



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

COUNCIL AGENDA
Regular Meeting
Thursday, January 7, 2016
7:00 P.M.

WELCOME TO YOUR CITY COUNCIL MEETING

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

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

Call To Order

Pledge of Allegiance

Roll Call

Discussion

1. Joint Meeting with County Commissioners

OLD BUSINESS:

2. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations

Council Consideration of Agenda Items:

3. Request to Complete Easement Acquisitions for 9 Mile Creek Action Plan
4. Condemnation Resolution No. B-1-16 (enabling action) for City Project 15-01 (9 Mile Creek Action Plan Project)
5. Change Order #1, 7 Mile Creek Action Plan (City Project 13-07)
6. Sidewalk Waiver Request for 24115 146th Street

Reports:

City Attorney; City Engineer; City Administrator; Councilmembers

Proclamation

Other Items of Interest:

7. Board of Zoning Appeals Meeting Minutes
8. Police Department Officer Recognition
9. Chamber of Commerce Event Invitation
10. Thank You – Mayor's Christmas Tree Program

Adjournment

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: December 29, 2015
SUBJECT: Agenda Summary

Call To Order
Pledge of Allegiance
Roll Call
Discussion

- 1. Joint Meeting with County Commissioners

OLD BUSINESS:

- 2. Approval of Minutes
The regular meeting minutes of December 17, 2015, are attached.

- **ACTION:** A motion to approve the regular meeting minutes for December 17, 2015, as presented.

NEW BUSINESS:

Audience Participation
Presentation

Items for Council Consideration:

- 3. Request to Complete Easement Acquisitions for 9 Mile Creek Action Plan
• This is the next step in the 9 Mile Project.
• The accompanying table lists the needed temporary and permanent easements.
• The largest easement, owned by KDOC, is still being appraised, and is not included in this table.
• 90 days have been allocated for these acquisition activities.
• **ACTION:** A motion to authorize staff and Skeen's Consulting to complete easement acquisition activities for the 9 Mile Creek Action Plan.
- 4. Condemnation Resolution No. B-1-16 (enabling action) for City Project 15-01 (9 Mile Creek Action Plan Project)
• The resolution is the first step of the condemnation process.
• The enabling resolution paves the way for condemnation, if negotiations with property owners are not resolved.
• **ACTION:** A motion to enact Resolution No. B-1-16, a resolution of condemnation for permanent and temporary construction easements for Project No. 15-01, 9 Mile Creek Action Plan Project.
- 5. Change Order #1, 7 Mile Creek Action Plan (City Project 13-07)
• Linaweaver's subcontractor bored into a storm sewer junction box that was not shown on the plans.
• GBA, staff, and Linaweaver developed a solution, which has been approved by all parties.
• To keep the project on schedule, Linaweaver has submitted a Change Order to the City.
• The city is not responsible for the payment, and will bill GBA for the full amount.
• **ACTION:** A motion to approve or deny Change Order #1 from Linaweaver Construction for City Project 13-07, in the amount of \$28,414.00.
- 6. Sidewalk Waiver Request for 24115 146th Street
• A request has been submitted to waive the Sidewalk Fee requirement for a new single family dwelling located in the annexed area of town where there are no sidewalks or curbing on the street.
• **ACTION:** A motion to approve or deny the sidewalk fee waiver request for 24115 146th Street.

Reports: City Attorney; City Engineer; City Administrator; Councilmembers

Proclamations

Other Items of Interest

- 7. Board of Zoning Appeals Meeting Minutes
- 8. Police Department Officer Recognition
- 9. Chamber of Commerce Event Invitation
- 10. Thank You – Mayor's Christmas Tree Program

Adjournment

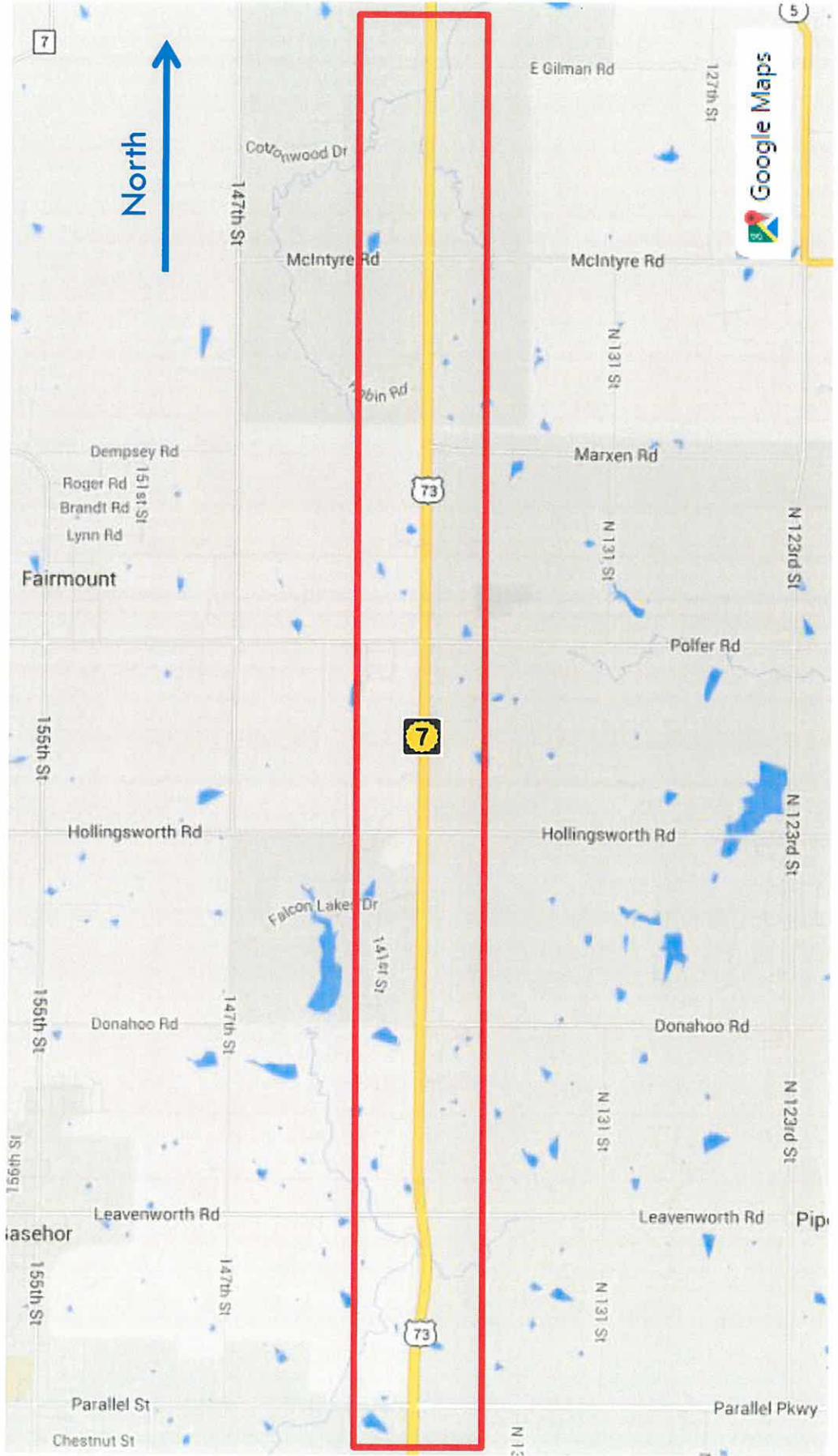
K-7 INTERIM STRATEGIES

LEAVENWORTH & WYANDOTTE COUNTIES

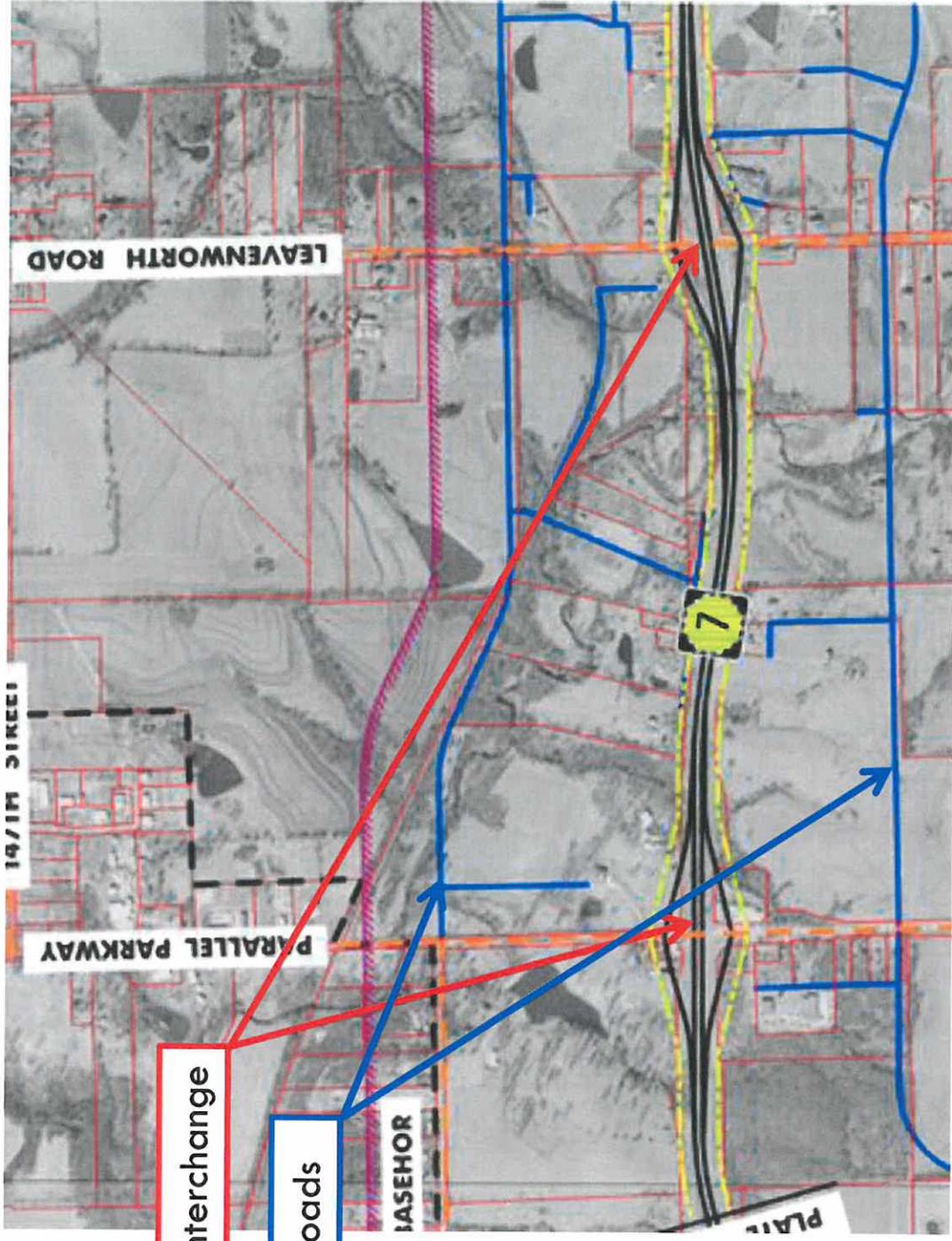
Public Open House #2

June 4, 2015

K-7, Parallel Pkwy to Gilman Rd



Long-Term Vision for K-7 is a Freeway



Proposed Diamond Interchange

Proposed Collector Roads

Freeway Funding Unlikely by 2040

Estimated Freeway Cost in 2015 \$

	Quantity	Unit	Unit Cost	Total
Mainline K-7	7.8	mile	\$8,000,000	\$62,400,000
Interchange	6	each	\$20,000,000	\$120,000,000
Overpass	1	each	\$10,000,000	\$10,000,000
Collector Street	17.2	mile	\$4,000,000	\$68,800,000
Arterial Street	5.3	mile	\$6,000,000	\$31,800,000
Total				\$293,000,000



5-County Regional Transportation Study completed in 2013 showed greater transportation needs in other parts of the Kansas City metro area through 2040.

Intersection Crashes 2011-2013

- Total number of crashes = 110
- Number of fatal crashes = 2
- Number of injury crashes = 36
- Total crash rate is greater than State Average
(0.98 vs. 0.86 crashes per million vehicle-miles travelled)
- Injury crash rate is greater than State Average
(0.28 vs. 0.18 injury crashes per million vehicle-miles travelled)

Signalized Intersection Operation



% of Total Traffic at Intersection

6%

84%

10%

Signal Indication for K-7 Thru Traffic

K-7 Left Turn Arrow

K-7 Green Signal (50% of Cycle Length)

Side Road Green Signal

% of Total Traffic at Intersection

6%

84%

2%

8%

Signal Indication for K-7 Thru Traffic

K-7 Left Turn Arrow

K-7 Green Signal (30% of Cycle)

Side Rd Left Turn Arrow

Side Road Green Signal

% of Total Traffic at Intersection

90%

10%

Signal Indication for K-7 Thru Traffic

K-7 Green Signal (70% of Cycle Length)

Side Road Green Signal

Goals for Interim Strategies

- Reduce the number of intersection crashes
- **Minimize Conflict Points**
- **Minimize travel times along K-7**

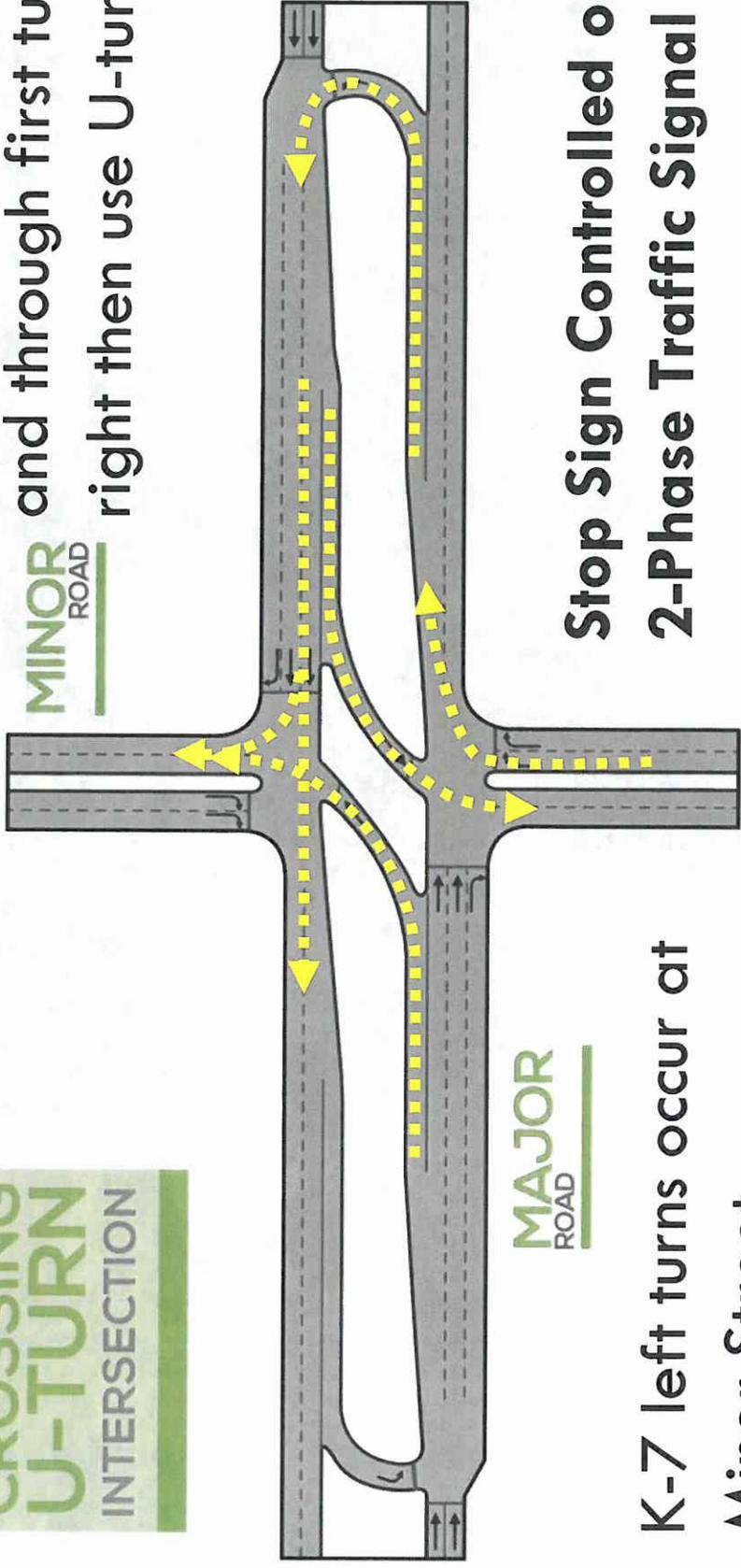
Minimize Number of Signal Phases

- Reasonable construction costs

Restricted Crossing U-Turn (RCUT)

