

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF LANSING, KANSAS  
HELD ON JULY 7, 2022**

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Present: \_\_\_\_\_  
\_\_\_\_\_

Absent: \_\_\_\_\_.

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF LANSING, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A 0.45 PERCENT (0.45%) CITYWIDE RETAILERS' SALES TAX FOR THE PURPOSE OF FINANCING THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF SALES TAX/GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE SUCH COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

Councilmember \_\_\_\_\_ moved that said Resolution be adopted. The motion was seconded by Councilmember \_\_\_\_\_. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: \_\_\_\_\_  
\_\_\_\_\_

Nay: \_\_\_\_\_.

A majority of the members of the governing body having voted in favor of the Resolution, it was declared duly adopted and was then duly numbered Resolution No. \_\_\_\_-\_\_\_\_-2022; and was directed to be signed by the Mayor and attested by the City Clerk. The City Clerk was further directed to transmit a copy of said resolution to the County Clerk of Leavenworth County, Kansas, and to take all action necessary to proceed with calling said special question election in the manner prescribed by law.

\* \* \* \* \*

(Other Proceedings)

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Lansing, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Tish Sims, City Clerk

## **RESOLUTION NO. B-8-2022**

### **A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF LANSING, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A 0.45 PERCENT (0.45%) CITYWIDE RETAILERS' SALES TAX FOR THE PURPOSE OF FINANCING THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF SALES TAX/GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE SUCH COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

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**WHEREAS**, K.S.A. 12-187 *et seq.*, as amended (the "Act"), authorizes the governing body (the "Governing Body") of the City of Lansing, Kansas (the "City") to submit to the electors of the City the question of imposing Citywide retailers' sales taxes, which in the aggregate may be in amounts not to exceed two percent (2%) for general purposes and not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire not later than ten (10) years from the initial date of collection thereof; and

**WHEREAS**, pursuant to the Act, the City currently levies the following Citywide retailers' sales taxes:

- (a) 1.00% percent general sales tax; and
- (b) 0.45% percent general sales tax for financing recreation and infrastructure improvements, commencing on October 1, 2017 and ending 20 years thereafter; and

**WHEREAS**, the Act also authorizes the City to issue bonds to finance public facilities or improvements, which bonds are payable from and secured by the proceeds of such sales tax or will be payable from such sales tax with a general obligation backing if the City receives a comprehensive feasibility study that indicates that the revenues received from such sales tax will be sufficient to retire such bonds; and

**WHEREAS**, the Governing Body hereby deems it advisable to finance certain recreational improvements and related items within the City, including but not limited to the construction of a recreational and aquatic facility within the City (collectively the "Project") by the imposition of a Citywide retailers' sales tax, and to issue the City's sales tax/general obligation bonds to provide for payment of the costs of the Project and related interest costs during construction and issuance costs; provided the electors of the City authorize such expenditures and bond issuance at an election held in the City for such purpose; and

**WHEREAS**, in order to finance the costs of the Project, the Governing Body deems it advisable to provide for the calling of a special question election in the City on November 8, 2022, for the purpose of submitting to the qualified electors of the City the question of imposing a 0.45 percent (0.45%) Citywide retailers' sales tax ("Sales Tax") and to issue sales tax/general obligation bonds of the City in a principal amount of not to exceed \$9,000,000 payable from and secured by the proceeds of Sales Tax, and if not so paid, from unlimited ad valorem taxation within the City (the "Bonds"); and

**WHEREAS**, if approved, the Sales Tax will constitute a sales tax imposed for general purposes, as said term is described in K.S.A. 12-189, as amended.

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

**SECTION 1. Public Purpose.** It is hereby deemed necessary and advisable and in the best interests of the citizens of the City to proceed with the Project in accordance with plans and specifications therefore to be approved by the Governing Body.

**SECTION 2. Implementation of Sales Tax; Bond Financing.** In order to pay the costs of the Project, improvements necessary and appurtenant thereto, interest on interim financing and associated financing costs, it is necessary and advisable pursuant to authority of the Act to impose the Sales Tax and to issue the Bonds. Collection of the Sales Tax, if approved by the electors of the City, shall commence on July 1, 2023, or as soon thereafter as permitted by the Act, and shall terminate twenty years after its commencement. No Bonds shall be issued until the Governing Body receives a comprehensive feasibility study that indicates that the revenues to be received from the Sales Tax will be sufficient to retire the Bonds without the necessity of levying any ad valorem taxation. All proceeds of the Sales Tax shall be applied for the purposes set forth in this *Section 2*; provided, however, in the event that other City funds are required to be utilized for such purposes, such City funds may be reimbursed from the proceeds of the Sales Tax.

**SECTION 3. Special Question Election.** It is hereby authorized, ordered and directed that a special question election shall be and is hereby called to be held in the City on November 8, 2022, at which time there shall be submitted to the qualified electors of the City the following proposition:

Shall the following be adopted?

Shall the City of Lansing, Kansas, be authorized to (1) impose a 0.45 percent (0.45%) Citywide retailers' sales tax (the "Sales Tax"), the proceeds of which shall be used only to finance the costs of certain recreational improvements and related items within the City, including but not limited to the construction of a recreational and aquatic facility within the City (collectively the "Project"), the collection of the Sales Tax to commence on July 1, 2023, or as soon thereafter as permitted by law, and to terminate twenty years after its commencement; and (2) issue sales tax/general obligation bonds in a principal amount of not to exceed \$9,000,000 to pay the costs of the Project and associated financing costs; all pursuant to K.S.A. 10-101 *et seq.* and K.S.A. 12-187 *et seq.*, as amended?

**SECTION 4. Special Question Election Procedures.** The vote at said special question election shall be by ballot, and the proposition stated above shall be printed on the ballots, together with voting instructions as provided by law. The City Clerk shall transmit a copy of this Resolution to the County Clerk of Leavenworth County, Kansas, to give notice of the special question election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as *Exhibit A* once each week for two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication to be not less than twenty-one (21) days prior to the date of the special question election, and the last publication shall be not more than ninety (90) days prior to the date of the special question election.

**SECTION 5. Effective Date.** This Resolution shall be effective from and after its adoption by the Governing Body.

**ADOPTED AND APPROVED** by the governing body of the City of Lansing, Kansas, on July 7, 2022.

(Seal)

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Anthony R. McNeill, Mayor

ATTEST:

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Tish Sims, City Clerk

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**EXHIBIT A**

(First published in the *Leavenworth Times* on July 12, 2022,  
and subsequently on July 19 2022)

**NOTICE OF SPECIAL QUESTION ELECTION  
THE CITY OF LANSING, KANSAS**

Notice is hereby given to the qualified electors of the City of Lansing, Kansas (the “City”) that a special question election has been called and will be held on November 8, 2022, for the purpose of submitting to the qualified electors of the City the following proposition:

Shall the following be adopted?

Shall the City of Lansing, Kansas, be authorized to (1) impose a 0.45 percent (0.45%) Citywide retailers’ sales tax (the “Sales Tax”), the proceeds of which shall be used only to finance the costs of certain recreational improvements and related items within the City, including but not limited to the construction of a recreational and aquatic facility within the City (collectively the “Project”), the collection of the Sales Tax to commence on July 1, 2023, or as soon thereafter as permitted by law, and to terminate twenty years after its commencement; and (2) issue sales tax/general obligation bonds in a principal amount of not to exceed \$9,000,000 to pay the costs of the Project and associated financing costs; all pursuant to K.S.A. 10-101 *et seq.* and K.S.A. 12-187 *et seq.*, as amended?

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IT IS IMPORTANT FOR EACH QUALIFIED VOTER TO NOTE THAT YOUR BALLOT CANNOT BE COUNTED UNLESS YOU TAKE THE APPROPRIATE STEPS:

To vote in favor of any question submitted on this ballot, press the word “YES” on the voting machine or completely darken the oval to the left of the word “YES” on a paper ballot. To vote against it, press the word “NO” on the voting machine or completely darken the oval to the left of the word “NO” on a paper ballot.

☐ YES  
☐ NO

The polls will open at [\_\_:\_\_] o’clock A.M. and will close at [\_\_:\_\_] o’clock P.M., on November 8, 2022, the election day. The voting places in the City, and the area each voting place will serve, will be as follows:

Voters Residing In Precincts

Will Vote At

Location

The election will be conducted by the officers and/or persons provided by law for holding elections, and the method of voting will be by ballot. Registered voters are eligible to vote by advance voting ballot upon application to the County Clerk at the address set forth below pursuant to K.S.A. 25-1117 *et seq.*

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## ADDITIONAL INFORMATION

### ***General***

The following additional information is provided by the City with respect to the effect of this ballot proposition. Passage of this ballot proposition would authorize the City to: (1) impose a 0.45 percent (0.45%) Citywide retailers' sales tax (the "Sales Tax"), the proceeds of which shall be used to finance the costs of certain recreational improvements and related items within the City, including but not limited to the construction of a recreational and aquatic facility within the City (collectively the "Project"), the collection of the Sales Tax to commence on July 1, 2023, or as soon thereafter as permitted by law, and to terminate twenty years after its commencement; and (2) issue sales tax/general obligation bonds in a principal amount of not to exceed \$9,000,000 to pay the costs of the Project and associated financing costs (the "Bonds"). If the proposition is approved, the City may issue temporary financing to construct the Project prior to the commencement of the Sales Tax. The Bonds will thereafter be issued to retire the temporary financing after the Sales Tax has commenced.

### ***Financing***

The following additional information is provided by the City with respect to compliance with the provisions of K.S.A. 10-120a and K.S.A. 12-6,122. This information has been obtained from sources deemed reliable by the City. Certain portions of this information are based upon projections. No assurances can be given that these projections will be accurate as of the date of issuance of the Bonds due to changing market conditions and other matters unknown or unavailable at this time. The assumed principal repayment schedule and the average interest rates are based on recent bond issues for similar types of financings all as shown below.

### ***Projected Summary of Project Costs***

<u>Sources of Funds</u>		<u>Uses of Funds</u>	
Bonds to be Issued	\$9,000,000	Project Costs (including design, land acquisition, construction, site improvements, project management and contingency)	\$9,000,000
Other Available Funds of the City	\$0	Interest During Construction	\$25,000
Interest Earnings	\$100,000	Issuance Expenses (including attorney fees, printing costs, rating agency fees, financial advisor fees, underwriting fees and other miscellaneous expenses)	\$75,000
Total	\$9,100,000	Total	\$9,100,000

***Projected Summary of Bond Issue Repayments***

Estimated Annual Sales Tax Revenues (0.45%): \$640,850.39<sup>1</sup>

Principal Repayment Term:	20 years	Average Interest Rate:	3.54%
Total Interest Cost to Maturity:	\$3,484,062.50	Average Annual Principal and Interest Payments:	\$624,203.13

Ad Valorem Taxation Based on 100% of Estimated Sales Tax Collections <sup>1</sup> :	\$0	0.000 mills <sup>2</sup>
Ad Valorem Taxation Based on 90% of Estimated Sales Tax Collections <sup>1</sup> :	\$47,437.77	0.430 mills <sup>2</sup>
Ad Valorem Taxation Based on 80% of Estimated Sales Tax Collections <sup>1</sup> :	\$111,522.81	1.011 mills <sup>2</sup>

Therefore, based on current estimates of the annual Sales Tax Revenues, the City anticipates that no property tax mill levy will be necessary to repay the Bonds.

<sup>1</sup> Based on budgeted sales tax collections for 2022.

<sup>2</sup> Based on 2021 Assessed Valuation of \$110,257,968.

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**ELECTION INFORMATION**

The election officer conducting the election will be the County Clerk of Leavenworth County, Kansas, whose address is: 300 Walnut Street, Suite 106, Leavenworth, Kansas 66048.

DATED: [\_\_\_\_\_], 2022.

Janet Klasinski, County Clerk  
Leavenworth County, Kansas



**BALLOT CERTIFICATE**

STATE OF KANSAS                                 )  
  ) ss:  
COUNTY OF LEAVENWORTH                 )

I, the County Clerk of Leavenworth County, Kansas, do hereby certify that attached below is a true and correct copy of the ballot label used at the election held on November 8, 2022, in the City of Lansing, Kansas, on the proposition set forth in the ballot; and that the judges and clerks duly qualified by taking their respective oaths before assuming their duties at the election.

