

**LOUISBURG CITY COUNCIL
REGULAR MEETING
MAY 18, 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 May 4, 2020
 - C. Approval of the Bills
3. 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.
4. DEPARTMENT REPORTS
5. CITY ATTORNEY’S REPORT
6. MAYOR’S REPORT
7. ADMINISTRATOR’S REPORT
 - A. Work-Site Utility Vehicle, Utility Task Vehicle, Golf Carts – Code Amendment – Continued
 - B. Stormwater Engineering RFQ Submittals
 - C. KMGGA Board of Directors Appointment
 - D. Louisburg Aquatic Center Opening
 - E. Special Meeting
8. COUNCIL/LIAISON REPORTS
9. ADJOURNMENT

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
MAY 4, 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

Finance Director Pat McQueen

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 Thorvald McKiernan inquired about a Louisburg Ford invoice. City Administrator Nathan Law said it looks to be repairs for Public Works. Law said he would send the information to McKiernan. Councilmember Sandy Harris moved, seconded by Councilmember Kalee Smith, motion carried 5-0, approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of April 20, 2020 and special meeting minutes April 22, 2020 and bills list.

VISITORS

None

PUBLIC COMMENTS

None

CITY ATTORNEY'S REPORT

City Attorney Kelly Stohs said the Moratoria for the Resolutions approved on 4-20-2020 had been lifted. Councilmembers had discussion. Stohs said unless the Council wanted to extend the Moratoria, otherwise it is expired.

MAYOR'S REPORT

None

DEPARTMENT REPORTS

None

ADMINISTRATOR'S REPORT

Work Site Utility Vehicle or Utility Task Vehicle, & Golf Carts: City Administrator Nathan Law said during the last meeting Staff was asked to look into options to amend City Code to allow for off-highway vehicles. Staff presented information to help clarify various types of vehicles, safety considerations paid by other agencies, and for discussing draft ordinance.

Safety considerations discussed by staff include, generally, that these vehicles were manufactured with the intent of off-road use. Because of this, they do not follow National Highway Traffic Safety Administration requirements and regulations for safety restraints and other safety considerations. Off-road vehicles do not come equipped with roadway tires, and when combining pressure and design of these tires with a high center of gravity, these vehicles pose additional risk to the safety of an individual on roadways.

A draft ordinance includes consideration for work-site utility vehicles, utility task vehicles, and golf carts.

Councilmembers had a lengthy discussion. Councilmember Sandy Harris moved, seconded by Councilmember Donna Cook to table this discussion to the next meeting in order to have additional consideration on registration and annual renewal fees, along with additional information on insurance requirements of owners. Councilmember McKiernan asked about property tax on vehicles. Motion carried 5-0, to table until the next meeting.

Governing Body Compensation: Staff was directed at the last meeting to provide an ordinance to amend the section of City Code to remove compensation for Governing Body. Councilmember Donna Cook said she would rather not give up pay and would rather spend the money locally. Mayor Southard said some members of volunteer boards stop showing up to meetings and he would hate for this to happen to Council if stipends were removed. Councilmember Harris asked why are we even doing this. Councilmember McKiernan said it costs more money to process than what the check is for. Councilmembers Smith agrees with Cook to keep the compensation. Councilmember Town said he often spends his on things, like snacks, for the public safety departments. Councilmember Harris asked McKiernan why do you want this changed. McKiernan said nothing has changed. No action was taken.

New Curb on Aquatic Dr. And Amity/K68: The City was approached by the school to see if there was anything we could do to help stop cars from cutting the corner when exiting off Amity/K68 south onto Aquatic Drive. A good solution would be to extend the existing curbs to Amity/K68. This would help the safety of the people trying to cross the highway as well. Other work would include cutting out and raising about 30ft of sidewalk. Some regrading on the west side of Aquatic Drive would have to be done as well.

Before further work is done the City was looking for direction or recommendations on this improvement. If approved, the next step would be to get cost estimates, coordinate with KDOT and come back to City Council for final approval.

Councilmember Cook asked if we could just put rock or shrubs there. Administrator Law said KDOT would not allow that. McKiernan asked if the school district was going to cost share with us. Law said he would reach out to the school. Councilmembers had discussion. Administrator Law will bring this back when more information is available from KDOT.

Out of City Limit Customers: The City has two potential natural gas customers that are requesting service that live outside city limits. Both properties have city-owned natural gas very near or on their property. It is requested that Council allow these two properties to attach to our natural gas system. Councilmember Cook asked who pays for the gas line. Administrator Law said the customer pays the connection fee. Councilmember McKiearnan asked if this was an oversight to have this request follow some work to install services. Law stated yes. Councilmember Harris asked how often does this happen. Administrator Law said since he has been here, this was the first request he has seen. Councilmember Cook said are these two locations already hooked up by us. Why is this even on the agenda? Law said yes, the service line to at least one of the properties has been installed up to a meter, but is not yet connected to the house. The reason staff is bringing this up now is because staff makes a point to bring to Council's attention when a mistake has been made and to make sure requirements are followed whenever possible. Staff apologized for the delay in presenting this consideration for approval. Councilmembers had discussion. Councilmember Thorvald McKiearnan moved, seconded by Councilmember Steve Town and carried 5-0, to allow the two properties to attach to our natural gas system.

General Fund Revenue Presentation: City Administrator Nathan Law gave a presentation to Council regarding General Fund revenue sources and options. Please email Traci with a list of dates that everyone could attend for a workshop. City Attorney Stohs asked if she needed to attend. Law said he would leave it up to her own discretion.

COUNCIL REPORTS

Councilmember McKiearnan: Councilmember Thorvald McKiearnan inquired about guidelines for getting the pool open. Administrator Law said staff has concerns in limits of gatherings and recommended guidelines from health entities like the CDC. Law will bring back information at the next meeting to allow Council to make the decision to open or not.

Councilmember Smith: Councilmember Kalee Smith asked if there was going to be a make-up date for the bulk trash pickup. Administrator Law said we might be able to have one in the fall. One other option could be a dumpster that we put on City property and residents take their items to the dumpster.

Councilmember Smith said she got a phone call, asking why the sewer rates increased. Smith said she thought we weren't raising rates. Administrator Law said that is correct, rates are not intended to change this year, and if rates were increased, it would have to be approved by Council. There was just the sewer billing quantity change for the year, which was calculated by water usage during a 3-month average consumption.

Councilmember Town: Councilmember Steve Town asked if there was a completion date for the trails at Lewis-Young. Administrator Law said it all depends on weather, but more work is intended to occur this week or next. Town asked if the lake at L/Y was treated for moss. Law said he will talk to Public Works and let him know.

Town asked if the small soccer goals could be moved and grass replanted. Law replied the City doesn't move the goals, but he would check with Louisburg Recreation Commission director Diana Moore.

Councilmember Harris: Councilmember Sandy Harris asked what kind of material is the trail at L/Y. Law said it will be asphalt.

Harris said something has to be done at the City Lake near where he lives and asks if this is a city issue or a HOA issue.

Harris said the playground at the pool looks great. Good job to Public Works on putting it together.

Councilmember Cook: Councilmember Donna Cook asked how much sales tax revenue have we lost with the stay home orders. Administrator Law said the information isn't available yet but we should know more when sales tax distributions from collections during the time since stay home orders have been effective.

Cook asked if the gas line parts for N. Elm are in yet. Law said he will check and let her know.

ADJOURNMENT

At 8:12 p.m. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 05/18/2020

VENDOR	AMOUNT	DEPARTMENT
ADVANCED ASPHALT PAVING	\$317,675.80	ANNUAL STREET WORK
APPARATUS SERVICES LLC	\$653.74	SERVICES - FIRE
BLUE CROSS/BLUE SHIELD	\$24,856.98	INSURANCE - ALL
CCL SUPPLY LLC	\$195.78	SUPPLIES - PWD
CHRIS BURGE FENCE	\$25,185.00	LY B FIELD FENCE - PKS CONTRIB
CK POWER	\$240.00	GENERATOR SERVICE - POLICE
CLAYTON CRYSTAL	\$25.00	PARK RENTAL REFUND
DELTA DENTAL OF KANSAS	\$2,366.02	INSURANCE - ALL
DIVISION OF WATER RESOURCES	\$250.00	FEE - PUA
ELLIOTT INSURANCE INC	\$981.00	INSURANCE - ALL
FAMILY CENTER OF PAOLA	\$221.99	SUPPLIES - PWD
FIRST OPTION BANK	\$19,993.89	PUMPER TRUCK PAYMENT 3 OF 14
GALLS INCORPORATED	\$235.36	SERVICES - POLICE
GARNETT HOME CENTER	\$86.89	SUPPLIES - PWD
GT DISTRIBUTORS	\$197.96	UNIFORMS/EQUIPMENT - POLICE
HICKEY, KRAIG	\$275.00	SERVICES - CEMETERY
HIGH SPEED MOWING	\$90.00	MOWING SERVICES - BZ
HOME DEPOT CRC	\$1,155.72	EQUIPMENT - PWD
HOSS STEVEN	\$90.00	POOL PASS REFUND - AQUATIC
INDELCO	\$322.20	EQUIPMENT - PUA
JOHN DEERE FINANCIAL	\$2,122.40	EQUIPMENT, SUPPLIES - ALL
KANSAS MUNICIPAL GAS	\$17,767.73	NATURAL GAS
LAMP, RYNERSON & ASSOC.	\$27,600.00	WWTP CONST PHASE ENGINEERING
LEGACY CONTRACTORS	\$6,820.00	FOX HALL ADDITION - FINAL
LOUISBURG ANIMAL CLINIC	\$875.00	SERVICES - POLICE
LOUISBURG FORD	\$3,897.42	SERVICES - FIRE, POLICE, PWD
LOUISBURG REC COMMISSION	\$400.00	POOL PARTY REFUND - AQUATIC
MAYFAIR CLEANERS	\$59.71	UNIFORM CLEANING - POLICE
MCI	\$65.21	TELEPHONE - ALL
MCON LLC	\$23,429.97	WWTP PAY APP 11 - WW CAPITAL
MDC PUA	\$102.85	REIMBURSEMENT
MIAMI COUNTY KANSAS	\$3,718.75	METCALF 2.0 - STREETS
MIDWEST FERTILIZER, INC.	\$1,308.34	FERTILIZER - PARKS
NAPA AUTO PARTS	\$86.07	SUPPLIES - PWD
NPG NEWSPAPERS	\$731.63	PUBLICATIONS
OCCUPATIONAL HEALTH	\$138.00	PHYSICAL - POLICE
O'REILLY AUTO PARTS	\$815.14	SUPPLIES - PWD
PAOLA HARDWARE	\$86.89	CONDUIT - PUA
PARTNERS PRINT & COPY INC	\$1,025.05	PRINTING, SHIPPING, SUPPLIES
PEREGRINE CORP.	\$927.35	UTILITY BILLING
PHILLIPS 66 CARD	\$942.33	FUEL - ALL
PRICE BUSINESS ENTERPRISE	\$26.25	IT SERVICES - POLICE
PRINCIPAL LIFE INSURANCE	\$230.95	LIFE INSURANCE - ALL
QUADIENT FINANCE USA INC	\$600.00	POSTAGE - ALL
RURAL WATER DISTRICT #2	\$47.41	WATER - PARKS
SCARECROW FARM LAWN CARE	\$2,320.00	CEMETERY MOWING
SHRED-IT USA	\$80.99	SERVICES - ADMIN
SI FUNERAL SERVICES	\$725.00	SERVICES - CEMETERY
STAPLES ADVANTAGE	\$236.26	OFFICE EQUIPMENT - ADMIN
SUNSET LAW ENFORCEMENT	\$1,356.00	EQUIPMENT/SUPPLIES - POLICE
TRITECH FORENSICS	\$157.00	SUPPLIES - POLICE
WASTE MANAGEMENT	\$388.52	TRASH SERVICES - ALL
WESTERN CONSULTANTS	\$3,325.00	CDBG-CV SERVICES - ADMIN
WHITE'S AUTOMOTIVE	\$2,215.22	TIRES, REPAIR SERVICES - PWD, PUA
	\$499,726.77	



LOUISBURG POLICE DEPARTMENT

209 S. Metcalf
Louisburg, Kansas 66053
Administrative: (913) 837-3191
Fax: (913) 837-4340
Chief of Police, Timothy J. Bauer



To: Mayor and City Council
From: Chief Tim Bauer
Date: May 15, 2020
Re: Full-time Police Officer Position

Background: The Louisburg Police Department is working to fill Full-time Police Officer positions with a qualified candidates to serve the Louisburg community.

Mason Lamb has applied for the Full-time Police Officer position and has successfully completed the Police Department's hiring process to become a police officer.

Mason lived in Fort Scott, Kansas until he was 12 years old, at which time he moved to Louisburg with his Mother and sister. Mason attended Middle and High School in Louisburg, and graduated from Louisburg High School in 2016. After High School, Mason worked and saved money to pay for the E.M.T. Course at Fort Scott Community College. Mason completed the E.M.T. Course in May 2017, but due to unforeseen circumstances was not able to finish the final testing and process for E.M.T. certification.

Since High School, Mason has worked as an Armed Security Guard, Customer Service Manager, and as a Deputy Jailer with the Miami County Sheriff's Office. Mason has a desire to serve and protect others as a Police Officer, and to have a career in Law Enforcement. Mason is currently employed with a large department store retailer in a managerial position and lives in Louisburg.

If hired as a Full-time Police Officer, Mason Lamb will be required to attend the Kansas Law Enforcement Training Center's Basic Academy to become a Kansas Certified Police Officer.

Recommendation: Staff recommends approving Mason Lamb to be hired as a Full-time Police Officer, at pay scale grade 2-5B, with a start date of June 1, 2020.

Requested water leak adjustment

Willingham Properties/Wildcat Storage

1502 N Metcalf
Louisburg, KS 66053
Account #507501

This Leak adjustment is for a total of 3 months

Total Water Consumption	36,639	\$347.96
Average Consumption	378	\$77.81
Leaked Water	36,261	\$325.20
		\$19.95 (credit)
Sewer	Commercial Service	\$408.98
Sewer Average		\$81.00
		\$327.98 (credit)
	Total Credit to account	\$347.93

Jessica McGowin

From: Debbie Willingham <debbie_willingham@yahoo.com>
Sent: Tuesday, March 10, 2020 4:13 PM
To: Jessica McGowin
Subject: Water Main Break Bill Forgiveness

Dear Jessica McGowin - City of Louisburg, Utility Clerk

Ref: Wildcat Storage / Willingham Properties

Our commercial property located at 1502 N. Metcalf Road, Louisburg, KS. 66053, recently experienced a water main break on February 10, 2020. We received a call from the City Dept. who had found a leak and they shut off our main waterline to the business until we could arrange someone to repair the leak. The leak was repaired same day without much disruption to our business, however our monthly bill was \$531.28. Our average monthly bill from City of Louisburg is around \$60.

We would like to ask for a one time bill reduction for the water main break. I have paid \$60 towards the balance of \$531.28 until a re-calculation of the total amount is determined.

Thank you in advance for consideration in this matter. If you have any questions, please contact Joe at 913-636-4677 or Debbie at 913-636-4083.

Sincerely,

Joe & Debbie Willingham
Wildcat Storage / Willingham Properties, LLC
1502 N. Metcalf Road
Louisburg, KS 66053

Per our conversation about

Sent from my iPad

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: May 15, 2020

Re: Work-Site Utility Vehicle, Utility Task Vehicle, Golf Carts – Code Amendment – Continued

Background: Staff was asked to look at registration and renewal pricing options and to revisit the insurance requirements presented at the last meeting. Chief of Police reviewed pricing of tag options and checked preferences for those versus adhesive decals. A hard tag that can be attached to the vehicle is being recommended as it does not require for a full adhesive item to be placed on the special use vehicle and either prove difficult upon removal or otherwise damage the surface of the vehicle body, soft covers of roll cages, etc. The pricing of hard tags and renewal stickers, along with the time of the police department and time of those at city office, has an estimated cost of \$100 for the initial review. That being the case, staff has included in the draft ordinance the permit costs of \$100 for the first year and \$50 for tag renewal stickers.

Kansas insurance requirements for vehicles may be utilized for this draft ordinance. Current requirements are as follows:

- Liability Coverage
 - \$25,000/person for bodily injury
 - \$50,000/accident for bodily injury
 - \$25,000/accident for property damage
- Personal Injury Protection (PIP or No-Fault)
 - Minimum amount required by law:
 - \$4,500/person for medical expenses
 - \$900/month for one year for disability/loss of income
 - \$25/day for in-home services
 - \$2,000 for funeral, burial or cremation expense
 - \$4,500 for rehabilitation expense
 - Survivor Benefits: Disability/loss of income up to \$900/month for one year
 - In-home services up to \$25/day for one year

- Uninsured/Underinsured
 - \$25,000/person
 - \$50,000/accident

Council would have the option to add Collision or Comprehensive insurance to this list of requirements, but only benefits the operator of the unit and is not being recommended.

Financial: None.

Legal: None.

Recommendation: Discuss and take action as desired.

Sample Tag



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES OR UTILITY TASK VEHICLES, OR GOLF CARTS ON THE STREETS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF LOUISBURG; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; BY ADDING CHAPTER XIV, ARTICLE 5a, OF THE CODE OF THE CITY OF LOUISBURG; AND REPEALING PORTIONS OF SUBSECTIONS IN CHAPTER XIV, ARTICLE 5.

WHEREAS, the City of Louisburg, Kansas has adopted the current version of the “Standard Traffic Ordinance for Kansas Cities” as published by the League of Kansas Municipalities; and

WHEREAS, said Standard Traffic Ordinance prohibits the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets; and

WHEREAS, the City of Louisburg wishes to specifically allow the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets under certain conditions;

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

Section 1. Article 5a of Chapter XIV of the Code of the City of Louisburg is hereby added as follows:

ARTICLE 5a. SPECIAL PURPOSE VEHICLES

14-5a01. Definitions.

As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(a) “Work-Site Utility Vehicle or Utility Task Vehicle” means any vehicle designed for off-highway use which has: a width no less than 48 inches; an overall length, including the bumper, of not more than 160 inches; four or more wheels; low-pressure tires; side by side seating; a steering wheel; non-straddle seating; manufacturer provided foot controls for throttle and braking, excluding any modifications for use by handicapped persons; occupant restraints; and, rollover protective structures, excluding lower speed work-site vehicles which may have been manufactured without such rollover protection.

(b) “Golf Cart” means a motor vehicle that has not less than three (3) wheels in contact with the ground, an unladen weight of not more than one thousand eight hundred (1,800) pounds, is designed to be operated at not more than twenty-five (25) miles per hour and is designed to carry not more than six persons, including the driver.

14-5a02. Operation of a WSUV or UTV in City Limits.

(a) It shall be unlawful for any person to operate, or for the owner thereof knowingly to permit the operation, any WSUV or UTV, upon any street or alley within the City limits of Louisburg, Kansas or upon any City owned or leased property within or without the City limits of the City of Louisburg, Kansas, except as provided for in this article.

(b) A WSUV or UTV, may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city as provided:

(1) No WSUV or UTV may be operated upon Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of 35 miles per hour, however, that the provisions of this subsection shall not prohibit a WSUV or UTV from crossing any public highway, street, road or alley unless otherwise prohibited by state law.

(2) No WSUV or UTV shall be operated upon any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights and reflectors as required for motor vehicles under Article 17 of Chapter 8 of the Kansas Statutes Annotated (K.S.A.), and amendments thereto.

(c) In addition to any equipment required by 49 CFR 571.500, or by this ordinance, a WSUV or UTV operating upon any public highway, street, road or alley shall be equipped with at least one rear view mirror and one side mirror.

(d) A WSUV or UTV capable of speeds in excess of 25 mph is defined by the State of Kansas as a Motor Vehicle and is required to meet equipment and operating standards of Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto.

(e) All WSUV or UTV shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.

(f) Every person operating a WSUV or UTV on the public highways, streets, roads and alleys of the City shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(g) No person shall operate a WSUV or UTV on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid, unrestricted driver's license. Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(h) Every owner of a WSUV or UTV, before operating said vehicle on the public highways, streets, roads or alleys within the corporate limits of the City of Louisburg, shall register said vehicle with the Louisburg Police Department and obtain a license plate. The license plate issued by the City shall be valid through December 31 for the year for which it is issued and be permanently affixed to the vehicle's left-rear quarter panel.

(1) Before the City will issue any annual registration license for a WSUV or UTV, the owner of said vehicle must provide:

(A) Current valid, unrestricted driver's license.

(B) Proof of liability insurance, as required of any motor vehicle within the State of Kansas, specifically listing the WSUV or UTV.

(C) Payment of the initial registration fee of one hundred dollars (\$100) or the annual license renewal fee of fifty dollars (\$50).

(i) It shall be illegal for any person to operate a WSUV or UTV on any public highway, street, road or alley with more passengers than the WSUV or UTV is designed to seat, and all persons are required to wear seatbelts.

(j) Unless specifically provided herein, a violation of this Section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

14-5a03. Operation of Golf Carts.

(a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the City; provided, however, that no golf cart may be operated upon Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of twenty-five (25) miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this Subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than twenty-five (25) miles per hour.

(b) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a golf cart on the public highways, streets, roads and alleys of the City shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(d) No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid, unrestricted driver's license. Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(e) It shall be illegal for any person to operate a golf cart on any public highway, street, road or alley with more passengers than the golf cart is designed to seat.

(f) Unless specifically provided herein, a violation of this Section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being

convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

(g) It shall be illegal to operate a golf cart vehicle on any public highway, street, road or alley within the corporate limits of the City unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(1) For the purpose of this Section, “slow-moving vehicle emblem” has the same meaning as contained in K.S.A. § 8-1717, and amendments thereto.

(2) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. § 8-1717, and amendments thereto.

Section 2. Existing Subsections Repealed. Any portion of other subsections of the Code of the City of Louisburg that is in direct conflict with the allowances stated herein shall be repealed, but shall not invalidate the remaining portions of those other subsections.

Section 3. Effective Date. This ordinance shall take effect and be in force upon publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Louisburg, Kansas, on May 18, 2020.

APPROVED AND SIGNED by the Mayor.

MARTY SOUTHARD, Mayor

ATTEST:

TRACI STOREY, City Clerk

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: May 15, 2020

Re: Stormwater Engineering RFQ Submittals

Background: Jean Carder, Communications Coordinator, sent out requests for qualifications (RFQ) directly to area engineers either previously utilized by the city, having expressed interest in city work recently, or known to provide stormwater engineering services. The RFQ document was also announced on Facebook, posted on the City of Louisburg website, posted on a public bidding website named Deltek Systems (formerly Onvia). The RFQ included services for engineering and design of the remaining four stormwater project areas listed in the top six list of priorities of the Louisburg Stormwater Master Plan document. Staff conducted in-house review of the submittals and is including a list of the submittals in order of preference for this work.

Affinis
Olsson
MHS
RIC
BHC Rhodes

As with most of these processes, the rankings were very close among the four reviewers of the submittals, but all agreed on the final ordered list. Staff will answer any questions Council may have on the criteria of review. Attached is a copy of the RFQ document, which was the basis for the review of submittals.

Financial: None at this time. Qualifications-based selection removes financial consideration, instead having a project budget negotiated once a firm is selected and contracted.

Legal: None.

Recommendation: Council approve Affinis as the selected firm and direct staff to sign all necessary contract documents.

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: May 15, 2020

Re: KMGAs Board of Directors Appointment

Background: As part of regular process with the Kansas Municipal Gas Agency, the group that oversees procurement and management of natural gas on behalf of the City of Louisburg, consideration for city representation is required as this group is a board driven agency. Every two years the City of Louisburg is required to appoint an individual to the KMGAs Board of Directors as a "Director". Last appointment by Council was in June of 2018, appointing Nathan Law to a two-year term.

Separately there is an "Alternate" position that has been appointed on a permanent basis. This alternate position can be amended at any annual interval to change the individual filling the position (Pat McQueen) or change to a set term.

Financial: None.

Legal: Appointment is made according to current Bylaws of the KMGAs.

Recommendation: Appoint Nathan Law as the City of Louisburg Director to the KMGAs Board of Directors for a term of two years, and direct City Clerk to file necessary certification of this action to KMGAs.



To: Louisburg Governing Body
From: City Staff
Date: May 15, 2020
Re: Louisburg Aquatic Center opening

New information since Monday in yellow highlight

Staff has listened to **five** virtual meetings on opening pools for the season hosted by the Kansas Parks and Recreation Association involving professionals from local health departments, the CDC, Department of Labor, American Red Cross, training facilitators, aquatic center staff, municipality representatives, HOAs and the like. Staff has also spoken with the City's trainers and aquatic staff from other areas.

Staff has reached out to the County Emergency Management Officer who informed Staff that the Kansas Department of Emergency Management is working on additional guidance for pools that should be available either over the weekend or sometime early next week. At this time Miami County Emergency Management and the Miami County Health Department both say Miami County is to follow the state plan and other than backyard pools, no swimming pool should open prior to Phase 2, which is now slated for June 1.

Several more municipal pools in the state have officially announced they will not open: Paola, Gardner, Ottawa, Pleasanton, KCK, Roeland Park, Prairie Village, Mission, Lenexa will only open 1 of their 3 outdoor pools, Shawnee plans to open 1 of 2 because of staffing concerns, Bonner Springs, Fairway, Pittsburg, Manhattan, Holton, Effingham, Atchison, Yates Center, Erie, Waverly, Carbondale, Osborne, Ellinwood, Andale (*is now considering opening*), Salina, Valley Center, Bird City and additionally Harrisonville, Butler, Nevada, Independence and St. Joseph in Missouri. An Overland Park city committee is recommending to the OP council to close outdoor pools in that community. A Spring Hill representative said its council plans to make a decision May 28. (*Aquatic sources say OP will decide Monday evening.*) La Cygne plans to open its pool June 1. Osawatomie plans to open their indoor pool May 18 (*this opening has now been delayed*) with June 15 the target date for the outdoor pool.

The state's phased approach has been delayed with Phase 2 (30 persons with social distancing) now set to begin no earlier than June 1, Phase 3 (90 persons with social distancing) not before June 15 and the Phase-out portion now at June 29.

From these meetings there are guidelines and items to consider when making the determination to open a pool.

- 1) Can your facility maintain the 6-ft. social distancing requirements set out by authorities (either state or county government level) if opening prior to the Phase-Out period? To meet this requirement many facilities say they will need to limit the number of patrons that can be at the facility at one time. Depending on opening date, this number may be less than what will be allowed in the state's Ad Astra plan for a particular phase. Social distancing must be maintained in all areas including standing in line to enter the pool, use the restrooms, sitting on the deck, be in the slide line or even in the water.
- 2) Can staff be safely trained? How will training be conducted to maintain social distancing? Some training such as CPR and first aid can happen this way. Other training, like team rescues as might occur in a spinal injury, can't happen and maintain distance. In the meeting May 8, the American Red Cross recommends that team training not occur until social distancing is lifted. Our training facility has said training will start once their county lifts social distancing. They have indicated they will be able to train fairly quickly once given the go-ahead. Returning guards take a refresher course prior to the pool opening. If proper training does not occur, then returning and new guards may be lifeguarding without completing skills in a proper manner.
- 3) Guards may be required to wear enhanced PPE (personal protective equipment). This may include N-95 masks, goggles and gowns. (Gowns would be worn to clean and remove trash.) How likely will it be that aquatic staff will be able to secure PPE ahead of the healthcare field? (Normally LAC staff only wear gloves for PPE when cleaning.) American Red Cross is recommending surgical masks while StarGuard, another training service, is recommending the N95 masks. Fire Chief Rittinghouse has said there may be enough surgical masks in the county to get us through the summer season.
- 4) How often should surfaces be cleaned and disinfected? A facility should establish an enhanced cleaning and disinfecting policy. Surfaces cannot be disinfected if they are not clean. This will require more staff time to clean and disinfect. Depending on the disinfectant appropriate for each surface there is a wait time before it can be used. Cleaning and disinfecting should be done to all high touch-point surfaces like railings, pool ladders, stairway railings, slide entry handles, all bathroom surfaces. The CDC recommends: Cleaning and disinfecting frequently touched surfaces at least daily and shared objects each time they are used. For example:
 - Handrails, slides, and structures for climbing or playing
 - Lounge chairs, tabletops, pool noodles, and kickboards
 - Door handles and surfaces of restrooms, handwashing stations, diaper-changing stations, and showers
- 5) The CDC also recommends:
 - Modified Layouts - Changing deck layouts to ensure that in the standing and seating areas, individuals can remain at least 6 feet apart from those they don't live with.
 - Physical Barriers and Guides - Providing physical cues or guides (for example, lane lines in the water or chairs and tables on the deck) and visual cues (for example, tape on the decks, floors, or sidewalks) and signs to ensure that staff, patrons, and swimmers stay at least 6 feet apart from those they don't live with, both in and out of the water.
- 6) The CDC recommends all patrons wear cloth facing coverings when at the pool except when in the water.

Other considerations (of which some may be mandated by state or county government):

- 1) Can you establish a separate entry and exit for the facility?
- 2) Can you establish a separate entry and exit for the restrooms?
- 3) Should you establish a limit to the number of persons in the restrooms? (Historically boys like to congregate in the bathrooms and cause problems.) If yes, how is that monitored?
- 4) Should you consider eliminating concession services? In a typical pool year it takes 2 or 3 persons to handle pool break concession buying. A reduction in pool patrons might allow just one concession staffer to handle the load.
- 5) Recommendations call for all pool employees to wear a mask at all times. This could cause issues with skin conditions, could trigger heat exhaustion and although it may seem funny, unsightly tan lines. (Think if you are a senior and want to get senior photos taken before school starts but you've got funny tan lines on your face.)
- 6) Should there be a full-time deck monitor(s)? Children have a hard time judging appropriate distance. A monitor can help maintain safe practices. Should this monitor be an adult? If social distancing needs to be maintained on the pool deck and adults aren't adhering by these rules will they listen to a teen-ager?
- 7) Should the pool deck and grass area be marked to help patrons determine areas to sit in maintain distancing?
- 8) It has been suggested that taking temperatures might not be effective if persons walked or biked in hot weather to the pool. But should patrons be asked to complete a symptom questionnaire each time they come to the facility? Contact tracing information can be pulled from our Pool Pass software for persons that have passes. Information will need to be gathered from those who pay by cash.
- 9) A consideration could be made to eliminate the entry fee but still distribute and use the pass card system for tracing. Guests that would normally pay cash would be assigned a card to be utilized for contact tracing if necessary.
- 10) Some pools that plan to open will not provide deck chairs but will require patrons to either bring their own chairs or sit on the ground. One pool is thinking of using a plastic disk that is handed out to each guest/family to place on a deck chair. When the family leaves and takes their items but the disk is left on the chair, then guards know that chair can be cleaned for the next guest. The LAC has about 50-60 chairs. There would have to be consideration on how to clean the concession stand tables after each use.
- 11) Some pools, possibly indoor only, are considering only opening for swim lessons, aerobics and lap swim where it might be easier to maintain social distancing. There was some discussion among aquatic managers whether you can effectively teach swim lessons and maintain social distancing. Many thought it not possible or would not be effective.
- 12) The legal and insurance issues haven't been discussed yet. During the meeting with the DOL representative it was learned seasonal employees that have not worked at all would not be eligible for any of the CARES Act funding. But if the pool were to open in June and we experience a coronavirus spike in July and the pool closed, those seasonal employees would be eligible for the CARES Act and also eligible for unemployment based on average hours worked per week. Another aspect to consider is what happens if a 16-year-old guard makes a save or has to perform CPR, contracts COVID-19 and suffers debilitating injuries or even dies?
- 13) Since we don't know what a potential opening might look like, even if patron numbers might be restricted, it is hard to determine if we have enough staff to operate a full two weeks in

hopes new guards could be trained by end of June. We have received notification that 1 returning guide has found new employment.

- 14) Some aquatic facilities are considering some kind of restricted access based on the area of the facility to maintain distancing. This could be X numbers of persons may use the pool for an X time and then the pool closes to clean. It can then reopen for another set time period for another group of patrons, then closes for cleaning and just keeps repeating. How would those persons be selected? Is it some kind of online sign-up; first-come, first-served basis; or scheduled rotation? Staff would anticipate if there were a weather delay/closure those patrons affected would miss out on that time slot.
- 15) Some form of social distancing may be necessary after the Phase-Out period to make the public feel secure in the gate & concession lines, on the pool deck, etc.

The Ad Astra Phase 2 plan allows for a gathering of no more than 30 and no earlier than May 18 June 1. Under this phase that would allow for about 22 patrons to enter the pool with the other five persons being staff.

In Phase 3, 90 persons are allowed to gather if maintaining social distancing and no earlier than June 1-now June 15. Under this phase that would allow for about 70-75 persons to enter the pool with the rest being staff.

Under both of these scenarios consideration would need to be made for shortened pool times to allow the maximum number of patrons to visit per day and also allow for cleaning and disinfecting

In the Phase Out period, starting no earlier than June 15 now June 29, there is no limit to the number that can gather but social distance is recommended.

In checking with our insurance provider, we have been told that there is no insurance liability as long as we are following KDHE guidelines and our training does not deviate from standard (normal) training.

The Kansas Tort Claims Act should limit exposure from guests at the facility, as long as we follow all expected regulations; staffing, however, may be a concern because by providing PPEs to employees, we may be telling employees the work environment is inherently unsafe. That second aspect means, if an employee were to get sick, and if they can show it occurred at work, then any lack of regulation or enforcement could open the City up to a claim by that employee. The problem with all of this is that insurance companies still don't know what is or isn't covered in regard to COVID-19. The only clarity has been on insurance coverage for certain essential functions.

According to legal representatives we might be able to restrict access to those who are non-residents from using the pool. But to prevent discrimination the City would have to show a rational basis for the distinction between city residents and everyone else. Operationally this might be difficult to enforce. Would it require utility bills to establish residency? Someone might share a utility bill to someone who lives outside the city. How do you check for that?

Another consideration is to have staff sign waivers. This waiver could cover things like work rules, health agreements, the willingness to work and be in the public and anything else that might be necessary.

A staff member, and not necessarily an aquatic staff member, should be designated as the COVID-19 point of contact. It is recommended this be just one person so the message and information communicated is the same and there aren't conflicting messages.

It also takes about 2-3 weeks to prepare the pool to open and have staff in-service at the LAC.

If council decides to open the pool, these are the decisions that need to be made:

- 1) Training would need to be completed. We are waiting to hear from the training facility when they will be able to start training. This training has already been paid for and the guards have already taken the online, class portion of the training and only need to complete the water training.
- 2) Depending on open date, a limit of guests may be needed. If guests need to be limited, staff recommends 2 hour time blocks and then a 30 minute cleaning/break block. Regarding the above legal guidance it might not be possible to restrict patrons to just the City of Louisburg or the 66053 ZIP. Therefore do you prefer:
 - First-come, first-served entry
 - Online reservations required by noon the day before entry is desired for the requested time slot to allow for those guests to be notified they made the entry list. Staff would assume that guests would only be allowed to sign up for one session a day to allow entry to as many as possible. Is that correct? If not all entry slots are taken, should there be some kind of notification posted that more entry slots are available? Or should these empty slots go to walk-up guests. Please know that if all slots are taken there would be no walk-up guests.
 - Assign all patrons to some kind of rotating schedule that varies by times of day and number of days per week so not everyone gets the "good" time slots, whatever those may be.
 - If the pool were closed for rain/lightning, these guests would not automatically be moved to the next day as that day would already have reservations made.
- 3) If the pool opens prior to Phase-out, guest limit on June 1 would be 20-25 guests. In phase 3, June 15, guest limit would be 60-65 guests based on our pool and deck size.
- 4) The swim team has indicated it will not conduct a normal swim team season but plans to have some kind of work-out for swim team members and plans to conduct swim lessons if possible. If it were assumed that lessons would not start until after Phase-out, Staff recommends opening the pool to 60+ swimmers from 10-11 a.m., on Tuesdays, Thursdays and Saturdays, closing for a 15-minute cleaning session and then opening the pool for regular swim at 11:30. The pool would open at 10 a.m. on Mondays, Wednesdays and Fridays for regular swim. (*see daycares below). Early openings would be eliminated to allow for swim lessons in the months of July and perhaps August, depending on how the swim team wants to conduct those lessons.
- 5) Staff recommends the concession stand be closed until the Phase-out period is over. The concession stand area would become an area for the guards to be on breaks and maintain social distancing. After restrictions are lifted the concession stand can open but only sell pre-packaged foods.
- 6) A large amount of cleaning supplies and equipment will be needed to maintain recommended cleaning measures. Additional PPE might be needed depending on what chemicals guards are using.

- 7) Council should make a recommendation on whether guards should be required to wear masks while on duty – unless they have to enter the water to conduct a rescue – as recommended by the CDC. Should patrons be required to wear masks when not in the water until Phase-out as CDC recommends? This would be standing in line, on the deck, in restrooms, etc.
- 8) If the pool opens prior to the Phase-out period, should the slides be opened or closed? If the slides are to be opened, the recommendation calls for a spray bottle/pump of some sort with either bleach or some other disinfectant that would be used to spray down the slide entry area during each cleaning session. Another recommendation is to have guards go down the slides and spray the entire surface of the inside of the slides with the solution to effectively clean the slides. These guards will need to wear goggles, masks and gloves at the minimum.
- 9) With a delayed start, Staff recommends free pool passes for all that sign up for one. One-time guests will still be given a pass. This allows for contact tracing in the event a suspected COVID-19 case attends the pool.
- 10) Staff recommends no pool parties this year. These are difficult to staff in a good year and this might be an unusual season for staffing. Staff would not want to book pool parties, not have enough staffing and then have disappointed guests.
- 11) Staff is reaching out to pool employees to determine their interest in still working with the delayed start. Both managers are willing to work. Among returning lifeguards, 12 have indicated they will return, one has not responded yet, and two more requesting reduced hours because they have secured other jobs. One returning guard has quit as she has found another full-time job. For new guards, five are still willing to work, another is willing if the delay is not too long; and we are waiting to hear from five new guards. For concessions/gate, three have indicated they are willing to work and we are waiting to hear from the other two. If the pool is opened prior to Phase-out and the concession stand remains closed, the concession/gate employees can serve as roving cleaners. These employees will still need to work the front gate.
- 12) If the pool is opened prior to Phase-out, we may need to consider having both managers work with one serving as head manager and the other serving as monitor/cleaning supervisor. Either manager would have to be prepared to handle front-desk complaints. Staff is sure that a 15-year-old concession/front gate worker would not be able to handle the complaints if a guest were told they could not enter.
- 13) *Considerations need to be made for day-care centers. We have two centers that will bring anywhere from 10-25 children one to three times per week. One center said they would like to come as soon as the pool can open with 25 children and 5 adults. Those would need to be taken into consideration for daily pool guest limits. If guest numbers were limited, a consideration could be paid that would give daycares a morning time slot.
- 14) If the LAC opens, Council should keep in mind that many neighboring pools have closed and this may mean an increase in the number of persons wanting to use the city's facility.

Council has previously asked about number of patrons at the pool. Our Pool Pass entry software notes check-in times but there is no way to gather check-out information. (Pool Pass only checks in those persons that use a pool pass. Guests paying cash or day cares are not counted in these totals) With that caveat, here are some snapshots of pool use from June 2019 using the noon, 1 and 2 p.m.

time slots as these times are the most popular for pool check-in times. Most guests stay an average of 2.5 to 3 hours:

Monday, June 3: Noon - 64 persons; 1 p.m.-31 persons; 2 p.m. - 48 persons

Wednesday, June 5: Noon - 105 persons; 1 p.m. - 77 persons; 2 p.m. - 38 persons

Saturday, June 8: Noon - 24 persons; 1 p.m. - 25 persons; 2 p.m. - 23 persons

Tuesday, June 11: Noon - 67 persons; 1 p.m. - 34 persons; 2 p.m. - 24 persons

Saturday, June 15 - noon - 9 persons; 1 p.m. - 33 persons; 2 p.m. - 16 persons

Tuesday, June 18 - noon - 38 persons; 1 p.m. - 43 persons; 2 p.m. - 14 persons

Thursday, June 20 - noon - 83 persons; 1 p.m. - 56 persons; 2 p.m. - 34 persons

Tuesday, June 25 - noon - 88 persons; 1 p.m. - 28 persons; 2 p.m. - 26 persons

Friday, June 28 - noon - 96 persons; 1 p.m. - 71 persons; 2 p.m. - 46 persons

Sunday, June 30 - noon - 43 persons; 1 p.m. - 26 persons; 2 p.m. - 49 persons

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: May 15, 2020

Re: Special Council Meeting

Background: Staff is asking Council to conduct a special meeting on Tuesday, May 26 at 6:30 p.m. to accommodate the requirements of an application for CDBG-CV funding recently made available. There are a number of items that will need to be taken care of at this special meeting. A public hearing must be held regarding the application for the grant funding. Action must be taken by the governing body that authorizes the grant submittal. Additional documentation will need to be accepted, including a disclosure report, and will be provided by the firm whose service staff has secured for initial surveying for qualifying businesses. A grant administrator should be selected based on responses to a RFP already sent out by staff. Please note there is no cost for the grant administrator, if no funds are awarded.

Financial: Contract for initial work to apply for CDBG-CV funding is \$3,325.

Legal: None.

Recommendation: Approve the special meeting on Tuesday, May 26 at 6:30 p.m. to accommodate requirements of an application for CDBG-CV funding, including public hearing on the application, action to authorize the application, additional documentation including a disclosure report, and selection of a grant administrator based on responses to the RFP.