

**LOUISBURG CITY COUNCIL
REGULAR MEETING
FEBRUARY 18, 2020
6:30 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA
 - A. Adopt Agenda
 - B. Approval of Minutes of the Regular Meeting February 3, 2020
 - C. Approval of the Bills
4. RECOGNITION OF SCHEDULED VISITORS
 - A. Nathan Thompson (Street Closure for Military Homecoming)
5. PUBLIC COMMENTS: Persons who wish to address the Mayor and City Council regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for informational purposes only.
6. DEPARTMENT REPORTS
7. CITY ATTORNEY'S REPORT
8. COUNCIL/COMMISSION REPORTS
9. MAYOR'S REPORT
 - A. 2020 Appointments
 - B. Mayor Pro-Tem
10. ADMINISTRATOR'S REPORT
 - A. Land Lease Agreement for Lewis-Young Park
 - B. Farming Agreement for City-Owned Property
11. ADJOURNMENT

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
FEBRUARY 3, 2020**

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 Kalee Smith was absent.

Council Members Steve Town, Thorvald McKiernan, Sandy Harris, Donna Cook
City Administrator Nathan Law
City Clerk Traci Storey
City Attorney Kelly Stohs
Police Chief Tim Bauer
Fire Chief Gerald Rittinghouse
Communications Coordinator Jean Carder
Public Works Supervisor Craig Hufferd
Press
Visitors: Becky Bowes

PLEDGE OF ALLEGIANCE

Councilmember Thorvald McKiernan led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan and carried 4-0, to approve the consent agenda to include adoption of the agenda, approval of the regular meeting January 21, 2020 minutes and bills list.

VISITORS

None

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Fire Department: Fire Chief Gerald Rittinghouse said the 5-year ISO Review went well. There are big changes that will be coming that will help keep our City ratings high.

Chief Rittinghouse said for 12 years the volunteer firefighters have never had a day room. He would like to see furniture and a television so the volunteers feel like they have a place they can hang out in. Estimated costs would be around \$3,000. Councilmember Donna Cook said she would like to have Chief Rittinghouse pursue it and bring back bids. Other Councilmembers agreed to have it brought back.

Public Works: Public Works Supervisor Craig Hufferd said the requested new signs for the crosswalk at S. Fifth and Metcalf have been installed.

Police Department: None

CITY ATTORNEY'S REPORT

None

COUNCIL REPORTS

Councilmember Cook: Councilmember Donna Cook thanked City Administrator Nathan Law for helping her today with questions she had on tonight's meeting topics.

Councilmember McKiernan: Councilmember Thorvald McKiernan asked if 271st and Rockville is City or County. There is no speed limit sign along portions of that road. That area is split between County and City, Law said. Public Works Supervisor Craig Hufferd said he would look at the area and get signs up.

McKiernan asked about the water concerns that were brought to Council regarding the Catholic Church parking lot that would run into the neighbor's yard along 6th Street. City Administrator Law said he would talk to the Church.

Councilmember McKiernan asked about the Building Code Update. Administrator Law said he reached out to them, but has not heard back. Councilmember McKiernan said we need to move to the next bidder. After discussion Councilmember McKiernan moved, seconded by Councilmember Town and carried 4-0, to move to the next bidder for the Building Code Update.

McKiernan asked about the ditch cleaning for this year. Public Works Supervisor Hufferd said there is nothing set in stone yet. McKiernan said we should be able to get more cleaned this year. Public Works could also start on some of these with nice days we have had. Councilmember McKiernan moved, seconded by Councilmember Sandy Harris to have staff compile a plan, schedule and costs for digging culverts. Councilmembers had discussion and would like the plan done by next month. Motion carried 4-0.

McKiernan asked if the erosion control guidelines were being followed at the stormwater project at the lake. Administrator Law said yes, and he will continue checking on it.

McKiernan said the huge sign near U.S. 69 and Amity that is leaning is still leaning. Administrator Law said the Building and Zoning coordinator is working on it.

MAYOR'S REPORT

None

ADMINISTRATOR'S REPORT

Chamber of Commerce Request for Funding: As presented the past three years, the City continues to have a good working relationship with the Chamber of Commerce. This organization provides a positive return locally for businesses, and is desiring to further secure their stability through another year of an alternative funding arrangement. Previously membership fees and fundraising efforts comprised the entirety of the annual operating funds for the organization. Prior to the last three years this had resulted in certain years realizing close margins with low membership numbers and low returns on fundraising events. This budget shortfall has been offset with City assistance for three years with funding incrementally increasing each year. This current request will continue to reach the ideal level of financing of the Chamber of Commerce and their efforts.

Financial: \$15,000 is the request from the Chamber on an annual basis. The request of the first two years noted set budgets without consideration of this funding, leading staff to suggest a tiered increase of contributions beginning with 2017, also noting that such contributions would take place of annual membership dues for the City, and ensure City presence on the Chamber Board of Directors. At this time the

full request is again made, but staff will continue to suggest consideration by Council of the value of office space offered to the Chamber in City Hall as an in lieu of funding for the request so made.

As a reminder, other city funding of local chambers of commerce varies widely, some of which include membership only, some support one local event each year, some support with flat rates similar to this request, or a combination of the types of support. This ranges from nominal membership fees up to \$20,000 flat support.

Councilmember Donna Cook asked how many businesses are part of the Chamber of Commerce. Chamber Director Becky Bowes said there are 117 businesses participating. Cook asked if the revenue they receive cover the Chamber's expenses. The Chamber Treasurer, who was not in attendance at the meeting, has all that information and Bowes will get it. Cook asked if the membership dues are enough to cover expenses. Bowes said no they are not. Cook asked if Paola, Osawatomie and Spring Hill help pay for their Chambers. Bowes said yes at least up to 50% for Paola and Osawatomie, and 75% for Spring Hill. Bowes told Councilmembers that Louisburg had previously been the only Chamber not funded by their City.

Cook asked how often the Chamber solicits businesses. Bowes replied that a newsletter, constant contact information blasts, along with having Chamber Connections twice a month is a big part of how the Chamber businesses stay connected. Councilmember McKiernan asked how the Chamber promotes business. Bowes said regionally the Louisburg Chamber is part of the Kansas City Visitors Guide, Miami County Tourism and Visit KC. The regional connections supplements local promotions. Administrator Law noted that the annual 5K/10K race brings in a substantial amount of visitors to the community, features the name and partnership of the City of Louisburg, shines a light on the attractiveness of the community, and has even brought a new resident to town. If even one person were to decide to build a residence and live in Louisburg, and assuming a value of new residence at \$250,000, the City will have received more benefit in increased appraised value than the cost of this support.

Councilmember Cook doesn't know if we should fund the \$15,000. Councilmember McKiernan said he has never been asked to join the Chamber. Bowes asked if he would join. McKiernan said it is time for the City of Louisburg to get the Chamber off welfare.

Councilmember Donna Cook made a motion to fund \$5,400 to the Chamber and provide the office space at no cost. Motion died for lack of a second.

Councilmember Sandy Harris moved, seconded by Councilmember Steve Town to request for the full \$11,400. McKiernan asked if that includes the \$3,600 for rent. Office space would be provided at no cost. Town asked how much does it cost to become a member. Bowes said a membership depends on the amount of employees and there are 4 different rate levels. Motion carried 3-1 (Cook voting no) to approve the \$11,400 and office space as requested.

Councilmember McKiernan would like to amend the motion to reduce this cost over the next five years by \$5,000. City Attorney said since Councilmember McKiernan did not make the motion, he cannot amend it. McKiernan said yes he can. Council had discussion with City Attorney. City attorney noted that a vote to reduce funding for the following year would simultaneously approve funding for that year. McKiernan withdrew his motion.

Master Parks Plan: City Administrator Nathan Law presented The Master Parks Plan. In 2018 the Park and Tree Board was tasked with putting together a Master Parks Plan to help identify projects and goals for each park facility. Those projects and goals are similar to other master plans in that they are intended to be accomplished over a number of years, as part of both short- and long-term planning and budgeting. The plan document attached with the memo is the result of not only the efforts of the Park and Tree Board and staff, but based on the survey responses and in-person participation of the survey responses. These responses helped guide the Park and Tree Board in compiling a list of suggested projects and goals with priorities presented in multiple ways. These projects and goals will be left to the decision of the City Council for ultimate selection, reprioritization or for budgeting and completing. The reason for this is because the priorities of the members of the Park and Tree Board did not line up with the responses from the multiple types of public input, but that group did not want to discredit either its own opinion or that of the participating public. This plan document is like all other plan documents in that it will be periodically reviewed for progress, updates and revisions. Council has the ability through the budgeting process to realign projects or goals and realizing projects over the coming years. Some of the projects listed have already been identified for completion with grant funding awarded recently for Lewis-Young Park.

Councilmember Thorvald McKiernan said we have Boards that do what they want and not what the public wants. Administrator Law noted that boards and

commissions are tasked with weighing considerations and making recommendations to Council for final approval. Councilmember McKiernan moved, seconded by Councilmember Sandy Harris and carried 4-0, to approve the Master Parks Plan as presented by receiving and filing, incorporating the lists of projects for future planning, and budgeting efforts. Motion carried 4-0.

Code of Procedure for Kansas Cities: Administrator Law had presented each Councilmember the Code of Procedure for Kansas Cities, Fourth Edition. This document is referenced in the updated City Code as the code of procedure to be used when conducting City Council meetings. This code is much more simplified than the previously used Roberts Rules of Order. This code of procedure is important for conducting an appropriate meeting and must be followed in detail for conduct of business. As noted in the code of procedure document, amendments to the code may be made, but must follow a similar process as the one used to adopt the city code book, requiring amendment by ordinance and a majority vote of the City Council. Councilmember McKiernan would like a copy of the Code of Procedure for Kansas Cities in digital form. Council agreed to receive and file.

Zone Change for 1 Aquatic Drive: Administrator Law said the Planning Commission discussed a proposed zone change for property located at 1 Aquatic Drive – owned by Dengel & Son Mortuary, Inc. – at its regular meeting December 18, 2019. The proposed rezone is from R-1 – Single Family Dwelling District designation to C-3 – General Business District. Councilmember Steve Town moved, seconded by Councilmember Donna Cook and carried 4-0, to authorize Mayor Southard sign Ordinance 1117 for 19002-Z (Rezone) for property located at 1 Aquatic Drive.

2020 Asphalt Improvements: Public Works Supervisor Craig Hufferd and other department employees visually inspect each street in the city to prioritize those that need repairs or replacement as part of annual street work. This list is based on location, age of street, alligator cracks, potholes and any other potential driving hazards. Once the streets have been identified, staff prioritizes streets based on repair needs and budget to determine the final street work recommendation for the year. The money for these repairs come from the Special Highway fund, which includes a transfer from General Fund.

Councilmember Town asked about L/Y Park trails. Councilmember Harris asked about Shoreline Drive. Councilmember McKiernan said he took a drive and looked at all the streets on this list. Mr. McKiernan said for S. Ninth St. From Rogers to Broadway area, why spend \$15,000 to repave Doyle to Mulberry when it

is not needed. Why do we mill and overlay all the streets and not oil and seal them, he asked. Administrator Law said he could bring in outside consultants to determine street repair need if that is how Council would like to proceed. McKiernan wants to do more oil and seal. We need to spend the money wisely and look and review the Starbrooke locations, he said, which he does not think needs to be on the list. Councilmember McKiernan moved to approve the 2020 Asphalt Improvements excluding the two streets in Starbrooke. Motion died for lack of a second.

Councilmembers had discussion. Councilmember Steve Town moved to accept the proposed asphalt with consideration of the two streets in Starbrooke and make substitutions of the next priority street(s). Councilmember Thorvald McKiernan seconded, and carried 4-0.

Councilmember McKiernan said staff needs to look into more technical street maintenance. He suggested to look at hiring an engineer to get more life out of our streets by having the right maintenance done on them, but does not want to spend such a significant amount of money on those services. Public Works Supervisor Hufferd said he keeps track of each street and when they have been done. Another option could be buying software, but would come with a cost. Staff will look at those options as well.

ADJOURNMENT

At 7:34 p.m. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 4-0, to adjourn the meeting.

Approved:

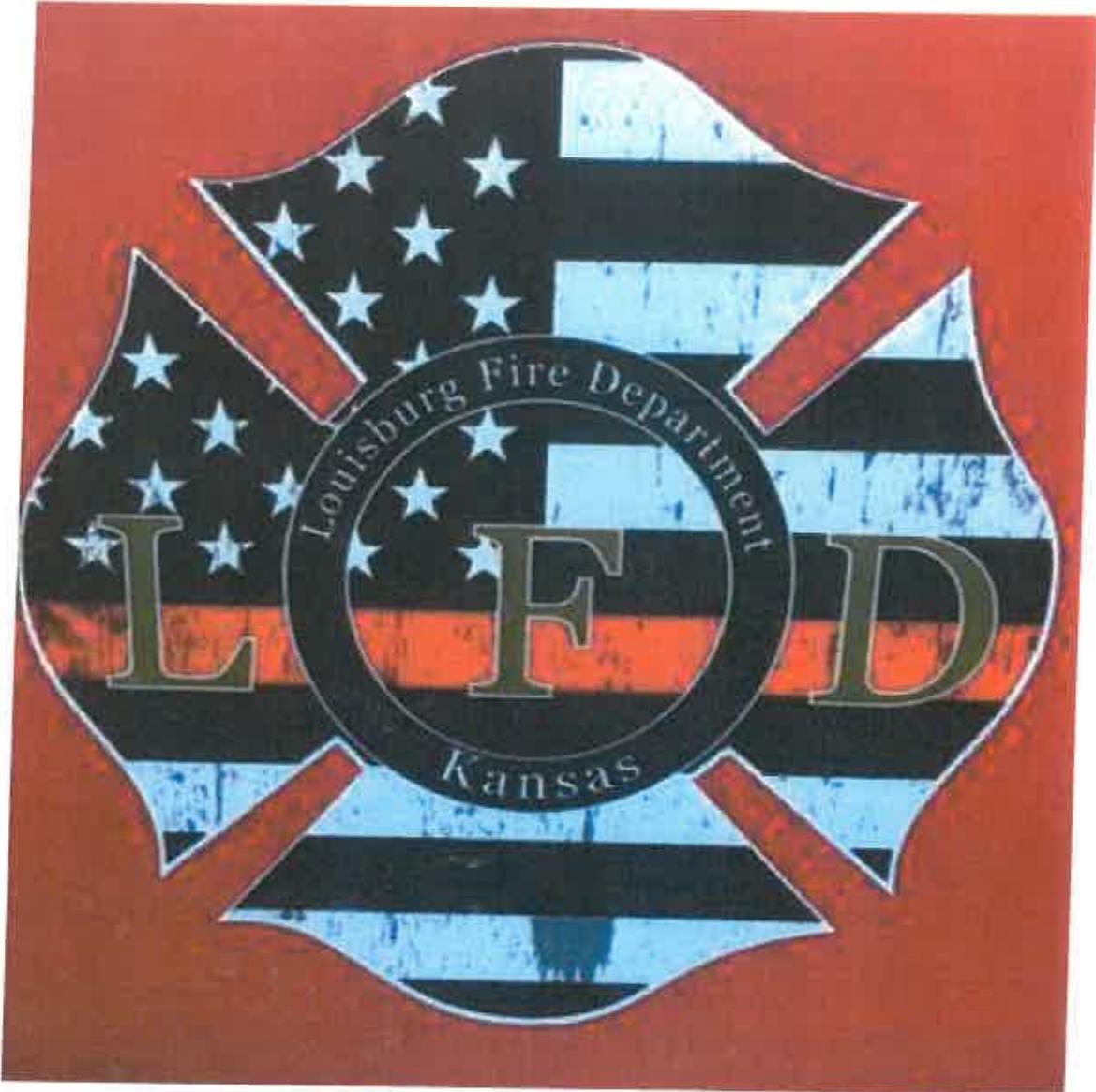
Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 02/18/2020

VENDOR	AMOUNT	DEPARTMENT
AMBORN STONE LLC	\$390.00	SIGN REPAIR - PARKS
BLACK HILLS ENERGY	\$4,338.08	SERVICES - GAS
BLUE VALLEY TRACTOR	\$517.80	SNOW PLOW AND SPREADER-STREETS
BOWES BECKY	\$72.00	CHAMBER CONNECTIONS - ADMIN
CARD SERVICES	\$109.49	SOFTWARE - ADMIN
COLLECTION BUREAU OF KS	\$29.37	COLLECTION FEES - COURT
CONRAD FIRE EQUIPMENT	\$364.27	EQUIPMENT - FIRE
CORE & MAIN	\$894.59	EQUIPMENT - WATER
CROSSLAND HEAVY CONTRACTORS	\$539,992.29	WWTP PROJECT C20-2010-01
CUTSHAW GARAGE & TOW	\$147.49	SERVICES - FIRE
DELTA DENTAL OF KANSAS	\$2,536.50	INSURANCE - ALL
DESIGN 4 SPORTS	\$8.50	SUPPLIES - PWD
DIGITAL-ALLY	\$215.00	EQUIPMENT - POLICE
DIRECTV	\$197.01	TV - FIRE
ELLIOTT INSURANCE INC	\$120.00	SAFETY MEETING - PWD
FAMILY CENTER OF PAOLA	\$269.90	SUPPLIES - PUA
FELD FIRE	\$235.00	SERVICES - FIRE
GEARZONE PRODUCTS	\$67.50	SUPPLIES - POLICE
GERKEN RENT-ALL, INC.	\$408.15	EQUIPMENT - PWD
GORDON CPA LLC	\$5,815.00	2019 AUDIT - INVOICE #2
GRAINGER W.W.INC	\$388.63	EQUIPMENT - PUA
GT DISTRIBUTORS	\$394.93	UNIFORM EQUIPMENT - POLICE
HAMM INC	\$386.99	SCREENINGS - PWD
HICKEY, KRAIG	\$200.00	SERVICES - CEMETERY
HOLLIDAY SAND & GRAVEL CO	\$957.45	SUPPLIES - STREETS
HOME DEPOT CRC	\$89.10	EQUIPMENT/SUPPLIES - PUA,PWD
IACP	\$190.00	MEMBERSHIP - POLICE
KACM	\$50.00	MEMBERSHIP DUES - COURT
KANSAS DEPARTMENT OF REVENUE	\$1,699.00	WATER PROTECTION FEE
KANSAS STATE TREASURER	\$586.44	JANUARY COURT COLLECTIONS
KS EMPLOYMENT SECURITY FUND	\$437.14	STATE UNEMPLOYMENT TAX
LAMP, RYNERSON & ASSOC.	\$53,150.00	WWTP CONSTRUCTION PHASE ENG
LEAGUE KANSAS MUNICIPALITIES	\$115.25	CODE OF PROCEDURE BOOKS - ADMIN
LEGACY CONTRACTORS	\$73,439.00	FOX HALL PAY APP 4 & 5
LINN COUNTY NEWS	\$176.40	CLASSIFIED - POLICE
LOUISBURG ANIMAL CLINIC	\$485.00	SERVICES - POLICE
LOUISBURG ATHLETIC CLUB	\$220.50	MEMBERSHIP - ALL
LOUISBURG CLEANERS	\$106.20	SERVICES - POLICE
LOUISBURG FORD	\$99.08	SERVICES - POLICE
LOUISBURG MUNICIPAL UTILITIES	\$1,317.07	MUNICIPAL UTILITIES - ALL
MEGA INDUSTRIES CORP	\$46,332.00	STORMWATER IMPROVEMENT PROJECT
MI CO JAIL	\$200.00	PRISONER CARE - POLICE
MINISTERIAL ALLIANCE	\$87.50	MAYOR'S CHRISTMAS TREE FUND
NATIONAL SIGN CO INC	\$261.95	CROSSWALK SIGN - STREETS
NPG NEWSPAPERS	\$606.80	PUBLICATIONS - ADMIN
O'REILLY AUTO PARTS	\$120.92	SUPPLIES - PWD, PUA
PAOLA HARDWARE	\$71.65	SUPPLIES - PUA
PARTNERS PRINT & COPY INC	\$1,199.49	SHIPPING, PRINTING, SUPPLIES
PHILLIPS 66 CARD	\$1,608.69	FUEL - POLICE
PRAXAIR DIST. INC.	\$241.61	SUPPLIES - GAS
PRICE BUSINESS ENTERPRISE	\$131.25	IT SERVICES - ADMIN
PRICE CHOPPER	\$116.10	SUPPLIES - ADMIN
PRINCIPAL LIFE INSURANCE	\$230.95	LIFE INSURANCE - ALL
QUILL	\$483.05	OFFICE SUPPLIES - ADMIN
RAY LINDSEY COMPANY	\$256.66	PRAIRIE CROSSING LIFTSTATION
ROMANS OUTDOOR POWER	\$171.53	MOWER MAINTENANCE - PARKS
RURAL WATER DISTRICT #2	\$74.45	WATER - PARKS
SI FUNERAL SERVICES	\$1,915.00	SERVICES - CEMETERY
STAPLES ADVANTAGE	\$63.22	OFFICE SUPPLIES - ADMIN
STILWELL OIL CO INC.	\$3,022.50	DIESEL FUEL - PWD
TOWN SQUARE	\$250.00	FOX HALL OPEN HOUSE
ULINE	\$483.64	SUPPLIES - ALL
USA BLUE BOOK	\$640.11	EQUIPMENT - PUA
USD #416	\$87.50	MAYOR'S CHRISTMAS TREE FUND
V&V MANUFACTURING, INC.	\$329.85	UNIFORM SUPPLIES - POLICE
VERIZON	\$862.17	CELLULAR - ALL
WALKER CORPORATION	\$150.00	CAR WASH TOKENS - POLICE
WASTE MANAGEMENT	\$315.66	TRASH SERVICES - ALL
WHITE'S AUTOMOTIVE	\$4,339.02	REPAIRS - PUA
ZEP MANUFACTURING	\$736.83	SUPPLIES - ALL
	\$756,606.22	



Proposal for Louisburg Fire Department Day Room Updates

February 2020

Dan Conrad, mentioned during our ISO review that by providing documentation of volunteer hours of those who spent time in the station and were available for calls could lower the points for our fire rating classification. I'm presenting this proposal to the City Council for recommendation to purchase furniture for the fire station day room, which will allow for volunteers the ability to stay for extended hours and be available for calls. This also decreases our response time by 4-5 minutes. The following is the estimated costs for the updates:

4 Recliners - \$260 each	\$1040.00
3 End tables - \$75 each	\$ 225.00
1 65" TV	\$ 480.00
Bracket/Cables	\$ 100.00
Paint/Supplies	\$ 400.00 (Volunteer firefighters have offered to paint)
Total	\$2,245.00

I'm working with the Louisburg Historical Society to obtain pictures of fire scenes of Louisburg that can be framed and displayed in the station. The estimate for the artwork would be an additional \$500-700.

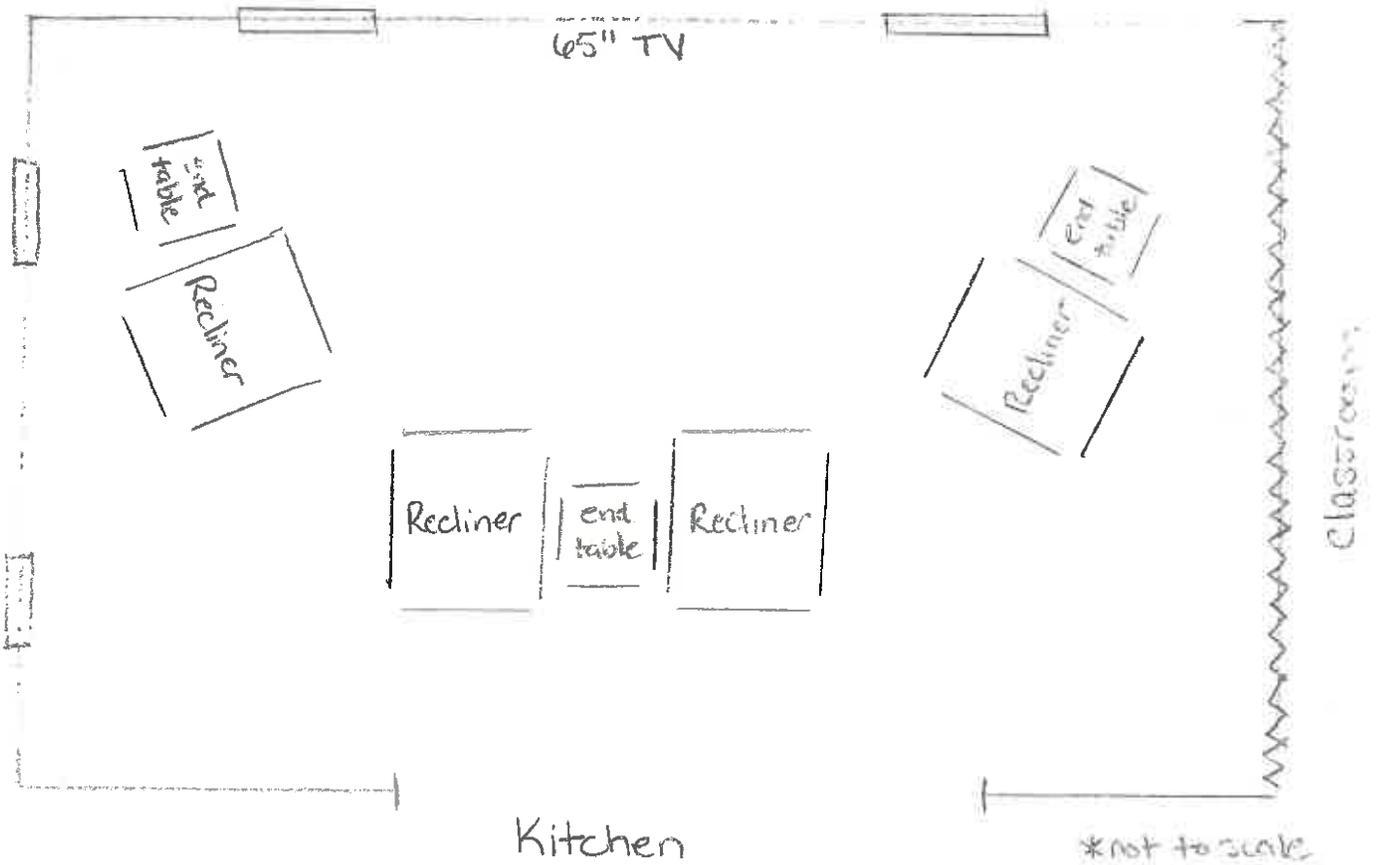
Please see attachments for more details.

Thank you for your consideration.

Chief Rittinghouse

Price Chart

	Walmart	Sams	NFM	Wayfair
TV Samsung 65	579	479	597	
Recliner	443	349	259	269
Night Stand			118	75
Tv Bracket	79	59	89	





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by OmniMount Item # 337728 Model # VID120FM ★★★★★ 4.8 (50)



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2020 Appointments

City Staff: (1 Year)

CITY CLERK	Traci Storey
FINANCE DIR.	Pat McQueen
TREASURER	Jessica McGowin
CITY ATTORNEY	Kelly Stohs
CITY PROSECUTOR	Nate Sutton
MUNICIPAL COURT JUDGE	David Ruder
POLICE CHIEF	Tim Bauer
PUBLIC OFFICER	Nathan Law
FIRE CHIEF	Gerald Rittinghouse

Mayor Pro-Tem

Council Liaison: (1 year)

PARKS, FOX HALL, CEMETERY	Sandy Harris
FINANCE	Donna Cook
PUBLIC SAFETY	Steve Town
PUBLIC IMPROVEMENTS, PLANNING ZONING	Thorvald McKiernan
PUBLIC WORKS, STREETS, REC BOARD	Kalee Smith

Official Depositories: (1 year)

First National Bank, First Option Bank, Landmark Bank, Bank Midwest

Official Newspaper: (1 year)

Miami County Republic

Planning Commission: (3 years)

McKenzie Phillips (replaces Brandon Fosbinder)

Nate Apple

Lee Baer (replaces Donna Cook)

Board of Zoning Appeals: (3 years)

McKenzie Phillips (open position)

Park Board: (3 years)

Jack Kline

Michael McClellan

Cemetery Board / Fox Hall Board

Debbie Landau

Brad Sarver

Dennis DeShazer

Melissa Brummel

George Karnaze

Kraig Hickey (cemetery)

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: February 14, 2020

Re: Land Lease Agreement for Lewis-Young Park

Background: Since 2017 there has been a process to accommodate bidding of a multi-year lease for hay ground located at Lewis-Young Park. Below is a staff report from Rusty Whitham noting changes from the previous agreement and outlining the bid process. Attached is the proposed agreement.

The last contract was signed on December 8, 2016, was a three-year lease agreement to hay approximately 39 acres of uncultivated land located in Lewis-Young Park, was with Babe Cutshaw, and expired on December 31, 2019. Mr. Cutshaw has been farming the land since 2016 and under this agreement paid the City \$100 for the entire three-year period for the use of such land.

Staff placed an ad in the paper on January 8, 2020 to solicit closed bids to farm this property. The bidding process ended on February 1, 2020 at 12pm (Noon). The ad stated that this lease would be for a five-year period (March 1, 2020 through March 1, 2025). The City received one closed bid:

Babe Cutshaw – \$350 per year

The following changes to the lease contact were made:

Lease changed from a three (3) year to a five (5) year contract period

Financial: The enclosed agreement includes the only bid returned, amounting to an annual payment of \$350 for a five-year lease.

Legal: None.

Recommendation: Approve the land lease agreement for haying operations with Babe Cutshaw and direct the Mayor to sign.



LAND LEASE AGREEMENT
Lewis-Young Park

This Lease Agreement made and entered into as of the 18th day of February, 2020, by and between the City of Louisburg, Kansas, Municipal Corporation, hereinafter call the Lessor, and Babe Cutshaw, hereinafter called the Lessee.

