

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
JUNE 5, 2023**

Livestream link:

<https://boxcast.tv/view/regular-meeting-of-louisburg-city-council-cn9sex3enkf1rblrrwip>

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 and TJ Williams  
City Administrator Nathan Law  
City Clerk  
Finance Director Richard Mikesic  
Police Chief Josh Weber  
Fire Chief Gerald Rittinghouse  
Communications Coordinator/Recording Secretary Jean Carder  
Public Works Supervisor Craig Hufferd  
City Attorney Mary Stephenson

**PLEDGE OF ALLEGIANCE**

Councilmember Clint Ernst led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Mayor Cook said she would like move item 5, approval of the minutes, and item 6, approval of the bills, above item 4. Councilmember TJ Williams moved, seconded by Councilmember Ernst and passed 5-0, to approve the amended agenda.

Councilmember Tiffany Ellison moved, seconded by Councilmember Steve Town and passed 5-0, to approve the May 15, 2023, minutes.

Councilmember Town moved, seconded by Williams and passed 5-0, to approve the minutes of the special council meetings of May 24, 2023, and May 30, 2023.

Councilmember Ellison moved, seconded by Ernst and passed 5-0, to approve the bills as presented.

### **MAY 20 FOLLOW-UP**

Mayor Cook opened the discussion of the special event scheduled for May 20 at Bub's Bar and Grill. She said she appreciated all those in attendance who would like to speak their opinion and be involved in an open dialogue with the Governing Body. On behalf of the Council, Mayor Cook said the Governing Body appreciates all local businesses and all they do for the community. She provided the Governing Body's expectations for the upcoming discussion. With the number of guests in attendance, she said each speaker will be limited to three minutes for those who have signed up to speak. She also asked those in attendance to refrain from cheers or applause, refrain from profanity, do not call out from the audience and be courteous to all.

Mayor Cook invited the first speaker to the podium.

Paul Scruggs, who owns property on Broadway in downtown Louisburg, addressed the audience. He came to voice his support for the city and first responders. He also supports the riders and what they were trying to do. He has an issue with the lack of communication with him as a business owner for using his property located on Broadway without his knowledge. He asked how we got here and thinks it is a lack of communication and planning. He doesn't have any issues against anyone, just does not appreciate the lack of communication.

Jamie Sratos, Basehor, Kan., read a prepared statement. She said she is a volunteer with this group and has never experienced this type of situation in the past. She told how many toys have been donated and others this group has supported. She asked why the police chief attended the event in civilian clothes and without a body camera. She said that reasonable people will not stay where they are not wanted. She hopes this never happens in the future. She doesn't know if this is revenge against the bar or profiling of bikers.

Debra Ross, Kansas City, Kan., said she is speaking partly on behalf of Michael Bergen, organizer of the toy drive that was to occur that afternoon. She is concerned with Chief Weber's actions and said that his actions caused safety concerns for hundreds of bikers. Since that day, she has spoken with two KDOT representatives who said the approval could have been granted if requested by city

staff. She said the group was misled from police about the permit requirements from Bub's. She said the riders would like a public apology from Chief Weber.

Loretta Times, Edwardsville, said she agrees with previous statements.

Michael Bergen, Night Run organizer, said he has been organizing these rides for 26 years with 51 rides. This year marks their 29<sup>th</sup> year with Hands to Heart and the bike runs keeps that charity established. He said Louisburg has been a stop on previous rides. He said sometimes the run stops at the same place year after year and other times he will change it up so the run stays fun for the participants and they continue to donate the toys that go to about 11,000 kids in a year. He had heard the story about Bub's and the person for whom the bar is named and decided this would be a good place to come. After arriving at the event, he said he was told the bar owner did not have the proper permits. What should have happened, he said, was police should have worked with the Night Train organizers to arrive at a solution for the parking problem. He said they could have made \$5,000 on the auction table and by leaving early, another \$5,000 was lost. He said other communities were able to stop traffic on the highway to assist them. He is disappointed and unhappy with the police chief. He would appreciate an apology. Bergen said he is not mad at the council or citizens and pledged his support to provide assistance in the future should local families need help.

Dawn Ralle, owner of Bub's Bar & Grill, said apparently there was a line drawn last year. She read the oath required of Kansas police officers. She said the police chief violated every single word of the oath. She is asking the council to release him from his duties as he is incapable of carrying out his duties. She said was not required to have a permit at her grand opening. She said Mayor Cook previously told her that a biker bar would not be allowed in this town. She said Nathan Law wanted the American flag to be removed from in front of her business because it offended people. Law said this conversation came about last year about when streamers, pennants and other items were being hung from the handrail including an American flag. Mayor Cook clarified that the flag was allowed to stay. Law said yes, the problem were the pennants strung from the building to the handrail and other signs attached to the handrail that the owner was asked to remove. Councilmember Ellison noted that attaching items to the handrail could pose a safety concern. Ralle said that council members and city staff have slandered her staff and son. She is not a biker bar but is a veteran bar.

