

CITY COUNCIL REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043 Thursday, December 19, 2024 at 7:00 PM

AMENDED AGENDA

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

OLD BUSINESS

1. Approval of Minutes

AUDIENCE PARTICIPATION

PRESENTATIONS

- 2. Police Department Promotions
- 3. Waste Management Update

NEW BUSINESS

- 4. Executive Session for Consultation with Attorney
- 5. Agreement Between City of Lansing & Leavenworth County BOCC
- 6. Remaining ARPA funds
- 7. Ordinance No. 1124 Unified Development Ordinance Amendment

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

- 8. Fleet Report
- 9. City Administrator Report

PROCLAMATIONS

OTHER ITEMS OF INTEREST

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.

TO: Tim Vandall, City Administrator

FROM: Tish Sims, City Clerk
DATE: December 9, 2024
SUBJECT: Approval of Minutes

The Regular Meeting Minutes of December 5, 2024 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes of December 5, 2024, as presented.

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
December 5, 2024

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: Kevin Gardner and Gene Kirby

Ward 2: Donald Studnicka and Jake Kowalewski

Ward 3: Kerry Brungardt and Jesse Garvey

Ward 4: Dan Clemons and Pete Robinson

Councilmembers Absent:

OLD BUSINESS:

The Regular Meeting minutes of November 21, 2024, were provided for review.

Councilmember Kirby made a motion to approve the Regular Meeting Minutes of November 21, 2024, as presented. Councilmember Kowalewski seconded the motion.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Audience Participation:

Presentations:

Certificates of Appreciation/Years of Service

Council President Don Studnicka presented Mayor Anthony McNeill and Councilmember Kerry Brungardt with Certificates for their 15 years of service to the City of Lansing.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Parks and Recreation Advisory Board Appointments

There are five positions on the Parks and Recreation Advisory Board with terms that will expire on December 31, 2024. The positions were advertised, and seven people applied. The Lansing Parks and Recreation Advisory Board met on November 14th and reviewed the applications. The Lansing Parks and Recreation Advisory Board recommends the appointment of Adam Bremmer, Gahvin Frey, Eric Caldwell, Tabor Medill and Norine Lauhon to the Lansing Parks and Recreation Advisory Board for a term ending December 31, 2026.

Councilmember Studnicka made a motion to appoint Adam Bremmer, Gahvin Frey, Eric Caldwell, Tabor Medill and Norine Lauhon to the Lansing Parks and Recreation Advisory Board for a term ending December 31, 2026. Councilmember Gardner seconded the motion.

 Councilmembers Gardner and Kirby recognized the work and dedication made by the members of this board.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Tree Board Appointments

There are four positions open on the Lansing Tree Board. The positions were advertised, and four people have applied.

The Tree Board met on November 14th and reviewed the applications. The Tree Board recommends the appointment of Cassandra Collins to the Lansing Tree Board for a term ending December 31, 2025; Norine Lauhon for a term ending December 31, 2026, and Kathy Gledhill and Mike Stephenson for a term ending December 31, 2027

Councilmember Brungardt made a motion to appoint Cassandra Collins to the Lansing Tree Board for a term ending December 31, 2025; Norine Lauhon for a term ending December 31, 2026, and Kathy Gledhill and Mike Stephenson for a term ending December 31, 2027. Councilmember Kirby seconded the motion.

 Parks and Recreation Director Jason Crum was available for questions. No discussion occurred.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Easement Acquisition for City Project 2024-04 (Ida-Gamble Street Sanitary Sewer Relocation Project)

The next step in the Ida-Gamble Street Project is to acquire the necessary temporary and permanent sanitary sewer easements for the construction of the improvements. The new easements necessitate the removal of fences, gates, vegetation screening, and mature trees. SMH Consultants are awaiting council approval before meeting with the affected property owners and negotiating agreements. An enabling resolution for condemnation will be filed later in December, and we have asked the consultant to move forward with acquisition as quickly as possible. Offer letters will be mailed next week.

The opinion of just compensation for the temporary easements, permanent easements, and cost to cure items as determined by the city's private real estate appraisal company (The Simmons Company) is \$27,800.00. Funds will be taken from the Utility's acquisition account.

Councilmember Kirby made a motion to authorize staff and SMH Consultants to complete easement acquisition activities for the Ida-Gamble Street Sanitary Sewer Relocation Project. Councilmember Brungardt seconded the motion.

Councilmember Studnicka and Wastewater Director Zell discussed specifics of the project.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Resolution No. B-13-2024 – A Resolution authorizing staff to waive the requirements of K.S.A. 75-1120a(a) as they apply to the city of Lansing for the year ended December 31, 2024.

Resolution No. B-13-2024 is a resolution that must be passed annually to exempt the city from complying with Generally Accepted Accounting Principles (GAAP). In the state of Kansas, it is permissible to prepare financial statements using the Kansas Municipal Audit and Accounting Guide

(KMAAG) or cash basis of accounting. This aligns the audited financial statements more closely with the financial statements used throughout the year.

Councilmember Brungardt made a motion to approve Resolution No. B-13-2024. Councilmember Kowalewski seconded the motion.

• Finance Director Beth Sanford was available for questions. No discussion occurred.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Approval of Annual Cereal Malt Beverage Licensing.

Each year the businesses that hold a CMB License must be renewed by the city and the State. The required reviewing of the applications has been done, there are no changes to the applications from previous years. The Licensing fee and Kansas State Stamp Tax have been paid for 2025.

Councilmember Kirby made a motion to approve the Cereal Malt Beverage License renewals for Aldi Inc at 1217 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 North Main Street; and Truman Town LLC dba Woody's Gas Express at 109 4-H Road. Councilmember Garvey seconded the motion.

• City Clerk Sims was available for questions. No discussion occurred.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Executive Session – Preliminary Discussion of the Acquisition of Real Property

Councilmember Kirby made a motion to go into Executive Session for the preliminary discussion of the Acquisition of Real Property, K.S.A. 75-4319(b)(6) for 15 minutes, beginning at 7:11 PM and returning to the Council Chambers at 7:26 PM and to include the Governing Body, City Administrator, City Attorney and Economic Development Director. Councilmember Kowalewski seconded the motion.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

Councilmember Garvey made a motion to return to Open Session at 7:27 PM. Councilmember Kowalewski seconded the motion. No binding action was taken.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

REPORTS:

Department Heads: Nothing to report.

City Attorney: Nothing to report.

City Administrator:

- Fire District 1 Updates and information on the petition to re-draw FD1 boundaries. Resigning and filing the petition. The Board of County Commissioners will become the board for FD1. Will possibly have a contract to service Lansing at the next meeting or have a special meeting soon. Discussion occurred.
- Discussion with developers on East McIntyre Road, willing to have conversations.
- January work session will be on the 23rd instead of the 30th.
- Jim Magee did a fabulous job overseeing the entire repair/remodel of City Hall.
- Thankful for Tish, this is a busy time for her department along with the rest of the craziness.
- Thankful for Beth Sanford, through being displaced and all her hard work.
- Condition of Great Life Golf Course, shout out to Joshua Gentzler, William Linn and Dan Stade on their hard work, difficult conversations with the Great Life Golf Course staff.

Governing Body:

Councilmember Robinson:

- Thanked Mayor McNeill and Councilmember Brungardt for their 15 years of service.
- A couple of people in Ward 4 contacted him regarding their issues with their septic systems.
 He contacted staff and within an hour staff was addressing the issues. Thanked Tony Zell for the quick work of the department.
- Spoke of the seamlessness of the transition to having meetings at the library and thanked all who were involved especially the people at the library.

Councilmember Clemons:

- Thanked the volunteers.
- Echoed the congratulations to the Mayor and Councilmember Brungardt for their 15 years.
- Expressed thanks to Jim Magee, not only overseeing the work, but also working diligently right alongside them.
- Thanked Terri and her staff for picking up the slack.
- All the staff, for being displaced but the work never stopped.

Councilmember Brungardt:

 Thanked Beth Sanford and Tish Sims. Thanked everyone, and congratulated Tim on his great staff.

Councilmember Studnicka:

Stated that we have the best staff of any staff.

Councilmember Gardner:

 Thanked Tish, Beth, Terri, Jason, Josh, Tony, Steve, Mike for all the extra efforts especially in this past year.

Councilmember Kirby:

 Agreed with everything that has been said about everyone. Thanked everyone for all the hard work that is not seen.

Councilmember Kowalewski:

- Echoed everything previously stated.
- Mayor's Christmas Tree Lighting event was great.

Councilmember Garvey:

- Ditto what everyone said.
- Congratulations to the Mayor and Councilmember Brungardt on their achievements over the years.
- Thanked everyone involved in the repairs of the building.

Proclamations

ADJOURNMENT:

Councilmember Garvey made a motion to adjourn. Councilmember Brungardt seconded the motion. No discussion took place.

Roll Call Vote: Aye: Councilmembers Robinson, Clemons, Brungardt, Studnicka, Gardner, Kirby, Kowalewski, and Garvey; Nay: none; Abstain: none; Absent: none; The motion was approved.

approved.	
The meeting was adjourned at 7:46 PM.	
ATTEST:	
City Clerk Tish Sims, CMC	

TO: Tim Vandall, City Administrator

FROM: Steven L. Wayman, Chief of Police

DATE: December 17, 2024

SUBJECT: Sergeant Promotions

Officers Willie Banks and Jason Tebeest have been promoted to Sergeants with the police department. Their Sergeants badges will be pinned on them.

Action:

No Action needed

TO: Mayor McNeill, Lansing City Council

FROM: Tim Vandall, City Administrator

DATE: December 13, 2024

SUBJECT: Update from Waste Management

John Blessing, a representative from Waste Management, will be in attendance Thursday evening to give the City Council an update on our service. Our current contract with Waste Management expires February 28, 2025. The contract does allow for a one-year renewal, but Waste Management would prefer a three-year extension to provide consistency. The level of service has improved in recent years.

Financial Consideration: Waste Management's current rate is \$18.27/month, when including administrative costs, totals an even \$19/month for our residents. Due to rising costs, Waste Management is proposing a rate of \$21.65 for the same service to our residents (potentially more with administrative costs).

As a means to reduce costs, Waste Management is proposing a \$1.08 increase to \$19.35 if we switch to every other week recycling. Staff had expressed hesitation when this idea was broached in the past, as it would result in recycling bins being excessively full and we anticipate scores of phone calls monthly asking which week recycling pickup would be. While that would be a way to reduce costs over \$2.30/month, it would result in more staff time fielding phone calls. If the City decided to switch, Waste Management is willing to offer some residents a 95 gallon recycling bin (same size as trash bins) for residents whose recycling containers would be excessively full after two weeks.

Below is a summary of what other nearly jurisdictions pay for trash service:

Lansing Option to Keep Weekly Recycling: \$21.65
Lansing Option to Every Other Week Recycling: \$19.35
Tonganoxie (recycling optional, adds \$4.50/month): \$16/\$20.50
Leavenworth (trash only, no recycling): \$19.31
Fort Leavenworth \$21.77
Basehor \$21.60

Action: No action required, but guidance, feedback, and direction is needed.

AGENDA ITEM #3

TO: Tim Vandall, City Administrator

FROM: Tish Sims, City Clerk
DATE: December 19, 2024

SUBJECT: Executive Session – Consultation with Attorney

Executive Session will be called for consultation with Attorney for the City which would be deemed privileged in an Attorney-Client relationship, K.S.A. 75-4319(b)(2) for a period of 15 minutes.

TO: Mayor McNeill, Lansing City Council

FROM: Tim Vandall, City Administrator

DATE: December 19, 2024

SUBJECT: Agreement Between City of Lansing & Leavenworth County BOCC

Although Leavenworth County Fire District #1 levied no taxes for 2025 and has no assets, it is still technically a valid entity in 2025. The City terminated the Interlocal Agreement, which means the existing board format will cease at midnight on 12-31-2024. This also means on 1-1-2025 the BOCC is technically the Board of LCFD#1 and in charge of fire protection within LCFD#1's boundaries. The City and other agencies plan to submit the petition per K.S.A. 19-3604 to redraw the boundaries and exclude ourselves from LCFD#1's boundaries in 2026. Since LCFD#1 is valid for 2025, the City needs an agreement with Leavenworth County to agree to service our own boundaries with fire protection in 2025, as well as the boundaries of other agencies.

Policy Consideration: K.S.A. 12-2908 allows municipalities and parties to cooperate and contract with each other to perform any governmental service or activity.

Financial Consideration: The City is providing fire protection services to Delaware and any other parties in exchange for nine mills. The City has budgeted a total of \$1.395million for fire protection in 2025.

Action: Staff recommends approval of the agreement between the Board of County Commissioners of Leavenworth County and the City of Lansing to provide fire protection services within the corporate boundaries of Leavenworth County Fire District #1.

AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS AS THE GOVERNING BODY OF FIRE DISTRICT NO. 1 AND THE CITY OF LANSING, KANSAS FOR THE PROVISION OF FIRE PROTECTION SERVICES TO FIRE DISTRICT NO. 1.

THIS A	AGREEMENT ("Agreement") is made and entered into on the	_ day of
December,	2024 between the Board of County Commissioners of Leavenworth	County,
Kansas ("Coun	ty") as the governing body of Fire District No. 1 and the City of Lansing	, Kansas
("Lansing").		

WHEREAS, Fire District No. 1 was formed in 2003 by the County under K.S.A. 19-3601 *et. seq.*, the Fire Protection Act; and

WHEREAS, the First District is comprised of the City of Lansing, Delaware Township, and High Prairie Township ("parties"); and

WHEREAS, the County and the parties all entered into an Interlocal Agreement under K.S.A. 12-2901, *et seq.*, the Interlocal Cooperation Act; and

WHEREAS, the County delegated all of the governing powers of Fire District No. 1 to a board of trustees in the Interlocal Agreement under K.S.A. 12-3612a; and the Interlocal Agreement set forth the terms and conditions governing the joint operation and management of the Fire District; and

WHEREAS, the Interlocal Agreement was terminated and ends on December 31, 2024; and

WHEREAS, the County shall be and constitutes the governing body of Fire District No. 1 under K.S.A. 19-3601 on January 1, 2025; and

WHEREAS, the County needs to arrive at a new arrangement for the provision of fire protection services within the of boundaries of Fire District No. 1 after December 31, 2024; and

WHEREAS, K.S.A. 12-2908, entitled Contracts between Municipalities specifically authorizes the parties to cooperate in public functions; and

WHEREAS, K.S.A. 19-3608, entitled Agreements with cities or townships for fire protection services, specifically authorizes the parties to enter into agreement for fire protection services; and

WHEREAS, governmental services may be provided with greater efficiency if certain service are provided jointly through cooperative efforts; and

WHEREAS, Lansing is willing and able to provide fire protection services within the geographic boundaries of Fire District No. 1 and provide for the use, operation, care and maintenance of any fire apparatus or equipment, if any, belonging to the Fire District; and

WHEREAS, the Fire District has determined that it is in the public interest to establish a one (1) year plan for fire protection services within Fire District No. 1.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contains, the parties AGREE as follows:

- 1. PURPOSE AND EFFECT. The parties hereto enter into this Agreement for the purpose of formalizing the parties' agreement to promote and protect the public safety and welfare by authorizing Lansing to provide fire protection services within the boundaries of fire District No. 1 and provide for the use, operation, care and maintenance of any fire apparatus or equipment, if any, belonging to the Fire District.
- 2. TERM. This Agreement shall remain in full force and effect for a term of one (1) year, beginning January 1, 2025 and terminating December 31, 2025.
- 3. FIRE PROTECTION SERVICES. Beginning January 1, 2025, Lansing will provide fire protection services within the geographic boundaries of Fire District No. 1 for a one (1) year period or until any of the respective jurisdictions are no longer a part of Fire District No. 1, whichever occurs first, in exchange for nine (9) mills (ad valorem taxes) per year. The City has budgeted 1.395 million dollars for fire protection services in 2025.
- 4. DELIVERABLES. The Agreement deliverable and performance standards are shown in the addendum at Exhibit 1. A Lansing representative shall meet one time a year with the County to review contract performance, assess and modify the metrics used evaluate Lansing's performance and recommend modifications to such metrics as may seem appropriate to the County. Lansing shall prepare an update for the County outlining standards of performance, including readiness, response time, service effectiveness, and public safety. Each category shall be graded on the levels of readiness by Fully Mission Capable (FMC), Mission Capable (MC), Not Mission Capable (NMC). This addendum is included in the appendix of this Agreement.
- 5. PAYMENT. Lansing and the County agree that the payment reflected in Section 3 of this Agreement may be renegotiated, at the discretion of either party, if the agreement extends past December 31, 2025.
- 6. JOINT COOPERATION. The County and Lansing agree and covenant to cooperate and assist each other in order that both may better serve their respective constituents and customers.

- 7. PLACING AGREEMENT IN FORCE. The attorneys for the County and Lansing shall cause the Agreement to be executed by the County and Lansing and submitted before the governing bodies of each for approval. Each party shall receive a duly executed copy of this Agreement for their official records
- 8. GOVERNING LAW. This Agreement is subject to, governed by, and construed according to the laws of the State of Kansas.
- 9. COMPLIANCE WITH LAW. Each party shall comply with all applicable local, state, and federal laws and regulations in carrying out this Agreement, regardless of whether those legal requirements are specifically referenced in this Agreement.
- 10. MODIFICATION OF AGREEMENT. This Agreement may be modified or amended only in writing executed by both parties and will be subject to renegotiation in the event of changes to applicable law, rules, or regulations affecting the subject matter of this Agreement.
- 11. CASH BASIS LAW. This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 et seq. and amendments thereto. Any automatic renewal of the terms of the Agreement shall create no legal obligation on the part of the County or Lansing. This Agreement shall be construed and interpreted so as to ensure that both entities shall at all times stay in conformity with such laws and, as a condition of this Agreement, both parties reserve the right to unilaterally sever, modify, or terminate this Agreement at any time if, in the opinion of its legal counsel, the Agreement is deemed to violate the terms of such law.
- 12. TERMINATION. Either party may terminate this agreement in whole or in part, for cause or convenience upon seven (7) months written notice to the other party. However, the parties may mutually agree to a shorter notice period to accommodate specific budgetary requirements of either party. The terminating party shall give written notice of the termination and the reasons therefore to the other party specifying the part of the agreement terminated and when termination becomes effective.
- 13. INDEMNIFICATION. To the extent permitted by law and without waiving any of the immunities set forth in K.S.A. 75-6101, et seq., the Kansas Tort Claims Act, Lansing shall at all time save and hold harmless the County from all liability, costs, damages, and expenses of any kind of which the County may become liable to any person, firm, or corporation by reason of any claim or damages associated with providing or failing to provide fire protection services within Fire District No. 1. To the extent permitted by law and without waiving any of the immunities set forth in K.S.A. 75-6101, et seq., the Kansas Tort Claims Act, the County shall at all time save and hold harmless Lansing from all liability, costs, damages, and expenses of any kind of which Lansing may become liable to any person, firm, or corporation by reason of any claim or damages to the extent caused by any wrongful act or omission on the part of the County, its employees, or officials.

- 14. MISCELLANEOUS. Nothing in Agreement shall be construed to authorize third parties to seek recovery as third-party beneficiaries of this Agreement or in any other capacity. Notwithstanding any other provision of this Agreement, the County and Lansing reserve any and all rights under law or equity available to the County and Lansing.
- 15. ASSIGNMENT. The parties shall not assign this Agreement to a third party without the other party's prior written consent.
- 16. COMPLIANCE WITH FUTURE LAWS. This Agreement is made subject to any and all State statutes now in effect, or that may hereafter take effect, that relate to and affect the subject matter of this Agreement, during the time the same is in effect.
- 17. SEVERABILITY. If any section, sentence, clause or phrase of this Agreement is found to be invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining provision of this Agreement.
- 18. AUTHORITY TO CONTRACT. Each of the person executing this Agreement, on behalf of their respective parties, represents and warrants that said person has authority to bind the party on behalf of who said person has executed this Agreement, and that all acts required and necessary for authorization to enter into and to execute this Agreement have been completed.

	Adopted thisday of December, 2024 Board of County Commission Leavenworth, County, Kansas
Attest:	Jeff Culbertson, Chairman
Janet Klasinski, Leavenworth County Clerk	
(Seal)	
Approved as to form:	
David Van Parys, Senior County Counselor	

CITY OF LANSING KANSAS

	By: Tony McNeill, Mayor
Attest:	
Tish Sims, City Clerk	
(Seal)	
Approved as to form:	

Exhibit #1

Contract Deliverables and Performance Standards

1. General.

- a. Fire departments are an essential component in ensuring community safety. In addition to the obvious duty of responding to fires, fire departments are often the first responders at any type of emergency; they also play a central role in fire and accident prevention and safety.
- b. The implementation of valid performance measures and tracking those measures consistently over time is an essential component of effective and efficient fire service operations. These metrics also provide fire departments with the data needed to show real results, identify areas where improvement is needed and validate departmental requirements for personnel, equipment and training. Clear and consistent performance metrics coupled with accurate and timely measurement are a significant enabler in identifying these requirements, justifying budget requests and informing policy and service changes.
- c. The base contract must contain a Deliverables section and define the geographic area of coverage. In addition, reference will be made to an addendum to the contract as outlined in paragraphs 2 and 3 below. Lansing will track approved performance metrics and display them in a 'dashboard' format on the Fire Departmental website which will be available to both the governing bodies of the signatories and to the general public.
- **2. Purpose.** The referenced addendum provides a performance baseline for the provision of fire and emergency services for the City of Lansing Fire Department ("department") and other governmental entities contracting for provision of those services. It is anticipated that these metrics will be regularly reviewed in detail and amended, as needed, to assure continued accuracy and relevance as standards of performance for the department. Thus, it is incorporated in the contract statement of work by reference and may be periodically amended by agreement of the signatories, without the necessity of renegotiation of the base contract.

3. Standards of Performance.

- a. Readiness. The Lansing Fire Chief will report overall readiness of the department to execute its mission to the governing bodies of the contract signatories on an annual basis. This report will summarize the mission capable rate of the department as an aggregate rate over the total number of days in the reporting period in three categories of performance: personnel/manning; training and equipment. Readiness reporting is comprised of three levels of readiness: fully mission capable (FMC), mission capable (MC) and not mission capable (NMC); these ratings are applicable to each of the three performance categories.
 - (1) Personnel/manning.

- (a) FMC: the department is manned at 90%+ of authorized spaces and is capable of manning continuous operations on a 24/7 basis using fully certified and trained firefighters without resorting to overtime;
- (b) MC: the department is manned at 75%+ of authorized spaces and is capable of manning continuous operations on a 24/7 basis with fully certified and trained firefighters only through the use of overtime;
- (c) NMC: the department is manned at < 75% of authorized spaces and is not capable of manning continuous operations of a 24/7 basis, even with the use of overtime

(2) Training.

(a) FMC: the department is fully trained to execute all mission essential tasks, to include water rescue, HAZMAT response, residential and woodland/brush firefighting,

vehicle extraction and fire safety inspections/public safety education without resorting to overtime.

- (b) MC: the department has sufficient qualified personnel available to execute all mission essential tasks (above) but must resort to overtime to complete the mission
- (c) NMC: the departments training program does not enable the execution of all mission essential tasks until additional trained personnel are available.

(3) Equipment.

- (a) FMC: all of the department's assigned equipment is operationally ready to perform its role 90%+ of the time during the reporting period.
- (b) MC: some of the department's assigned equipment in not operationally ready either due to (either scheduled or unscheduled) maintenance issues (NORM) or waiting repair parts to complete maintenance (NORS). The operationally ready rate for the reporting period is 75%+.
- (c) NMC: the operationally ready rate for the department's assigned equipment is less than 75%.

Mutual/Automatic Aid Agreements. When the department is less than fully mission capable in any performance metric, a mutual/automatic aid agreement with another department may be considered in augmenting the mission capable status of the department.

b. Response Time.

- (1) Call-to-dispatch. Time required for a mission capable piece of equipment leaves the station.
- (2) Call-to-arrival. Elapsed time from dispatch to arrival- can serve to identify need for additional stations/manning in areas away from the base station. As noted above, mutual/automatic aid agreements may augment the department's performance.
- (3) Chute Time. When a piece of equipment takes 2 minutes or longer from initial notification to begin movement to the location of the incident, time in excess of the 2-minute threshold will be logged as 'chute' time.
- c. Service effectiveness.
 - (1) For each reporting period, the department chief will report the incident count by service area by class of incident (commercial, residential, woodland/prairie, water, etc.).
 - (2) Based upon insurance adjuster reports, the department chief will report the loss by incident for fire losses as a percentage of insured value and the total loss count for the reporting period.
- d. Fire prevention/public safety. Such activities carried out by Lansing department personnel will be logged, issues and trends identified, man-hours expended will be logged and appropriate lesson plans and training materials will be posted to the departmental website for review and reference.
 - (1) Inspections: initial/follow-up; code certification/compliance.
 - (2) Special event planning/review.
 - (3) Complaints/investigations.
 - (4) Community education.
- **4. Recommendations**. The memorandum is prepared for information, review and comment by the governing bodies of the signatories. As noted above, if implemented, the addendum shall be subject to frequent review and revision on a schedule deemed appropriate by the parties to the contract.

TO: Tim Vandall, City Administrator FROM: Beth Sanford, Finance Director

DATE: December 19, 2024

SUBJECT: Remaining ARPA funds

Policy Consideration: ARPA funds must be spent or allocated by 12/31/24. This year, the city council approved using \$374,465.55 of the ARPA funds for the 2024 mill and overlay contract and \$110,590.92 of the ARPA funds for city hall renovations. The amount remaining in the ARPA Fund is \$19,357.76. The city hall renovation did incur additional costs which include the following:

- Rewiring the Building
 - Schwinn Electric = \$13,225
- Replace damaged office furniture
 - O U-Line = \$31,179.34
- Replace Formica windowsills and build a cabinet under the countertop at front window
 - JF Denney = approximately \$8,000
- Re-caulk and seal windows
 - Besel's = \$4272

Financial Consideration: These additional expenses were paid for out of the Equipment Reserve Fund and General Fund. The city council could use the remaining ARPA funds to offset these additional costs.

Action: Approval to spend the remaining ARPA funds to cover the additional costs of the city hall renovation.

TO: Tim Vandall, City Administrator

FROM: Joshua Gentzler
DATE: December 19, 2024

SUBJECT: Ordinance No. 1124 – Unified Development Ordinance Amendment - Section 4.03 Table

4-2: Permitted Uses and Section 4.05 Specific Use Standards

Overview: This Short-Term Rental (STR) regulation is proposed to establish requirements for the operation of a Short-Term Rental, including building inspections for safety, maintaining residential appearance, and ensuring the presence of local contacts for accountability. The inclusion of these requirements aims to mitigate potential negative impacts of STRs and foster a safe, harmonious environment for both permanent residents and short-term visitors.

For full review, please see the attached report.

Policy Consideration: n/a

Financial Consideration: n/a

Action: Staff recommends a motion to adopt Ordinance No. 1124 to amend the City of Lansing Unified Development Ordinance.



Planning Commission Staff Report November 20, 2024

Case 2024-UDO-002 Short Term Rental

Summary

This Short-Term Rental (STR) regulation is proposed to balance the interests of homeowners, STR operators, and the community's traditional residential neighborhoods. STRs are increasingly popular but can introduce unique challenges, such as noise, increased traffic, and property upkeep issues. By adding this section, the City aims to protect neighborhood character and resident quality of life while allowing STRs to operate responsibly and safely.

The new regulation establishes requirements for the STR operation, including building inspections for safety, maintaining residential appearance, and ensuring the presence of local contacts for accountability. The inclusion of these requirements aims to mitigate potential negative impacts of STRs and foster a safe, harmonious environment for both permanent residents and short-term visitors.

Community & Economic Development Comments

Introduction

The proposals within this text amendment are written to reflect the rising popularity and prevalence of short-term rentals as both a lodging option and real estate investment. Currently, STRs are not allowed within residential districts in Lansing. This proposal brings a legal pathway for owners to begin utilizing their property for STR purposes.

Summary of Changes

Article 4. Zoning Districts & Use Standard Amendments

Table 4-2: Permitted Uses is amended to allow Lodging - Short Term Rental with a Conditional Use Permit.

A definition of "Short-term Rental" was added to define the usage and term within the Unified Development Ordinance.

To support the changes to **Table 4-2**, **Section 4.05 Specific Use Standards** are also amended. **Paragraph G. Short-Term Rentals** is added, specifying minimum requirements for the Conditional Use Permit.

Acknowledgments

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

Joshua Gentzler, AICP – Director, Community & Economic Development

Recommendation

Staff recommends approval of Case 2024-UDO-002 Short Term Rental.

Action Options

- Approve the text amendments as proposed and recommend adoption of Case 2024-UDO-002 to the City Council; or
- Amend Staff's proposed text amendments and recommend adoption of Case 2024-UDO-002, as amended, to the City Council; or
- 3. Deny Case 2024-UDO-002 for specified reasons; or
- 4. Table the case to another date, time and place.

Attachments

- 1. Redline of UDO Article 4
- 2. Proposed amendment of **UDO Article 4**



4.03 PERMITTED USES

A. **Table of Uses & Definitions.** In order to implement the intent of each zoning district, facilitate complimentary transitions between districts, and to regulate a variety of compatible uses within zoning districts, use categories and general uses have been established for principal uses of land and buildings. Table 4-2 indicates permitted uses (**a**) subject to general district and building development standards, conditional uses (**C**) subject to the discretionary review process, and uses with supplementary standards (*) related to specific uses.

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	11	12
CIVIC / INSTITUTIONAL											
Armed Forces Reserve Center							-	•	-		
Assembly - Small											
Assembly – General	С						•		•		
Assembly - Event Venue							•	•	-		
Bus Passenger Terminals							•	•	•	•	
Cemeteries and Mausoleums	-	•	-	•	•	•	•	•	-	•	-
Cultural and Public Service	-	-	-	•	•	•	-	•	-	•	-
Open / Civic Space	-	-	-	•	•	•	-	•	-	•	-
Schools -Neighborhood	-	-	-	•	•	•	•	•	-		
Schools – Community	-	-	-	•	•	•	•	•	-		
Schools - Regional							С	•	-		
Social Services Agency (Ord. 424, Sec. 1)		С	С	С	С	С	С	С			
RESIDENTIAL DWELLINGS											
Detached house, standard	•	•	-		•						
Detached House – Neighborhood Lot				•							
Detached House – Compact Lot											
Duplex or two-unit house			С								
3- to 4-plex				•	•						
Row house				•	•						



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Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	I1	12
Small Apartment (3-12 units)				•							
Medium Apartment (12-40 units)				-	•		С				
Mixed-use* (Dwellings above commercial / service)							•	•	-		
Live/Work				С	С		•	•			
Congregate Living				•	•		С				
Accessory Dwelling*	-	-		-							
Home Occupation*	-	-		-	•	-					
Manufactured Home						•					
RETAIL											
Retail – Micro*					•	•	•	•	•	•	
Retail - Light							•	•	•		
Retail – General								•	•		
Retail – Heavy									•	•	
Grocery - Market							•	•	•		
Grocery – Store								•	•		
Grocery - Supermarket									•		
Outdoor Sales and Display – Yard	С						•	•	•	•	•
Outdoor Sales – General	С								•	•	
Outdoor Sales – Heavy	С								•	•	•
Convenience Store/Fuel Station							С	•	•	•	
SERVICE AND EMPLOYMENT											
Adult Entertainment							С				
Animal Care – Kennel*	С								С	С	
Animal Care – General	С						•	•	•		



Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	11	12
Animal Care – Large									-	•	
Automobile and Truck Wash Services									-	С	
Day Care, In-Home – Major*		С	С	С	С	С					
Day Care Center					С		•	•	-		
Funeral Home and Interment							С	С	-		
Food and Beverage – Limited								•	•		
Food and Beverage – General								•	•		
Healthcare – General							•	•			
Healthcare – Large									-	•	
Lodging								•	-		
Lodging - Short-Term Rental	<u>c</u>	<u>C</u>	<u>c</u>	<u>c</u>	<u>C</u>	<u>c</u>					
Office - General							С	•	•		
Office - Large / Complex									•	•	
Personal Service / Office – Limited							•	•	•		
Personal Service – General								•	•	•	
Personal Service – Heavy									•	•	
Personal Service – Household Industrial									С	•	-
Personal Storage – Indoor								С	•	•	
Personal Storage – Outdoor									•	•	
Recreation/Entertainment – Indoor Minor (less than 10K)	С						-	•	•		
Recreation/Entertainment – Indoor Major (10K or more)	С								С	-	•
Recreation/Entertainment – Outdoor Minor	С					С		-	•	С	



Residential Care – Long-term Care – A facility offering long-term care for individuals residing on the site that need a high degree of services or monitoring, and where full-time staff are present on the premises at all times, and where the building(s) and site design emphasize the institutional function, secondary to the residential accommodations. Examples include treatment centers, hospice centers, homeless shelters, or other facilities with a high intensity of care or supervision.

<u>Short-Term Rental (STR)</u> – A private residential dwelling unit or a portion thereof that is rented to guests for temporary occupancy for a period of fewer than 30 consecutive days. STRs are operated as a business for the purpose of providing short-term accommodation to transient guests.

Temporary Use ____ A use established for a limited and fixed period of time, and upon its discontinuance no structures, facilities or other impacts on the site remain and the site is otherwise restored to its pre-use condition. Examples include short-term events such as festivals, carnivals, or art exhibits; seasonal sales such as farm produce, holiday tree stands, or pumpkin sales; general merchandise outdoor sales stands such as flower stands, arts and crafts sales, or other general merchandise.

