
AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OLD BUSINESS

- [1.](#) Approval of Minutes

AUDIENCE PARTICIPATION

PRESENTATIONS

NEW BUSINESS

- [2.](#) Temporary Special Event Permit - Lansing Independence Days Event
- [3.](#) Approval of Bid - K-7 & Eisenhower Traffic Signal Poles
- [4.](#) Fence Request - 412 Caraway Place
- [5.](#) Ordinance No. 1062 - UDO Text Amendment - Apiaries

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

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.

AGENDA ITEM

TO: Tim Vandall, City Administrator
THRU: Sarah Bodensteiner, City Clerk
FROM: Shantel Scrogin, Assistant City Clerk
DATE: May 26, 2021
SUBJECT: Approval of Minutes

The Regular Meeting Minutes of May 20, 2021 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes of May 20, 2021, as presented.

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
May 20, 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: Marcus Majure and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Ron Dixon and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Studnicka moved to approve the Regular Meeting Minutes of May 6, 2021, as presented. Councilmember Garvey seconded the motion. The motion was approved with Councilmember Buehler 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:

Approval of Audit Ending December 31, 2020: Finance Director Beth Sanford stated I'd like to introduce Danielle Hollingshead, she'll be giving a short presentation and then Jami Benyshek. They were both here for our audit along with two other auditors. Were there two, I don't even remember anymore. One other auditor, Alex. It was an interesting year. We had, as I said in my memo, a single audit along with the normal audit. I'll turn the floor over to Danielle.

- Danielle Hollingshead stated can everyone hear me ok.
 - Councilmember Brungardt responded maybe a little louder.
 - Danielle Hollingshead stated I am going to share my screen so you can just see as I real quickly flip through this audit report. Hopefully, I do this right. Can you see my audit?
 - Councilmember Buehler replied yes.
 - Danielle Hollingshead stated perfect. Like she said I am going to go through it quickly and if you have any questions, feel free to interrupt me at any time. Starting with the audit report, I just want to go over the main piece of it that is important for you guys to know. On pages one, two and three, we do issue our opinion as qualified and this is because of and if you remember from last year, the City does not have an actuarial done on their other post-employment benefits. So therefore, they are not in compliance with GASBS No. 75. So, we do have to qualify the opinion for that. But if you skip down a couple of paragraphs, we do give an unmodified opinion for the rest of the financial statements we believe are fairly presented. It's just because of that one piece that we have to qualify it. This is the opinion that we give on the financial statements and if we keep going if you want it to do a quick recap of the audit, this is what I recommend reading. Beth puts this together. It's a great financial highlight of everything that happened and what kind of goes on within the financials. That is on pages four through nine and then you actually get into the financial statements on page ten. I'm not going to go through any of the numbers because you can read through those. But as you can see at the end of the year, you did have a change in net position in \$1,980,326 million which was an increase in almost double from

what it was last year. One thing I want to point out is we did have a prior period restatement this year and you will see there is a footnote in there for it on page 37. To quickly explain it, when we were looking at the debt of the City especially with the refunding that was done last year. We realized that the debt that belongs to the business funds and the capital assets that went along with that debt was being reported in the governmental funds. So, we did a reclassification between the funds, so you are going to see that there. The difference of the \$236,000 was for some construction in progress that started back in 2017. It just did not get picked up as construction in progress so when we booked the asset, we needed to reclassify that so that's what the difference is there. If you keep going the next financial statement set is for the governmental funds and the proprietary funds. It just gives more detail. The government wide versus fund financial statements, if you want to know the difference on how those are put together, you can read the footnotes. It gives clear guidance on how the City combines those. And then you get into the footnotes and I'm not going to go through those. This is a recap of all the accounting policies that the City follows to put together their financial statements. Each number on the statement in that position has a footnote that goes with it that better explains it. So, if you are trying to figure out what a number means, you can come to the footnotes and it'll help guide you. The only thing I wanted to point out one of the other things we have to look at is state statutes. We do have two statute violations during the year. The first one is for the state requires that funds are transmitted at least twenty days prior to maturity. When I looked at that they submitted it at twelve days instead of twenty. As you remember they had this finding last year too but the finding for this year was prior to us completing the audit for last year. They did fix it for the September payment. This was on the March payment. The second one is the Wastewater fund had a negative cash so therefore we had a violation that they exceeded expenditures. The only other footnotes I want to point out is if you want more on the prior period adjustment that I spoke on, it's right here on page 37. We also have a footnote for Covid. We don't really know how Covid is going to impact for certain in the future. We just put a risk and uncertainties in there to cover that. Then we get into Required Supplementary Information. It's just more information on KPERS and we get into the detail on each fund as well as the budget to expenditures recap. You can see how they did in comparison to what they budgeted last year. I'm not going to go through each of those funds. I just wanted to point those out to you. As Beth mentioned, we did have a single audit this year because you exceeded \$750,000 in expenditures. It's a little more in-depth audit. This first independent auditors report is over interim control on the financial statements. We do have two deficiencies that I am going to explain to you in a second. The second letter is our opinion over each major federal program. You have one major federal program and that was on the Sparks fund. We did not have any compliance issues with the Sparks funds themselves or anything that was materially impacting it. So, no issues with that. Here is the schedule of federal awards and as you can see of the total amount the City spent last year, we tested about 98% of it. We did test a good chunk of it. On page 65 are the two deficiencies we had. The first one is in regard to accounts receivable. If you

