

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
MAY 18, 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.

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

Communications Coordinator Jean Carder

Public Works Supervisor Craig Hufferd

Finance Director Pat McQueen

Press

Visitors

APPROVAL OF CONSENT AGENDA

The Louisburg City Council was held by a remote meeting 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 Donna Cook inquired about the Metcalf 2.0 invoice. City Administrator Nathan Law said we share the engineering cost up front. We will see this on the bills list for around 10 months. Councilmember Kalee Smith moved, seconded by Councilmember Sandy Harris motion carried 5-0, approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of May 4, 2020 and bills list.

VISITORS

None

PUBLIC COMMENTS

Mayor Southard read an email from Tim Latham. Mr. Latham and his wife would like to see the pool opened.

CITY ATTORNEY'S REPORT

None

MAYOR'S REPORT

None

DEPARTMENT REPORTS

Police Department: Chief Tim Bauer said he has a qualified candidate to fill the Full-time Police Officer position. Mason Lamb has applied and successfully completed the Police Department's hiring process to become a police officer. Councilmember Cook asked if this was a department vacancy or was this going to be the 13th officer. Chief Bauer said this is a vacancy. Councilmember McKiernan asked if the candidate had any relatives on City Staff. Bauer said none that he is aware of. Councilmember Town asked when he would go for training at the Academy. Chief Bauer said the Academy has been shut down due to COVID-19. It could be up to a year before he leaves. Town asked if the last Police Officer we hired was still doing ride alongs. Bauer said she resigned this week. McKiernan asked if we have any type of contract when they hire on they sign. Bauer replied once they have gone through the Academy there is a year where other agencies can't hire them. Councilmember Smith asked if we had many applicants. Chief Bauer said this applicant was from the list from last time applications. We have one, possibly two, who could also be hired that are already certified. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 5-0, to accept to hire Mason Lamb as a full-time Police Officer with a pay grade 2-5B, with a start date of June 1, 2020.

Councilmember Harris asked Public Works Supervisor Hufferd about lake weeds.

Water Leak Adjustment: City Administrator Nathan Law presented a water leak adjustment for Willingham Properties/Wildcat Storage (1502 N. Metcalf) for

\$347.93. Councilmembers had discussion. Councilmember Thorvald McKiearnan moved, seconded by Councilmember Kalee Smith and carried 5-0, to approve the one-time leak adjustment to Willingham Properties.

ADMINISTRATOR'S REPORT

Work Site Utility Vehicle or Utility Task Vehicle, & Golf Carts: Staff was asked to look at registration and renewal pricing options and to revisit the insurance requirements presented at the last meeting. Chief of Police reviewed pricing of tag options and checked preferences for those versus adhesive decals. A hard tag that can be attached to the vehicle is being recommended as it does not require for a full adhesive item to be placed on the special use vehicle and either prove difficult upon removal or otherwise damage the surface of the vehicle body, soft covers of roll cages, etc. The pricing of hard tags and renewal stickers, along with the time of the police department and time of those at city office, has an estimated cost of \$100 for the initial review. That being the case, staff has included in the draft ordinance the permit costs of \$100 for the first year and \$50 for tag renewal stickers. Kansas insurance requirements for vehicles may be utilized for this draft ordinance. Current requirements are as follows:

- Liability Coverage
 - \$25,000/person for bodily injury
 - \$50,000/accident for bodily injury
 - \$25,000/accident for property damage
- Personal Injury Protection (PIP or No-Fault)
- Minimum amount required by law:
 - \$4,500/person for medical expenses
 - \$900/month for one year for disability/loss of income
 - \$25/day for in-home services
 - \$2,000 for funeral, burial or cremation expense
 - \$4,500 for rehabilitation expense
- Survivor Benefits: Disability/loss of income up to \$900/month for one year
- In-home services up to \$25/day for one year 2
- Uninsured/Underinsured
 - \$25,000/person
 - \$50,000/accident

Council would have the option to add Collision or Comprehensive insurance to this list of requirements, but those only benefit the operator of the unit and is not being recommended.

Councilmembers had discussion on Agriculture use, safety items on four wheelers, drilling a license plate versus zip tie, maintaining records, staffing, speed and if the vehicles could be driven on K-68. Councilmember McKiernan made a motion to accept with addition of lost tag fee costing \$100. Councilmember Sandy Harris seconded. Councilmember Cook would like to strike the requirement of seatbelts. Cook would like to strike rearview mirrors as well. City Administrator said on Agriculture vehicles that would not apply. Councilmember Smith seconded the amendment. Councilmembers had discussion on speed limit on K-68. Motion to strike the seatbelt carried 4-1 (Town votes no). Going back to the original ordinance and adding the lost tag fee of \$100. Councilmember McKiernan would like to amend his original motion. Councilmember McKiernan made a motion to remove the 35mph speed and change to 45mph. Councilmember Smith seconded. Councilmembers had discussion. Councilmember Cook said if the ATV or the vehicles have a seatbelt they should be worn. City Administrator Law said her motion earlier removed the seatbelt. Motion carried 3-2 (Town and Harris no), to change the mph to 45mph. Councilmember Cook amends her vote for the seatbelt motion and change to if the vehicle is equipped with a seatbelt they must be worn. Councilmember McKiernan seconds. Councilmembers had discussion. Motion carries 5-0. Mayor Southard said we now go back to the original ordinance with change of lost fee of \$100. Motion passed 5-0, to adopt Ordinance 1119 with the changes discussed.

