

**LOUISBURG CITY COUNCIL
REGULAR MEETING
APRIL 20, 2020
6:30 P.M.**

1. CALL TO ORDER – ROLL CALL
2. CONSENT AGENDA
 - A. Adopt Agenda
 - B. Approval of Minutes of the Regular Meeting April 6, 2020
 - C. Approval of the Bills
3. RECOGNITION OF SCHEDULED VISITOR
4. PUBLIC COMMENTS: For the time being public comments are accommodated by providing written comments by a dedicated time prior to the meeting and will be read aloud by a member of City staff during this scheduled time.
5. DEPARTMENT REPORTS
6. CITY ATTORNEY’S REPORT
7. MAYOR’S REPORT
8. ADMINISTRATOR’S REPORT
 - A. Moratoria for “Stay Home” Orders – Extension
9. COUNCIL/LIAISON REPORTS
10. ADJOURNMENT

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
APRIL 6, 2020**

The Council of the City of Louisburg, Kansas met at 6:30 p.m. in regular session via Zoom video conferencing. Mayor Marty Southard presiding.

Council Members Steve Town, Kalee Smith, Sandy Harris, Donna Cook, Thorvald McKiernan
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

APPROVAL OF CONSENT AGENDA

The Louisburg City Council was held by a remote meeting tonight that took place over Zoom, a video and phone conferencing platform. This was a move made necessary by the coronavirus pandemic and allowed under the state's Open Meeting Act.

Councilmember Steve Town moved, seconded by Councilmember Donna Cook motion carried 5-0, to approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of March 16, 2020 and bills list.

VISITORS

None

PUBLIC COMMENTS

None

CITY ATTORNEY'S REPORT

City Attorney Kelly Stohs said she been following the City Attorney Association news, which has been very helpful during this time.

MAYOR'S REPORT

Proclamation Discussion: Mayor Southard asked Councilmember McKiernan if he has done more thinking regarding a Damon Dennis Day. Councilmember McKiernan said he was just waiting to see how this all goes down with the virus. Mayor Southard said we can discuss at a future meeting.

DEPARTMENT REPORTS

None

ADMINISTRATOR'S REPORT

Feral Cat Considerations: City Administrator Nathan Law said staff was asked to research and report back on options to address feral cat population following discussion at the last Council meeting. Staff has attempted to contact the State of Kansas to inquire about possibility of an emergency declaration and possibly instituting a one-time capture and destroy process, but the current pandemic has resulted in most state offices being closed. Alternatively, staff has reached out to the local veterinarian offices to inquire about capture, spay/neuter, and return programs. Both veterinarian offices would accommodate the process to spay/neuter, provide rabies vaccination, and either clip an ear or mark the stomach of cats, and allow the cats to be returned to their capture location. With this catch and release program, staff would expect property owners experiencing issues to continue to capture feral cats and take those to the designated veterinarian office, after which the cat may be returned to the same individual or City staff may accommodate the return aspect of the animal. The larger issue with such a program is it does not immediately address the concerns for health and safety expressed at the last meeting. The impact of the catch and release is to prevent procreation, not immediately reducing the population. That would leave feral cats to continue to occupy the previous community location. Currently the City accommodates captured feral cats by allowing citizens to take the animal to the Louisburg Animal Clinic exclusively because that office is setup to house cats, an officer will verify residency of the citizen, the clinic will then follow its elected process to either relocate the animal or keep and destroy. This is not necessarily labor intensive for City employees, but the cost is unknowable from year-to-year as there is no way of knowing how diligent citizens may choose to be about feral cats. Louisburg Animal Clinic has offered the lower cost program for capture, neuter/spay, vaccinate, and identify feral cats, for a cost of \$100 for female and \$65 for male.

Councilmember Donna Cook asked if the City had traps that people could use for something like this. Law replied we do have a couple that if a resident requested we can let them borrow. Councilmember Harris asked if cats have to be licensed like dogs. City staff said only dogs get a pet license. If we just spay or neuter this won't solve the problem Harris said. Town agreed we will still have the population problem. Harris would like to see this item tabled until the state opens up and give us some options. Councilmember

McKiernan would like staff to research on a private animal control company that could come in, trap and dispose of the cats. Councilmembers agreed and directed staff to look into finding a company.

Moratoria for “Stay Home” Orders: City Administrator presented four Resolutions to consider as part of local effort to help control aspects of the Code of the City of Louisburg that allows or encourages environments that violate stay home orders or that may ease the burden on local commerce that has been effected by the same orders. Each resolution/moratorium is specific to some aspect of City Code.

Resolution 4-6-20A – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all solicitor, canvassers, peddler’s permits as defined in Chapter V. Business Regulations, Article 1 of the Code of the City of Louisburg, Kansas to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmembers had discussion. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to adopt Resolution 4-6-20A.

Resolution 4-6-20B – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the restrictions of temporary sign regulations as they pertain to commercial businesses, regulations which are incorporated in Chapter XVI. Zoning and Planning, Article 3 of the Code of the City of Louisburg, Kansas to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 5-0, to adopt Resolution 4-6-20B.

Resolution 4-6-20C – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new businesses and licenses as defined in Chapter III Beverages, Articles 1 through 7 of the Code of The City of Louisburg, Kansas to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted.

Councilmember McKiernan asked if this resolution included food trucks. City Administrator said food trucks would be classified in the first Resolution. Councilmembers had discussion. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 5-0, to adopt Resolution 4-6-20C.

Resolution 4-6-20D A resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new special event permits as defined in Chapter XII Public Property, Article 4 of the Code of the City of Louisburg, Kansas to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all orders have been lifted. Councilmember Town asked about the motorcycle ride at Timbercreek. If something was previously approved it will fall

under the orders of “Stay Home”. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 5-0, to adopt Resolution 4-6-20D.

Council Projects for 2021 and Future Years: An item presented to Council in the past is a consideration for projects that should be focused on as priorities for the next budget. Staff sent direct communication to Councilmembers periodically the past month requesting items to compile for this consideration. This list is taken into consideration during project price estimating, weighed against departmental requests for projects in the same budget year, and used to estimate budget expenses. A budget workshop is used each year to discuss these projects compared with departmental requests and included within a draft budget. The following is a list of Council member submitted items that, if approved, should be considered City priority when discussing budgeting and funding of projects.

Councilmember Town:

- Street lights added along N. Broadway and along N. Metcalf – Evergy
- Increase standards for curb radius at entrances and intersections – (staff project)
- Consider adding bike lanes on some wider streets
- Promote local small business incubator locations and modified utility assistance program
- Continue pursuit of a multi-use/multi-function community center
- Continue addressing stormwater and wastewater issues

Councilmember Thorvald McKiernan said he would not like to do any new projects next year. Councilmember Donna Cook agrees, but she would like to keep addressing stormwater and wastewater issues. Councilmember Town asked if we can leave this up to Administrator Law and Finance Director McQueen to keep us up to date and come back to advise the Council. Law said for budgeting purposes there will still be a budget workshop. Councilmember Harris asked if any dates have been discussed. Mayor Southard said we will let everyone know later. Councilmember McKiernan asked about rent from Evergy for light poles. Staff will get that information. Councilmember Donna Cook moved, seconded by Councilmember Sandy Harris and carried 5-0, to continue addressing stormwater and wastewater issues and table the other items for the future.

COUNCIL REPORTS

Councilmember McKiernan: Councilmember Thorvald McKiernan asked about last week’s cruise the Burg. If people can walk around why is driving around any different. Police Chief Tim Bauer said there had been cars running stop signs, revving their engines, speeding and in one instance, a group of over 30 people were gathered in one location watching the cars. Councilmember Smith said the Miami County Sheriff’s office said it was ok to do this. Police Chief Bauer said local enforcement follows the recommendation from the Governor’s Office, Miami County Health Department and

Miami County Emergency Management. Cruising is not an essential activity and there are rules for gathering no more than 10, Chief Bauer said. The Police Department hopes residents take these guidelines seriously and follows them.

Councilmember Cook: Councilmember Donna Cook asked if we have resolved the 4-wheeler issues and get permits to those that want them. Staff is still collecting information Mr. Law said.

ADJOURNMENT

At 7:35 p.m. Councilmember Steve Town moved, seconded by Councilmember Donna Cook and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 04/20/2020

VENDOR	AMOUNT	DEPARTMENT
APPLE ELECTRIC INC.	\$2,350.00	SERVICES - LY PARK
BSN SPORTS	\$1,347.14	MATERIALS - PARKS
CCL SUPPLY LLC	\$166.03	SUPPLIES - POLICE
CORE & MAIN	\$3,941.54	EQUIPMENT - GS,SW,WT
D.C.& B. SUPPLY INC.	\$162.00	SUPPLIES - GAS
DELTA DENTAL OF KANSAS	\$2,536.50	INSURANCE - ALL
DESIGN 4 SPORTS	\$277.00	SHIRTS - PWD
DIRECTV	\$197.01	TV - FIRE
ELLIOTT INSURANCE INC	\$300.00	INSURANCE BOND - ADMIN
EVERGY	\$9,363.96	UTILITY EXTENSION-SEWER
FAMILY CENTER OF PAOLA	\$130.66	SUPPLIES - PWD
GERKEN RENT-ALL, INC.	\$806.67	EQUIPMENT - PWD
GRAINGER W.W.INC	\$18.18	SUPPLIES - PUA
GRASS PAD WAREHOUSE	\$138.45	DIRT/CLAY - PARKS
GREENER EXPECTATIONS	\$230.00	FERTILIZER - PARKS
GRIGSBY CONSULTING	\$1,487.50	BUILDING INSPECTIONS - BZ
HAMM INC	\$1,017.51	SCREENINGS - PARKS
HAYNES EQUIPMENT CO, INC	\$410.00	SOUTH LAGOON EQUIPMENT - SEWER
HIGH EFFICIENCY HEATING	\$193.82	SERVICES - GAS
HOLLIDAY SAND & GRAVEL CO	\$825.55	SAND - PWD
HOME DEPOT CRC	\$1,308.33	EQUIPMENT - PWD
JOHNSON COMPANY TOP SOIL	\$91.00	SOIL - GAS
KANSAS MUNICIPAL GAS	\$20,977.49	NATURAL GAS
KANSAS ONE CALL SYSTEM	\$254.40	ONE CALL LOCATES
KANSAS STATE TREASURER	\$749.50	MARCH COURT COLLECTIONS
KDHE	\$530.00	TESTING - WATER
LOUISBURG CLEANERS	\$97.35	CLEANING SERVICES - POLICE
LOUISBURG FORD	\$35,648.42	F250 - PWD
LOUISBURG MUNICIPAL UTILITIES	\$2,076.48	UTILITIES - ALL
MCON LLC	\$40,251.74	WWTP PAY APP 1 - SEWER CAPITAL
MIAMI COUNTY KANSAS	\$37,385.00	METCALF 2.0 - STREETS
NAPA AUTO PARTS	\$140.93	SUPPLIES - POLICE, PWD
NPG NEWSPAPERS	\$396.42	PUBLICATIONS - ADMIN
O'REILLY AUTO PARTS	\$521.94	SUPPLIES - ALL
PARTNERS PRINT & COPY INC	\$433.92	SUPPLIES, SHIPPING, PRINTING
PRICE BUSINESS ENTERPRISE	\$1,059.97	IT SERVICES/EQUIP-PD,ADMIN
PRICE CHOPPER	\$137.67	SUPPLIES - ALL
REDDI ROOTR KC	\$4,410.00	JET SAW & CAMERA - PWD
ROMANS OUTDOOR POWER	\$60.82	MOWER MAINTENANCE - PARKS
SCARECROW FARM LAWN CARE	\$1,160.00	CEMETERY MOWING
VISION SERVICE PLAN	\$1,882.42	INSURANCE - ALL
WASTE MANAGEMENT	\$336.92	TRASH SERVICES - ALL
WATER LOSS SOLUTIONS LLC	\$125.88	WATER METER TEST - WATER
WHITE'S AUTOMOTIVE	\$245.20	SERVICES - PWD
	\$176,181.32	

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: April 17, 2020

Re: Moratoria for “Stay Home” Orders – Extension

Background: Staff is providing the attached moratoria for Council to consider extending by adopting new forms of the same resolutions previously adopted, again as part of ongoing local effort to help control aspects of the Code of the City of Louisburg that allows or encourages environments that violate stay home orders or that may ease the burden on local commerce that has been effected by the same orders. Each resolution/moratorium is the same form as previously provided to Council at the last regular meeting, updated to reflect the extension language in regard to the applicable timeframe.