remember last year, we had noted that the allowance for doubtful needed to be reviewed. The City took action on that and they did do significant work on the allowance and the AR. Unfortunately, when the entry was made it wasn't made correctly between the funds, so we had some material adjustments we had to make to get the funds corrected for the utilities. The second one is on Capital Assets. \$5,000 seems like a lot but when you take the report of vendors or expenses, they have spent in the year for \$5,000. There's a lot of them that they have to look at and I think we have six that got missed last year. That's just for items that need to be capitalized. That is the financial statements in a nutshell. The other thing I wanted to briefly talk to you about is the letter that you have. We just wanted to let you know that we didn't have any difficulties during the audit, any disagreements with management, management was great to work with. They provided us with all the information that we needed in a timely manner. We can't thank them enough for their assistance. We did have two audit recommendations and I have actually already went over them. The first one was in regard to the bonds that were in the wrong funds. It was in the government funds instead of business funds. The second one is in regard to budgeting within the utility fund. Just making sure they are watching those budgets and making sure they're incurring any expense at the end of the year that are approved through Council. Those are the only two audit recommendations we had during the year. Any questions.

- Mayor McNeill asked any questions from the Council. We have no questions. Thank you very much Danielle.
 - Danielle Hollingshead stated thank you.

Councilmember Trinkle moved to approve the final audit for the City of Lansing for the year ended December 31, 2020. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Design Services Agreement – Wastewater Towne Centre Project: Councilmember Brungardt moved to approve the scope and services agreement with George Butler Associates for design engineering services for the Towne Centre Trunk Sewer Replacement Project in an amount not to exceed \$78,396.00. Councilmember Buehler seconded the motion.

- Councilmember Studnicka stated I got a question for Tony.
 - Wastewater Utility Director Tony Zell replied yes sir.
 - Councilmember Studnicka asked we were both here back when all that was developed, bought out by the developer, we put the street in, we did all that. Did we misestimate the size of the pipe that we needed?
 - Wastewater Utility Director Tony Zell responded I can't specifically speak to that; I wasn't part of the project team that designed those improvements. That was back when we were part of Public Works. So, I'm not sure what decisions were made back in that point of time. But as we move forward, the land became more marketable, the City purchased the property, we started looking closer at what it was going to take to make that work.
 - Councilmember Studnicka replied alright thanks.
 - Mayor McNeill asked is it in the far north you are talking about.
 - Wastewater Utility Director Tony Zell replied yes.
 - Mayor McNeill stated its basically the older part.

- The motion was unanimously approved.

Executive Session – Economic Development: Councilmember Buehler moved to recess into executive session to review economic development activities pursuant to the discussion of confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception K.S.A. 75-4319(B)(4) for 15 minutes, beginning at 7:28 PM and returning to the Council Chambers at 7:43 PM. Councilmember Dixon seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to return to open session at 7:43 PM. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to recess into executive session to review economic development activities pursuant to the discussion of confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception K.S.A. 75-4319(B)(4) for 10 minutes, beginning at 7:44 PM and returning to the Council Chambers at 7:54 PM. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to return to open session at 7:54 PM. Councilmember Dixon seconded the motion. The motion was unanimously approved.

REPORTS:

Department Heads: Community & Economic Development Director Matthew Schmitz asked the Council about their feelings towards beer sales for the 4th of July Fireworks show. The Council was in favor of having beer at the event.

- Councilmember Kirby asked if they sell it, or we have to man it.
 - Community & Economic Development Director Matthew Schmitz replied that is the question right now. We have to find a caterer and there is not currently one in Leavenworth County.
 - Councilmember Kirby stated I've worked it before, and it gets pretty busy so if we can get someone to do it.
 - Community & Economic Development Director Matthew Schmitz responded he would rather have a caterer do it.
 - Councilmember Trinkle asked about a local business doing it.
 - Community & Economic Development Director Matthew Schmitz replied that is an option as well, the preferred option.

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

City Administrator: City Administrator Tim Vandall let the Council know there is a staff committee that is discussing the American Rescue Funds. Lansing is being allocated around \$1.67 million. Some eligible costs are sewer, storm sewer and broadband. These funds have a four-year deadline so we're looking at ways to improve broadband access in Lansing. Other projects being discussed are ones that can spur growth in Lansing like development of sewer lines. We'll bring some ideas to the next work session. Mutual Savings Association has a new building open, Ten and Two Coffee just opened, and Club Car Wash will be opening next week. He is really thankful for the job Matt Schmitz and his staff has done getting them here as well as the Council making this a business-friendly community.

