

## **CITY OF LANSING**

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Lansing, KS 66043  
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[www.lansing.ks.us](http://www.lansing.ks.us)

## **WORK SESSION AGENDA**

March 30, 2017  
Thursday  
7:00 p.m.  
Lansing City Hall

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### **Call To Order:**

- I. Text Amendments – Chapter 13, Article 4, Lansing Community Library
- II. Room Rental Policy Review
- III. Hotel Renovation Policy

### **Adjournment**


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# WORKSESSION ITEM

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TO: Tim Vandall, City Administrator   
FROM: Terri Wojtalewicz, Library Director  
DATE: March 27, 2017  
SUBJECT: Text Amendments – Chapter 13, Article 4, Lansing Community Library

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Attached you will find the proposed changes to Chapter 13, Article 4, Lansing Community Library. Library Director Terri Wojtalewicz will be present to discuss and answer any questions.

Action: None

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**WORKSESSION ITEM #**

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## ARTICLE 4. LANSING COMMUNITY LIBRARY

### 13-401 REVIEW

This section will be reviewed by the Lansing Community Library [Advisory Board \(LCLAB\)](#) and revisions submitted for Governing Body consideration as often as necessary to ensure efficient and effective operation of the library. A review of the complete document will be conducted by the [LCLAB](#) prior to its February meeting each year. The agenda will include a discussion on the need to continue the policies in accordance with the latest revised document or to recommend additional changes.

### 13-402 ORGANIZATION

This organization shall be called the "Lansing Community Library" existing by virtue of the provisions of KSA 12-1218 et seq., with [Cities' Powers of Home Rule and duties](#) as provided in [Kansas Constitution Article 12, Section 5](#), and codified by K.S.A. 12-101 ~~KSA 12-1225 et seq.~~ of the laws of the State of Kansas. The Lansing Community Library [Advisory Board \(LCLAB\)](#) will consist of eight (8) voting members and a non-voting advisor, the Library Director. The seven voting members will be community volunteers residing within Lansing USD #469, who will be appointed by the Mayor with approval ~~offrom~~ the City Council, and shall be appointed for a term of four (4) years. In addition to the seven (7) appointed community volunteer members of the [LCLAB](#), the Mayor shall be an ex-officio voting member of the [LCLAB](#). The Library Director is an employee of the City and shall serve until the termination of his/her employment. The Chairperson, Vice-Chairperson, and Secretary of the Board will be elected by a majority of the [Advisory Board](#) members at ~~its~~their May meeting each year. The Chairperson, Vice-Chairperson, and Secretary will serve one year terms and may be re-elected to consecutive terms with no limit on number of terms. ~~The Library Director will serve as a nonvoting advisor.~~ The [Advisory Board](#) may establish any ad hoc committee needed for temporary functions and may accept volunteers from the community to serve on these committees. These committees may only make recommendations within the parameters designated by the [Advisory Board](#). The Library Director shall not serve on these committees but shall act in an advisory role. A record shall be kept of all such ad hoc committee~~their~~ proceedings.

### 13-403 POWERS AND DUTIES

The Lansing Community Library [Advisory Board \(LCLAB\)](#) shall have the following powers and perform the following duties:

A. ~~The LCLAB shall act~~ principally in an advisory capacity to the City staff and the Governing Body in matters pertaining to the library program. The ~~LCLAB Advisory Board~~ shall also advise the [City staff and Governing Body](#) of any grant opportunities for development of the City's library system or programs and the Library Director shall obtain approval of~~secure the~~ [Governing Body/City Administrator](#) prior to submitting any~~'s approval for any~~ grant applications.

B. ~~Establish~~Advise in establishing policies and procedures to govern library activities. ~~LCLAB Board members~~ will not make major policy changes without approval of the Governing Body.

C. Identify and recommend to the Governing Body replacements for ~~LCLAB Advisory Board~~ members who resign from the Board, have excessive absences from meetings, or who desire not to serve past

their current terms. Excessive absence is defined as three (3) successive non-work related absences or four (4) non-work related absences in a calendar year.

D. Submit all income producing ideas and proposals to the City Attorney for legal review and to the Governing Body for approval~~all ideas or proposals for producing income.~~

E. Provide LCLAB contact information, i.e., names and phone numbers, upon request to the public regarding library issues and/or~~of LCLAB members for contact by public on library information.~~

F. Propose an annual prioritized budget and capital improvements list for improvement of current facilities and equipment or acquisition of new facilities or equipment. The Library Director shall have all budgeting and purchasing responsibility for the LCLAB Advisory Board. ~~The LCLAB Library Advisory Board shall have no autonomous budget. LCLAB members shall not obligate the City to the expenditure of funds. All library activities will be financially self-sufficient unless otherwise approved by the Governing Body.~~

G. Recruit volunteers to help manage their individual activity.

H. All powers and duties prescribed herein are delegated to the LCLAB as a unit and all action hereunder shall be of the LCLAB acting as a whole. No action of an individual member is authorized except through the LCLAB.

### **13-404 MEETINGS**

Regular meetings shall be held ten months out of the year from January to June and from August to November, on the fourth Tuesday of such months beginning at 6:30 p.m., unless otherwise ordered by the Board. Special meetings may be called by the LCLAB Chairperson of the Advisory Board, or by the Chairperson upon the written request of a majority of the LCLAB Advisory Board members. Written notice stating the time and place of any special meeting and the purpose for which the meeting was called shall, unless waived, be given to each member of the LCLAB Advisory Board at least two (2) days in advance of such meeting, and no business other than that stated in the notice shall be transacted at such special meeting. If a LCLAB Advisory Board member is absent from two consecutive meetings, the LCLAB Advisory Board may conduct a vote to remove that mAdvisory Board Member from the LCLAB Advisory Board. Five (5) LCLAB mAdvisory Board Members shall constitute a quorum for the transaction of business. In the absence of the Chairperson and the Vice Chairperson of the Advisory Board ~~and the Vice-Chairperson~~, the members present shall elect a temporary Chairperson. Changes to the day, time, or location will be published on the door or bulletin board at the Lansing Community Library, in the window of the Library, and on the official Library website. All meetings shall be open to the public in accordance with the Kansas Open Meetings Act (K.S.A. 75-4317 et seq)

### **13-405 REMOVAL OF MATERIALS**

It shall be unlawful for any person to take from the Lansing Community Library or any premises thereof any book, record, magazine, picture, map, pamphlet, DVD, VHS, CD, game, computer, or other public or personal property belonging to or under the control of the Lansing Community Library except with the permission of the Library Director or person(s) ~~or persons~~ in charge thereof, and in compliance with the rules of the library. It shall be unlawful for any person to retain and thus unlawfully convert such book, record, magazine, picture, map, pamphlet, DVD, VHS, CD, game, computer, or other public or personal

property in his or her possession or keep the same out of the library for a longer period of time than designated for each material on the circulation receipt.



### **13-406 PENALTIES**

Any person violating ~~this~~ Article [13-405](#) or any rule or regulation authorized by this Article shall upon conviction thereof be punished by a fine of not less than \$0.10 nor more than the replacement cost of materials plus an additional \$25 administrative fee.

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# WORKSESSION ITEM

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TO: Tim Vandall, City Administrator   
FROM: Sarah Bodensteiner, City Clerk   
DATE: March 27, 2017  
SUBJECT: Room Rental Policy Review

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A review of the Room Rental Policy has been conducted to ensure that it serves the best interests of all parties. Attached you will find the current policy with the recommended changes in red, along with the current Fee Schedule with proposed changes for both the Activity Center and Community Center.

Staff will be present for discussion and to answer any questions.

Action: None

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**WORKSESSION ITEM #**

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## CITY OF LANSING ROOM RENTAL POLICY

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The City of Lansing is pleased to make available the use of the Lansing Community Center and the Lansing Activity Center to individuals and groups for authorized uses. In order to preserve the facility and ensure its upkeep the following policy shall be observed.

