

**CITY OF LOUISBURG, KANSAS**  
**MINUTES OF REGULAR MEETING**  
**April 3, 2023**

Livestream: <https://boxcast.tv/view/louisburg-city-council-uaaeuu4624iqixojar9y>

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

Council Members Steve Town, Scott Margrave, Tiffany Ellison, Clint Ernst, TJ Williams  
City Administrator Nathan Law  
Finance Director Rick Mikesic  
Acting City Clerk Kelly Bond  
Police Chief Josh Weber  
Fire Chief  
Public Works Supervisor Craig Hufferd  
Communications Coordinator Jean Carder  
City Attorney Mary Stephenson

**PLEDGE OF ALLEGIANCE**

Councilmember Clint Ernst led the pledge of allegiance.

**APPROVAL OF THE CONSENT AGENDA**

Mayor Cook said she would like to add a second executive session to the agenda and remove the discussions of Backflow Preventer Inspection Code Language and Master Plan review, items 9B and 9G respectively, from the Administrator's report. She would also like to replace Job Title Considerations for 4 Employees, item 6D from the Public Works department report with a discussion on Purple Wave considerations. Councilmember Tiffany Ellison moved, seconded by Councilmember Ernst and carried 5-0, to approve the agenda as amended.

Councilmember TJ Williams moved, seconded by Councilmember Scott Margrave and carried 5-0, to approve the minutes from the March 20, 2023, regular meeting and the March 22, 2023, special meeting.

Councilmember Steve Town moved, seconded by Councilmember Ernst and carried 5-0, to approve the bills list.

**SCHEDULED VISITORS**

Nick Schultz spoke to the council about the batting cages at Lewis Young Park. These cages were a fund-raising effort by a group of parents. He said the only item left for completion is laying the turf. He said there were overages of about \$1,700 on costs to the project and requested financial assistance from the city. Williams suggested they complete the project to see if other

costs are incurred so the council could consider reimbursement all at once. Ellison agreed. Mike McClellan, a member of the Park & Tree Board with whom the group approached about the project, advised the council against setting a precedent with the city covering financial costs on such projects because others may expect the same moving forward. Williams said he feels it is something to consider case by case. Discussion occurred on responsibility of maintenance and whether there was legal documentation of this donation to the city existed. Council agreed to have Mr. Schultz come back upon completion of the project to decide on possible reimbursement of overages.

## **PUBLIC COMMENTS**

None

## **DEPARTMENT REPORTS**

### **Finance:**

**Annual Audit Report** - Finance Director Mikesic introduced Sean Gordon with Gordon CPA to present the 2022 audit. Mr. Gordon said the city received the highest rating of A+ and the audit demonstrates strong internal controls and financial management. Mayor Cook asked about the interest income and donation in the Special Street fund. Administrator Law said the interest income would be interest earned and allocated to that fund. Williams moved, seconded by Town and carried 5-0, to receive and file the audit as presented.

**Human Resource Duties** - Mikesic presented Human Resource duties and expectations as previously requested by Council. Council directed staff to go ahead and bid out the HR duties as described to see what costs would be.

### **Public Works:**

**Cemetery Mowing Bids** - Craig Hufferd, public works supervisor, provided the council with bids for cemetery mowing and recommended Outdoor Experts for the job. Ernst moved and seconded by Ellison to contract with Outdoor Experts for three years starting this year. Ellison asked if we usually have a three-year contract. Hufferd said the last contract was for three years and extended one year with safeguards built into the contract for poor performance. The previous contractor was unable to continue the contract because of a labor shortage. The motion passed 5-0.

**Asphalt Bid** - Hufferd presented Council with seven bids for asphalt work. Hufferd said that Advanced Asphalt had the low bid. Mayor Cook said she would like to have Kansas Asphalt do the work, even though they weren't the lowest bid and report back what should be done differently than what was presented on the bid sheet. Discussion on quality and costs occurred. Cook said she would like to use a local company and try someone different to see if streets held up better. Williams said he didn't think spending an extra \$65,000 was being a good steward of taxpayer money. Ellison said that if we have an issue that should be addressed. Discussion occurred about having work evaluated for quality moving forward. Town moved, seconded by Williams and carried 5-0, to accept Advanced Asphalt, not to exceed \$386,211.01. Law said with

a not-to-exceed vote the expectation is to bring to council any additional work that may go over that number. Hufferd said typically if there is additional work required it is repair work.

**2023 Concrete Work** - Hufferd provided Council a list of streets and areas designated for concrete work with an estimated cost of \$167,294. He said he would put it out for bid to have curb work and sidewalks completed before school starts. Hufferd said included in the bid proposal is work to complete two sidewalk gaps including 470 feet of sidewalk that would run parallel to Amity from Aquatic Drive east to connect to the sidewalk at the shopping area and 190 foot of sidewalk to connect from the water tower to the post office. Discussion clarifying locations of concrete work occurred. Mayor Cook asked about putting sidewalks in the old part of town. Law said that he plans to get with Hufferd and discuss including sidewalks in planned stormwater projects in the older sections of town when the projects happen. Ernst asked if there is a process to repair the curbs up to homeowner's driveways if they have cracked. Law explained that is the homeowner's responsibility and we could provide the name of the contractor in the area and they could make separate arrangements. Ernst asked what the budget is for this work. Law said he would provide that to council. Council directed staff to put out the concrete RFP.