Governing Body: Councilmember Brungardt thanked Beth for the job she did with the audit. He received a call from one of the auditors and she let him know how transparent and attentive Beth was at getting everything they needed.

Councilmember Trinkle asked if there is a way to make the words larger on the new digital sign.

- City Clerk Sarah Bodensteiner replied we try to make it as big as we can but if the message has a lot of text, we only have so much room.

Councilmember Trinkle asked about the screens on the dais and making the images larger. The graphs look like they are running together sometimes.

- Community & Economic Development Director Matthew Schmitz stated they can take a look at the resolution to see if they can make it larger and clearer.

Councilmember Kirby read an article about Kansas and many of its County Health Directors quit over the stressful events of the last year or so. He wanted to publicly thank Jamie Miller and his crew for doing a bang-up job. He also thanked the school district. There are schools in the area that are shut down and going virtual, but Lansing school district had a pretty good year. He thanked everybody involved in keeping the schools open. Hats off to both of those great organizations and the work of all the people involved. Councilmember Majure thanked Beth and staff for a great job. He's really excited about faster internet in the city and great news on the three new businesses. Memorial Day is coming up and asks that we take time to remember those who have served. Last, the Fishing Derby is coming so get your kids signed up.

Councilmember Garvey told Beth and team great job on their efficiency with the audit. The new businesses are exciting, and he can't wait for the car wash to open. Exciting things are happening in Lansing and he looks forward to more businesses coming.

Councilmember Buehler dittoed everything everybody else said. He also reminded everyone of the city-wide garage sales this weekend. He also provided a fun fact, on this day in 1899, the first traffic ticket in the US was written to a cab driver in New York City going 12mph.

ADJOURNMENT:

Councilmember Dixon moved to adjourn. Councilmember Brungardt seconded the motion. The motion was approved with Councilmember Garvey voting against the motion. The meeting was adjourned at 8:07 p.m.

ATTEST:

Mayor, Anthony R. McNeill

City Clerk, Sarah Bodensteiner, CMC

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: May 27, 2021
SUBJECT: Temporary Special Event Permit – Lansing Independence Days

This year's Lansing Independence Days event will include an adult beverage truck, offering beer, wine, and alcoholic beverages for sale. Embrace the Grape of Kansas LLC will be the entity handling this.

Embrace the Grape has submitted the necessary information to the City Clerk's Office, and the next step is to have the Governing Body approve their ability to sell beer, wine, and alcoholic beverages at the event. If approved by the Governing Body, Embrace the Grape will submit the necessary paperwork to Kansas Alcohol Beverage Control.

Policy Consideration: Sec. 3-104E5 of the City Code states that any licensed caterer selling, serving and dispensing alcohol on public property listed herein must receive authorization from the Kansas Alcohol Beverage Control and the Governing Body.

Financial Consideration: N/A

Action: To approve the Temporary Special Event Permit and authorize Embrace the Grape of Kansas LLC to sell beer, wine, and alcoholic beverages at the Lansing Independence Days Event.

TEMPORARY SPECIAL EVENT LICENSE APPLICATION

Individual's Name Applying for License: Sarah Bodensteiner, City Clerk, C/o City of Lansing Date: 05/26/2021

Address: 800 1st Terrace, Lansing, KS 66043

Street Address City State Zip Code
Daytime Phone Number: 913-727-3233 Evening Phone Number: _____

Email: Cityclerk@lansingks.org Business Name(if applicable): _____

I hereby apply for a license in the City of Lansing. This application is for the following type of temporary special event license:

- ☐ **Type 1:** Fundraising or non-commercial events for nonprofit religious, educational or community service organizations; including any structures in conjunction with the event.
- ☐ **Type 2:** Promotional activities or devices intended to attract attention to a specific place, business, organization, event or district, such as outdoor entertainment or display booths.
- ☐ **Type 3:** Outdoor commercial activities intended to sell, lease, rent or promote specific merchandise or services (such as a tent sale, farmers market or product demonstration) or indoor seasonal events which will draw additional visitors to a property (such as haunted houses), and including licensed transient merchants requiring use of a tent or structure.
- ☐ **Type 4:** Christmas Tree Sales
- ☒ **Type 5:** Public events intended primarily for entertainment or amusement, such as concerts or festivals.
- ☐ **Other:** Any special event not meeting the criteria of the Code of the City of Lansing, Chapter 5: Business Regulations, Sections 5-403 or 5-404

Event Location: Kenneth W. Bernard Park 15650 Gilman Road, Lansing KS 66043

Street Address City State Zip Code
Name and address of owner(s) of the event location:
City of Lansing, 800 1st Terrace, Lansing, KS 66043

Name Street Address City State Zip Code
Description of Event: _____

Lansing Independence Days Celebration; rides for kids, live music, food trucks, adult beverage truck(beer, wine, alcoholic beverages) and Fireworks show

Date(s) of Operation: Saturday, July 3, 2021 Hours of Operation: Noon to 10:00 p.m.

