

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
APRIL 20, 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.

Councilmembers: Steve Town, Kalee Smith, Sandy Harris, Donna Cook, Thorvald McKiearnan

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:

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 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 6, 2020 and bills list.

VISITORS

None

PUBLIC COMMENTS

None

CITY ATTORNEY'S REPORT

None

MAYOR'S REPORT

Mayor Southard reported that Chamber Director Becky Bowes would attend a council meeting next month. Councilmember Donna Cook had requested this at an earlier meeting.

DEPARTMENT REPORTS

None

ADMINISTRATOR'S REPORT

Moratoria for “Stay Home” Orders: City Administrator Law presented four resolutions to consider as part of local effort to help control aspects of the Code of the City of Louisburg that allows or encourages environments that violate stay home orders or that may ease the burden on local commerce that has been affected by the same orders. Each resolution/moratorium is specific to some aspect of City Code. These Resolutions are extensions from the April 6, 2020 meeting that would extend the stay home orders until May 4, 2020.

Resolution 4-20-20A – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all solicitor, canvassers, peddler’s permits as defined in Chapter V Business Regulations, Article 1 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmembers had discussion. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 5-0, to adopt Resolution 4-20-20A.

Resolution 4-20-20B – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the restrictions of temporary sign regulations as they pertain to commercial businesses, regulations which are incorporated in Chapter XVI Zoning and Planning, Article 3 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmember Thorvald McKiernan moved, seconded by Councilmember Donna Cook. Councilmember Harris asked if this included feather signs. Administrator Law said yes. Motion carried 5-0, to adopt Resolution 4-20-20B.

Resolution 4-20-20C – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new businesses and licenses as defined in Chapter III Beverages, Articles 1 through 7 of the Code of The City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmember Sandy Harris moved, seconded by Councilmember Steve Town and carried 5-0, to adopt Resolution 4-20-20C.

Resolution 4-20-20D – A resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new special event permits as defined in Chapter XII Public Property, Article 4 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all orders have been lifted. Councilmember Harris asked about the motorcycle ride at Timbercreek. If something was previously approved, it will fall under the orders of “Stay Home”. Councilmember Kalee Smith moved, seconded by Councilmember Steve Town and carried 5-0, to adopt Resolution 4-20-20D.

COUNCIL REPORTS

Councilmember Smith: Councilmember Kalee Smith asked if we have resolved the UTV issue and be able to get permits to those that want them. Smith would like to see the City get a draft ordinance for consideration by the next meeting. Councilmember Cook would also like to get this resolved soon. Smith said we could put limitations on the rules like Paola does. If Council would like to see a code amendment option, Administrator Law said he can bring that back to next meeting for discussion. Councilmember Smith doesn't want to see this drag on all summer. This is the time people want to use them. Councilmembers Cook and McKiernan agreed. Administrator Law said Council can discuss what they would like to see. Chief Bauer has already talked to Paola and Osawatomie regarding this. Smith would like similar to Paola to allow and require:

1. Permitted and not to exceed 45 mph
2. Valid driver's license
3. Insurance on the vehicle
4. Pay a \$150 fee that the can be renewed for \$25

Councilmember McKiernan would also like to have something that shows they have a permit. It could be a license plate or something else. Councilmember Smith

asked about golf carts as well. Administrator Law said changes would need to be spelled out in the details of the ordinance. Councilmember Cook asked about lawn mowers going to get gas. Mr. Law said people should use discretion. Councilmember Harris would like to see the ordinance at the next meeting. Law said he would try and have that drafted.

Councilmember Cook: Councilmember Donna Cook asked about the feral cat issue. Administrator Law said we are still in a holding pattern. Many state agencies are not working including the agency that might provide assistance to this issue. Staff has reached out to a number of private animal trapping companies and have not received any interest, but is waiting for a return call from a personal contact of Chief Bauer. The remaining option is still taking the cats to the vet office as is currently the process.

Cook asked when the stay-at-home limits are off do we have something in place by the Chief of Police. People are going to go crazy with this is all done. Administrator Law asked what she meant by going crazy. Councilmember Cook said we need to make sure people use common sense. Administrator Law said we will enforce the orders still in place or pare back accordingly.

Councilmember Cook asked about the mud at Prairie Crossings. Administrator Law said it is still being worked on.

Councilmember Harris: Councilmember Harris wanted to thank the Public Works for the work on the dam at the City Lake and resurfacing of the streets. Harris asked why Danford Drive was resurfaced before Shoreline Drive. Mr. Law replied after reviewing all streets, Danford was deemed to need more work. Councilmember Harris said it looked great. He also asked if the lake would be treated soon for algae. Mr. Law said work would begin shortly.

Harris asked if the training in Manhattan for the League of Kansas this weekend was canceled. Mr. Law said yes it will be rescheduled and a date will be available soon.

Councilmember McKiernan: Councilmember Thorvald McKiernan asked about the updates regarding the building codes. Administrator Law said IBTS working on it and was going to update him today but he had not heard from them by the end of the day.

