

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
MARCH 16, 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. City Attorney Kelly Stohs was absent.

Council Members: Steve Town, Kalee Smith, Sandy Harris, Donna Cook,  
Thorvald McKiernan  
City Administrator Nathan Law  
City Clerk Traci Storey  
City Attorney  
Police Chief Tim Bauer  
Fire Chief Gerald Rittinghouse  
Communications Coordinator Jean Carder  
Public Works Supervisor Craig Hufferd  
Press  
Visitors Chad Reed

**PLEDGE OF ALLEGIANCE**

Councilmember Thorvald McKiernan led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Donna Cook inquired about the minutes, whether the action on the last page should be for a deannexation, and asked if we sought bids for the pricing on mulch. City Administrator Nathan Law stated the minutes should state deannexation. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan motion carried 5-0, approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of March 2, 2020, and bills list.

**VISITORS**

Annual Audit 2019: Due to the COVID-19 visitor Sean Gordon joined the meeting by phone conferencing. He is with GordonCPA Auditing, Accounting and Consulting and thanked the Governing Body for allowing him to present via phone. Gordon gave the Council a brief overview of the audit results. Gordon said

the City earned the highest marks as allowed under Kansas law. There were no significant considerations to pursue prior to the next audit. Gordon thanked Finance Director Pat McQueen for his work in the audit process and his compliments on a job well done. Councilmember Sandy Harris moved, seconded by Councilmember Kalee Smith and carried 5-0, to receive and accept the 2019 audit.

Chad Reed: Chad Reed of 701 S. 5th Street told the Council there is a cat problem in his neighborhood. A neighbor is feeding feral cats, which then causes a cat feces problem in his yard. Reed has a 3-year old daughter that can no longer play outside due to this problem. He has set traps over the last year, but right now there are cats into the double digits that roam in his yard. He has talked to the police on numerous occasions where they will pick them up and take to the area vet clinic. Chief Bauer has talked to the neighbor and the problem gets better for a while, but then they reproduce and there is more than before. Reed is asking for any ideas that the Council might have. City Administrator Nathan Law said that other entities have in the past determined this a health emergency and taken actions to capture and destroy feral cats. However, there are programs in many communities that focus instead on capture, neuter/spay, and return. Councilmembers would like more information brought back at the next meeting on how to proceed with this or anything else that might help with the problem.

Timbercreek Special Event: City Administrator Nathan Law said since Scott Allen wasn't in attendance he would be happy to talk about the event. Timbercreek Bar & Grill has an annual motorcycle run fund-raiser that has an outdoor bar set up. This event will take place on Saturday, May 16th. Councilmember Steve Town moved, seconded by Councilmember Thorvald McKiernan, to approve the event. Councilmembers had discussion. Motion carried 5-0.

### **PUBLIC COMMENTS**

None

### **MAYOR'S REPORT**

Mayor Marty Southard presented Code of Appeals Appointments. Based on the appointment timeframe, and taking into consideration the reappointment calendar change with moving to November elections a few years ago, the following should have been, or should be, the current appointment schedule for the slate of individuals:

Chris Brown – up for reappointment again in 2021

Rob George – up for reappointment in 2022

Chris Urie – up for reappointment in 2023

Warren Schwabauer – up for reappointment in 2024

Pat Apple – reappoint to new 5-year term at this time

Councilmember Kalee Smith moved, seconded by Councilmember Donna Cook and carried 5-0, to approve the past appointments and the current appointment of Pat Apple to the Code of Appeals.

**Proclamation Discussion:** Mayor Southard asked if the Council had time to think about ideas for Damon Dennis. Councilmember Donna Cook said she heard there are many groups planning things. Southard asked if we want to do our own or coordinate with others. Councilmember Smith and McKiearnan said they would like to give a key to the City. Councilmember Town said we gave the Rose Parade President and Vern Isenhower a key to the City. Councilmembers had discussion. Councilmember Kalee Smith moved, seconded by Thorvald McKiearnan to give a key to the City and a Proclamation that declares Damon Dennis Day.

**Park Board Replacement:** Mayor Southard said Ernie Reinhart is resigning due to a move out of state. Mayor Southard would like to appoint Andrew Gibbons. Councilmembers had discussion. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 5-0, to approve the appointment of Andrew Gibbons to the Park's Board.

**Coffee with the Council:** Mayor Southard said the Library would like to host a Coffee with the Council. Mayor Southard recommends limiting the number of Councilmembers to two to avoid any risk of a public meeting. Councilmembers Cook and McKiearnan both said they would like to do this.

## **DEPARTMENT REPORTS**

**Police Department:** Chief Tim Bauer said they have been working hard on the department operations since the coronavirus. Chief Bauer will help keep everyone informed.

**Fire Department:** Chief Gerald Rittinghouse said there have been lots of procedure changes since the outbreak of the coronavirus. Supplies are also limited due to the outbreak.

City Administrator Nathan Law said city offices have been locked and we have posted on the doors how make to a payment online, by telephone or using the drop box. Anyone with questions can call City Hall and we will help them.

Councilmember Harris asked what equipment the Fire Department needs for a call. Rittinghouse said they use eye protection, gloves, boots and suits. Harris asked who our qualified health advisor is for the City. Administrator Law said Incident Command System dictates the most qualified person on site takes the leadership position, which for this purpose would be either Fire Chief Gerald Rittinghouse or Police Chief Tim Bauer, but either would defer to the Local Health Official and County Emergency Management.

### **ADMINISTRATOR'S REPORT**

**North Broadway Sidewalk Update:** City Administrator Nathan Law said last year Council set a priority for sidewalk work along N. Broadway. This project falls within the Master Trails Plan, which had N. Broadway sidewalks planned on a mid-term to long-term basis of priority. The City recently completed sidewalks along N. Metcalf, which provides a recent known cost and planning example for this project, outlined in the financial section below.

In 2018 engineering and construction costs for similar work totaled approximately \$280,000 with engineering accounting for \$30,000 and construction accounting for \$250,000. The N. Metcalf project also included far less work in regard to stormwater than is anticipated for the N. Broadway sidewalk project. That being the case, staff would still estimate \$30,000-\$50,000 for engineering work on this project, and estimate \$300,000-\$350,000 for construction work. Construction estimate may not fully accommodate stormwater improvements.

As a reminder to Council, funds for sidewalks are currently accommodated primarily from Infrastructure Sales Tax funds. This sales tax fund is the same source as 2020 matching funds for the Metcalf 2.0 project engineering work, which was previously estimated at \$175,000 for the City of Louisburg portion. This is also the funding source for a significant amount of stormwater improvements identified in the Stormwater Master Plan as well as the local match for the already awarded bike/pedestrian sidewalk from Broadway Street to Crestview, intended for funding in 2021. Funds currently available are \$167,131, and in February received sales tax of \$41,033.75. Estimated expenditure for Metcalf 2.0, even offset with continued similar sales tax revenue would likely result in project engineering for sidewalks being accommodated in 2020 and construction in 2021. A cash flow

table was provided as an example intended to show the limitations of this fund. For each month staff has used the revenue estimate of \$40,000. Expenditures shown include Metcalf 2.0 engineering work spread across months February through September. Engineering work totaling \$40,000 for Broadway sidewalks is shown spread across months June through September. Engineering and right-of-way acquisition totaling \$70,000 for Broadway to Crestview spread across months August through February 2021. The table does not include any of the estimated costs of the remaining four stormwater priority projects, additional infrastructure cost share for Metcalf 2.0 (not anticipated as of this writing), or other sidewalk priorities identified either in the Master Trails Plan or by Council as priority items.

Councilmember Smith said she would like this to be put on the priority list.

Councilmember McKiernan asked about the houses behind Sonic and the stormwater project there.

Councilmember Town asked about the ADA guidelines for sidewalks along N. Broadway due to elevation changes. City Administrator Law said that will have to be discussed during engineering.

City Administrator Law said the property owners will still be responsible for mowing around sidewalks and clearing sidewalks of snow and ice.

Information was received and filed.

**Gate Option for S. 16th Terrace:** City Administrator Nathan Law said at the last meeting Council was approached about mud on S. 16th Terrace due to traffic entering from a former construction access entrance to Prairie Crossings. During discussion Council stated a desire to see information for a swinging pole gate to be installed at the end of the paved surface of S. 16th Terrace to prevent vehicular traffic. The costs for purchasing gates are provided in the financial section and assumes in-house installation. A map was provided showing approximate measurement of various sized gates. Without having residences on the westernmost lots there may be instances where vehicles drive around the gate rather than attempt to turn around, regardless of the direction being driven. Each gate option includes the possible need for a receiving post to hold the open gate. That post will either be located at the required radius adjacent to the curb back, or will be placed carefully to the west to ensure it is not located on private property. The swing radius to the east would require an equivalent no parking area on the side with the receiving post(s).

Staff has held a discussion with L&K Group Holdings LLC local representative to request Waste Management trucks not to enter the Prairie Crossings Subdivision from the former construction entrance. Stated in the information presented at the last meeting, these vehicles are part of the problem. Without local contacts for delivery companies, staff must recommend consideration of signage adjacent to the right-of-way on 287th/S. 16th Street to notify traffic that the former construction entrance is not to be entered upon.

Financial: Prefabricated gate pricing has been found as follows: 20' - \$2,353 plus shipping; 30' - \$3,971 plus shipping. There may be the option to fabricate gates locally to possibly reduce these pricing estimates. The design for the 20' gate is a single swing arm spanning the entire distance, whereas the 30' gate is two 15' swing arms.

Councilmembers Cook and McKiernan think the pricing is too high. McKiernan suggest getting pricing from a local steel company. Councilmembers had discussion. Councilmember Kalee Smith moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to move forward with the 20-foot gate.

**N. Broadway Sewer Lift Station:** Staff sought to replace a 21-year-old lift station and to add alert communications to the lift station (SCADA). This replacement lift station and SCADA was approved for the 2020 budget. Over the past four years this lift station has been showing its age as repairs are no longer effective. Adding SCADA to the lift station will alert Public Works with a phone call of any potential problem with the lift station. The previous alert method was an external alarm that would sound, which prompted neighbors to call Public Works. The new SCADA will allow Public Works to respond more quickly to any issues.

Smith and Loveless 2 pump above grade WWMPS - \$95,000.00

SCADA - \$13,934.00

The lift station will be installed by Ray Lindsey Company and the SCADA will be installed by MircoComm.

Councilmember Donna Cook questioned the size of the pipe and would like to see a bigger pipe as part of the replacement. Public Works Supervisor Craig Hufferd said we can get a 6-inch pipe but won't change the size of the pumps being installed. Councilmembers had discussion. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris, to approve Smith

and Loveless and SCADA purchases. Councilmembers had discussion. Motion carried 5-0.

**Louisburg Lake Dam Maintenance:** Late 2018 into early 2019 the City of Louisburg completed its required dam inspection. Upon completion of the inspection it was recommended the City fix/repair three items: 1) Remove brush from the dam embankments, main spillway and from around the primary spillway outlet; 2) Add more rip rap to the spillway; 3) All visible rodent holes need to be filled and reseeded. The inspection noted there shouldn't be any trees on the dam or at the bottom of the dam. Roots should be left to prevent erosion.

Staff advertised an RFP and received two bids for the dam maintenance

G-B Construction -\$22,550

TDM Excavating Inc. - \$13,995

Councilmember Donna Cook asked if this price included the holes to be fixed and the brush removal. Hufferd said the bids included all the required work.

Councilmember Sandy Harris moved, seconded by Councilmember Donna Cook and carried 4-0-1, (McKiernan abstained) to accept the bid from TDM Excavating Inc. in the amount of \$13,995.

## **COUNCIL REPORTS**

**Councilmember Smith:** Councilmember Kalee Smith asked if there was anything new regarding the ATV rules. Police Chief Tim Bauer said with everything going on with the current events he would bring back information at a later date. Some cities require permits and insurance for owners to ride on the streets, he said.

**Councilmember Cook:** Councilmember Donna Cook would again like to see the Chamber of Commerce attend the Council meetings. Mayor Southard said he would reach out and see if they could come once a quarter.

Cook said she received phone calls asking why the playground equipment by the pool is so close to the entrance drive, and that it is seven feet from the roadway pavement. Public Works Supervisor Craig Hufferd said the speed limit is lowering and they will also have a child playing sign. City Administrator Law said the structure should be approximately 23 feet from the roadway, but the excavated area

for building the structure and for future mulch and barrier may look closer to the road. Staff will check the distance where the equipment will be placed.

**Councilmember McKiernan:** Councilmember Thorvald McKiernan asked if we have heard any feedback about the speed limit from Amity and Rockville coming from the east. City Administrator Nathan Law said we will contact KDOT again with that request.

McKiernan said he would like to see a budget scenario presented that shows what it would be like if we kept spending flat.

## **ADJOURNMENT**

At 7:50 p.m. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith 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