Anticipated Attendance: 3,000-4,000 State Tax Numbers: _____ Federal Tax Numbers: _____

Description of any structures to be used in conjunction with event: _____

An application shall be accompanied by the following items as applicable:

1. A sketch plan showing to scale the location of the proposed activities and structures in relation to existing buildings, parking areas, streets and property lines as shown on the approved site plan. In no event shall structures or display areas be located any closer than 25 feet to public right-of-ways adjacent to the property.
2. A letter from the property owner or manager, if different from the applicant, providing permission for the special event to occur on the property.
3. A separate application will need to be made to the Community & Economic Development Department for any signs to be displayed in conjunction with the special event. In no event shall signs be displayed on the public right-of-way. Signs for commercial activities shall only be displayed during hours of operation.

No city license shall be issued until the premise complies with all codes and ordinances of the City of Lansing. The Community & Economic Development Department must be contacted to schedule an inspection prior to license approval.

Signature of Applicant: Sarah Bodensteiner Date: 05/26/2021

The following departments have reviewed this application and recommend approval.

Police Department Signature: [Signature] Date: 05-27-2021
Community & Eco. Development Signature: [Signature] Date: 05-27-2021
City Clerk's Office Signature: [Signature] Date: 5/26/2021

**Kansas Alcoholic Beverage Control Division
Liquor License**

Caterer

OWNER NAME: **Embrace the Grape of Kansas LLC**
DBA: **Embrace the Grape**
ADDRESS: **195 Southwest Boulevard J174**
Kansas City, KS 66103

LICENSE NO: 12001520701

The licensee named above has been granted a liquor license by the Kansas Department of Revenue, Alcoholic Beverage Control Division. This license is neither transferable nor assignable and is subject to suspension or revocation.

PRIVILEGES:

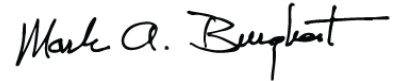
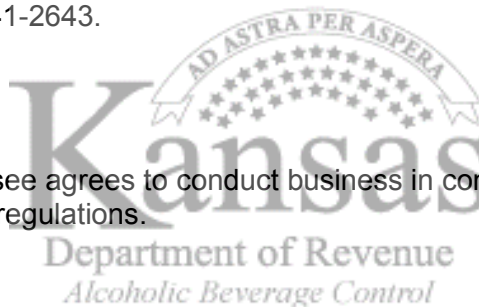
Allows the licensee to sell and serve alcoholic liquor for consumption on unlicensed premises and other activities as authorized by K.S.A. 41-2643.

AGREEMENT:

By accepting this license, the licensee agrees to conduct business in compliance with all applicable federal, state, county and city statutes and regulations.



Debbi Beavers
Director, Alcoholic Beverage Control



Mark A. Burghart
Secretary of Revenue

EFFECTIVE: 10/13/2020

EXPIRES: 10/12/2022

THIS LICENSE MUST BE FRAMED AND POSTED ON THE PREMISES IN A CONSPICUOUS PLACE

IMPORTANT INFORMATION

Contact the ABC Licensing Unit at 785-296-7015 or email Kdor_abc.licensing@ks.gov if you have any:

- questions regarding this license
- changes to your business name, location, ownership or officers
- questions about filing gallonage tax; if applicable

Contact your local ABC Enforcement Agent at 785-296-7015 or visit our website at <http://www.ksrevenue.org/abcccontact.html>

Contact the Miscellaneous Tax Segment at 785-368-8222 or email Kdor_miscellaneous.tax@ks.gov if you:

- need assistance with liquor drink or liquor enforcement taxes
- have questions about liquor drink tax bonds, bond relief or bond release

CLOSING YOUR BUSINESS

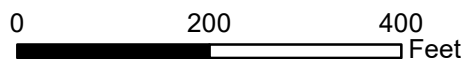
If you are closing your business, you must surrender your liquor license and complete the information on the back of the license



**Kenneth W Bernard Community Park
15650 Gilman Rd.**

This 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

**Lansing Independence Days
Adult Beverage Sales**



1 inch = 200 feet



AGENDA ITEM

TO: Tim Vandall, City Administrator

FROM: Mike Spickelmier, Director of Public Works *NEWS 5/26/2020*

DATE: May 26, 2021

SUBJECT: K7& Eisenhower (KA-5575-01) Traffic Signal Poles / Equipment Bids

Policy Consideration: Bids were solicited for early purchase / orders on the traffic signal poles and other equipment for the K7& Eisenhower Intersection Improvement Project (KA-5575-01). Bids were read aloud at 10:30 on 5/25/2021. The results are listed below:

<u>Vendor</u>		<u>Bid</u>	<u>Delivery</u>
Engineers Estimate	\$	120,000.00	
Gades Sales Co. Inc.	\$	81,406.00	15 weeks
Mid American Signal	\$	114,509.00	15 weeks
Traffic Signal Controls Inc.*	\$	97,346.00	8-12 weeks

*Did not include a bid for the cabinet

Financial Consideration: These expenditures were forecast in the 2021 Capital Improvement Fund.