- 1) The City of Lansing reserves the right to access all areas used during an applicant's reservation.
- 2) City and County emergency events are a priority and any rental agreement may be cancelled and refunded or rescheduled at the discretion of the staff.
- 2)3) City Events and maintenance will take precedence over rentals. These may be reserved and held at any time and may require consecutive weekday or weekends.
- 3)4) The City reserves the right to cancel any event in which untrue information was given and/or if the event is found detrimental to the health, safety, and/or welfare of the citizens or integrity of the facilities. No refunds will be issued.
- 4)5) In the event of severe weather, the facility may be used as a shelter for the community. The applicant will be issued a refund of all fees if this occurs.
- 5)6) All individuals or groups must complete an application, provided by the city staff, prior to use. The applicant must be twenty-one (21) years of age or older. The application will serve as a reservation and must be made during business hours the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. Applications for the Community Center may be obtained from the City Clerk, Lansing City Hall, 800 First Terrace, Lansing, Kansas, 66043, (913) 727-3036 or at the City's website, [www.lansing.ks.us](http://www.lansing.ks.us). Applications for the Activity Center may be obtained from Parks and Recreation, Lansing Activity Center, 108 South Second, Lansing, Kansas, 66043, (913) 727-2960 or at the City's website, [www.lansing.ks.us](http://www.lansing.ks.us).
- 6)7) Reservations may be made up to 12 months in advance. Requests for a year in advance will be accepted on the first working day of the month for the same month of the next year (Example: On January 1, 2009 reservations will be accepted for any day of January, 2010). Exceptions must be approved by the City Council. No group or individual may reserve any room or area for more than four consecutive weekends (weekends are Saturdays and Sundays). Reservations will be booked on a first come first served basis, and dates will not be held or tentatively booked until all applicable fees are paid. At the time of reservation, the appropriate hourly rental fee ~~for the estimated time of the reservation~~, the set-up fee (if applicable), and the cleaning/damage deposit must be paid (see facility request application). A new rental agreement and deposit will be required for all new reservations.
  - a) The Mayor and the City Administrator are authorized to waive fees for the Activity Center. When a fee waiver is authorized, the applicant will be required to pay the deposit fee for the event.
  - a)b) The City Administrator is authorized to waive fees for the Community Center for groups that directly support the City of Lansing, i.e. The Friends of the Lansing Library or The Lansing Historical Society, for events that are solely for fundraiser activities.
- 7)8) Only the applicant may make changes to the rental agreement and pick up the key for their event. The applicant may delegate one additional responsible party in writing on the reservation form to pick up the key for the event or make changes to the agreement. Reservations cannot be transferred or sublet. The applicant or responsible party may be asked to show the rental agreement and/or a state issued photo ID at the time the key is picked up.

- ~~8~~9) Changes to the set-up, hours of event, or room selection must be made at least two full business days prior to the event to ensure staff availability.
- ~~9~~10) The applicant or their delegate must be present at the facility during the entire rental time. The only exception is if the facility is used for a wedding reception and the bride or groom is the applicant.
- ~~10~~11) Cleaning/damage deposits shall be held or deposited until the facility has been inspected by City staff after an applicant's function. Checks must be in the applicant's name. The facility will be inspected for damage and compliance to cleaning requirements. The full deposit or portion thereof may be retained if:
- a) The facility is damaged or does not meet the cleaning requirements;
  - b) The key is not returned after each event;
  - c) The facility is left unlocked;
  - d) There is a violation of this Room Rental Policy.

The forfeit of this cleaning/damage deposit does not absolve applicants of any additional charges assessed by the City for damage, cleaning, and/or rekeying expenses beyond the cost of the deposit. Applicants are responsible for any and all damage incurred during their function.

- ~~11~~12) The Lansing Community Center and Lansing Activity Center will be available from 7:00 a.m. to 1:00 a.m. daily unless an exception is granted by the City Council. The City of Lansing reserves the right to deny use to any individual or group whose intended use conflicts with this policy or interferes with the daily operation of the City.
- a) Community Center applicants will receive ~~two (2)~~one (1) complimentary hours immediately prior to the reservation time for set-up and decoration, and will receive one (1) complimentary hour immediately following the reservation time for clean-up purposes. Reservations will be made in one hour increments with a minimum reservation of one (1) hour, and a maximum reservation of seventeen (17) hours. Minimum and maximum reservation times do not include complimentary hours.
  - b) Activity Center applicants will be granted up to ~~onetwo~~ complimentary hours for set-up and decoration, and up to one complimentary hour for clean-up upon request and depending on availability.
  - c) Applicants may not enter the facility, decorate rooms or store any items at the facility prior to the requested reservation time including complimentary hours. If an applicant is found to have arrived earlier or remained beyond the reservation time including complimentary hours, additional charges to cover the hourly fees will be deducted from the deposit, or if the fees are in excess of the deposit, the applicant will be charged accordingly.
- 13) Alcohol is not permitted at the Activity Center. Alcohol and set ups at the Community Center cannot be sold unless a temporary alcohol permit or temporary cereal malt beverage permit is granted according to Lansing City Code Chapter 3: Beverages. If alcohol is served or consumed and attendance is greater than 50 attendees, the applicant will be required to pay an off duty



Lansing police officer \$35.00 per hour from the time alcohol is served or consumed until the end of the rental. Payment must be made directly to the officer and is due no later than the beginning of the event. If alcohol is served or consumed at the Community Center without security on the premises during the event and attendance is greater than 50 attendees, the applicant will forfeit the security deposit. Any events with alcoholic beverages must comply with all state and local ordinances, licenses, and laws. Any violations will require the party to stop serving all alcohol immediately and will result in the forfeiture of any and all deposits and fees. The City Clerk may require additional security depending on the type of event.

- ~~12)~~14) The Activity Center Gym is available for rental primarily for basketball use. Other activities where balls or other items are thrown, kicked, struck or hit with bats or other items are not allowed in the gym. Activities that will not damage the lights, windows and floor, like walking/jogging and aerobics may be considered. Remote control cars, planes, helicopters, drones, etc. may not be used in the gym. Tables or chair will not be set up in the gym except for City events.
- ~~13)~~15) Any youth function shall have a minimum of one adult per twenty (20) minors. Events found without proper supervision will be terminated, and asked to leave the premises. No refunds will be issued.
- ~~14)~~16) If staff determines that an event may be reaching a point of disorder that could result in injury or facility damage, the event will be terminated, and no refunds will be issued.
- ~~15)~~17) Tobacco products and illegal substances are prohibited everywhere in the facility by state law and city policy. Tobacco products are also prohibited within 50 feet of the entrance of the facility. The applicant is responsible for the enforcement of this prohibition.
- ~~16)~~18) To be eligible for Lansing resident rates, the applicant must reside in Lansing city limits, and must show a state issued photo ID with the current Lansing residence, or show proof of ownership of a property within the city limits of Lansing.
- ~~17)~~19) All cancellations must be made by the original applicant in writing. Any cancellation less than two weeks prior to the applicant's function will result in forfeiture of all rental fees.
- ~~18)~~20) A \$25.00 set-up fee will be charged for each reservation in addition to the hourly fees and deposit. The set-up fee includes the set-up of chairs, tables, and equipment indicated on the application. Facility chairs, tables or other equipment are available for use within the building only.
- a) The Activity Center does not charge a \$25.00 set-up fee.
- ~~19)~~21) ~~Decorations must be approved by City staff, and n~~No staples, nails, tacks, or adhesives of any kind may be used on the walls or ceiling. No birdseed, rice, or other loose material may be thrown inside the building or upon the grounds. No loose glitter, sequins, or confetti may be used for decoration. There will be a \$25.00 penalty if these items are used plus charges assessed to remedy any damage caused by such items.
- ~~20)~~22) Compliance with the International Fire Code as adopted by the City is required when using candles. Candles must be enclosed in a glass candle holder. No tapered candles are allowed.

- ~~21)~~23) The City of Lansing is not responsible for any accidents, injury, illness, or loss -resulting from items applicants bring to the facility or grounds, and will not be held responsible for any items that may be lost, stolen, or damaged. The City may require, at staff discretion, proof of insurance coverage at a City approved rate.
- ~~22)~~24) Applicants shall not store any belongings at the Activity Center or Community Center. Any belongings found after an event will be held in the Lost and Found for a period of 30 days. Items left in the Lost in Found for more than thirty days will be turned over to the Chief of Police as required by Chapter 13 Article 2 of the City Code.
- ~~23)~~25) City staff cannot sign for any items delivered to the Community Center or Activity Center for use by an applicant.
- ~~24)~~26) Gambling is prohibited. Gambling is defined as “making a bet dependent upon chance, where one stands to win or lose something of value.” Donation-based events to raise funds for charitable or civic organizations are allowed.
- ~~25)~~27) City staff reserves the right to deny renting the Community Center or Activity Center to any applicant that has been found in violation of this policy and/or any applicant that has not paid fees required by this policy.
- ~~26)~~28) All activities must comply with the noise ordinance.
- ~~27)~~29) This policy will be reviewed annually.
- ~~30)~~ Any exception to the Room Rental Policy requires City Council approval.
- ~~28)~~31) The Room Rental Policy will take effect on July 1, 2017.

Passed and approved this 7<sup>th</sup> day of ~~February~~ 2013.

~~Michael W. Smith~~ Timothy S. Vandall, City Administrator

ATTEST:

~~Amber McCullough~~ Sarah Bodensteiner, City Clerk

# Fee Schedule

## Activity Center

Available Rooms	Cleaning/Damage Deposit	Lansing Resident	Non-Resident
Classroom	\$75.00 for Resident/\$150.00 for Non-Resident <u>\$75.00</u>	\$5.00 per hour	\$15.00 per hour
Gymnasium	\$75.00 for Resident/\$150.00 for Non-Resident <u>\$150.00</u>	\$15.00 per hour	\$30.00 per hour


## Community Center

Rooms Available	Set-up Fee	Cleaning/Damage Deposit	Lansing Resident or Lansing Business	Non-Resident	Civic Organization (501c Status-proof required)
Room 1 or 2 (no kitchen access)	\$25.00	\$75.00 for Resident & Civic Organization/\$150.00 for Non-Resident <u>\$75.00</u>	\$15.00 per hour <u>\$20.00 per hour</u>	\$30.00 per hour <u>\$35.00 per hour</u>	\$5.00 per hour <u>\$10.00 per hour</u>
Room 2 with Kitchen	\$25.00	\$75.00 for Resident & Civic Organization/\$150.00 for Non-Resident <u>\$75.00</u>	\$20.00 per hour <u>\$25.00 per hour</u>	\$40.00 per hour <u>\$45.00 per hour</u>	\$10.00 per hour <u>\$15.00 per hour</u>
Full Building	\$25.00 <u>\$50.00</u>	\$75.00 for Resident & Civic Organization/\$150.00 for Non-Resident <u>\$75.00</u>	\$25.00 per hour <u>\$30.00 per hour</u>	\$50.00 per hour	\$15.00 per hour <u>\$20.00 per hour</u>

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## AGENDA ITEM

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TO: Mayor; Lansing City Council  
FROM: Tim Vandall, City Administrator   
DATE: March 27, 2017  
SUBJECT: Hotel Renovation Policy

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Explanation: Enclosed is a copy of Charter Ordinance 2-2010, which outlines the formation of the City's "Facilities Renovation Fund."

Currently, the City of Lansing levies a 7% Transient Guest Tax rate on lodging facilities. Of this, 5% goes to our Transient Guest Tax Fund (Fund 63, Tab 11 in budget books). The remaining 2% goes to facilities that generate transient guest tax (our hotels), which typically goes to pay for improvements at the lodging facilities (pg 2 & 3, Section 9). Staff wants to discuss this current policy, as the City does not see a return on investment in the funds we return to hotels. Staff wants to discuss possibly using the 2% as seed money for new growth and investment, rather than paying for renovations to private businesses.

Action: Discussion Only.

