

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
JUNE 5, 2017**

The Council of the City of Louisburg, Kansas met at 6:30 p.m. in regular session in the City Hall Council Chambers. Mayor Marty Southard presiding. Councilmember Bill Smith was absent.

Council Members Steve Town, Kalee Smith, Dave Maddax, Carol Aust,  
City Administrator Nathan Law  
City Clerk Traci Storey  
City Attorney Kelly Stohs  
Police Chief Tim Bauer  
Communications Coordinator Jean Carder  
Press John VanPelt

Visitors: Debbie Seely, Sarah Simmons, Gayle Dehoff, Zach Jones, Felicia Tooley, Kevin Stoops, Representatives of Linn County Transportation, Waste Management and Waste Corporation of America

**PLEDGE OF ALLEGIANCE**

Councilmember Dave Maddax led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Steve Town moved and Councilmember Dave Maddax seconded to approve the consent agenda to include adoption of the agenda and approval of the May 15, 2017, minutes and bills list. Motion passed 4-0.

**VISITORS**

Debbie Seely representing the Louisburg Library spoke to the Council about the teen program the Library is having for this summer. There will be a scavenger hunt with teams getting items for the local food pantry. Last year the Council donated 10 one-day passes along with a concession food item and drink. The Library is asking for the same donation that they had last year. Councilmember Steve Town moved, seconded by Councilmember Kalee Smith and carried 4-0.

Gayle DeHoff owner of the Remax Building on K-68 is asking if the Council had any objections if she sought access to her property, from K-68,

directly to the east of her business. She would like to be able access it more easily and thought now would be a good time to discuss with the Amity work. Councilmembers had no objections but it will have to be authorized by KDOT.

Sarah Golladay Simmons said the property at 804 S. 10<sup>th</sup> St. is a safety concern for all the neighbors. The owners have paid many fines and even have served jail time in the past, she said. She said the owners will receive a letter from the city and they hurry and clean it up then two weeks later it is back in disarray. The condition of the property is horrible and something needs to be done once and for all. The neighbors would like some answers tonight. Mayor Southard said there is a Resolution that is addressing this issue later on the agenda.

### **PUBLIC COMMENTS**

Zach Jones said his parents own the house at 804 S. 10<sup>th</sup> St. He has been working on cleaning it up for the past week. He understands that there have been lots of cars parked in the driveway. They are waiting for titles so they can move them. Councilmember Kalee Smith asked what about the backyard why it is such a mess. Felicia Tooley approached the podium and told her son she would take it from here. Mrs. Tooley said they have had some problems for the last couple of years. They have a therapist that will be coming to work with them and help get the house back in order. Tooley said it is hard to work on the house when the Police are always being called on them. She has apologized to the neighbors and said they are doing the best they can. They have only been back in the house for two weeks and here we are already at a City Council meeting. Mayor Southard said we will address the issue during another agenda item.

### **DEPARTMENT REPORTS**

Police Chief Tim Bauer presented information for considerations and expenses associated to a Police Canine Unit. At the May 15<sup>th</sup> City Council Meeting, Councilmember Bill Smith advised he had been approached by individuals in regards to getting a canine (K-9) for the Police Department. Councilmember Smith provided some operational insights and estimated expenses related to initiating and supporting a K-9 Unit. Staff conducted research into the various aspects and expenses associated with the Police Department. Information was obtained from local and regional law enforcement agencies, which currently have or previously had a Police K-9 Unit. Information was also obtained from articles published in law enforcement magazines and on the internet by state and

national Police K-9 Associations. The information obtained was compiled and is reflected in the material presented.

There are three basic Police K-9 service types:

1. Patrol Dog or “Dual Purpose”: Multi-purposed, Full-service police canine partner.
2. Detection Dog: Detection of illegal narcotics, explosives, accelerants, contraband.
3. Tracking and Trailing Dog: Locating missing persons, lost kids and adults, and suspects.

The information available on the topic of Police Working Dogs/K-9’s is abundant, Chief Bauer said. The information compiled in this memo/report is just a sampling of what is available, and is intended to provide a basic insight to the benefits, aspects, considerations and expenses related to incorporating a Police K-9 Unit into the Louisburg Police Department. Chief Bauer feels that the Police Department has other needs before a K-9 unit. Those needs will be presented during the budget process.

### **CITY ATTORNEY’S REPORT**

None

### **COUNCIL REPORTS**

Councilmember Carol Aust asked Chief Bauer how the Click It or Ticket Campaign went. Chief Bauer said there were 105 seat belt violations along with a DUI, driving with no insurance, driving while suspended. This campaign was successful and raised awareness to drivers.

Councilmember Aust asked Chief Bauer where the closest K-9 was. Chief Bauer said Spring Hill has one and said the Police Department in Louisburg could borrow the dog anytime. Johnson County brought down their K-9 on Saturday after the robbery at Dominator.

Councilmember Dave Maddax asked if there was anything new with the robbery. Chief Bauer said no there were no new leads.

Councilmember Aust said the new asphalt on Rogers Rd. looks horrible. City Administrator Nathan Law said the company would be coming back and fixing it. Councilmember Maddax asked if Aquatic Dr. was also getting fixed. Administrator Law said yes it is also on the list.

## **MAYOR'S REPORT**

**Comprehensive Plan:** Mayor Marty Southard asked where we were regarding the Comprehensive Plan. Communications Coordinator Jean Carder stated Lakota was here and presented to the Steering Committee last week. They will return next month and host an open house. The Comprehensive Plan is still on schedule to be finished up between August and September.

## **ADMINISTRATOR'S REPORT**

**Downtown Parking Considerations:** City Administrator Nathan Law said at the last meeting Mr. Kevin Stoops approached the Council to discuss limitations of the street changes for would prohibit large commercial trucks to provide service to his commercial property in the 100 block between Broadway and Peoria. This conversation is associated with the previous Council action to change traffic directions to one-way along South First Street and South Second Street in order to add parking spaces. Because of the one-way direction on First and Second and the more narrow roadway because of that, and the addition of bulb-outs at the alleyways, there is expected difficulty of a full sized semi to make either turn from the 100 block alley right-of-way onto streets for return to Amity/K68. Staff recommends to adjust parking and street plan on First Street to accommodate adequate turn capability by shifting the curb extension/bulb-out west approximately 20 feet. Councilmember Kalee Smith disagrees and said Council already made the decision that we should not change it. Councilmember Steve Town inquired about the overhead lines in that area. There are no issues with the lines Mr. Stoop said. Councilmember Dave Maddax moved, seconded by Steve Town and carried 3-1, (Councilmember Kalee Smith voting no) to approve the recommendation to adjust parking and street plan on First Street to accommodate adequate turn capability by shifting curb extension/bulb-out west approximately 20 feet.

**Nuisance Property Abatement:** The property at 804 S. 10<sup>th</sup> has presented a series of nuisance property issues by way of both weed and environmental code sections of the city code book. Because of the repeat concerns of neighboring properties and the return of the occupancy at this address, the City has issued a

series of notifications to the property owner. This is a property that has repeated nuisances that once one has been addressed another nuisance comes about. The alternative options of fines and/or prison are not as impactful as the option that is being presented. The Tooley family has a list of items that need to be addressed and they are well aware of the condition of the property. Councilmember Carol Aust stated when she drove by the windows were falling out of the house. Councilmember Kalee Smith said it is time we do something about this. City Administrator Nathan Law said the resolution that is being presented would allow the City to remove nuisance items as of 20 days following adoption. A copy of both the findings of fact and the resolution will be served to the property owner, as well as notification of the legal options to appeal the decision to the court of appeals.

The financial consideration would be costs of contract or city labor, landfill charges, etc. and may be assessed against the property on which the nuisances are abated.

The legal consideration under the environmental code section are to fine the homeowner \$50-100 for failure to abate the nuisance, imprison the homeowner for up to 30 days, or both, and each day the nuisance is permitted to continue may be considered a separate punishable offense.

Staff recommends adopting the proposed resolution. Councilmember Dave Maddax moved, seconded by Councilmember Kalee Smith and carried 4-0, to authorize Mayor Southard to sign Resolution 6-5-17.

**Unmarked Intersections:** City Administrator Nathan Law presented information regarding unmarked intersections in the older part of Louisburg. Resident Ron Cook had brought the concern up at the last meeting. Staff conducted a canvass of signs with the boundaries of Amity/K68, Metcalf Road, South Ninth Street and Rogers Road. Of the existing intersections, 22 are uncontrolled four-way intersections and 7 are uncontrolled three-way intersections. Additional staff consideration was given to compile pricing for appropriate signage to control one direction of each of those intersections in the most typical pattern, primarily allowing for controlled north/south approach to four-way intersections and for controlling the non-continuing approach to three-way intersections. Chief Bauer said that with all the construction it would really help by having stop signs at these intersections. Councilmember Steve Town moved, seconded by Councilmember Dave Maddax and carried 4-0, to authorize purchase of 52 signs and to install them as presented.

**Request to vacate Right of Way:** Administrator Law received a request consideration of vacating right-of-way easements located in the Norris Subdivision from Mike Given of Sycamore Farms LLC and Crystal and William Meza. This property is unique due to the nature of its original subdivision platting, the fact that it used to be located within the growth area that allowed for city retention of right-of-way easements, and the current need for the city to consider vacating easement located within extraterritorial property that no longer contains growth area status. It is recommended, if the Council chooses to vacate this portion of right-of-way easement, the ordinance would be published in the official newspaper, but that the ordinance be not effective for 30 days to allow for protest of the decision. This would allow public input without delaying a decision from the Council. Councilmember Steve Town moved, seconded by Councilmember Dave Maddax and carried 4-0, to adopt Ordinance 1083 to vacate right-of-way as presented.

**Trash Service Presentations:** Three proposals were received in response to the RFP posted regarding solid waste, recycling and yard waste. The proposals received were Linn County Transportation, Waste Management of Kansas (L&K Services), and Waste Corporation of Missouri (WCA). These three companies will present their services to Council for consideration. Presentations will be limited to 15 minutes per company. Staff will provide summary information of submitted proposals as a follow-up to this meeting and the provided presentations. LCT, Waste Management and WCA all were given 15 minutes for their presentations. Councilmembers will have two weeks to review and return for a decision at the June 19 meeting.

## **ADJOURNMENT**

At 8:01 p.m. Councilmember Kalee Smith moved, seconded by Councilmember Steve Town to adjourn the meeting. Motion carried 4-0.

Approved:

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Marty Southard, Mayor

Attest:

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Traci Storey, City Clerk