Other: This is a supplemental portion of the overall project. This cost is considered part of the overall construction costs and is shared by Lansing / Leavenworth / KDOT under the terms of the MOU and City-State Agreement.

City State Agreement:	Construction Costs = 80% paid by KDOT 20% by Cities up to \$2.1M
MOU Lansing/Leavenworth:	Construction Costs = 2/3 paid by Lansing 1/3 Paid by Leavenworth
KDOT:	\$65,124.80
Lansing:	\$10,854.68
Leavenworth:	\$5,426.52

Action:

1. Approve and award the bid for Traffic Signal Poles and Equipment to Gades Sales Company Inc. in an amount not to exceed \$81,406.00.

AGENDA ITEM

AGENDA ITEM

TO: Tim Vandall, City Administrator
THRU: Matthew R. Schmitz, Director, Community and Economic Development
DATE: June 3, 2021
SUBJECT: Fence Request – 412 Caraway Place

MRS

John Rogers, property owner at 412 Caraway Place, wishes to replace a four-foot chain link fence which exists today in the platted side setback of 15 feet on the west side of his property with a six-foot privacy fence. The location of the fence is outside of the right of way line, which is 16 feet from the back of the curb. The fence to be replaced in the setback is 17 feet from the curb, parallel with the street, on the west side of the property.

Visuals are attached for reference.

The City Code allows residents to bring before the City Council consideration of variances on fence requests. In reviewing the application to replace the fence with a reduced setback as shown in the attached drawing, staff finds no apparent conflicts with adjoining site triangles, easements, or road right of ways. Attached is the plat for Holiday Hills.

Staff will include or deny this area in the building permit based on the City Council's subsequent decision.

Action: Staff recommends the Council approve the fence request from John Rogers, 412 Caraway Place.

AGENDA ITEM

Leavenworth County, KS

Agenda Item 4.



