prior to making a motion to adjourn I heed my time to the City Administrator.

City Administrator: City Administrator Tim Vandall stated one thing I forgot to mention but I put in my report, it looks like the planning commission is wanting to do a joint work session with you all to talk about a unified development ordinance and I wasn't sure we'd be able to do that at the September 24th work session, if that works for you all I'll pass that along to the planning commission.

- Councilmember Pawlowski stated wouldn't we need to give them more time than that? Oh wait, that's in September. What do we have on the Agenda?
 - City Administrator Tim Vandall replied the only other thing that evening is code updates from Sarah, so it depends on how many code updates we have on how long that would take. Do you [John Young] have any estimate on how long the planning commission discussion would take?
 - Public Work Director John Young replied I would say probably a 30 minute discussion.

ADJOURNMENT: Councilmember McNeill moved to adjourn. Councilmember Pawlowski seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:18 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

ORDINANCE NO. 951

AN ORDINANCE INCORPORATING THE STANDARD TRAFFIC ORDINANCE BY REFERENCE

An ordinance regulating traffic within the corporate limits of the City of Lansing, Kansas; incorporating by reference the Standard Traffic Ordinance for Kansas Cities, edition of 2015. With certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing ordinances numbered 930 and 942 and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith.

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

SECTION 1.

15-101. INCORPORATING STANDARD TRAFFIC ORDINANCE.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Lansing, Kansas, that certain standard traffic ordinance known as the Standard Traffic Ordinance for Kansas Cities, Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. One official copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 951," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of office copies of such Standard Traffic Ordinance similarly marked as may be deemed expedient.

15-102. OMISSIONS, CHANGES, ADDITIONS AND DELETIONS TO THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES

Article 1: Section 1 of said Standard Traffic Ordinance, relating to definitions, is hereby amended to add as follows:

Motorized Mini Bikes. Any motorized mini bike not more than 51 inches in length, 14 inches in width and 30 inches in height, by the manufacturer's specifications which may be propelled by either gasoline or electric power and having a seat designed to be straddled by the operator, except a motorized bicycle and electric-assisted bicycle.

(All other definitions not modified, deleted or changed shall remain in effect.)

Article 4: Section 17 of said Standard Traffic Ordinance is hereby changed to read as follows:

Display of Unauthorized Signs, Signals or Markings.

- (a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
- (b) No person shall place or maintain nor shall any public authority permit upon any highway any official traffic control device bearing thereon any commercial advertising, except for business signs included as part of official motorist service panels or roadside area information panels approved by the secretary of transportation.
- (c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (d) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the governing body is hereby empowered to remove the same or cause it to be removed without notice.
- (e) Traffic regulations on Private Property. Whenever the person in possession or control of any private property used by the public for purposes of vehicular traffic by permission of the owner shall cause to be posted at each entrance thereto a permanently lettered clearly legible sign with the following legend:

“TRAFFIC REGULATIONS OF THE CITY OF LANSING ENFORCED ON THIS PROPERTY. SPEED LIMIT 10 MPH.” (OR AS POSTED.)

Then such private property shall thereafter be deemed to be under the traffic regulations of the city as provided by law.

Article 7: Section 33 of said Standard Traffic Ordinance is hereby changed to read as follows:

Maximum Speed Limits.

(a) Except as provided in subsection (b) and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557, and amendments thereto, the limits specified in this subsection or established as hereinafter authorized by law shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

- (1) All vehicles 20 miles per hour in any business district;
- (2) All vehicles 20 miles per hour in any park;

(3) All vehicles 20 miles per hour in any posted school zone or any public thoroughfare on or across which children pass going to and from school during school days, from 7:00 a.m. to 8:00 a.m. and 2:45 p.m. to 3:45 p.m. on the following designated school zone area: Ida Street from Brookridge Street to 416 Ida St.; Bittersweet Street from West Mary Street to Ida Street; West Mary Street from 200 ft west of Bittersweet Street to 200 ft east of West Kay Street.