Financial: Publication costs for each resolution.

Legal: It is recommended that each resolution adopted should be published once in the official newspaper, but is not required.

Recommendation: Discuss moratoria and adopt as determined appropriate.

RESOLUTION NO. 4-20-20A

A RESOLUTION OF THE CITY OF LOUISBURG, KANSAS EXTENDING THE PREVIOUS TEMPORARY MORATORIUM ON THE PROCESSING AND APPROVAL OF ALL SOLICITORS, CANVASSERS, PEDDLERS PERMITS AS DEFINED IN CHAPTER V. BUSINESS REGULATIONS, ARTICLE 1. OF THE CODE OF THE CITY OF LOUISBURG, KANSAS TO FURTHER THE EFFORTS OF ALL “STAY HOME” ORDERS ISSUED BY FEDERAL, STATE OR LOCAL AUTHORITY, UNTIL SUCH TIME AS ALL SUCH ORDERS HAVE BEEN LIFTED

WHEREAS, the City of Louisburg currently is under “stay home” order by the Governor of the State of Kansas and the Miami County Local Health Officer; and

WHEREAS, “stay home” orders are intended to continue to allow for citizens to seek out essentials for personal health or health of those in their care; and

WHEREAS, the governing body of the City of Louisburg does not include those services listed under Chapter V. Business Regulations, Article 1. Solicitors, Canvassers, Peddlers to be included in the list of essential providers or services recognized by “stay home” orders;

WHEREAS, a temporary moratorium is needed as part of and reasonably related to the “stay home” orders intended to preserve and enhance the community’s public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS, THAT:

1. There is hereby declared a limited and temporary moratorium on the granting of permits included in Chapter V. Business Regulations, Article 1. Solicitors, Canvassers, Peddlers within the City of Louisburg, Kansas, in order to allow time for the current health emergency to be addressed or lessened and for the protection of the citizens of the City of Louisburg.
2. All City of Louisburg officials, agencies, agents and/or boards charged with the responsibility to approve such permits under any law or regulation are hereby directed to suspend the granting of such approval or authorization, for the period stated herein.
3. The City Administrator of the City of Louisburg, Kansas, is hereby directed to be the administrator of the provisions of this Resolution. Any question as to the applicability of this Resolution shall be made to the City Administrator.
4. Any person aggrieved by a decision of the person designated as the administrator of this Resolution shall have the right to appeal such decision to the City Council. The City Council, after calling for a public hearing on such request in the same manner required for adoption of the city budget, may uphold, overturn or modify the decision made by the City Administrator. Decisions of the City Council shall be subject to appeal to District Court in the manner provided by K.S.A. 12-760.
5. Each section of this Resolution is hereby declared to be independent of every other

section, so far as inducement for the passage of this Resolution is concerned. If any section of this Resolution shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

6. The duration of this Resolution shall be from the effective date of this Resolution until May 4, 2020, but may be extended as may be required to comply with any applicable "stay home" order by any authority authorized to direct such order upon the City of Louisburg.

ADOPTED BY THE CITY COUNCIL of the City of Louisburg, Kansas, this _____ day of _____, 2020.

Marty Southard, Mayor

ATTEST:

Traci Storey, City Clerk

RESOLUTION NO. 4-20-20B

A RESOLUTION OF THE CITY OF LOUISBURG, KANSAS EXTENDING THE PREVIOUS TEMPORARY MORATORIUM ON THE RESTRICTIONS OF TEMPORARY SIGN REGULATIONS AS THEY PERTAIN TO COMMERCIAL BUSINESSES, REGULATIONS WHICH ARE INCORPORATED IN CHAPTER XVI. ZONING AND PLANNING, ARTICLE 3. OF THE CODE OF THE CITY OF LOUISBURG, KANSAS TO FURTHER THE EFFORTS OF ALL “STAY HOME” ORDERS ISSUED BY FEDERAL, STATE OR LOCAL AUTHORITY, UNTIL SUCH TIME AS ALL SUCH ORDERS HAVE BEEN LIFTED

WHEREAS, the City of Louisburg currently is under “stay home” order by the Governor of the State of Kansas and the Miami County Local Health Officer; and

WHEREAS, “stay home” orders are intended to continue to allow for citizens to seek out essentials for personal health or health of those in their care; and

WHEREAS, the governing body of the City of Louisburg is supportive of commercial businesses listed as essential providers or services recognized by federal, state or local “stay home” orders;

WHEREAS, a temporary moratorium is needed as part of and reasonably related to the restriction of temporary signs posted at a commercial business location to further the efforts of “stay home” orders, specifically those signs intended to explain commercial business steps or options to continue to provide services while recognizing efforts to social distance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS, THAT:

1. There is hereby declared a limited and temporary moratorium on the restriction of temporary sign regulations as they pertain to commercial businesses, outlined in Zoning Regulations of 2010 and incorporated in Chapter XVI. Zoning and Planning, Article 3. of the Code of the City of Louisburg, Kansas, in order to allow continuation of commerce in a safe manner while the current health emergency is being addressed or lessened and for the protection of the citizens of the City of Louisburg.
2. All City of Louisburg officials, agencies, agents and/or boards charged with the responsibility to enforce such temporary sign restrictions under any law or regulation are hereby directed to suspend such enforcement for the period stated herein.
3. The City Administrator of the City of Louisburg, Kansas, is hereby directed to be the administrator of the provisions of this Resolution. Any question as to the applicability of this Resolution shall be made to the City Administrator.
4. Any person aggrieved by a decision of the person designated as the administrator of this Resolution shall have the right to appeal such decision to the City Council. The City Council, after calling for a public hearing on such request in the same manner required for adoption of the city budget, may uphold, overturn or modify the decision made by the City Administrator. Decisions of the City Council shall be subject to appeal to District Court in the manner provided by K.S.A. 12-760.

5. Each section of this Resolution is hereby declared to be independent of every other section, so far as inducement for the passage of this Resolution is concerned. If any section of this Resolution shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.
6. The duration of this Resolution shall be from the effective date of this Resolution until May 4, 2020, but may be extended as may be required to comply with any applicable “stay home” order by any authority authorized to direct such order upon the City of Louisburg.

ADOPTED BY THE CITY COUNCIL of the City of Louisburg, Kansas, this _____ day of _____, 2020.

Marty Southard, Mayor

ATTEST:

Traci Storey, City Clerk

RESOLUTION NO. 4-20-20C

A RESOLUTION OF THE CITY OF LOUISBURG, KANSAS EXTENDING THE PREVIOUS TEMPORARY MORATORIUM ON THE PROCESSING AND APPROVAL OF ALL NEW BUSINESSES AND LICENSES AS DEFINED IN CHAPTER III BEVERAGES, ARTICLES 1 THROUGH 7 OF THE CODE OF THE CITY OF LOUISBURG, KANSAS TO FURTHER THE EFFORTS OF ALL “STAY HOME” ORDERS ISSUED BY FEDERAL, STATE OR LOCAL AUTHORITY, UNTIL SUCH TIME AS ALL SUCH ORDERS HAVE BEEN LIFTED

WHEREAS, the City of Louisburg currently is under “stay home” order by the Governor of the State of Kansas and the Miami County Local Health Officer; and

WHEREAS, “stay home” orders are intended to prevent the gathering of crowds of individuals to avoid increasing the spread of the virus warranting such orders; and

WHEREAS, the governing body of the City of Louisburg does not include adding new services listed under Chapter III. Beverages, Articles 1 through 7 to be advisable under current “stay home” orders;

WHEREAS, a temporary moratorium is needed as part of and reasonably related to the “stay home” orders intended to preserve and enhance the community’s public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS, THAT:

1. There is hereby declared a limited and temporary moratorium on the granting of new licenses as defined in Chapter III. Beverages, Articles 1 through 7 of the Code of the City of Louisburg, Kansas, in order to allow time for the current health emergency to be addressed or lessened and for the protection of the citizens of the City of Louisburg.
2. All City of Louisburg officials, agencies, agents and/or boards charged with the responsibility to approve such licenses under any law or regulation are hereby directed to suspend the granting of such approval or authorization for new businesses, for the period stated herein.
3. The City Administrator of the City of Louisburg, Kansas, is hereby directed to be the administrator of the provisions of this Resolution. Any question as to the applicability of this Resolution shall be made to the City Administrator.
4. Any person aggrieved by a decision of the person designated as the administrator of this Resolution shall have the right to appeal such decision to the City Council. The City Council, after calling for a public hearing on such request in the same manner required for adoption of the city budget, may uphold, overturn or modify the decision made by the City Administrator. Decisions of the City Council shall be subject to appeal to District Court in the manner provided by K.S.A. 12-760.
5. Each section of this Resolution is hereby declared to be independent of every other section, so far as inducement for the passage of this Resolution is concerned. If any

section of this Resolution shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

6. The duration of this Resolution shall be from the effective date of this Resolution until May 4, 2020, but may be extended as may be required to comply with any applicable "stay home" order by any authority authorized to direct such order upon the City of Louisburg.

ADOPTED BY THE CITY COUNCIL of the City of Louisburg, Kansas, this _____ day of _____, 2020.

Marty Southard, Mayor

ATTEST:

Traci Storey, City Clerk

RESOLUTION NO. 4-20-20D

A RESOLUTION OF THE CITY OF LOUISBURG, KANSAS EXTENDING THE PREVIOUS TEMPORARY MORATORIUM ON THE PROCESSING AND APPROVAL OF ALL NEW SPECIAL EVENT PERMITS AS DEFINED IN CHAPTER XII PUBLIC PROPERTY, ARTICLE 4 OF THE CODE OF THE CITY OF LOUISBURG, KANSAS TO FURTHER THE EFFORTS OF ALL “STAY HOME” ORDERS ISSUED BY FEDERAL, STATE OR LOCAL AUTHORITY, UNTIL SUCH TIME AS ALL SUCH ORDERS HAVE BEEN LIFTED

WHEREAS, the City of Louisburg currently is under “stay home” order by the Governor of the State of Kansas and the Miami County Local Health Officer; and

WHEREAS, “stay home” orders are intended to prevent the gathering of crowds of individuals to avoid increasing the spread of the virus warranting such orders; and

WHEREAS, the governing body of the City of Louisburg does not include special events defined under Chapter XII Public Property, Article 4 to be advisable under current “stay home” orders;

WHEREAS, a temporary moratorium is needed as part of and reasonably related to the “stay home” orders intended to preserve and enhance the community’s public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS, THAT:

1. There is hereby declared a limited and temporary moratorium on the granting of permits as defined in Chapter XII Public Property, Article 4 of the Code of the City of Louisburg, Kansas, in order to allow time for the current health emergency to be addressed or lessened and for the protection of the citizens of the City of Louisburg.
2. All City of Louisburg officials, agencies, agents and/or boards charged with the responsibility to approve such permits under any law or regulation are hereby directed to suspend the granting of such approval or authorization, for the period stated herein.
3. The City Administrator of the City of Louisburg, Kansas, is hereby directed to be the administrator of the provisions of this Resolution. Any question as to the applicability of this Resolution shall be made to the City Administrator.
4. Any person aggrieved by a decision of the person designated as the administrator of this Resolution shall have the right to appeal such decision to the City Council. The City Council, after calling for a public hearing on such request in the same manner required for adoption of the city budget, may uphold, overturn or modify the decision made by the City Administrator. Decisions of the City Council shall be subject to appeal to District Court in the manner provided by K.S.A. 12-760.
5. Each section of this Resolution is hereby declared to be independent of every other section, so far as inducement for the passage of this Resolution is concerned. If any section of this Resolution shall be adjudged invalid or held unconstitutional the same shall

not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

6. The duration of this Resolution shall be from the effective date of this Resolution until May 4, 2020, but may be extended as may be required to comply with any applicable “stay home” order by any authority authorized to direct such order upon the City of Louisburg.

ADOPTED BY THE CITY COUNCIL of the City of Louisburg, Kansas, this _____ day of _____, 2020.

Marty Southard, Mayor

ATTEST:

Traci Storey, City Clerk