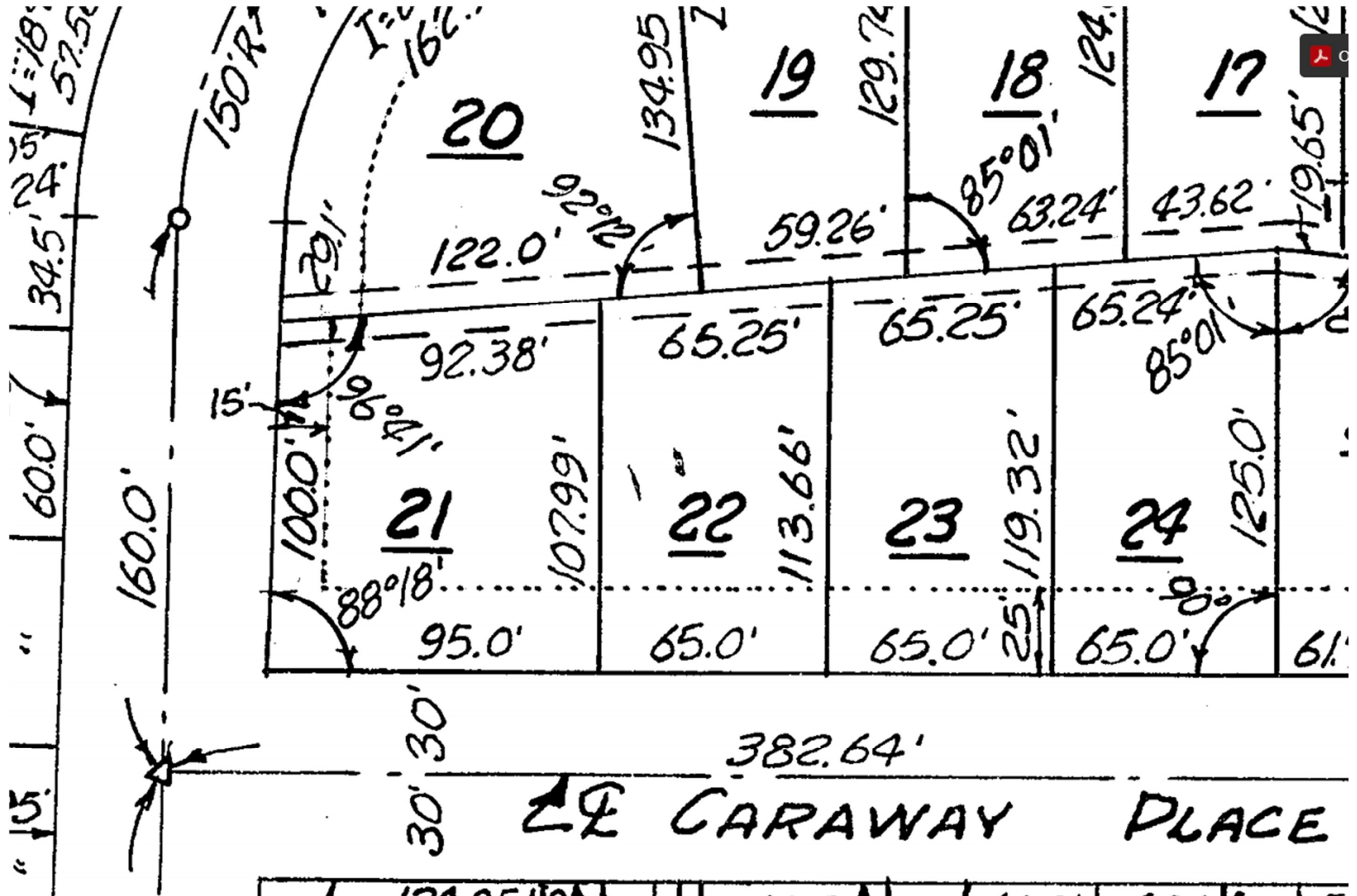
Legend

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

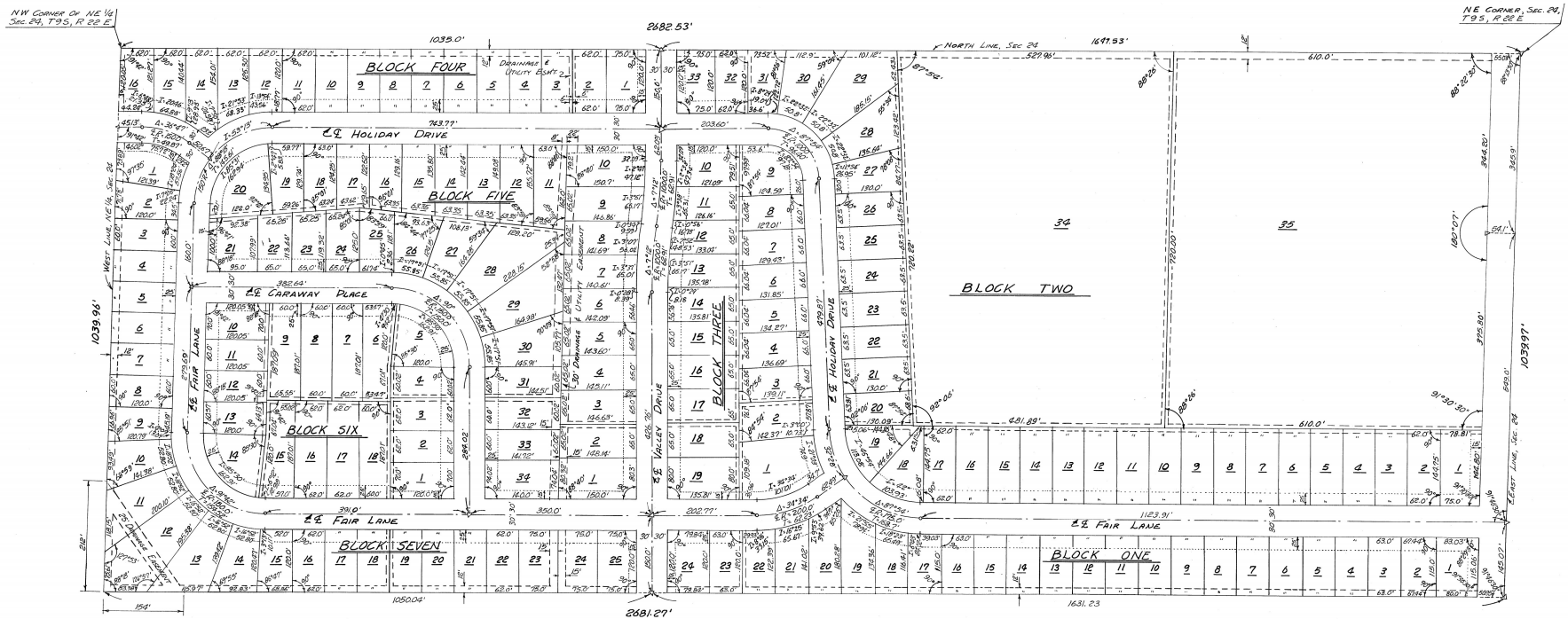
Notes

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



Agenda Item 4.



SCALE: 1"=100'

LEGENDS

UTILITY EASEMENT
(UNLESS OTHERWISE DETAILLED)

ANCHOR EASEMENT

BUILDING SETBACK LINES

NOTE: DIMENSIONS SHOWN ON CURVED LINES
ARE CHORD DISTANCES.

DESCRIPTION

THE NORTH SIXTY-FOUR ACRES OF THE NORTH-EAST
QUARTER OF SECTION TWENTY-FOUR, TOWNSHIP NINE SOUTH,
RANGE TWENTY-TWO EAST, COUNTY OF LEAVENWORTH,
STATE OF KANSAS.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT WE THE UNDERSIGNED, OWNERS OF THE LAND HEREON DESCRIBED, HAVE HAD CAUSE FOR THE SAME TO BE
SURVEYED AND PLATTED UNDER THE NAME OF "HOLIDAY HILLS", AN ADDITION TO THE CITY OF LANSING, KANSAS,
AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, AND STREETS IN AND SHOWN BY THE PLAT.

THE STREETS, AS SHOWN AND FULLY DEFINED ON THIS PLAT, ARE HEREBY DEDICATED TO AND FOR PUBLIC USE AND
BENEFIT.

AN EASEMENT OR LICENSE IS HEREBY GRANTED FOR PUBLIC AND PRIVATE USE, TO LOCATE, CONSTRUCT AND
MAINTAIN; OR AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF CONDUITS FOR ALL AND ANY
PURPOSE, WATER, GAS, SEWER MAINS, POLES AND WIRES OR ALL OR ANY OF THEM, OVER, UNDER, AND ALONG THE
STRIPS MARKED "UTILITY EASEMENT". A TEMPORARY CONSTRUCTION EASEMENT OF 12 FEET ADJACENT TO THE
SIDE OF THE UTILITY EASEMENT IS DEDICATED FOR THE USE OF THE PUBLIC UTILITIES WHILE CONSTRUCTION IS IN
PROGRESS.

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE PLAT AND NO BUILDING OR
PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF, WE THE UNDERSIGNED OWNERS HAVE CAUSED THESE PRESENTS TO BE SIGNED AS OF THIS
15TH DAY OF MAY, 1961.

STATE OF KANSAS COUNTY OF Douglas S.S. BE IT REMEMBERED THAT ON THIS 15TH DAY OF MAY, 1961,
BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME ROBERT WALTER CATENHAUSER AND
VESTA MAE CATENHAUSER, HIS WIFE, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE
WITHIN INSTRUMENT WRITING, AND DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.
IN WITNESS WHEREOF: I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR LAST
WRITTEN ABOVE. MY COMMISSION EXPIRES, July 12, 1964

Vesta Mae Catenhausen
VESTA MAE CATENHAUSER

Robert Walter Catenhausen
ROBERT WALTER CATENHAUSER

Bud Fielder
NOTARY PUBLIC, BUD FIELDER

APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF
LANSING, KANSAS, THIS 15TH DAY OF MAY, 1961, AND FORWARDED TO
THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS, WITH
THE RECOMMENDATION THAT SAID PLAT BE APPROVED.

J. M. Henchek
CHAIRMAN, J. M. HENCHEK

APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING,
KANSAS, ON THIS 15TH DAY OF MAY, 1961.

ATTEST:

Marie Cook
CITY CLERK, MARIE COOK

George K. Caraway
MAYOR, GEORGE K. CARAWAY

APPROVED BY THE CITY ATTORNEY OF THE CITY OF LANSING,
KANSAS, ON THIS 15TH DAY OF MAY, 1961.

John Murray
CITY ATTORNEY

I HEREBY CERTIFY THE DETAILS OF THIS PLAT TO BE CORRECT
THIS 20TH DAY OF MAY, 1961.


E. J. Allison
E. J. ALLISON ENGINEERING
LAWRENCE, KANSAS.

HOLIDAY HILLS

AN ADDITION TO THE CITY OF LANSING, COUNTY OF LEAVENWORTH, KANSAS

AGENDA ITEM

TO: Tim Vandall, City Administrator

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

DATE: June 3, 2021

SUBJECT: Ordinance No. 1062: An Ordinance amending the Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby) of the City of Lansing, Kansas

Explanation: Staff was contacted by a resident who lives on an approximately 25-acre parcel on 147th Street (zoned A1) asking about having an apiary (bees) on his property. Apiaries (Hobby) is currently not shown in the Unified Development Ordinance (UDO) as an approved use for A-1 or a conditional use. Given the large lot size generally found in A-1, Staff feels it reasonable to revise this in the UDO, with some restriction based on acreage.

A public hearing for this amendment to the UDO was held at the Planning Commission meeting on May 19, 2021. No public comments were received during the public hearing. A copy of the meeting minutes is included for review. Planning Commission motioned to approve this text amendment after brief discussion with Staff by a vote of 7-0.

Adoption of this ordinance will modify Table 4-2: Permitted Uses as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

And add on Page 4-17 of the UDO the following below Apiaries (Hobby):

*Allowed on property larger than 5 acres, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

It is important to note, that on properties larger than 5 acres, this use would be allowed without review. Given the larger acreage sizes of these properties, Staff feels this should be an allowed use without oversight by the City, however notification of surrounding property owners would be prudent on lots less than five acres in size.

Policy Considerations: This proposed amendment to the UDO would make Agriculture zoning more consistent with the already passed use for Apiaries in Residential zoning areas.

Action: Motion to approve, override via a 2/3 majority vote, or remand to the Planning Commission with information on requested modifications, Ordinance No. 1062 amending the Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby).

ORDINANCE NO. 1062

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, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby). 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 May 19, 2021, 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, Table 4-2: Permitted Uses on Page 4-2, section Agriculture, item Apiaries (Hobby) is hereby amended to be as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

Additionally, on Page 4-17 – the following language shall be added below Apiaries (Hobby):

*Allowed on property larger than 5 acres, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

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 3rd day of June, 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 Agenda Item 5. SING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1062: 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. 1062 Summary:

On June 3, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1062, an ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby). 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: June 3, 2021

Gregory C. Robinson, City Attorney



UDO Text Amendment – Apiaries (Hobby)

Summary

Staff was contacted by a resident who lives on an approximately 25-acre parcel on 147th Street (zoned A1) asking about having an apiary (bees) on his property. Apiaries (Hobby) is currently not shown in the Unified Development Ordinance (UDO) as an approved use for A1 or a conditional use. Given the large lot size generally found in A1, Staff feels it reasonable to revise this in the UDO, with some restriction based on acreage.

Staff is recommending that Apiaries (Hobby) be allowed in A1 for parcels larger than 5 acres, and Conditional for parcels smaller than 5 acres to allow for notification of neighboring property owners, etc. This would be shown in the Table 4-2: Permitted Uses as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

Also, on Page 4-17 – add the following below Apiaries (Hobby):

*Allowed on property larger than 5 acres, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

It is important to note, that on properties larger than 5 acres, this use would be allowed without review. Given the larger acreage sizes of these properties, Staff feels this should be an allowed use without oversight by the City, however notification of surrounding property owners would be prudent on lots less than five acres in size.

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

Recommendation

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

Call to Order - The regular monthly meeting of the Lansing Planning Commission was called to order by Chairman Ron Barry at 7:00 p.m. In attendance were Vice-Chairman Kowalewski, Commissioners Amy Baker, Nancy McDougal, Richard Hannon, Mike Suozzo and Jerry Gies. Chairman Ron Barry was unable to attend. Chairman Barry noted there was a quorum present.

Approval of Minutes – April 21st, 2021, Regular Meeting – Vice Chairman Kowalewski made a motion to approve the minutes of the April 21st, 2021, meeting, seconded by Commissioner Jerry Gies. The motion passed 6-0 with Chairman Barry abstaining.

Old Business- None

New Business-

1. UDO Text Amendment Article 4 Update – Revision to the use table to add Apiaries (Hobby) as an allowed use for parcels zoned A-1 that are larger than 5 acres and add a conditional use allowance for parcels zoned A-1 that are less than 5 acres.

Chairman Barry opened the public hearing at 7:03 p.m.

Chairman Barry closed the public hearing at 7:04 p.m.

Commissioner Hannon asked for simplification of what was being said with this revision, and Commissioner McDougal commented that five acres or more they would not have to have a conditional use permit, but if the property were less than five acres the individual would need to come before the Planning Commission and get approval for a conditional use permit. Commissioner Kowalewski commented that residents within 200' would also need to be notified during the conditional use permit process. Community & Economic Development Director Matthew R. Schmitz commented that any conditional use permit application requires notification of property owners within 200' of the applicant property, and a public hearing, as part of the process, as conditional use permits are effectively rezoning actions. Chairman Barry also pointed out that a conditional use permit issued would be reviewed every five years. Discussion then occurred about past applications related to Apiaries that had come before the Planning Commission, and Staff's reasoning for using 5 acres as the divider. Mr. Schmitz responded that we looked at parcels in the city that were larger than, and smaller than 5 acres, and there are many which are smaller than 5 acres in the city that are zoned as A-1. Due to that, Staff thought it prudent to treat this use like it is in R-1 and R-2 and require a conditional use permit for those properties.

Chairman Barry asked for a motion to approve, approve with conditions, or recommend disapproval of the UDO Text Amendment Article 4 Update.

Vice Chairman Kowalewski made a motion to approve the UDO Text Amendment and Commissioner Jerry Gies seconded it. The motion was passed 7-0.

Notices and Communications - Mr. Schmitz asked the commission to consider possible months in the fall when a joint work session between PC and the City Council could be held to consider additional changes to the Future Land Use Map. Chairman Barry recommended ruling out November. Mr. Schmitz asked that feedback be provided to him via e-mail.

Adjournment – Vice Chairman Kowalewski made a motion to adjourn seconded by Commissioner Suozzo. Motion passed by acclamation. The meeting adjourned at 7:21 p.m.

Respectfully submitted,



Matthew R. Schmitz, Community and Economic Development Director