

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OLD BUSINESS

- [1.](#) Approval of Minutes

AUDIENCE PARTICIPATION

PRESENTATIONS

- [2.](#) Briefing from Register of Deeds Office

NEW BUSINESS

- [3.](#) Resolution No. B-2-2021 - Opioid Settlements & Litigation
- [4.](#) Ordinance No. 1077 - Rezone Request 00000 Centre Drive
- [5.](#) Executive Session - Economic Development

REPORTS - City Attorney, City Administrator, Department Heads, Councilmembers

PROCLAMATIONS

OTHER ITEMS OF INTEREST

- [6.](#) Monthly Department Vehicle & Equipment Mileage Reports
- [7.](#) CED Monthly Report
- [8.](#) Thank You Officer French - Police Department

ADJOURNMENT

Regular meetings are held on the first and third Thursday of each month. For information on how to view prior meetings, please visit our website at <https://www.lansingks.org>. 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.

AGENDA ITEM

TO: Tim Vandall, City Administrator
THRU: Sarah Bodensteiner, City Clerk
FROM: Shantel Scrogin, Assistant City Clerk
DATE: December 3, 2021
SUBJECT: Approval of Minutes

The Regular Meeting Minutes of December 2, 2021 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting December 2, 2021, as presented.

AGENDA ITEM

CITY OF LANSING
CITY COUNCIL MEETING

REGULAR MEETING MINUTES
December 2, 2021

Call To Order:

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

Roll Call:

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

Councilmembers Present:

Ward 1: Gene Kirby and Dave Trinkle
Ward 2: Don Studnicka and Marcus Majure
Ward 3: Kerry Brungardt
Ward 4: Gregg Buehler and Ron Dixon

Councilmembers Absent: Jesse Garvey

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the Regular Meeting Minutes of November 18, 2021, as presented. Councilmember Kirby seconded the motion. The motion was approved with Councilmember Trinkle abstaining.

Audience Participation: Mayor McNeill called for audience participation on an item not on the agenda and there was none.

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Lansing Tree Board Appointments: Councilmember Brungardt moved to appoint Barb Eikmeier and George Stephenson to the Tree Board for a term ending December 31, 2024. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Lansing Parks & Recreation Advisory Board Appointments: Councilmember Brungardt moved to appoint Dana Fontenot, Tricia Howell, Bob Lamborn and Casey Worrell to the Parks & Recreation Advisory Board for a term ending December 31, 2023. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Lansing Planning Commission Appointment: Councilmember Brungardt moved to appoint Janette Labbee-Holdeman for a term ending April 30, 2024. Councilmember Kirby seconded the motion.

- Councilmember Buehler asked what took so long. What took so long to get you back in here?
 - Janette Labbee-Holdeman replied it's just one of those things.

The motion was unanimously approved.

Request to Use Activity Center After Hours – Boy Scouts: Councilmember Majure moved to approve the request from the Boy Scouts for after-hours use of the Lansing Activity Center for their Anti-Campout event. Councilmember Dixon seconded the motion. The motion was unanimously approved.

Request for Cereal Malt Beverage License Renewals: Councilmember Buehler moved to approve the Cereal Malt Beverage License renewals for Aldi Inc. at 1217 North Main Street, GMRG ACQ 1 LLC dba Pizza Hut at 407 North Main Street, Lansing Quike Stop at 601 South Main Street, QuikTrip #188 at 1205 North Main Street, Shree Nivas Inc., dba Finish Line at 506 N. Main Street, and Truman Town LLC dba Woody's Gas Express at 109 4-H Road. Councilmember Majure seconded the motion. The motion was unanimously approved.

Ordinance No. 1076 – Annexing Land into the City of Lansing: Councilmember Brungardt moved to approve Ordinance No. 1076, an ordinance annexing land into the City of Lansing, Kansas. Councilmember Buehler seconded the motion. The motion was unanimously approved.

License Agreement and Economic Development Incentive Agreement for Deployment of RG Fiber within the City: Councilmember Buehler moved to approve the License Agreement and the Economic Development Incentive Agreement for deployment of RG Fiber within the City. Councilmember Kirby seconded the motion. The motion was unanimously approved.

Right of Way Permit Fee Moratorium for Internet Service Providers: Councilmember Buehler moved to approve a moratorium on Right of Way Permit Fees for all internet service providers who deliver at minimum 1 Gigabyte Symmetrical Internet services and are net neutral beginning December 6, 2021, and ending on December 31, 2023. Councilmember Kirby seconded the motion.

- Councilmember Studnicka asked how does this affect users already; Other internet users we already have?
 - Mayor McNeill responded Matt you want to come up.
 - Community & Economic Development Director Matthew Schmitz asked are you talking about other internet providers in town.
 - Councilmember Studnicka replied yeah.
 - Community & Economic Development Director Matthew Schmitz responded so for example if another internet provider meets those two terms, the minimum of 1 Gigabyte Symmetrical service and the net neutrality piece then they would also have their fees waved for any build out they want to do in town. So, whether that is AT&T, Spectrum, anybody as long as they meet those two requirements, we can waive the fees for them as well.
 - Councilmember Studnicka stated I'm still a little confused but ok. Ok say AT&T is here, or Spectrum or any of the others, do they already meet these two criteria.
 - Community & Economic Development Director Matthew Schmitz replied they do not. Basically, they would have to deploy a fiber-based product in order to meet that 1 Gigabyte Symmetrical service.
 - Councilmember Studnicka stated fiber is the key. That's what I wanted. Thank you.
 - Community & Economic Development Director Matthew Schmitz replied yeah, but we didn't say that in there.
 - Mayor McNeill responded but they could, so what they currently have deployed right now, if Spectrum came in and said I'll meet those two requirements and put some in, they could do it and we'd waive it.
 - Community & Economic Development Director Matthew Schmitz replied correct.
 - Councilmember Studnicka stated I got it now. Thank you.

The motion was unanimously approved.

REPORTS:

Department Heads: Parks and Recreation Director Jason Crum stated they had the coaches meeting for basketball with practices starting next week. They are going ask people to wear masks while in city facilities to mirror the mask requirement that the schools have since we use the school's facilities, so it's consistent.

- Mayor McNeill asked observers right.
 - Parks and Recreation Director Jason Crum responded yes and players when they are on the bench. We'll mirror what the schools are doing.

- City Administrator Tim Vandall stated that was the big reasoning behind it was being consistent between school facilities and city facilities.

City Attorney: City Attorney Greg Robinson had nothing to report.

City Administrator: City Administrator Tim Vandall let everyone know that due to some supply chain issues, Harbor Freight won't be opening until mid to late January now.

- Councilmember Brungardt asked if they have been successful with hiring since a lot of companies have not been.
 - City Administrator Tim Vandall replied they had a steady stream of applicants, but he is unsure if they have any positions left. They were using the library to conduct the interviews.

Governing Body: Mayor McNeill thanked the volunteers of the boards. Councilmember Brungardt welcomed RG Fiber and stated we are excited.

Councilmember Kirby thanked the volunteers and let RG Fiber know we are glad they are here. He told Parks and Recreation Director Jason Crum good move on the masks.

Councilmember Majure thanked all the volunteers. He let RG Fiber know we are excited to get them here. He asked when the Sunday liquor sales start.

- City Administrator stated it was October 31st and they just have the option to sell if they want to. He also welcomed Councilmember Trinkle back and said it was good to see him. Councilmember Buehler welcomed Dave back. He thanked RG Fiber for being here and thanked the volunteers. He said we can't function without them and appreciate them. He reminded everyone of the Mayor's Tree Lighting Ceremony on Sunday at 6pm. He also provided a fun fact, on this day in 1927, Ford announced they were going to stop producing the Model T and start producing the Model A as their car.

ADJOURNMENT:

Councilmember Buehler moved to adjourn. Councilmember Kirby seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:15 p.m.

ATTEST:

Mayor, Anthony R. McNeill

City Clerk, Sarah Bodensteiner, CMC

AGENDA ITEM

TO: Tim Vandall, City Administrator and Governing Body Members
FROM: Sarah Bodensteiner, City Clerk
DATE: December 13, 2021
SUBJECT: Briefing from Register of Deeds Office

Leavenworth County Register of Deeds TerriLois G. Mashburn will brief the Governing Body on goings-on at the Register of Deeds Office.

Policy Consideration: N/A

Financial Consideration: N/A

Action: None

AGENDA ITEM

AGENDA ITEM

TO: Mayor McNeill, Lansing City Council
FROM: Tim Vandall, City Administrator
DATE: December 10, 2021
SUBJECT: Resolution No. B-2-2021 - Opioid Settlements and Litigation

Kansas is a part of multi-state litigation aimed at holding the producers and distributors of opioids accountable for the negative effects their drugs have had on the American public. The Kansas State Legislature passed HB 2079, which lays out the breakdown for settlement funds at 75% to the State, and 25% to be split amongst municipal governments. Resolution No. B-2-2021 assigns Lansing's claims in this litigation to the Kansas Attorney General. This agreement authorizes the City Administrator and City Clerk to file documents related to this litigation.

Financial Considerations:

Police personnel costs for responding to overdose calls, as well as any equipment needed for calls, can be included in reimbursable costs. The City may be eligible for law enforcement activities or projects that prevent, reduce, treat, or mitigate the effects of substance abuse addiction.

Action:

Staff recommends approval of Resolution No. B-2-2021.

RESOLUTION NO. B-2-2021

A RESOLUTION OF THE CITY OF LANSING, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.

WHEREAS, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing litigating municipalities such as the City of Lansing to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the city's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

WHEREAS, the City of Lansing sustained damages related to the opioid epidemic; and

WHEREAS, on December 16, 2021, the City of Lansing filed suit to recover damages sustained by the City related to the opioid epidemic (the "Claims"); and

WHEREAS, the City of Lansing desires to enter an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

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

Section 1. Authorization of the Agreement. City hereby authorizes the release of its legal claims arising from covered conduct to the Attorney General, and the assignment of any future legal claims arising from covered conduct to the Attorney General, pursuant to the Agreement by and between the Attorney General and the City in substantially the form presented to and reviewed by the governing body at this meeting (copies of this document shall be on file in the records of the City), with such changes therein as shall be reviewed by the City Attorney and the officials of the City executing such documents.

Section 2. Execution of the Agreement. The City Administrator and City Clerk are hereby authorized and directed to execute, seal, attest and deliver the Agreement in substantially the form presented to and reviewed by the governing body at this meeting and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of the City.

Section 3. Certification of Costs and Expenses. The City hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the City can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The City Administrator and City Attorney are hereby authorized to execute, seal, attest and deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of the City.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED this 16th day of December 2021 and **SIGNED** by the Mayor.

Mayor
Anthony R. McNeill

Attested:

City Clerk
Sarah Bodensteiner, CMC

REVIEWED AND APPROVED AS TO FORM:

City Attorney
Gregory Robinson, ESQ

Exhibit A — Agreement to Release and Assign Claims

BETWEEN:

[City of Lansing, Kansas _____], (the “Assignor”), a municipality as defined by Kansas Statutes Annotated §12-105a, or other Political Subdivision, located within the State of Kansas, with its principal business office located at:

[800 1st Terrace _____]
Lansing, KS 66043

AND:

Derek Schmidt, the duly elected Attorney General of the State of Kansas, with a principal business office located at:

The Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

FOR VALUE CONTEMPLATED, to gain access to money recovered by the State of Kansas for the abatement or remediation of substance abuse or addiction, made available by the Kansas Fights Addiction Act, 2021 Kansas House Bill No. 2079, consistent with **Kansas Opioids Memorandum of Understanding between the Kansas Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties**, and to permit as adopted by resolution passed by the Assignor on [December 16, 2021], the Assignor hereby releases its legal claims, and transfers and assigns to the Assignee, his successors, assigns, deputies, assistants, and personal representatives, any and all claims, demands, and cause or causes of actions on any kind whatsoever which the undersigned has or may have against any opioid manufacturer, distributor, and/or pharmacy, or entity within the Pharmaceutical Supply Chain, arising from the following type of claim:

Any and all claims arising out of “covered conduct” and “opioid litigation” as defined by 2021 Kansas House Bill No. 2079, and any and all claims on file by Assignor in MDL Case No. 1:17-md-2804, if any.

And the undersigned may in the name of the State of Kansas and for the benefit of the State of Kansas as defined by state law, 2021 House Bill No. 2079, and consistent with Kansas Opioids Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties, prosecute, collect, settle, compromise and grant releases on said claim as in his sole discretions deems advisable.

Any failure of the Assignor to comply with any requirement of the Memorandum of Understanding, the Kansas Fights Addiction Act, any other provision of Kansas law, or any reporting, requesting, monitoring, or other provision of any opioid settlement agreement which produces money governed by the Kansas Fights Addiction Act, may result in the suspension, termination, or other cessation of future payments to the Assignor from any fund established in the Kansas Fights Addiction Act.

IN WITNESS THEREOF, the parties have executed this Assignment on the day and year first above written.

Signed, sealed and delivered in the presence of:

ASSIGNOR

ASSIGNEE

Authorized Signature


Anthony R. McNeill, Mayor, City of Lansing, KS

Print Name and Title

Authorized Signature

Derek Schmidt, Kansas Attorney General
Office of the Kansas Attorney General

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Matthew R. Schmitz, Director, Community & Economic Development 
DATE: December 16, 2021
SUBJECT: Ordinance No. 1077: An Ordinance to rezone 00000 Centre Dr. from B-3 Regional Business District to R-4 Multi-Family Residential District

Explanation: City of Lansing, applicant, has applied to rezone the subject property (Lot 1, Lansing Towne Centre Plat) from B-3 Regional Business District to R-4 Multi-Family Residential District. This rezoning, if approved, will allow for development of a future multi-family project on the subject property. A site plan for the property will be submitted in the near future.

Please refer to the attached checklist and staff report for detailed analysis of the application.

At the November 17th Planning Commission Meeting, no public comments were received during the public hearing portion of the review process.

The Planning Commission, during their meeting on November 17, 2021, voted to recommend approval of the rezone, with a 4-0 vote. The minutes from that meeting, the rezoning checklist, and the staff report (including a map of the property) are included for your review.

Policy Considerations: None.

Action: Staff recommends tabling this item to the January 6th City Council meeting. Other actions are to approve, approve with conditions, remand back to Planning Commission, or deny with a super majority vote of the governing body Ordinance No. 1077: An Ordinance to rezone 00000 Centre Dr. from B-3 Regional Business District to R-4 Multi-Family Residential District.

AGENDA ITEM

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

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

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held on November 17, 2021, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas; and

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

Section 1. Change of Land Uses. The land uses for the following property currently addressed as 00000 Centre Dr. within the city limits of the City of Lansing, County of Leavenworth, State of Kansas, legally described as follows:

LEGAL DESCRIPTION:

Lot 1, LANSING TOWNE CENTRE, a subdivision plat in the City of Lansing, Leavenworth County, Kansas

EXECPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

All in Leavenworth County, Kansas, less any part taken or used for road; presently zoned as “B-3” Regional Business District is hereby changed to “R-4” Multi-Family Residential District; and

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

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

PASSED AND APPROVED by the governing body of the City of Lansing, Kansas, this 16th day of December, 2021.

Anthony R. McNeill, Mayor

ATTEST

Sarah Bodensteiner, CMC, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

CITY OF LANSING

FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1077: An Ordinance Granting a Change of Zoning to Certain Property Within the City of Lansing, Kansas.

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. 1077 Summary:

On December 16, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1077, an ordinance granting a change of zoning to certain property within the City of Lansing, Kansas. A complete copy of this ordinance is available at www.lansingsks.org 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: December 16, 2021

Gregory C. Robinson, City Attorney



PLANNING COMMISSION NOVEMBER REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043
Wednesday, November 17, 2021 at 7:00 PM

MINUTES

CALL TO ORDER – The regular November meeting of the Lansing Planning Commission was called to order by Vice-Chairman Jake Kowalewski at 7:00 p.m.

ROLL CALL / QUORUM ANNOUNCEMENT – In attendance were Vice-Chairman Jake Kowalewski, Commissioners Amy Baker, Nancy McDougal, and Jerry Gies. Jake Kowalewski noted there was a quorum present.

OLD BUSINESS

1. Approval of Minutes, September 15, 2021, Regular Meeting

Motion was made by Jerry Gies to approve and seconded by Nancy McDougal to approve the meeting minutes – motion passed 4-0.

NEW BUSINESS

2. **Rezoning Application Case # RZ-2021-4 00000 Centre Dr. (NW Corner W. Mary St. & Centre Drive)**

Application submitted by City of Lansing, owner of property at 00000 Centre Dr. This application is for a rezoning of a 14.50-acre tract at the Northwest corner of W. Mary St. and Centre Dr. The property is currently zoned as B-3 Regional Business District, and the request if approved will rezone the property to R-4 Multi-Family Residential District.

Commissioner Nancy McDougal asked Mr. Schmitz if, in his opinion, the rezoning would be a good fit for what would be going in at that location in the future. Mr. Schmitz agreed that it would be beneficial. Commissioner Jerry Gies then asked Mr. Schmitz about the units/density, to which Mr. Schmitz replied 18-19 units per acre. There were no further discussions among the Planning Commission.

Vice-Chairman Jake Kowalewski then opened the public hearing at 7:03 pm. With no further comments or questions, the public hearing was closed at 7:04 pm.

Commissioner Jerry Gies made a motion to approve the checklist as finding of fact as well as an approval for rezone. Commissioner Amy Baker seconded the motion. Motion passed 4-0.

3. **Election of Chairman of the Lansing Planning Commission**

Due to the resignation of Ron Barry, a new chairman needs to be appointed. Should the Vice-Chairman be appointed to this position, an appointment for the Vice Chairman position will also need to be made.

Commissioner Nancy McDougal made a nomination for the Chairman position, that Vice-Chairman Jake Kowalewski be nominated and elected as Chairman of the Planning Commission. Amy Baker made a motion that nominations for Chairman cease, seconded by Jake Kowalewski. Jake Kowalewski was elected the new Chairman of the Planning Commission after the vote took place.

With Vice Chairman Jake Kowalewski being elected Chairman, there was a need to fill the Vice Chairman position. Nancy McDougal made a nomination for Jerry Gies to be elected Vice Chairman. Amy Baker made a motion that the nominations for Vice Chairman cease, seconded by Jake Kowalewski, and Jerry Gies was elected the new Vice Chairman of the Planning Commission after the vote took place.

NOTICES AND COMMUNICATIONS – None

REPORTS – Commission and Staff Members – None

ADJOURNMENT – Jerry Gies made a motion to adjourn. Nancy McDougal seconded it. Meeting was adjourned at 7:10 pm.

For information on how to view prior meetings, please visit our website at <https://www.lansingks.org>. If you require any special assistance, please notify the Community and Economic Development Director prior to the meeting.

Respectfully submitted,

Melissa Baker, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director

DRAFT

APPLICATION FOR REZONING

This is an application for change of the zoning map.

AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants (owner[s] and/or their agent[s]). All owners of all property requested to be rezoned must be listed on this form.

A. Applicant/Owner Lansing City
Address 800 1st Terrace, Lansing, KS 66043 Phone 913-727-3233
Agent (if applicable) _____
Address _____ Phone _____
(use separate sheet if necessary for additional owners/applicants)

II. The applicant hereby requests a change of zone from B-3 zoning district to R-4 zoning district for property legally described as (use either metes and bounds or subdivision/block/lot description):

Lot 1, Lansing Towne Center Plat, Lansing, KS, Leavenworth County, KS
(SEE ATTACHED MAP)

Real Estate Tax Number 106-24-0-40-08-001.03-0

III. This property is located in : Section 24 Township 09 Range 22
The general location is (use appropriate section):

A. Street Address: _____
B. At the _____ (NW, NE, SW, SE) corner of _____
(street) and _____ (street) or,
C. On the W (N, S, E, W) side of Centre Dr _____ (street)
between W. Mary St _____ (street) and W. Kay St. _____ (street).

IV. I request this change in zoning for the following reasons (do not include reference to proposed uses):

Rezoning to allow for future project

(additional sheets may be used if necessary)

V. I (We), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (We) realize that this application cannot be processed unless it is completely filled in, is accompanied by an ownership list as required in the instruction sheet, and is accompanied by the appropriate fee.

Anthony R McNeill
Owner

Owner

By _____
Authorized Agent (if applicable)

By _____
Authorized Agent (if applicable)

OFFICE USE ONLY:

VI. Application received on: October 18, 2021 (month, day, year)

Application received by: Matthew R. Schmitz, Director

Amount of fee paid: \$0 - City application

VII. Planning Commission Recommendation: _____

_____ Date: _____

Reasons for recommendation: _____

VIII. Protest Petition filed? _____ Percent of land: _____ %

IX. Governing Body: _____

_____ Date: _____ Vote: _____

If approved, Ordinance No.: _____ Date of Final Reading _____

AFFIDAVIT

STATE OF Kansas)
) §
COUNTY OF Leavenworth)

Comes now Anthony R. McNeill (Mayor), of lawful age and having been first duly sworn on my oath state that:

1. That I am (the) (a) lawful and/or equitable owner of the real estate described in the attached application.

2. We, Lansing City and _____ being duly sworn, depose and say that we are the owners of said property involved in this petition and that the foregoing signatures, statements, and answers herein contained in the information herewith submitted, are in all respects true and correct to the best of our knowledge and belief.

3. To the best of my knowledge and belief, the following individuals are the only other individuals other than the affiant which have a legal or equitable ownership interest in the property described in the attached application.

- 4. List of property owners and addresses:
Lansing City, 800 1st Terrace, Lansing, KS 66043

5. I certify and affirm that on the date of the application only the above individuals or entities have a legal or equitable ownership interest in the property involved in this application.

FURTHER AFFIANT SAYETH NOT. Anthony R McNeill

/s/

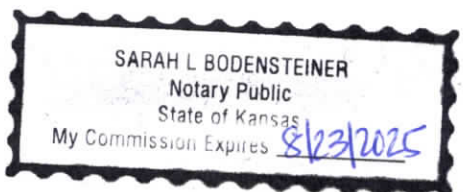
STATE OF Kansas)
) §
COUNTY OF Leavenworth)

BE IT REMEMBERED that on this 18th day of October, 2020, that before me, the undersigned, a Notary Public, in and for the State and County aforesaid, came Anthony R. McNeill, who is personally known to me to be the person who executed the foregoing instrument of writing and such person duly acknowledged execution of same.

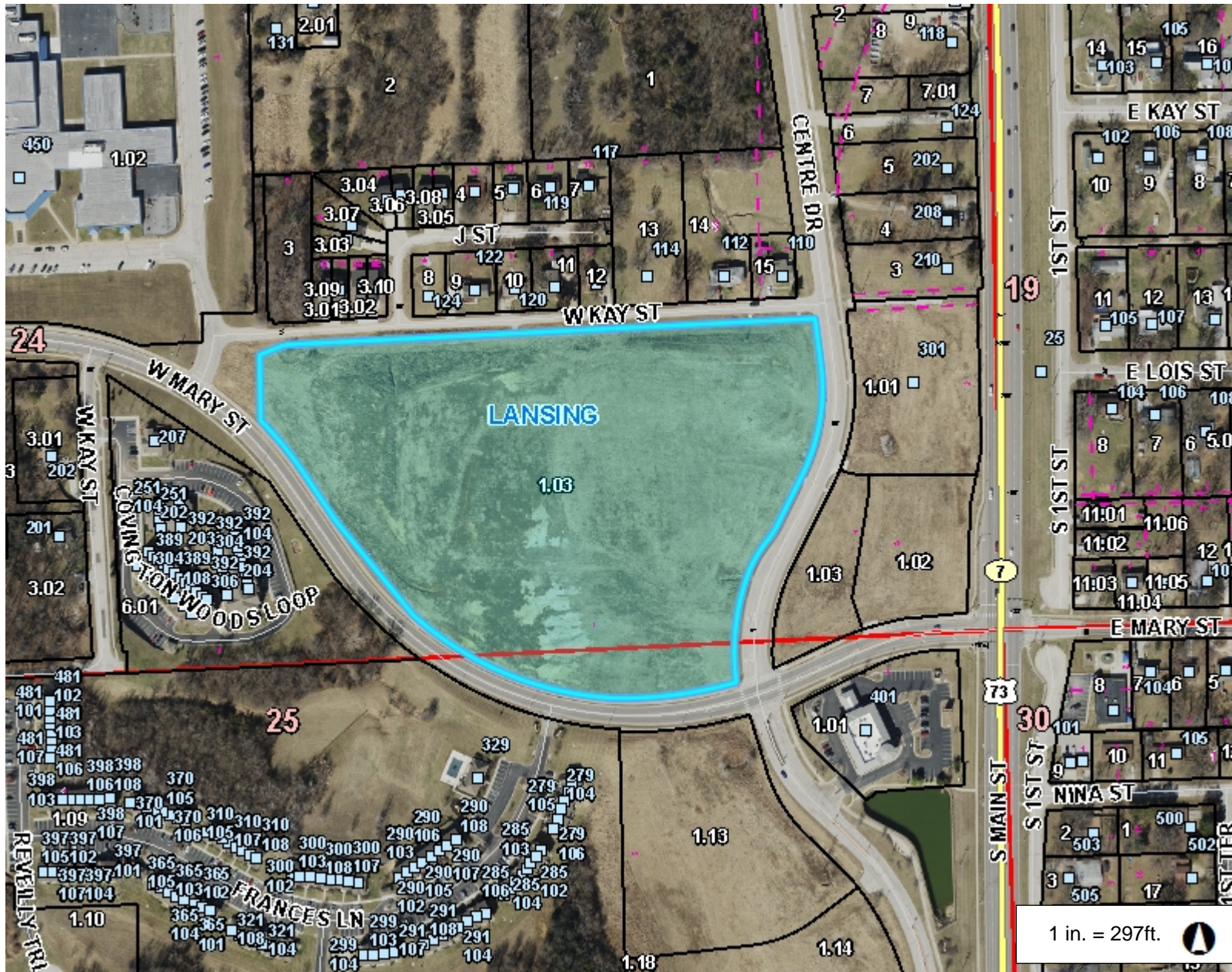
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above mentioned.
[Signature]

Notary Public

My Appointment Expires: 8/23/2025



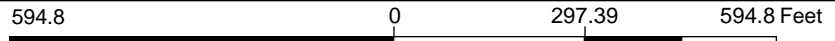
Leavenworth County, KS



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 297ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

REZONING CHECKLIST

Checklist Completed by: Matthew R. Schmitz
Case No. RZ-2021-4
Date Filed: October 18, 2021
Date Advertised: October 26, 2021
Date Notices Sent: October 25, 2021
Public Hearing Date: November 17, 2021

APPLICANT: City of Lansing

LOCATION OF PROPERTY: 00000 Centre Dr. (Northwest corner of W. Mary St. & Centre Drive)

PRESENT ZONING: B-3 **REQUESTED ZONING:** R-4

PRESENT USE OF PROPERTY: Platted undeveloped ground

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Multi-Family Residential District / Mixed Density Neighborhood District (Mix of duplex and single-family homes)	R-4 / R-3
South	Multi Family Residential District / Regional Business District (Lansing Heights / Undeveloped ground)	R-4 / B-3
East	Planned Unit Development / Regional Business District (Undeveloped ground)	PUD / B-3
West	Multi-Family Residential District (Covington Woods)	R-4

CHARACTER OF THE NEIGHBORHOOD: The area is partially developed, with multi-family and single-family residential on the north, empty ground to the east, empty ground and Lansing Heights (apartment homes) to the south, and Covington Woods (apartment homes) to the west.

NEAREST EQUIVALENT ZONING:

LOCATION: South / West
CURRENT USE: Lansing Heights / Covington Woods

RELATIONSHIP TO EXISTING ZONING PATTERN:

- 1. Would proposed change create a small, isolated district unrelated to surrounding districts?** No

2. Are there substantial reasons why the property cannot be used in accord with existing zoning? Yes **If yes, explain:** The applicant has been in discussions with a developer who would like to develop multi-family residential on the property (Luxury Apartments). The current zoning would not allow for this type of development on this property.

3. Are there adequate sites for the proposed use in areas already properly zoned? Not in close proximity to this area. **If yes, where?** _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? The proposed future use of the property does not align with the Future Land Use Map, but staff believes this type of development would align with development policies if this rezoning is approved, and the construction of the building will require the development and acceptance of a Site Plan to comply with Development Policies.

2. Consistent with Future Land Use Map? No. The Future Land Use Map shows this property as Commercial, but staff feels a strong multi-family development here would help to anchor the area and provide additional users for potential future commercial growth in the area.

3. Are Public Facilities adequate? Yes. All utilities are present and in the area.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Centre Dr. / W. Mary St. / Kay St.

2. Classification of Street(s):
Arterial _____ Collector X Local X

3. Right of Way Width: Platted ROW width for Centre Dr. and W. Mary St. are adequate. Additional ROW may be needed along Kay St. to improve the existing street in this area.

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

5. Comments on Traffic: Traffic in the area would likely increase with the planned future project, but a traffic study would need to be done with that project at the time that they move forward. Additionally, there are plans to improve Kay St. with the potential future project, to assist with the concerns about traffic in this area.

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? No.

2. Properly Sized Street Right of Way? No.

3. Drainage Easements? No.

4. Utility Easements:
Electricity? No.

Gas? No.
Sewers? No.
Water? No.

5. Additional Comments: N/A

UNIQUE CHARACTERISTICS OF PROPERTY IN QUESTION: None

ADDITIONAL COMMENTS: None



Planning Commission Staff Report
November 17, 2021

Rezone Case RZ-2021-4
00000 Centre Drive (Northwest Corner W. Mary St. & Centre Drive)

Project Facts

- Applicant**
CITY OF LANSING
- Address**
00000 Centre Drive
- Property ID**
106-24-0-40-08-001.03-0
- Zoning**
B-3 Regional Business District
- Future Land Use**
Commercial
- Land**
632,146.12 SF (14.50 acres)
- Requested Approvals**
Rezoning



Summary

City of Lansing, applicant, has applied to rezone the subject property from B-3 Regional Business District to R-4 Multi-Family Residential District. This rezoning, if approved, will allow for development of a future multi-family project on the subject property. A site plan for the property will be submitted in the near future, if the rezoning is approved.

A public hearing notice was published in the *Leavenworth Times* on October 26, 2021, and the notice was mailed to property owners within 200 feet of the subject property on February 22, 2021.

Discussion points from Checklist

The checklist was reviewed and completed by the Director of Community & Economic Development. There are no concerns marked as outstanding, and the application is in order.

Complaints / Questions

As of the date of preparation of this Staff Report, there has been one resident who contacted the city on behalf of this rezoning application. The resident asked questions about the property but did not have a yes or no feeling towards the rezoning.

Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

- Matthew R. Schmitz, M.P.A. – Director, Community & Economic Development

Notice of City Codes

The Applicant is subject to all applicable City codes within the Municipal Code – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable Federal, State, and local laws.

Recommendation

Staff recommends that the Planning Commission recommend approval of this rezoning request to the City Council.

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: December 10, 2021
SUBJECT: Executive Session – Economic Development

Executive Session will be called to review Economic Development activities pursuant to the discussion of confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorship, K.S.A. 75-4319(b)(4).

AGENDA ITEM

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

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Comments
2007	Ford	Econoline	15 Passenger Wagon	21596	21,715	119	
						0	
						0	
						0	
						0	
Total						119	

Equipment

Year	Make	Model	Description	Hours Start	Hours End	Hours Used	Comments
2018	Advance	SC1500	AutoScrubber Floor Machine	46.5	47.89	1.39	Community Center Cleaning
2018	Kubota	ZG227-A	Mower	228.9	228.9	0	
2021	Kaivac	1750	Cleaning Machine	4.1	4.3	0.2	
						0	
						0	
						0	
Total						1.59	

Lansing Community and Economic Development Department

Monthly Fleet Report

Month November Year 2021

Vehicles

Year	Make	Model	License Plate #	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2006	Ford	Ranger XLT	67211	LT. Pick-up Ext	56,836	57,261	425	
2005	Ford	Ranger	57932	LT. Pick-up Ext	48,743	49,010	267	
2015	Dodge	Journey	A6545	SUV	77,289	77,459	170	KTag: KTA. 02497158

Parks and Recreation Fleet Report November 2021

Vehicles:

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
2011	Dodge	Charger	passenger car	50,800	50,842	42	AC/Parks use	
2014	Ford	F-350	Dump truck	21267.00		0	Parks maintenance	service
2016	Jeep	Patriot	SUV	65626	65682	56	Activity Center use	
2017	Chevrolet	Silverado	truck	18874	18969	95	Parks maintenance	
2018	Ford	F-350	4-dr crew	23032	23547	515	Parks maintenance	
Total						708.00		

Equipment:

Year	Make	Model	Description	Hours Start	Hours End	Hours used	Current Use	Comments
1992	Massey Ferguson	1020	Tractor	1983.4	1983.4	0	Parks maintenance	
2005	Kubota	F3060	mower	343.2	343.2	0	Parks maintenance	
2007	Turbo Tool Cat	5600	utility vehicle	1236.3	1237.7	1.4	Parks maintenance	
2012	Wright	ZK	stander mower	1146	1150.2	4.2	Parks maintenance	
2016	ABI	Force	infield groomer	267.4	273.8	6.4	Parks maintenance	
2017	Kubota	ZD1211	mower	784	786.6	2.6	Parks maintenance	
2018	Polaris	Ranger	utility vehicle	306.2	309.2	3	Parks maintenance	
2019	Exmark	LZ 72	mower	474.6	475.5	0.9	Parks maintenance	
2019	Emark	LZ 96	mower	250.1	250.1	0	Parks maintenance	
2020	Kubota	ZD1211	mower	176.9	181.9	5	Parks maintenance	
Total						23.50		

**Lansing Public Works Department
Monthly Fleet Report**

Month November Year 2021

Vehicles

Year	Make	Model	License Plate #	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2008	Ford	Ranger XLT	70321	LT. Pick-up Ext	N/A	N/A	N/A	Sold Purple Wave
1998	Ford	1/2 ton	48091	Pick-up	68,876	68,940	64	
2005	Sterling	LT 8500	64614	Dump Truck	58,955	59,089	134	
2007	Elgin	Crosswind J+	70295	Street Sweeper	6,952	6,952	0	
2017	Chevrolet	3500	88437	Pick-up Truck	27,077	27,355	278	
2011	International	7400	75269	Dump Truck	21,598	21,598	0	
2016	Ford	F350 4x4	88468	One-ton Dump Truck	16,640	?	?	In the Shop
2013	Ford	Explorer	80551	SUV	72,259	72,581	322	
2019	Ford	Ecosport	A4358	SUV	7,204	7,660	456	KTag- KTA. 02497157
2020	Chevrolet	3500	A8914	One-ton Dump Truck	2,989	3,225	236	
2005	Mack	Granite	B0282	Dump Truck	43,736	44,053	317	

Equipment

Year	Make	Model	Description	Hours Starting	Hours Ending	Hours Used	Comments
1997	JD	770BH	Grader	5,144	5,154	10	
2004	IR	DD-24	Asphalt Roller	303	303	0	
2006	IR	185	Air Compressor	221	226	5	
1997	Bobcat	763	Skid Steer	2,295	2,298	3	
2014	Case	580 SNWT	Backhoe	1,667	1,682	15	
2002	Crafco	110	Crack Sealer	832	842	10	
2003	Kubota	L3710	Tractor	1,631	1,631	0	
2009	Case	465	Skid Steer	726	726	0	
2018	John Deere	5065E	Tractor	167	167	0	
2018	Vermeer	BC1000	Chipper	9	9	0	

Agenda Item 6.

November			
City Influent	28.22 MG	City Avg Daily	.941 MGD
LCF Influent	.449 MG	LCF Daily Avg	.150 MGD
Total Biosolids	0.727	Precip	1.03

Vehicles

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
1999	Sterling	Vactor	Jet Truck	8489	8489	0	Collection System	
2012	Chevrolet	Tahoe	SUV	106617	106639	22	Ops/Maint.	
2019	Ford	F250	Pick Up Truck	9731	9745	14	Ops/Maint.	
2019	Ford	F250	Flatbed Truck	3180	3386	206	Ops/Maint.	
2005	Freightliner	M2106	Dump Truck	25295	25378	83	Biosolids Disposal	
Total						325		

Equipment

Year	Make	Model	Description	Hours Start	Hours Ending	Hours Used	Current Use	Comments
1991	Case	1825	Uni-Loader	972	973	1	Plant Activities	
1999	Sterling	Vactor	Jet Truck	2282	2282	0	Collection System	
2004	John Deere	7920	Tractor	1303.3	1315.6	12.3	Biosolids Disposal	
2005	Polaris	Ranger #1	Utility Vehicle	1416	1420	4	Operations	
2004	Case	621D	Loader	2445	2457.2	12.2	Operations	
2005	Polaris	Ranger #2	Utility Vehicle	1527	1540	13	Maintenance	
2006	JCB	531-70	Telehandler	663	664.3	1.3	Plant Activities	

COMMUNITY AND ECONOMIC DEVELOPMENT
PERMITS/LICENSES AND CODE ENFORCEMENT REPORT FOR NOVEMBER

TO: Tim Vandall, City Administrator

FROM: Matthew R. Schmitz, Director, Community and Economic Development



DATE:

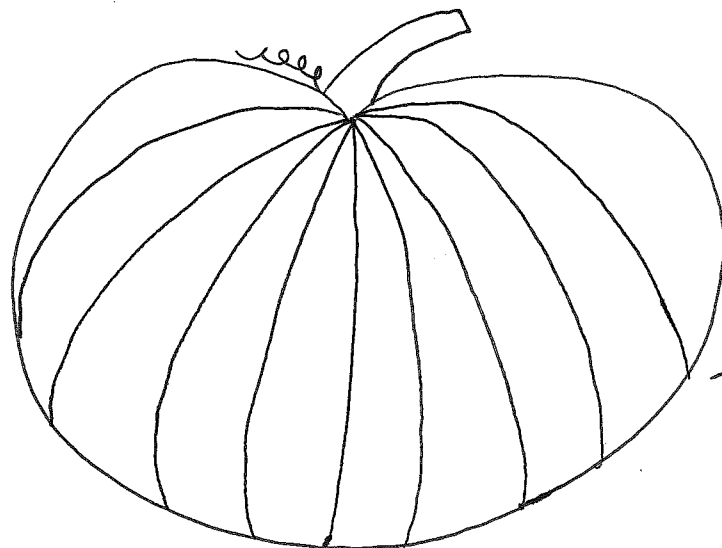
PERMITS AND LICENSES:	<u>Current Month</u>	<u>Year to Date</u>
Number of permits issued.....	43	531
Number of permits for new single-family housing completed.....	0	0
Number of permits for new multi-family housing completed.....	0	0
Number of occupancy certificates issued.....	0	5
Number of permits for new single-family housing currently in process or pending issuance.....	0	0
Number of permits for new multi-family housing currently in process or pending issuance	0	0
Total valuation of residential and commercial construction and remodeling for which permits were issued.....	\$2,047,813.10	\$9,702,916.58
Permit fees.....	\$5,950.50	\$64,675.00
Number of inspections performed	43	407
Number of trade licenses issued	0	127
Total trade contractor licenses issued	0	394
Number of occupational licenses issued	15	134
CODE ENFORCEMENT:	<u>Current Month</u>	<u>Year to Date</u>
<u>Nuisance Report</u>		
Three Day Warnings:.....	39	335
Certified Letters Sent:.....	0	5
Compliance:.....	36	268
Compliance Review:.....	40	325
<u>Vehicle Report</u>		
Warning Letters/Verbal:.....	2	40
Certified Letters Sent (20 Days):.....	0	2
Compliance:.....	1	28
Compliance Review:.....	3	33
<u>Weeds Report</u>		
Three Day Warnings:.....	0	145
Certified Letters Sent:.....	0	7
Compliance:.....	0	87
Compliance Review:.....	2	145
<u>Infiltration of Storm Water System</u>		
Three Day Warnings:.....	0	0
Certified Letters Sent:.....	0	0
Compliance:.....	0	0
Compliance Review:.....	0	0
<u>Additional Actions</u>		
Violation Publications:.....	0	0
Number of Court Actions:.....	0	0
Abated:.....	0	5
Citations:.....	2	2
Contracted for Work:.....	0	5

Dear Officer French,

Thank you so much for coming out on Sunday. I know the department is under staffed & I made contact with you very short notice so it meant a lot that you were still able to attend. The kids love seeing the squad cars & their local officers at these types of community events. You always show up for the school when we need you & it's so appreciated! I hope this makes it to you in great spirits & you have a good rest of the day!

- Sincerely,

Brooklynn Corral & STUCO



Thank
You!