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AGENDA ITEM #

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## CHARTER ORDINANCE NO. 2-2010

A CHARTER ORDINANCE EXEMPTING THE CITY OF LANSING, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1696 TO 12-16,101, INCLUSIVE, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE LEVY OF A TRANSIENT GUEST TAX FOR TOURISM AND CONVENTIONS, AND REPEALING CHARTER ORDINANCE 1-97 AND RESOLUTION B-13-97.

**WHEREAS**, K.S.A. 12-1696 to 12-16, 101, inclusive, authorizes a levy by cities of a transient guest tax, which provisions are not uniformly applicable to all cities; and

**WHEREAS**, pursuant to Article 12, Section 5 of the Constitution of the State of Kansas, a city may exempt itself from such provisions and provide substitute and additional provisions thereof;

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

Section 1. The City of Lansing, Kansas, a city of the second class, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and makes inapplicable to it the provisions of K.S.A. 12-1696 to 12-16,101, inclusive, and to provide substitute and additional provisions as hereinafter set forth in this ordinance. The referenced provisions are either enactments or parts thereof which are applicable to this city, but are not uniformly applicable to all cities.

Section 2. All ordinances and resolutions and parts of ordinances and resolutions related to transient guest tax fees passed prior to the publication date of this ordinance are hereby repealed as of the date of publication of said ordinance.

Section 3. As used in this ordinance, the following words and phrases shall be defined as follows:

(a) Person means an individual, firm, partnership, corporation, joint venture or other association of persons;

(b) Hotel or motel means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests;

(c) Transient guest means a person who occupies a room in a hotel or motel for not more than 28 consecutive days;

(d) Hotel or motel business means any person engaged in the business of renting, leasing, or letting quarters, sleeping accommodations, rooms or part thereof in connection with any hotel or motel;

(e) Tourism means the practice of touring or traveling for recreation, business or education;

(f) Touring means a trip, excursion or circular journey for business, recreation or education.

Section 4. A transient guest tax shall be levied in the City of Lansing, Kansas, at a rate of 7% upon the gross rental receipts derived from or paid by transient guests for lodging or sleeping

accommodations, exclusive of charges for incidental services or facilities, in any hotel, motel, or place of lodging as may be authorized by statute. The percentage and effective date of such tax shall be determined by the governing body and shall be specified in a resolution authorizing the same.

Section 5. The tax levied pursuant to this ordinance shall be paid by the consumer or user to the hotel, motel, or lodging business and it shall be the duty of each and every such business to collect from the consumer or user the full amount of any such tax, or an amount equal as nearly possible or practicable to the average equivalent thereto. Each hotel or motel business collecting the tax levied hereunder shall be responsible for paying it over to the State Department of Revenue in the manner prescribed by K.S.A. 12-1698, and any amendments thereto, and the State Department of Revenue shall administer and enforce the collection of such tax as provided therein.

Section 6. The tax levied and collected pursuant to Section 3 of this ordinance shall become due and payable in a manner prescribed by K.S.A. 12-1698, and amendments thereto, except that all taxes remaining after the 2% deduction for expenses of the Department of Revenue in administration and enforcement of the collection thereof shall be remitted to the City of Lansing, and shall be credited to the "Transient Guest Tax Fund" hereinafter established and shall only be expended out of said fund as hereinafter provided.

Section 7. A "Transient Guest Tax Fund" is hereby established to receive disbursements of money from the Secretary of Revenue of the State of Kansas, as provided in subsection (d) of K.S.A. 12-1698.

Section 8. The revenue derived from 5% of the levy and receipted in the "Transient Guest Tax Fund" shall only be expended as follows:

(a) (b) The Governing Body shall consider the expenditures proposed from the Transient Guest Tax Fund and shall adopt a budget of such expenditures which may vary from the proposal of the Convention and Tourism Committee at the discretion of the Governing Body. The Governing Body may at any time seek further advice and recommendations from the Convention and Tourism Committee regarding such expenditures but reserves the exclusive authority to make such final decisions.