(4) All vehicles 20 miles per hour in any residential district and on other streets within the city, if said limits were set prior to 1994. All speed limits set after 1994 shall be 30 miles an hour in any residential district or other streets within the city except where modified by engineering and traffic investigation as provided hereafter in subsection (c) of this section.

The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of minimum speed limit in excess of the limits established by or pursuant to this paragraph shall not be of any force or effect, subject to the following exception.

Whenever the Public Works Director shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist, the Public Works Director shall determine and declare a reasonable and safe speed limit consistent with applicable state and local statutes which shall be effective at all times or during daytime or nighttime or at such other times as may be determined when appropriate signs giving notice thereof are erected pursuant to Governing Body action and K.S.A. 8-1560 and 8-2002.

(b) No person shall drive a school bus to or from school or interschool or intra school functions or activities at a speed greater than 45 miles per hour on any roadway having dirt, sand or gravel surface, and in no event shall a school bus be driven to and from school or activities in excess of 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection shall also apply to buses used for the transportation of students enrolled in community junior colleges or area vocation schools when such buses are transporting students to or from school functions or activities.

(c) Speed limits on certain streets within the City of Lansing. The governing body having determined upon the basis of an engineering and traffic investigation that the speed limit permitted under state law and Section 33 of the "Standard Traffic Ordinance" is greater or less than is reasonable under the conditions found to exist upon the city, the governing body hereby determines and declares that the reasonable and safe speed limit on the portion of the streets is as listed below. The Public Works Director is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along the streets maintained by the city.

STREET	PORTION CONTROLLED	APPLICABLE SPEED LIMIT
147 th Street	4-H Road to South City Limits	40 mph
155 th Street	South to City Limits	25 mph
4-H Road	Within City Limits	40 mph

Centre Drive	4-H Road to West Mary	25 mph
Centre Drive	West Mary to East Kansas	25 mph
Clearview Drive	Stone Lane to Rock Creek Drive	20 mph
DeSoto Road	West Eisenhower to 4-H Road	35 mph
East Eisenhower Rd	North Main to North 8 th Street	35 mph
East Gilman Rd	South Main to East City Limits	35 mph
East Mary Street	US Highway 73 to ½ mile east of US Highway 73	20 mph
East Mary Street	½ mile east of US Highway 73 to City Limits	35 mph
Granite Street	Clearview Drive to Ridge Drive	20 mph
Hickory Trail	North of 4-H Road	25 mph
Ida Street	Entire Road	25 mph
Main Street	South City Limits to Rock Creek Loop	65 mph
Main Street	Rock Creek Loop to Gilman Road	50 mph
Main Street	Gilman Road to Olive Street	50 mph
Main Street	Olive Street to Eisenhower Road	40 mph
Maple Lane	Hickory Trail to South Valley Drive	25 mph
McIntyre Road	South Main to 4-H Road	35 mph
McIntyre Road	South Main to East City Limits	25 mph
Ridge Drive	147 th Street to Granite Street	20 mph
Sherwood Forest	Entire Subdivision	30 mph
Stone Lane	Clearview Drive to Ridge Drive	20 mph
West Eisenhower Road	New Lawrence to West City Limits	50 mph
West Eisenhower Road	New Lawrence to North Main	40 mph
West Gilman Road	Entire Road	25 mph
West Mary Street	Entire Road	35 mph

Article 14: Section 114.1 of said Standard Traffic Ordinance is hereby changed to read as follows:

Unlawful Operation of All-Terrain Vehicle

A. Except as provided in subsection (b), (d) (e), and (f), it shall be unlawful for any person to operate an all-terrain vehicle:

1. on any interstate highway, federal highway or state highway; or
2. or on any city street, alley, public parking lot, right-of-way or upon property owned by the City of Lansing.

B. Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas Department of Transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway.

C. No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

D. Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas Department of Transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway and within the corporate limits of the city as required in the fulfillment of its eradication duties.

E. Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by the City of Lansing, Kansas, or all-terrain vehicles owned and operated by persons contracting with the City of Lansing, Kansas may be allowed to operate such all-terrain vehicles upon and within the corporate limits of the city as required in the performance of its duties.

F. Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by those agencies providing emergency and first-responder services for the City of Lansing, Kansas may be allowed to operate such all-terrain vehicles upon and within the corporate limits of the city as required in the performance their duties.

G. Any person operating an all-terrain vehicle pursuant to (b), (d), (e) and (f) shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. (K.S.A. Supp. 8-15,100)

Article. 14: Section 114.2 of said Standard Traffic Ordinance is hereby changed to read as follows:

Unlawful Operation of a Micro Utility Truck.

A. It shall be unlawful for any person to operate a micro utility truck:

1. On any interstate highway, federal highway, or state highway; or
2. Within the corporate limits of any city unless authorized by such city.

B. No micro utility trucks may be operated on any public highway, street, or road unless such vehicle complies with the equipment requirements under the provisions of Article 17 of Chapter 8 of the Kansas Statutes Annotated.

C. The provisions of subsection (a), shall not prohibit a micro utility truck from crossing a federal or state highway.

D. Notwithstanding the provisions of subsection (a), micro utility trucks owned and operated by a county noxious weed department, or micro utility trucks owned and operated by persons contracting with a county noxious weed department or the Kansas Department of

Transportation may be allowed to operate such micro utility trucks upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such micro utility trucks may be operated incidentally upon such federal highway or state highway and within the corporate limits of the city as required in the fulfillment of its eradication duties.

E. Notwithstanding the provisions of subsection (a), micro utility trucks owned and operated by the City of Lansing, Kansas, or micro utility trucks owned and operated by persons contracting with the City of Lansing, Kansas may be allowed to operate such micro utility trucks upon and within the corporate limits of the city as required in the performance of its duties.

F. Notwithstanding the provisions of subsection (a), micro utility trucks owned and operated by those agencies providing emergency and first-responder services for the City of Lansing, Kansas may be allowed to operate such micro utility trucks upon and within the corporate limits of the city as required in the performance their duties.

G. Any person operating a micro utility truck pursuant to (d), (e) and (f) shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. (K.S.A. Supp. 8-15,106)

Article 14: Sec. 114.5 of said Standard Traffic Ordinance is hereby changed to read as follows:

Unlawful Operation of a Work-Site Utility Vehicle.

A. It shall be unlawful for any person to operate a work-site utility vehicle:

1. On any interstate highway, federal highway, or state highway; or
2. Within the corporate limits of any city unless authorized by such city.

B. No work-site utility vehicle shall be operated on any public highway, street, or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

C. Notwithstanding the provisions of subsection (a), work-site utility vehicles owned and operated by a county noxious weed department, or work-site utility vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas Department of Transportation may be allowed to operate such work-site utility vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such work-site utility vehicles may be operated incidentally upon such federal highway or state highway and within the corporate limits of the city as required in the fulfillment of its eradication duties.

D. Notwithstanding the provisions of subsection (a), work-site utility vehicles owned and operated by the City of Lansing, Kansas, or work-site utility vehicles owned and operated by persons contracting with the City of Lansing, Kansas may be allowed to operate such work-site utility vehicles upon and within the corporate limits of the city as required in the performance of its duties.

E. Notwithstanding the provisions of subsection (a), work-site utility vehicles owned and operated by those agencies providing emergency and first-responder services for the City of Lansing, Kansas may be allowed to operate such work-site utility vehicles upon and within the corporate limits of the city as required in the performance of their duties.

F. Any person operating a work-site utility vehicle pursuant to (c), (d) and (e) shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. (K.S.A. Supp. 8-15,109)

Article 14: Sec. 114.6 of said Standard Traffic Ordinance is hereby added to read as follows:

Unlawful Operation of a Motorized Mini Bike. It shall be unlawful for any person to operate, or for the owner to permit the operation of, a motorized mini bike upon a street, highway, public parking lot, or property owned by the City of Lansing.

Article 14: Section 126.3 of said Standard Traffic Ordinance is hereby added to read as follows:

Littering.

