

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA
 - A. Adopt Agenda
 - B. Approval of Minutes of the Regular Meeting July 6, 2020
 - C. Approval of the Bills
4. RECOGNITION OF SCHEDULED VISITOR
5. 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.
6. DEPARTMENT REPORTS
7. CITY ATTORNEY'S REPORT
8. MAYOR'S REPORT
 - A. Proclamation – First National Bank of Louisburg Day
 - B. Draft Mask Ordinance
9. ADMINISTRATOR'S REPORT
 - A. Stormwater Pipe Pricing
 - B. Authorization for Publication of Draft Budget
 - C. Reconsideration Request – Tobacco Restriction in Parks
 - D. CDBG-CV Use of Funds
10. COUNCIL/COMMISSION REPORTS
11. ADJOURNMENT

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

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

Council Members Steve Town, 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
Press
Visitors Dan Hamilton, Lesley Rigney, Bryce Smith

PLEDGE OF ALLEGIANCE

Councilmember Donna Cook led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Donna Cook asked about the Louisburg Ford bill. Administrator Law said that was for 2 Public Works vehicles. Cook inquired about the bill for Westport Pools. Administrator Law replied that was for scheduled maintenance. Councilmember Sandy Harris asked about a sentence in the minutes that he felt was not a complete sentence. Law said it was likely missing a comma and apologized. Councilmember Sandy Harris moved, seconded by Councilmember Donna Cook and carried 4-0, to approve the consent agenda to include adoption of the agenda, approval of the regular meeting June 15, 2020 minutes.

VISITORS

Dan Hamilton of 5 N. Broadway told the Council his driveway was caving in due to stormwater issues. He presented pictures to the Council of the problems

on his property. Hamilton said he is willing to put in a new driveway if the City would put in a concrete pipe to help with the flow of the water. Without a new pipe the driveway would not be able to handle all the water. Councilmember McKiernan said that a metal pipe isn't made to last forever. If the City pays for the pipe he thinks the homeowner should be responsible for installing it. Hamilton said it should be the City's responsibility for installing it. Councilmembers had discussion and would like Administrator Law to bring back prices for options for the pipe.

Lesley Rigney with the Miami County Conservation Commission spoke to the Council and is asking for Louisburg to continue contributing \$2,500 annually for the next three years to help fill the local match requirement for Hillsdale Lake and associated Watershed on a grant they have been awarded to reduce the amount of phosphorous entering the lake. Hillsdale Watershed is important to Louisburg since it is part of the water source for the PUA and our drinking water. Phosphorous contributes to the growth of algae, which contributes to taste and odor issues with the water. Councilmembers had discussion. Councilmember Thorvald McKiernan moved, seconded by Councilmember Donna Cook and carried 4-0, to continue funding for one year. The Council said Rigney would have to return each of the next two years to ask for continued funding.

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Fire Department: None

Police Department: Police Chief Tim Bauer said he has been working to fill a full-time police officer position with a qualified candidate to serve the Louisburg community. John Mann has applied and successfully completed the Police Department's hiring process to become a police officer with the department. Mann already has his Kansas Police Officer Certification and won't need to attend the Academy, but will complete a modified in-house Field Training Program with the department. Mann is already familiar with the Miami County area as he has previously worked and lived in the area. Councilmember Steve Town moved, seconded by Councilmember Thorvald McKiernan and carried 4-0, to approve the hiring of John Mann as a full time officer with a pay grade of 2-10B.

City Administrator Nathan Law said the City Treasurer has moved across state lines. City code requires this appointee to reside in the state of Kansas. Mayor Southard appoints City Clerk Traci Storey to be City Treasurer. Councilmember Donna Cook moved, seconded by Councilmember Sandy Harris and carried 4-0, to approve the appointment of Traci Storey to City Treasurer.

Administrator Law said at the County Commissioners recent meeting the commissioners opted out of requiring face masks to be worn in public in the County. The Council can impose a city requirement to wear face masks if desired. No action was taken by the Council, with the understanding that it can always be reconsidered at a later time.

CITY ATTORNEY'S REPORT

None

MAYOR'S REPORT

Mayor Marty Southard received a letter that the 100th Anniversary of the First National Bank will be July 30th. This is the oldest business in Louisburg. Mayor Southard will present a Proclamation at the next meeting that will declare July 30, 2020, as First National Bank Day.

ADMINISTRATOR'S REPORT

Solid Waste Contract Renewal Consideration: City Administrator Nathan Law presented information for a two-year term contract extension. Councilmember Steve Town asked about the bidding process in the second year. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 4-0, to accept the two-year contract extension with Waste Management. Bryce Smith with Waste Management said the Louisburg Citywide Clean Up will be October 24, 2020.

Tower Attachment Agreement and Memorandum of License: Staff has been working with Miami County and Tusa Consulting Services to determine how to utilize a term in a previous ground lease agreement with a private cellular carrier to attach 800 MHz dispatching radio equipment to a cellular tower located on City property. Following a somewhat lengthy legal discussion among the various entities, staff is recommending City of Louisburg enter into agreement with USCOC Nebraska/Kansas, LLC, a Delaware limited liability company. Staff

presented a copy of the agreement and a memorandum of licensure. These documents are USCOC legal requirements for utilizing ground lease space and referenced agreement terms.

These documents are still in draft form. With that in mind, for the sake of expediency on a very vital project, staff requests Council consider approving the tower attachment agreement and the memorandum of license, pending final form to be provided, and authorize the Mayor to sign when received. This would keep this tower space from being a continued delay for the Miami County radio project.

Councilmember Thorvald McKiernan moved, seconded by Councilmember Donna Cook. Councilmembers had discussion. Motion carried 4-0, to approve the tower attachment agreement and the memorandum of licensure.

Go Brolly Communications Agreement Renewal: City Administrator Law said staff has been in discussions with Rick Wagner and Shay Wilson with Go Brolly regarding a renewal of the currently outdated space lease agreement. Brolly Communications, Inc. entered into an agreement with the City of Louisburg in 2014, allowing the company to attach equipment on three water towers and locate equipment in the Fire Station. In return for attachment consideration, the City of Louisburg directed the company to offer wireless subscriber services to the Louisburg Community at a rate that is consistent with regional market. Additionally, the City of Louisburg has and continues to receive services from Go Brolly at no cost.

Staff requested Mr. Wagner to provide information to City Council, including a narrative of the services, a list of the service value provided to the City of Louisburg, and list the terms being requested for renewal consideration. Currently requested term of 10 or more years is somewhat standard for tower attachment leases, and is not subject to allowances or restrictions found within state statute regarding franchise agreements. Councilmember Sandy Harris thought 10 years was too many years. Councilmember Steve Town said he would like to see a 5-year agreement with a 2-year extension. Councilmembers had discussion. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 4-0, to approve a 5-year contract with a 3-year extension option, followed by a possible 2-year extension option.

New Curb on Aquatic Dr. and Amity/K-68: City Administrator Nathan Law said in May staff approached Council with a request by USD 416 to consider adding new curb on the SW radius of the Aquatic Drive and Amity/K-68

intersection. The work would include grading and replacement of approximately 30 ft. of sidewalk. Staff was directed to seek funding split with the school district for this work. Since that time staff has received confirmation of willingness to split funding. Staff is still working with KDOT for approval on the project. At this time staff is seeking project approval from Council. With the end of summer rapidly approaching, if this project is approved and can be bid directly with contractors and expedited in that manner, there is some hope the work can be completed before the school year would begin. It is less desirable to conduct construction work while school is in session. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 4-0, to help fund the project, but not to exceed \$10,000.

Electrical Work Requested in Downtown: City Administrator said that during design and construction of the Historic Downtown there was intent to include electrical receptacles sized to accommodate food trucks at various locations. At some point during the design-build process this intent was lost and did not see such receptacles installed in the downtown area. Staff has sought out the electrical contractor on that project to see what options there are to accommodate this consideration at this time. With food trucks having varying electrical needs and varying plug designs, the more appropriate option may be to select one or more pull box locations in the area to pull and make available a tap box connection point for a temporary receptacle board. This board would have options for different plug styles to accommodate the needs of various food trucks. The number of locations where these would be possible are: At the electrical service location next to the alley between City and Fox halls, at one of the light poles between City Hall and Fox Hall (less ideal for retrofit), or at one of the pull boxes on either side of the intersection of Broadway Street and S. 2nd Street. There would be an option for adding another location at Broadway Street and S. 1st Street next to Memories Park. Options provided for location and equipment are:

Option A: Furnish and install 100 amp feeder from the electrical service for the Broadway Street lighting to the southeast corner of Second and Broadway. Furnish and install an above-ground tap box at that location. Furnish a 100 amp 3R panel with breakers mounted on a portable stand that will have four 20 amp GFI 3R receptacles, three 30 amp 3r receptacles and one 50 amp 3r receptacle. Furnish and install 100 amp feeder from the southeast corner of Second and Broadway to the southeast corner of First and Broadway. Furnish and install an above-ground tap box at that location. Furnish a 100 amp 3R panel with breakers

mounted on a portable stand that will have four 20 amp GFI 3R receptacles, three 30 amp 3r receptacles and one 50 amp 3r receptacle.

Option B: Furnish and install 100 amp feeder from the electrical service for the Broadway Street lighting to the southeast corner of Second and Broadway. Furnish and install an above-ground tap box at that location. Furnish a 100 amp 3R panel with breakers mounted on a portable stand that will have four 20 amp GFI 3R receptacles, three 30 amp 3r receptacles and one 50 amp 3r receptacle. Furnish and install 100 amp feeders from the electrical service for the Broadway Street lighting to the southwest corner of Second and Broadway. Furnish and install an above-ground tap box at that location. Furnish a 100 amp 3R panel with breakers mounted on a portable stand that will have four 20 amp GFI 3R receptacles, three 30 amp 3r receptacles and one 50 amp 3r receptacle.

Option A uses the same 100 amp feeder for both panels but provides additional power at First and Broadway. Option B provides two 100 amp feeders, effectively providing double the available power but they are both at Second and Broadway. Currently the events that utilize the downtown area each year are the Cider Run sponsored by the Chamber of Commerce and the End of Summer Bash sponsored by the Library.

Financial: Any two panel locations is estimated to cost \$9,000, however an hours and materials billing would likely reduce the final cost slightly. This is not a budgeted item. Councilmember Donna Cook said she spoke with some food truck owners they suggested a tent for customers to stand under would be more beneficial for them, because all food trucks are required to have generators. Councilmember Sandy Harris said he thinks having the electrical outlets would be very beneficial. It could bring people together for events in the downtown area. Councilmember McKiernan said it would be great for Halloween on Broadway. Councilmember Cook said she would rather see the money used elsewhere. City Councilmembers had discussion. Administrator Law said we could pay for these out of the general funds. Councilmember McKiernan said maybe having them scattered out more would help. Councilmembers would like Administrator Law to get more information and return at a future meeting.

COUNCIL REPORTS

Councilmember Harris: Councilmember Harris asked Chief Bauer if he had any news on putting a three-way stop at Shoreline and Danford. Chief Bauer said he didn't find anything to report, but is having other officers check speed in

that area as well. They have given one ticket for that area and a few warnings. Councilmember Harris said he would like officers to watch the area in the evenings and weekends.

Harris asked about a homeowner at the Lake area that purchased an extra lot, who has now put a fence around it. Councilmember McKiernan said he thinks the allowance of allowing payment for a sidewalk in lieu of constructing a sidewalk should be abandoned so this doesn't happen in the future. City Administrator said this is technically a back yard as the lots have been legally combined and as such a fence is allowed in the area.

Harris asked if all the yellow donations boxes (Planet Aid) have been picked up. Administrator Law said they have been removed.

Harris thanked everyone that helped put together a great fireworks show and getting cars out quickly. Councilmember Harris said if we have a fireworks ban in the City why isn't it enforced. Chief Bauer said they take many calls and try and get to the address that is shooting them, but many times by the time the police can arrive the alleged violators have quit shooting off the fireworks.

Harris said even though Miami County doesn't require persons to wear a mask, he would like to encourage people to wear one.

Councilmember Cook: Councilmember Donna Cook asked if the pool was keeping track of temperatures of employees. Administrator Law said pool managers had been instructed to conduct a symptom review prior to each shift and this includes taking temperatures.

Mayor Southard: Mayor Marty Southard reminded Councilmembers to report on meetings they might have attended.

ADJOURNMENT

At 8:18p.m. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan and carried 4-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 07/20/2020

VENDOR	AMOUNT	DEPARTMENT
A & B TREE SERVICE	\$3,500.00	DANGEROUS TREE REMOVAL - BZ
ACCREDITED SECURITY	\$599.00	EQUIPMENT - POLICE
APPLE ELECTRIC INC.	\$2,946.50	TENNIS COURT LIGHTS - PARKS
BELL NATHAN	\$200.00	EQUIPMENT - POLICE
BLACK HILLS ENERGY	\$4,338.08	SERVICES - GAS
BOND CALY	\$500.00	FLIP GRANT
BOWES BECKY	\$535.00	PICKLEBALL COURT - PARKS
BROADHURST RICKY	\$136.00	UTILITY BALANCE
CCL SUPPLY LLC	\$115.58	SUPPLIES - POLICE
CONRAD FIRE EQUIPMENT	\$403.25	EQUIPMENT - FIRE
CONTINENTAL RESEARCH	\$540.34	EQUIPMENT - SEWER
CORE & MAIN	\$950.00	SUPPLIES - WATER
DELTA DENTAL OF KANSAS	\$2,288.03	INSURANCE - ALL
DIEHL JAMIE	\$500.00	FLIP GRANT
DIRECTV	\$192.76	TV - FIRE
ELLIOTT INSURANCE INC	\$295.00	INSURANCE - PWD
FAMILY CENTER OF PAOLA	\$142.09	SUPPLIES - PUA
G-B CONSTRUCTION	\$71,305.00	CRACK SEAL, SLOPE PROJECT - STREETS
GERKEN RENT-ALL, INC.	\$146.14	EQUIPMENT - PWD
GRASS PAD WAREHOUSE	\$584.15	SEED AND EROSION CONTROL
GREENER EXPECTATIONS	\$1,885.00	SERVICES - PARKS
GRIGSBY CONSULTING	\$1,555.00	INSPECTIONS - BZ
HIGH SPEED MOWING	\$400.00	MOWING SERVICES - BZ
KANSAS DEPARTMENT OF REVENUE	\$1,414.00	WATER PROTECTION 2ND QUARTER
KANSAS MUNICIPAL GAS	\$11,458.44	NATURAL GAS
KANSAS ONE CALL SYSTEM	\$474.00	LOCATES - PWD
KANSAS STATE TREASURER	\$401.50	JUNE COURT COLLECTIONS
KDH&E	\$518.00	TESTING - WATER
LOUISBURG ANIMAL CLINIC	\$170.00	ANIMAL CARE - POLICE
LOUISBURG ATHLETIC CLUB	\$540.00	MEMBERSHIPS - ALL
LOUISBURG FORD	\$1,052.09	SERVICES - POLICE
LOUISBURG MUNICIPAL UTILITIES	\$703.27	UTILITIES - ALL
MAYFAIR CLEANERS	\$150.91	UNIFORM CLEANING - POLICE
MDC PUA	\$107,442.22	WATER
MI CO REGISTER OF DEEDS	\$32.00	RECORDING FEES - BZ
MI CO ROAD & BRIDGE DEPT	\$50.00	SERVICES - BZ
MIAMI COUNTY CONSERVATION	\$2,500.00	CONTRIBUTION 4 OF 6
MIAMI COUNTY, KANSAS	\$57.50	FEES - ADMIN
NAPA AUTO PARTS	\$86.47	SUPPLIES - PWD
NEW CENTURY	\$108.00	SERVICES - POLICE
NPG NEWSPAPERS	\$2,515.72	PUBLICATIONS - ADMIN
O'REILLY AUTO PARTS	\$333.76	EQUIPMENT, SUPPLIES - PWD, PUA
PARTNERS PRINT & COPY INC	\$1,340.35	PRINTING, SHIPPING, SUPPLIES
PHILLIPS 66 CARD	\$1,237.24	FUEL - POLICE
POLSINELLI PC	\$1,440.00	CITY ATTORNEY SERVICES - ADMIN
PRAXAIR DIST. INC.	\$48.41	SUPPLIES - GAS
PRICE CHOPPER	\$865.49	SUPPLIES - ADMIN, FIRE, POOL
QUILL	\$154.91	OFFICE SUPPLIES - ADMIN
RAY LINDSEY COMPANY	\$51.78	EQUIPMENT - SEWER

REDDI SERVICES KC	\$760.00
ROMANS OUTDOOR POWER	\$3.32
RURAL WATER DISTRICT #2	\$22.03
SCARECROW FARM LAWN CARE	\$5,220.00
SHRED-IT USA	\$74.19
SI FUNERAL SERVICES	\$725.00
STAPLES ADVANTAGE	\$310.98
WAYNE'S PLUMBING	\$409.00
WEISS RICHARD	\$50.00
WHITE'S AUTOMOTIVE	\$832.19
ZEP MANUFACTURING	\$204.33
	\$237,814.02

LIFT STATION SERVICES - SEWER
SUPPLIES - PARKS
WATER - PARKS
CEMETERY MOWING MAY/JUNE
SERVICES - ADMIN
SERVICES - CEMETERY
OFFICE SUPPLIES - ADMIN
REPAIRS - FIRE
SERVICES - PZ
SERVICES - PWD
SUPPLIES - ADMIN



PROCLAMATION ISSUED BY THE MAYOR AND CITY COUNCIL

WHEREAS, First National Bank in Louisburg is celebrating its centennial year of serving Louisburg and the surrounding area on July 30, 2020; and

WHEREAS, for that entire 100 years the bank has operated under the name, The First National Bank of Louisburg, and continues to hold its original United States Treasury and Office of the Comptroller of the Currency Charter number and its original Federal Deposit Insurance Company number; and

WHEREAS, the bank survived the Great Depression, when more than 9,000 banks closed, and the more recent banking crises of the 1980s, '90s and 2008 and furthermore is now one of less than 5,000 federally insured financial institutions in the United States, from a high in 1929 of nearly 35,000; and

WHEREAS, the bank is believed not only to be the oldest private business in the City of Louisburg but in Miami County; and

WHEREAS, the bank, its directors and employees are vital members of our community and support our community through involvement in many activities but most notably the Pre-Prom Reception;

Now, THEREFORE, I, Marty Southard, Mayor of Louisburg, on behalf of the entire City Council, do hereby proclaim Thursday, July 30, 2020, as

First National Bank of Louisburg Day

in the City of Louisburg, in honor of the bank's centennial celebration.

FURTHER, I urge all citizens of the City of Louisburg to offer First National Bank of Louisburg directors, employees and friends their most sincere gratitude for service and dedication to our community.

Proclaimed this 20th day of July, 2020

Marty Southard, Mayor

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: July 17, 2020

Re: Mayor's Report – Draft Mask Ordinance

Background: Mayor Southard asked staff to include the attached draft ordinance, crafted by the Mayor from approved mask ordinances of Paola and Osawatomie. Council consideration will be sought at the meeting.

Financial: None.

Legal: None.

Recommendation: Discuss as desired.

ORDINANCE # _____

AN ORDINANCE REQUIRING THE WEARING OF MASKS OR OTHER FACE COVERINGS IN PUBLIC SPACES.

WHEREAS, securing the health, safety, and economic well-being of residents and businesses of the City of Louisburg is of the highest priority of the City Council; and

WHEREAS, the United States Department of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 3,416,428 cases of the illness and more than 135,991 deaths as a result of the illness across the United States; and

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020; and

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and

WHEREAS, as of this date, in Kansas there have been 21,965 reported positive cases of COVID-19 spread among 103 counties, including 299 deaths; and

WHEREAS, after a steady trend of decreasing metrics, recent weeks have seen the numbers of COVID-19 cases, hospitalizations, and deaths spike in Kansas and across the nation; and

WHEREAS, in Miami County, there is a recent increase in cases as is reported; and

WHEREAS, this increased spread of COVID-19 is a danger to the health and safety of residents of Louisburg and also presents a serious threat to reopening and reviving the Louisburg economy; and

WHEREAS, wearing a mask in public is the easiest and most effective way to protect each other and help keep our businesses open and our economy running; and

WHEREAS, the City of Louisburg must remain flexible to account for the evolving nature and scope of the unprecedented public health emergency posed by COVID-19, while also simultaneously safely, strategically, and incrementally reopening business and facilitating economic recovery and revitalization; and

WHEREAS, for the aforementioned and other reasons, and in recognition and furtherance of our responsibility to provide for and ensure the health, safety, security, and welfare of the people of the City of Louisburg, requiring that masks or other face coverings be worn in public spaces is necessary to promote and secure the safety and protection of the civilian population, SO NOW, THEREFORE

BE IT ORDAINED by the Governing Body of Louisburg, Kansas:

Section 1. Definitions. The following terms shall have the following meanings:

- a. "Mask or other face covering" means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A mask or other face covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a mask or other face covering has two or more layers. A mask or other face covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels.
- b. "Public space" means any indoor or outdoor space or area that is open to the public; this does not include private residential property or private offices or workspaces that are not open to customers or public visitors.

Section 2. Requirements of persons. All persons in the City of Louisburg shall cover their mouths and noses with a mask or other face covering when they are in the following situations:

- a. Inside any indoor public space where distancing of 6 feet at all times is not possible;
- b. In line and waiting to enter an indoor public space;
- c. Obtaining services from the healthcare sector in settings, including but not limited to, a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank, unless directed otherwise by an employee or healthcare provider;
- d. Waiting for or riding on public transportation or while in a taxi, private car service, or ridesharing vehicle; or
- e. While outdoors in public spaces and unable to maintain a 6-foot distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.

Section 3. Requirements of businesses, organizations, and non-profit associations. All businesses, organizations and non-profit associations in the City of Louisburg must require all employees, customers, visitors, members, or members of the public to wear a mask or other face covering when:

- a. Employees are working in any space visited by customers, members of the public or co-workers, who are present at the time;
- b. Employees are working in any space where food is prepared or packaged for sale or distribution to others;
- c. Customers, members, visitors, or members of the public are in a facility managed by the business or organization; or
- d. Employees are in any room or enclosed area where other people (except for individuals who reside together) are present and are unable to maintain a 6-foot distance except for infrequent or incidental moments of closer proximity.

Section 4. Exemptions. The following individuals are exempt from wearing masks or other face coverings in the situations described in Sections 2 and 3:

- a. Persons age five years or under; children age two years and under in particular should not wear a face covering because of the risk of suffocation;
- b. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering—this includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
- c. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
- d. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- e. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- f. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided they maintain a 6-foot distance between individuals (not including individuals who reside together or are seated together) with only infrequent or incidental moments of closer proximity;
- g. Athletes who are engaged in an organized sports activity that allows athletes to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity;
- h. Persons who are engaged in an activity that a professional or recreational association, regulatory entity, medical association, or other public-health-oriented entity has determined cannot be safely conducted while wearing a mask or other face covering;
- i. Persons engaged in an activity or event held or managed by the Kansas Legislature;
- j. Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary; and
- k. Persons engaged in any lawful activity during which wearing a mask or other face covering is prohibited by law.

Section 5. Education and Enforcement.

It shall be the goal of the City of Louisburg to educate the public and our businesses on the need to wear masks to reduce the spread of COVID-19 and prevent violations of this Ordinance.

It shall be our intention to use education and community outreach as our first line of enforcement.

It shall be unlawful for any person, firm, business, corporation, or organization, subject to regulation under this section to fail to comply with all of its provisions. Any person, business, organization or

non-profit association identified to the City that are in violation of this ordinance on more than two occasions shall be guilty of a misdemeanor, punishable by:

1. A fine of no less than twenty-five (\$25.00) dollars upon a first cited violation.
2. A fine of no less than fifty (\$50.00) dollars upon a second cited violation.
3. A fine of no less than one hundred (\$100.00) dollars upon a third or subsequent cited violation

Section 6. Effective. This ordinance shall be in full force and effect from and after its adoption by the Governing Body of the City and publication one time in the official City newspaper.

Adopted & Approved by the Governing Body of the City of Louisburg, Kansas, on July 20, 2020.

Marty Southard, Mayor

[SEAL]

ATTEST:

Traci Storey, City Clerk

Memo

To: Louisburg Governing Body
From: Nathan Law
Date: July 17, 2020
Re: Stormwater Pipe Pricing

Background: At the last meeting Council directed staff to price various stormwater pipe materials and return the information at this meeting. Below is a list of per foot and per item pricing for various materials from two companies, with the cheaper pricing for all material types listed.

- N12 Dual Wall HDPE - \$14.15/ft; \$39.69 per split coupling; \$307.25 for a 45 bend plain end; no delivery cost.
- Galvanized - \$18.97/ft; \$45.00 per hugger band; \$192.00 for an end section; \$220 delivery cost.
- Aluminized - \$19.86/ft; \$48.00 per hugger band; \$250 for an end section; \$220 delivery cost.
- Reinforced Concrete - \$32/ft; \$700 for an end section (maybe optional), \$1,500 with a toe wall; \$250 delivery cost.

Additionally, the question was whether there is a way to connect varying types of materials. In a HDPE manual there is a prescription for a geotextile wrap between two pipe materials with a concrete collar poured in place around. There is an option for a dissimilar pipe material coupler by way of reinforced rubberized mastic bands, which is likely more expensive than the geotextile wrap and concrete option.

Financial Consideration: HDPE, galvanized and aluminized come in 20' pipe sections, whereas reinforced concrete comes in 8' sections. Assuming a total project footage of 36', the project pricing for the various materials is estimated to be:

- N12 Dual Wall HDPE - \$566.00 with no end section. Unknown cost for concrete collars; of which there may be three total depending on the project scope.
- Galvanized - \$758.80 with no end section and delivery. Also unknown for concrete collars.
- Aluminized - \$794.40 with no end section and delivery. Also unknown for concrete collars.
- Reinforced Concrete - \$1,530 with no end section and delivery.

Legal Consideration: None.

Recommendation: Discuss pipe pricing and direct staff accordingly.

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: July 17, 2020

Re: Authorization for Publication of Draft Budget

Background: Following the calendar presented at the budget workshop, staff is seeking authorization from Council to publish the 2021 budget summary and notice of budget hearing to be set for August 17, in conjunction with the regular Council meeting.

Financial: Cost for publication.

Legal: This is required as part of the budget process for cities in Kansas.

Recommendation: Authorize publication of the 2021 budget summary and notice of budget hearing.

NOTICE OF BUDGET HEARING

2021

The governing body of

Louisburg

will meet on August 17, 2020 at 6:30 p.m. at City Hall for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2021 Expenditures and Amount of 2020 Ad Valorem Tax establish the maximum limits of the 2021 budget.

Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2019		Current Year Estimate for 2020		Proposed Budget Year for 2021		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2020 Ad Valorem Tax	Estimate Tax Rate *
General	3,296,891	27.179	2,998,672	29.120	4,879,500	1,427,597	28.423
Debt Service	707,608	7.275	605,708	5.328	1,375,608	221,528	4.410
Special Highway	626,295		755,000		955,000		
Stormwater Management	92,718		450,000		425,000		
Parks Contributions			79,350		62,665		
L/Y Lighting			2,350		51,408		
Louisburg Cemetery			20,000		75,000		
Fox Hall	6,449		20,000		20,000		
Cops for Kids	514		2,000		3,000		
Excise Tax			25,000		25,000		
Infrastructure Improvements	214,243		250,000		600,000		
Aquatic Center	149,812		165,000		1,194,000		
Gas Operating	1,631,999		1,194,848		1,602,000		
Water Operating	1,565,506		1,524,000		1,534,000		
Wastewater Operating	1,501,157		1,106,578		1,300,000		
Non-Budgeted Funds-A	2,815,481						
Non-Budgeted Funds-B	30,000						
Totals	12,638,673	34.454	9,198,506	34.448	14,102,181	1,649,125	32.833
Less: Transfers	2,145,000		1,040,000		1,265,000		
Net Expenditure	10,493,673		8,158,506		12,837,181		
Total Tax Levied Assessed	1,352,019		1,641,311		xxxxxxxxxxxxxxxxxxx		
Valuation	39,241,267		47,646,863		50,227,665		
Outstanding Indebtedness, January 1,	<u>2018</u>		<u>2019</u>		<u>2020</u>		
G.O. Bonds	5,350,000		4,770,000		4,175,000		
Revenue Bonds	0		0		0		
Other	0		0		0		
Lease Purchase Principal	458,149		370,355		496,764		
Total	5,808,149		5,140,355		4,671,764		

*Tax rates are expressed in mills

Pat McQueen
City Official Title: Finance Director

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: July 17, 2020

Re: Reconsideration Request – Tobacco Restriction in Parks

Background: During discussion at the Parks and Tree Board meeting the topic of smoking in proximity to ballfields was brought up as a follow-up to the decision by Council not to pursue at a meeting earlier in the year. The board representative for Lewis-Young Park noted a recent concern with heavy smoking by a couple individuals near baseball fields. With the Louisburg Recreation Commission (LRC) Director in attendance of the meeting, that representative asked if LRC has experienced issues with tobacco use near playing areas. LRC has experienced issues regularly, with individuals being asked to not smoke near the fields, near the dugouts, or near seating areas. The Board asked staff what the interest level of the Council had been when presented with a draft no smoking policy. Staff provided a recollection of discussion by individual Councilmember comments on the matter, which ultimately resulted in a lack of support for a tobacco restriction policy. Through additional discussion the Parks and Tree Board voted to send a request to Council for reconsideration of a ban on the use of tobacco and related products except for within designated areas at each park facility, with those designated areas to coincide with parking lots. The vote was unanimous of the four board members present.

Staff is including with this memorandum the sample tobacco restriction language presented in February for Council consideration.

Financial Consideration: None.

Legal Consideration: The policy included with this memorandum places emphasis on voluntary compliance.

Recommendation: Discuss as desired and direct staff accordingly.



City of Louisburg Tobacco-Free Parks Policy

Policy Statement

The City of Louisburg is committed to the quality of life for all residents, therefore, we believe that:

1. Tobacco and vaping use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of others.
2. Tobacco and/or vaping products once consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to toddlers and causing a litter problem.
3. As parents, leaders, coaches and officials we are thought of as role models, and the use of tobacco and vaping products around youth has a negative effect on their lifestyle choices.

Tobacco-Free Facilities

No person shall use tobacco products on city-owned parkland, park facilities, recreational facilities, open spaces, trails, recreation and community centers or outside the immediate entrance to these facilities.

Compliance Procedures

The emphasis on enforcement of the Tobacco-Free Park Policy is through voluntary compliance:

1. Signs will be posted on appropriate city-owned parkland, park facilities, recreational facilities, open spaces, trails, recreation and community centers.
2. City staff will make periodic observations of activity sites to monitor compliance.
3. The community, especially facility users, will be notified of this policy through various communication channels.
4. Areas where tobacco and vaping use may be allowed will be posted in each park facility, as is reasonable for the park.

Memo

To: Louisburg Governing Body
From: Nathan Law
Date: July 17, 2020
Re: CDBG-CV Use of Funds

Background: In May staff helped notify the community of the possibility of CDBG-CV funds, asking that local businesses complete a needs survey. Once the CDBG-CV funding announcement was made, the selected grant administrator sent to those same businesses an application for business resources and/or employee payroll needs, to help establish those businesses and/or employees that qualify based on the grant funding requirements. Of the initial 32 businesses or organizations that responded to the needs survey, 11 completed and returned the application for funds. Two of the eleven did not qualify, and one will likely qualify once additional information is received. There are a total of 38 employees spread across the nine qualifying applications. With this being the case, Council is asked to advise staff and grant administrator how best to split the available funding, with an understanding there are total award limits for businesses based on number of employees.

In order to remove any possibility of favoritism, staff recommends Council consider establishing weighting criteria for application awards. If this were solely based on number of qualifying employees, there would be no inclusion of factors like years in business, years in business within the community, economic impact, etc. A set of scoring criteria would be given to the grant administrator for ranking applications, compiling a recommendation of funding awards, and returning to Council for approval.

Possible scoring matrix might look like the following, which was provided by the grant administrator:

	Points Available	Score
Economic Impact	25	
Social Impact	25	
Future Growth Potential	25	
Innovation Through the Pandemic	25	
	Total:	

Financial Consideration: Available grant funding is \$120,000.

Legal Consideration: None.

Recommendation: Discuss scoring matrix or other criteria and direct staff accordingly.