Vehicle/Equipment Service and Repair – Limited – A service use engaged in motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, but limited to small scale operations that involve no more than 3 vehicle service bays, and where all work and storage of equipment and supplies occurs indoors, and where on-site or overnight storage of vehicles is limited to no more than 8 cars on the lot. Examples include a small neighborhood mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation.

Vehicle/Equipment Service and Repair – General – A service use engaged in equipment and motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, that involves 4 or more vehicle service bays, where all work and storage of equipment and supplies occurs indoors, but where on-site or overnight storage of vehicles may involve 9 or more cars on the lot. Examples include large mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation or an auto body shop where the likelihood of overnight storage, outdoor storage and over-night or multi-day drop off is more likely.

Vehicle/Equipment Service and Repair – Heavy – A service use engaged in the maintenance and repair of motor vehicles, commercial vehicles or heavy equipment, and accessory retail sale of supplies and accessories, that is likely to involve larger outdoor storage areas for vehicles and supplies, and where larger multi-bay garages or warehouses are needed to conduct services.

INDUSTRIAL

The Industrial category is the use of land and buildings engaged in the production, processing, storage or distribution of goods with potential impacts beyond the site due to the types of activities, the physical needs of the site or facility, the types of materials used, or the delivery and access operations, and which in typical formats and operations may not be compatible with other business uses. It includes the following types:

Commercial Storage – Indoor – Storage of consumer products or small-scale commercial products inside a building. Examples include mini-warehouses where all storage areas including those leased or rented to individual customers are accessed from inside the principal building.

Commercial Storage – Outdoor Minor – Storage of consumer products or small-scale commercial products on an outdoor lot. Examples include contractor's yard, or similar facility where products used in other small business operations are stored for distribution.



- 7. Lobby and entrances shall be so designed to minimize obstruction of nearby streets and sidewalks during operation.
- 8. The buildings or structures housing the adult entertainment business shall not be painted in garish colors or designs.
- 9. All distances specified herein shall be measured in a straight line from the nearest point on the building housing an adult entertainment business to the nearest point of the property or zoning district mentioned above.
- 10. No noise from inside a building housing an adult entertainment business shall be audible at a point 50 feet from any point on the outside of the building.

In addition to the requirements of this section, the Planning Commission shall consider the following criteria in reviewing a conditional use application for an adult entertainment business:

- 1. The nature of the proposed site, including its shape and size, and the proposed size, shape, and arrangement of structures;
- 2. Traffic conditions, including the resulting traffic patterns (traffic study);
- 3. The nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- 4. Facilities for sewers, water, and other utilities, and the ability of the city to supply such services:
- 5. The limitations of fire-fighting and rescue equipment, and the means of access for fire and police protection;
- 6. The conservation of property values;
- 7. Contribution, if any, such proposed use, building, or addition would make toward the deterioration of areas and neighborhoods.
- G. Short-Term Rentals. Any home or Accessory Dwelling Unit intended for use as a Short-Term Rental shall meet all requirements in this section.
 - 1. Intent
 - It is the intent of this ordinance and standards below to preserve and protect traditional single-family neighborhoods within the City while allowing those desiring to operate short-term rentals to do so without detriment to those neighborhoods.
 - 2. General Requirements
 - a. Application. Any submittal for a conditional use permit to establish a Short-Term Rental shall include a completed application that will supply, at a minimum, the following information:
 - (1) Number of bedrooms used and number of beds proposed to be used;
 - (2) The name, address, email address, and contact telephone numbers of the owner of the rental, the property manager, and local representative or local contact person;
 - (3) An inspection by the City's Building Inspector is required to ensure compliance with health, safety, and building codes. This inspection shall occur prior to the Planning Commission meeting. The Building Inspector shall submit his recommendations for alterations and improvements of the property to the Planning Commission as a part of the application review and these recommendations may be added as conditions for the permits issuance.
 - b. Appearance. Short-term rentals shall maintain their residential character and outside appearance. No signs shall be permitted. All exterior lighting shall be residential in nature and shall not be directed towards adjacent properties. Accessory Dwelling Units may be used as a short-term rental.



c. Safety Equipment. The Building Inspector shall inspect the property for general life and building. At least one ABC type fire extinguisher(s), minimum of three pounds and maximum of five pounds, shall be mounted at a point of egress which lead to a public way. Extinguishers must be inspected and maintained according to state requirements and must properly display the inspection history of the device.

Smoke alarms must be installed in every room used for sleeping with an additional alarm installed on every level of the home in non-sleeping areas.

3. Permits Required

- a. The owner, or authorized agent thereof, of any proposed Short-Term Rental shall secure a Business License from the City Clerk prior to submittal of a Conditional Use Permit.
- b. The owner or authorized agent shall designate a "Primary Contact" which is to be a local responsible party who is available by phone 24-hours per day while the property is being rented.

4. Violations

a. Any act constituting a violation of these standards shall subject the owner to enforcement procedures as set forth in Article 1 of this Ordinance.

4.06 TEMPORARY USE STANDARDS

No temporary structure or use shall hereafter be built, established, moved, remodeled, altered or enlarged unless the temporary structure or use is permitted by these regulations.

- A. Holiday Tree Sales. Holiday tree sales are permitted in any business or industrial district for a period not to exceed 60 days. No trees shall be displayed within 30 feet of the intersection of the curb line of any two streets.
- B. **Contractors' Office and Equipment Sheds.** Contractors' offices and equipment sheds accessory to a construction project are permitted and may continue only during the duration of such project. Such uses may not include sleeping or cooking accommodations.
- C. Real Estate Offices. Real estate offices are permitted where they are located on-site and are incidental to a new housing development, provided that such uses continue only until the sale or lease of all dwelling units in the development. Such uses may not include sleeping or cooking accommodations unless located in a model dwelling unit.
- D. **Seasonal Farm-Oriented Sales.** Seasonal sales of farm produce grown on the premises are permitted in an "A-1" District. Front yard requirements are not applicable to structures incidental to such sales if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used.
- E. **Carnivals and Circuses.** Carnivals or circuses are permitted in "B-1", "B-2", "B-3", and "I-1" Districts for a period that does not exceed 21 days. Front yard requirements are not applicable, provided that the location of structures or equipment shall conform to the requirements of the sight triangle as defined by these regulations.
- F. **Garage, Porch, or Yard Sales.** The sale of used or second-hand merchandise shall be permitted in any residential district or by non-profit organizations, provided that such use shall not exceed 3 consecutive days in duration nor shall it occur more than 2 times in a consecutive 1-year period at any particular location. Such sales shall be only for the purpose of disposing of personal property.



4.03 PERMITTED USES

A. **Table of Uses & Definitions.** In order to implement the intent of each zoning district, facilitate complimentary transitions between districts, and to regulate a variety of compatible uses within zoning districts, use categories and general uses have been established for principal uses of land and buildings. Table 4-2 indicates permitted uses (■) subject to general district and building development standards, conditional uses (ℂ) subject to the discretionary review process, and uses with supplementary standards (*) related to specific uses.

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CIVIC / INSTITUTIONAL											
Armed Forces Reserve Center								•	-		
Assembly - Small					D						
Assembly – General	С	I'Y		Y F	X_{\parallel}	$\frac{1}{2}$	٠	•	•		
Assembly – Event Venue							٠	•	•		
Bus Passenger Terminals							•	•	•	•	
Cemeteries and Mausoleums	•	Δ-		4	A	4	٠	•	•	•	•
Cultural and Public Service	CON	IMUNI	TY 8	E EC	ONON	AII.	٠	•	•	•	•
Open / Civic Space	•	DEVI	ELO.	PME	N I	•	٠	•	•	•	•
Schools -Neighborhood		•	-		•	•	•	•	•		
Schools - Community		-	-	\-	•	•	•	•	-		
Schools - Regional							С	•	-		
Social Services Agency (Ord. 424, Sec. 1)		С	С	С	С	С	С	С			
RESIDENTIAL DWELLINGS											
Detached house, standard	•	•	•	•	•						
Detached House – Neighborhood Lot				•							
Detached House – Compact Lot				•							
Duplex or two-unit house			С	•							
3- to 4-plex				•							
Row house				•	•						



Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	11	12
Small Apartment (3-12 units)				•							
Medium Apartment (12-40 units)				•	•		С				
Mixed-use* (Dwellings above commercial / service)								•	•		
Live/Work				С	С		•	•			
Congregate Living				-	•		С				
Accessory Dwelling*	-	•	-	-							
Home Occupation*	T /	ГV	(E.	\$						
Manufactured Home											
RETAIL											
Retail – Micro*		A			74			•	-	•	
Retail – Light		AI			A		-	•	-		
Retail – General	CON	DEV	ELO	PME	ONO: NT	VIIC		•	-		
Retail – Heavy											
Grocery - Market											
Grocery - Store								•	-		
Grocery - Supermarket									-		
Outdoor Sales and Display – Yard	С						-	•	-	•	-
Outdoor Sales – General	С								-	•	
Outdoor Sales – Heavy	С								•	•	•
Convenience Store/Fuel Station							С	•	•	•	
SERVICE AND EMPLOYMENT											
Adult Entertainment							С				
Animal Care – Kennel*	С								С	С	
Animal Care – General	С							•	•		
		•			•	-		-			

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Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	I1	12
Animal Care – Large									•	•	
Automobile and Truck Wash Services									•	С	
Day Care, In-Home – Major*		С	С	С	С	С					
Day Care Center					С		•	•	-		
Funeral Home and Interment							С	С	-		
Food and Beverage – Limited							•	•	-		
Food and Beverage – General					A			•	-		
Healthcare – General		ΓΥ	0	F_	*	*	•	•			
Healthcare – Large				7					-		
Lodging								•	-		
Lodging – Short-Term Rental	С	ЛС	С	C	C	С					
Office – General	CON	IMUNI	TY 8	& EC	ONON	MIC	С	•	•		
Office – Large / Complex		DEV	ELO	PME	NT				•	•	
Personal Service / Office - Limited							•	•	•		
Personal Service – General								•	-	•	
Personal Service – Heavy									-		
Personal Service – Household Industrial									С		
Personal Storage – Indoor								С	-		
Personal Storage – Outdoor									•	•	
Recreation/Entertainment – Indoor Minor (less than 10K)	С						-	•	•		
Recreation/Entertainment – Indoor Major (10K or more)	С								С	•	•
Recreation/Entertainment – Outdoor Minor	С					С		•	•	С	



Residential Care – Long-term Care – A facility offering long-term care for individuals residing on the site that need a high degree of services or monitoring, and where full-time staff are present on the premises at all times, and where the building(s) and site design emphasize the institutional function, secondary to the residential accommodations. Examples include treatment centers, hospice centers, homeless shelters, or other facilities with a high intensity of care or supervision.

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- 7. Lobby and entrances shall be so designed to minimize obstruction of nearby streets and sidewalks during operation.
- 8. The buildings or structures housing the adult entertainment business shall not be painted in garish colors or designs.
- 9. All distances specified herein shall be measured in a straight line from the nearest point on the building housing an adult entertainment business to the nearest point of the property or zoning district mentioned above.
- 10. No noise from inside a building housing an adult entertainment business shall be audible at a point 50 feet from any point on the outside of the building.

In addition to the requirements of this section, the Planning Commission shall consider the following criteria in reviewing a conditional use application for an adult entertainment business:

- 1. The nature of the proposed site, including its shape and size, and the proposed size, shape, and arrangement of structures;
- 2. Traffic conditions, including the resulting traffic patterns (traffic study);
- 3. The nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- 4. Facilities for sewers, water, and other utilities, and the ability of the city to supply such services:
- 5. The limitations of fire-fighting and rescue equipment, and the means of access for fire and police protection;
- The conservation of property values;
- 7. Contribution, if any, such proposed use, building, or addition would make toward the deterioration of areas and neighborhoods.
- G. **Short-Term Rentals.** Any home or Accessory Dwelling Unit intended for use as a Short-Term Rental shall meet all requirements in this section.
 - 1. Intent
 - It is the intent of this ordinance and standards below to preserve and protect traditional single-family neighborhoods within the City while allowing those desiring to operate short-term rentals to do so without detriment to those neighborhoods.
 - 2. General Requirements
 - a. Application. Any submittal for a conditional use permit to establish a Short-Term Rental shall include a completed application that will supply, at a minimum, the following information:
 - (1) Number of bedrooms used and number of beds proposed to be used;
 - (2) The name, address, email address, and contact telephone numbers of the owner of the rental, the property manager, and local representative or local contact person;
 - (3) An inspection by the City's Building Inspector is required to ensure compliance with health, safety, and building codes. This inspection shall occur prior to the Planning Commission meeting. The Building Inspector shall submit his recommendations for alterations and improvements of the property to the Planning Commission as a part of the application review and these recommendations may be added as conditions for the permits issuance.
 - b. Appearance. Short-term rentals shall maintain their residential character and outside appearance. No signs shall be permitted. All exterior lighting shall be residential in nature and shall not be directed towards adjacent properties. Accessory Dwelling Units may be used as a short-term rental.
 - c. Safety Equipment. The Building Inspector shall inspect the property for general life and building. At least one ABC type fire extinguisher(s), minimum of three pounds and maximum of five pounds, shall be mounted at a point of egress which lead to a



public way. Extinguishers must be inspected and maintained according to state requirements and must properly display the inspection history of the device.

Smoke alarms must be installed in every room used for sleeping with an additional alarm installed on every level of the home in non-sleeping areas.

- 3. Permits Required
 - a. The owner, or authorized agent thereof, of any proposed Short-Term Rental shall secure a Business License from the City Clerk prior to submittal of a Conditional Use Permit.
 - b. The owner or authorized agent shall designate a "Primary Contact" which is to be a local responsible party who is available by phone 24-hours per day while the property is being rented.
- 4. Violations
 - a. Any act constituting a violation of these standards shall subject the owner to enforcement procedures as set forth in Article 1 of this Ordinance.

4.06 TEMPORARY USE STANDARDS

No temporary structure or use shall hereafter be built, established, moved, remodeled, altered or enlarged unless the temporary structure or use is permitted by these regulations.

- A. Holiday Tree Sales. Holiday tree sales are permitted in any business or industrial district for a period not to exceed 60 days. No trees shall be displayed within 30 feet of the intersection of the curb line of any two streets.
- B. **Contractors' Office and Equipment Sheds.** Contractors' offices and equipment sheds accessory to a construction project are permitted and may continue only during the duration of such project. Such uses may not include sleeping or cooking accommodations.
- C. Real Estate Offices. Real estate offices are permitted where they are located on-site and are incidental to a new housing development, provided that such uses continue only until the sale or lease of all dwelling units in the development. Such uses may not include sleeping or cooking accommodations unless located in a model dwelling unit.
- D. Seasonal Farm-Oriented Sales. Seasonal sales of farm produce grown on the premises are permitted in an "A-1" District. Front yard requirements are not applicable to structures incidental to such sales if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used.
- E. **Carnivals and Circuses.** Carnivals or circuses are permitted in "B-1", "B-2", "B-3", and "I-1" Districts for a period that does not exceed 21 days. Front yard requirements are not applicable, provided that the location of structures or equipment shall conform to the requirements of the sight triangle as defined by these regulations.
- F. Garage, Porch, or Yard Sales. The sale of used or second-hand merchandise shall be permitted in any residential district or by non-profit organizations, provided that such use shall not exceed 3 consecutive days in duration nor shall it occur more than 2 times in a consecutive 1-year period at any particular location. Such sales shall be only for the purpose of disposing of personal property.
- G. **Fireworks Sales.** The sale of fireworks shall be permitted in "B-1", "B-2", "B-3", "I-1" and "I-2" districts, only for the period of June 30 through July 5 of each year, during the hours of 9:00 a.m. to 8:00 p.m.
- H. **Open Storage.** The storage of salvage or scrap materials, inoperable motor vehicles, household goods or furniture, or business equipment or supplies for more than 9 consecutive days shall not

ORDINANCE NO. 1124

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, AS ADOPTED BY REFERENCE.

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted Unified Development Ordinance, Section 4.03 and 4.05. The official Unified Development 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 November 20, 2024, 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. Unified Development Ordinance, Section 4.03 Permitted Uses Table 4-2: Permitted Uses on Page 4-7 is hereby amended, in part, to be as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	В3	-11	12
RESIDENTIAL DWELLINGS											
Lodging – Short-Term Rental	С	С	С	С	С	С					_

Unified Development Ordinance, Section 4.03 Permitted Uses on Page 4-15 is hereby amended, in part, to be as follows:

Short-Term Rental (STR) – A private residential dwelling unit or a portion thereof that is rented to guests for temporary occupancy for a period of fewer than 30 consecutive days. STRs are operated as a business for the purpose of providing short-term accommodation to transient guests.

Unified Development Ordinance, Section 4.05 Specific Use Standards, G. Short-Term Rentals on Pages 4-24 and 25 is hereby added to be as follows:

- G. **Short-Term Rentals.** Any home or Accessory Dwelling Unit intended for use as a Short-Term Rental shall meet all requirements in this section.
 - 1. Intent
 - It is the intent of this ordinance and standards below to preserve and protect traditional single-family neighborhoods within the City while allowing those desiring to operate short-term rentals to do so without detriment to those neighborhoods.
 - 2. General Requirements
 - a. Application. Any submittal for a conditional use permit to establish a Short-Term Rental shall include a completed application that will supply, at a minimum, the following information:
 - (1) Number of bedrooms used and number of beds proposed to be used;

(2) The name, address, email address, and contact telephone numbers of the owner rental, the property manager, and local representative or local contact person;

Agenda Item 7.

- (3) An inspection by the City's Building Inspector is required to ensure compliance with health, safety, and building codes. This inspection shall occur prior to the Planning Commission meeting. The Building Inspector shall submit his recommendations for alterations and improvements of the property to the Planning Commission as a part of the application review and these recommendations may be added as conditions for the permits issuance.
- b. Appearance. Short-term rentals shall maintain their residential character and outside appearance. No signs shall be permitted. All exterior lighting shall be residential in nature and shall not be directed towards adjacent properties. Accessory Dwelling Units may be used as a short-term rental.
- c. Safety Equipment. The Building Inspector shall inspect the property for general life and building. At least one ABC type fire extinguisher(s), minimum of three pounds and maximum of five pounds, shall be mounted at a point of egress which lead to a public way. Extinguishers must be inspected and maintained according to state requirements and must properly display the inspection history of the device.
 Smoke alarms must be installed in every room used for sleeping with an additional alarm installed on every level of the home in non-sleeping areas.

3. Permits Required

- a. The owner, or authorized agent thereof, of any proposed Short-Term Rental shall secure a Business License from the City Clerk prior to submittal of a Conditional Use Permit.
- b. The owner or authorized agent shall designate a "Primary Contact" which is to be a local responsible party who is available by phone 24-hours per day while the property is being rented.

4. Violations

Published: The Leavenworth Times

a. Any act constituting a violation of these standards shall subject the owner to enforcement procedures as set forth in Article 1 of this Ordinance.

SECTION 2. 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 3. 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 19th day of December, 2024.

ATTEST	Anthony R. McNeill, Mayor
Tish Sims, City Clerk	
(SEAL)	
Publication Date:	

CITY OF LANSING FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Agenda Item 7.

Ordinance No. 1124: An Ordinance amending the Unified Development Ordinance of 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. 1124 Summary:

On December 19th 2024, the City of Lansing, Kansas, adopted Ordinance No. 1124, an ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas, Sections 4.03 and 4.05. A complete copy of this ordinance is available at www.lansingks.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 19, 2024

Gregory C. Robinson, City Attorney

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

Vehicles

				Mileage	Mileage	Miles	
Year	Make	Model	Description	Start	Ending	Driven	Comments
2023	Ram	1500	SSV Pickup	3215	3,493	278	Oil Changed @ 3025 miles
						0	
						0	
						0	
						0	
Total						278	

Equipment

				Hours	Hours	Hours	
Year	Make	Model	Description	Start	End	Used	Comments
2018	Advance	SC1500	AutoScrubber Floor Machine	76	76.27	0.27	Community Center Cleaning
2018	Kubota	ZG227-A	Mower	408	408	0	
2021	Kaivac	1750	Cleaning Machine	13.1	13.4	0.3	
						0	
						0	
						0	
Total						0.57	

Lansing Community and Economic Development Department

Monthly Fleet Report

Month November Year 2024

Vehicles

					Mileage	Mileage		
Year	Make	Model	License Plate #	Description	Starting	Ending	Miles Driven	Comments
2015	Dodge	Journey	A6545	SUV	87,313	87,567	254	KTag: KTA. 02497158
2019	Ford	Ecosport	A4358	SUV	14,270	14,774	504	KTag- KTA. 02497157
2022	Dodge	Ram	D100764	1500 Pick up Truck	10,100	10,310	210	

Parks and Recreation Fleet Report November 2024

Vehicles:

Year	Make	Model	Description	Mileage Start	Mileage Ending	Miles Driven	Current Use	Comments
2006	Dodge	Caravan	Minivan	56,836	56,885	49	AC/Parks use	
2014	Ford	F-350	Dump Truck	27,232	27,353	121	Parks maintenance	
2016	Jeep	Patriot	SUV	67,982	68,010	28	Activity Center use	
2017	Chevrolet	Silverado	Truck	30,769	31,012	243	Parks maintenance	
2018	Ford	F-350	4-DR Crew	47,787	48,329	542	Parks maintenance	
Total						982.70		

Equipment:

Year	Make	Model	Description	Hours Start	Hours End	Hours used	Current Use	Comments
1992	Massey Ferguson	1020	Tractor	1993.8	1993.8	0	Parks maintenance	
2005	Kubota	F3060	Mower	461.1	461.1	0	Parks maintenance	
2007	Turbo Tool Cat	5600	Utility Vehicle	1356.8	1357.9	1.1	Parks maintenance	
2012	Wright	ZK	Stander Mower	1256.5	1259.3	2.8	Parks maintenance	
2016	ABI	Force	Infield Groomer	415.9	419.9	4	Parks maintenance	
2017	Kubota	ZD1211	Mower	1182.8	1187.1	4.3	Parks maintenance	
2018	Polaris	Ranger	Utility Vehicle	575.9	577.7	1.8	Parks maintenance	
2019	Exmark	LZ 72	Mower	936.5	939.1	2.6	Parks maintenance	
2019	Emark	LZ 96	Mower	376.6	376.6	0	Parks maintenance	
2020	Kubota	ZD1211	Mower	698.9	706	7.1	Parks maintenance	
2022	Wright	ZK	Stander Mower	84.6	84.6	0	Parks maintenance	
2024	Cushman	Hauler Pro Elite	Golf Cart	8	8.1	0.1	Parks maintenance	

Total 23.80

Lansing Police Department Vehicle Fleet End of Month Report

Nov-2024

	VIN		ППТЕРОП	Mileage	Mileage	Miles	Assigned/		
Linit		Year	Make/Model	as of 11/1	as of 12/1	Driven	Current Use	Euturo Hoo	Comments
Unit	Last 4								
1	9291	2023	Dodge Durango	10920	11535	615	Chief	Chief	Limited use Chief
2	4459	2021	Dodge Durango	16327	16460	133	Captain	Captain	Limited use Captain
3	9829	2024	Dodge Durango	54	308	254	Lieutenant	Lieutenant	Limited use Lieutenant / Not in use
4		Re	served						
5		Re	served						
6	9963	2023	Dodge Durango	18971	20191	1220	Patrol	Sergeant	
7		Re	served						
8		Re	served						
9		Re	served						
10	4004	2018	Ford Explorer	43922	44319	397	SRO	SRO	Limited use SRO
11	4219	2024	Dodge Durango	1365	3816	2451	New	Patrol	Not assigned
12	5335	2019	Dodge Durango	64449	65694	1245	Patrol	Patrol	
13	6270	2017	Dodge Charger	95073	97272	2199	Patrol	Patrol	
14	5064	2022	Dodge Ram			0	Patrol	Patrol	Crashed 10-14-24
15	4580	2021	Dodge Durango	55604	57729	2125	Patrol	Patrol	
16	4003	2018	Ford Explorer	48723	50628	1905	Patrol	Patrol	
17	5063	2022	Dodge Ram	20552	21452	900	Patrol	Patrol	
18	4458	2021	Dodge Durango	53649	55215	1566	Patrol	Patrol	
	_	_		Mile	eage Total:	15010	_	_	

Lansing Public Works Department Monthly Fleet Report

Month November Year 2024

Vehicles

Year	Make	Model	License Plate #	Description	Mileage Starting	Mileage Ending	Miles Driven	Comments
2022	Dodge	Ram 2500	B3859	Pick-up	4,755	4,925	170	
1998	Ford	1/2 ton	48091	Pick-up	75,274	75,360	86	
2005	Sterling	LT 8500	64614	Dump Truck	64,234	64,488	254	
2007	Elgin	Crosswind J+	70295	Street Sweeper	7,680	7,680	0	
2017	Chevrolet	3500	88437	Pick-up Truck	40,612	41,139	527	
2011	International	7400	75269	Dump Truck	25,547	25,796	249	
2016	Ford	F350 4x4	88468	One-ton Dump Truck	23,070	23,140	70	
2013	Ford	Explorer	80551	SUV	86,443	86,686	243	
2020	Chevrolet	3500	A8914	One-ton Dump Truck	11,361	11,555	194	
2005	Mack	Granite	B0282	Dump Truck	55,916	56,128	212	
2005	Ford	Ranger	57932	LT- Pick-up Ext	53,358	53,386	28	