(a) No person shall throw, place or drop litter or allow litter to be thrown, placed or dropped from a motor vehicle onto or upon any highway, road or street. The driver of the vehicle may be cited for any litter thrown, placed or dropped from the motor vehicle, unless any other person in the motor vehicle admits to or is identified as having committed the act.

(b) "Litter" means rubbish, refuse, waste material, garbage, trash or debris of whatever kind or description and includes improperly discarded paper, metal, plastic or glass.

(c) This section shall be part of and supplemental to the uniform act regulating traffic on highways. (K.S.A. 8-15,102)

Article 17: Section 181.1 of said Standard Traffic Ordinance is hereby added to read as follows:

One-way glass and sun screening devices on vehicles registered out of state; requirements, exceptions; penalties.

(a) No motor vehicle required to be registered in another state and which is operated on the streets and highways of the City of Lansing shall be equipped with one-way glass or any sun screening device, as defined in Section 1, and used in conjunction with windshields, side wings, or front side windows, the side windows behind the driver, rear windows that do not meet the following requirements:

(1) A sun screening device when used in conjunction with the windshield shall be nonreflective and shall not be red, yellow or amber in color. A sun screening device shall

be used only along the top of the windshield and shall not extend downward beyond the AS1 line which is clearly defined and marked;

(2) a sun screening device when used in conjunction with the side wing or side windows located at the immediate right and left of the driver, the side windows immediately behind the driver and the rear most window shall be nonreflective; and

(3) the total light transmission shall not be less than 19% when a sun screening device is used in conjunction with other existing sun screening devices

(b) Subsection (a)(3) shall not apply to a window of a law enforcement motor vehicle that is clearly identified as such by words or other symbols on the outside of the vehicle.

(c) This section shall not prohibit labels, stickers or other informational signs that are required or permitted by state law.

(d) Any person convicted of violating the provisions of this section shall be guilty of traffic offense and shall be fined in an amount not to exceed \$500.

Article 19: Section 194 of said Standard Traffic Ordinance is hereby changed to read as follows:

Driving While License Canceled, Suspended or Revoked; Penalty.

(a) 1. Any person who drives a motor vehicle on any street or highway at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a and amendments thereto, shall upon a first conviction be punished by imprisonment for not more than six months or fined not to exceed \$1,000.00, or both such fine and imprisonment. On a second conviction of a violation of this section such person shall be punished by imprisonment for not more than one year or fined not to exceed \$2,500, or both such fine and imprisonment.

2. No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257 and amendments thereto, to the return of such person's driver's license.

3. Except as otherwise provided by subsection (D), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

4. If a person:

A. is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or K.S.A. 8-1567 or K.S.A. 8-1025, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or law prohibits the acts prohibited by those statutes; and

B. is or has been also convicted of a violation of K.S.A. 8-2,144 or K.S.A. 8-1567 K.S.A. 8-1025, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment..

(b) For the purposes of determining whether a conviction is a first or second conviction in sentencing under this section, conviction includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of any state which is in substantial conformity with this section. (K.S.A. Supp. 8-262)

Article 19: Section 195.1 of said Standard Traffic Ordinance relating to Operation of a Motor Vehicle When a Habitual Violator is hereby declared to be and is omitted and deleted.

15-103. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES

A. An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

B. All traffic violations which are included within this ordinance and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

15-104 PENALTIES

(See Article 20: Section 201 of the Standard Traffic Ordinances)

SECTION 2.

REPEAL. Ordinances numbered 930 and 942, and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith, are hereby repealed.

SECTION 3.

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

PASSED AND APPROVED by the Governing Body of the City of Lansing, Kansas, on this 3rd day of September, 2015.

{SEAL}

Louis E. Kirby, Mayor

Attest:

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Published: *Leavenworth Times*
Date Published:

Catalina Thompson, City Prosecutor

CITY OF LANSING

FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 951: An Ordinance Incorporating the Standard Traffic Ordinance by Reference.

Pursuant to K.S.A. 12-3007 and the laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:



Ordinance No. 951 Summary:

On September 3, 2015, the City of Lansing, Kansas, adopted Ordinance No. 951, incorporating by reference the Standard Traffic Ordinance known as the Standard Traffic Ordinance for Kansas Cities, Edition of 2015 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. A complete copy of this ordinance may be obtained or viewed at the office of the city clerk, City Hall, 800 First Terrace, Lansing, KS 66043 and is also available at www.lansing.ks.us. This summary certified by Catalina Thompson, City Prosecutor.

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

DATED: _____

Catalina Thompson, City Prosecutor

TO: Tim Vandall, City Administrator 
FROM: Elizabeth Sanford, Finance Director 
DATE: August 25, 2015
SUBJECT: Ordinance No. 952 - Uniform Public Offense Code Adoption

Ordinance No. 952 adopts the 2015 Edition of the Uniform Public Offense Code for Kansas Cities, 31st Edition, published by the League of Kansas Municipalities. This is an annual procedure for updating the Lansing Public Offense Code.

Action:
Staff recommends a motion to approve Ordinance No. 952 adopting the "2015 Uniform Public Offense Code for Kansas Cities, 31st Edition."

AGENDAGENDAGENDAGENDAGENDA ITEM # 7

ORDINANCE NO. 952

**AN ORDINANCE INCORPORATING THE UNIFORM PUBLIC
OFFENSE CODE BY REFERENCE**

An ordinance regulating public offenses within the corporate limits of the City of Lansing, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," edition of 2015 and repealing ordinance No. 931 and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith..

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

SECTION 1.

12-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Lansing, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "official Copy as Adopted by Ordinance No. 952," and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2.

REPEAL. Ordinance number 931 is hereby repealed and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith are hereby repealed.

SECTION 3.

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

PASSED AND APPROVED by the Governing Body of the City of Lansing, Kansas, on this 3rd day of September, 2015.

{SEAL}

Louis E. Kirby, Mayor

Attest:

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Published: *Leavenworth Times*

Date Published:

Catalina Thompson, City Prosecutor

**CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE**

**Ordinance No. 952: An Ordinance Incorporating the
Uniform Public Offense Code by Reference.**

Pursuant to K.S.A. 12-3007 and the laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:


Ordinance No. 952 Summary:

On September 3, 2015, the City of Lansing, Kansas, adopted Ordinance No. 952, incorporating by reference the Uniform Public Offense Code officially known as the Uniform Public Offense Code for Kansas Cities, Edition of 2015 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. A complete copy of this ordinance may be obtained or viewed at the office of the city clerk, City Hall, 800 First Terrace, Lansing, KS 66043 and is also available at www.lansing.ks.us. This summary certified by Catalina Thompson, City Prosecutor.

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

DATED: _____, 2015.

Catalina Thompson, City Prosecutor

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk
DATE: August 25, 2015
SUBJECT: League of Kansas Municipalities Voting Delegates

The League of Kansas Municipalities Annual Conference will be October 10-12, 2015, in Topeka, Kansas. For this conference, the Governing Body may elect three (3) voting delegates from among the City's officers to represent the City in the conduct and management of the affairs of the League of Kansas Municipalities. The Governing Body may also designate three (3) alternate voting delegates.