(c) Such funds may be used to:

- (1) contract with any agency, organization or group of firms to promote conventions and tourism within the City and its environs;
- (2) provide for the operation, maintenance, expansion or development of City facilities connected with convention and tourism;
- (3) defray the cost of providing municipal services to convention and tourism functions, including police, fire, street division, or parks and recreation division functions;
- (4) create innovative projects and activities promoting conventions and tourism;
- (5) promote the general economic welfare of the City and its environs, including the attraction of industry.

Section 9. Revenue derived from the remaining 2% levy shall be receipted into the "Facilities Renovation Fund" from which businesses subject to the tax levied herein may utilize such monies upon such terms and conditions as may be established by the City for the purpose of renovation of such businesses, hotels, motels, and tourist court facilities. After the first day of February of each calendar year, businesses, which are subject to the tax, may apply for, on an approved city form, revenue collected from the previous four quarters. Funds requested by a business shall not exceed its actual

remittances to the state for the 2% of the total transient guest tax levy, minus state administrative expenses. No business may claim remittances made by another business, and no new business may claim remittances which it has not paid to the state. Funds requested may be used to:

- (a) Reimburse any expenditure for a capital improvement;
- (b) Reimburse payments for retiring the debt on a capital improvement;
- (c) Reimburse payments for a lease/purchase of capital improvements;
- (d) Perform a capital improvement;
- (e) Reimburse a down payment on a lease agreement or reimburse a lease buy out;
- (f) Reimburse for new, hotel related, construction in the City of Lansing.

It will be the responsibility of each participating business to document its remittances to the state. Funds collected by the city in a single four-quarter period ending December 31st which have not been requested in the subsequent five four-quarter periods shall be available to the city to expend on the legal uses set forth in Section 7 of this Charter Ordinance. This section shall remain in force for not less than five years from the date of adoption of this Charter Ordinance.

Section 10. A "Convention and Tourism Committee" is hereby established to advise the Governing Body and make recommendations concerning programs and expenditures for conventions and tourism. The committee shall consist of five (5) members appointed by the Mayor and confirmed by the Governing Body. Initially, three (3) members shall be appointed for terms ending April 30, 1993; two (2) members shall be appointed for terms ending April 30, 1994. Thereafter, at the expiration of the terms of each original member, a successor member shall be appointed to fill each vacancy to a term of two years, and each shall serve until a successor is appointed and qualified. Any vacancy in the committee membership shall be filled by the appointment of a new member in the same manner as the original appointment, who will then complete the remaining unexpired term of the vacating member.

Section 11. The Convention and Tourism Committee shall be composed of one representative from each of the following groups:

- (a) The Lansing Governing Body;
- (b) Owners, operators, or employees of persons engaged in the hotel, motel, or lodging business within the City, whether such members reside inside or outside the City;
- (c) Agencies or organizations actively engaged in promoting tourism, or historic and cultural attractions in the city or its environs, such as the Lansing Historical Society;
- (d) Members of the general public;
- (e) Members of the Lansing business community.

When appointing members to the committee for subsequent confirmation by the Governing Body, the Mayor shall designate the group from which the proposed appointee is to represent. Subject to the approval of the Governing Body, regular meetings, at a time and place to be established by the committee, shall be held. All such meetings shall be open to the public. The committee shall elect a chairman and secretary. The secretary shall also serve as the vice-chairman. No member of the committee shall receive any compensation for service thereon. Any member absent for three (3) consecutive regular meetings shall be deemed to have resigned, and a successor shall be appointed.


Section 12. The City of Lansing, Kansas, upon adoption of a resolution authorizing the levy of a transient guest tax, shall have authority to contract for the expenditure of monies from the Tourism and Convention Fund.

Section 13. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

Section 14. This Charter Ordinance shall take effect 61 days after final publication unless a legally sufficient petition for a referendum is filed, and a referendum is held on the ordinance as provided in Article 13, Section 5(c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by a majority vote of the electors voting thereon.

PASSED by the Lansing Governing Body, not less than two-thirds of the members elected voting in favor thereof, on this 17<sup>th</sup> day of June, 2010.



  
Kenneth W. Bernard, Mayor



Sunshine Petrone, City Clerk

Published: Leavenworth Times

First Publication Date: June 22, 2010

Second Publication Date: June 29, 2010