



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

COUNCIL AGENDA
Regular Meeting
Thursday, September 7, 2017
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. United Way Months Proclamation

Council Consideration of Agenda Items:

3. Award of Bid – 2017 Sanitary Sewer Cleaning and CCTV
4. Award of Bid – Project 13-01 East Kay & Third Street Storm Water Project
5. Approval of Audit Ending December 31, 2016
6. Solid Waste Contract
7. Resolution No. B-5-17 – Condemnation for DeSoto Road Land Acquisition
8. Ordinance No. 986 – Amending Appendices A & B in the Lansing Zoning Ordinance
9. Ordinance No. 987 – Amending Sign Regulations in the Lansing Zoning Ordinance

Reports:

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



Proclamations:

10. Assisted Living Week

Other Items of Interest

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: August 28, 2017
SUBJECT: Approval of Minutes

The regular meeting minutes for August 17, 2017, are enclosed for your review.

Action: Staff recommends a motion to approve the regular meeting minutes for August 17, 2017, as presented.

AGENDA ITEM #

Call To Order:

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

Roll Call:

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

Councilmembers Present:

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

Councilmembers Absent: Gregg Buehler

OLD BUSINESS:

Approval of Minutes: Councilmember Brungardt moved to approve the regular meeting minutes of August 3, 2017, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

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

Presentation

COUNCIL CONSIDERATION OF AGENDA ITEMS:

League of Kansas Municipalities Voting Delegates: Mayor Smith stated Tim I think you're going and I'm going to try to make it myself also, so is there anybody else that would like to make this conference, I know some have been a few time.

- Councilmember Garvey asked when is it.
 - City Administrator Tim Vandall replied September 16th through 18th.
- Councilmember McNeill stated I can't make it those dates.
 - Councilmember Pawlowski asked is Sarah going.
 - City Clerk Sarah Bodensteiner replied no.
- Mayor Smith asked Tim do you need a motion.
 - City Administrator Tim Vandall replied we need a motion.
 - Mayor Smith asked can I get a motion.

Councilmember Pawlowski moved to appoint Mayor Mike Smith and City Administrator Tim Vandall as voting delegates. Councilmember Kirby seconded the motion.

- Councilmember McNeill asked do we want to say a third member to be named, or do you only need two.
 - Mayor Smith replied you only need two or whatever you can get basically.
- Councilmember Garvey asked can we add the third one later.
 - Mayor Smith replied yes.

The motion was unanimously approved.

Resolution No. B-4-17 – Community Improvement District for 555 N. Main Street: City Administrator Tim Vandall stated we had talked about CID's a little bit at the last couple of meetings. We have Gina Riekhof here with Gilmore & Bell, and she'd be able to answer any questions the governing body has. With that I'll defer to you guys if you have any questions and Gina can step up to the mic.

- Councilmember Kirby stated I just want to be clear so everybody understands that this is only for stuff done at this one particular business, and we can't make it any clearer than that can we. So if you're across the street it doesn't matter.
 - City Administrator Tim Vandall replied correct.
- Councilmember Pawlowski asked the parameters of what the money can be used for is in the documents.
 - Gina Riekhof with Gilmore & Bell stated the petition that was submitted by the property owner has a request for certain items that can be paid for with the proceeds of the CID sales tax. The Resolution that you are considering this evening, would consider calling a public hearing that is required by statute before the CID would be able to be created and the sales tax imposed, at this one specific location. The companion agreement that we always recommend to our clients is approved at the same time, if you would chose to, to create this CID and allow imposition of the CID sales tax. We recommend that our clients enter into a development agreement with the entity that is going to spend the money on the site to set up all of the specific terms about how the money can be used, about when you're required to reimburse the property owner for eligible expenses that are permitted under the CID Act, and just all of the other terms and conditions that go along with the City using these funds for this purpose under the statute. So in the packet is a draft of the development agreement. It wouldn't be approved this evening with this resolution, but it's provided for your information just so you know where the parties stand at this point in terms of discussions. That development agreement, you

may feel like I was giving you a little bit of an aside here for the last moment or so, but the development agreement has some more specific terms about how the CID sales tax proceeds can be used, as compared to the very broad list of things that are permitted in the petition. By in large it is physical improvements to the property, real estate improvements, related fixtures and equipment that would be used all at this specific site.

- Councilmember Pawlowski stated we did one of these or something similar.
 - City Administrator Tim Vandall stated we did a TDD.
 - Councilmember Pawlowski stated a TDD, well at that point we were told that the amount of the TDD was x number of dollars and then whenever we reached that the sales tax would go away. Is that the same here? It can't go over the four million three hundred and twelve thousand?
 - Gina Riekhof with Gilmore & Bell replied yes, four million three hundred and twelve thousand plus the administration fee that the City would charge, yes. Once that amount has been paid in full to the property owner for eligible expenses then the sales tax would terminate.
- Councilmember Pawlowski asked if it should go for the total length and not ever reach that amount, then it goes away?
 - Gina Riekhof with Gilmore & Bell replied then the sales tax terminates at twenty-two years and there is not further obligation from the City to reimburse any costs.
 - Councilmember Pawlowski asked and it's all reimbursable money so we can't get stuck paying for something if money hasn't come in.
 - Gina Riekhof with Gilmore & Bell stated yeah, this is absolutely a pay as you go program and the development agreement sets this out. The property owner would incur costs and expenses, would have to present invoices and proof of payment to various vendors that they have actually spent money, expended money to their contractors and vendors for payment of eligible costs, the City has a period of time of which to review, the City reviews all of that documentation that is provided to make sure in fact that they are eligible costs and only then, after that's been certified and the sales tax revenue has come in from the State to the City's bank account is it then reimbursed back to the developer.
- Councilmember Pawlowski asked they can't go out and spend all this money at once and expect all of it now.
 - Gina Riekhof with Gilmore & Bell stated well they could go out and spend all the money now, but it's obviously going to come in as the sales taxes are collected, and I think we've provided for reimbursement at a quarterly basis.
- Mayor Smith asked does this stay with the property owner or the property itself. In other words, if Mr. Ladd would sell the property in five years is that still running?
 - Gina Riekhof with Gilmore & Bell replied the proposal on the table right now in the development agreement is that the reimbursement would go to Speedway Chrysler Dodge Jeep, but the reimbursement would be payable to Speedway and there is a provision in the draft development agreement currently that provides that if Speedway ceases operation for a period of more than sixty days on that site, then the development agreement would terminate and there would be no obligation to reimburse. Along with that is a requirement that there is basically a dealership agreement with a nationally recognized auto manufacturer.
 - Councilmember Trinkle asked that covers us in case he wants to sell, so the person whoever buys it has the option to keep going with it or are they forced to go with it?
 - Gina Riekhof with Gilmore & Bell replied no, the way the development agreement is currently written at that point if the operations on that particular site ceased the City would then adopt an ordinance that would terminate the CID and there would be no further sales tax on that particular site.
- Councilmember Pawlowski asked what if he were to sell it under a different name.
 - Councilmember Kirby asked if he sells it to somebody else does it continue on with the new owner.
 - Gina Riekhof with Gilmore & Bell replied yes, the agreement can be assigned to a new owner with the consent of the City. So we just all need to talk about it and get a consent for assignment. The idea is if it's sold to a new owner and operations are just continuing as normal that would just be a consent.
 - Councilmember Trinkle asked there's nothing that would be forced upon a new owner if they don't want to do it. They can come to the City to get it taken off, is that what you're saying.
 - Gina Riekhof with Gilmore & Bell stated you would need to make sure that the party to the development agreement, the Speedway Corporate Group, would be willing to terminate the CID. You would want to make sure that there was

not a breach of contract in that respect, but my guess is that there would be plenty of opportunity for discussions there and you may have a different situation with a covenant to operate.

- Councilmember McNeill asked the companion agreement you talked about is that in there.
 - Gina Riekhof with Gilmore & Bell replied the development agreement is in the packet, if you look after the exhibit.
 - Councilmember Pawlowski stated it says draft at the top.
 - Gina Riekhof with Gilmore & Bell stated it's the only pages that have the draft August 11, 2017 stamp on the top of the pages.
- City Attorney Gregory Robinson stated I reviewed this as the draft document, is there any kind of prohibitions, I don't foresee this as an issue, but I've seen other cities when a developer does this they may be a developer that has different entities, and then they are basically hiring their own companies to do the work, so they're basically double-dipping, paying themselves and they are getting the tax break for it. Is there a prohibition against that or is that something that's been looked at? For example if he is going to build a structure can he hire his own company to build that structure and then basically pay himself and then turn around and get reimbursed by the City, has that been discussed?
 - Gina Riekhof with Gilmore & Bell replied we haven't had any discussions about that, but certainly could and you and I can get together.
 - City Attorney Gregory Robinson stated and that's fine, I just didn't see it in there and thought I'd ask.
 - Gina Riekhof with Gilmore & Bell replied no it's not.

Councilmember Studnicka moved to adopt Resolution No. B-4-17. Councilmember McNeill seconded the motion. 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 stated that if the City hasn't received all the properties for land acquisition for the DeSoto Road project, a resolution will be presented at the next Council Meeting regarding eminent domain and an ordinance to follow the meeting after that. There has been good return so far, but just wanted to make sure the governing body was aware. He mentioned that there were some playground equipment photos included in the Agenda Packet for equipment replacement at Willow Park. The price point was around thirteen thousand dollars and within staff budgetary authority and wanted to bring it up to make sure no one was vehemently opposed to that.

- Councilmember Pawlowski asked what was being removed.
 - Parks & Recreation Department Director Jason Crum advised that the swirly slide is cracking and the spring rockers need to be removed to make room for the new equipment.

Governing Body: Councilmember Trinkle joked that if Councilmember Pawlowski acquires the spring rockers from Willow Park that the City should send a camera crew to video tape the placement.

Councilmember Kirby mentioned that the 2nd annual Police and Family Appreciation luncheon will be held on Sunday, September 17th at the Community Center. He also mentioned that donations are welcome and they can be made to the Friends of Lansing non-profit group that was formed last year. If you have questions or want to help out, please contact Gene Kirby.



ADJOURNMENT: Councilmember Garvey moved to adjourn. Councilmember Brungardt seconded the motion. The motion was approved, with Councilmember Kirby voting against the motion. The meeting was adjourned at 7:16 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: August 25, 2017
SUBJECT: United Way Months Proclamation

The United Way of Leavenworth County campaign kick-off breakfast was held Thursday, September 7, 2017 at 7:00 a.m. at the Hallmark Production Plant. The breakfast signifies the beginning of the United Way campaign months of September and October.

Last year, more than \$194,000.00 was raised by citizens throughout Leavenworth County, including Lansing, to support the agencies associated with United Way of Leavenworth County.

This year, the United Way of Leavenworth County has requested a proclamation from the City to show the City's continued support of their cause and campaign season.

Action: Present the Proclamation to the representatives present from the United Way of Leavenworth County.

AGENDA ITEM #

2



United Way Months Proclamation

Whereas, the city of Lansing, Kansas hopes that all of its citizens enjoy healthy, productive and meaningful lives; and

Whereas, the United Way of Leavenworth County advances the common good by creating opportunities for a better life for everyone; and

Whereas, the United Way of Leavenworth County focuses on education, income and health - which are building blocks for a good quality of life - because we all win when a child succeeds in school, when families are financially stable, and when people are in good health; and

Whereas, it takes every part of the community - individuals, businesses and organizations - to supply the passion, expertise and resources needed to create lasting change for the better; and

Whereas, last year Lansing citizens and those of Leavenworth County generously contributed their volunteer energies as well as more than \$194,000.00 to the United Way of Leavenworth County, thereby investing in programs and initiatives that improve lives and build stronger communities; and

Whereas, the United Way of Leavenworth County kicks off its annual campaign during the months of September and October to unite the community and enhance the lives of those living in Lansing, Kansas;

Now, Therefore: I, Michael W. Smith, Mayor of the City of Lansing, in the State of Kansas, do hereby proclaim the months of September and October 2017 as:

United Way Months

in the City of Lansing, Kansas and commend this observance to all of its citizens.