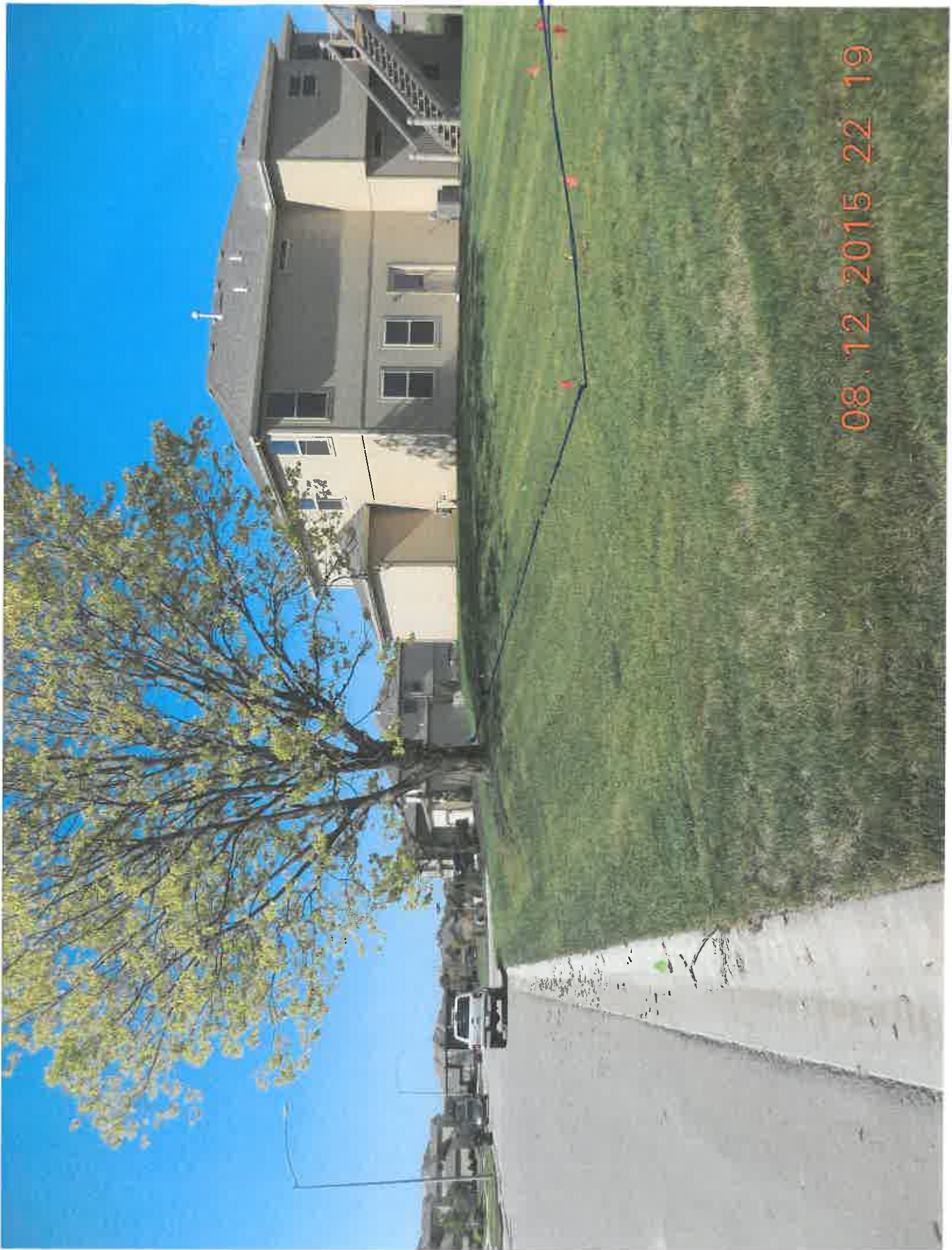
Action:

A motion to designate three (3) officers of the City as voting delegates and up to three (3) alternates for the 2015 League of Kansas Municipalities Conference.

**A
G
E
N
D
A
I
T
E
M
#**




08.12.2015 22.17



08.12.2015 22:19



08.12.2015 22:19



↑
20'
SBL

↑
line of
fence
16' @
row

08.12.2015 22:17

12AUG2015

Dear Codes Department of Lansing Kansas:

I am requesting to please go in front of City Hall to have a review of my request to extend a 6 ft privacy fence at my new home out to the property line.