**Purple Wave** - Hufferd provided Council a list of items to sell on Purple Wave. Ernst moved, seconded by Williams and carried 5-0, to post all items on the list on Purple Wave.

**Police** – Chief Weber presented Council with a quote from Central Square to upgrade the Police Department software. He said this item is targeted to be purchased using the First Option Trusteed Foundation grant that he informed Council the department was awarded during the workshop prior to the council meeting. The grant will also fund the eCitation and interfacing costs to connect to the Municipal Court software. He said he did not include in the grant digital fingerprinting equipment, but any unspent grant funds can go toward the purchase of that equipment, per the foundation. He said there are only three KBI-approved companies in Kansas and each one is \$20,000 per unit and \$2,500/year. Ellison asked how much the grant awarded. Weber said it was \$109,000. Ellison asked if the grant had to be used in a calendar year. Weber said the funds could be encumbered as long as it was used for the intended project. Williams asked how many digital fingerprint stations we would need for the city. Weber recommended only purchasing one due to the cost, even though moving the units around isn't recommended. Weber asked the council to accept the quote from Central Square to move forward with the project. Ernst moved, seconded by Williams and carried 5-0, to accept the quote from Central Square as written. Ellison clarified the grant funds would cover the costs.

**Fire** –Weber reported that while Chief Rittinghouse was unable to attend the meeting he is currently working on budget items. He said emergency crews reported to 11 calls within a two-and-a-half hour time frame over the weekend.

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

Nothing to report

### **MAYOR'S REPORT**

Mayor Cook asked for an update on Suddenlink. Law said we continue to work with residents if they have problems. Councilmember Ellison asked for an update on McKiernan's Suddenlink complaint. Law said he processed the complaint and Suddenlink was to go speak to the individual about the complaint/claim on his private property. Ellison asked if he wanted to make a claim against the bond. Law said he was claiming damages but didn't believe he specified a source for payment. Discussion of claim details occurred.

### **ADMINISTRATORS REPORT**

**Restructure** – Administrator Law presented Council with current expectations and financial differences of time spent on job duties including mandatory overtime for City Clerk and Court Clerk as it stands today, not compared to the previous year. The Court Clerk is projected to have 60 hours of overtime per year compared to 67.5 hours of overtime per year for the proposed combination of City Clerk and Utility Clerk. Law also included the previous change in pay grade that the Finance Clerk falls under that was not included as part of the resolution in 2015-for establishing job duties and pay grades. The duties and expectations of that position have shifted with the changeover of the Finance Director position and the updated job description was presented to council for approval. Law also included additional value consideration if a bonus is to be considered as part of assigning the City Clerk duties. Discussion of change of duties and pay occurred. Councilmember Ernst recommended to not include a bonus on the City Clerk duty. Mayor Cook asked the council what they would like to do about the job duties and pay. Ernst recommended leaving the pay as it is and re-evaluate at the end of the year. He also requested that time designated to different duties be documented by the clerks to see if removing Court Clerk duties and adding in City Clerk duties actually equal additional duties. Discussion on whether to move forward with shifting of duties occurred. Councilmember Ellison agreed that we leave the pay as is without a bonus and evaluate it again at the end of the year. Councilmember Ellison moved, seconded by Councilmember Town and carried 5-0, to approved the updated job description for the Finance Clerk.

**Burn Site Additional Considerations** – Law provided a potential response that could go to KDHE in regard to the most recent burn site complaint. Ernst moved, seconded by Town, to approve the recommendation as proposed, but to remove item 2e. Ernst asked what is the plan if we are unable to burn. Law said in previous meetings it was discussed the site would be locked until a burn could take place. Law said the information would be posted to the City's website and Facebook and signage would be added to the site. Discussion occurred. Motion passed 5-0.

**Playground Pour-in-Place Surfacing & Maintenance** – Council had previously asked staff to check into maintenance and longevity of this type of surface. Law provided Council with the price for the surface and the maintenance and cleaning instructions. Mayor Cook asked how much it would take to maintain this surface. Jean Carder had previously spoken to a representative from the City of Ottawa that has this type of surface and he said they typically have a public works employee clean the surface with a leaf blower once a week. Then once a year perhaps during park spruce-up day, there would be a deep clean on the surface, Carder said. Mayor Cook asked if we would need to buy rubber mats for the high traffic areas. Law said he would recommend it. Ernst moved, seconded by Williams and carried 5-0, to proceed with this

project and use money from the sale of the city-owned property to cover the costs. Ellison asked when the project would be completed. Law said staff will check.

**Large Lot Subdivision Text Amendment** – Law said the Planning Commission had discussed, held a public hearing and unanimously supported recommending Council approve the text amendment to allow for Large Lot Estates and recommended Council do the same. Discussion occurred. Ellison moved, seconded by Margrave and carried 4-0, to approve ordinance number 1181 to add Large Lot Estates text amendment to the zoning regulations. Councilmember Williams recused himself from the vote and stepped away from the dais.

**Final Plat – Rolling Rock & Park Meadows** – TJ Williams, the applicant, remained off the dais for this discussion.

Law said the Planning Commission held a public hearing and unanimously approved the final plat for 22004-SUB (Subdivision) Park Meadows Phase III and Rolling Rock Reserve. The recommendation is to consider the request to approve the final plat for Park Meadows Phase III and Rolling Rock Reserve subdivision. TJ Williams explained the existing cul-de-sac in Park Meadows would be completed, which would add seven homes with the same scale and look of the existing homes. West of that area would be the proposed 17 lots ranging from 1.3 to 3 acres. This large lot subdivision would have two sections with separate entrances, off S. 16<sup>th</sup> Street and Rogers Road. Greenspace will be provided that includes several amenities and a pavilion on the dam of the pond. There will be an HOA with deed restrictions. He said this project fulfills a type of subdivision that doesn't exist in the city. Williams said he will provide all the infrastructure including sewer, water, roads, street lights and stormwater. Discussion on timing and stormwater occurred. Ellison asked if the amenities would just be for members of that community. Williams said it may be semi-private providing first priority to residents of the subdivision and then open to the public. Ellison asked if the HOA was going to set its own bylaws. Williams said there will be an architecture committee that will oversee that process. Town asked about construction access to Park Meadows that was mentioned at the Planning Commission meeting. Williams said that was not made a stipulation of Planning Commission's approval. Discussion occurred. Ernst moved, seconded by Ellison, to approve the final plat. Town asked about addressing on the lots. Law said we now go through the county 911 to avoid issues. Motion carried 4-0. Williams said he would like to add that the staff including Nathan, Robert and Jean have all been very helpful throughout this process.

Williams returned to the dais.

### **EXECUTIVE SESSION**

Ellison moved, seconded by Williams and carried 5-0, to recess into executive session to discuss personnel matters of non-elected personnel pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) with the City Attorney present for a duration of 30 minutes with the open meeting to resume at 9:10 p.m.

Council returned to the open meeting at 9:09 p.m. Ellison moved to recess into executive session to discuss personnel matters of non-elected personnel pursuant to the non-elected personnel

matter exception KSA 75-4319(b)(1) with the City Attorney present as well as the City Administrator for a duration of 15 minutes. Williams seconded the motion. City Attorney asked for a 3-minute recess with the executive session beginning at 9:15 and return to open meeting at 9:30 p.m. Motion carried 5-0.

Council returned to the open meeting at 9:30 p.m. Ellison moved, seconded by Ernst and carried 5-0, to recess into executive session to discuss personnel matters of non-elected personnel pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) with the attendance of the City Attorney and the City Administrator for a duration of 5 minutes with the open meeting to resume at 9:36 p.m.

Council returned to the open meeting at 9:38 p.m. with no action taken.

### **COUNCIL REPORTS**

**Williams** – He said S. 16<sup>th</sup> at Metcalf has been closed longer than expected for the Metcalf 2.0 project but he is ok with that as the project is moving along.

**Ernst** – Asked for an update he could share with the neighborhood on Shoreline Drive being torn out leaving only half of it being opened at a time. Law said that they will be closing one side at a time and said he thought he had previously sent out that information but will look to confirm.

**Ellison** – Clarified that Metcalf 2.0 is a joint project that is overseen by the county. She said she has spoken to the gentleman working that project and he said if we have concerns we can bring it to them.

Ellison asked if it is allowed to put a sign outside of Fox Hall for garage sale rentals. Law said there is an A-frame sign in Fox Hall that renters can use. She also asked if we currently allow any garage sale signage along roads. Law said signage is only allowed on your property and that twice a year there is a sign moratorium for 2 weeks that allows residents to put signs out anywhere except for utility poles. She also asked about permitting for garage sale signage. Law explained that process can be difficult as it is a lot to oversee. Discussion occurred.

**Margrave** – He updated Council the Fox Hall/Cemetery board recently met and that board is discussing repairs to the cemetery fence/entrance after the car accident last fall and will be bringing information to the Council for review.

He had a resident near the tennis courts reach out about the lights shining directly into their window and wondered if there was anything that could be done. Public Works Supervisor Hufferd said he has been working with Apple Electric to see about getting that fixed and he will follow up with them.

Margrave expressed his concern about the lack of sidewalks connecting downtown to the Price Chopper area because he is concerned about bike traffic and pedestrians trying to get to that part of town safely. He knows it has been discussed for several years and would really like to see a solution soon before an accident happens.

**Town** – Asked staff if there is an approximate time for the Metcalf 2.0 completion. Law said the target is mid-May as long as the weather holds up.

Ernst asked when the citywide clean-up is this year. Staff said it is April 29<sup>th</sup>.

**ADJOURNMENT**

Margrave moved, seconded by Ellison and carried 5-0, to adjourn the meeting at 9:52 p.m.

Approved:

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Donna Cook, Mayor

Attest:

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Kelly Bond, Acting City Clerk