RESTRICTED
CROSSING
U-TURN
INTERSECTION

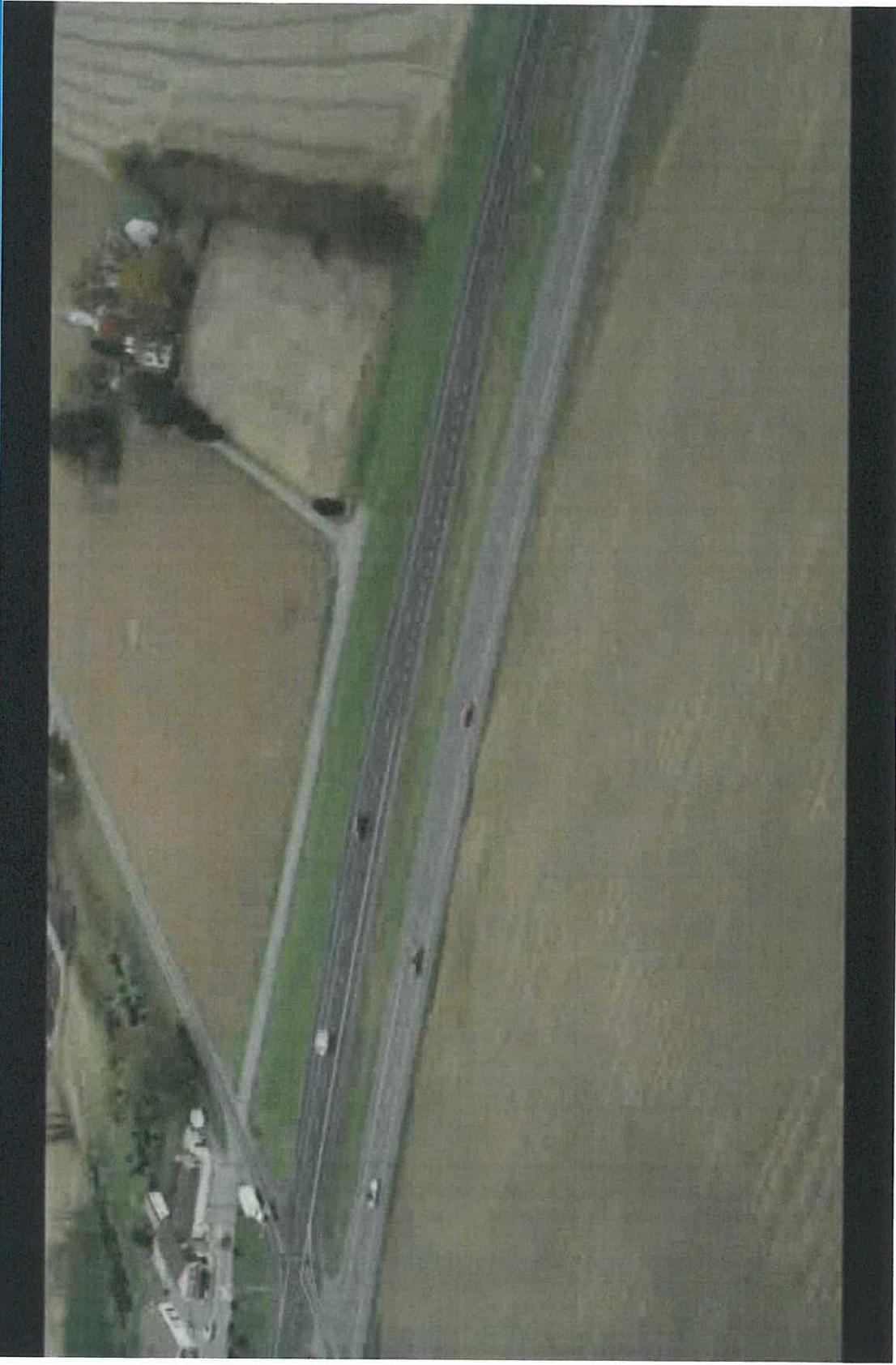
Minor Street left turn
and through first turn
right then use U-turn.



Stop Sign Controlled or
2-Phase Traffic Signal

K-7 left turns occur at
Minor Street

Federal Highway Administration Video



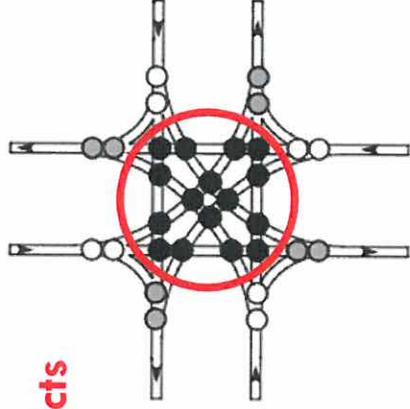
Restricted Crossing U-Turn - Safety

- **10 States:** Alabama, Louisiana, Maryland, Michigan, Minnesota, Missouri, North Carolina, Ohio, Virginia, Texas
- Comparison of Conflict Points

Conventional Intersection

32 Conflict Points

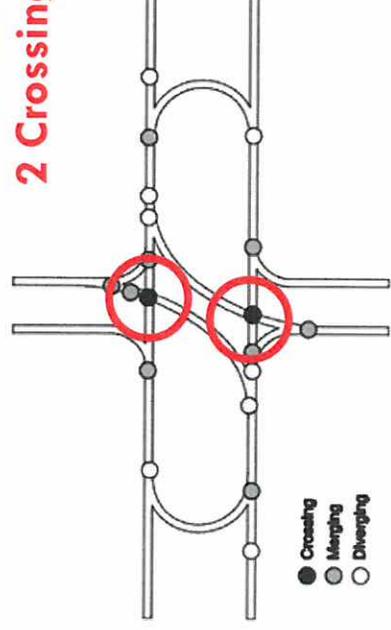
16 Crossing Conflicts



RCUT Intersection

14 Conflict Points

2 Crossing Conflicts





Maryland RCUT vs. Conventional

11

Two RCUT Intersections

Crashes decrease between 28% and 44%¹



1. Field Evaluation of a Restricted Crossing U-turn Intersection (FHWA-HRT-11-067)

North Carolina RCUT vs. Conventional



Sample included 13 RCUT intersections

- 2-lane rural minor road (STOP control)
- 4-lane high-speed (55 mph) major road

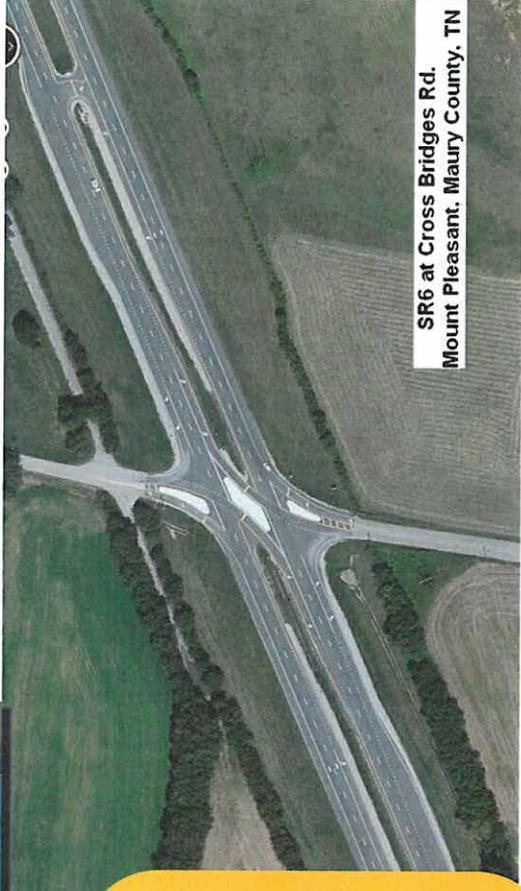
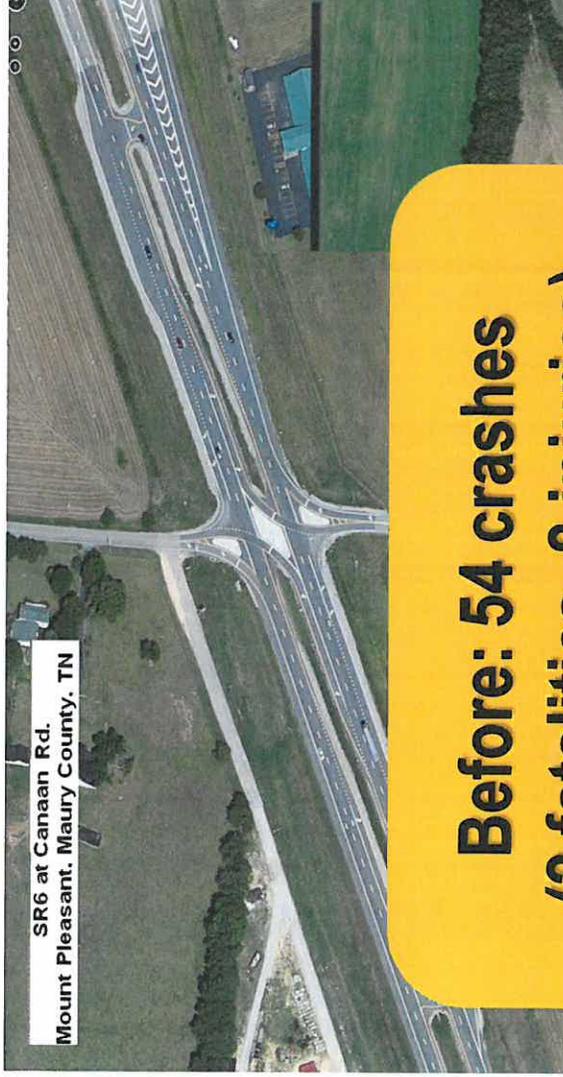


Fatal & injury, angle, and left-turn crashes decreased by more than half

Tennessee RCUT vs. Conventional



Implemented RCUT (J-Turn) designs at 4 sites



Missouri RCUT (J-Turn) vs. Conventional

Five sites converted to RCUT (J-Turn)

35% total crash reduction

54% reduction in fatal & injury crashes

None of the five sites had a fatal crash following J-turn implementation

In a public opinion survey regarding trip time perceptions resulting from the J-turn, the majority said there was no adverse effect

Evaluation of J-Turn Intersection Design
Performance in Missouri



Prepared By
Proveen Edara, Ph.D., P.E., PTOE
Carlos Sun, Ph.D., P.E., JD
Sawyer Breslow
University of Missouri-Columbia Department of Civil Engineering



Final Report Prepared for Missouri Department of Transportation
Project TRVY1304
2014 January
Report over 14.005

Minnesota RCUT vs. Conventional

Four sites converted to RCUT

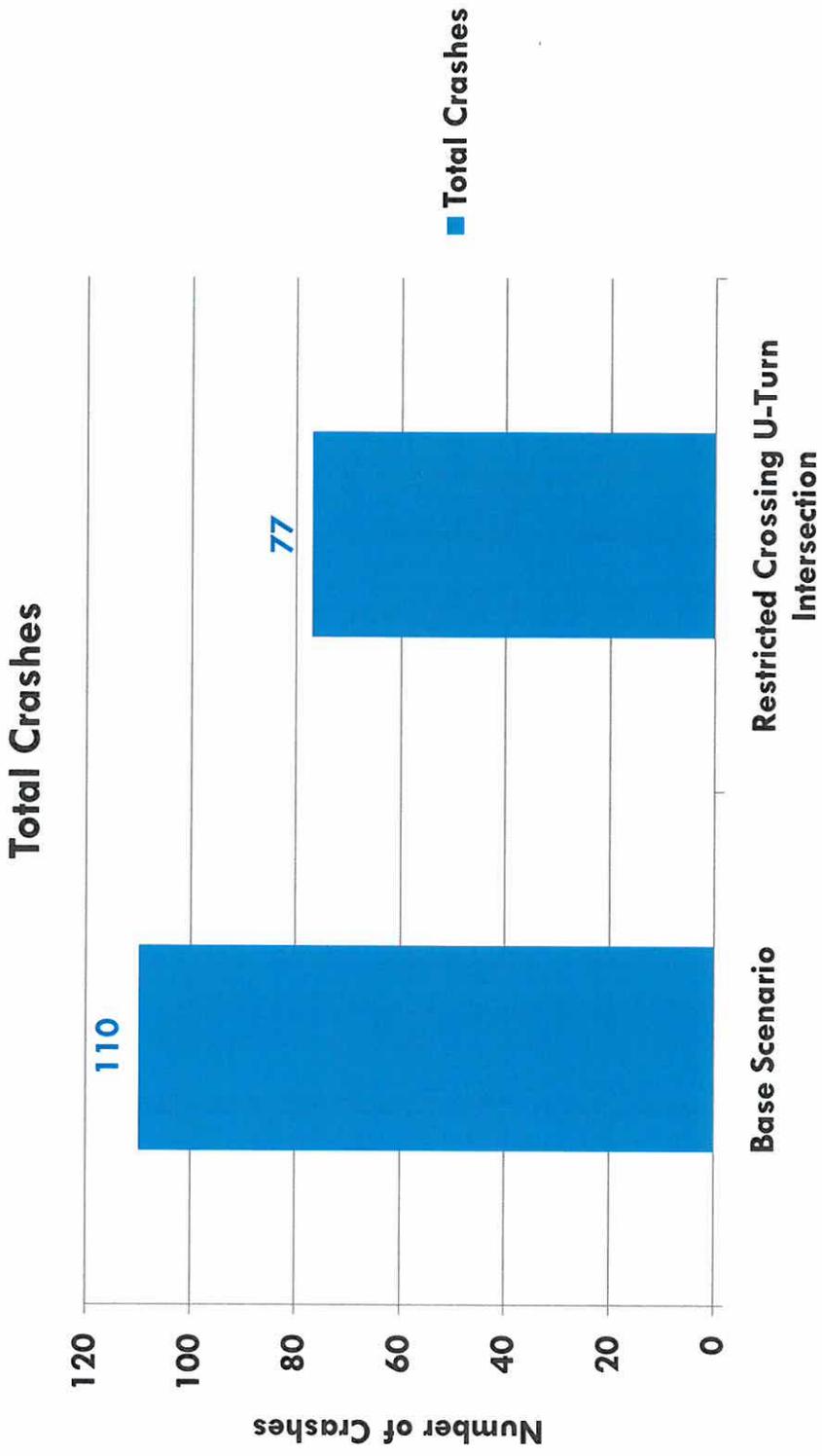


Total Crashes Reduced by 40%

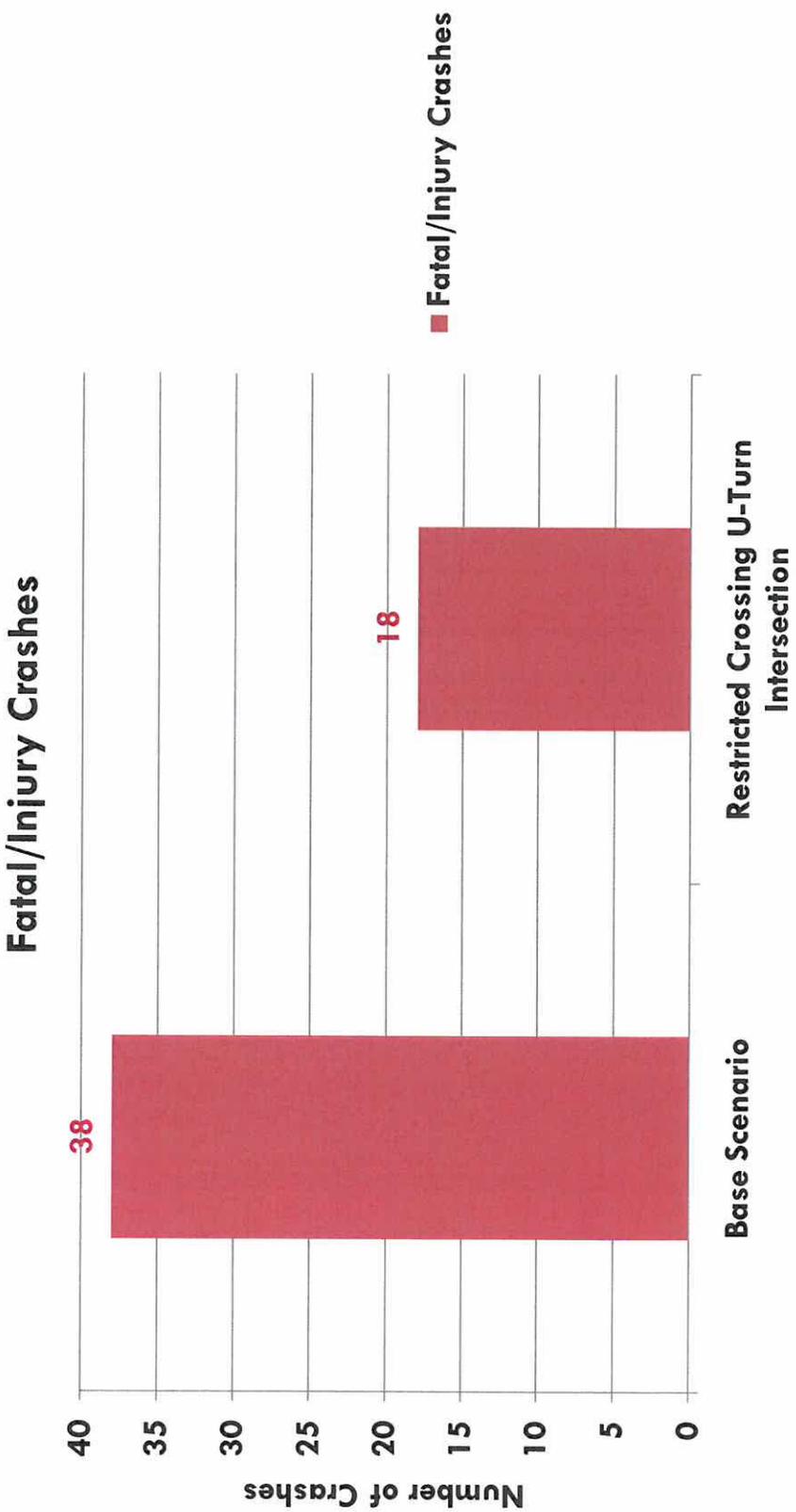
Fatal and Injury Crashes Reduced by 70%

Fatal and Severe Injury Crashes Reduced by 100%

33 Fewer Crashes (over 3 years)



20 Fewer Fatal/Injury Crashes (over 3 years)



Stop Controlled or 2-Phase Signal

- Lower traffic volume intersections could use STOP signs on side roads and for K-7 left turn & U-turn
- Traffic signals would be 2-Phase

% of Total Traffic
at Intersection

84%

16%

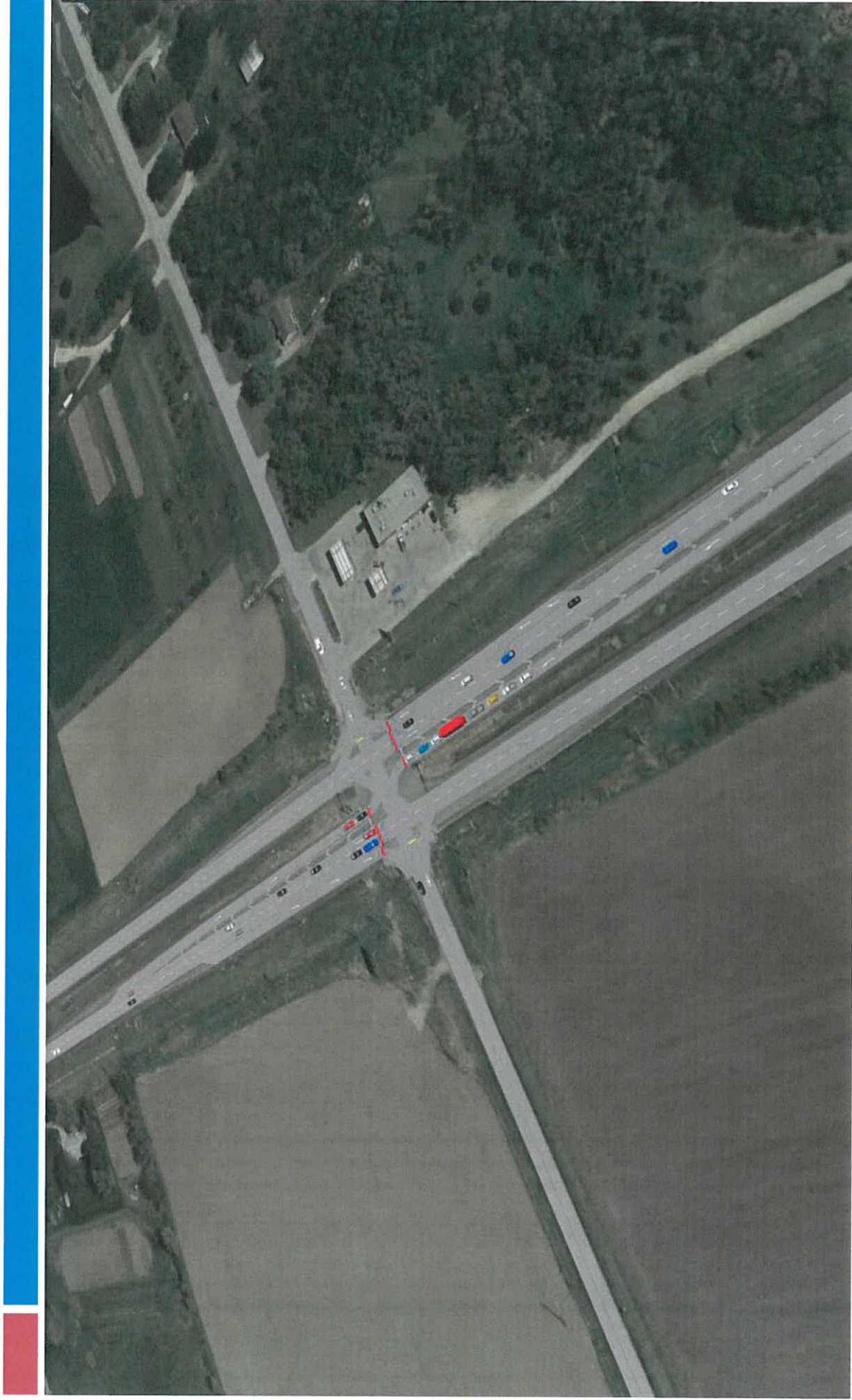
Signal Indication
for K-7 Thru Traffic

K-7 Green Signal
(70% of Cycle Length)

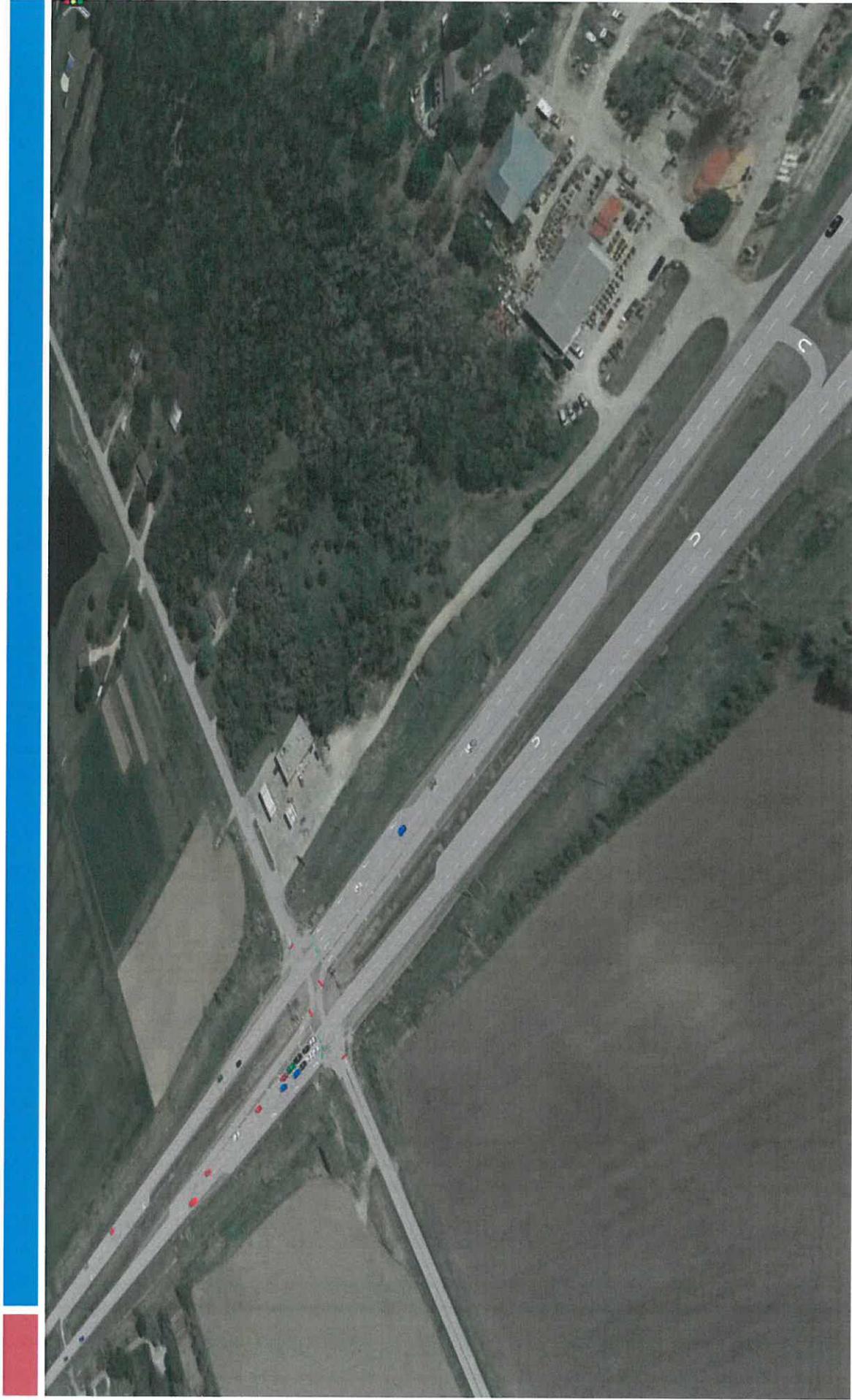
K-7 Left Turn &
Side Road Green
Signal

- Northbound & southbound K-7 act independently allowing optimal traffic signal coordination

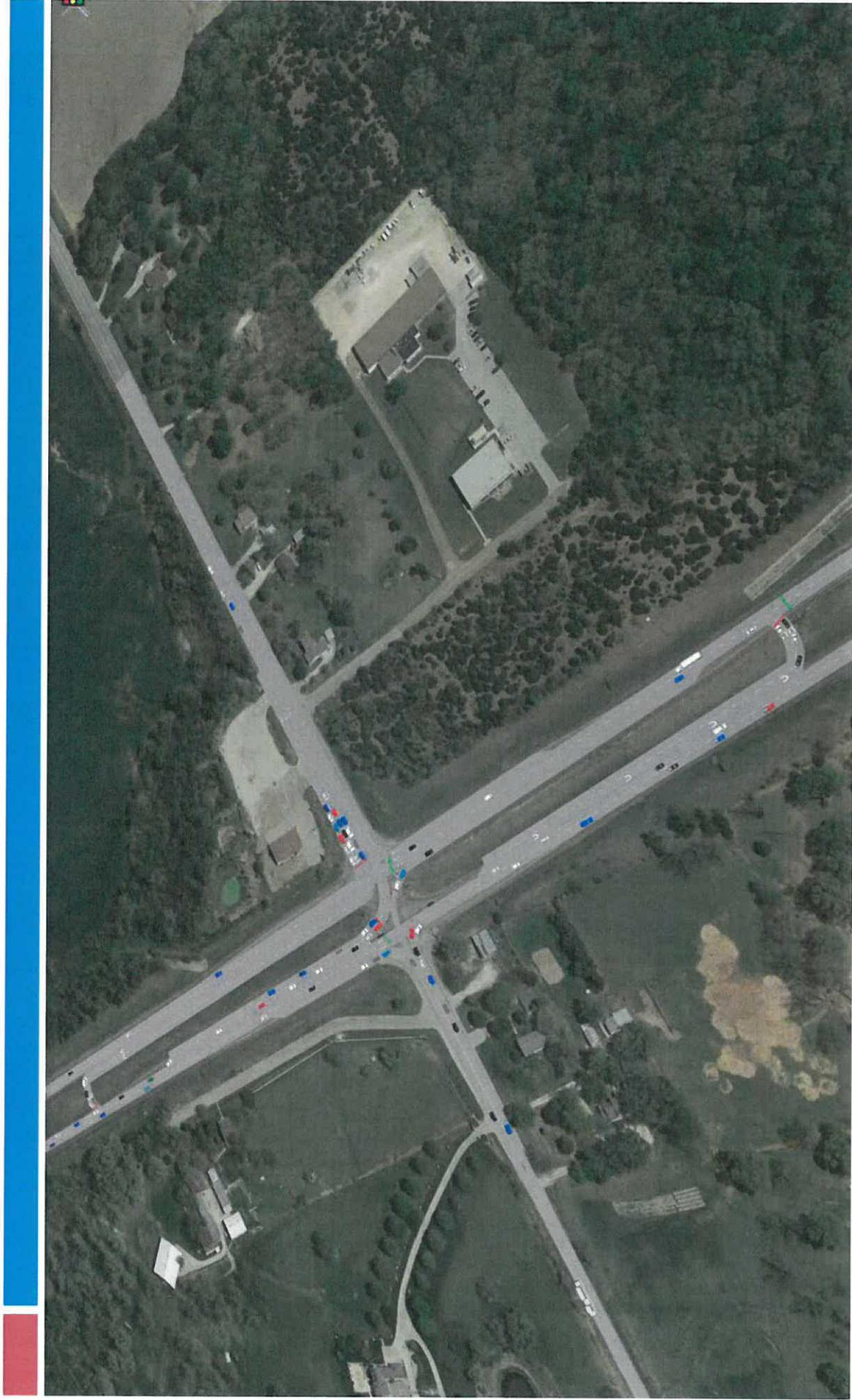
K-7 & Polfer – No Build (2040 PM)



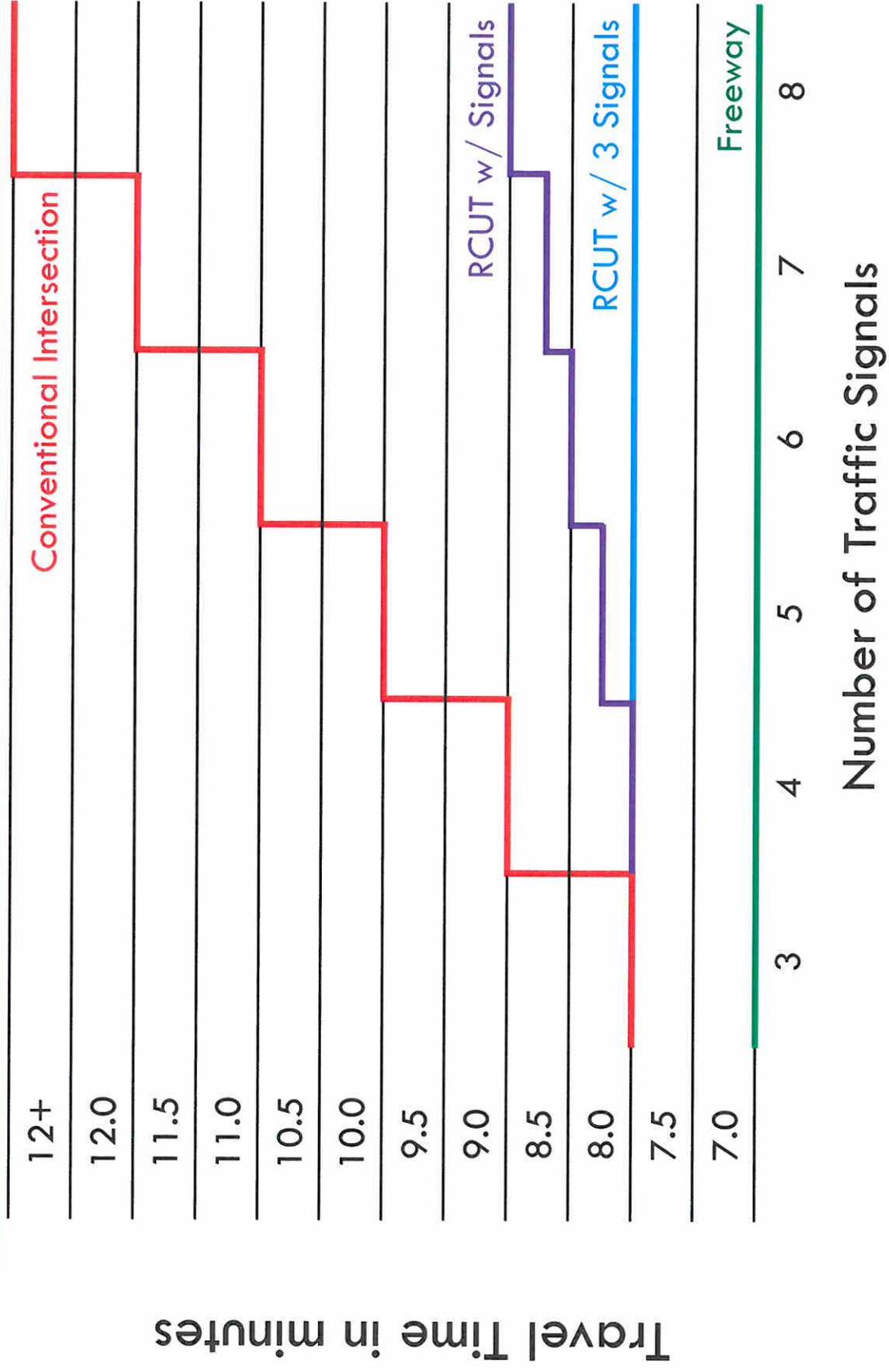
K-7 & Polfer – RCUT (2040 PM)



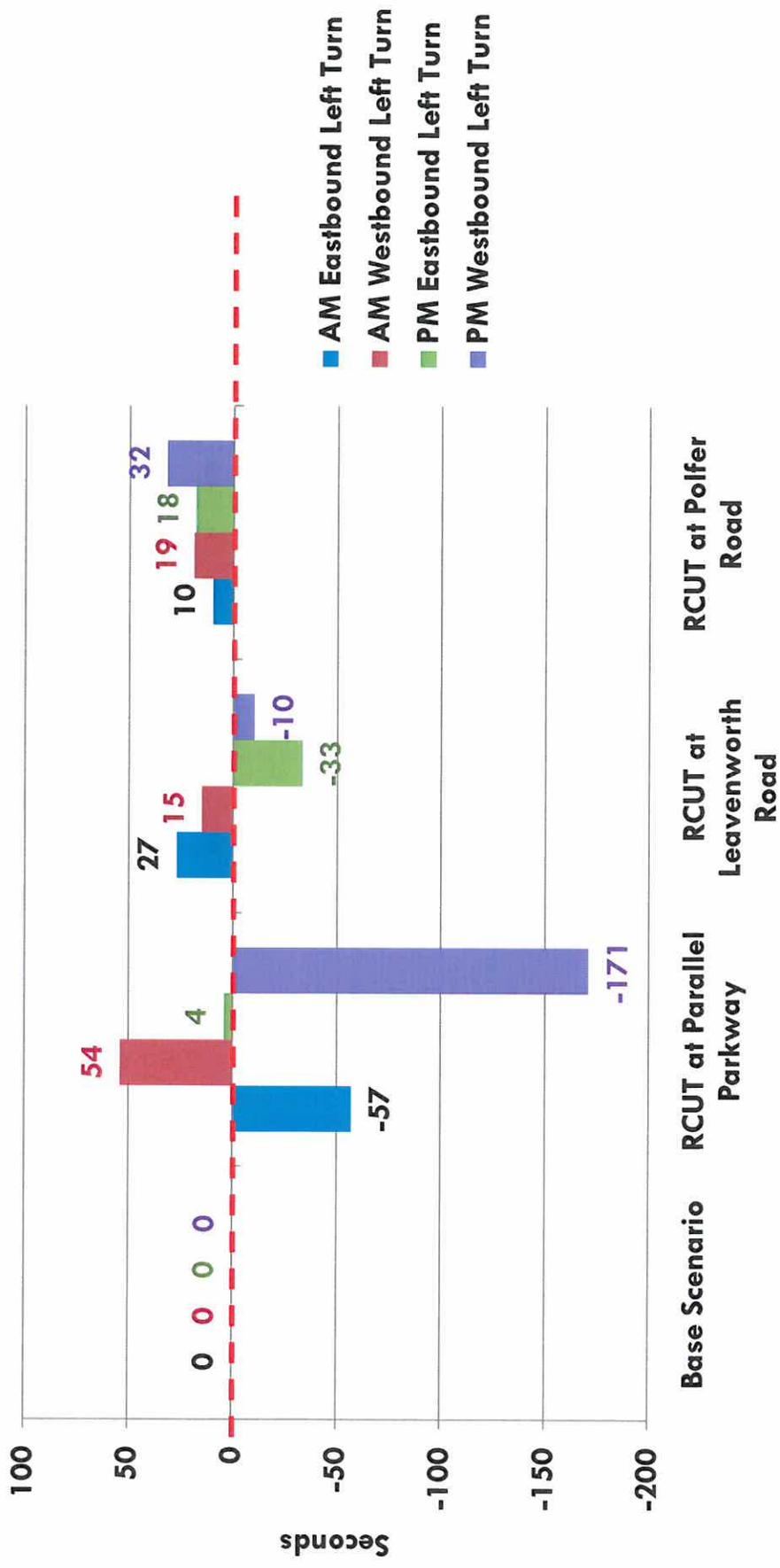
K-7 & Parallel – RCUT (2040 PM)



K-7 Travel Times – Parallel to Gilman



RCUT Impacts to Side Road Left Turns

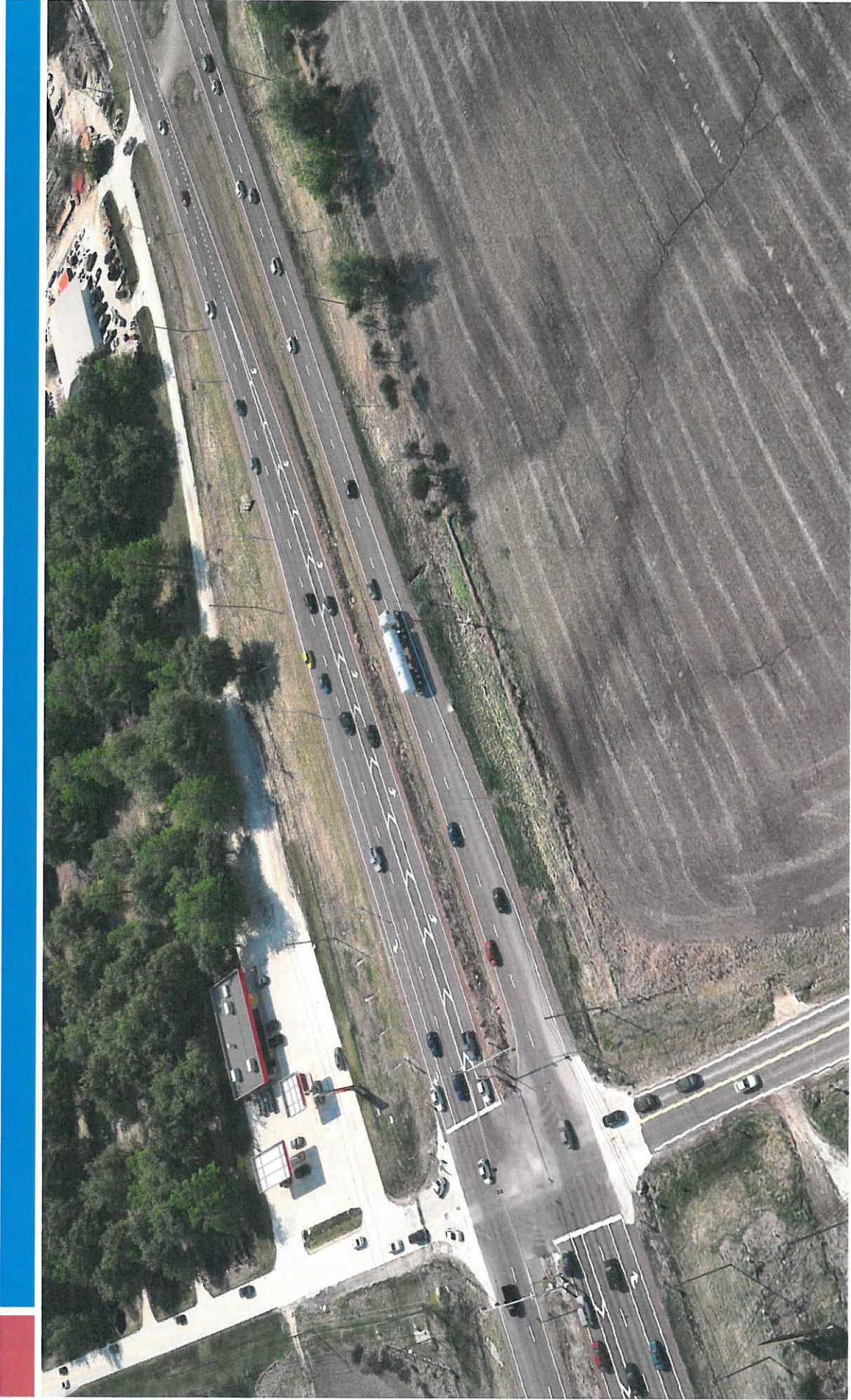


Estimated Construction Cost

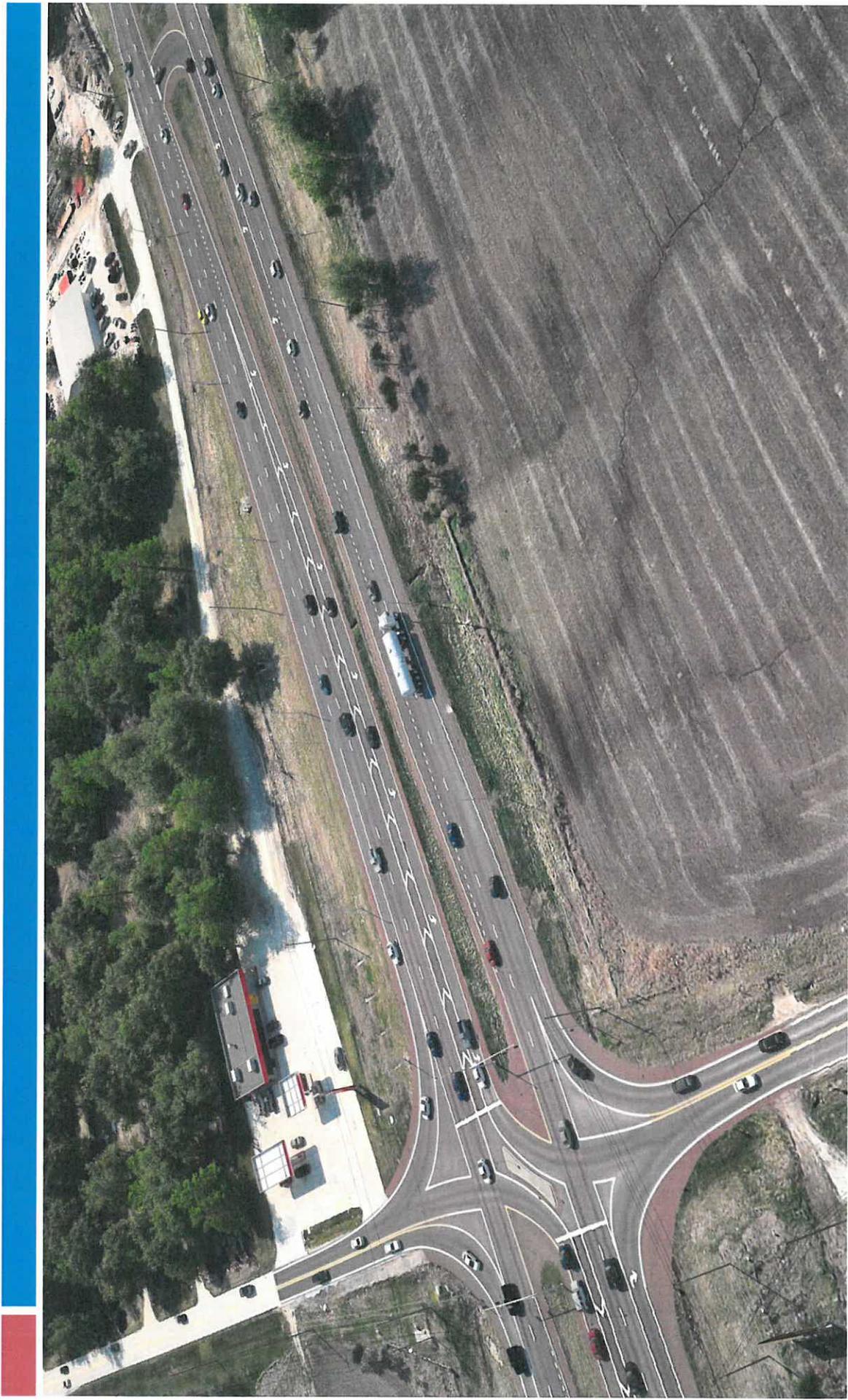
Estimated RCUT Construction Costs in 2015 \$

	STOP Sign Controlled	Traffic Signal Controlled
RCUT Intersection	\$1,122,000	\$1,322,000

K-7 & Polfer - Existing Intersection

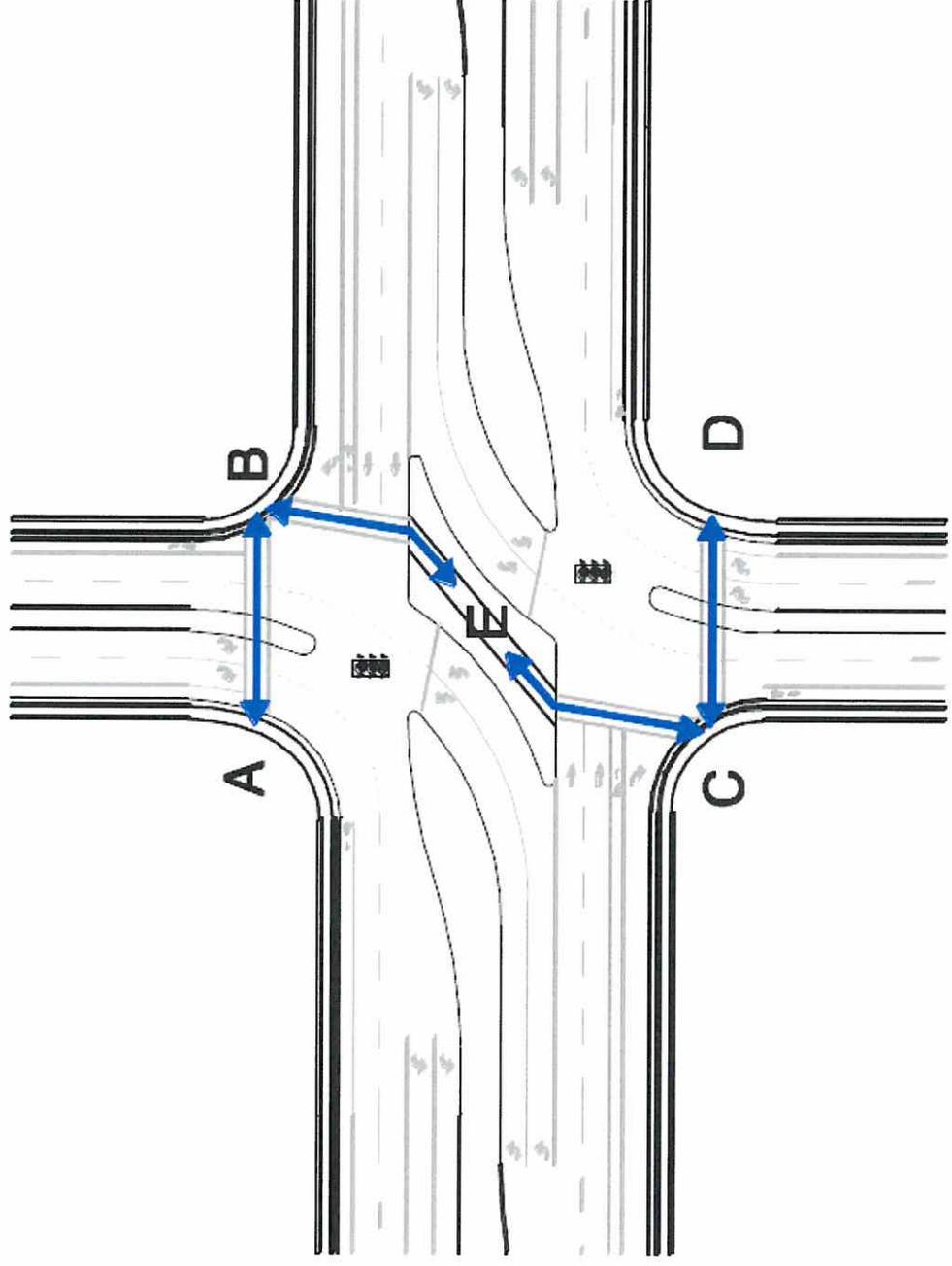


Restricted Crossing U-Turn Intersection

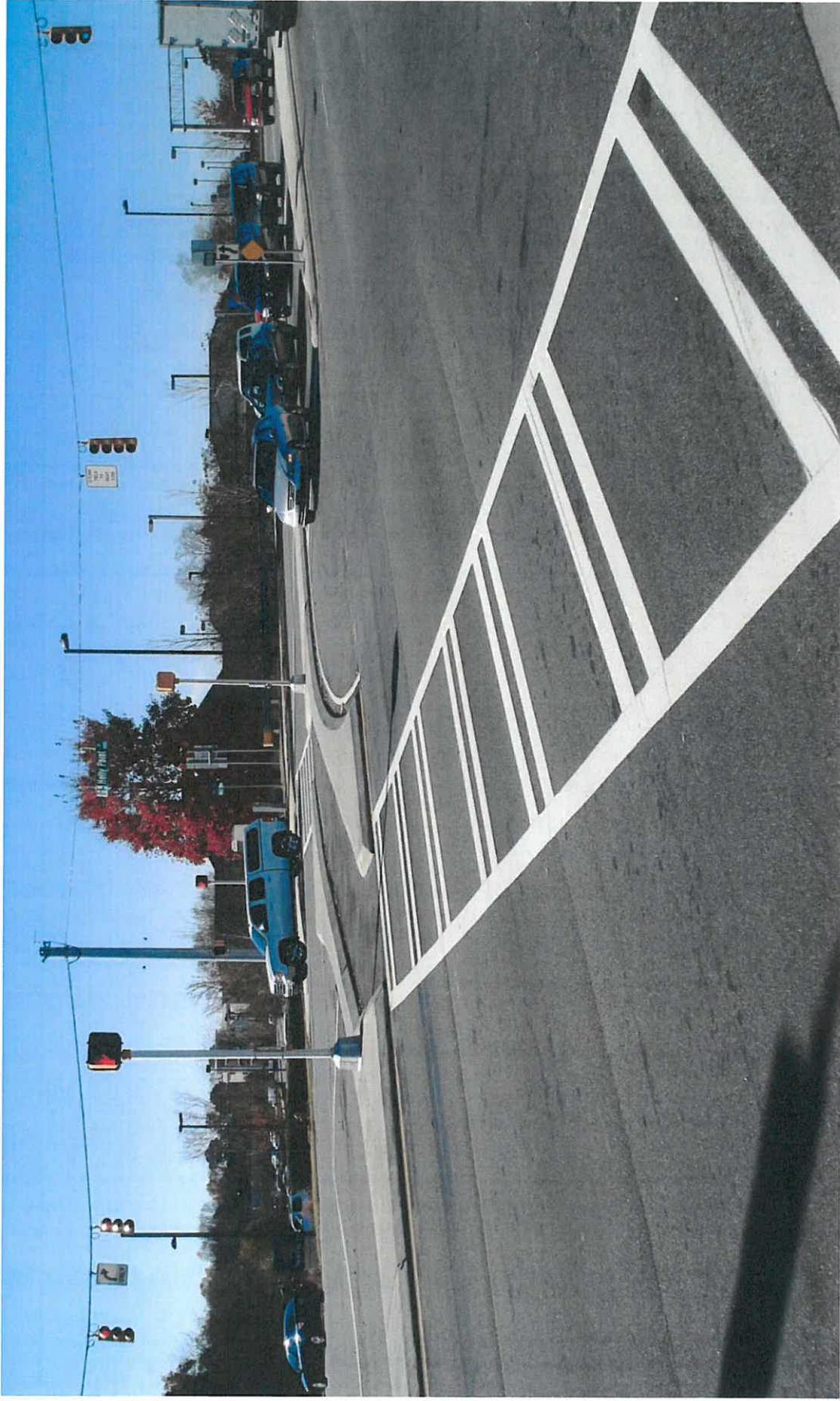


Pedestrian crosswalks

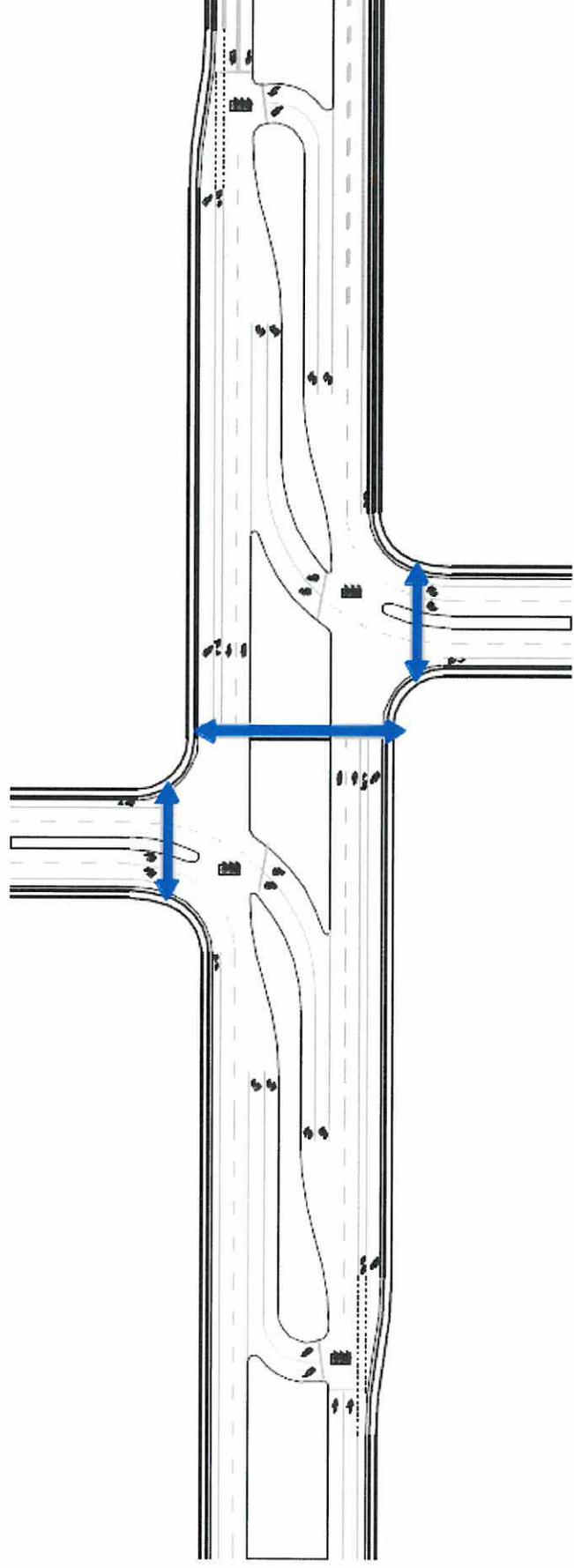
Pedestrian
crosswalks and
pathways in a
signalized
RCUT



Pedestrian “Z” crossing



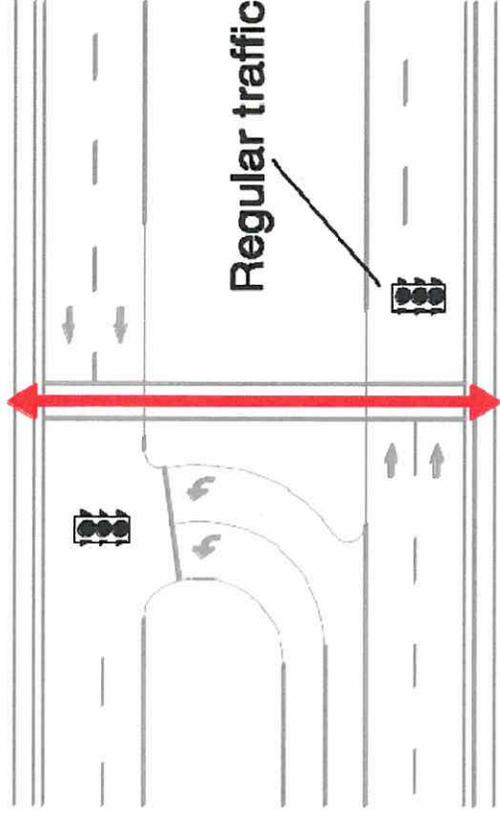
Offset approaches option



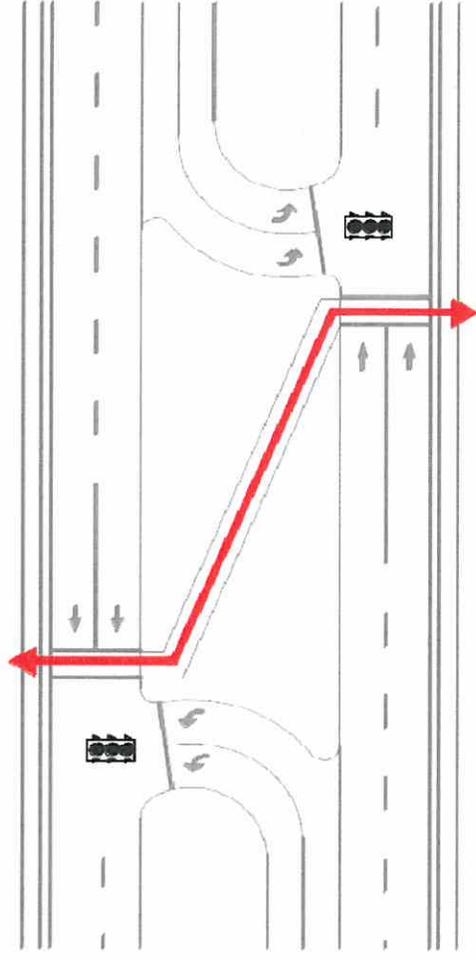
This variation should be strongly considered in developing areas where the minor street or driveway locations have not yet been established.

Wayfinding signs for pedestrians should be used to direct pedestrians to the proper crossing location.

Mid-block ped crossing option



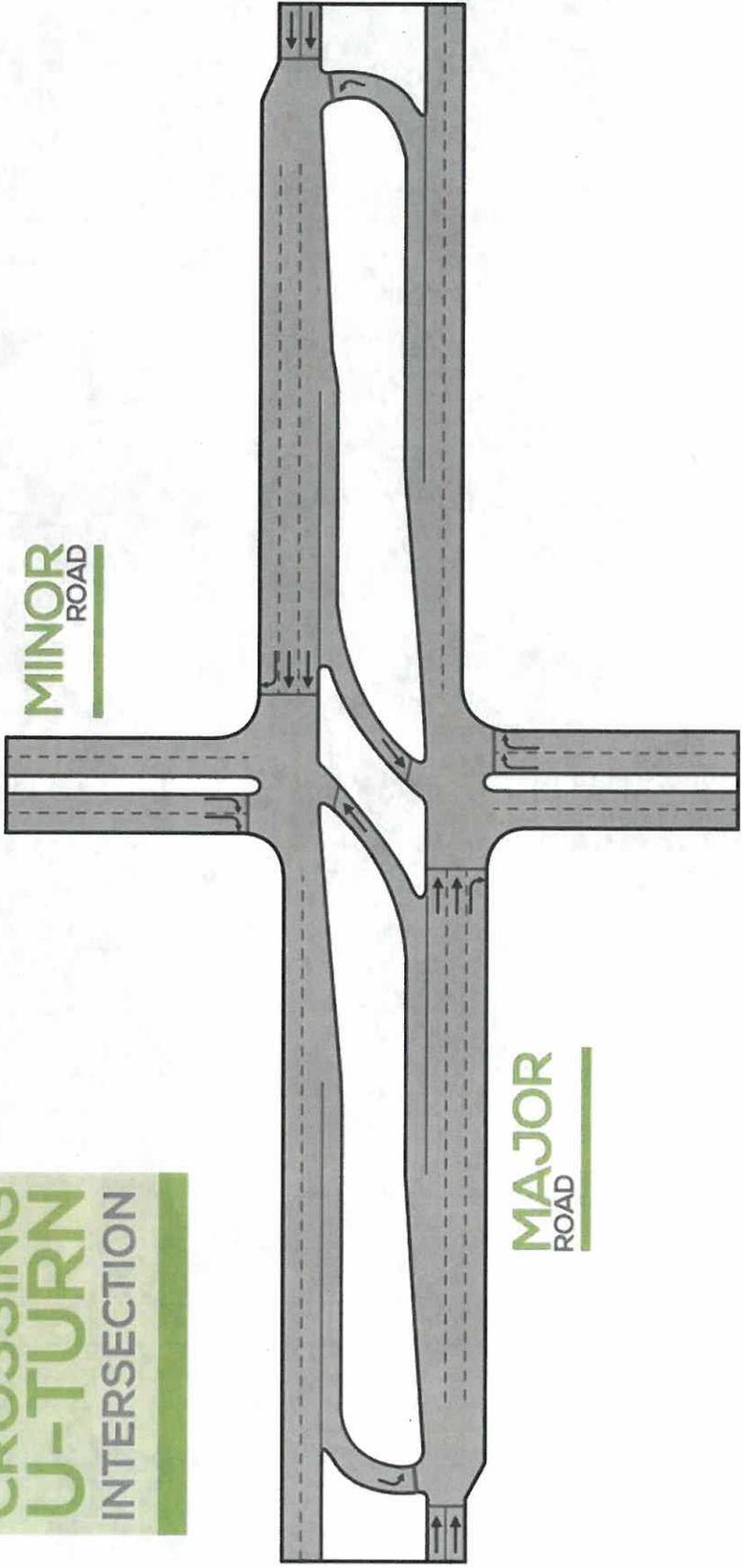
Adding pedestrian signal will not interfere with signal progression!!



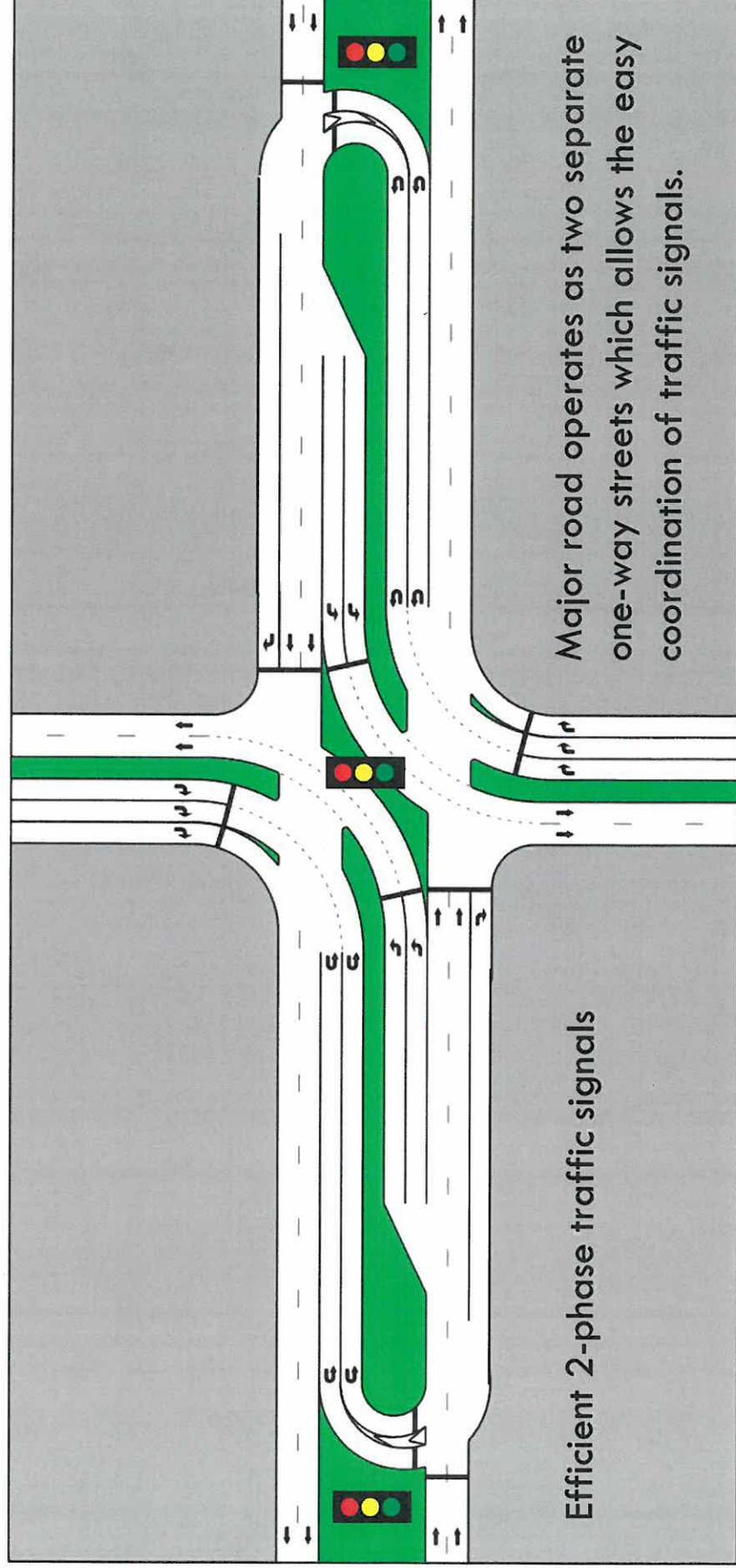
Restricted Crossing U-Turn (RCUT)



RESTRICTED
CROSSING
U-TURN
INTERSECTION



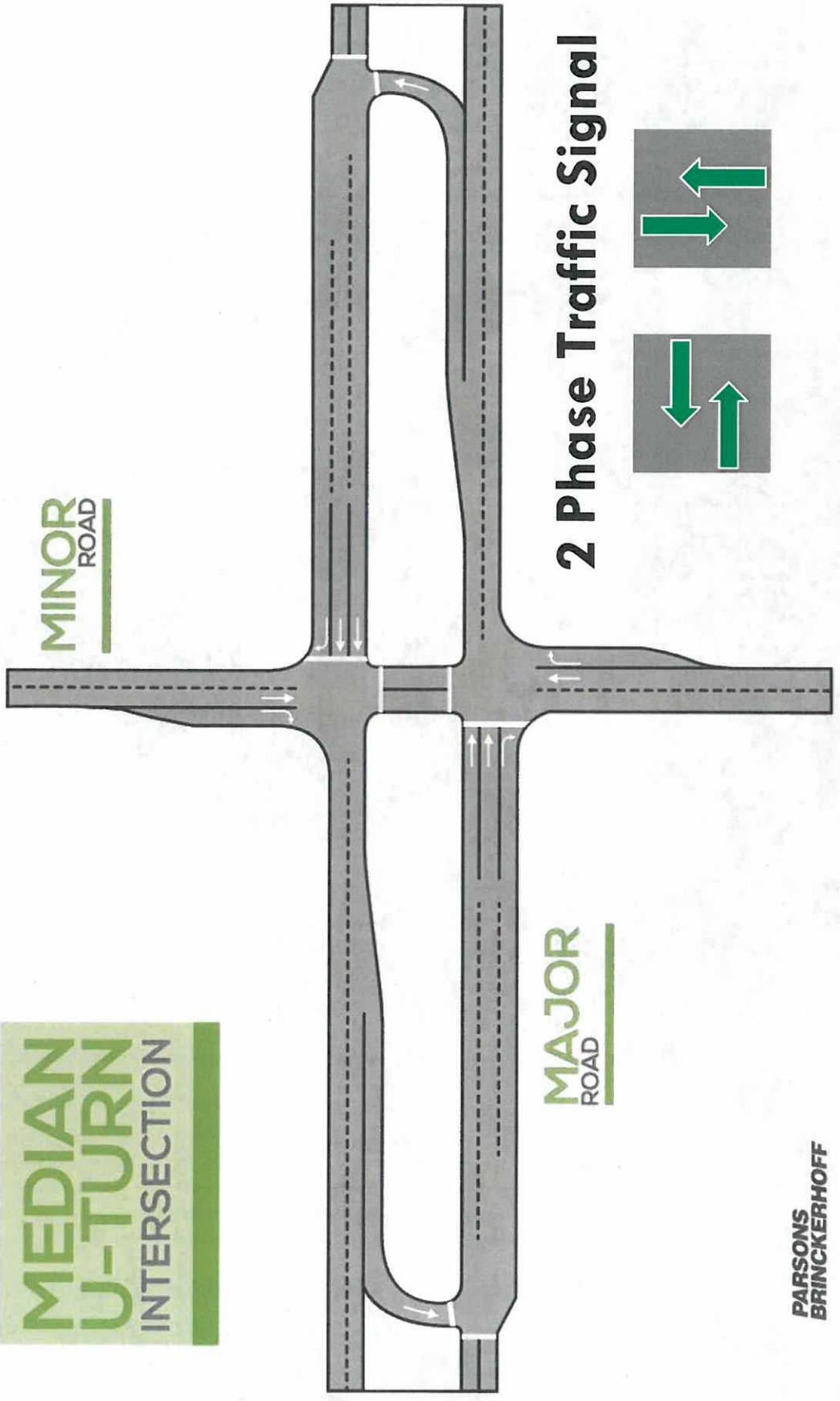
K-7 Superstreet

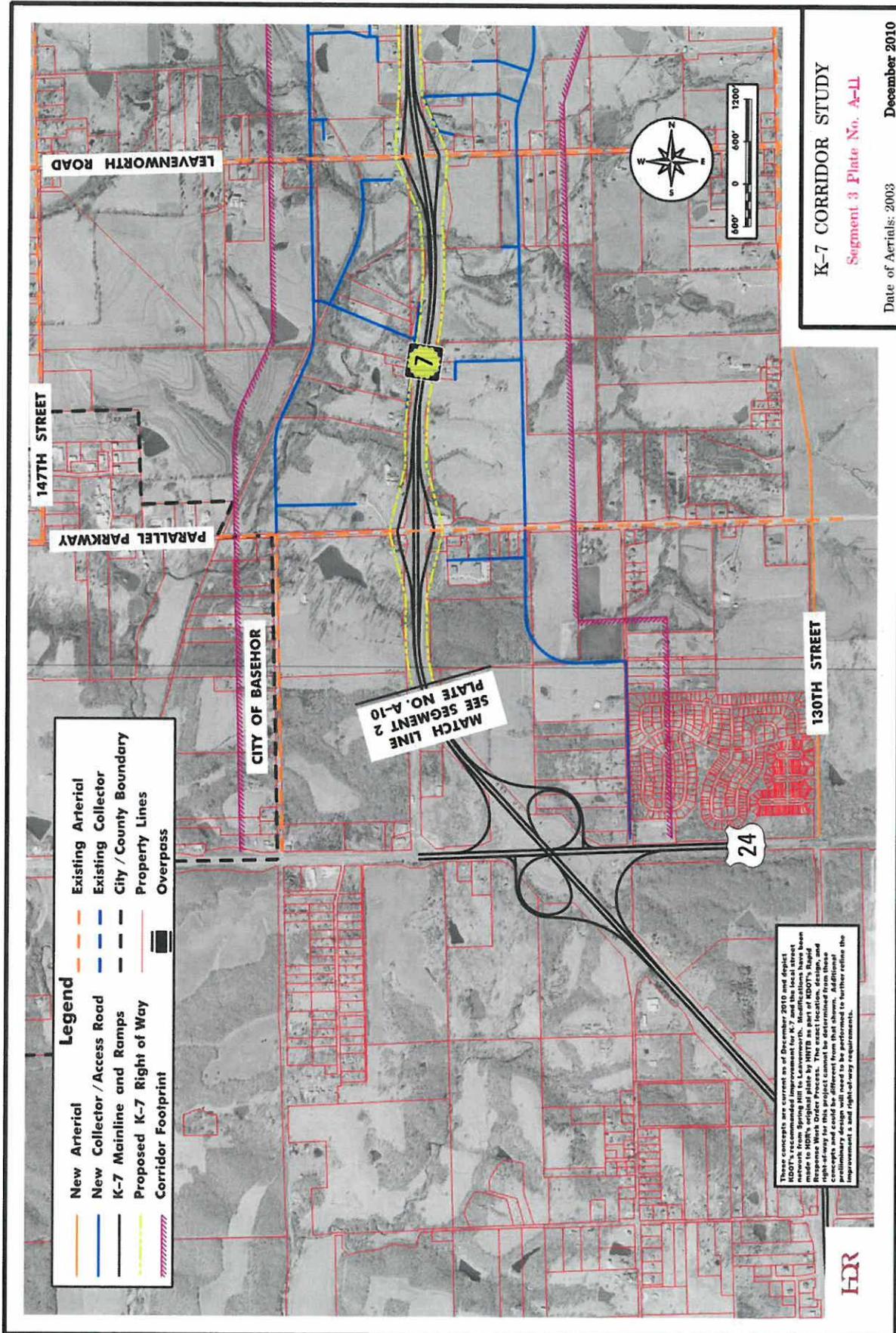


Median U-Turn (MUT)



**MEDIAN
U-TURN
INTERSECTION**





Legend

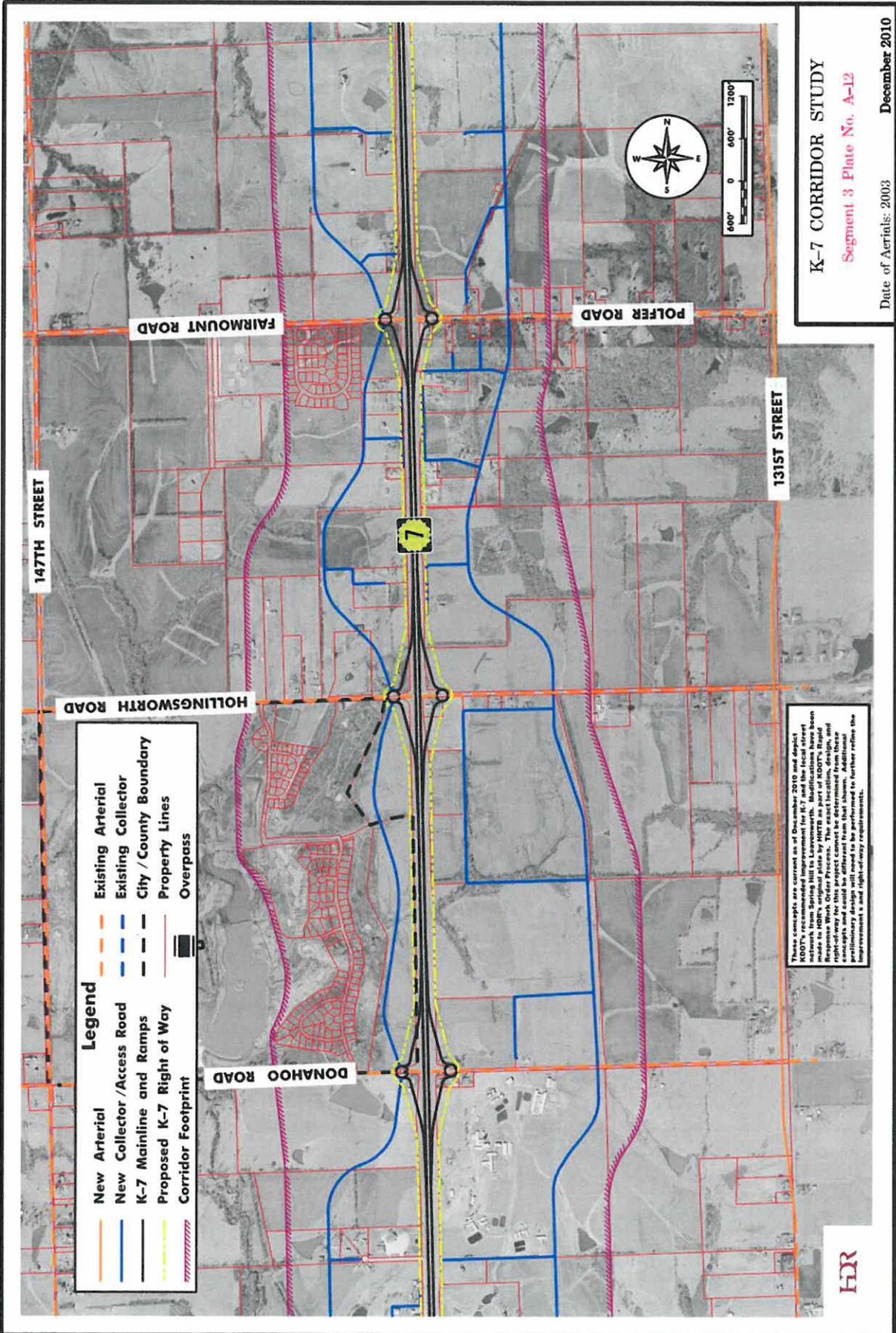
	New Arterial		Existing Arterial
	New Collector / Access Road		Existing Collector
	K-7 Mainline and Ramps		City / County Boundary
	Proposed K-7 Right of Way		Property Lines
	Corridor Footprint		Overpass

These concepts were carried on of December 2010 and depict HDOT's recommended improvement for K-7 and the local street network from Spring Hill to Leavenworth. Modifications have been made to the plan to reflect the latest information available in the Response Work Order Process. The exact location, station, and right-of-way for this project cannot be determined from these preliminary design drawings. Further information and preliminary design will need to be performed to further refine the improvement and right-of-way requirements.

K-7 CORRIDOR STUDY
 Segment 3 Plate No. A-11

Date of Aerials: 2003 December 2010





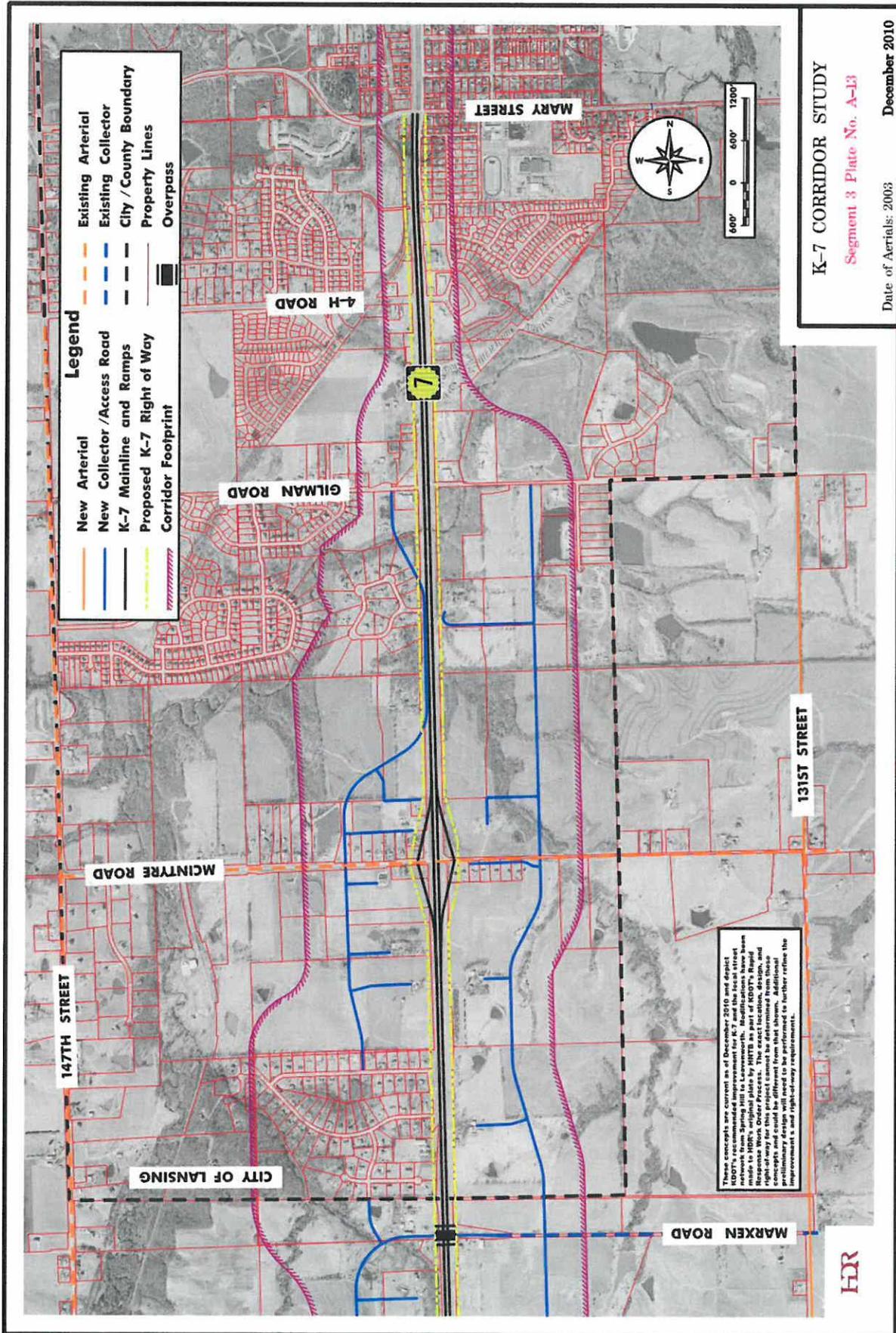
- Legend**
- New Arterial
 - New Collector/Access Road
 - K-7 Mainline and Ramps
 - Proposed K-7 Right of Way
 - Corridor Footprint
 - Existing Arterial
 - Existing Collector
 - City / County Boundary
 - Property Lines
 - Overpass

These concepts are current as of December 2010 and depict KDOT's recommended improvement for K-7 and the local street network from Spring Hill to Leaworth. Modifications have been made to the project since the last public meeting. The exact location, design, and right-of-way for this project cannot be determined from these preliminary design drawings. Further refinement of the preliminary design will need to be performed to further refine the improvement and right-of-way requirements.

K-7 CORRIDOR STUDY
 Segment 3 Plate No. A-12

Date of Aerials: 2003 December 2010





Legend	
	Existing Arterial
	Existing Collector
	City / County Boundary
	Property Lines
	Proposed K-7 Right of Way
	Corridor Footprint
	New Arterial
	New Collector / Access Road
	K-7 Mainline and Ramps
	Overpass

This map is based on the current as of December 2010 and data from the 2010 Aerial Photograph. The K-7 and the local street network from Spring Hill to Leesworth. Modifications have been made to the Work Order plans by the City of Lansing. The Right of Way for this project cannot be determined from these concepts and could be different from that shown. Additional improvements and right-of-way requirements.

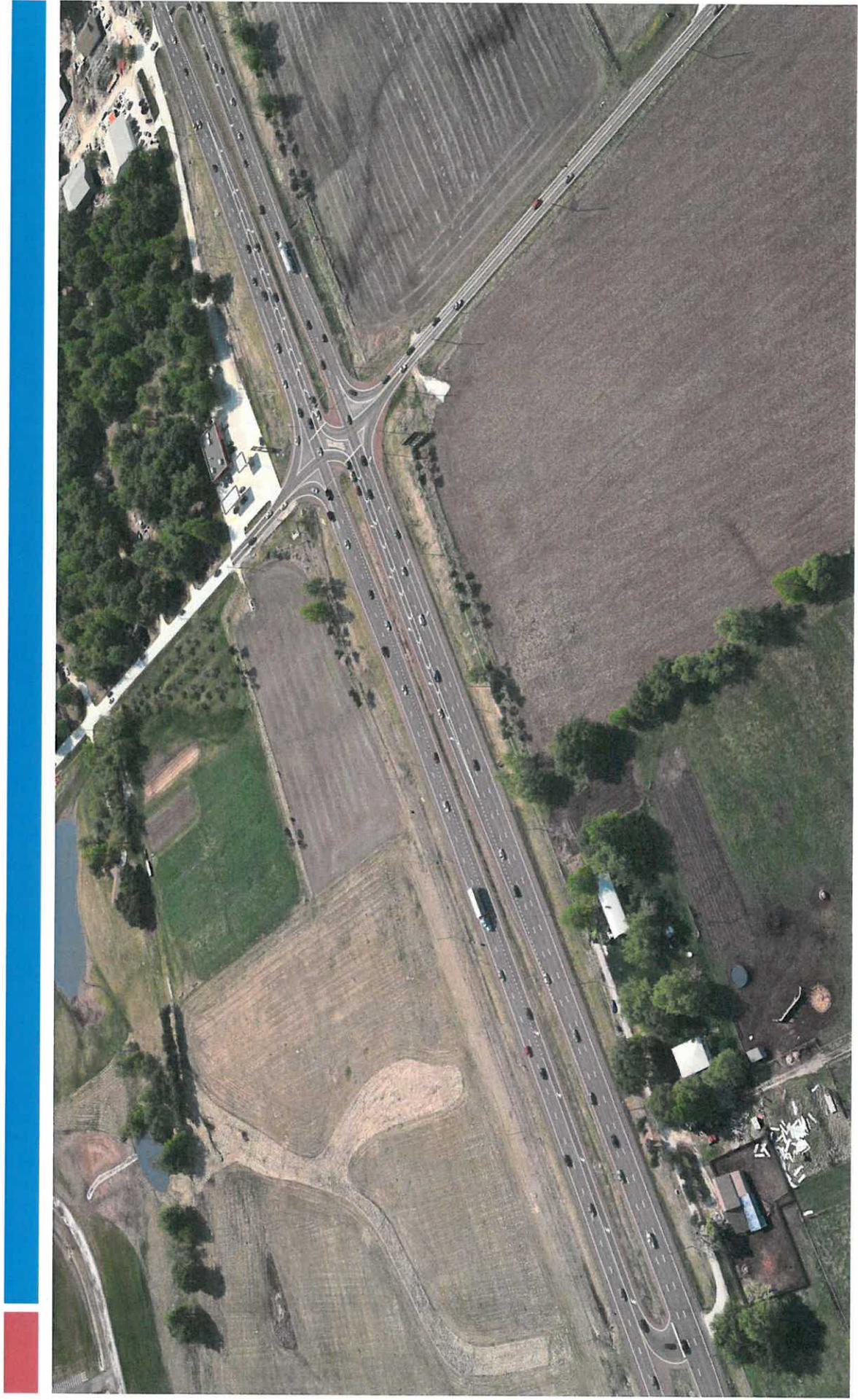
K-7 CORRIDOR STUDY
 Segment 3 Plate No. A-13
 Date of Aerials: 2003
 December 2010



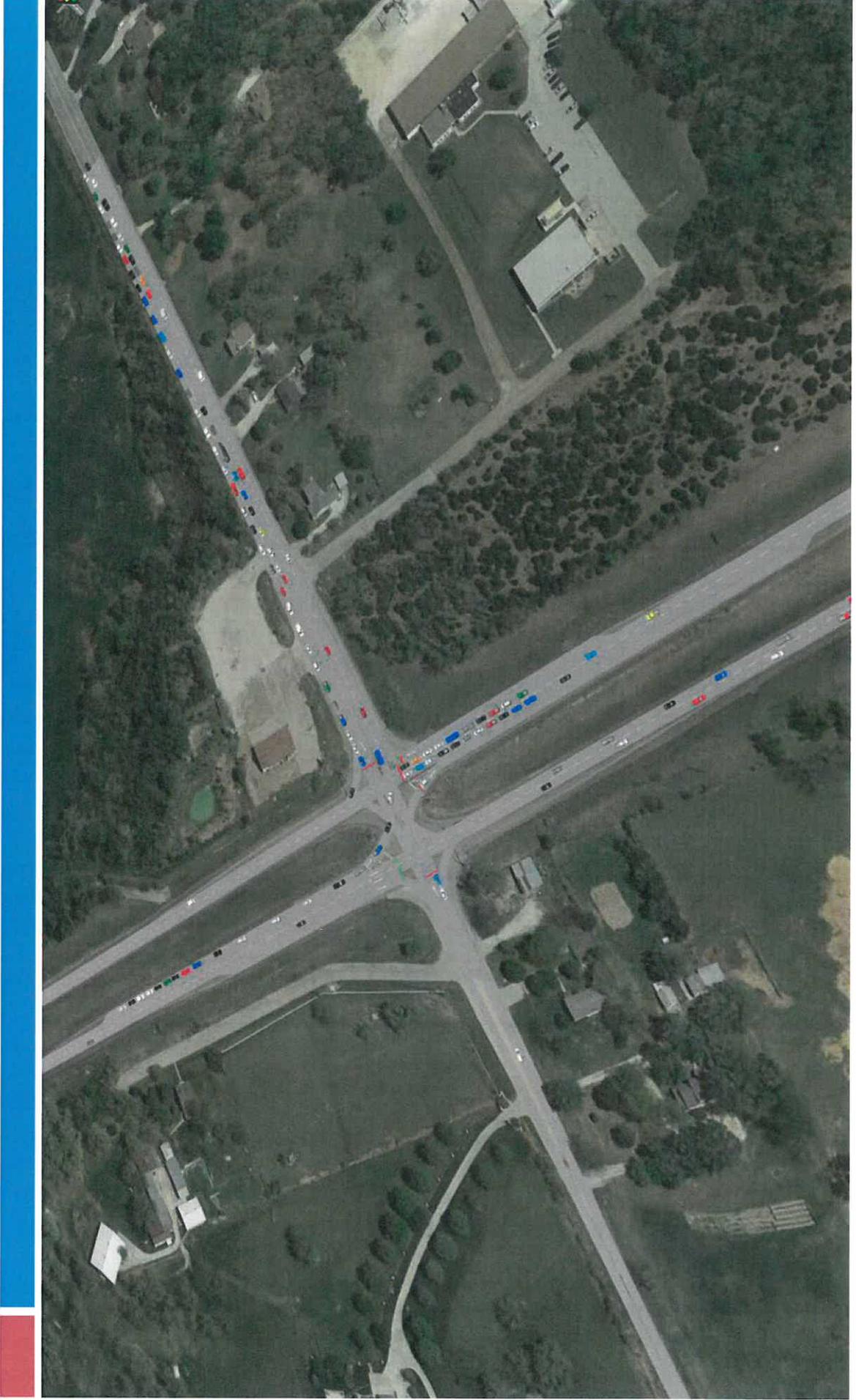
K-7 & Polfer - Existing Intersection



Restricted Crossing U-Turn Intersection



K-7 & Parallel – No Build (2040 PM)



Call To Order:

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

Roll Call:

Mayor Gene Kirby called the roll and indicated which councilmembers were in attendance.

Councilmembers Present:

Ward 1: Kevin Gardner and Dave Trinkle
Ward 2: Andi Pawlowski and Don Studnicka
Ward 3: Jesse Garvey and Kerry Brungardt
Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Consent Calendar: Councilmember Buehler moved to approve the special meeting minutes of December 3, 2015, and the regular meeting minutes of December 3, 2015. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

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

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Resolution No. B-6-15 Kansas PRIDE Program: Councilmember Trinkle moved to adopt Resolution B-6-15 supporting the Kansas PRIDE Program. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

Renewal Request for Special Use Permit (336 Fawn Valley Ct): Councilmember Studnicka moved to approve the special use permit for 336 Fawn Valley Ct. Councilmember Buehler seconded the motion. The appointment was unanimously approved.

Sidewalk Fee Refund Request: Councilmember Trinkle moved to approve the sidewalk fee refund. Councilmember Gardner seconded the motion.

- Councilmember Pawlowski stated we've had this come up before.
 - Councilmember Trinkle stated we've had this a lot of times before. I think this is another one of those items that we need to sit down and attract more contractors and people that buy the lots in the older part of town who build houses.
 - Mayor Kirby stated let's keep this to this. If we need to discuss this at a work session to straighten it out or make some changes, we'll do it then.
- Councilmember Pawlowski stated the issue has been, there are a couple issues, and I think we've done it both ways in the past. I think we've made people pay and I think we've made people not pay. I think we need to learn to be a little consistent about it, but we've had discussions in the past also about putting sidewalks in the old part of the town and what I want to say is that when builders develop a big subdivision, they put the sidewalks in and it comes back as part of the lot cost, so the City is not paying for it; the developers are and then eventually the property owners. When Mr. Bohannon came in and asked that we not charge him twice for his, we ended up waiving it so I guess a precedent has been set, but I think we need to remember that when we go back and have this discussion about putting the sidewalks in older parts of town we need to remember that's why we put this in here, so we'd have the money to do it.
 - Councilmember Trinkle stated there's a few other things that we need to talk about.

The motion was unanimously approved.

Executive Session: Non-Elected Personnel: Councilmember Pawlowski moved to recess into Executive Session for 20 minutes to discuss personnel matters of non-elected personnel beginning at 7:05 p.m. and resuming at 7:25 p.m. Councilmember Studnicka seconded the motion. The motion was unanimously approved.

Councilmember Studnicka moved to return to Open Session at 7:25 p.m. Councilmember Pawlowski seconded the motion. The motion was unanimously approved.

REPORTS:

City Attorney: City Attorney had nothing to report.

City Engineer: City Engineer wished everyone a Merry Christmas.

City Administrator: City Administrator Tim Vandall stated that we've contacted Deffenbaugh Industries and a representative will be present at our January 21, 2016 Council meeting to address questions and comments in regards to recent issues. The City has received an invitation from the Chamber of Commerce for their 100th anniversary celebration; if any Councilmembers are interested in attending, to get with Tim or Sarah so we can RSVP for the City. The event will be held at the Fairfield Inn & Suites. The City did receive verbal verification that if we scaled down DeSoto road to a 3 lane, it would still be eligible for the earmarked grant funding and we've been verbally told that we can use the grant dollars for the engineering, so great news for the City. The initial proposal by PEC for the engineering is \$315,000.00 to re-engineer the road from 5 lanes to 3, and the match by the City would be \$63,000.00, leaving around \$250,000.00 for the construction phase. Staff will have a more formal contract in the next month. City staff is working on getting bids for the equipment, 2 police cars and truck, and will have those and the lease/purchase information ready at the January 21st Council Meeting. Re-reviewed repair costs for the truck and after removing maintenance items, the repairs costs were \$8,278.00. The City pays 2% of an employee's wage into the ICMA retirement fund. Upon reviewing, administration is looking into making a change for new employees into an optional match program, so that the employee would have to contribute as well. There would be no additional cost to the City and for long-term would potentially save the City money. Tim will re-address with Council after the Salary and Benefits Study has been completed.

Governing Body: Councilmember Brungardt thanked City Administrator Tim Vandall for keeping the Council informed with his reports. He also wished everyone a Merry Christmas, Happy New Year and safe travels. Councilmember Studnicka wished Lieutenant Fred Grenier much success with his new position as Police Chief for Lake Quivira and welcomed Chief Wayman back from the FBI Academy. He also wished everyone a blessed and Merry Christmas.

Councilmember Trinkle welcomed back Chief Wayman and wished everyone a Merry Christmas and Happy New Year. Mayor Kirby wished everyone a Merry Christmas and thanked everyone who contributed to the Mayor's Christmas Tree Program and Angel Tree. Staff came in under budget due in part to a surge of tags being taken at the Mayor's Christmas Tree Lighting. Mayor Kirby thanked the businesses, citizens, and groups who all chipped in to make Christmas happen for those in need in Lansing.

Councilmember Gardner welcomed back Chief Wayman and thanked City Engineer Matt Harding for his hard work on completing the creek walk-throughs. He also congratulated the Museum for the grant they received for a new project. Councilmember Pawlowski seconded what everyone else said and thanked City Clerk Sarah Bodensteiner for an awesome job done on the Mayor's Christmas Tree Program and Angel Tree. She also wanted to welcome all the college students home and wished everyone a Merry Christmas.

Councilmember Garvey welcomed back Chief Wayman, wished everyone a Merry Christmas, and stated that the parking lot at the church is done and looks really nice, and stated go KU Volleyball.

Councilmember Buehler provided a fun fact, on this day in 1903, Wilbur and Orville Wright did their first powered, heavier-than-air flight in Kitty Hawk North Carolina. He also wished everyone a Merry Christmas and Happy New Year.

Councilmember McNeill welcomed back Chief Wayman and hoped that the Marine Corps rubbed off on him, and wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT: Councilmember McNeill moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:39 p.m.

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

9 Mile Creek Action Plan Appraised Values

Land

Tract ID #	TCE	Perm	Cost to Cure	Additional	Comments	Total Costs	Rounded
2	\$59.00		\$1,650.00		3 trees	\$ 1,709	\$ 1,710
3	\$556.00	\$228.00	\$7,000.00		10 trees	\$ 7,784	\$ 7,790
6	\$0.00	\$0.00	\$0.00		existing 80' utility easement	\$ -	\$ -
9	\$154.00	\$0.00	\$1,820.00		Replace 130' chain link fence	\$ 1,974	\$ 1,980
10	\$212.00	\$0.00	\$3,410.00		100' fence, gate, 2 trees	\$ 3,622	\$ 3,630
11	\$240.00	\$0.00	\$6,175.00		4' and 6' wood fence, gate and 2 trees	\$ 6,415	\$ 6,420
12	\$277.00	\$0.00	\$4,120.00		120' wood fence, contributory trees	\$ 4,397	\$ 4,400
13	\$294.00	\$0.00	\$0.00			\$ 294	\$ 300
14/20	\$354.00	\$0.00	\$2,994.00		115' fence, gate, wire fence, 1 tree	\$ 3,348	\$ 3,350
15	\$101.00	\$0.00	\$0.00			\$ 101	\$ 110
19	\$1,008.00	\$0.00	\$9,080.00		345' fence, gate, 5 trees	\$ 10,088	\$ 10,090
21	\$143.00	\$0.00	\$840.00		45' fence, gate	\$ 983	\$ 990
24	\$674.00	\$0.00	\$2,240.00		95' fence, gate, 1 tree	\$ 2,914	\$ 2,920
25/35	\$406.00	\$0.00	\$1,400.00		2 trees	\$ 1,806	\$ 1,810
	\$ 4,478	\$ 228	\$ 40,729			\$ 45,435	\$ 45,500

City or School District Owned*** Easements should be donated and therefore not calculated in total costs
Public Property

1	Unk	Unk	Unk		Currently under appraisal by Valbridge	\$ -	\$ -
26	\$56.00	\$0.00	\$0.00			\$ 56	\$ 60

RESOLUTION NO. B-1-16

RESOLUTION FINDING AND DECLARING THE NECESSITY OF APPROPRIATION OF PRIVATE PROPERTY BY ACQUIRING PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE USE OF THE CITY FOR THE CONSTRUCTION OF A PUBLIC SANITARY SEWER IMPROVEMENT, PROJECT NUMBER (15-01).

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS, AS FOLLOWS:

1. Pursuant to K.S.A. 26-201, the City Council deems it necessary and hereby finds and declares the necessity to appropriate private property by acquiring by condemnation for permanent easements and temporary construction easements for the use of the City for construction of City Project 15-01, a public sanitary sewer improvement located in the city limits of the City of Lansing.
2. A survey has been conducted by Andrew J. Riddle, Kansas Registered Land Surveyor #1530, with a description of the land or interest to be condemned, and has been filed with the City Clerk.

This resolution shall be published once in the official city newspaper, *The Leavenworth Times*.

ADOPTED AND APPROVED by the governing body of the City of Lansing, Kansas, on this ____ day of January, 2016.

Louis Kirby, Mayor

(SEAL)

ATTEST:

Sarah Bodensteiner, City Clerk

Published: *The Leavenworth Times*

Date Published: _____

LINAWEAVER CONSTRUCTION, INC.
719 E. GILMAN RD. LANSING KS 66043
(913) 351-3474 FAX (913) 351-2749

11.23.15

Anthony J. Zell, Jr., CPM
Wastewater Utility Director
City of Lansing, Kansas

Re: 7 Mile Sanitary Sewer Project

Dear Mr. Zell,

As per request the below price includes the material, labor, and equipment to relocate an existing 24" storm sewer that is in conflict with the proposed bore.

Scope of Work Includes:

One lane closure on 7 Highway

Demo and haul off of existing sidewalk.

Removing existing 24" RCP from curb inlet to junction structure and repair opening.

Raise existing 24" RCP approximately 6' and tying back into 24" line per detail provided by GBA.

Repair bottom of junction structure.

Place new invert in junction structure.

Re-install 24" RCP back into existing curb inlet.

Replace concrete sidewalk.

TOTAL = \$28,414.00

Estimated Time for the work is 5 working days.

If you have any questions or need further information, please feel free to contact me or Spencer Foster at any time.

Sincerely,



Mark Linaweaver

TO: Tim Vandall, City Administrator
THRU: Stefanie Leif, Economic Development/CVB Director *SL*
FROM: Rebecca Savidge, Building Inspector II *RS*
DATE: December 29, 2015
SUBJECT: Sidewalk Waiver Request for 24115 146th Street

Jerry and Brenda Frese, property owners of 24115 146th Street, have applied for a new single family dwelling permit in the annexed area of town, on a lot that was previously vacant. There is currently no sidewalk or curbing on this street. A sidewalk fee is being charged on the building permit, which is a fee that goes into the sidewalk fund.

The city requires all new single family dwellings not located in a subdivision be charged a sidewalk fee. This fee is based on the amount of road frontage multiplied by the current cost adopted for sidewalk fee. The frontage on this rural property is 525' and when staff applies the \$15.00 per linear foot current sidewalk cost to that, the total to be added to the building permit is \$8,175.00.

The property owners have submitted a request to the Council to ask for a waiver of this fee requirement. Please see the attached letter.

Chapter 14, Article 1 Section 14-202 addresses the requirement to pay into a sidewalk fund, and a copy of this code has been attached for further review.

Action: Staff is prepared to act pursuant to Council determination.

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Rebecca Savidge

From: Jerry M Frese <jerrymfrese@gmail.com>
Sent: Monday, December 28, 2015 11:26 AM
To: Rebecca Savidge
Subject: Request

Becky, we would like to request to be on the agenda for the city Council meeting on the seventh of January. Concerning the situation of possible future sidewalk for my new construction at 24115 146th St. The amount that is talked about is \$8175.00

In this particular situation we feel that this fee is unreasonable and unneeded. We would like the council to consider waiving the total amount of this fee.

Thank you for your consideration, contact me anytime for any questions.

"There's always a plan."

Jerry,
(913)708-1488
jerrymfrese.com

Leavenworth County, KS



519.1 0 259.53 519.1 Feet

This map is a user generated static output from an Internet mapping service for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

ARTICLE 2. SIDEWALKS

14-201 **APPLICATION FOR, COMMERCIAL AND INDUSTRIAL BUILDING OR LAND USE PERMITS**

(All uses not specified in Sec. 14-202.) Any person hereinafter applying for a building or land use permit for any structure or purpose, including any residential use of a density four-plex or greater, and including the major remodeling of any structure, which shall be defined as remodeling costing twenty-five percent (25%) or more of the appraised value of said structure, for use other than single family or two-family occupancy, shall, as a condition thereof, be required to construct a sidewalk along any public street or streets adjacent to the parcel of land associated with such building or land use building permits. In lieu of construction of the sidewalk, and at the discretion of the Governing Body, the person applying for a building or land use permit may contribute to the Capital Improvements Sidewalk Fund an equivalent amount per linear foot, based on sidewalk type and current construction cost estimate as set forth in a schedule updated annually by the Public Works Department, of the required sidewalk along the entire street frontage of said tract or building lot. Such contribution shall take the form of cash or certified check, and shall be nonrefundable.

14-202 **SINGLE FAMILY AND TWO-FAMILY, DWELLING REQUIREMENT**
Where sidewalks are required on tracts or other locations as identified on the engineering plans for the subdivision, any person hereinafter applying for a building permit for any structure for single family or two-family occupancy shall, as a condition thereof, be required to construct sidewalks adjacent to such parcels of property. Where sidewalks were not identified as a requirement on the engineering plans of the subdivision, and were not previously installed on lots, tracts, or other locations, any person hereinafter applying for a building permit for any single family or two-family structure shall, as a condition thereof, contribute to the Capital Reserve Sidewalk Fund an equivalent amount per linear foot, based on sidewalk type and current construction cost estimate as set forth in a schedule updated annually by the Public Works Department,, of the required sidewalk along the entire street frontage of said lot, tract, or other location. Such contribution shall take the form of cash or certified check, and shall be nonrefundable.

14-203 **REVOCAION OF PERMITS**

In the event any person shall fail to provide sidewalks as set forth in this chapter, prior to the occupancy of such building, no certificate of occupancy shall be issued.

MEMORANDUM

To: Mayor Gene Kirby and City Councilmembers

From: Mike Suozzo, Chairman, Board of Zoning Appeals 

Date: November 14, 2015

Subject: Variance Request from Lansing City Code, Chapter 17, Article 312, E.7., for 101 Rock Creek Commercial Court, Lansing, Kansas

The Board of Zoning Appeals met at 7:00 p.m. on October 6, 2015. All appointed members were present: Mike Suozzo, Tim Cahill, Tom Smith, Mary L. Earls-Cummins, and Richard Hannon. Staff members present were John Jacobson, Community Development Superintendent; and Gregory Robinson, City Attorney. A public hearing was conducted to consider a variance on the property at 101 Rock Creek Commercial Court. The request is a variance from Lansing City Code, Chapter 17, Article 312, E. 7., which prohibits storage of materials in the floodplain that are subject to flotation and/or major damage from flooding, so that a floodplain development permit may be issued. The variance requested is to allow storage shed displays in the floodway with appropriate anchoring at 101 Rock Creek Commercial Court, Lansing, Kansas, and would allow the issuance of a floodplain development permit. The application for variance was submitted by Willard G. and Angela Wiley, property owners.

Chairman Suozzo opened the public hearing and Mr. Wiley, property owner, spoke in support of the variance. He stated the property has been in his family a long time and that as far back as he can remember, there had been only one occasion when there was any water on the property and that was prior to changes in a bridge location and the widening of Highway 73. He also stated he has had commercial activities on the property in the past. Mr. Jacobson pointed out that in the past the property was not in a floodway, but a recent update to the FEMA floodplain maps has placed a portion of the property in the floodplain. Mr. Wiley stated he had not been notified of the change. Mr. Smith pointed out that the floodplain and floodway are set by a federal agency and cannot be changed without their approval. Mr. Cahill stated that in order for him to be comfortable making a decision on this matter, he would need to see additional hydrology data. Other members of the Board also echoed Mr. Cahill's concerns.

Mr. Marco Valverde-Toro spoke in support of Mr. Wiley's request and stated that small business owners should be granted some flexibility by the city. There was discussion of the criteria in Article 315 - criteria that the Board shall consider in granting this variance. Additionally, the Board discussed what additional technical data might be presented so it could make an informed decision and not place the city at any possible liability. Mr. Smith stated what the consciences of the Board members appeared to be, which was that everyone agreed with the basic information presented. It was also noted there was a very slight risk of the property causing any flooding issues, but again, without additional hydrology data, there was no reasonable basis on which to make a favorable decision on this matter. There was discussion by Mr. Hannon regarding the Board setting a precedent if it voted to approve this motion. Mr. Jacobson pointed out the Board makes a decision based on the 12 criteria listed in Article 315 and would adhere to FEMA's rules.

The Board, after discussions with the city staff and attorney, informed Mr. Wiley that it appeared he had some choices that included: to let the Board vote on the information presented tonight, withdraw the application, or table the application until such time as Mr. Wiley had additional information to present in support of the application. Mr. Wiley requested the application be

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Mayor Gene Kirby and City Councilmembers
Page 2
November 14, 2015

tabled until such time as he obtained additional information in support of his request. He asked for assistance from the city staff working his way through the 12 criteria listed in Article 315. Mr. Jacobson said staff would assist Mr. Wiley in understanding what each of the points meant.

The Board agreed to continue the public meeting and take up the application at a future meeting when Mr. Wiley has additional information to present.

The Board, having no other business before it, voted unanimously to adjourn at 7:50 p.m.

Sarah Bodensteiner

From: Benjamin Ontiveros
Sent: Monday, December 14, 2015 7:54 AM
To: Ann Magee; Austin Hansen; Bill Linn Jr.; Billy Blackwell II; Dave Asmus; Dustin Grace; Fred Grenier; Greg Rader; John Gable; Manuel Olmos-Molina; Michael Dickason; Michael Heuer; Richard DeMateo; Richard Fairbanks; Robin Mock; Steven Wayman; Tom Reynolds; Trevor Osen; Zach Stamper
Cc: Sarah Bodensteiner
Subject: Kudos to Hansen

While at Dollar General on Friday, store staff told me they really appreciated Officer Hansen coming in and doing business checks. I was informed he takes time to walk through the store and briefly speaks with employees, which makes them feel a little safer.

Good job to Officer Hansen.

Ben Ontiveros
Captain, Investigations
Lansing Police Dept.
800 First Terrace
Lansing, KS 66043
Tel. 913.727.3000 | Fax. 913.727.5428



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Riverfront Community Center

Gymnasium

123 S. Esplanade Street | Leavenworth

JAN 30, 2016 | 5:00-11:00pm

\$50 Individual | \$400 Table of Eight

Reservations deadline Jan 18, 2016



Please respond on or before January 18, 2016.

Business Name: _____

Please provide attendee names:

_____	_____
_____	_____
_____	_____
_____	_____

\$50 per person or \$400 for Eight

Form of Payment:

Check Enclosed

Credit Card:

Credit Card # _____ Exp Date ____/____
Mo. / Year

Billing Address: _____

Name on Card: _____

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Happy Holidays!



Thank you so very much for
the Christmas assistance your help is very much appreciated
Again Thank You
: Merry Christmas : Blessed New Year !

From:

Believe



To: The City of Lansing