Equipment

					Hours	Hours		_
Year	Make	Model		Description	Starting	Ending	Hours Used	Comments
1997	JD	770BH		Grader	5,198	5,198	0	
2004	IR	DD-24		Asphalt Roller	341	341	0	
2006	IR	185		Air Compressor	247	248	0	
1997	Bobcat	763		Skid Steer	2,389	2,390	1	
2014	Case	580 SNWT		Backhoe	2,190	2,205	15	
2002	Crafco	110		Crack Sealer	902	909	7	
2009	Case	465		Skid Steer	914	914	0	
2018	John Deere	5065E		Tractor	306	306	0	
2018	Vermeer	BC1000	·	Chipper	22	22	0	
2022	Case	SV280B		Skidsteer	166	166	0	
2023	Bobcat	CT5558		Tractor	41	41	0	

November

City Influent 26.62 MG City Avg Daily .887 MGD LCF Influent 3.59 MG LCF Daily Avg .120 MG Total Biosolids .631 MG Precip 3.48 inches

Vehicles

				Mileage	Mileage	Miles		
Year	Make	Model	Description	Start	Ending	Driven	Current Use	Comments
1999	Sterling	Vactor	Jet Truck	9015	9032	17	Collection System	
2012	Chevrolet	Tahoe	SUV	117853	117943	90	Ops/Maint.	
2019	Ford	F250	Pick Up Truck	13651	13809	158	Ops/Maint.	
2019	Ford	F250	Flatbed Truck	6301	6340	39	Ops/Maint.	
2023	Polaris	Ranger	Ops Utility	685.3	733	47.7	Operations	
2023	Polaris	Ranger	Maint Utility	342	356	14	Maintenance	
2005	Freightliner	M2106	Dump Truck	28232	28292	60	Biosolids Disposal	
Total						425.7		

Equipment

				Hours	Hours	Hours		
Year	Make	Model	Description	Start	Ending	Used	Current Use	Comments
1991	Case	1825	Uni-Loader	998	998	0	Plant Activities	
1999	Sterling	Vactor	Jet Truck	257.5	257.8	0.3	Collection System	
2004	John Deere	7920	Tractor	1417	1425	8	Biosolids Disposal	
2004	Case	621D	Loader	2621	2632	11	Operations	
2023	Polaris	Ranger	Ops Utility	210	219	9	Operations	
2023	Polaris	Ranger	Maint Utility	121	124	3	Maintenance	
2006	JCB	531-70	Telehandler	745	745	0	Plant Activities	



City of Lansing 800 First Terrace Lansing, Kansas 66043

City Administrator's Report

December 19, 2024

Agenda Items:

Chief Wayman will formally pin and promote to Officer Willie Banks and Officer Jason TeBeest to Sergeant. Congratulations to these two great law enforcement professionals!

A representative from Waste Management will be present to talk about the upcoming contract renewal. They have figures for what we can anticipate the renewal to look like, as well as options to keep the increase nominal.

Ordinance 1124 would propose requirements for the operation of short-term rentals. This would update the Unified Development Ordinance to require the owners of short-term rentals to secure a business license, as well as be required for inspections by the City to ensure compliance with health, safety, and building codes. Director of Community & Economic Development Josh Gentzler will be present to answer any questions related to this topic.

A contract with Leavenworth County is on the agenda for Thursday evening. Despite having no equipment, employees, or budget, LCFD#1 will remain an entity in 2025 with the Board of County Commissioners acting as the Board. In their capacity as the FD1 Board, the County is proposing the City of Lansing servicing ourselves, as well as Delaware Township. The County is discussing this topic on Wednesday morning, at which point we will have a better idea of the territory we anticipate servicing in 2025. To ensure Lansing is not a part of the "empty shell" in 2026, a petition per K.S.A. 19-3604 is planned to redraw the boundaries and exclude Lansing. We plan to submit this petition in early 2025.

Approximately \$19,000 in American Rescue Plan Act Funds remain. A formal action verifying that all remaining American Rescue Plan Act Funds will be used for City Hall building improvements is on the agenda. These expenses include rewiring portions of the building, replacing damaged furniture, and replacing windowsills.

Wastewater:

Linaweaver Construction has submitted their bonds for the Town Center Trunk Sewer Replacement project. A preconstruction conference was held December 8th, with construction beginning by the middle of January 2025. Project completion is scheduled for 120 days.

Offer letters for easements on the Ida/Gamble Sewer Relocation Project have been distributed to property owners. Final plans are expected in the next few weeks. The project will relocate sewers near this intersection that are oversized for current flows to the new 7 Mile 36" interceptor.



City of Lansing 800 First Terrace Lansing, Kansas 66043

The final report for the Inflow/Infiltration Mitigation Project will be presented at the January 2025 work session. The project has identified defects and repairs in the collection system that contribute to the excessive flows during major rain events. Several buried manholes have also been located within the project area, which have now been located, and a small project will be bid in 2025 to raise those manholes to grade so inspections can be performed.

Public Works:

Staff is working to receive bids to repair/replace a rusting stormwater pipe. The pipe is located near the gas station along 4H Road. Staff is considering utilizing a pipe liner to avoid road closures.

Staff recently worked with an engineer to develop plans to make improvements to the bridge at Bernard Park. Staff will work to bid the project out in early 2025 and ensure the work takes place during non-peak months.

YTD Sales Tax Update:

The year to date sales tax updates (as of November) are below.

	2023 YTD	2024 YTD	Difference
Local Sales & Use Tax (1.9%)	\$2,200,531	\$2,599,005	*\$398,474
County Sales Tax	\$891,039	\$830,916	-\$60,123, -6.74%
County Use Tax	\$344,119	\$342,271	-\$1,848,54%
Guest Tax	\$104,902	\$70,992	-\$33,910, -32.32%

^{*}The 2024 year-to-date figure includes the new sales taxes all eleven months, while at this point last year the new sales tax rate had only been collected for four month. When excluding the new sales tax for the pool, our local sales tax figures have decreased from 2023.

The total non-food sales tax rate in Lansing is broken down as follows:

6.5% State Sales Tax (varies on food)

1% Countywide Sales Tax

1% City General Sales Tax-General Fund

.45% DeSoto Road & Park Improvements (20 years)

.45% Aquatic Center (20 years)

9.4% TOTAL

1% Community Improvement Dist. (Mainstreet Chrysler Dodge Jeep Ram property only)

Agenda Item 9.



City of Lansing 800 First Terrace Lansing, Kansas 66043

The special sales tax to pay for the Aquatic Center has generated \$623,761 through the first eleven months of the year. The special sales tax to pay for DeSoto Road and Bernard Park Improvements also generated \$623,761 (both special sales taxes are for the same amount, .45%). Both of these special sales taxes are on pace to generate \$680,467 this year, which pays off the debt for both projects.

Meetings & Announcements:

There are multiple openings for Police Officer I/II. Starting pay for police officers is \$50,107/year, with opportunities for overtime. Officers with experience, education, or certification can be started higher on the pay scale. Additionally, the City offers a \$3,000 signon bonus for new, uncertified police officers! The City has also begun advertising for Firefighter positions. Finally, there are openings for FT Early Literacy Coordinator and Utility Billing Clerk. Interested candidates can apply by clicking on the "How Do I?" tab under the website homepage and clicking job opportunities.

The Volunteer Dinner is scheduled for Tuesday, January 7th in the Community Center.

•	Thursday, December 19	City Council Meeting, 7:00pm, City Hall
•	Tuesday, December 24	Christmas Eve Holiday, Offices Closed Half Day
•	Wednesday, December 25	Christmas Holiday, City Offices Closed
•	Wednesday, January 1	New Year's Day Holiday, City Offices Closed
•	Thursday, January 2	City Council Meeting, 7:00pm, City Hall
•	Tuesday, January 7	Annual Volunteer Dinner, Community Center
•	Monday, January 13	Special Meeting, Swearing In Mayor, 7:00pm, City Hall
•	Wednesday, January 15	Planning Commission Meeting, 7:00pm, City Hall
•	Thursday, January 16	City Council Meeting, 7:00pm, City Hall
•	Monday, January 20	Martin Luther King Jr Day, City Offices Closed
•	Thursday, January 23	City Council Work Session, 7:00pm, City Hall
		 Public Works CIP Discussion

Wastewater Update

Sincerely,

Tim Vandall