In witness thereof, I have hereunto set my hand and caused the official seal of the City of Lansing, Kansas, to be affixed on this the 7th day of September, in the year Two-Thousand Seventeen.

City of Lansing

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Anthony J. Zell, Jr., Wastewater Utility Director 
DATE: August 31, 2017
SUBJECT: Request to Approve 2017 Sanitary Sewer Cleaning and CCTV Bid

The 2017 Capital Improvement Program for the Wastewater Utility Department will provide for cleaning and videotaping of areas of the city shown to exhibit the highest levels of inflow and infiltration, based on the last two hydraulic modeling studies and the 2014 Sewer Master Plan. Approximately 69,000 feet of 8" to 12" sewer will be inspected this year, which represents about 22% of the sewer mains within the City.

The Director solicited quotes from four companies on a cost per foot basis. The actual total will vary due to mapping inadequacies, field conditions and other factors. The bids tabulation is below for your review.

BIDDER'S NAME	MOBILIZATION FEE	CLEANING COST (PER FT)	CCTV (PER FT)	BID TOTAL
ACE PIPE CLEANING	\$0.00	\$1.00	\$0.93	\$127,119.45
HYDRO-KLEAN	\$600.00	\$0.75	\$0.54	\$85,565.85
REDDI SERVICES	\$11,725.00	\$1.25	\$1.10	\$166,507.75
TREKK DESIGN GRP	\$1,000.00	\$1.17	\$1.10	\$150,513.55

The attached map shows the locations of all the manholes that are in the work area.

Policy Consideration: None. Lowest and best bidder is qualified and met all conditions of bid form.

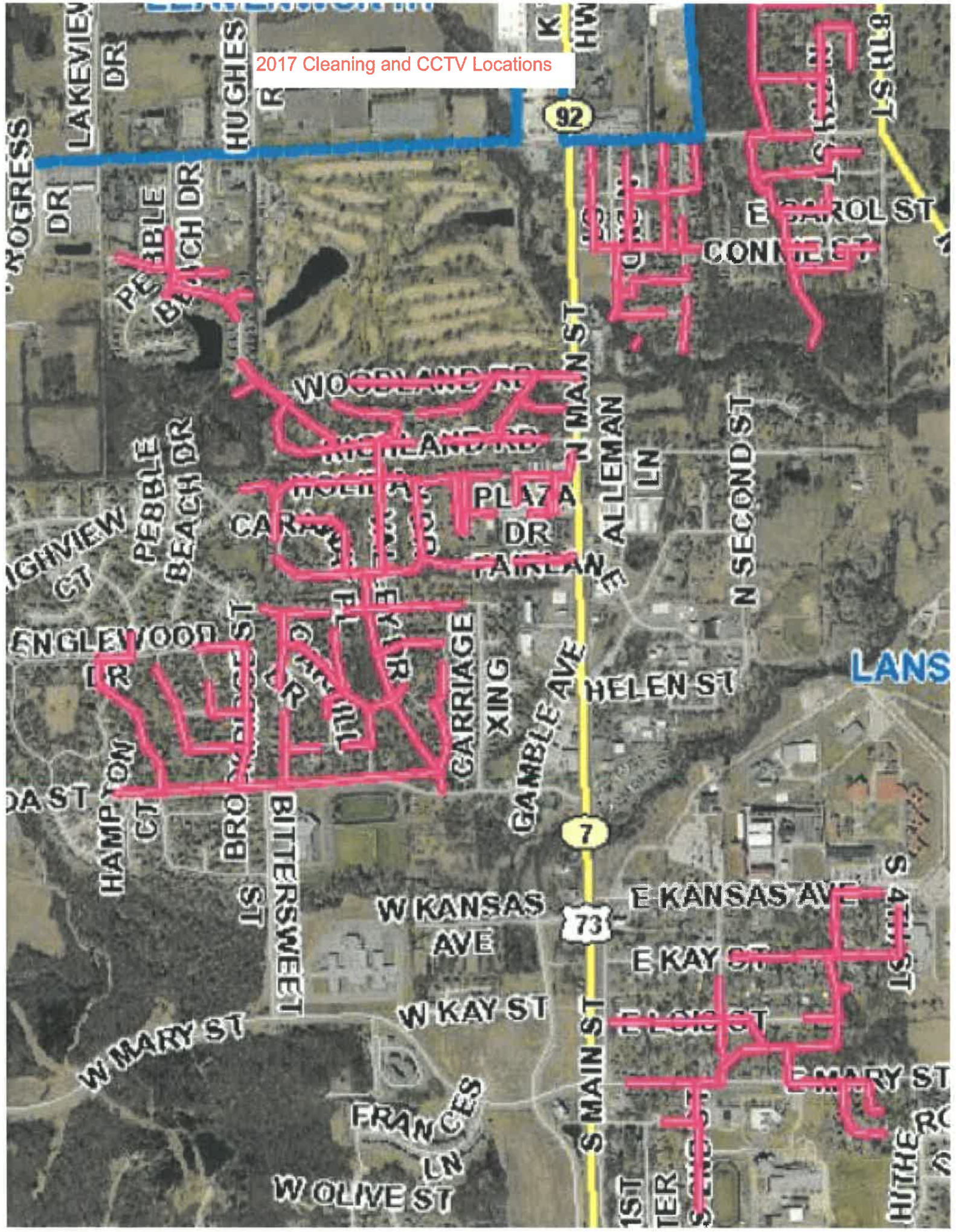
Financial Consideration: Funds are available from the base budget 50-050-41154.

Action: A motion to approve the bid of \$1.29 per foot from Hydro-Klean for cleaning and videotaping approximately 69,000 feet of sanitary sewer.



AGENDA ITEM #

3

2017 Cleaning and CCTV Locations



AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Jeff A. Rupp, Public Works Director 
DATE: September 1, 2017
SUBJECT: Project No. 13-01: East Kay and Third Street Storm Water Project: Award of Bid

This project involves the installation of two pipes for drainage improvements at East Kay and Third Street. Bid opening was held on Thursday, August 24, and six bids were received. The low bid was submitted by Linaweaver Construction of Lansing, Kansas, in the amount of \$80,140.00.

Financial Consideration: Funding for this project was budgeted in Fund 70, lines 43335 and 43316, in the amount of \$110,000.00.

Action: Staff recommends a motion to accept the bid of Linaweaver Construction of Lansing, Kansas, in the amount of \$80,140.00 for Project No. 13-01: East Kay and Third Street Storm Water Project.

AGENDA ITEM #

4

East Kay & 3rd Stormwater Improvements
 Bid Tabulations 8/24/17
 City of Lansing Kansas
 MHS Proj. No. 2017.014

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	Linaweaver Construction		Amino Brothers		Baker Construction, Inc.	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	Mobilization	LS	1	\$5,000.00	\$5,000.00	\$6,550.00	\$6,550.00	\$5,000.00	\$5,000.00
2	Clearing, Grubbing, and Demolition	LS	1	\$2,500.00	\$2,500.00	\$12,600.00	\$12,600.00	\$15,000.00	\$15,000.00
3	Construction Staking	LS	1	\$1,500.00	\$1,500.00	\$1,145.00	\$1,145.00	\$2,500.00	\$2,500.00
4	Grading	LS	1	\$4,000.00	\$4,000.00	\$18,300.00	\$18,300.00	\$5,000.00	\$5,000.00
5	(2") KDOT HMA Commercial Grade (Class A)	SY	81	\$25.00	\$2,025.00	\$66.75	\$5,406.75	\$45.00	\$3,645.00
6	(7") PCC Pavement (AE)	SY	81	\$40.00	\$3,240.00	\$58.85	\$4,766.85	\$72.00	\$5,832.00
7	Excavatable Flowable Fill	CY	112	\$85.00	\$9,520.00	\$97.85	\$10,959.20	\$100.00	\$11,200.00
8	Erosion Control	LS	1	\$1,000.00	\$1,000.00	\$2,880.00	\$2,880.00	\$5,000.00	\$5,000.00
9	Seeding	LS	1	\$2,000.00	\$2,000.00	\$2,195.00	\$2,195.00	\$2,500.00	\$2,500.00
10	Riprap (Heavy Stone) (1/4 Ton)	SY	76	\$95.00	\$7,220.00	\$104.90	\$7,972.40	\$60.00	\$4,560.00
11	Riprap (Light Stone) (100 LB)	SY	33	\$65.00	\$2,145.00	\$86.65	\$2,859.45	\$60.00	\$1,980.00
12	18-inch x 28.5-inch Arch RCP	LF	200	\$95.00	\$19,000.00	\$106.30	\$21,260.00	\$156.00	\$31,200.00
13	24-inch RCP	LF	50	\$65.00	\$3,250.00	\$74.20	\$3,710.00	\$72.00	\$3,600.00
14	RC End Section (18-inch x 28.5-inch Arch)	EA	2	\$1,100.00	\$2,200.00	\$1,340.00	\$2,680.00	\$1,920.00	\$3,840.00
15	RC End Section (24-inch)	EA	2	\$1,000.00	\$2,000.00	\$1,210.00	\$2,420.00	\$1,590.00	\$3,180.00
16	Silt Removal from Existing RCP	LS	1	\$3,500.00	\$3,500.00	\$100.00	\$100.00	\$1,500.00	\$1,500.00
17	12-inch SDR 26 PVC	LF	88	\$80.00	\$7,040.00	\$73.75	\$6,490.00	\$75.00	\$6,600.00
18	Fernco Strongback RC 1002 Coupling (12-inch)	EA	4	\$125.00	\$500.00	\$395.00	\$1,580.00	\$125.00	\$500.00
19	Traffic Control	LS	1	\$2,500.00	\$2,500.00	\$5,675.00	\$5,675.00	\$2,500.00	\$2,500.00
TOTAL BASE BID					\$80,140.00		\$119,549.65		\$115,137.00


East Kay & 3rd Stormwater Improvements
 Bid Tabulations 8/24/17
 City of Lansing Kansas
 MHS Proj. No. 2017.014

				Blue Nile Contractors		Lexeco		Westland Construction	
ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	Mobilization	LS	1	\$9,196.00	\$9,196.00	\$9,000.00	\$9,000.00	\$12,000.00	\$12,000.00
2	Clearing, Grubbing, and Demolition	LS	1	\$6,839.00	\$6,839.00	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00
3	Construction Staking	LS	1	\$1,369.00	\$1,369.00	\$1,300.00	\$1,300.00	\$1,500.00	\$1,500.00
4	Grading	LS	1	\$4,697.00	\$4,697.00	\$15,000.00	\$15,000.00	\$3,000.00	\$3,000.00
5	(2") KDOT HMA Commercial Grade (Class A)	SY	81	\$78.00	\$6,318.00	\$30.00	\$2,430.00	\$45.00	\$3,645.00
6	(7") PCC Pavement (AE)	SY	81	\$81.00	\$6,561.00	\$140.00	\$11,340.00	\$72.00	\$5,832.00
7	Excavatable Flowable Fill	CY	112	\$100.00	\$11,200.00	\$87.00	\$9,744.00	\$90.00	\$10,080.00
8	Erosion Control	LS	1	\$2,852.00	\$2,852.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00
9	Seeding	LS	1	\$3,194.00	\$3,194.00	\$4,700.00	\$4,700.00	\$2,000.00	\$2,000.00
10	Riprap (Heavy Stone) (1/4 Ton)	SY	76	\$45.00	\$3,420.00	\$105.00	\$7,980.00	\$40.00	\$3,040.00
11	Riprap (Light Stone) (100 LB)	SY	33	\$65.00	\$2,145.00	\$81.00	\$2,673.00	\$40.00	\$1,320.00
12	18-inch x 28.5-inch Arch RCP	LF	200	\$130.00	\$26,000.00	\$128.00	\$25,600.00	\$90.00	\$18,000.00
13	24-inch RCP	LF	50	\$100.00	\$5,000.00	\$96.00	\$4,800.00	\$110.00	\$5,500.00
14	RC End Section (18-inch x 28.5-inch Arch)	EA	2	\$1,250.00	\$2,500.00	\$1,900.00	\$3,800.00	\$1,500.00	\$3,000.00
15	RC End Section (24-inch)	EA	2	\$1,100.00	\$2,200.00	\$1,770.00	\$3,540.00	\$1,500.00	\$3,000.00
16	Silt Removal from Existing RCP	LS	1	\$2,300.00	\$2,300.00	\$3,850.00	\$3,850.00	\$1,500.00	\$1,500.00
17	12-inch SDR 26 PVC	LF	88	\$80.00	\$7,040.00	\$50.00	\$4,400.00	\$75.00	\$6,600.00
18	Fernco Strongback RC 1002 Coupling (12-inch)	EA	4	\$125.00	\$500.00	\$295.00	\$1,180.00	\$200.00	\$800.00
19	Traffic Control	LS	1	\$5,579.00	\$5,579.00	\$540.00	\$540.00	\$2,000.00	\$2,000.00
TOTAL BASE BID					\$108,910.00		\$119,377.00		\$90,317.00

East Kay & 3rd Stormwater Improvements
 Bid Tabulations 8/24/17
 City of Lansing Kansas
 MHS Proj. No. 2017.014

				Engineers Estimate		Averages	
ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	EXTENSION	Unit Price	Extension
1	Mobilization	LS	1	\$4,560.00	\$4,560	\$7,791.00	\$7,791.00
2	Clearing, Grubbing, and Demolition	LS	1	\$3,250.00	\$3,250	\$7,656.50	\$7,656.50
3	Construction Staking	LS	1	\$900.00	\$900	\$1,552.33	\$1,552.33
4	Grading	LS	1	\$5,000.00	\$5,000	\$8,332.83	\$8,332.83
5	(2") KDOT HMA Commercial Grade (Class A)	SY	81	\$30.00	\$2,430	\$48.29	\$3,911.63
6	(7") PCC Pavement (AE)	SY	81	\$70.00	\$5,670	\$77.31	\$6,261.98
7	Excavatable Flowable Fill	CY	112	\$136.00	\$15,232	\$93.31	\$10,450.53
8	Erosion Control	LS	1	\$1,750.00	\$1,750	\$2,955.33	\$2,955.33
9	Seeding	LS	1	\$750.00	\$750	\$2,764.83	\$2,764.83
10	Riprap (Heavy Stone) (1/4 Ton)	SY	76	\$45.00	\$3,420	\$74.98	\$5,698.73
11	Riprap (Light Stone) (100 LB)	SY	33	\$42.50	\$1,403	\$66.28	\$2,187.08
12	18-inch x 28.5-inch Arch RCP	LF	200	\$80.00	\$16,000	\$117.55	\$23,510.00
13	24-inch RCP	LF	50	\$62.00	\$3,100	\$86.20	\$4,310.00
14	RC End Section (18-inch x 28.5-inch Arch)	EA	2	\$1,290.00	\$2,580	\$1,501.67	\$3,003.33
15	RC End Section (24-inch)	EA	2	\$1,075.00	\$2,150	\$1,361.67	\$2,723.33
16	Silt Removal from Existing RCP	LS	1	\$800.00	\$800	\$2,125.00	\$2,125.00
17	12-inch SDR 26 PVC	LF	88	\$85.00	\$7,480	\$72.29	\$6,361.67
18	Fernco Strongback RC 1002 Coupling (12-inch)	EA	4	\$360.00	\$1,440	\$210.83	\$843.33
19	Traffic Control	LS	1	\$650.00	\$650	\$3,132.33	\$3,132.33
TOTAL BASE BID					\$78,564.50		\$105,571.78

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Beth Sanford, Finance Director
DATE: August 28, 2017
SUBJECT: Approval of Audit Ending December 31, 2016

Wendling, Noe, Nelson, and Johnson, LLC audited the financial statements for the City of Lansing for the year ended December 31, 2016. Copies of the final audit were distributed to the Mayor and council at the August 31 work session.

Mr. Brian Nyp, a representative from Wendling, Noe, Nelson, and Johnson, LLC, will present a brief overview of the audit and answer any questions.

Action:

Staff recommends a motion to approve the final audit for the City of Lansing for the year ended December 31, 2016.

AGENDA ITEM #

5

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Elizabeth Sanford, Finance Director
DATE: August 31, 2017
SUBJECT: Solid Waste Contract

The City's current Solid Waste Disposal contract with Waste Management expires on March 1, 2018. The Solid Waste Assessment Group prepared and issued a Request for Proposal for Residential Solid Waste Services, with a deadline of August 11, 2018 at 3:00 p.m. Three proposals were received.

A bid comparison sheet was used to evaluate the proposals and is attached for review. The Solid Waste Assessment Group met and reviewed all proposals and decided unanimously to recommend that the city enter into a 3-year contract with Waste Management of Kansas, Inc.

Action:

Staff requests that the Council move to authorize the City Administrator to negotiate with Waste Management of Kansas, Inc. for a 3-year residential solid waste service contract, with an effective date of March 1, 2018.


AGENDA ITEM #

6

**City of Lansing
Solid Waste Committee
Bid Comparison**

	Current Service	Honey Creek Disposal	Republic Services	Waste Management
Trash & Recycling Carts (sizes available)	35, 65, and 95-gallon	35, 65, and 95-gallon	65 and 95-gallon	35, 65, and 95-gallon
Collection Day(s)	Thursday	Mon - Fri (City will be divided into 5 sections.)	Tues - Fri (City will be divided into 4 sections.)	Thursday
Bulky item pickup	Annual - must be scheduled	Monthly (limited to 2 large furniture or appliances per month)	Small items - monthly/ Large item - annual - must be scheduled	1 large item pickup the first full pickup week of each month
Recycling collection	Weekly (no glass)	Bi-weekly (20% increase to include glass)	Weekly (no glass)	Weekly (no glass)
Yard Waste Collection (# of bags per week/seasonal or year round)	8 bags (Feb-Aug) / 12 bags (Sep-Dec)	12 bags weekly year round	12 bags weekly year round	12 bags weekly year round
Service for City Events	Reduced rate	Reduced rate	\$4,000 budget to support city events	Reduced rate
Solid Waste Service for City Facilities	Yes	Yes	Yes	Yes
Reporting (types of reports, frequency of submission to city)	Monthly billing stmt	Quarterly and annual metrics		Quarterly and annual metrics
Customer Service (roaming supervisor, call center hours, email/supervisor/company response times)	supervisor in town on trash day/call center in Lombard, IL	Roving ambassador/Local office customer service Mon-Fri 8am-5pm/Lansing tab on Honey Creek website	3 national call centers/mobile app/website	Roving ambassador/Call center in Lombard, IL/mobile app/live chat
2 "Unlimited" Days	6 additional bags the week after Christmas and the week after the 4th of July	12 additional bags the week after Christmas and the week after New Year's Day	The week after July 4th and the week after Christmas	6 additional bags the week after Christmas and the week after the 4th of July
Non-carted service for elderly/handicapped	Yes	Available with appropriate documentation		
Overage stickers available for additional trash (cost)	\$1.00	\$1.00	\$1.00	\$1.00
2nd Trash Container (monthly charge)	\$5.00/month	\$5.00/month	\$52.00/year	\$10.00/month
References		City of Tonganoxie, Eudora, DeSoto	Prairie Village, KS, Liberty, MO, Kearney, MO	Wyandotte Co Unfied Govt, Edwardsville, KS, Basehor, KS
Contractor Cost per Household	\$14.69	\$17.50	\$21.43	\$14.69
City Administrative Charge	\$1.50	\$1.50	\$1.50	\$1.50
Total Cost per household	\$16.19	\$19.00	\$22.93	\$16.19

AGENDA ITEM

TO: Mayor; Lansing City Council
FROM: Tim Vandall, City Administrator 
DATE: August 30, 2017
SUBJECT: Condemnation Resolution-DeSoto Road

Explanation: Over the last month, the City has come to an agreement with nearly all property owners for the DeSoto Road project, except two. This resolution begins the condemnation process for the two listed properties. If approved, an ordinance to move forward with condemnation would be on the September 21st agenda. Although this resolution begins the condemnation process, we can still continue to negotiate with the property owners. The City is working with attorney William Frost for all condemnation proceedings. Mr. Frost will be in attendance September 7th to answer any questions.

Financial Considerations: All properties needed for acquisition were appraised by a certified appraiser, and then review-appraised by a separate appraiser. The City has been unable to negotiate the purchase of the two properties needed for the DeSoto Road project.

Policy Considerations: Land acquisition needs to be completed in order to proceed with construction of the DeSoto Road project. If there are properties that have not been purchased, the City can still proceed if the condemnation process has started on the outstanding properties.

Action: Approve resolution B-5-17.

AGENDA ITEM #

7

RESOLUTION NO. B-5-17

A RESOLUTION PURSUANT TO K.S.A. 26-201 REGARDING CONDEMNATION OF PROPERTY FOR THE CONSTRUCTION OF A PUBLIC STREET AND ASSOCIATED DRAINAGE IMPROVEMENTS IN THE CITY OF LANSING, KANSAS.

WHEREAS, the City of Lansing, Kansas has undertaken the construction and improvement of Desoto Road, a public street, within the City, which also includes associated drainage improvements, all hereinafter referred to as the “Project”; and,

WHEREAS, whenever the term “permanent right of way easement” is used herein, it shall mean a grant of easement, in perpetuity, for the purpose of constructing, maintaining, repairing, inspecting, operating and using streets, sidewalks, utilities and drainage improvements, and said easement shall be for the benefit of the public and shall include the right of vehicular and pedestrian travel by the general public; and,

WHEREAS, whenever the term “temporary easement” is used herein, it shall mean a temporary grant of easement for a period commencing on January 1, 2018, or the date upon which the appraiser’s report is filed in any condemnation action, whichever date is later, and terminating on December 31, 2020, and shall be for the purpose of surveying, excavating, filling, grading, storage of materials and equipment, and all other purposes incidental to the construction of a street, sidewalks, utilities, or drainage improvements on the permanent public right-of-way adjacent thereto, and shall be conditioned upon: (i) the City constructing a driveway that connects the newly improved adjacent street to the remaining property; and, (ii) the City providing access from the public right of way to the remaining property during the construction and providing the temporary surfacing of such access; and (iii) upon the termination of the temporary easement, the City restoring the unimproved portion of the easement to a neat and sightly condition and reseeding the grass; and,

WHEREAS, whenever the term “drainage easement” is used herein, it shall mean a permanent grant of easement for the purpose of constructing, reconstructing, maintaining and repairing such structures and improvements that are determined by City to be necessary to accept the flow of surface water from adjacent property and also from public right of way, and shall also be for the purpose of the flowage of surface water across and upon said easement; and,

WHEREAS, in order to complete the Project, it is necessary for the City to acquire certain property interests from certain property owners, as set forth below, hereinafter collectively referred to as the “Property”, to-wit:

A.

NAME OF PROPERTY OWNERS: Steven D. Courter and Lisa A. Courter, husband and wife.

LEGAL DESCRIPTION OF PROPERTY:

Tract I: A temporary easement over: That part of the Northwest Quarter of Section 24, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence N 00°54'27" W along the West line of said Northwest Quarter a distance of 508.76 feet; thence N 89°05'33" E a distance of 40.00 feet to the Point of Beginning on the East right-of-way of Desoto Road; thence N 00°54'27" W along said East right-of-way line a distance of 65.18 feet; thence N 89°05'33" E along said right-of-way a distance of 10.00 feet; thence S 00°54'27" E a distance of 65.18 feet; thence S 89°05'33" W a distance of 10.00 feet to the point of beginning. The above described contains 652 square feet, more or less.

Tract II: A drainage easement over: That part of the Northwest Quarter of Section 24, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence N 00°54'27" W along the West line of said Northwest Quarter a distance of 577.72 feet; thence N 87°15'00" E a distance of 70.04 feet to the Point of Beginning on the East right-of-way line of Desoto Road; thence N 00°54'27" W along said East right-of-way line a distance of 62.41 feet to the North line of a tract described in Book 993, Page 1346 recorded in the Office of the Register of Deeds in said County; thence N 87°15'00" E along said North line a distance of 49.03 feet; thence S 00°54'27" E a distance of 62.41 feet; Thence S 87°15'00" W a distance of 49.03 feet to the point of beginning. The above described contains 3058 square feet, more or less.

B.

NAME OF PROPERTY OWNERS: Terri L. Harris, a single person, and Donald D. Kline and Kelly K. Cline, husband and wife.

LEGAL DESCRIPTION OF PROPERTY:

Tract I: A permanent right of way easement over: That part of Southeast Quarter of Section 14, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Southeast Corner of said Southeast Quarter; thence S 87°34'58" W (assumed bearing) along the South line of said Southeast Quarter a

distance of 50.02 feet to the Point of Beginning on the West right-of-way line of Desoto Road; thence S 87°34'58" W along said South line a distance of 18.01 feet; thence N 00°36'49" W a distance of 193.15 feet; thence N 87°34'58" E a distance of 18.01 feet to said West right-of-way line; thence S 0°36'49"E a distance of 193.15 feet to the point of beginning. The above described contains 3477 square feet, more or less.

Tract II: A temporary easement over: That part of Southeast Quarter of Section 14, Township 9 South, Range 22 East of the Sixth Principal Meridian, in Leavenworth County, Kansas described as follows:

Commencing at the Southeast Corner of said Southeast Quarter; thence S 87°34'58" W (assumed bearing) along the South line of said Southeast Quarter a distance of 68.03 feet to the Point of Beginning; thence S 87°34'58" W along said South line a distance of 13.00 feet; thence N 00°36'49" W a distance of 228.64 feet; thence N 87°34'58" E a distance of 13.01 feet; thence N 00°36'49" W a distance of 71.36 feet to the North line of a tract described in Book 834, Page 1088 recorded in the Office of the Register of Deeds of said County; thence N 87°34'58" E a distance of 18.01 feet to the West right-of-way line of Desoto Road; thence S 00°36'49" E along said West right-of-way line a distance of 106.85 feet; thence S 87°34'58" W a distance of 18.01 feet; thence S 00°36'49" E a distance of 193.15 feet to the point of beginning. The above described contains 4896 square feet, more or less.

WHEREAS, the City has been unable to negotiate the purchase of the necessary interests in the Property, and it is therefore necessary to exercise the City's power of eminent domain to acquire said interests.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lansing, Kansas, that it is necessary to acquire interests in the Property for the purpose of completion of the Project, and it is necessary to acquire said interests by the exercise of eminent domain.

BE IT FURTHER RESOLVED, that Professional Engineering Consultants, P.A., professional engineers competent to conduct land surveys, acting as the City's agent, shall cause the Property to be surveyed, and shall file the survey and description with the City Clerk.

BE IT FURTHER RESOLVED, that this Resolution be published once in the official city newspaper.



**PASSED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS,
ON THIS 7th DAY OF SEPTEMBER, 2017.**

ATTEST:

SARAH BODENSTEINER,
City Clerk

MICHAEL W. SMITH,
Mayor

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Stefanie Leif, AICP, Community & Economic Development Director 
DATE: August 30, 2017
SUBJECT: Ordinance No. 986 amending the Lansing Zoning Ordinance, Appendices A and B

Background:

The proposed amendments to the Lansing Zoning Ordinance Appendix A (table of uses) and Appendix B (list of uses by zone) would allow day care centers as a conditional use in the B-3 Commercial Business zoning district. A day care center is defined as seven (7) or more unrelated children or adults. Currently the code does not list day care centers as either a permitted or conditionally permitted use in the B-3 zone. Day care centers are currently conditional uses in A-1, R-1, R-2, R-3, R-4, R-5, R-6, B-1, and B-2. Staff is aware of two day care centers in existence in the B-3 zone.

It has come to staff's attention that a day care center has been issued conditional use permits since 2007 in the B-3 zone. Since that use is not currently a permitted or conditionally permitted use in the B-3 zone, this amendment will allow a day care center to apply for a conditional use to operate in the B-3 zone.

Planning Commission Recommendation: The Planning Commission held a public hearing on August 16, 2017, to give consideration to an amendment to Lansing Zoning Ordinance Appendices A and B. The public hearing notice was published in the *Leavenworth Times* on July 25, 2017. At its August 16 meeting, the Planning Commission unanimously (5-0) recommended to the City Council approval of the amendments.

Attachments to this agenda item:

1. Proposed Ordinance No. 986 with exhibits and Ordinance Summary
2. Draft Minutes from the August 16, 2017, Planning Commission meeting

Policy Consideration: The following regulations and plans apply to this rezone application:

- Lansing Zoning Ordinance Article 12 (Amendments), Appendix A (table of uses), and Appendix B (list of uses by zone)

Financial Consideration: No financial consideration at this time.

Action: Motion to adopt Ordinance Number 986 amending the Lansing Zoning Ordinance, Appendices A and B.

AGENDA ITEM

8

ORDINANCE NO. 986

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE ZONING ORDINANCE, AS ADOPTED BY REFERENCE IN LANSING CITY CODE, SECTION 17-101; FURTHER AMENDING APPENDICES A AND B.

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted zoning ordinance Appendices A and B "Permitted and Conditionally Permitted Uses." The official zoning ordinance is adopted by reference in Lansing City Code, Section 17-101; and,

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held by the Planning Commission on August 16, 2017, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas.

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

SECTION 1. Lansing Zoning Ordinance, Appendix A is hereby amended pursuant to Exhibit A of this ordinance.

SECTION 2. Lansing Zoning Ordinance, Appendix B is hereby amended pursuant to Exhibit B of this ordinance.

SECTION 4. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

PASSED AND APPROVED by the governing body of the city of Lansing, Kansas, this 7th day of September, 2017.

Michael W. Smith, Mayor

{SEAL}

ATTEST

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Published: *The Leavenworth Times*

Date Published : _____

APPENDIX A

A LISTING OF PERMITTED AND CONDITIONAL USES

LEGEND:

"A-1" = AGRICULTURAL

"R-1" = SUBURBAN RESIDENTIAL

"R-2" = SINGLE-FAMILY RESIDENTIAL

"R-3" = DUPLEX RESIDENTIAL

"R-4" = MULTI-FAMILY RESIDENTIAL

**"R-5" = MOBILE HOME PARK DISTRICT
(HIGH DENSITY)**

**"R-6" = MOBILE HOME PARK DISTRICT
(LOW DENSITY)**

"B-1" = NEIGHBORHOOD BUSINESS

"B-2" = GENERAL BUSINESS

"B-3" = COMMERCIAL BUSINESS

"I-1" = LIGHT INDUSTRIAL

LAND USE	CODE.	A-1	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	I-1	I-2
D													
DAIRY PRODUCTS - RETAIL	5450.	.	.	.	.	.	.	.	P	P	C	.	.
DAIRY PRODUCTS - MANUFACTURING	2120.	.	.	.	.	.	.	.	.	.	.	.	P
DAY CARE CENTERS (7 OR MORE UNRELATED CHILDREN OR ADULTS) (Ord. 423, Sec. 1)	6811.	C	C	C	C	C	C	C	C	C	C	.	.
DEPARTMENT STORES - RETAIL	5310.	.	.	.	.	.	.	.	.	P	.	.	.
DETECTIVE AND PROTECTIVE SERVICES	6393.	.	.	.	.	.	.	.	C	P	P	.	.
DISCOUNT AND VARIETY STORES - RETAIL	5330.	.	.	.	.	.	.	.	.	P	P	.	.
DORMITORIES, COLLEGE	1232.	.	.	.	.	P	.	.	C	.	.	.	.
DRUG AND PROPRIETARY - RETAIL	5910.	.	.	.	.	.	.	.	P	P	C	.	.
DRUGS, CHEMICALS AND DRUGGIST SUNDRIES - WHOLESALE	5121.	.	.	.	.	.	.	.	.	.	P	P	P
DRUGS AND BIOLOGICAL PRODUCTS - MANUFACTURING	2830.	.	.	.	.	.	.	.	.	.	.	.	P
DRY CLEANING AND LAUNDERING SERVICES	6216.	.	.	.	.	.	.	.	P	P	.	.	.
DRY GOODS AND GENERAL MERCHANDISE - RETAIL	5391.	.	.	.	.	.	.	.	.	P	.	.	.
DRY GOODS AND APPAREL - WHOLESALE	5131.	.	.	.	.	.	.	.	.	.	P	P	P
DWELLING, MOBILE HOME NOT ON PERMANENT FOUNDATION	1151.	.	.	.	.	.	P	.	.	.	.	.	.
DWELLING, MOBILE HOME ON PERMANENT FOUNDATION	1152.	.	.	.	.	.	.	P	.	.	.	.	.
DWELLING, MULTI-FAMILY	1130.	.	.	.	.	P	.	.	C	.	.	.	.
DWELLING, SINGLE-FAMILY ATTACHED	1113.	.	.	.	C	C	.	.	.	.	.	.	.
DWELLING, SINGLE-FAMILY DETACHED (Ord. 401, Sec.2)	1111.	P	P	P	P	P	.	.	.	.	.	.	.
DWELLING, SINGLE-FAMILY DETACHED - ZERO-LOT LINE	1114.	.	.	C	C	P	.	.	.	.	.	.	.
DWELLING, TWO-FAMILY	1120.	.	.	.	P	P	.	.	.	.	.	.	.

LAND USE	CODE.	A-1	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	I-1	I-2
DYEING AND FINISHING OF TEXTILES	2230.	.	.	.	.	.	.	.	.	.	.	.	C

B-3 COMMERCIAL BUSINESS PERMITTED USES	B-3 COMMERCIAL BUSINESS CONDITIONALLY PERMITTED USES
<ol style="list-style-type: none"> 1. ACCOUNTING AND BOOKKEEPING SERVICES 2. ADVERTISING SERVICES 3. AIR CONDITIONING, REFRIGERATED EQUIPMENT AND SUPPLIES - WHOLESALE 4. ALCOHOLIC BEVERAGES, BEER AND WINE - WHOLESALE 5. AMPHITHEATERS 6. ANTIQUES - RETAIL 7. APPLIANCES (ELECTRICAL), TELEVISIONS, TAPE PLAYERS, RADIO SETS - WHOLESALE 8. APPLIANCE REPAIR SERVICES 9. ARMED FORCES RESERVE CENTER 10. AUDITORIUMS AND EXHIBITION HALLS 11. AUTOMOBILE AND OTHER MOTOR VEHICLE REPAIR SERVICES 12. AUTOMOBILE AND OTHER MOTOR VEHICLES - RETAIL 13. AUTOMOBILE AND TRUCK RENTAL SERVICES 14. AUTOMOBILE PARTS AND SUPPLIES - RETAIL 15. AUTOMOBILE AND TRUCK WASH SERVICES 16. BAIT SHOPS 17. BANKING SERVICES 18. BARBER AND BEAUTY SERVICES 19. BOOKS, MAGAZINES, AND NEWSPAPERS DISTRIBUTING - WHOLESALE 20. BOWLING 21. BROADCASTING STUDIOS - RADIO AND TV 22. BUILDING CONSTRUCTION CONTRACTORS 23. BUSINESS AND MANAGEMENT CONSULTING SERVICES 24. BUSINESS OFFICES NOT ELSEWHERE LISTED 25. BUSINESS ASSOCIATIONS 26. BUS PASSENGER TERMINALS 27. CARPENTRY AND WOOD FLOORING SERVICES 	<ol style="list-style-type: none"> 1. AMUSEMENT PARKS AND GO-CART TRACKS 2. ANIMAL SHELTER 2.3 ART GALLERIES AND ARTISTS STUDIOS 3.4 BAKERIES - RETAIL 4.5 BOOKS AND STATIONERY - RETAIL 5.6 BUS GARAGING AND EQUIPMENT MAINTENANCE 6.7 CABINET MAKING - MANUFACTURING 7.8 CANDY, NUT, AND CONFECTIONERY - RETAIL 8.9 CARPET AND RUG CLEANING AND REPAIR SERVICE 9.10 CIGARETTES AND CIGARS - RETAIL 10.11 DAIRY PRODUCTS — RETAIL 12. DAY CARE CENTERS 11.12 DRUG AND PROPRIETARY - RETAIL 12.13 EXTERMINATING AND DISINFECTING SERVICES 13.14 FISH AND SEAFOODS - RETAIL 14.15 FLORISTS - RETAIL 15.16 FRUITS AND VEGETABLES - RETAIL 16.17 GIFTS, NOVELTIES, AND SOUVENIRS - RETAIL 17.18 GROCERIES AND MEATS - RETAIL 18.19 HARDWARE AND FARM SUPPLIES - RETAIL 19.20 HOBBY SUPPLIES - RETAIL 20.21 ICE — MANUFACTURING 21.22 KENNELS-BOARDING AND BREEDING 22.23 LIQUOR - RETAIL 23.24 MAGAZINES AND NEWSPAPERS - RETAIL 24.25 MOTOR VEHICLES AND EQUIPMENT - WHOLESALE 25.26 PETS AND PET GROOMING - RETAIL 26.27 RACE TRACKS AND COURSES

<u>B-3 COMMERCIAL BUSINESS PERMITTED USES</u>	<u>B-3 COMMERCIAL BUSINESS PERMITTED USES</u>
<u>289.</u> CEMETERIES AND MAUSOLEUMS	<u>5354.</u> FUR REPAIR AND STORAGE SERVICES
<u>2930.</u> CHURCHES, SYNAGOGUES, AND TEMPLES	<u>5455.</u> GARDEN SUPPLIES AND LANDSCAPE NURSERY - RETAIL
<u>3310.</u> CIVIC, SOCIAL, AND FRATERNAL ASSOCIATIONS	<u>5556.</u> GASOLINE SERVICE STATIONS - RETAIL
<u>3432.</u> COMMERCIAL AND INDUSTRIAL MACHINERY, EQUIPMENT, AND SUPPLIES - WHOLESALE	<u>5657.</u> GOLF COURSES
<u>332.</u> CONSTRUCTION EQUIPMENT - RETAIL	<u>5857.</u> GOLF DRIVING RANGES
<u>334.</u> COUNTRY CLUB AND ATHLETIC CLUBS	<u>5859.</u> GREENHOUSES
<u>354.</u> CREDIT REPORTING, ADJUSTMENT AND COLLECTION SERVICES	<u>5960.</u> HARDWARE - WHOLESALE
<u>356.</u> DETECTIVE AND PROTECTIVE SERVICES	<u>6061.</u> HEALTH AND EXERCISE SPAS
<u>376.</u> DISCOUNT AND VARIETY STORES - RETAIL	<u>6462.</u> HEATING AND PLUMBING EQUIPMENT AND SUPPLIES - RETAIL
<u>387.</u> DRUGS, CHEMICALS AND DRUGGIST SUNDRIES - WHOLESALE	<u>6263.</u> ICE - RETAIL
<u>398.</u> DRY GOODS AND APPAREL - WHOLESALE	<u>6364.</u> INSURANCE AGENTS AND BROKERS SERVICES
<u>3409.</u> ELECTRICAL REPAIR SERVICES, EXCEPT RADIO AND TELEVISION	<u>6465.</u> INVESTMENT AND HOLDING SERVICES
<u>4041.</u> ELECTRICAL SUPPLIES - RETAIL	<u>6566.</u> JANITORIAL SERVICES
<u>4142.</u> ELECTRONIC PARTS AND EQUIPMENT - WHOLESALE	<u>6667.</u> LANDSCAPE CONTRACTING SERVICES
<u>4243.</u> EMPLOYMENT SERVICES	<u>6768.</u> LAPIDARY WORK
<u>4344.</u> ENGINEERING, PLANNING, AND ARCHITECTURAL PROFESSIONAL SERVICES	<u>6869.</u> LAWN CARE - SERVICES
<u>4445.</u> EQUIPMENT AND SUPPLIES FOR SERVICES ESTABLISHMENTS - WHOLESALE	<u>6970.</u> LEGAL SERVICES
<u>4546.</u> EQUIPMENT RENTAL AND LEASING SERVICES	<u>7071.</u> LUMBER YARDS AND BUILDING MATERIALS - RETAIL
<u>4647.</u> FARM MACHINERY AND EQUIPMENT - RETAIL	<u>7472.</u> MASSAGE SERVICES
<u>4748.</u> FARMERS MARKET	<u>7273.</u> MEDICAL AND DENTAL LABORATORY SERVICES
<u>4849.</u> FOOD LOCKERS AND REFRIGERATED STORAGE	<u>7374.</u> MOBILE HOMES AND ACCESSORIES - RETAIL
<u>4950.</u> FREIGHT TERMINALS	<u>7475.</u> MONUMENTS - RETAIL
<u>5051.</u> FUNERAL, MORTUARY, AND CREMATORY SERVICES	<u>7576.</u> MOTELS, HOTELS, AND TOURIST COURTS
<u>6452.</u> FURNITURE AND HOME FURNISHINGS - WHOLESALE	<u>7677.</u> MOTION PICTURE DISTRIBUTION SERVICES
<u>6253.</u> FURNITURE REPAIR AND REUPHOLSTERY SERVICES	<u>7778.</u> MOTOR FREIGHT GARAGING AND EQUIPMENT MAINTENANCE
	<u>7879.</u> MUSEUMS
	<u>7980.</u> NEWS SYNDICATE SERVICES
	<u>8081.</u> OUTDOOR ADVERTISING SERVICES

B-3 COMMERCIAL BUSINESS PERMITTED USES	B-3 COMMERCIAL BUSINESS PERMITTED USES
8182. PAINT, GLASS, AND WALLPAPER - RETAIL	1001. SKATING RINKS
8283. PAPER AND PAPER PRODUCTS - WHOLESALE	1042. SOCIAL CORRECTIONAL, TREATMENT AND COUNSELLING SERVICES
8384. PARKS AND PLAYGROUNDS, PUBLIC	1023. STADIUMS
8485. PENNY ARCADES	1034. STENOGRAPHIC, DUPLICATING, AND MAILING SERVICES
8586. PHOTOCOPYING AND BLUEPRINTING SERVICES	1045. TAVERNS
8687. PRIVATE CLUBS	1056. TAXICAB DISPATCH AND MAINTENANCE
8788. PROFESSIONAL EQUIPMENT AND SUPPLIES - WHOLESALE	1067. TELEGRAPH COMMUNICATIONS
8889. PROFESSIONAL OFFICES NOT ELSEWHERE LISTED	1078. TELEPHONE EXCHANGE STATIONS
8990. REAL ESTATE AGENTS, BROKERS, AND ABSTRACTING SERVICES	1089. TELEPHONE RELAY TOWERS (MICROWAVE)
9091. RESEARCH, DEVELOPMENT, AND TESTING SERVICE	10910. THEATERS, INDOOR
9192. RESTAURANTS	1101. TRAVEL ARRANGING SERVICES
9293. RESTAURANTS, DRIVE-IN	1142. VENDING MACHINE OPERATORS - RETAIL
9394. ROAD AND UTILITY MAINTENANCE YARDS	1123. WAREHOUSING OF NONHAZARDOUS PRODUCTS
9495. SCHOOLS, ART - MUSIC - DANCE	1134. WAREHOUSING OF HOUSEHOLD GOODS
9596. SCHOOLS, PRIMARY AND SECONDARY	1145. WATER TREATMENT PLANTS AND STORAGE
9697. SCHOOLS, PROFESSIONAL AND BUSINESS	1166. WATER WELL DRILLING SERVICES
9798. SCHOOLS, TRADE, TECHNICAL, AND VOCATIONAL	1167. WELFARE AND CHARITABLE SERVICES
9899. SCHOOLS, UNIVERSITIES AND COLLEGES	1178. ZOOS, AQUARIUMS, AND BOTANICAL GARDENS
99100. SECURITY AND COMMODITY BROKERS DEALERS, EXCHANGES AND SERVICES	1189. VETERINARIAN SERVICES, INDOOR ONLY (Ord. 439, Sec. 2)

CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 986: An Ordinance Amending the Lansing Zoning Ordinance, as adopted by reference in Lansing City Code, Section 17-101; further amending Appendices A and B “Permitted and Conditionally Permitted Uses.”

Pursuant to the general 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. 986 Summary:

On September 7, 2017, the City of Lansing, Kansas, adopted Ordinance No. 986, amending the Lansing Zoning Ordinance, as adopted by reference in Lansing City Code, Section 17-101; further amending Appendices A and B “Permitted and Conditionally Permitted Uses.” A complete copy of this ordinance is available at www.lansing.ks.us or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

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

DATED: September 7, 2017

Gregory C. Robinson, City Attorney

3. The plat shall not be recorded until a Facilities Use Agreement incorporating all city requirements has been signed by both the City and the property owners.

Roll was then called and the motion passed, with Commissioner Neidig abstaining.

Chairman Schwanz asked when this would go to the City Council. Ms. Leif stated the Planning Commission has approved the final plat so that part is done. She said the remainder of the plans that need to go to the City Council will need a little more time, so she anticipates it will be late September or October.

3. Public Hearing – Zoning Ordinance Amendment. Chairman Schwanz stated this hearing is to give consideration to an amendment to the Lansing Zoning Ordinance, Appendices A and B "Permitted and Conditionally Permitted Uses." He said this proposed amendment would allow daycare centers as conditional uses in the B-3 Commercial Business zoning districts. He stated a day care center is defined as seven (7) or more unrelated children or adults, and that day care centers are currently conditional uses in A-1, R-1, R-2, R-3, R-4, R-5, R-6, B-1, and B-2. He said staff is aware of two day care centers in existence in the B-3 zone.

Chairman Schwanz opened the public hearing at 7:39 p.m. Debbie Deere, 402 Maple Court (home address) and 1104 Industrial Street (business address) spoke at this time, urging Commissioners to approve this amendment so she can continue to operate her child care facility of 24 years at its current location on Industrial Street in the Lansing Business Center.

Since there was no one else who wished to speak, Chairman Schwanz closed the public hearing at 7:41 p.m.

Commissioner Gies made a motion to recommend approval of this text amendment to the City Council, seconded by Commissioner Moreland. Vice-Chairman Barry asked Ms. Leif if she received any other comments on this amendment and she stated she did not. The motion was then unanimously approved. Ms. Leif stated this would go before the City Council on September 7.

4. Public Hearing – Zoning Ordinance Amendment. Chairman Schwanz stated this hearing is to give consideration to an amendment to the Lansing Zoning Ordinance, Article 11, "Sign Regulations".

Chairman Schwanz opened the public hearing at 7:44 p.m. and since there was no one in the audience to comment, he promptly closed the public hearing.

Chairman Schwanz asked Ms. Leif to address why this was being brought before the Commission. She stated these are select changes to the sign ordinance and with the UDO, there will be a more thorough review and analysis of it at that time. She said that, for instance, a billboard sign is defined as advertising billboard and off-site sign. She said the code had been changed several years back to state that those signs are prohibited in the Main Street Overlay District, but she believes there are other areas of town that aren't in the MSOD where we also wouldn't want these types of signs. She stated what this amendment does is, where we

currently allow billboard advertising off-site signs, it will remove the language to where those are no longer allowed in those zones.

Vice-Chairman Barry asked, since we're going through the UDO and revising things like this, why do we need to do this now instead of waiting for the rewrite of the UDO. Ms. Leif stated she had been receiving inquiries from individual property owners about these particular kinds of signs, so she would like to address this sooner rather than later so we don't end up with something in our community that we never thought would come in to our community and never intended for them to.

Vice-Chairman Barry asked if this change is to put meat into our enforcement and Ms. Leif stated that was correct. Vice-Chairman Barry then asked if we have signs currently that would violate this amendment if it was approved and if so, how would that be handled or would they be grandfathered in. Mr. Robinson stated it would be looked at as a legal non-conforming use so if it was torn down or a certain percentage of it was destroyed, it would have to be put back in accordance with this new regulation.

Ms. Leif stated the only other change beside the size, type, and location of signs is just fixing a typographical error in the chart on the last page, which says 5% of the building façade whereas the body of the code says 10%. She stated this will make it consistent with what it says in the body of the code.

Commissioner Gies asked Ms. Leif if any sign companies had approached her about the sign changes and she stated they had not. He asked who issues the sign permits and Ms. Leif said it is the Building Inspector.

Since there was no other discussion, Chairman Schwanz entertained a motion to approve, deny, or approve with conditions to the City Council the amendment to the Lansing Zoning Ordinance, Article 11, Sign Regulations.

Commissioner Gies made a motion to recommend approval of these changes to the City Council and Commissioner Moreland seconded the motion.

Commissioner Neidig stated he still wasn't clear if Vice-Chairman Barry's question had been answered. Vice-Chairman Barry stated that what he believes he heard was that if a sign is in violation today, they can keep their sign today until such time the sign falls apart or is replaced, and then it would have to be brought to the present code.

Commissioner Gies commented that many times people perceive the signage of your community as a reflection on the quality of your community.

Commissioner Neidig stated he was still confused about the definitions and wording regarding advertising signs, billboards, and off-site signs. Commissioner Gies stated the best way to regulate signs is by location and size and these proposed changes restrict the size. Commissioner Neidig stated he doesn't know, as written, if it would provide the necessary clarity to the Council of what the intent is. Chairman Schwanz stated this can also all be cleaned up in the UDO.

Since there was previously a motion and a second to recommend approval, roll was called. The motion passed, with Commissioner Neidig and Vice-Chairman Barry voting "no". Vice-Chairman Barry wanted to state the reason he voted "no" was because he still believes this should be done at a single time with the UDO and not separately.

Notices and Communications – Ms. Leif stated that for the September meeting, we have a conditional use permit renewal application from Debbie Deere for A Deere Place day care, and also the continuation of the application for 501 North Main Street. Commissioner Moreland asked about the UDO consultants and Ms. Leif stated there would also be a work session with Gould Evans. Mr. Robinson asked if they'd be addressing the signs in the UDO and stated he would recommend them reaching out to Young Sign Company if they're going to make any changes to the sign code.

Notices and Communications – none

Adjournment – Chairman Schwanz made a motion to adjourn, seconded by Commissioner Gies. The motion passed by acclamation and the meeting adjourned at 8:03 p.m.



Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,

Stefanie Leif, Community and Economic Development Director

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Stefanie Leif, AICP, Community & Economic Development Director 
DATE: August 30, 2017
SUBJECT: Ordinance No. 987 amending the Lansing Zoning Ordinance, Article 11 (Sign Regulations)

Background:

The proposed amendments would amend the types and sizes of signs allowed in certain zoning districts. The Unified Development Ordinance (UDO) is currently in process, so these amendments are only to ensure that the intent of the sign regulations is met by the language in the ordinance. The sign code may be more significantly revised during the UDO process.

Planning Commission Recommendation: The Planning Commission held a public hearing on August 16, 2017, to give consideration to an amendment to Lansing Zoning Ordinance, Article 11, Sign Regulations. The public hearing notice was published in the *Leavenworth Times* on July 25, 2017. At its August 16 meeting, the Planning Commission (3-2) recommended to the City Council approval of the amendments.

Attachments to this agenda item:

1. Proposed Ordinance No. 987 with exhibit and Ordinance Summary
2. Draft Minutes from the August 16, 2017, Planning Commission meeting

Policy Consideration: The following regulations and plans apply to this rezone application:

- Lansing Zoning Ordinance Article 11 (Sign Regulations) and Article 12 (Amendments)

Financial Consideration: No financial consideration at this time.

Action: Motion to adopt Ordinance Number 987 amending the Lansing Zoning Ordinance, Article 11.

ORDINANCE NO. 987

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE ZONING ORDINANCE, AS ADOPTED BY REFERENCE IN LANSING CITY CODE, SECTION 17-101; FURTHER AMENDING ARTICLE 11, SIGN REGULATIONS

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted zoning ordinance, Article 11, "Sign Regulations." The official zoning ordinance is adopted by reference in Lansing City Code, Section 17-101; and,

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held by the Planning Commission on August 16, 2017, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas.

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

SECTION 1. Lansing Zoning Ordinance, Article 11 is hereby amended pursuant to Exhibit A of this ordinance.

SECTION 4. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

PASSED AND APPROVED by the governing body of the city of Lansing, Kansas, this 7th day of September, 2017.

Michael W. Smith, Mayor

{SEAL}

ATTEST

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Published: *The Leavenworth Times*

Date Published : _____

Article 11 - Sign Regulations

1. **PURPOSE:** The purpose of this article shall be to coordinate the type, placement, and physical dimensions of signs within the different land-use zones; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zoning districts. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this ordinance.
2. **APPLICABILITY:** No land or building or structure shall be used for sign purposes except as specified herein. All signs in existence at the time of passage of this ordinance must register with the Department of Community Development. All signs legally existing at the time of passage of these regulations may remain in use under the conditions of legal nonconformance. Signs in legal nonconformance shall not be enlarged, moved, lighted, or reconstructed; however, the change of the advertising display shall not be restricted except as previously stated. After the effective date of this regulation, no sign shall be erected, enlarged, constructed or otherwise installed without first obtaining a building permit. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial.
3. **DEFINITIONS:** For the purposes of this article, the following terms, phrases, words, and their derivations shall have the meaning given herein:

Abandoned Sign: A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Administrator: The code enforcement officer or his/her designated representative.

Advertising Sign: See "Off-Site Sign."

Animated Sign: Any sign which uses movement or change of lighting to depict action.

Awning: A shelter projecting from and supported by the exterior wall of a building, constructed of nonrigid materials on a supporting framework. (Compare "Marquee.")

Awning Sign: A sign painted on, printed on, or attached flat against the surface of an awning.

Banner: A sign made of fabric or any nonrigid material with no enclosing framework.

Beacon: A stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention; except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Agency or similar agencies.

Billboard: See "Off-Site Sign."

Building: As defined in the definition section of the [Uniform Building Code-International Building Code](#)

Bulletin Board Sign: A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcements of events or activities occurring at the institution. Such sign may also present a greeting or similar message.

Business Sign: A sign which directs attention to a business or profession conducted, or to products, services, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

Changeable Copy Sign (Automatic): A sign on which the copy changes automatically on a lampbank or through mechanical means; e.g., electrical or electronic time and temperature units.

Changeable Copy Sign (Manual): A sign on which copy is changed manually; e.g., signs with changeable letters.

City: Unless the context clearly discloses a contrary intent, the word "city" shall mean the city of Lansing, Kansas.

Clearance (of a Sign): The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

Construction Sign: A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

Controlled Access Highway: Any State or federal numbered highway designated by ordinance as a controlled access highway by the Governing Body of the city.

Copy: The wording on a sign surface in either permanent or removable letter form.

Double-Faced Sign: A sign with two faces.

Electrical Sign: A sign or sign structure in which electrical wiring, connections, or fixtures are used.

Erect: To build, construct, attach, hang, place, suspend, or affix a sign, or paint a wall sign.

Facade: The entire building front, including the parapet.

Face of Sign: The area of a sign on which the copy is placed.

Flashing Sign: An illuminated sign on which artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.

Fluorescent Sign: A sign using in whole or in part any fluorescent color.

Free-Standing Sign: A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be firmly in or below the ground surface and not attached to any building or any other structure whether portable or stationary.

Frontage: The length of the property abutting on one side of a street, measured along the dividing line between the property and the street right-of-way.

Frontage, Building: The length of an outside building wall on a public or private right-of-way.

Government Sign: Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.

Gross Area: See Section 4, General Standards.

Ground Sign: Any sign placed upon, or supported by, the ground independent of the principal building or structure on the property, where the bottom edge of the sign is less than 6 (six) feet above the ground.

Height of a Sign: As measured from the ground elevation at the base of the sign to the highest point of the sign.

Identification Sign: A sign whose copy is limited to the name and address of a building, institution, or person, and/or to the activity or occupation being identified.

Illegal Sign: A sign which does not meet the requirements of this code and which has not received legal nonconforming status.

Illuminated Sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Incidental Sign: A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises; e.g., a credit card sign or a sign indicating hours of business.

Lot: A parcel of land legally defined on a subdivision map or defined by a legal record of survey map and recorded with the land registry

office.

Maintenance: For the purposes of this ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Mansard: A sloped roof or roof-like façade architecturally comparable to a building wall.

Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building. (Compare "Awning.")

Marquee Sign: Any sign attached to or supported by a marquee structure.

Monument Sign: A ground sign which is made of stone, concrete, metal, routed wood planks or beams, brick, or similar materials that is not connected to or joined with any other building or structure.

- a. Monument signs shall be attached to a base or structural frame the width of which shall not be less than one-half the width of the widest dimension of the sign face.
- b. Lowest edge of the sign face shall be no more than three (3) feet above the average finished grade at the base of the sign.

Nameplate: See "Identification Sign."

Nonconforming Sign: A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations, or a sign which does not conform to the sign code requirements but for which a variance has been authorized.

Occupancy: The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Off-Site Sign: A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located; e.g., "billboards" or "outdoor advertising."

On-Site Sign: A sign which pertains to the use of the premises on which it is located.

Owner: A person recorded as such on official records. For the purposes of this ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the codes administrator; e.g., a sign leased from a sign company.

Painted Wall Sign: Any sign which is applied with paint or similar substance on the face of a wall.

Parapet: The extension of a false front or wall above a roofline.

Person: For the purposes of this ordinance, any individual, corporation, association, firm, partnership, or similarly defined interest.

Pole Sign: Any sign placed upon, or supported by, the ground independent of the principal building or structure on the property, where the bottom edge of the sign is 6 (six) feet or more above the ground level.

Political Sign: For the purposes of this ordinance, a temporary sign used in connection with a local, state, or national election or referendum.

Portable Sign: Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Portable Swinger Sign and "A" Frame or Sandwich Sign: An advertising device in the shape of an "A" or some variation thereof, located on the ground, easily movable, not permanently attached thereto, and which is usually two-sided.

Portable Temporary Attraction Sign Board: A single or double surface painted or poster panel type sign or some variation thereof, which is temporary in nature, usually mounted on wheels, easily movable, not permanently attached thereto.

Premises: A parcel of land with its appurtenances and buildings.

Projecting Sign: A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure specifically designed to support the sign.

Pylon Sign: A pole sign supported by uprights, braces, columns, poles, or other vertical members where the bottom edge of the sign face is six (6) feet or more above the average finished grade at the base of the sign, and with supports fully enclosed with stone, concrete, metal, routed wood planks or beams, brick, or similar materials, architecturally compatible with the primary structure occupying the property upon which said sign is situated.

Real Estate Sign: A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Roofline: The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Roof Sign: Any sign erected over or on the roofline of a building.

Rotating Sign: A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

Sign: Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.

Subdivision Identification Sign: A sign identifying a recognized subdivision, condominium complex, or residential development.

Temporary Sign: A sign constructed or intended for a period of use not to exceed 60 (sixty) days, and a frequency of use of not more than 3 (three) times a year.

Use: The purpose for which a building, lot, sign or structure is intended, designed, occupied, or maintained.

Wall Sign: A sign attached parallel to and extending not more than 12 (twelve) inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

Window Sign: A sign installed inside or painted on a window and intended to be viewed from the outside.

4. GENERAL STANDARDS:

- a. Gross Area of Sign: Gross area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign, exclusive of the base on which it is mounted or from which it is suspended. If more than one side of a sign is used as a sign, the maximum gross area shall be limited to half of the total allowable area per zoning district and per side for back to back signage. In no event shall more than two sides be allowed per sign.

For computing the gross area of any wall sign which consists of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters.

- b. Sign Height: Sign height shall be measured from the ground elevation at the base of the sign to the highest point of the sign.
- c. Lineal Street Frontage: In those districts where gross sign area is allocated based on lineal street frontage and the tract or parcel is adjacent to more than one (1) street, the lineal street frontage shall be determined by using the whole dimension of the fronting street and ½ (one-half) the dimension of the adjacent (second) street.
- d. Lighting: Unless otherwise specified by this ordinance, all signs may be illuminated. However, no sign regulated by this ordinance may utilize:
- (1) An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffuser.
 - (2) Any exposed incandescent lamp in excess of 150 (One hundred fifty) watts unless a screen is attached or unless the sign is placed over 20 (twenty) feet above the ground.
 - (3) Electronic time/temp message centers are acceptable.
- e. Changeable Copy: Unless otherwise specified by this ordinance, any sign herein allowed may use manual or automatic changeable copy.
- f. Prohibitions:
- (1) Public Property: No signs other than signs placed by agencies of governments shall be erected on any public property.
 - (2) Private Property: No sign shall be placed on any private property without the consent of the owner of the property.
 - (3) Accessway or Window: No sign shall block any required accessway or window.

- (4) Signs on Trees, Fences, or Utility Poles: No sign shall be attached to a tree, fence, or utility pole on public property, other than warning signs posted by the utility company, or greater than 2 ft sq on private property.
 - (5) Beacon/Spotlight: It shall be unlawful for any person to operate or erect any attraction device or sign which contains a beacon of any type and/or contains a spotlight providing direct illumination, without a Special Issue Permit.
 - (6) Animated, Rotating, Flashing, Blinking Signs: It shall be unlawful for any person to erect an attraction device or sign which flashes, blinks, rotates, or is animated. Illumination of attraction devices or signs that fluctuate in light intensity shall be prohibited.
 - (7) Roof Signs: Roof signs shall be prohibited, and no roof sign shall be placed on the roof of any building or structure in any zoning district of the city.
 - (8) Free-Standing Signs: It shall be unlawful to erect any free-standing sign whose total height is greater than the height specified for each zoning district.
 - (9) Projecting Signs: It shall be unlawful to erect any projecting sign that projects more than 6 (six) feet from the wall of the building upon which it is erected and closer than 5 (five) feet to any curb line or which projects beyond the end or top of the wall to which it is attached. Display surface area of projecting signs shall not exceed 30 (thirty) square feet. Only one projecting sign per business shall be permitted, and a projecting sign shall not be permitted on property which has a free-standing sign.
 - (10) Visible Source of Illumination: A sign whose source of illumination is visible from off site.
 - (11) Offensive Copy Content: A sign which displays obscene, indecent, or immoral matter.
 - (12) Non-Temporary Signs: A sign other than those specifically allowed by this ordinance that is capable of being carried, wheeled, or moved from one location to another.
 - (13) MSOD-Advertising, Billboard, -or Off Site Sign: Any Advertising, Billboard, -or Off Site sign proposed to be located within the legal boundary of the ~~Main-Street Overlay District~~ city limits. Non conforming signs in existence prior to the adoption of this revision may retain their legal non conforming status provided that all property and structures are maintained in conformance with all applicable provisions of the Zoning Ordinance of the City of Lansing.
- g. Traffic Safety:
- (1) No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic or railroad control sign, signal or device, or where it may interfere with, mislead, or confuse traffic.
 - (2) Any sign located within 3 (three) feet of a driveway or within a parking area shall have its lowest elevation at least 10 (ten) feet above the curb level; however, no sign shall be placed so as to project over any public right-of-way.
 - (3) No sign shall be placed in the sight triangle as defined by the Technical Specifications for Public and Private Improvements of the City of Lansing, Kansas.
- h. Nonconforming Signs:
- (1) Legal Nonconforming Signs: Existing signs which do not conform to the specific provisions of this ordinance may be eligible for the designation of "legal nonconforming," provided that:
 - (a) The city inspector determines that such signs are properly maintained and do not in any way endanger the public.
 - (b) The sign was covered by a valid permit or variance or complied with all applicable laws on January 1, 1997.
 - (2) Loss of Legal Nonconforming Status: A legal nonconforming sign may lose this designation if:
 - (a) The sign is relocated or replaced.
 - (b) The structure or size of the sign is altered in any way except towards compliance with this ordinance. This does not refer to change of copy or normal maintenance.
 - (3) Maintenance and Repair: The legal nonconforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. However, if the sign is damaged by any means to an extent of more than 50 (fifty) percent of its replacement cost at time of damage, it must be brought into conformance with this code or be removed.
- i. Sign Maintenance:
- (1) Free Standing Signs: All free-standing signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish, and weeds.
 - (2) Enforcement: If the city inspector finds that any sign or other advertising structure regulated herein is unsafe, insecure, a menace to the public, abandoned, maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this article, the city inspector shall give written notice to the permittee or property owner thereof. If the permittee or property owner fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, such sign or other advertising structure may be removed or altered to comply, at the direction of the city inspector and at the expense of the permittee or owner of the property upon which it is located. The city inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed.

- (3) Dangerous Signs: The city inspector may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.
- j. Real Estate Sign Guidelines: It is the intent that real estate advertisements and signs fairly and truthfully impart to the public accurate information in regard to the zoning classification of such land.
- (1) Any person, firm, or corporation who shall make use of or place any real estate advertisements or signs which incite that real property is zoned for land uses, or will be zoned for land uses in the future, under the zoning rules and regulations of the City, when in fact such real estate is not so zoned, is guilty of a public offense.
- (2) It shall not be permitted for any person, firm, or corporation to make use of or place advertisements or signs on real estate declaring that the property is reserved or is being held for future land use which is inconsistent with the then existing zoning classification of the City for the land, or any words of similar nature.
5. PERMITS: Unless otherwise provided by this ordinance, all new or altered signs shall require permits and payment of fees. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.
- a. Application for Permit: Application for a permit for the erection, alteration, or relocation of a sign shall be made to the Department of Community Development upon a form provided by the Department and shall include the following information:
- (1) Name and address of the owner of the sign.
- (2) Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- (3) Name of person, firm, corporation, or association erecting the sign.
- (4) The type and size of the sign or sign structure as defined in this ordinance.
- (5) A site plan showing the proposed location of the sign, along with the locations and square footage areas of all existing signs on the same premises.
- b. Permit Fees: Every applicant, before being granted a permit, shall pay to the city of Lansing a permit fee of \$15.00 (fifteen dollars).
- c. Issuance of Permit: It shall be the duty of the city inspector, upon the filing of an application for a permit, to examine the plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all the requirements of this article and all other laws and ordinance of the city, the city inspector shall then issue the permit. If the work authorized under a permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.
6. EXEMPTIONS:
- a. Total Exemptions: The following signs shall be exempt from all requirements of this article, except for the provisions of Section 4 above:
- (1) Flags or emblems of a governmental or of a political, civic, philanthropic, educational or religious organization, displayed on private property.
- (2) Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossings and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
- (3) Memorial signs or tablets, names of buildings and dates of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
- (4) Directional, identification, and informational signs, provided that such signs are limited to wall and freestanding signs with a maximum of 4 (four) square feet of display surface area.
- (5) Scoreboards in athletic stadiums.
- (6) Political campaign signs, not exceeding eight (8) square feet in area in residential districts and (16) sixteen square feet in commercial districts, displayed during no more than a four (4) week period preceding and a one (1) week period following an election.
- (7) Temporary signs for garage or porch sales at a residence for a period not to exceed three (3) days.
- b. Exemptions from Sign Permit: The following signs shall comply with all of the other regulations imposed by this article, but shall be exempt from the requirement to obtain a sign permit:
- (1) Bulletin board signs 6 (six) feet or less in height, with display surface area up to 16 (sixteen) square feet.
- (2) Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.
- (3) Construction signs not exceeding 8 (eight) square feet in area.
- (4) Home occupation signs erected flat against the wall of the building and not exceeding 4 (four) square feet in area.
- (5) One on-site building construction sign on each construction site in any zoning district, provided that the maximum display surface area shall not exceed a total of 8 (eight) square feet.
- (6) Private sales event signs placed on private property to advertise a special sales event.
- (7) Professional name plates erected flat on walls of buildings and not exceeding 4 (four) square feet of display surface area.

- (8) Real estate signs not exceeding eight (8) square feet in area. See zoning districts for maximum allowable square footage with a permit.
- (9) Repainting of signs, or the changing of letters or numbers on signs designed for changeable lettering or numbering which were legally erected and maintained for such purposes.
- (10) All signs located within a building that is not visible to the public outside said building.
- (11) Signs painted on, or affixed to, glass surfaces of windows or doors and pertaining to the lawful business conducted therein.
- (12) One temporary subdivision identification sign indirectly illuminated, not to exceed 32 (thirty-two) square feet in area per surface may be erected at any principal entrance to a subdivision, provided that in no event shall such sign remain for more than six months within 50 (fifty) feet of an occupied structure. However, the Community Development Director shall approve permanent subdivision identification signs not to exceed 32 square feet and no more than two (2) per subdivision provided they are located within easements prescribed to be used expressly for this purpose.
- (13) Temporary signs and banners. (See definition of temporary signs)
- (14) Time and temperature displays without advertising matter, providing all clearances prescribed herein for signs similarly located are maintained.

7. DISTRICT REGULATIONS:

a. "A-1" Agricultural District:

- (1) Functional Types Permitted:
 - (a) ~~Advertising signs.~~
 - (b) Bulletin board signs.
 - (c) Business signs, pertaining only to the sale of agricultural products produced on the premises and home occupations.
 - (d) Construction signs.
 - (e) Identification signs.
 - (f) Name plate signs.
 - (g) Real estate signs.
- (2) Structural Types Permitted:
 - (a) Pole signs.
 - (b) Wall signs.
 - (c) Ground signs.
- (3) Number of Signs Permitted: One sign per six hundred sixty (660) feet of frontage.
- (4) Maximum Gross Area:
 - (a) ~~Advertising Signs: Seven hundred (700) square feet per sign; Maximum 350 square feet per side per sign face.~~
 - (b) Bulletin Board and Identification Signs: Twenty-four (24) square feet.
 - (c) Business Signs: Home occupations: Four (4) square feet; agricultural: Twenty (20) square feet.
 - (d) Construction Signs: Eight (8) square feet.
 - (e) Identification Signs: Four (4) square feet.
 - (f) Name Plate Signs: Four (4) square feet.
 - (g) Real Estate Signs: Eight (8) square feet per one hundred sixty -five (165) feet of frontage to a maximum of thirty-two (32) square feet per six hundred sixty (660) feet or more of frontage.
- (5) Maximum Height: ~~Forty-five (45)~~ Twenty (20) feet.
- (6) Required Setbacks: None, except that advertising signs shall observe any setback required by state or federal law.

b. "R-1" Suburban Residential; "R-2" Single-Family Residential; "R-3" Duplex Residential; "R-4" Multi-Family Residential; "R-5" Mobile Home Park; and "R-6" Mobile Home Park Districts:

- (1) Functional Types Permitted:
 - (a) Business signs pertaining to a home occupation and subject to the sign requirements of the home occupation section of this regulation.
 - (b) Bulletin board signs.
 - (c) Construction signs.
 - (d) Identification signs.
 - (e) Name plate signs.
 - (f) Real estate signs.
- (2) Structural Types Permitted:
 - (a) Ground signs.
 - (b) Wall signs.
- (3) Number of Signs Permitted: One (1) sign per zoning lot.

- (4) Maximum Gross Area:
- Business Signs - Home Occupations: Four (4) square feet.
 - Bulletin Board and Identification Signs: Sixteen (16) square feet.
 - Construction Signs: Twenty (20) square feet.
 - Name Plate Signs: Four (4) square feet.
 - Real Estate Signs: Eight (8) square feet, one per lot.
- (5) Maximum Height: Fifteen (15) feet.
- (6) Required Setback: No sign shall be placed closer to the front property line than one-half ($\frac{1}{2}$) the distance of the front yard.
- c. "B-1" Neighborhood Business; "B-2" General Business; and "B-3" Commercial Business Districts:
- Functional Types Permitted:
 - ~~Advertising signs.~~
 - Business signs.
 - Construction signs.
 - Identification signs.
 - Name plate signs.
 - Real estate signs.
 - Structural Types Permitted:
 - Awning, canopy or marquee signs.
 - Monument signs.
 - Pylon signs.
 - Projecting signs.
 - Wall signs.
 - Number of Signs Permitted: The following number of signs shall be permitted in the "B-1", "B-2", and "B-3" Districts, but in no event shall more than a total of three (3) signs be permitted.
 - Awning, Canopy or Marquee Signs and Wall Signs: Three per zoning lot.
 - Monument Signs and Pylon Signs: Two (2) per zoning lot.
 - Projecting Signs: One (1) per zoning lot.
 - ~~Advertising Signs: One (1) per zoning lot in the "B-3" District; none in the "B-1" or "B-2" Districts.~~
 - Real Estate: One (1) per zoning lot.
 - Maximum Gross Surface Area: Four (4) square feet for each lineal foot of street frontage, provided no single sign shall exceed a gross surface area of three hundred (300) square feet, or 10% of the building façade.
EXCEPTION:
 - Real Estate signs shall not exceed sixteen (16) square feet.
 - Business signs for Tow Lots as specified in Chapter 5, Article 6 of the Lansing City Code.
 - Maximum Height: Twenty (20) feet.
 - Required Setback: None, except that advertising signs shall maintain the same setback that is required for principal structures.
- d. "I-1" Light Industrial and "I-2" Heavy Industrial Districts:
- Functional Types Permitted:
 - ~~Advertising signs.~~
 - Bulletin board signs.
 - Business signs.
 - Construction signs.
 - Identification signs.
 - Name plate signs.
 - Real estate signs.
 - Structural Types Permitted:
 - Awning, canopy or marquee signs.
 - Monument Signs.
 - Ground signs.
 - Pylon signs.
 - Projecting signs.
 - Wall signs.
 - Number of Signs Permitted: Two (2) per zoning lot.
EXCEPTION:
 - Real Estate signs are allowed one per zoning lot.

- b) *Business signs for salvage yards as specified in Chapter 5, Article 5 of the Lansing City Code.*
- (4) Maximum Gross Surface Area: Four (4) square feet per lineal foot of street frontage, provided no single sign exceeds a gross surface area of seven hundred (700) square feet.
EXCEPTION:
 - a) *Real Estate Signs shall not exceed thirty-two (32) square feet.*
 - b) *Business signs for salvage yards as specified in Chapter 5, Article 5 of the Lansing City Code.*
- (5) Maximum Height: Thirty (30) feet.
- (6) Required Setback: None, except that advertising signs shall maintain the same setback as required for principal structures.

e. "P" Planned Overlay District: The requirements regarding signs for the underlying district shall apply. However signage and easements shall be located on and subject to the approval of the Final Development Plan.

8. SCHEDULE OF SIGN GUIDELINES: The following table provides additional guidelines to clarify the intent of this regulation:

Land Use	Max. Area [Sign Face]	Max. Number	Type	Max. Height
Multi-Family Residential	As approved by Planning Commission	(1) at each major entrance from a collector or arterial	Monument (can be double faced)	As approved by Planning Commission, if in a PUD or MSOD District
Commercial Office	10% of building façade (Not to exceed 300 square feet)	(3) total, no more than (1) per abutting street	Wall or Canopy	Below eave or parapet
	[48 square feet per sign face]	[(1) monument sign per individual building]	[Monument (Can be double faced)]	[6 feet]
Retail or Service Commercial	5 10% of building façade (Not to exceed 300 square feet per sign)	3	Wall or Canopy	Below eave or parapet
	48 square feet [per sign face]	None. However (1) monument sign is permitted in lieu of (1) wall or canopy sign for each individual building	Monument (Can be double faced)	[8 feet]
(Development Identification Sign)	60 square feet [per sign face]	(3) total: (1) at each major entrance from a collector or arterial and/or (1) at each major street intersection	[Pylon (Can be double faced)]	[20 feet]
(Directional Sign)	6 square feet	2 per development lot	Free-standing	3 feet

9. ENFORCEMENT: Any violation of this ordinance may be punished by imprisonment of not more than six (6) months, nor a fine in excess of \$1,000.00. Any violation of this ordinance may be prosecuted in Municipal Court for the City of Lansing. Each twenty-four hour (24) consecutive hour period during or on which a violation occurs or continues shall constitute a separate offense and shall be punished as such under the provisions of this ordinance. The court may impose a fine of not more than \$1,000.00, or a period of imprisonment of not more than six months or both.

CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 987: An Ordinance Amending the Lansing Zoning Ordinance, as adopted by reference in Lansing City Code, Section 17-101; further amending Article 11, Sign Regulations.

Pursuant to the general 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. 987 Summary:

On September 7, 2017, the City of Lansing, Kansas, adopted Ordinance No. 987, amending the Lansing Zoning Ordinance, as adopted by reference in Lansing City Code, Section 17-101; further amending Article 11, Sign Regulations. A complete copy of this ordinance is available at www.lansing.ks.us or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

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

DATED: September 7, 2017

Gregory C. Robinson, City Attorney

3. The plat shall not be recorded until a Facilities Use Agreement incorporating all city requirements has been signed by both the City and the property owners.

Roll was then called and the motion passed, with Commissioner Neidig abstaining.

Chairman Schwanz asked when this would go to the City Council. Ms. Leif stated the Planning Commission has approved the final plat so that part is done. She said the remainder of the plans that need to go to the City Council will need a little more time, so she anticipates it will be late September or October.

3. Public Hearing – Zoning Ordinance Amendment. Chairman Schwanz stated this hearing is to give consideration to an amendment to the Lansing Zoning Ordinance, Appendices A and B “Permitted and Conditionally Permitted Uses.” He said this proposed amendment would allow daycare centers as conditional uses in the B-3 Commercial Business zoning districts. He stated a day care center is defined as seven (7) or more unrelated children or adults, and that day care centers are currently conditional uses in A-1, R-1, R-2, R-3, R-4, R-5, R-6, B-1, and B-2. He said staff is aware of two day care centers in existence in the B-3 zone.

Chairman Schwanz opened the public hearing at 7:39 p.m. Debbie Deere, 402 Maple Court (home address) and 1104 Industrial Street (business address) spoke at this time, urging Commissioners to approve this amendment so she can continue to operate her child care facility of 24 years at its current location on Industrial Street in the Lansing Business Center.

Since there was no one else who wished to speak, Chairman Schwanz closed the public hearing at 7:41 p.m.

Commissioner Gies made a motion to recommend approval of this text amendment to the City Council, seconded by Commissioner Moreland. Vice-Chairman Barry asked Ms. Leif if she received any other comments on this amendment and she stated she did not. The motion was then unanimously approved. Ms. Leif stated this would go before the City Council on September 7.

4. Public Hearing – Zoning Ordinance Amendment. Chairman Schwanz stated this hearing is to give consideration to an amendment to the Lansing Zoning Ordinance, Article 11, “Sign Regulations”.

Chairman Schwanz opened the public hearing at 7:44 p.m. and since there was no one in the audience to comment, he promptly closed the public hearing.

Chairman Schwanz asked Ms. Leif to address why this was being brought before the Commission. She stated these are select changes to the sign ordinance and with the UDO, there will be a more thorough review and analysis of it at that time. She said that, for instance, a billboard sign is defined as advertising billboard and off-site sign. She said the code had been changed several years back to state that those signs are prohibited in the Main Street Overlay District, but she believes there are other areas of town that aren’t in the MSOD where we also wouldn’t want these types of signs. She stated what this amendment does is, where we

currently allow billboard advertising off-site signs, it will remove the language to where those are no longer allowed in those zones.

Vice-Chairman Barry asked, since we're going through the UDO and revising things like this, why do we need to do this now instead of waiting for the rewrite of the UDO. Ms. Leif stated she had been receiving inquiries from individual property owners about these particular kinds of signs, so she would like to address this sooner rather than later so we don't end up with something in our community that we never thought would come in to our community and never intended for them to.

Vice-Chairman Barry asked if this change is to put meat into our enforcement and Ms. Leif stated that was correct. Vice-Chairman Barry then asked if we have signs currently that would violate this amendment if it was approved and if so, how would that be handled or would they be grandfathered in. Mr. Robinson stated it would be looked at as a legal non-conforming use so if it was torn down or a certain percentage of it was destroyed, it would have to be put back in accordance with this new regulation.

Ms. Leif stated the only other change beside the size, type, and location of signs is just fixing a typographical error in the chart on the last page, which says 5% of the building façade whereas the body of the code says 10%. She stated this will make it consistent with what it says in the body of the code.

Commissioner Gies asked Ms. Leif if any sign companies had approached her about the sign changes and she stated they had not. He asked who issues the sign permits and Ms. Leif said it is the Building Inspector.

Since there was no other discussion, Chairman Schwanz entertained a motion to approve, deny, or approve with conditions to the City Council the amendment to the Lansing Zoning Ordinance, Article 11, Sign Regulations.

Commissioner Gies made a motion to recommend approval of these changes to the City Council and Commissioner Moreland seconded the motion.

Commissioner Neidig stated he still wasn't clear if Vice-Chairman Barry's question had been answered. Vice-Chairman Barry stated that what he believes he heard was that if a sign is in violation today, they can keep their sign today until such time the sign falls apart or is replaced, and then it would have to be brought to the present code.

Commissioner Gies commented that many times people perceive the signage of your community as a reflection on the quality of your community.

Commissioner Neidig stated he was still confused about the definitions and wording regarding advertising signs, billboards, and off-site signs. Commissioner Gies stated the best way to regulate signs is by location and size and these proposed changes restrict the size. Commissioner Neidig stated he doesn't know, as written, if it would provide the necessary clarity to the Council of what the intent is. Chairman Schwanz stated this can also all be cleaned up in the UDO.

Since there was previously a motion and a second to recommend approval, roll was called. The motion passed, with Commissioner Neidig and Vice-Chairman Barry voting "no". Vice-Chairman Barry wanted to state the reason he voted "no" was because he still believes this should be done at a single time with the UDO and not separately.

Notices and Communications – Ms. Leif stated that for the September meeting, we have a conditional use permit renewal application from Debbie Deere for A Deere Place day care, and also the continuation of the application for 501 North Main Street. Commissioner Moreland asked about the UDO consultants and Ms. Leif stated there would also be a work session with Gould Evans. Mr. Robinson asked if they'd be addressing the signs in the UDO and stated he would recommend them reaching out to Young Sign Company if they're going to make any changes to the sign code.

Notices and Communications – none

Adjournment – Chairman Schwanz made a motion to adjourn, seconded by Commissioner Gies. The motion passed by acclamation and the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Cynthia Tripp, secretary

Reviewed by,

Stefanie Leif, Community and Economic Development Director



Assisted Living Week Proclamation

WHEREAS, residents of assisted living communities are active members of the larger community, offering their wisdom, life experiences and skills; their past contributions continue to be a vital part of Lansing's rich history; and their future contributions deepen our identity;

WHEREAS, assisted living is a critical long term care service for the elderly and individuals with disabilities that fosters choice, dignity, and independence; assisted living communities are committed to excellence, innovation and the advancement of person-centered care;

WHEREAS, in 1995, the National Center for Assisted Living created National Assisted Living Week® to honor the contributions of assisted living communities in providing long term care to America's seniors and individuals with disabilities;

WHEREAS, the theme of National Assisted Living Week® 2017 is "Family is Forever," which recognizes the unique bonds assisted living residents and staff members form;

WHEREAS, the 2017 theme is inspired by a quote from the famed poet Maya Angelou: "Family isn't always blood, it's the people in your life who want you in theirs: the ones who accept you for who you are, the ones who would do anything to see you smile and who love you no matter what";

WHEREAS, it takes a special person to work in assisted living, as caregivers spend countless hours providing high quality care to residents; therefore, staff and residents often come to think of each other of family;

WHEREAS, during this special week, assisted living communities across the country are encouraged to organize activities and events which celebrate the deep connections between the dedicated staff members and residents;

Now, Therefore, I, Michael W. Smith, Mayor of the City of Lansing, State of Kansas, do hereby proclaim the week of September 10th - 16th, 2017 as:

Assisted Living Week

in the City of Lansing. I urge all citizens to volunteer in an assisted living community, to visit friends and loved ones who reside at these communities, and to learn more about how assisted living services benefit our communities.

In witness thereof, I have hereunto set my hand and caused the great seal of the City of Lansing to be affixed this 7th day of September, in the Year of Two Thousand and Seventeen.

City of Lansing

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

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