WITNESSETH: That said Lessor, in consideration of the rents and covenants herein specified, does hereby let and lease to the said Lessee, approximately 39 acres of uncultivated pastureland located in Lewis-Young Park for the purposes of haying.

This lease agreement is valid March 1, 2020 to March 1, 2025. The consideration is as hereinafter set forth.

It is understood and agreed that the Lessee shall have the right to receive all of the income from said land for hay.

To solidify this agreement the Lessee shall pay Lessor \$350 per year as payment for this five-year land lease.

Lessee agrees to apply annual weed control to include the removal of thistles on said land within the same lease period at own expense. Lessee agrees to apply fertilizer on all lands to be hayed.

Lessee agrees to perform at least one cutting and remove all hay prior to the annual recurring July 4th celebration held within Lewis-Young Park.

Lessee agrees that farm equipment will not be stored on Lewis-Young Park land.

It is further understood by and between the parties that by reason of the fact that the Lessor is leasing said land to Lessee that at least a part of said land will return to tax rolls and Lessee shall pay one-half of the real estate taxes due on said land.

Lessee grants to Lessor, its agents and attorneys, full rights of ingress and egress.

EXECUTED IN DUPLICATE, This 18th day of February, 2020.

LESSEE

City of Louisburg, a Municipal Corporation

Babe Cutshaw
10290 West 271 Street
Louisburg, KS 66053

By: _____
Marty Southard
Mayor

ATTEST (SEAL)

City Clerk

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: February 14, 2020

Re: Farming Agreement for City-Owned Property

Background: Since 2017 there has been a process to accommodate bidding of a multi-year lease for farm ground located on S. Rogers Road. Below is a staff report from Rusty Whitham noting changes from the previous agreement and outlining the bid process. Attached is the proposed agreement.

The last contract was signed on February 6, 2017, was a three-year lease agreement to farm approximately 21 acres at 29146 South Rogers Road, was with Greg Foote Farms, and will expire on March 1, 2017. Foote Farms has been farming the land since 2000 and under this agreement paid the City \$2,783 each year for the use of such land.

Staff placed an ad in the paper on January 8, 2020 to solicit closed bids to farm this property. The bidding process ended on February 1, 2020 at 12pm (Noon). The ad stated that this lease would be for a five-year period (March 1, 2020 through March 1, 2025). The City received two bids:

Greg Foote Farms – \$2,105 per year

Waters Farms - \$1,785 per year

The following changes to the lease contact were made:

Lease changed from a three (3) year to a five (5) year contract period

Financial: The enclosed agreement includes the highest bid returned, amounting to an annual payment of \$2,105 for a five-year lease.

Legal: None.

Recommendation: Approve the land lease agreement for farming operations with Greg Foote Farms and direct the Mayor to sign.



LAND LEASE AGREEMENT
29146 South Rogers Road

This Lease Agreement made and entered into as of the 18th day of February, 2020, by and between the City of Louisburg, Kansas, a Municipal Corporation, hereinafter call the Lessor, and Jim Foote, Greg Foote Farms, hereinafter called the Lessee.

WITNESSETH: That said Lessor, in consideration of the rents and covenants herein specified, does hereby let and lease to the said Lessee, approximately 21 acres of tillable land located at 29146 South Rogers Road for the purposes of growing crops, hay or pasture use.

This lease agreement is valid March 1, 2020 to March 1, 2025. The consideration is as hereinafter set forth.

It is understood and agreed that the Lessee shall have the right to receive all of the income from said land from agricultural use such as crops, hay or pasture.

To solidify this agreement the Lessee shall pay Lessor \$2,105 per year as payment for this three-year land lease.

Lessee agrees to keep all fences in good state of repair and will replace and/or repair the same as needed.

Lessee agrees to maintain the 21 acres of land and spray for thistles at own expense.

Lessee agrees that farm equipment will not be stored on property.

Lessor shall not be responsible for any damage caused by the city burn area adjacent to leased land.

Lessee grants to Lessor, its agents and attorneys, full rights of ingress and egress.

It is further understood by and between the parties that by reason of the fact that the Lessor is leasing said land to Lessee that at least a part of said land will return to tax rolls and Lessee shall pay one-half of the real estate taxes due on said land.

EXECUTED IN DUPLICATE, This 18th day of February, 2020.

LESSEE

City of Louisburg, a Municipal Corporation

Jim Foote
Greg Foote Farms

By: _____
Marty Southard
Mayor

ATTEST (SEAL)

City Clerk