McKiernan asked about grad corrections on N. Metcalf Road. G-B Construction is intending to get started soon and utilize dirt being excavated from Lewis-Young Park for the new trail.

McKiernan said the crack and seal work looks hideous and is pulling back by his house. Administrator Law said Staff has had a conversation with the contractor after that communication, work since has been improved, and will look again at S. 11th to discuss your concern with the company. McKiernan said it also leaves footprints when you walk on it. Councilmember Smith said N. 3rd is also heavily crack sealed as well. McKiernan would like to see a list of maps of the streets that were done. Law said he would send that out.

McKiernan would also like a list and map of what culverts and ditches have been worked on so far this season. Law will also send that.

McKiernan said two lights, near Fox Hall and the bank, on Broadway are still out. Administrator Law said we have reached out to the electrician that installed and has the warranty on the lights, and are waiting on them to fix them.

McKiernan said he hasn't seen anything on the bills list for Evergy. Law said it may be under KCPL. Law will check on this bills list to see if it is on there.

McKiernan said he would like to see the stipend be eliminated for all Councilmembers, and make these positions not paid. At this time we are paid a miniscule amount each meeting. City Attorney Stohs said there may be a statute that addresses pay, but is certainly something that can be changed in the code book. She will look into and return this item to the Council.

McKiernan would like, even if under quarantine, to meet at City Hall for the next meeting. The Council is allowed to meet since we are a municipality and he has someone that could set up Facebook Live event with multiple cameras to stream the meeting. Mayor Southard said we need to follow the rules like everyone else is asked to follow. City Attorney Stohs said the stay-at-home orders still require social distancing, because Kansas Open Meetings Act allows for remote attendance, it is preferred and recommended by city attorneys across the state to attend remotely. McKiernan said others would still be able to attend remotely if Council is being broadcast. Councilmember Smith said by the next meeting hopefully the order will expire. Councilmember Harris would like to see what the options are for multiple cameras and allow on Facebook. When asked if there was a cost for this person to set up the microphones and tape the meeting

McKiernan said yes, but was not wanting to say the price in case others would like to do it as well. Councilmember Town said only 10 people are allowed for a gathering and we currently have 8 required and with two to operate the cameras we would be over the limit to be able to include department heads. That would not allow for other staff or the public. Stohs said she would attend remotely if the orders are still in effect. When asked again on the price McKiernan said \$800 would be the cost if there was no bid process. Councilmember Harris asked is that for just one meeting. McKiernan said yes that is for one meeting. Municipalities are exempt from the 10-person limit, McKiernan said. Stohs said this is all just temporary, using Zoom is free and many other cities are using Zoom as well. Mayor Southard asked that we follow the recommended limit of 10 persons per gathering as requested by the Governor's office.

McKiernan would like to see the stay home orders end. He would like a letter sent to Governor Kelly stating Council would like to see the stay home orders end May 3. Councilmember Harris said he thinks that would be helpful for her to hear. McKiernan made a motion to direct staff to send a letter for the stay home orders to end May 3. Mayor Southard said staff does not want to get into politics. McKiernan would like to send this from Governing Body. He would like Administrator Law to draft the letter and have a special meeting to approve the letter. Councilmember Smith asked Mayor Southard if he was ok with the letter. Southard said he also hopes that this is over by then, but isn't sure a letter is really going to help. It seems silly, but he is not opposed, he said, it is just not the best thing to do as a Council. Cook asked if Law could draft and email the letter for council to approve. Harris asked if Law was even willing to write the letter. Staff would like to stay out of writing a letter. After discussion McKiernan said he would write the letter. Town said he is sure the Governor would also like this to be over with as well. City Attorney Stohs said this sounds like a politically charged issue. She recommends listing names since not all the Council may agree with sending the letter. McKiernan said this isn't any different than any other action the Council takes. Councilmember Smith seconded the motion. Councilmember Cook asked if the letter could say the Governing Body of Louisburg would like to see the moratorium finished on May 3 or will this go into more political aspects. McKiernan said it would not contain anything political. Councilmember Town said he would like to let Councilmembers decide if they want to sign or not. Councilmember Smith asked if it would be better to have the letter written and then vote on it and asked if we should have a special meeting after the letter is drafted. Mayor Southard asked if this is worthy of a special meeting. Mayor Southard just reminded the Council that this is a virus. Councilmember Smith said it could linger into winter. Councilmember Cook asked if each member could

write their own letter. City Attorney Stohs said that is a good option and would alleviate any disagreements in the letter's content. This is a much better alternative. Councilmember Town agrees with Cook. Councilmember Harris asked if letters were written individually if they could identify themselves as a Councilmember. Stohs said yes. Councilmember McKiernan withdraws his motion. Councilmember McKiernan would like a special meeting Wednesday, April 22, 2020, at 6:30 p.m. to discuss the letter he will write. Mayor Southard said he would call the special meeting. This meeting will also be a Zoom meeting.

ADJOURNMENT

At 7:35 p.m. Councilmember Kalee Smith moved, seconded by Councilmember Sandy Harris and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk