



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

COUNCIL AGENDA
Regular Meeting
Thursday, March 15, 2018
7:00 P.M.

WELCOME TO YOUR CITY COUNCIL MEETING

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

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

Call To Order

Pledge of Allegiance

Roll Call

OLD BUSINESS:

1. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations:

2. Arbor Day Proclamation

Council Consideration of Agenda Items:

3. Charter Ordinance 1-2018 – Lansing Community Library
4. Ordinance No. 966 – Re-zone Request 15915 Eisenhower Road

Reports:

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

Proclamations:

5. Fair Housing Month

Other Items of Interest:

6. Department Vehicle and Equipment Mileage Reports

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: March 12, 2018
SUBJECT: Approval of Minutes

The regular meeting minutes for March 1, 2018, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for March 1, 2018, as presented.

Call To Order:

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

Roll Call:

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

Councilmembers Present:

Ward 1: Dave Trinkle

Ward 2: Andi Pawlowski and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Gregg Buehler and Tony McNeill

Councilmembers Absent: Gene Kirby

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the regular meeting minutes of February 15, 2018, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor Smith called for audience participation and one person came forward.

- 00000 East Mary Re-zone applicant Breck Ricketts presented and discussed a PowerPoint presentation with the Governing Body addressing concerns that have come up in recent meetings regarding his request to re-zone the property he purchased from R-2 to Agricultural. The PowerPoint also contained photos that explained why an electric fence is needed for the bee boxes and included aerial views of the property.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Request to Advertise – 2018 Capital Improvements Program: Councilmember Buehler moved to authorize the Public Works Department to prepare contract documents and advertise for bids for Project 18-01: 2018 Capital Improvements Program. Councilmember McNeill seconded the motion.

- Councilmember Trinkle stated I know I talked to you about it last year, is there something where we could maybe look at some of these alleys for repairs. Maybe not the whole alley but like the entrances like you did fixed the one over there off of 7th Street, to keep them from washing down and doing this is there a chance we would have some blacktop left.
 - Public Works Director Jeff Rupp replied yeah I think we can for sure do some spot patching as a deterrent for some of the wash that's happening at the bottom on those. If we don't have money left over from the overlay program this year to go towards some kind of funding or discuss that, we'll certainly put an item in for the 2019 budget.
 - Councilmember Trinkle stated I mean if there's a chance we could maybe start addressing some of them and then maybe next year look at getting an alley put in or something.
 - Public Works Director Jeff Rupp stated we're currently putting together a package of options; studying what actually might be new products out there that might serve as a pavement surface.
 - Councilmember Trinkle stated we've been talking about this ever since I've been on the Council and we never get over that hurdle of trying to get one done.
 - Councilmember McNeill stated that's because they are not a priority. That's because they are not listed, they don't come out as a priority that's the problem, so we do have to have something kind of separate. I agree that we should have something separate because they'll never outrank a street.
 - Public Works Director Jeff Rupp stated right and we actually have right now, and of course one's being taken care of with another project, but we still have 155th Street, which is an unfinished road it's partially graveled and partially paved with flexible pavement and all the alleys. So they are in their own weird little camp, but we are bringing forward a program for the Council to study for sure in 2019 if we don't have some opportunity to do something this year, but we do think we can make that patch.
 - Councilmember Trinkle stated we've talked about it in the past to spend all this big money, and I'm not talking about going in and re-aligning them because

there are houses and garages, just let's see what we can do to keep the wash of out of it.

- Public Works Director Jeff Rupp replied part of it is what's been analyzed now is like there's a break over point. How much do you put down, because if you do have trash trucks or something heavy like that accessing these alleys, then if you only put down four inches there's an outside chance that the base sub-grade doesn't hold without having that support, then you're just throwing thirty-thousand dollars away.
- Councilmember Trinkle stated supposedly they're not supposed to go up the alleys, they were at one time, tearing the culverts up in alleys and then we stopped them and that helped considerably.
- Public Works Director Jeff Rupp replied so anyway that's part of the analysis; what is the best cost benefit ratio for spending money for what type of treatment, and that's being done right now.
- Mayor Smith stated I think Jeff if there's anything we can do that's not outside the budget if we can take a look at it to keep them from getting any worse. I do like the idea of bringing it before the Council for the 2019 budget to see where the Council stands on this, so we can take a look at it. If there's any additional funds or any additional material that has come in if we can help those alleyways out. We have talked a bit about how it hasn't been a priority, but I think it's probably time we have a good discussion on it and we definitely need your input, so we can make intelligent decisions.
- Public Works Director Jeff Rupp stated I think one thing that will help those residents that live over there and access that, the ones especially that live on the bottom at each one of the alleys that have the grade that comes down 7th particularly, is they're receiving all the wash that comes down the gravel in their areas and everything just flows into the yards of the people down at the bottom. So what has happened, as Mr. Trinkle has alluded to, is that we've gone in and done one or two where we've paved the very bottom and the entrance, we've not done much, more like a patch job, and that little bit of asphalt stopped the erosion.
- Mayor Smith stated and you replaced the culverts also.
- Public Works Director Jeff Rupp stated we could probably do that, I think we actually replaced that one, so we could probably do that kind of thing for this year.
- Councilmember Trinkle stated I'm sure the citizens in Ward 1 would appreciate the Council's looking into it and public works doing what they can do.
- Mayor Smith asked other questions.
- Councilmember Pawlowski asked on curb replacement, are you doing all of Cottonwood.
 - Public Works Director Jeff Rupp replied no, but I will tell you this there's a little over a quarter of a mile of curb that's going to be replaced. It's fragmented but the thing of it is we've changed our mode of operations both for the contractor's sake and the City's sake.
 - Councilmember Pawlowski asked are we still cutting out pieces, its looks horrible.
 - Public Works Director Jeff Rupp responded we're going to do one-hundred foot sections as a minimum, but you can see if you think about the terms of Cottonwood that's what's so deceiving about this scale of map is we're talking almost a quarter of a mile of curb being replaced, and so if you can figure that those are in one-hundred foot stretches and those are going to be poured seamlessly, they'll have the contraction joints and stuff, but hopefully the new mix will be more substantial, I don't know why the salt and the different stuff has had such a terrible effect on that curb, it has to be something bad with the mix when it was laid down.
 - Councilmember Pawlowski stated Southfork did the same thing and we ended up having to replace that

- Public Works Director Jeff Rupp stated we're going to stay after that in that area because the curb in that particular subdivision area is just, whatever they used was just bad.
 - Councilmember Pawlowski stated it just completely disintegrated.
 - Mayor Smith stated I'm very aware of it Jeff.
 - Public Works Director Jeff Rupp stated that's a good thing for that area. And I might just briefly mention the five streets that are listed on the map. I did that so you kind of know, but I will tell you the parameters, you can see the loop for Karen Lane is pretty easy, we would have done that as part of this year's, but we didn't have enough money. American Avenue is one that's been long standing and if you're able to visually look at it it's got lots of cracking in the surface and well overdue, so it goes from Santa Fe, basically where the public works building starts all the way back to 2nd, which is where we ended paving about two years ago.
 - Councilmember Garvey stated there is a lot of truck traffic on that area because of Aramark Uniform right there. Too bad we can't find a way to make them pay for part of that.
- Mayor Smith stated Jeff let me ask you something too because I've totally forgot, with one's that don't have curbs and you put asphalt up, does that breakdown easier, because the curbs act as a support for it.
 - Public Work Director Jeff Rupp replied yeah the curb does act as some kind of compression because its face to face, when you've got an open ditch, in fact I faced this at another City I was in we spent quite a bit of money trying to stabilize a non-curb street with big long deep ditches, and it just has a tendency to push out and it will.
 - Mayor Smith stated that means we're repairing it sooner than the other streets.
 - Public Works Director Jeff Rupp stated I mean it's held up, it will hold I think, and it will be definitely worth the investment. Then West Kansas Avenue is just one I want to mention from a couple standpoints, people are going to scratch their heads because there are only five houses on there, what are we doing. What's happened is for well over a couple decades this street has been one, residents access it. It's needed repair for many many many years, but it kept getting shoved off, kind of like the alleys. It's at the top of the list and it's one that really needs to be done, it's kind of long, and once we do this repair I don't think we'll see it again for some time, but it's one that you would probably scratch your head and say why are we doing it, but it's just one that's the worst. East Kay is going to be from basically the Activity Center over there at 2nd Street all the way back to 4th. West Mary has slipped in because we've got some issues I'd like to share, actually Tim will say more about it in his personal report, but that area has got some activity that we want to spruce everything up and that basically is kind of between a collector and arterial street, we want to make K-7 all the way back to Bittersweet overlaid with brand new pavement markings. We're going to take the little delineator posts out and really paint marks on there like there's supposed to be and that will be a better deal for the people traveling through there. That project will compete down to Bittersweet and I'll mention something again there's another project that Tim is going to talk about that will address the bridge, and actually the paving between Ida and Mary, so really almost that square mile 'L' will be complete this year brand new for the schools sake, and everything will look nice and the bridge abutments to the approaches and also the attachments, but Tim will talk about in this report; that's going to be nice.
 - Councilmember Pawlowski stated we've got make sure that's done, they can't do that street in August, can they Kerry.
 - Mayor Smith asked done before school starts.
 - Public Works Director Jeff Rupp replied we'll have it done before school. It seems like it's going to be a huge thing

because it's a bridge but it's not. And we're going to try to time it with the overlay so some of our overlay people can be there. But the last thing I want to mention is I guess to try to picture the scale of this is really difficult to determine in terms of how much we're doing, because we're only doing five streets, but its 1.6 miles of pavement, so it's pretty aggressive.

The motion was unanimously approved.

REPORTS:

Department Heads: Department Heads had nothing to report.

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer had nothing to report

City Administrator: City Administrator Tim Vandall mentioned that the .45% sales tax disbursements are coming in and it's performing just as we thought it would, which helps the City pay for the DeSoto Road Project and make improvements to Bernard Park, without any property tax increase. There will be some work being done on the Bittersweet bridge area; the bridge is safe and sound and it inspected every year; however the approaches to the bridge have broken away from the bridge, so the company who performs the bridge inspection is going to be looking at solutions for us. We are making sure it will be completed before school starts. The Port Authority has formed a committee to discuss industrial spec buildings and there have been two meetings so far; for Lansing, our industrial park is privately owned, so what would happen is the private property owner would respond to an RFP, but it would be more of a cooperative effort between the City and the private property owner. No firm numbers have been received, but potentially a contribution from the City could be about forty-thousand dollars. So based on property taxes and job creation, this could be beneficial to the City of Lansing as a whole, but any project would be available Countywide, it's not a Lansing only deal. Tim also asked the Council if there was any information or research he could do regarding the re-zone request from Mr. Ricketts, in order to help the Council come to a decision about the re-zone request. Tim did mention that a conditional use permit would still be needed in an Ag re-zone for the apiary; however his concern fell to the possibility of having the conditional use permit pulled for the apiary and then the property is just Ag. He also brought up the option of the contract re-zone, where the City could restrict certain things like livestock on the property and file that with the Register of Deeds. He stated that the applicant presented an option that for any property in the FEMA floodway, City regulations could be altered to require conditional use permits. Tim also stated that during Mr. Ricketts presentation he mentioned that the City doesn't know what goes on in the floodway, and Tim advised that he disagrees with that statement as the City made the shed sales company to the south of City Hall bolt down their inventory because it is in the floodway, so he advised that the City does try to know what's going in the floodway. Tim also asked the Council when they wanted to have this item brought back to a Council Meeting that way the neighbors could be notified and a decision made.

- Councilmember McNeill stated his question at the work session was not about what a crop is, but what constitutes a crop having to be in Ag. If it could remain zoned R-2 and a conditional use could be issued for the lavender and bees that would be his preference.
 - City Administrator Tim Vandall stated that he mentioned that idea to the applicant, but because the applicant is also requesting electric and barbed wire fencing and an outbuilding, those items are not allowed in a residentially zoned area. Accessory buildings are not allowed on a residentially zoned property without a primary residential structure.
 - Councilmember Garvey stated that when a re-zone comes before the Council he tries to determine what the benefit is to the City to grant the re-zone and at this time he's not sure what the benefit would be, as it doesn't sound like we'd be getting tax dollars out of this endeavor.
 - City Administrator Tim Vandall stated more than that likely it would be a wash for the City.
- Councilmember Pawlowski asked if Tim or Public Works had an idea of what the bridge repair would cost and if the funds are budgeted.
 - City Administrator Tim Vandall replied that the monies would come from the Capital Improvement Fund and there are funds available for it. The City is doing slightly less mill and overlay in order to tackle the bridge as it needs to be addressed.
 - Public Works Director Jeff Rupp stated that one-hundred and ninety-five thousand dollars was budgeted.

Governing Body: Councilmember Buehler provided a fun fact, on this day in 1781, the Continental Congress adopted the Articles of Confederation which morphed into the Constitution.

Councilmember Pawlowski thanked City Clerk Sarah Bodensteiner for the large print on the Agenda Summary form she received.

- City Clerk Sarah Bodensteiner stated that the agenda was small and in order to fill the page more fully the print was re-sized.


ADJOURNMENT: Councilmember Pawlowski moved to adjourn. Councilmember Garvey seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:35 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Jason Crum, Parks and Recreation Director
DATE: March 9, 2018
SUBJECT: Tree City Proclamation

One of the long term goals of the Lansing Tree Board is to retain status as a Tree City U.S.A. Lansing has been recognized as such for 18 years. One of the criteria for gaining this status is an Arbor Day Proclamation. Attached is a proclamation declaring April 5, 2018, as Arbor Day in Lansing. Representatives from the Tree Board will be present to receive the proclamation from the Mayor.

On April 5, 2018 at 10:00 a.m. a ceremonial tree will be planted at City Hall.

Policy Consideration: N/A

Financial Consideration: N/A

Action: None

AGENDA ITEM #

2



Proclamation Arbor Day

Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, Trees wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, The City of Lansing has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways.

Now, Therefore, I, Michael W. Smith, Mayor of the City of Lansing, in the State of Kansas, do hereby proclaim the 5th day of April, in the year Two-Thousand Eighteen as

"Arbor Day"

in the City of Lansing, and I urge all citizens to support efforts to protect our trees and woodlands and to support our City's urban forestry program, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of present and future generations.



In witness thereof, I have hereunto set my hand and caused the official seal of the City of Lansing, Kansas to be affixed. This the 15th day of March, in the year Two-Thousand Eighteen.

City of Lansing

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Terri Wojtalewicz, Library Director 
DATE: March 8, 2018
SUBJECT: Charter Ordinance No. 1-2018 – Lansing Community Library

As the library advisory board was reviewing documentation for the library's accreditation, it was determined that the library was not properly chartered out of the State statutes to operate as a city department with a library advisory board. There was a home rule ordinance adopted; however, that does not follow the proper procedure to exempt out of the State statutes. This charter ordinance fulfills that requirement.

Policy Consideration: Charter Ordinance No. 1-2018 must be published once a week for two (2) consecutive weeks in the official city newspaper. It will take effect sixty-one (61) days after its final publication unless a sufficient petition for a referendum is filed.

Financial Consideration: None

Action: Staff recommends a motion to adopt Charter Ordinance No. 1-2018 as presented.

AGENDA ITEM #

3

CHARTER ORDINANCE NO. 1-2018

A CHARTER ORDINANCE EXEMPTING THE CITY OF LANSING, KANSAS, FROM ALL OF THE PROVISIONS OF K.S.A. 12-1218, 12-1219, 12-1220, 12-1222, 12-1223, 12-1224, 12-1225, 12-1226, 12-1255, AND 12-1258; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS BY ORDINARY ORDINANCE.

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

SECTION ONE: The City of Lansing, Kansas, by the power invested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to and does exempt itself from and make inapplicable to it all the provisions of K.S.A. 12-1218, 12-1219, 12-1220, 12-1222, 12-1223, 12-1224, 12-1225, 12-1226, 12-1255, AND 12-1258, and amendments thereto, which each apply to said city, but not uniformly to all cities.

SECTION TWO: The City of Lansing, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to provide substitute and additional provisions on the same subjects by ordinary ordinance.

SECTION THREE: This Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION FOUR: This is a Charter Ordinance and shall take effect sixty-one (61) days after the final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, subdivision (c) (3), of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting hereon.

PASSED AND APPROVED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, the 15th day of March, 2018

{SEAL}

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Published: *Leavenworth Times*

First Publication Date: _____

Second Publication Date: _____

Greg Robinson, City Attorney

AGENDA ITEM

TO: Tim Vandall, City Administrator *TV*
FROM: Rebecca Savidge, City Inspector *RS*
DATE: March 8, 2018
SUBJECT: Ordinance No. 996: An Ordinance to Rezone 15915 Eisenhower Road from B-3 Commercial Business to A-1 Agricultural

A rezoning of the property located at 15915 Eisenhower Road is being requested by Wendell and Irene Taylor, property owners. The property is currently zoned B-3 Commercial Business and the request is to rezone to A-1 Agricultural. This property was annexed into the city of Lansing in 2002. When the property was annexed into the city, it came in with a B-3 zoning as there was a go-cart business being operated on a secondary piece of property owned by the Taylors. The business has been defunct for many years and the property has been used as agricultural and single family.

The property is in non-conforming status and has been since it was annexed into the city of Lansing. When a property is a non-conforming use, in the event that any structure that is devoted in whole or in part to a non-conforming use is damaged or destroyed by any means to the extent of more than fifty percent (50%) of its fair market value, such structure shall not be restored unless such structure and use thereof shall thereafter conform to all regulations of the zoning district in which it is located. When damage or destruction is fifty percent (50%) of its fair market value or less, no repairs or restoration shall be made unless a Building Permit is obtained and restoration is begun within one (1) year after the date of such partial destruction and is diligently pursued to completion. (Ord. 498, Sec. 1)

Due to the Leavenworth County road project on Eisenhower, the county is acquiring part of the property needed for right of way. Unfortunately, the county is taking part of where the structure is currently on the property. The home will have to be relocated on the property farther back and to the west of its current location. Since the property is zoned B-3, a single family home is not a use allowed in this zoning. Issuing a permit to reconstruct the structure would again be creating a non-conforming structure and use. The surrounding properties are currently zoned A-1. The Future Land Use Map shows this property as Commercial and future proposed Main Street Overlay District.

The Planning Commission recommended approval of this application with a 6-0 vote at its February 21, 2018, meeting. A copy of the minutes of that meeting, as well as the checklist and a location map, are attached for your review.

Action: Approve, approve with conditions, or deny adoption of Ordinance No. 996: An Ordinance to Rezone 15915 Eisenhower Road from B-3 Commercial Business to A-1 Agricultural.

AGENDA ITEM #

4

ORDINANCE NO. 996

**AN ORDINANCE GRANTING A CHANGE OF ZONING
TO CERTAIN PROPERTY WITHIN THE CITY OF LANSING, KANSAS.**

WHEREAS, the Planning Commission of the City of Lansing has recommended to rezone particular real estate property within the City of Lansing, Kansas; and

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held on February 21, 2018, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas; and

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

Section 1. Change of Land Uses. The land uses for the following property at 15915 Eisenhower Road, within the city limits of the City of Lansing, County of Leavenworth, State of Kansas, legally described as follows:

LEGAL DESCRIPTION:

A tract of land in the Southwest Quarter of Section 15, Township 9 South, Range 22 East of the 6th P.M., City of Lansing, Leavenworth County, Kansas, more fully described as follows: Commencing at the Northeast corner of said Southwest Quarter; thence South 88 degrees 10'05" West for a distance of 16.50 feet along the North line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence South 18 degrees 10'03" West for a distance of 899.56 feet along the apparent centerline of New Lawrence Road; thence North 75 degrees 49'19" West for a distance of 288.79 feet; thence North 01 degrees 28'56" West for a distance of 765.68 feet to the North line of said Southwest Quarter; thence North 88 degrees 10'05" East for a distance of 580.56 feet along said North line to the point of beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 8.08 acres, more or less.

less any part taken or used for road; presently zoned as "B-3" Commercial Business is hereby changed to "A-1" Agricultural; and

Section 2. Amend Zoning District Map. That upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the Zoning District Map, and said official zoning map shall be and is hereby reincorporated as a part of the Zoning Ordinance as amended.

Section 3. Effective Date. This ordinance shall take effect and be enforced from and after its passage, approval, and publication in the official city newspaper, as provided by law.

PASSED AND APPROVED by the governing body of the City of Lansing, Kansas, this 15th day of March, 2018.

Michael W. Smith, Mayor

ATTEST

Sarah Bodensteiner, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

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

Approval of Minutes, January 17, 2018, Regular Meeting – Commissioner Suozzo made a motion to approve the minutes of the January 17, 2018, regular meeting, seconded by Commissioner Moreland. The motion passed unanimously.

Old Business – none

New Business - Public Hearing – Rezone Application – 15915 Eisenhower Road, Leavenworth, Kansas. – Chairman Schwanz stated that an application was submitted by Joe Herring, authorized agent for Wendell and Irene Taylor, property owners, to rezone 15915 Eisenhower Road from B-3 Commercial Business to A-1 Agricultural. He noted this property is generally located on the southwest corner of Eisenhower Road and New Lawrence Drive and on the south side of Eisenhower Road between New Lawrence Drive and 162nd Street, Leavenworth, Kansas.

Chairman Schwanz opened the public hearing at 7:02 p.m. and asked if anyone in the audience wished to speak in regard to this application. Joe Herring stated he and Mr. Taylor were here to answer any questions the Commission might have. He stated this was a simple request to rezone the property from B-3 Commercial Business to A-1 Agricultural.

Mr. Taylor stated he just wants to build a house on this property and the Leavenworth County Attorney told him he would have to have the property rezoned through the city of Lansing.

Since no one else wished to speak, Chairman Schwanz closed the public hearing at 7:03 p.m. and noted this begins the 14-day protest period.

Commissioner Gies asked if the house is going to be demolished or if there was any thought of relocating it and Mr. Taylor stated it's going to be demolished, as the cost was too much to have it moved.

Chairman Schwanz asked if the Commission would be going in reverse to rezone this from Commercial to Agricultural. Commissioner Gies stated he believes the A-1 zoning is appropriate as everything around this parcel is agricultural. He stated it was zoned B-3 because of the go-kart track and that there is a lot of commercially zoned property right down the street that is sitting empty. City Attorney Greg Robinson said, if anything, the B-3 was spot zoning in and of itself, so this would be more like righting the ship.

Commissioner Moreland asked why Chairman Schwanz brought this up and he stated he thought the property across the street was commercial. City Inspector Rebecca Savidge stated the property across the street was the Schermbeck property. Commissioner Gies asked if that wasn't the Industrial Park and Mr Herring stated a new 186 lot housing project is what is going in at the corner of 20th Street and Eisenhower Road, and east of that is the Industrial Park. Commissioner Gies asked if the land east of this property in Lansing is agricultural and Ms. Savidge stated it is.

Since there were no other questions or comments, Chairman Schwanz asked Commissioners to consider the checklist as a finding of fact. Commissioner Gies stated he believed there were two items on the checklist that needed to be changed. He stated on number 2 under "Relationship to Existing Zoning Pattern" which states "Are there substantial reasons why the property cannot be used in accord with existing zoning?" that the "yes" answer is correct, but that the explanation should be because there is no commercial at that location and there is plenty of commercial property down the street that is not being used. He next stated that number 3 under that same heading and states "Are there adequate sites for the proposed use in areas already properly zoned?" should be "yes" instead of "no". Ms. Savidge stated she interpreted the questions in a different way than Commissioner Gies did.

Chairman Schwanz then asked for a motion on the checklist and Commissioner Gies made a motion to approve the checklist as a finding of fact with the modifications listed above. Commissioner Suozzo seconded the motion and it was unanimously approved.

Chairman Schwanz next asked for a motion on the application itself to either recommend approval, denial, or approval with conditions the request to rezone 15915 Eisenhower Road from B-3 Commercial Business to A-1 Agricultural. Commissioner Moreland made a motion to recommend approval to the City Council of the rezoning application for 15915 Eisenhower Road, seconded by Commissioner Gies. The motion passed unanimously. Chairman Schwanz stated this will go before the City Council at its March 15 meeting.

Notices and Communications – none

Reports – Commission and Staff Members – Chairman Schwanz stated a Council member had approached him about the way the Commission conducts public hearings because at the meeting last month, a citizen wished to speak, but the public hearing had already been closed. Chairman Schwanz stated he would just like direction from the Commission as to how they would like public hearings handled. Mr. Robinson stated he's seen them handled in different ways in different jurisdictions, but was always at the Chairman's discretion. The consensus from the Commission was to handle the hearings on a case by case basis and leave it to the discretion of the Chairman regarding requests to speak once the hearing has been closed.

Chairman Schwanz also wanted to let the Commissioners know that at the City Council Work Session tomorrow evening, there will be continued discussion about the rezoning application on East Mary that was approved by the Commission at its January 17 meeting. He stated it has been tabled twice at the Council level. City Administrator Tim Vandall stated he had been asked to research the possibility of approving the rezoning with a contract that would be filed with the Register of Deeds.

Mr. Vandall also stated the new Community and Economic Development Director would be starting the first week of March and that the Commission may have a lot split application coming up in the near future. Commissioner Gies asked if there was any word about the UDO and Mr. Vandall stated it sounded like the consultant was still a few months out when he last spoke with him.

Lansing Planning Commission
Regular Meeting
February 21, 2018

Commissioner Moreland asked about the right of way request City Engineer Matt Harding had brought up before the meeting regarding tonight's rezoning application and Ms. Savidge stated that is something that would be addressed by the City Council.

Adjournment – Chairman Schwanz made a motion to adjourn, seconded by Commissioner Moreland and approved by acclamation. The meeting adjourned at 7:25 p.m.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,

Rebecca Savidge, City Inspector

DRAFT

REZONING CHECKLIST

Case No. 2018-2

Date Filed: January 22, 2018

Date Advertised: January 30, 2018

Date Notices Sent: January 30, 2018

Public Hearing Date: February 21, 2018

APPLICANT: Joe Herring, authorized agent for Wendell and Irene Taylor

LOCATION OF PROPERTY: 15915 Eisenhower Road

PRESENT ZONING: B-3

REQUESTED ZONING: A-1

PRESENT USE OF PROPERTY: Rural Residential/Ag

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Ag Farm/LV City	City of Leavenworth
South	Ag Farm	A-1
East	Residential	A-1
West	Ag Farm	A-1

CHARACTER OF THE NEIGHBORHOOD: Ag Farming and Rural Residential

NEAREST EQUIVALENT ZONING:

LOCATION: B-3, which is currently the nearest equivalent zoning, would be on Main Street. The proposed use is A-1 and the nearest equivalent zoning circles completely around the property.

CURRENT USE: Ag farm uses and Single Family use.

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. **Would proposed change create a small, isolated district unrelated to surrounding districts?** No. It would bring the property to the same zoning as everything around it. It currently is a small isolated district unrelated to the surrounding districts.

2. **Are there substantial reasons why the property cannot be used in accord with existing zoning?** Yes. If yes, explain: Single Family homes are not permitted to be built in the B-3 zoning.

3. **Are there adequate sites for the proposed use in areas already properly zoned?** No. If yes, where? _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. **Consistent with Development Policies?** Yes

2. **Consistent with Future Land Use Map?** Future Land Use Map shows the property as B-3, in accordance with the existing zoning.

3. Are Public Facilities adequate? Yes

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Eisenhower Road

2. Classification of Street(s):

Arterial Collector _____ Local _____

3. Right of Way Width: 40' on Eisenhower Road and 20' on New Lawrence Road.

4. Will turning movements caused by the proposed use create an undue traffic hazard? No

5. Comments on Traffic: Traffic will likely increase due to the improvements of the road. This will make safer use of the property.

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? No

2. Properly Sized Street Right of Way? Yes, and will be increasing with the road project.

3. Drainage Easements? Unknown

4. Utility Easements:

Electricity? Unknown

Gas? N/A (Propane)

Sewers? None

Water? Unknown

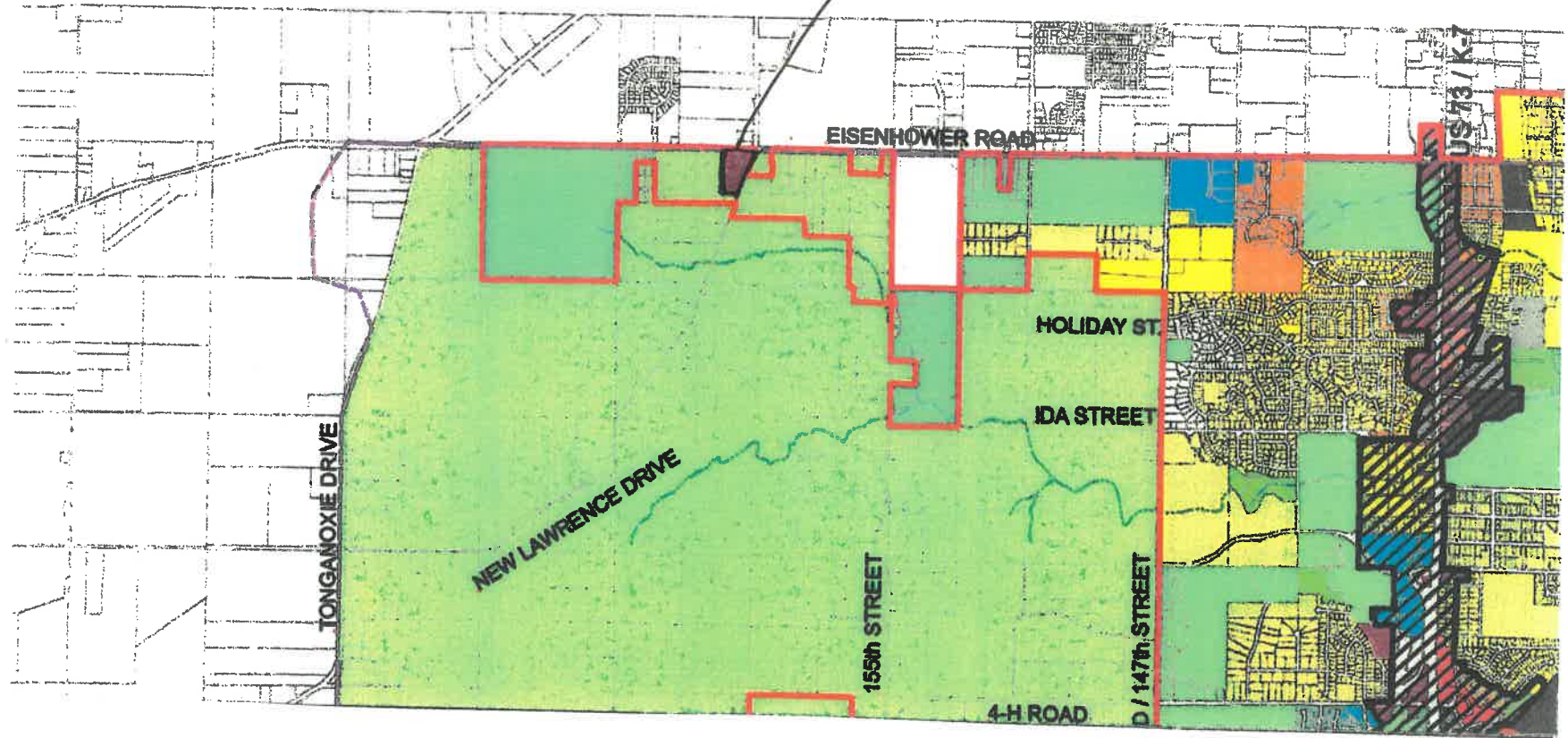
5. Additional Comments: Unable to find plat copy of the property in which any existing easements are listed.

UNIQUE CHARACTERISTICS OF PROPERTY IN QUESTION: Rural lot over eight acres and is only used for single family use and farm ag use.

ADDITIONAL COMMENTS: The existing house is being acquired for additional right of way for a county project and the proposal is to rebuild the house in a different location on the existing property.

MAP 3 | EXISTING ZONING MAP

15915 EISENHOWER ROAD



LEGEND

- URBAN GROWTH MANAGEMENT AREA
- CITY LIMITS
- COUNTY PARCEL
- EXISTING MAIN STREET OVERLAY DISTRICT (MSOD)
- STREAMS
- WATER BODIES

LANSING ZONING

- A-1 AGRICULTURE
- B-1 NEIGHBORHOOD BUSINESS
- B-2 GENERAL BUSINESS
- B-3 COMMERCIAL BUSINESS
- CITY PARK LAND
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL

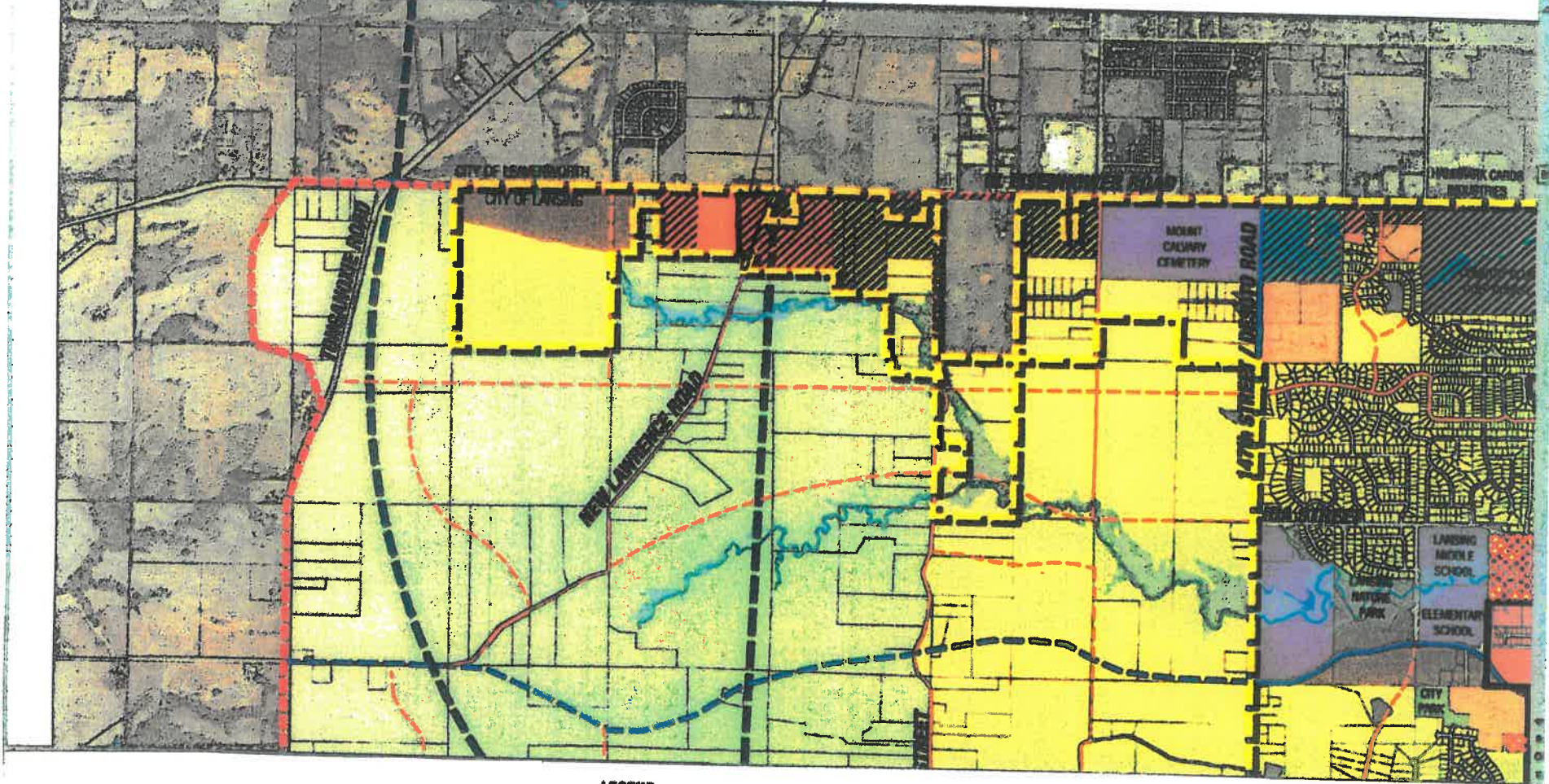
- PUD - PLANNING UNIT DEVELOPMENT
- R-1 SUBURBAN RESIDENTIAL
- R-2 SINGLE FAMILY RESIDENTIAL
- R-3 DUPLEX RESIDENTIAL
- R-4 MULTIFAMILY RESIDENTIAL
- R-5 MOBILE HOME PARK

COUNTY ZONING

- B-3 GENERAL COMMERCIAL
- I-3 HEAVY INDUSTRIAL
- R-2 RESIDENTIAL
- RR-2.4 RURAL RESIDENTIAL

15915 EISENHOWER ROAD

MAP 5 | FUTURE LAND USE MAP



LEGEND

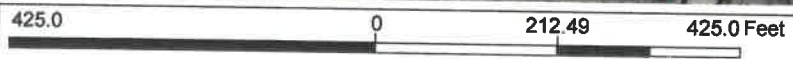
- | | | |
|---------------------------|------------------------------|---|
| RURAL RESIDENTIAL | COMMERCIAL | AIRPORT |
| SINGLE FAMILY RESIDENTIAL | OFFICE | CIVIC |
| MEDIUM DENSITY | BUSINESS PARK/LT. INDUSTRIAL | PROPOSED MAIN STREET OVERLAY DISTRICT BOUNDARY (MSOD) |
| HIGH DENSITY | PARKS | MSOD PROPOSED EXPANSION |
| MIXED USE | OPEN SPACE / AGRICULTURE | MSOD PROPOSED REMOVAL |

Leavenworth County, KS



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

1 in. = 213ft.



Notes
15915 Eisenhower Road

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



Fair Housing Month

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Lansing is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved upon investigation to be violations of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved,

I, Michael W. Smith, Mayor of the City of Lansing, on behalf of its citizens, do hereby proclaim the month of April as

FAIR HOUSING MONTH

And express the hope that this year's observance will promote housing practices throughout the City of Lansing.

In Witness Whereof, I have hereunto set my hand this 15th day of March, in the Year of Two Thousand and Eighteen.



City of Lansing

Michael W. Smith

Michael W. Smith, Mayor

Sarah Bodensteiner

Sarah Bodensteiner, City Clerk

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

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Comments
2007	Ford	Econoline	15 Passenger Wagon	17850	17,998	148	Inherited from PD in Jan. 2016
						0	
						0	
						0	
						0	
Total						148	

Equipment

Year	Make	Model	Description	Hours Start	Hours End	Hours Used	Comments
2018	Advance	SC1500	AutoScrubber Floor Machine	0.16	1.5	1.34	Community Center Cleaning
2018	Kubota	ZG227-A	Mower	0.8	0.8	0	
						0	
						0	
						0	
						0	
Total						1.34	

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Parks and Recreation Fleet Report February 2018

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
2002	Ford	Explorer	SUV		126,272		Parks maintenance	
2003	Ford	F-350	truck-crew cab		123,683		Parks maintenance	
2007	Dodge	Charger	passenger car		126,870		Activity Center use	
2014	Ford	F-350	Dump truck		8937,70		Parks maintenance	
2017	Chevrolet	Silverado	truck		4179		Parks maintenance	
Total								

Equipment

Year	Make	Model	Description	Hours Start	Hours End	Hours Used	Current Use	Comments
1992	Massey Ferguson	1020	Tractor		1977.2	1977.2	Parks maintenance	
1996	Hustler	Range Wing	mower		1904.2	1904.2	Parks maintenance	
2005	Kubota	F3060	mower		230.4	230.4	Parks maintenance	
2007	Turbo Tool Cat	5600	utility vehicle		941.8	941.8	Parks maintenance	
2012	Wright	ZK	stander mower		908.9	908.9	Parks maintenance	
2014	Kubota	ZD331LP-72	mower		1074.3	1074.3	Parks maintenance	
2016	ABI	Force	infield groomer		92.1	92.1	Parks maintenance	
2017	Kubota	ZD1211	mower		203	203	Parks maintenance	

Lansing Police Department
 Vehicle Fleet End of Month Report

Feb-2018

Unit	Year	Make/Model	Mileage as of 02/02	Mileage as of 03/01	Miles Driven	Current Use	Future Use	Comments
1	2013	Ford Explorer	70875	72109	1234	Patrol	Patrol	Fit for patrol duty
2	2012	Dodge Charger	42152	43721	1569	Lieutenant	Lieutenant	Fit for patrol duty
3	2015	Ford Explorer	34577	35290	713	Patrol	Patrol	Fit for patrol duty
4	2015	Ford Explorer	20495	20919	424	Patrol	Patrol	Fit for patrol duty
5	2012	Dodge Charger	26520	27057	537	Captain	Captain	Fit for patrol duty
6	2013	Ford Explorer	49428	50197	769	Patrol	Patrol	Fit for patrol duty
7	2011	Dodge Charger	99968	99968	0	Detective	Detective	Limited Use - Detective
8a	2017	Dodge Charger	5160	6216	1056	Patrol	Patrol	Fit for patrol duty
9	2012	Chevy Tahoe	90888	90888	0	Patrol	Patrol	Being down-fitted
10	2011	Dodge Charger	40650	41800	1150	Chief	Chief	Limited Use - Chief
11	2003	Ford F150	78178	78537	359	Animal Control	Animal Control	Fit for Animal Control duties
13a	2017	Dodge Charger	7510	8906	1396	Patrol	Patrol	Fit for patrol duty
14	1995	Ford EOC Vehicle	162184	162184	0	EOC	EOC	Limited Use - EOC
15	2016	Dodge Charger	19043	19043	0	Patrol	Patrol	WRECKED
17	2016	Dodge Charger	17079	17874	795	Patrol	Patrol	Fit for patrol duty
				Mileage Total:	10002			

Lansing Public Works Department

Monthly Fleet Report

Month February Year 2018

Vehicles

Year	Make	Model	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	Ranger XLT	LT. Pick-up Ext	54,262	54,327	65	
2007	Ford	Ranger XLT	LT. Pick-up Ext	39,169	39,431	262	
1998	Ford	1/2 ton	Pick-up	61,858	62,080	222	
2001	Ford	Ranger	LT. Pick-up Ext	118,278	118,332	54	
2005	Ford	Ranger	LT. Pick-up Ext	40,431	40,503	72	
2000	Ford	Explorer	SUV	186,323	186,417	94	
2005	Sterling	LT 8500	Dump Truck	48,575	48,781	206	
2007	Elgin	Crosswind J+	Street Sweeper	5,560	5,560	0	
1992	Ford	700	Dump Truck	63,267	63,410	143	
2017	Chevrolet	3500	Pick-up Truck	3,990	4,384	394	
2002	Ford	F350 4x4	Dump Truck	72,292	72,677	385	
2011	International	7400	Dump Truck	13,085	13,289	204	
2016	Ford	F350 4x4	One-ton Dump Truck	4,274	4,648	374	
2006	Dodge	Charger	Sedan	122,817	122,913	96	

Equipment

Year	Make	Model	Description	Hours Starting	Hours Ending	Hours Used	Comments
1997	JD	770BH	Grader	5,025	5,029	4	
2004	IR	DD-24	Asphalt Roller	257	257	0	
2006	IR	185	Air Compressor	183	184	1	
1993	Ford	5030	Tractor	476	476	0	
1997	Bobcat	763	Skid Steer	2,053	2,053	0	
2014	Case	580 SNWT	Backhoe	749	802	53	
2002	Crafco	110	Crack Sealer	796	796	0	
2003	Kubota	L3710	Tractor	1,528	1,528	0	
2009	Case	465	Skid Steer	555	563	8	
2004	Case	621D	Front Loader	2,186	2,186	0	at treatment plant

February 2018

City Influent	26.63 MG	City Avg Daily	.844 MG
LCF Influent	12.30 MG	LCF Daily Avg	.439 MG
Total Biosolids	.966 MG	Precip	0.83

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1999	Sterling	Vactor	Jet Truck	8141	8141	0	Collection System	
2002	Ford	350	Pick Up Truck	93290	93487	197	Ops/Maint.	
2006	Ford	Cr Vic	Sedan	150883	151045	162	Ops/Maint.	
2005	Ford	550	Flatbed Truck	42313	42370	57	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	19328	19428	100	Biosolids Disposal	
Total						516		

Equipment

Year	Make	Model	Description			Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	938	940	2	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2231	2231	0	Collection System	
1999	Aries	Saturn III	Camera Trailer	344	344	0	Collection System	
2004	John Deere	7920	Tractor	1171	1172	1	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	1186	1192	6	Operations	
2004	Case	621D	Loader	2241	2247	6	Operations	
2005	Polaris	Ranger #2	Utility Vehicle	1159	1161	2	Maintenance	
2006	JCB	531-70	Telehandler	535	536	1	Plant Activities	