WITNESS my hand and official seal on November 8, 2022.

(Seal)

\_\_\_\_\_  
Janet Klasinski, County Clerk

[affix copy of ballot label]

STATE OF KANSAS  
OFFICIAL BALLOT

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CITY OF LANSING, KANSAS

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NOVEMBER 8, 2022

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NOTICE

**[If you tear, deface or make a mistake and wrongfully mark any ballot, you must return it to the election board and receive a new ballot or set of ballots]**

TO VOTE IN FAVOR OF ANY QUESTION SUBMITTED ON THIS BALLOT, PRESS THE WORD “YES” ON THE VOTING MACHINE OR COMPLETELY DARKEN THE OVAL TO THE LEFT OF THE WORD “YES” ON A PAPER BALLOT. TO VOTE AGAINST IT, PRESS THE WORD “NO” ON THE VOTING MACHINE OR COMPLETELY DARKEN THE OVAL TO THE LEFT OF THE WORD “NO” ON A PAPER BALLOT.

SHALL THE FOLLOWING BE ADOPTED?

SHALL THE CITY OF LANSING, KANSAS, BE AUTHORIZED TO (1) IMPOSE A 0.45 PERCENT (0.45%) CITYWIDE RETAILERS’ SALES TAX (THE “SALES TAX”), THE PROCEEDS OF WHICH SHALL BE USED ONLY TO FINANCE THE COSTS OF CERTAIN RECREATIONAL IMPROVEMENTS AND RELATED ITEMS WITHIN THE CITY, INCLUDING BUT NOT LIMITED TO THE CONSTRUCTION OF A RECREATIONAL AND AQUATIC FACILITY WITHIN THE CITY (COLLECTIVELY THE “PROJECT”), THE COLLECTION OF THE SALES TAX TO COMMENCE ON July 1, 2023, OR AS SOON THEREAFTER AS PERMITTED BY LAW, AND TO TERMINATE TWENTY YEARS AFTER ITS COMMENCEMENT; AND (2) ISSUE SALES TAX/GENERAL OBLIGATION BONDS IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,000,000 TO PAY THE COSTS OF THE PROJECT AND ASSOCIATED FINANCING COSTS; ALL PURSUANT TO K.S.A. 10-101 *ET SEQ.* AND K.S.A. 12-187 *ET SEQ.*, AS AMENDED?

☐ YES

☐ NO

**STATE OF KANSAS  
OFFICIAL BALLOT**

CITY OF LANSING, KANSAS

QUESTION SUBMITTED

**SPECIAL QUESTION ELECTION**

NOVEMBER 8, 2022

LEAVENWORTH COUNTY, KANSAS

**CERTIFICATION OF CANVASS OF VOTES**

STATE OF KANSAS                    )  
  ) ss:  
COUNTY OF LEAVENWORTH        )

I, the undersigned County Clerk of Leavenworth County, Kansas, do hereby certify that the following are the true and correct results according to the abstract of votes cast at the special question election held on November 8, 2022, in the City of Lansing, Kansas, on the following proposition:

Shall the following be adopted?

Shall the City of Lansing, Kansas, be authorized to (1) impose a 0.45 percent (0.45%) Citywide retailers' sales tax (the "Sales Tax"), the proceeds of which shall be used only to finance the costs of certain recreational improvements and related items within the City, including but not limited to the construction of a recreational and aquatic facility within the City (collectively the "Project"), the collection of the Sales Tax to commence on July 1, 2023, or as soon thereafter as permitted by law, and to terminate twenty years after its commencement; and (2) issue sales tax/general obligation bonds in a principal amount of not to exceed \$9,000,000 to pay the costs of the Project and associated financing costs; all pursuant to K.S.A. 10-101 *et seq.* and K.S.A. 12-187 *et seq.*, as amended?

Such results are as shown by the returns of said election which are on file in the Office of the County Clerk and canvassed as provided by law:

Yes -----	_____
No -----	_____
Void -----	_____
Total Vote -----	_____

WITNESS my hand and official seal on November \_\_, 2022.

(Seal)

\_\_\_\_\_  
Janet Klasinski, County Clerk