Stormwater Engineering RFQ Submittals: Staff sent out requests for qualifications (RFQ) directly to area engineers either previously utilized by the city, having expressed interest in city work recently, or known to provide stormwater engineering services. The RFQ document was also announced on Facebook, posted on the City of Louisburg website, posted on a public bidding website named Deltek Systems (formerly Onvia). The RFQ included services for engineering and design of the remaining four stormwater project areas listed in the top six list of priorities of the Louisburg Stormwater Master Plan document. Staff conducted in-house review of the submittals and is including a list of the submittals in order of preference for this work.

Affinis
Olsson
MHS

RIC
BHC Rhodes

As with most of these processes, the rankings were close among the four reviewers of the submittals, but all agreed on the final ordered list. Staff will answer any questions Council may have on the criteria of review. Attached is a copy of the RFQ document, which was the basis for the review of submittals. Qualifications-based selection removes financial consideration, instead having a project budget negotiated once a firm is selected and contracted.

Staff recommended Council approve Affinis as the selected firm and direct staff to sign all necessary contract documents.

Councilmember McKiernan said in past projects the Council was always able to rate each company on qualifications. Administrator Law said if Council would like to review them they could. Councilmembers would like to see the RFQ packets. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to table for next meeting so they could review them.

KMGA Board of Directors Appointment: As part of regular process with the Kansas Municipal Gas Agency, the group that oversees procurement and management of natural gas on behalf of the City of Louisburg, consideration for city representation is required as this group is a board driven agency. Every two years the City of Louisburg is required to appoint an individual to the KMGA Board of Directors as a “Director”. Last appointment by Council was in June of 2018, appointing Nathan Law to a two-year term. Separately there is an “Alternate” position that has been appointed on a permanent basis. This alternate position can be amended at any annual interval to change the individual filling the position (Pat McQueen) or change to a set term. Appointment is made according to current Bylaws of the KMGA. Staff recommended Council appoint Nathan Law as the City of Louisburg Director to the KMGA Board of Directors for a term of two years, and direct City Clerk to file necessary certification of this action to KMGA. Councilmember Steve Town moved, seconded by Councilmember Donna Cook and carried 5-0, to accept the recommendation.

Louisburg Aquatic Center: Staff has listened to five virtual meetings on opening pools for the season hosted by the Kansas Parks and Recreation Association involving professionals from local health departments, the CDC, Department of Labor, American Red Cross, training facilitators, aquatic center staff, municipality

representatives, HOAs and the like. Staff has also spoken with the City's lifeguard training provider and aquatic staff from other areas.

Councilmembers had a lengthy discussion regarding opening, training, cleaning, lifeguards, concessions and patrons. City Attorney Kelly Stohs said we are bound by executive orders that are in place. Everyone is looking at CDC guidelines to make sure they are being followed. Councilmembers had discussion.

Kalee Smith moved to open the pool, to follow the dates set by the Governor in the Ad Astra plan, and to follow and set forth a set of guidelines for pool operations. Second by Thorvald McKiernan. Steve Town asked for clarification on action options at the workshop (it was clarified that action can occur only at a special or regular meeting), does that mean Council could later take action not to open the pool? After discussing rescinding a motion versus a new motion at a following meeting, it was stated that Council can take alternative action at a later date, as long as no action has been taken to open the pool. The vote passed 4-1 (Harris voting no).

Special Council Meeting: Staff is asking Council to conduct a special meeting on Tuesday, May 26 at 6:30 p.m. to accommodate the requirements of an application for CDBG-CV funding recently made available. There are a number of items that will need to be taken care of at this special meeting. A public hearing must be held regarding the application for the grant funding. Action must be taken by the governing body that authorizes the grant submittal. Additional documentation will need to be accepted, including a disclosure report, and will be provided by the firm whose service staff has secured for initial surveying for qualifying businesses. A grant administrator should be selected based on responses to a RFP already sent out by staff. Please note there is no cost for the grant administrator, if no funds are awarded. Contract for initial work to apply for CDBG-CV funding is \$3,325.

Staff recommended Council approve the special meeting on Tuesday, May 26 at 6:30 p.m. to accommodate requirements of an application for CDBG-CV funding, including public hearing on the application, action to authorize the application, additional documentation including a disclosure report, and selection of a grant administrator based on responses to the RFP. Councilmember Kalee Smith moved, seconded by Councilmember Steve Town and carried 5-0, to approve the special meeting.

Councilmember McKiernan would like to add pool discussion at the special meeting. Councilmember McKiernan moved, seconded by Councilmember Kalee Smith and carried 5-0, to add the pool discussion to the special meeting on May 26th.

COUNCIL REPORTS

Councilmember Town: Councilmember Steve Town said the traffic light by Price Chopper was out. Administrator Law said Craig Hufferd has it on order.

Councilmember Smith: Councilmember Kalee Smith asked if garage sales were allowed. City Attorney said yes, but make sure people follow the social distance rule. What about Fox Hall rentals is that a place we can have garage sales right now. There would have to be limits on people inside the building. The City would have to enforce the rules of distancing and the restrictions of staffing. Smith asked if the City Wide Clean Up would be rescheduled. Law said starting the first of June, the one bulky item would be allowed again. We are hoping to reschedule the City Wide Clean Up.

Smith said City Staff has told people the pool is not opening and no pool parties are being scheduled. Smith would like to have the list of people that asked so we can call them back. She knows Broadmoor Elementary was told no they could not have a party. Administrator Law said he would compile a list of who called. Staff would have said at this time we are not taking pool parties since the pool is not open. Once we have more guidelines we will look at that again.

Councilmember McKiernan: Councilmember McKiernan asked if the Parks were closed, or just the playgrounds. Administrator Law said only the playground equipment is closed.

ADJOURNMENT

At 8:50 p.m. Councilmember Kalee Smith moved, seconded by Councilmember Donna Cook and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk