

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
MARCH 2, 2020**

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

Council Members Steve Town, Kalee Smith, Sandy Harris, Donna Cook,  
Thorvald McKiernan  
City Administrator Nathan Law  
City Clerk Traci Storey  
City Attorney Kelly Stohs  
Police Chief Tim Bauer  
Fire Chief Gerald Rittinghouse  
Communications Coordinator Jean Carder  
Public Works Supervisor Craig Hufferd  
Press  
Visitors Cynthia Bloom, Elizabeth Sweeney-Reeder

**PLEDGE OF ALLEGIANCE**

Councilmember Steve Town led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Sandy Harris moved, seconded by Councilmember Kalee Smith motion carried 4-0-1 (McKiernan abstained) to approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of February 18, 2020 and bills list.

**VISITORS**

Cynthia Bloom of 100 S. 16<sup>th</sup> Terrace in the Prairie Crossings Subdivision talked to the Council about the mud on the street in the neighborhood. The mud on this street has been an ongoing issue since she moved there in 2018. Residents deserve clean streets, she said, and this is impossible when traffic, including trash trucks and delivery trucks, enter through the temporary entrance at the west end of the neighborhood. When residents have to drive through muddy streets, mud is tracked onto driveways and garages and lowers the curb appeal and value of our homes. She said neighbors work hard too hard to maintain the appearance of our

yards and homes. Since the land is private property she would like to know if there is anything the City can do to help. Councilmember Thorvald McKiearnan suggested a gate that can be locked similar to Lewis-Young Park. Councilmembers had discussion. Administrator Law said we do use that entrance to get to the lift stations but do not drive on the street. Councilmembers Smith and McKiearnan like the gate idea. It was mentioned that emergency crews could use that temporary entrance to get into the neighborhood in the event the main entrance is blocked. Councilmember Town asked if signage could be put up so people don't go that way. Councilmember Harris asked if they had a HOA. Bloom said they do not. Councilmembers would like staff to bring back a cost for the gate. Bloom thanked the Governing Body and City for all their help on this issue.

### **PUBLIC COMMENTS**

None

### **DEPARTMENT REPORTS**

**Public Works:** Public Works Supervisor Craig Hufferd said employees are working on replacing some water mains out at Lewis-Young. The ballfield fencing is looking great. We are gearing up for baseball season.

Administrator Nathan Law said a grant application was submitted by Jean Carder to request \$12,000 for percussion play items and a fountain in the green space next to City Hall. This grant is being applied for through the First Option Bank Trusteed Foundation. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris, for permission to move forward with the grant. Councilmembers had discussion. Motion carried 5-0.

### **CITY ATTORNEY'S REPORT**

City Attorney Kelly Stohs said she will recuse herself from item 10C.

### **COUNCIL REPORTS**

**Councilmember McKiearnan:** Councilmember Thorvald McKiearnan asked what had been learned about the speed limit on 271<sup>st</sup> between Metcalf and Rockville. Chief Bauer and Craig Hufferd said they are working on getting signs posted in that area. Chief Bauer said the County maintains the speed limit on the stretch of roadway.

McKiernan asked about the code revisions. Administrator Law said he has reached out to IBTS and they hope to be meeting with them maybe this week.

McKiernan said with the retirement of Damon Dennis he would like to see the City have a Damon Dennis Day and give him a key to the City. A Proclamation is also possible. This item will be brought back at the next meeting.

**Councilmember Harris:** Councilmember Sandy Harris asked if the Broadmoor project was complete. Administrator Law said they are putting down seed and erosion control and finishing it up. Councilmember Harris said it really looked great.

**Councilmember Cook:** Councilmember Donna Cook would like to see a list from the Chamber of businesses that are going out of business. She would also like to see the Chamber attend Council meetings. Administrator Law stated since we don't require business licenses that information is hard to track. Not all businesses join the Chamber and with the number of home-based businesses this might be difficult to compile. The Chamber provides a weekly report to the City Administrator that is shared with Council members.

Cook said North Broadway from Casey's to the north is very trashy. Councilmember Smith agreed and asked when sidewalks are going to be put up on Broadway. Administrator Law said a sidewalk along North Broadway is part of the Master Trails Plan. Law reminded Council that the sidewalk on North Metcalf was intended to be a safer walking route for children to utilize when going to and from school. Cook said more people walk on Broadway than on Metcalf. Law will bring back the sidewalk information at the next meeting. He reminded Councilmembers money for this project will likely come from the infrastructure sales tax that Council has said in the past they would like to see that money go to stormwater improvements. Discussion occurred about nuisance properties. Mayor Southard said we shouldn't wait for a complaint on the trash. Homeowners should be cleaning up their trash. Councilmember Smith would like to see more citations given and get things cleaned up. Administrator Law said nuisance violations have a certain process and takes time and there is only one staff member that handles this. City Attorney Kelly Stohs said she will provide information on the nuisance code process at a future council meeting.

**Councilmember Smith:** Councilmember Kalee Smith said she has received several phone calls over the weekend regarding razors and golf carts in town. She

asked if there were a way we could have a permit fee that would allow them on city streets. Chief Bauer said the recently adopted City Code regulates the use of all-terrain and unregistered vehicles on city streets and follows the Standard Traffic Ordinances, also adopted yearly. The officers have been given warnings. Councilmember McKiernan would like to see a permit fee added and asked how Paola and Osawatomie regulate such vehicles. Chief Bauer said he would contact them.

Councilmember Smith reported seeing dogs on private property near Legion Park pooping and the owners not picking it up. Administrator Law said that is not owned by the city and the responsibility falls on the homeowner if they want to call the police. It was also noted a significant amount of dog poop in the green space next to City Hall. Smith suggested we get poop bags for the green space and other park areas.

Smith asked when the final punch list for the Fox Hall would be done. Law said they are working at it now. Smith said there is concrete splatters on the doors that should be cleaned off.

**Councilmember McKiernan:** Councilmember McKiernan would like to see the packets delivered on a Monday or Tuesday before the Council meeting. Councilmembers had discussion. Mayor Southard asked if anyone wanted to take action. No action was taken.

## **MAYOR'S REPORT**

Miami County Attorney Elizabeth Sweeney-Reeder gave a presentation on KORA (Kansas Open Records Act) and KOMA (Kansas Open Meeting Act). After the presentation she answered questions from Councilmembers.

## **ADMINISTRATOR'S REPORT**

**2020 Asphalt, Concrete Improvement and Crack Seal:** Administrator Law reviewed the low bids for the asphalt, concrete and crack seal work. Councilmember Cook asked if we have to go with the lowest bid. Mr. Law said Council can choose to go with a higher bid but must state the reason why a higher bid was chosen. Mr. Law said the City does not have a local preference in the purchasing policy for these types of bids.

Councilmember Cook asked about the cap on the crack seal work. Public Works Supervisor Hufferd said that was added to the bid request so City Staff can determine how much additional crack seal work is needed once the project reaches 75 percent. Mr. Hufferd reminded Council that 50 percent of the work at Lewis-Young will be refunded as part of the KDWPT grant.

Councilmember McKiearnan moved and Councilmember Smith seconded to approve Advanced Asphalt's low bid of \$464,735.06 for 2020 asphalt improvements. Motion passed 5-0.

Councilmember Town moved and Councilmember McKiearnan seconded to approve the G-B Construction LLC low bid of \$19,982.80 for 2020 concrete improvements. Motion passed 5-0.

Councilmember Harris moved and Councilmember Town seconded to accept G-B Construction LLC's low bid of \$2.10 per pound for 2020 crack seal work. Councilmember McKiearnan moved and Councilmember Harris seconded to amend the motion to allow for the 75 percent cap. Motion to amend passed 5-0. The Council approved 5-0, the G-B Construction LLC low bid for crack seal.

**Tobacco use in parks:** Administrator Law said a recent discussion occurred during Park & Tree Board meetings about tobacco use at public parks. Louisburg Recreation Commission Director Diana Moore reported to that board that she had received complaints about people smoking while standing near dugouts, team benches, etc. At its January meeting Park Board members discussed and approved a motion 4-2 to recommend that Council restrict tobacco use within fifty feet of all athletic fields, playgrounds, shelters, and designated scouting areas on city-owned property.

Mr. Law presented two sample tobacco use policies for City parks. He said that setting a distance requirement can be difficult to enforce and said if Council were interested in pursuing a tobacco use policy that instead of distance he suggested they consider to allow smoking by location only.

Councilmember Smith said she is not interested in discussing this topic.

Councilmember Cook is also not interested in discussing this topic.

Councilmember McKiearnan said he thinks we have enough rules.

Councilmember Harris agreed.

No action was taken.

**Deannexation of 0.36 Acres:** City Attorney Kelly Stohs recused herself from the discussion and removed herself from the dais as she is the property owner seeking the deannexation.

Mr. Law reviewed the information and told Council the Planning Commission had recently approved this deannexation request and forwarded it to the Council for final approval.

Councilmember Cook asked where the property is located. The applicant, Ms. Stohs, said the property is to the west of her home located in the Club Estates subdivision near the former golf course.

Councilmember McKiernan asked what happens if the County does not accept the deannexation. Mr. Law said it becomes property held somewhat in limbo, which may be considered similar to the concept of ghost plats on past growth area properties.

Councilmember McKiernan moved and Councilmember Smith seconded to approve the deannexation on the contingency of finalization of the plat by the County. Motion passed 5-0.

City Attorney Stohs returned to the dais.

## **ADJOURNMENT**

At 8:10 p.m. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 5-0, to adjourn the meeting.

Approved:

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Marty Southard, Mayor

Attest:

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Traci Storey, City Clerk