

**LOUISBURG CITY COUNCIL
REGULAR MEETING
NOVEMBER 18, 2019
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 November 4, 2019
 - C. Approval of the Bills
4. RECOGNITION OF SCHEDULED VISITOR
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. Executive Session – Non-Elected Personnel
10. ADMINISTRATOR'S REPORT
 - A. Metcalf 2.0 Construction Design Selection Process Update
 - B. Stormwater Priority Project – Shoreline & Broadmoor
 - C. Tobacco/Nicotine Age Limit Considerations
 - D. Building Permit Fee Waiver & Ordinance
 - E. Façade of Louisburg Improvement Program – Renewal
 - F. Downtown Pavilion Conceptual – Update
 - G. Park & Tree Board Recommendations to Council
11. ADJOURNMENT

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
NOVEMBER 4, 2019**

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 Sandy Harris was absent.

Council Members Lee Baer, Steve Town, Thorvald McKiernan, Kalee Smith
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 Jeremy Holloway

PLEDGE OF ALLEGIANCE

Councilmember Thorvald McKiernan led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 4-0, to approve the consent agenda to include adoption of the agenda, approval of the October 21, 2019, minutes and bills list.

VISITORS

LHS Principal Jeremy Holloway addressed the Council on the impacts of vaping at the high school.

Mr. Holloway said a few weeks ago the high school auditorium was packed to capacity for an assembly and, for the first time in several years included the middle school, for a presentation on vaping. Vaping has become a major epidemic among youth across the United States, and Louisburg, Kan., is not exempt from it.

Mr. Holloway said he has great concern about this issue and realizes that some think vaping is not a big issue in our schools. He shared some key points from the presentation, thoughts from his perspective as a high school principal and a few anecdotal stories.

The presenter's name is Dr. Christopher Jensen. What I loved about him even before he came is that he is a teacher. He is a high school teacher up in Blue Valley, and was described as a teacher that all of the kids love. These are the types of speakers that have the biggest impact. Being able to put a topic like this into terms that students can understand and relate to is an art. Teaching is an art. Anyone can toss a football with friends, but not everyone can play in the NFL. Anyone can have kids and manage a small group, especially when it involves what the kids want to do, but not everyone can teach. Dr. Jensen was a perfect fit. Here are some key things that I took away from the presentation:

1. After talking with students, they were highly impressed and mentioned that they learned things they did not know.
2. Dr. Jensen put it into very factual and relatable information. It did not come across as a lecture.
3. Dr. Jensen mentioned that vaping usage in high school students has gone up over 75% in the last 2 years.
4. If you ever see an ad for Juul, check it to see just who they are really targeting. Does it look like the typical person that an adult is looking to follow?
5. Vaping cases are just now starting to show up because it is still new, but deaths and vape related illnesses are rising, because doctors were unaware of what was causing the illnesses until recently.
6. Vaping is now showing to have far faster affects on the lungs than smoking.
7. There were a few students giggling during the presentation. These kids would be ones that I would fear are vaping.
8. If you are vaping, there is almost no way that it will be the last thing you do. It is a huge gateway to other things.
9. Almost anything can be in a vape.

10. The human brain is not fully developed until around the age of 25, and the chemicals in vapes greatly lower the ceiling of possibility for those students that use regularly.

As a high school principal, here are some things that I think that you should know:

1. It is harder than ever to tell which students are vaping. When I was in school, the smokers were obvious. Today, the vapers are obvious and not obvious. Straight A students and your best athletes are succumbing to the glamour of vaping.
2. One student told me that he believed that 75% of students vaped outside of school. I want so badly to believe that is not true. Ask your students what they think.
3. That same student said that about 10% of those students' parents would say that they knew about it.
4. Students have told me that they commonly keep their vapes in their underwear.
5. Across the country schools are stiffening their consequences for vaping. Louisburg has gone from 1 day of ISS to 3 days of OSS for a first offense. Agree or disagree, I wanted to make vape a drug offense, and many schools have done this. Remember, vape cartridges can be manipulated to have almost anything in them. School should not be the first place that a student will be exposed to a vape.
6. If a student cannot go a whole day without vaping in school, they are addicted.
7. Many towns across the state are raising the age to buy vapes to 21. Paola recently did it. I will tell you that it is the 18-year-old high school students that buy vapes on their way to school that then sell vapes to younger students at the high *and* middle school.

Some anecdotal stories.

1. A student that I taught graduated last year. He is a great kid, and he came to me with a vaping problem that had turned into marijuana. I watched as he broke down in my office. He had not been caught, just wanted to talk. He

said that he was having a hard time making it through the day without using. He didn't bring stuff into school, but he couldn't focus on anything but wanting to use again. He was addicted. We did get him help, but it was crazy to see how a kid started off vaping with friends and how those friends moved on to stronger things. He was trying to at least not bring it in to school. I never expected to see this student in front of me this way.

2. I want to give you three very different types of responses that I have gotten from parents when their kid was disciplined for vaping over the past few years.
 - a. **The Parent That Thinks It's Ok-** "Mr. Holloway, why are you focused on such minor things? He wasn't bothering anybody. You should be focused on bigger issues in school."
 - b. **The Parent That Is Missing the Point-** "Mr. Holloway, I'm sorry and I support your decision." Parent turns to student and says, "You know you shouldn't be doing that *here*."
 - c. **The Parent That Gets It-** "Mr. Holloway, I am so sorry. I can't believe that it is only 1 day of ISS. That seems like a definite OSS to me. Seems very lenient. I had no idea they've been doing this"

As you can see, it's not easy. My responses would be that it is far from minor, that I'm glad you disapprove of usage in school, but we may be missing the point, and you're right, and we will be changing that policy as soon as we can.

- Two years ago during a staff meeting, a teacher asked, "What's a vape?" Everyone knows now. Remember, the presenter told us that usage among high school age students has gone up by 75% over that time.
- Many of you probably remember the old pictures of the black lungs that pretty much helped end smoking in the '80s and '90s. This presentation showed the permanent scarring that as a result of vaping that is often referred to as popcorn lung.

To end this conversation, I just want to emphasize one last time that both our staff and students have been impacted in a positive way by this presentation.

Mr. Holloway asked the Council to consider changing the age to 21 to purchase tobacco products and vaping materials in Louisburg. The City of Paola recently changed its ordinance and he would like Louisburg to do the same.

Councilmember Lee Baer would like to see this brought back to Council. Administrator Nathan Law said he would bring it back to the next meeting.

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Fire Department: Fire Chief Gerald Rittinghouse reminded everyone to change the batteries in your smoke detectors with the time change.

Police Department: Chief Tim Bauer said residents dropped off 30 pounds of medicine during the Drug Take Back Day. Chief Bauer thanked the City for allowing them to participate in the program.

Water Leak Adjustment: City Administrator Nathan Law presented a water leak adjustment for Bryce Smith (214 Shoreline Drive) for a reduction in billing of \$112.63. Councilmember Steve Town moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the one-time leak adjustment to Bryce Smith.

Golf Course Update: Administrator Law said little has changed in regards to the golf course. At this point, the best opportunity is to consider a short-term lease of the facility to garner additional time. There is no change in timing as the property owner is still looking to either sell to someone or allow for cattle to populate the property for the taxable benefit. The terms for the lease will be mentioned under a department report, but is for \$8,000/month triple-net (all other costs borne by the lessee, including: insurance, property taxes and maintenance), with a set term of five years, but with any lesser timeframe allowed along with a 60-day notice to terminate the lease. That would allow for this arrangement to get past the end of the year and allow for more time in 2020 to figure out purchase options and other donations. At \$8,000/month, excluding the triple-net aspect, this keeps the annual lease under the \$100,000 approved by Council.

Councilmember Kalee Smith asked how long is this going to keep going on. Smith wants to get this wrapped up. Councilmember Town asked if any of the interested investors have come forward yet. Administrator Law said there has been no change in the last two weeks. Councilmember McKiernan and Smith both said they do not feel the City should spend that kind of money. Administrator Law

noted again that this is within the previous desired funding approved by Council. Mayor Southard asked if anyone would like to make a motion. No motion was made.

CITY ATTORNEY'S REPORT

None

COUNCIL REPORTS

Councilmember Baer: Councilmember Lee Baer asked how the ditch digging had gone. Craig Hufferd said it went well and next year they will get even more done.

Councilmember McKiernan: Councilmember Thorvald McKiernan asked what the illegal dumping fee was. Chief Tim Bauer said the fee for illegal dumping is \$250.00 minimum and goes up to \$1,000. McKiernan would like to see more signs posted regarding no bags accepted with the leaves.

Councilmember McKiernan asked how the Building Code updates were coming along. Administrator Law said they working on them. Mr. McKiernan asked if they would be done by the end of the current year. Mr. Law said he will reach out again to the individual conducting the update process and ask about timeframe for completion.

MAYOR'S REPORT

None

ADMINISTRATOR'S REPORT

Special Use Permit – Operation of a 24-Hour Inpatient Drug and Alcohol Treatment Facility at 105 E. Amity – Continued: City Administrator said the Planning Commission revisited the discussion as requested. Mr. Law presented an Ordinance for Council approval with the changes that were discussed at recent meetings. Councilmember Thorvald McKiernan moved, seconded by Councilmember Lee Baer and carried 4-0, to approve Ordinance 1113 as presented.

Louisburg City Code – Continued: Administrator Law said at the last meeting Council tabled this item to the current meeting to allow additional time to compile and bring back suggested changes. Council went through the changes and made several recommendations. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 4-0, to approve the following recommendations for code sections:

- 4-502 – Change fee range for electrical service to read 201 amps to 1000 amps;
- 7-213-8 – Change language to indicate contacting dispatch before burning;
- 7-303 – Increase insurance requirements for fireworks displays to match language for other permits, requiring \$1 million individual and \$2 million comprehensive liability;
- 12-115 – Remove any conflicting language to match Constitutional Carry laws;
- 12-301 – Change the number of non-voting members of the Park and Tree Board to two members, one from Louisburg Recreation Commission and the second from the USD 416;
- 15-309 – Remove vitrified clay pipe from allowable sewer pipe installations;
- 15-403 – Decrease the allowable contract period for solid waste to five years;
- 18-101 – Remove this section and take steps to dissolve the Downtown Committee;
- C.O. 5 & 7 – Take necessary steps to remove these charter ordinances to avoid any confusion with current election calendar;
- 1-802 – Remove list of streets from codebook.

Administrative Goals Update: Administrator Law said last week Council met in a special workshop to review administrative goals for the purpose of updating the list with additions or subtractions. Having had time since the workshop, staff would encourage Council to add or subtract from that list as they see fit at this meeting.

1. Review and revamp building process – includes the process for applying and issuing building permits
2. Weigh appropriate considerations for a Planning Director
3. Review frequency of delays with requesting and fulfilling inspections, and consider whether a second on-call inspector is warranted
4. Fill empty retail space

5. Analysis on Staffing and Efficiency – resulting in findings of possible improvements in areas of cross training, staffing levels, or division or combination of duties.
6. Pool enhancements
7. Community/Recreation Center – Long-term/Intermediate-term goal
8. Determine and support one grand event for Louisburg (long term)
9. Improve quality of life whenever/however possible (long-term)
10. Notify, court & return builders to Louisburg (short-term)

Councilmember Kalee Smith moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the list of administrative goals.

2020 Holiday Calendar and Considerations: City Administrator Nathan Law presented a list of recognized holidays, not all of which are City recognized but are included per City Code language, and additional considerations for each based on where they fall within their respective month/week. Councilmember Lee Baer moved, seconded by Councilmember Kalee Smith and carried 3-0-1 (Town abstained) to approve the 2020 holiday calendar and other considerations.

Additional Playground Information: At the last Council meeting, Council approved the purchase of a playground structure utilizing a grant through Burke's Move With Us program to be placed at the Louisburg Aquatic Center. At that meeting, staff was asked to get pricing for ForeverLawn turf playground surfacing.

The original proposal was Engineered Wood Fiber Mulch, an ADA compliant surfacing. The cost of the mulch and border for the 50' x 41' area is around \$4,000.

Other surfacing options as shown in the presentation included Duraplay, a poured-in-place option and Foreverlawn, a turf option.

The installation of the DuraPlay surfacing at 3.5" thick with 4" stone base is \$40,965.

The installation of ForeverLawn Ultra surfacing with stone base is \$34,515.

Councilmember Thorvald McKiernan moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the \$4,000 wood fiber mulch for the playground at the Aquatic Center.

ADJOURNMENT

At 7:40 p.m. Councilmember Lee Baer moved, seconded by Councilmember Kalee Smith and carried 4-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 11/18/2019

VENDOR	AMOUNT	DEPARTMENT
APPLE ELECTRIC INC.	\$160.50	ELECTRICAL - PWD
CLYDE & WOOD LLC	\$1,116.14	COURT APPOINTED ATTY FEES
CORE & MAIN	\$1,147.96	EQUIPMENT - WATER
CROFT TRAILER SUPPLY	\$6,167.24	9'BLADE F550 - STREETS
DELTA DENTAL OF KANSAS	\$2,774.52	INSURANCE - ALL
DIRECTV	\$185.30	TV - FIRE
FAMILY CENTER OF PAOLA	\$484.33	SUPPLIES - PUA, PWD
GREENER EXPECTATIONS	\$890.00	MAINTENANCE - PARKS
GWORKS	\$7,323.06	ANNUAL LICENSE AND SUPPORT - ALL
HAMM INC	\$434.32	SCREENINGS FOR FOX HALL
HENSLEY COATING INC	\$2,800.00	AWNINGS CITY HALL AND FIRE
HICKEY, KRAIG	\$200.00	SERVICES - CEMETERY
HOME DEPOT CRC	\$69.32	SUPPLIES - PARKS
INDUSTRIAL SALES CO	\$466.63	SUPPLIES - GAS
JOHNSON COUNTY WASTEWATER	\$463.00	TESTING - SEWER
KANSAS MUNICIPAL GAS	\$17,423.92	NATURAL GAS
KCPL	\$9,909.95	ELECTRICITY - ALL
KELLY SARAH	\$500.00	FLIP GRANT
KIRKALDIE CHARLES	\$496.59	FLIP GRANT
KS EMPLOYMENT SECURITY FUND	\$399.58	UNEMPLOYMENT TAX - ALL
KS ST. TREASURER	\$987.43	COURT COLLECTIONS - COURT
LOUISBURG ANIMAL CLINIC	\$600.00	ANIMAL SERVICES - POLICE
LOUISBURG CLEANERS	\$110.30	SERVICES - POLICE
LOUISBURG FORD	\$465.35	SERVICES - POLICE
LOUISBURG MUNICIPAL UTILITIES	\$647.57	MUNICIPAL UTILITIES - ALL
LOUISBURG NURSERY	\$35.40	MUMS FOR BROADWAY
MCGOWIN JESSICA	\$96.50	PER DIEM-CLERK TRAINING
MCI	\$70.10	TELEPHONE - ALL
MICRO-COMM, INC.	\$1,550.20	RADIO WORK - PWD
NAPA AUTO PARTS	\$129.75	SUPPLIES - PARKS
NATIONAL SIGN CO INC	\$1,219.30	BARRICADES - STREETS
NEOPOST	\$131.24	POSTAGE - ALL
NEPTUNE TECHNOLOGY GROUP	\$1,090.09	EQUIPMENT - WATER
NPG NEWSPAPERS	\$390.48	ORDINANCE PUBLICATION - ADMIN
O'REILLY AUTO PARTS	\$223.74	SUPPLIES - POLICE, PWD
PAOLA HARDWARE	\$3.99	SUPPLIES - PUA
PARTNERS PRINT & COPY INC	\$1,230.93	PRINTING, SHIPPING, SUPPLIES
PEREGRINE CORP.	\$1,502.96	UTILITY BILLING - GS, SW, WT
POWELL PUMPKIN PATCH	\$30.00	BROADWAY DECOR
PRICE BUSINESS ENTERPRISE	\$734.99	IT SERVICES - ADMIN, POLICE
PRICE CHOPPER	\$106.68	SUPPLIES - ALL
QUILL	\$167.39	OFFICE SUPPLIES - ADMIN
REDDI SERVICES KC	\$1,960.00	SERVICES - SEWER
ROMANS OUTDOOR POWER	\$1,002.23	SUPPLIES - PARKS
RURAL WATER DISTRICT #2	\$51.49	WATER - PARKS
SAMS CLUB MC/SYNCB	\$1,924.21	EQUIPMENT, SUPPLIES - ALL
SECURITY 1ST TITLE LLC	\$225.00	SERVICES - BZ
SI FUNERAL SERVICES	\$595.00	SERVICES - CEMETERY
SIMMONS DEVELOPMENT CO	\$1,050.00	305 SHORELINE-PERMIT 2019245
SOLITUDE LAKE MANAGEMENT	\$1,440.00	LAKE DIFFUSER
STOREY, TRACI	\$96.50	PER DIEM - CLERK TRAINING
SWIFTRREACH NETWORKS INC	\$1,995.00	SWIFT 911 SUBSCRIPTION
ULINE	\$894.14	SUPPLIES - PARKS
USA BLUE BOOK	\$614.84	EQUIPMENT - PUA
VERIZON	\$872.18	CELLULAR - ALL
WASTE MANAGEMENT	\$315.66	TRASH SERVICES - ALL
WHITE'S AUTOMOTIVE	\$953.04	TIRES - PWD
ZEP MANUFACTURING	\$217.31	SUPPLIES - ADMIN, POLICE
	\$79,143.35	

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: November 15, 2019

Re: Metcalf 2.0 Construction Design Selection Process Update

Background: County road and bridge staff will be present at this meeting to discuss the selection process for construction design services for the Metcalf 2.0 project.

Financial Consideration: \$175,000 commitment toward this aspect of the project was approved by Council in December of last year.

Legal Consideration: None.

Recommendation: Receive and file.

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: November 15, 2019

Re: Stormwater Priority Project – Shoreline & Broadmoor

Background: Bid opening for the first stormwater project occurred on Wednesday, November 6th. Nine bids were submitted for this project, and are listed in summary form in the attached spreadsheet. Attached also with this memorandum is the recommendation from project engineer Brent Johnson with Olsson.

Financial Consideration: Apparent low bid is Mega Industries with a bid of \$221,962. The intended source of project funds is the Stormwater Utility Fund, which currently has enough available funds and budget authority to accommodate this project. With the available project timeline, the costs and budget authority will likely be allocated across two budget years. Funding and authority is available within the 2020 budget as well, with staff having budgeted for use of all remaining stormwater funds.

With project site access occurring off Broadmoor Cove, there will likely be damage to surface infrastructure and grounds. The cost for repair on this lot is not included in the bid. Infrastructure repair will be included with annual street, curb/gutter and sidewalk work. Project quantities can be increased to accommodate this lot during grading/seeding efforts near the end of the planned work.

Legal Consideration: Easements have been secured for onsite work. Project entrance will utilize a lot dedicated for utility and drainage easement, and will be returned to previous condition when the project is finalized.

Recommendation: Discuss stormwater project as needed. Accept the recommendation of Olsson, awarding the bid of Mega Industries for \$221,962, directing staff to send a Notice of Award, and directing staff to sign all necessary documentation.



November 12, 2019

City of Louisburg
Attn: Nathan Law – City Administrator
215 S Broadway Street
Louisburg, KS 66053

Re: Stormwater Improvement Project
Shoreline and Broadmoor
Bid Review

Dear Mr. Law:

Bids for the above referenced project were received and opened on November 6, 2019. A total of nine (9) bids were submitted and have been reviewed.

After review of the bids and qualifications provided by the apparent low bidder, it is our recommendation that Notice of Award be given to Mega Industries, in the contract amount of \$221,962.

Please do not hesitate to call with any questions, comments, or if any further information or documentation is required.

Sincerely,

A handwritten signature in blue ink that reads "Brent Johnson". The signature is written in a cursive, flowing style.

Brent Johnson, PE
Olsson



Stormwater Improvement Project – Shoreline & Broadmoor
City of Louisburg, Kansas
Bids Received, November 6, 2019

	Company	Bid Bond	Addendum 1	Bid
1	Mega Industries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$221,962.00
2	WCI	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$258,060.00
3	G-B Construction	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$286,225.45
4	Hamm	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$292,587.00
5	Dondlinger & Sons	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$303,670.30
6	L Underwood	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$331,460.61
7	Wiedenmann	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$336,078.00
8	Kansas Heavy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$341,940.00
9	Bennett	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$347,865.00
10		<input type="checkbox"/>	<input type="checkbox"/>	
11		<input type="checkbox"/>	<input type="checkbox"/>	
12		<input type="checkbox"/>	<input type="checkbox"/>	
13		<input type="checkbox"/>	<input type="checkbox"/>	
14		<input type="checkbox"/>	<input type="checkbox"/>	
	Engineer's Estimate			\$235,800.00

Memo

To: Louisburg Governing Body
From: Nathan Law
Date: November 15, 2019
Re: Tobacco/Nicotine Age Limit Considerations

Background: Staff was requested at the last meeting to bring back information for Council to review in regard to recent activity in Kansas and elsewhere to limit the age of tobacco and nicotine containing items by cities and counties, the intent of which is to make the legal age for purchase of these items 21, an increase from the current age of 18.

According to online information, across the nation 507 local governments (cities, counties, and/or territories) have elected to increase the minimum age for tobacco. Recently Newton and Paola joined that list.

Financial: None.

Legal: Such a change in legal age to purchase must be made by ordinance, and can be accomplished by amending the Uniform Public Offense Code to specify age restrictions and consequences in a manner similar to the City of Paola and the City of Newton.

Recommendation: Discuss the age limit increase on tobacco sales and use, and direct staff accordingly.

201

NEWTON, Kan. (KAKE) -

If you want to buy tobacco products in Newton, Kansas, you'll have to be at least 21 years old starting next year.

The Newton City Commission on Tuesday approved a T21 ordinance, which raises the minimum age to 21 to purchase tobacco products. It goes into effect on January 1, 2020.

All tobacco products are covered in the ordinance, including cigarettes, e-cigarettes, cigars, chewing tobacco, etc. Newton was the 500th city in the nation to adopt T21.

Tobacco retailers will be required to obtain an annual license for each sales location, with an annual fee of \$400. The city said in a news released that the fee is designed to offset the costs of administering the ordinance and conducting compliance checks.

"The change in the minimum age had been requested this summer by student members of STAND, a youth leadership initiative of Mirror Inc. and the Tobacco Leadership Team," the release says.

The students said they hoped to reduce the widespread use of e-cigarettes among their peers. Newton Medical Center CEO Vallerie Gleason also advocated for the ordinance on behalf of the health care community.

As of September 18, 2019, eighteen states – Arkansas, California, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, New Jersey, New York, Ohio, Oregon, Texas, Utah, Vermont, Virginia and Washington – have raised the tobacco age to 21, along with Washington, DC and over 500 localities. Some of the localities are in states that subsequently enacted statewide laws. These laws now cover over half of the US population. The strength of state and local laws, such as their enforcement and penalties, varies substantially.

States:

- | | |
|------------------------------------|------------------------------|
| Hawaii (effective 1/1/16) | California (16) ¹ |
| California (effective 6/9/16) | 1.Arvin |
| New Jersey(effective 11/1/17) | 2.Elk Grove |
| Oregon (effective 1/1/18) | 3.Fairfax |
| Maine (effective 7/1/18) | 4.Healdsburg |
| Massachusetts (effective 12/31/18) | 5.Kern County |
| Illinois (effective 7/1/19) | 6.Los Gatos |
| Virginia (effective 7/1/19) | 7.Novato |
| Delaware (effective 7/16/19) | 8.Palo Alto |
| Arkansas (effective 9/1/19) | 9.San Francisco City/Ctny |
| Texas (effective 9/1/19) | 10.Santa Clara County |
| Vermont (effective 9/1/19) | 11.Santa Cruz County |
| Connecticut (effective 10/1/19) | 12.Saratoga |
| Maryland (effective 10/1/19) | 13.Scotts Valley |
| Ohio (effective 10/17/19) | 14.Sonoma County |
| New York (effective 11/13/19) | 15.South El Monte |
| Washington (effective 1/1/20) | 16.South Pasadena |
| Utah (effective 7/1/21) | |

Localities:

- | | |
|----------------------|--------------------|
| Alaska (2) | Colorado (8) |
| 1.Anchorage | 1.Aspen |
| 2.Sitka | 2.Avon |
| | 3.Basalt |
| Arizona (4) | 4.Boulder |
| 1.Cottonwood | 5.Carbondale |
| 2.Douglas | 6.Edgewater |
| 3.Flagstaff | 7.Glenwood Springs |
| 4.Goodyear | 8.Snowmass |
| | Connecticut (8) |
| Arkansas (3) | 1.Bridgeport |
| 1.Harrison | 2.Hartford |
| 2.Helena/West Helena | 3.Meriden |
| 3.Phillips County | 4.Milford |
| | 5.Southington |
| | 6.South Windsor |

- 7.Trumbull
- 8.Wallingford

- Florida (2)
- 1.Alachua County
- 2.Fort Lauderdale

- Georgia (1)
- 1.Smyrna

- Hawaii (1)
- 1.Hawaii County

- Illinois (40)
- 1.Arlington Heights
- 2.Aurora
- 3.Barrington
- 4.Berwyn
- 5.Bolingbrook
- 6.Buffalo Grove
- 7.Chicago
- 8.Cook County
- 9.Deerfield
- 10.Des Plaines
- 11.Downers Grove
- 12.Elgin
- 13.Elk Grove
- 14.Evanston
- 15.Glen Ellyn
- 16.Gurnee
- 17.Highland Park
- 18.Hoffman Estates
- 19.Hopkins Park
- 20.Lake County²
- 21.Lake in the Hills
- 22.Lake Zurich
- 23.Lincolnshire
- 24.Maywood
- 25.Mount Prospect
- 26.Mundelein
- 27.Naperville
- 28.Normal
- 29.Oak Park
- 30.Park Ridge

- 31.Peoria
- 32.Plainfield
- 33.Riverwoods
- 34.Rolling Meadows
- 35.Skokie
- 36.Vernon Hills
- 37.Washington
- 38.West Chicago
- 39.Wheaton
- 40.Wilmette

- Kansas (25)
- 1.Bonner Springs
- 2.Douglas County²
- 3.Garden City
- 4.Holcomb
- 5.Iola
- 6.Johnson County²
- 7.Kansas City/Wyandotte County
- 8.Lansing
- 9.Leavenworth
- 10.Leawood
- 11.Lenexa
- 12.Merriam
- 13.Mission Hills
- 14.Newton
- 15.Olathe
- 16.Overland Park
- 17.Paola
- 18.Parsons
- 19.Prairie Village
- 20.Roeland Park
- 21.Sabetha
- 22.Shawnee County²
- 23.Topeka³
- 24.Westwood
- 25.Westwood Hills

- Maine (1)
- 1.Portland

- Massachusetts(237)⁴
- 1.Acton²2.Acushnet³3.Adams⁴4.Agawam⁵
- 5.6.Amherst⁷7.Andover⁸8.Arlington⁹9.As

hburnham10.Ashby11.Ashland12.Athol13.Attleboro14.Avon15.Ayer16.Barnstable17.Bedford18.Belchertown19.Bellingham20.Belmont21.Beverly22.Billerica23.Blackstone24.Bolton25.Boston26.Bourne27.Braintree28.Brewster29.Bridgewater30.Brimfield31.Brockton32.Brookline33.Buckland34.Burlington35.Cambridge36.Canton37.Carver38.Charlemont39.Chatham40.Chelmsford41.Chelsea42.Chicopee43.Chilmark44.Clinton45.Cohasset46.Concord47.Conway48.Dalton49.Danvers50.Dartmouth51.Dedham52.Deerfield53.Dighton54.Dover55.Dracut56.Duxbury57.East Longmeadow58.Eastham59.Easthampton60.Edgartown61.Egremont62.Essex63.Everett64.Fairhaven65.Fall River66.Falmouth67.Fitchburg68.Foxboro69.Framingham70.Franklin71.Georgetown72.Gill73.Gloucester74.Grafton75.Great Barrington76.Greenfield77.Groton78.Hadley79.Halifax80.Hamilton81.Hanover82.Harvard83.Harwich84.Hatfield85.Haverhill86.Heath87.Hingham88.Hinsdale89.Holbrook90.Holden91.Holliston92.Holyoke93.Hopedale94.Hopkinton95.Hubbard96.Hudson97.Hull98.Ipswich99.Kingston100.Lancaster101.Lanesborough102.Lawrence103.Lee104.Lenox105.Leominster106.Leverett107.Lexington108.Lincoln109.Littleton110.Longmeadow111.Lowell112.Ludlow113.Lynn114.Lynnfield115.Malden116.Manchester117.Mansfield118.Marblehead119.Marion120.Marlborough121.Marshfield122.Mashpee123.Maynard124.Medfield125.Medford126.Medway127.Melrose128.Mendon129.Methuen130.Middletown131.Milford132.Millbury133.Millis134.Milton135.Montague136.Nantucket137.Natick138.Needham139.New Bedford140.Newton141.Norfolk142.No

rth Adams143.North Andover144.North Attleboro145.Northborough146.Northbridge147.Northampton148.North Reading149.Norton150.Norwell151.No rwood152.Oak Bluffs153.Orange154.Orleans155.Otis 156.Oxford157.Palmer158.Peabody159.Pembroke160.Pittsfield161.Plainville 162.Plymouth163.Provincetown164.Quincy165.Randolph166.Raynham167. Reading168.Revere169.RocklandMas sachusetts (cont'd)170.Rockport171.Rowley172.R utland173.Salem174.Salisbury175.Sa agus176.Scituate177.Sharon178.Sheff ield179.Shelburne180.Sherborn181.S hrewsbury182.Somerville183.South Hadley184.Southampton185.Southbor ough186.Southbridge187.Southwick18 8.Spencer189.Springfield190.Stockbri dge191.Stoneham192.Stoughton193. Stow194.Sturbridge195.Sudbury196.S nderland197.Sutton198.Swampscott1 99.Swansea200.Taunton201.Templeto n202.Tewksbury203.Tisbury204.Topsfi eld205.Townsend206.Tyngsboro207.U xbridge208.Wakefield209.Walpole210. Waltham211.Wareham212.Watertown 213.Wayland214.Wellesley215.Wellfle et216.Wenham217.Westboro218.West Boylston219.Westfield220.Westford22 1.Weston222.Westport223.West Tisbury224.WestwoodMassachusetts (cont'd)225.Weymouth226.Whately22 7.Whitman228.Wilbraham229.Williams town230.Wilmington231.Winchendon2 32.Winchester233.Winthrop234.Wobur n235.Worcester236.Yarmouth

Michigan (2)

1.Ann Arbor2.Geneseee County3

Minnesota(43)

1. Albert Lea 2. Arden Hills 3. Austin 4. Beltrami County 5. Bemidji 6. Benton County 7. Bloomington 8. Byron 9. Brooklyn Center 10. Duluth 11. Eden Prairie 12. Edina 13. Excelsior 14. Falcon Heights 15. Forest Lake 16. Hennepin County 17. Hermantown 18. Isanti County 19. Lauderdale 20. Lilydale 21. Little Canada 22. Mankato 23. Mendota Heights 24. Minneapolis 25. Minnetonka 26. Mounds View 27. New Brighton 28. North Mankato 29. North Oaks 30. Olmsted County 31. Otter Tail County 32. Plymouth 33. Pope County 34. Richfield 35. Robbinsdale 36. Roseville 37. Shoreview 38. Stevens County 39. St. Louis Park 40. St. Peter 41. Waseca 42. Wilkin County 43. Wright County

Mississippi (1)

1. Adams County 2

Missouri (23)

1. Columbia 2. Crestwood 3. Des Peres 4. Eldon 5. Excelsior Springs 6. Gladstone 7. Grandview 8. Hallsville 9. Independence 10. Jackson County 2 11. Jefferson City 12. Kansas City 13. Lee's Summit 14. Liberty 15. Oak Grove 16. Parkville 17. Peculiar 18. Pleasant Valley 19. Raymore 20. Smithville 21. Springfield 22. St. Louis City 23. St. Louis County 23. Wildwood

New Hampshire (2)

1. Dover 2. Keene

New Jersey (28)

1. Belleville 2. Bergenfield 3. Bloomingdale 4. Bogota 5. Bradley Beach 6. Cedar Grove 7. East Orange 8. East Rutherford 9. Englewood 10. Fairlawn 11.

Garfield 12. Haledon 13. Hanover 14. Highland 15. Maplewood 16. Oradell 17. Paterson 18. Princeton 19. Raritan 20. Rutherford 21. Sayreville 22. Teaneck 23. Tenafly 24. Trenton 25. Union City 26. West Orange 27. Westwood 28. Wyckoff

New York (25)

1. Albany County 2. Baxter Estates 3. Cattaraugus County 4. Chautauqua County 5. Cortland County 6. Essex County 7. Great Neck Plaza 8. Hempstead 9. Long Beach 10. Nassau County 11. New Castle 12. New York City 13. North Hempstead 14. Onondaga County 15. Orange County 16. Port Washington North 17. Putnam County 18. Rockland County 19. Schenectady County 20. Suffolk County 21. Sullivan County 22. Tompkins County 23. Ulster County 24. Westchester County 25. Williston Park

Ohio (25)

1. Akron 2. Bexley 3. Brooklyn 4. Cincinnati 5. Cleveland 6. Cleveland Heights 7. Columbus 8. Dublin 9. Euclid 10. Girard 11. Grandview Heights 12. Green 13. Kent 14. Lakewood 15. Mogadore 16. New Albany 17. Newburgh Heights 18. Norton 19. Powell 20. Richfield 21. Summit County 2 Ohio (cont'd) 22. Twinsburg 23. Upper Arlington 24. Wickliffe 25. Worthington

Oregon (1)

1. Lane County

Rhode Island (2)

1. Barrington 2. Central Falls

Texas (3)

1.Kirby2.Leon Valley3.San Antonio

Washington, DC

Utah (2)

1.Cedar Hills2.Lehi

US Territories

1.Guam

¹CA localities courtesy of ANR

²Only applies to unincorporated areas of the County

³Challenged in court

⁴MA localities courtesy of the Municipal Tobacco Control Technical Assistance Program

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: November 15, 2019

Re: Building Permit Fee Waiver & Ordinance

Background: The most recent building permit fee waiver ordinance lapses at the end of this year. Currently the City has issued 27 single-family housing permits. Previous years' volumes have been 14 in 2018, 23 in 2017, and 46 in 2016; compared to 7 permits in 2015 and 4 permits in 2014, during years without permit waivers. With success of this waiver, now is the time for Council to consider extending this program for another period of time. Based on the volume of permits issued this year and the previous three years, and on the perceived return on those new builds, Council may wish to consider another full year waiver of building permit fees.

As with previous versions of this ordinance, the proposed language only includes single-family residential building permits, not multi-family (apartments) or commercial permits. If such is desired, the appropriate changes can be made and still acted on tonight, but will need to be approved as to form by counsel prior to publication.

Financial: Cost to publish ordinance.

Legal: This ordinance must be published once.

Recommendation: Review the attached ordinance and approve accordingly.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LOUISBURG, KANSAS, AS ADOPTED BY ORDINANCE NO. 865 BY ADDING A NEW SECTION ENTITLED, SECTION 10, THEREBY WAIVING BUILDING PERMIT FEES FOR NEW RESIDENTIAL DWELLINGS FOR A PERIOD OF TWELVE MONTHS, FROM JANUARY 1 TO DECEMBER 31, 2020.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS:

SECTION 1. That a new section entitled Section 10 shall be added as follows:

“Section 10. That new, single-family residential dwelling building permits shall not be subject to permit fees prescribed under Section 3 of Ordinance No. 865. Projects shall remain subject to building code and zoning review requirements. Duly obtained permits shall remain valid for a period of one year from the date of original issuance.”

SECTION 2. That Ordinance 1089 and parts of all other ordinances in conflict herewith shall be and are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body this 18th day of November, 2019.

ATTEST:

Traci Storey, City Clerk

Marty Southard, Mayor

(SEAL)

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: November 15, 2019

Re: Façade of Louisburg Improvement Program – Renewal

Background: For the past two years the City has offered an incentive program for exterior improvements to residences and commercial buildings. At this time Council is encouraged to consider the following for the possibility of extending this program for another calendar year.

Residential FLIP – To date there have been 22 applications for funding through this program, with 17 awarded for a total of \$7,862.49. The full reinvestment value of these awarded projects is \$42,417.53. At the beginning of the year this program had \$5,000 allocated for projects, and in April of this year that funding amount was increased by Council to \$10,000.

Commercial FLIP – To date there have been 3 applications for funding through this program, with 2 awarded for a total of \$5,000. At the beginning of the year this program had \$15,000 allocated for projects. With the current usage, that is 33.3% of original funds.

Financial Consideration: With the combined program utilization, and with the relatively low allocation of budget funds, there is little financial constraint caused by this program.

Legal Consideration: None.

Recommendation: Considering the minimal funding cost compared to the community benefit of this program, staff recommends extending both Residential and Commercial FLIP for calendar year 2020, with program funding of \$10,000 for Residential and \$15,000 for Commercial.



Memo

To: Louisburg Governing Body

From: Nathan Law

Date: November 15, 2019

Re: Downtown Pavilion Conceptual – Update

Background: At the first regular meeting in October Council was provided a conceptual for a downtown public space that included canopy structures. During that presentation Council asked staff to obtain updated price estimates for structures more similar to a traditional pavilion. Since that meeting staff has received updated information from McClure, including a steel-topped canopy. The price difference was an increase of approximately \$105/square foot of canopy, with a total quantity of 3,000 square feet of canopy, an increase in cost estimate of \$315,000. Attached is the full estimate of probable cost with the change in canopy pricing outlined. The total estimate of probable cost is currently \$769,783.33 without contingency. The cost of a more traditional pavilion will exceed even that of the current costs for steel canopy structures included with the updated estimate.

If Council is comfortable determining the type of structure to include with this project, the next logical step is to have the conceptual drawing converted into an engineered plan set for the purpose of bidding.

Financial: There is no dedicated funding for this project in any one fund. Due to the general use of the facility, it is possible to pair a number of funding sources to the project to assist with the potential aspect of the full project. An example of this is the use of streets funds for the asphalt work, infrastructure improvement funds for the concrete work, utility funds for the utility considerations on lighting the water tower, etc. Additionally, it is possible to scale the project back to split the work over a series of years, even though not necessarily advisable to do so with the structural and utility considerations for a canopy or pavilion structure. This could have a single pavilion structure installed over the larger plaza space and perhaps delay the smaller canopy area for a future project (highlighted in green and orange in the attached image).

Legal: None.

Recommendation: Receive and file the updated information. Consider next steps of this project and direct staff accordingly.

McClure
 1700 Swift, Suite 100
 North Kansas City, MO 64116
 (816) 756-0444

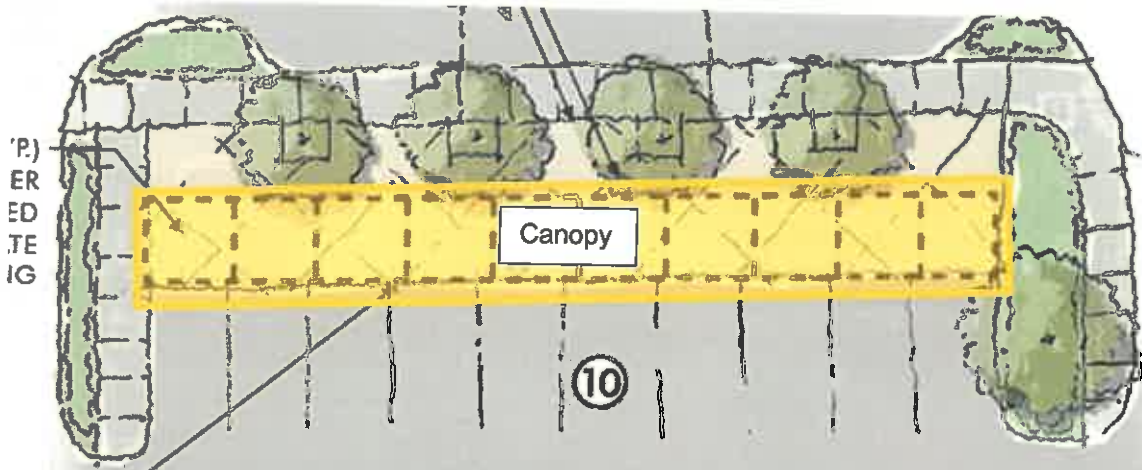
DATE: 9/30/2019
 REVISED: 11/5/2019
 REVISED:

City of Louisburg, KS
 Downtown Pavilion Conceptual Plan
 Project Number 190899-000

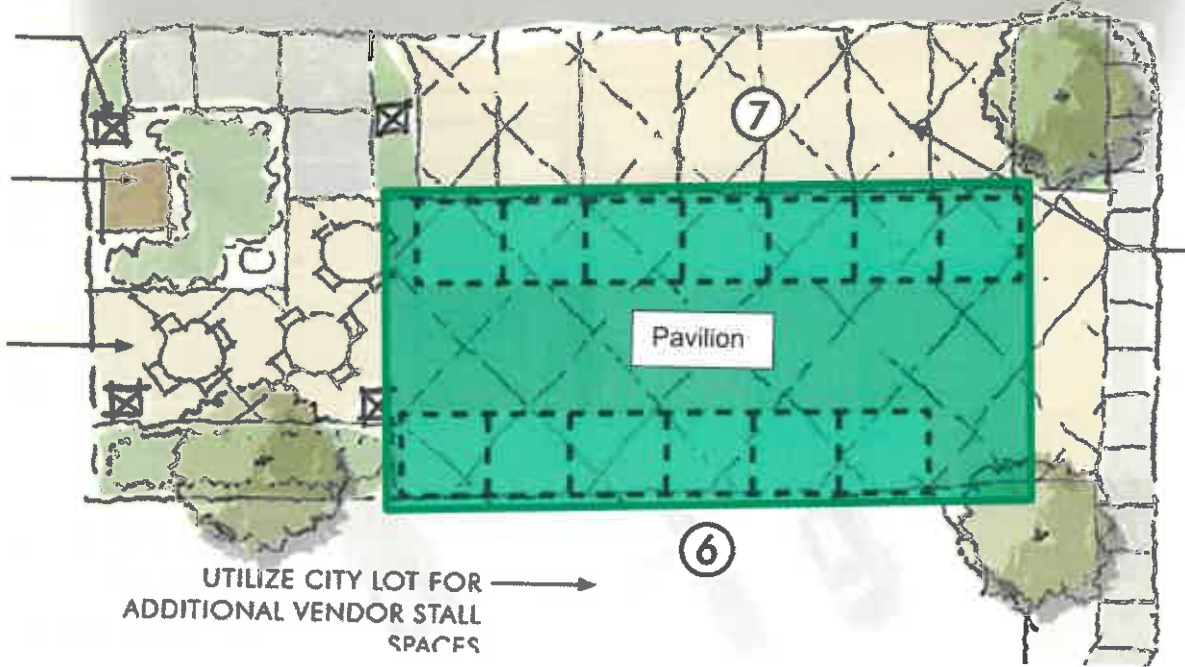
PRELIMINARY OPINION OF PROBABLE CONSTRUCTION COST

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	MOBILIZATION	LS	1	\$5,000.00	\$5,000.00
2	SITE DEMOLITION	LS	1	\$10,000.00	\$10,000.00
3	5" CONCRETE SIDEWALK/ADA RAMP	SF	1,950	\$6.50	\$12,675.00
4	CONCRETE CURB AND GUTTER	LF	535	\$25.00	\$13,375.00
5	FULL DEPTH ASPHALT PAVEMENT (PARKING STALLS AND STRIPING)	SY	656	\$60.00	\$39,333.33
6	DECORATIVE CONCRETE PLAZAS (COLORED AND/OR STAMPED)	SF	6,800	\$8.00	\$54,400.00
7	LIGHTING FOR WATER TOWER	LS	1	\$30,000.00	\$30,000.00
8	SITE LIGHTING	LS	1	\$40,000.00	\$40,000.00
9	CANOPY STRUCTURES (\$70 SF FOR FABRIC, \$175 FOR ALL STEEL)	SF	3,000	\$175.00	\$525,000.00
10	LANDSCAPING	LS	1	\$25,000.00	\$25,000.00
11	SITE FURNISHINGS	LS	1	\$8,000.00	\$8,000.00
12	ART TREATMENT ON WATER FILL STATION	LS	1	\$2,000.00	\$2,000.00
13	UTILITIES ALLOWANCE (WATER EXTENTION ETC)	LS	1	\$5,000.00	\$5,000.00
14					\$0.00
15					\$0.00
16					\$0.00
17					\$0.00
18					\$0.00
SUBTOTAL					\$769,783.33
20% CONTINGENCY					\$153,956.67
*TOTAL					\$923,740.00

*TOTAL PROJECT COSTS AND CONSTRUCTION COSTS PROVIDED HEREIN ARE MADE ON THE BASIS OF ENGINEER'S EXPERIENCE AND QUALIFICATIONS AND REPRESENT THE ENGINEER'S BEST JUDGMENT. HOWEVER, THE ENGINEER CANNOT AND DOES NOT GUARANTEE THAT BIDS OR ACTUAL TOTAL PROJECT OR CONSTRUCTION COSTS WILL NOT VARY FROM THE ESTIMATE OF PROBABLE CONSTRUCTION COST. THIS ESTIMATE IS INTENDED TO ASSIST IN BUDGETARY ASSESSMENT AND DOES NOT GUARANTEE THAT ACTUAL PROJECT COSTS WILL NOT EXCEED OR BE LOWER THAN THE AMOUNTS STATED IN THIS ESTIMATE.



ER
DE
SS
EY



Memo

To: Louisburg Governing Body
From: Nathan Law
Date: November 15, 2019
Re: Park & Tree Board Recommendations to Council

Background: At the last meeting Council discussed decreasing the non-voting members of the Park and Tree Board from three to two, with the two representatives from the Louisburg Recreation Commission and the USD 416. Staff presented that consideration to the Park and Tree Board at its last regular meeting. The recommendation from that board is to instead decrease the number of non-voting members to one, with that representative being the Louisburg Recreation Commission.

Park and Tree Board member Ernie Reinhart made a motion at this same meeting to change the name of City Park to Heroes City Park. The reason for the motion is based on timing in close proximity to Veteran's Day, because four members of the board have military service backgrounds, and because there are a number in the Louisburg community that have served and sacrificed. The motion passed by a vote of 3 to 1 with Wayne Knop voting in opposition (Dave Maddax absent). The stated reason for the negative vote was due to possible future confusion with that park's name and a veteran's park.

Financial: None.

Legal: Each recommendation requires separate Council action.

No deed for City Park has been found as of this writing to verify existence of naming restrictions. One document simply states the deeding of property was intended to offer space as a park and public meeting/events location.

Recommendation: Discuss Park and Tree Board recommendations and decide accordingly.