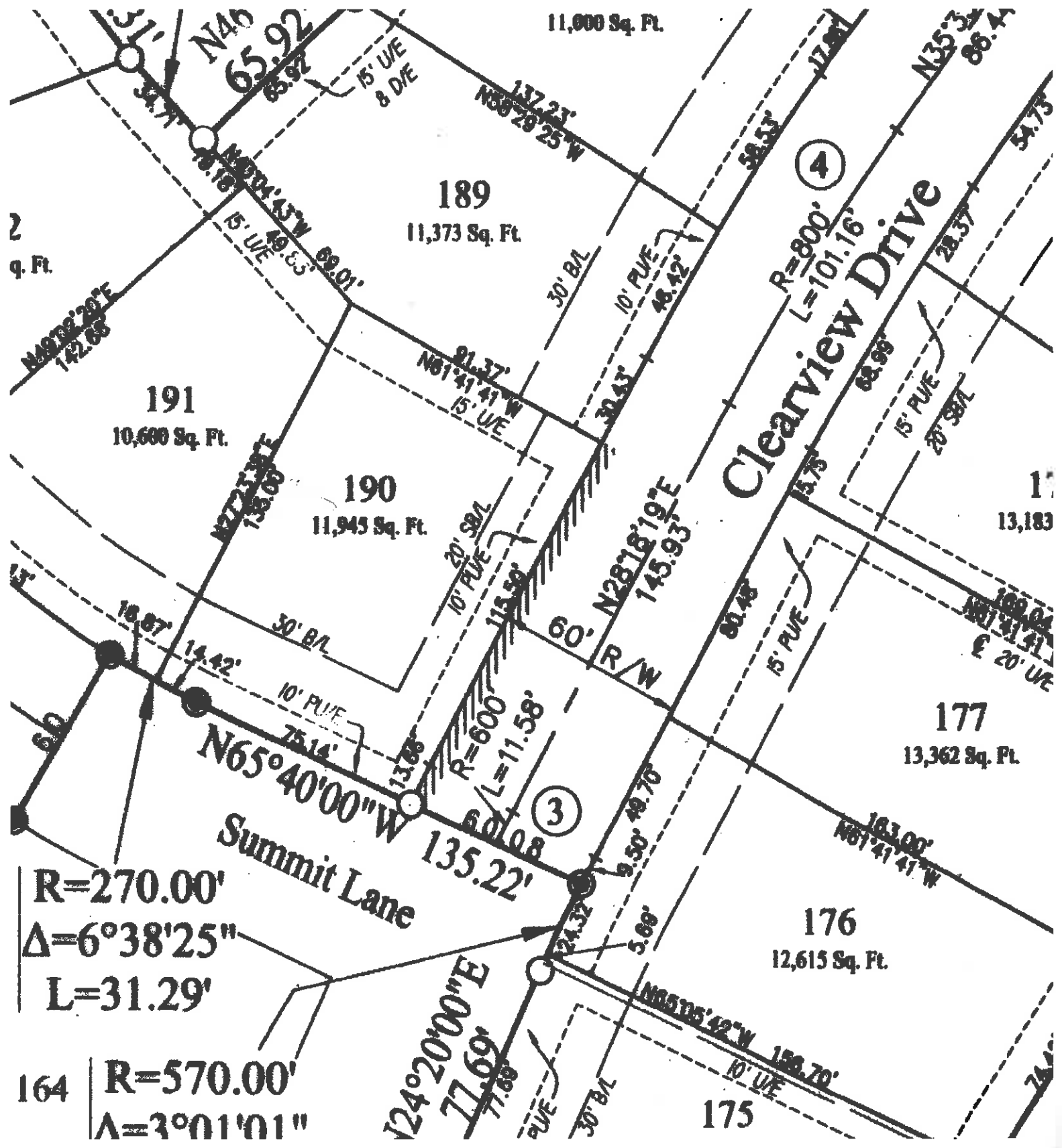
My address is at 1313 Summit Dr. This is a corner lot and I would like to have more of my yard fenced in to enjoy.

Thank you!

Kimberly Turner

(913) 205-2169

Kimberlyturner.001@gmail.com



2
9. Ft.

191
10,600 Sq. Ft.

190
11,945 Sq. Ft.

177
13,362 Sq. Ft.

176
12,615 Sq. Ft.

$R=270.00'$
 $\Delta=6^{\circ}38'25''$
 $L=31.29'$

164 $R=570.00'$
 $\Delta=3^{\circ}01'01''$

11,000 Sq. Ft.

189
11,373 Sq. Ft.

Clearview Drive
 $R=800'$
 $L=101.16'$

Summit Lane

13,183

175