Christine Bergen said would like to understand the reference to the snow fence from the May 15 council meeting where Police Chief Weber suggested a snow fence be used at the event but the special event application was approved without the snow fence. She said many riders weren't allowed to get the wristbands. She said none of their runs had ever been this chaotic. She said Chief Weber asked that Michael Bergen to call him that afternoon and that citations would be issued for parking issues and bikes would be towed. She said Weber was rude until a second officer with a body camera came to the scene. She said they help many groups and the police chief cost them a lot of donations.

Mayor Cook asked if the council would like to address any of this. Councilmember Ernst said he is a veteran and knows other military personnel who have been killed in the line of duty and others who have taken their lives. He said in the year and a half that he has been on council he has never heard a statement that the city is against the bar. He would not let that happen. Councilmember Town stated his dad was in the Marine Corp and has taught him priorities, goals and to stand up for what you believe in. He agrees with Ernst in that he has never heard any negative talk from any council member or anyone in the community about Bub's Bar & Grill.

Councilmember Ellison said her brother is a Navy vet and said it doesn't matter if it is a veterans' bar or a biker bar we are not discriminating. She would like to address some of the questions raised by the speakers but will wait on others.

Councilmember Williams said the council needs to talk about items discussed in regard with parking and the perimeters and figure out if there was miscommunication.

Mayor Cook said she thinks the No. 1 problem is miscommunication.

Michael Bergen said in the past this has been smooth and when the event started at Timbercreek Restaurant & Bar the motorcycles would leave via Metcalf Road because of graduation ending at the same time and a large amount of traffic using Amity at the same time.

Councilmember Ellison asked Chief Weber if he would clarify the situation and provide a time stamp of the events as they unfolded. She said the body cam footage shows the entire conversation with Weber and Michael Bergen. Weber provided the following timeline information:

April 28 - Rachael turns in first application at city hall. The application was reviewed immediately and returned as Rachael stated the information was incorrect.

May 11 - Chief Weber reaches out to Rachael and gives deadline of May 12<sup>th</sup> at noon for the application.

May 12<sup>th</sup> - Rachael turns in incomplete permit (missing pages 2 and 4 of 5). Chief reached out to Rachael. Rachael and Cody meet with Law and Weber May 12<sup>th</sup> 1330 hrs.

May 15 - Weber updates city council at meeting

May 20 -

Weber stops by at 1510. Nothing is set up and stops armed security about no firearms.

1514 - Security puts gun in car and 1515 Weber leaves area to check K-68 advanced warnings.

1531 - Weber returns only tents set up

1533 - 1<sup>st</sup> barricade is erected by Cody at First Option Bnk

1534 to 1537 - Weber contacts Dawn in front of Bub's

1542 - Vehicles still driving in front of Bub's on Broadway

1544 - Leave area to speak with officers

1545 to 1551 - Speak with Debra Ross

1552 - Dawn approaches me in the area of 2<sup>nd</sup> and Peoria speak less than 1 min

1554 - Meet with Officers

1602 to 1606 - Jenifer approaches and speaks with me

1606 - Small group of motorcycles arrive at Peoria lot

1606 - Weber leaves to get uniform and firearm

1620 - Weber returns behind group of cycles

1623 - Weber is approached by Michael Bergen

1636 - Michael let his person know “We will be cutting out of here soon”

1641 - Michael leaves conversation while I was attempting to call to get permission to close K-68

1643 - Weber tells Debra to say LPD will assist them with traffic control

1644 - Debra and Michael’s numbers are written down

1645 - Debra states this is not the first time we have left bars early and Weber assigns units to assist with traffic control. The conversation with Debra is concluded.

1647 - Officers make it to patrol units to assist with traffic

1649 to 1654 - Officers arrive at intersection to provide traffic and block K-68

1654 - Officers clear call

1656 - Weber returns to the area of Bub’s Bar to take photos

1702 - Weber is done with photos and speaks to bikers still in Peoria lot

1709 - Weber clears

1805 - Weber returns to the area to check that it is returned to normal. Tents still up in street on both Broadway and on First St. but did not see any obvious open consumption and clears

1910 - Weber returns to area and area is back to normal other than some Bub’s signs and trash

Ellison said she doesn’t think anyone has viewed the footage as much as she has. She said there is additional security footage from the area that shows the location that should have been fenced off but was not. Ellison said the video she watched on Bub’s Facebook page was not what was approved. The music trailer was not located in the area it was supposed to be in and was located on private property. She said permission had not been granted to use that area. There was also traffic in the area where there was not supposed to be traffic. These steps were approved and

required for the safety of riders and anyone else who attended the event. The main goal, Ellison said, was to make sure event attendees were safe and that our community was safe. Ellison said there is video that shows people inside the roped off area with firearms and that is also not allowed.

Michael Bergen said the City should have contacted KDOT about closing part of Amity for the event. Discussion occurred. Ernst said there were more motorcycles in attendance than expected, and the City probably could have done a better job of getting motorcycles in and out of town. Ernst said Chief Weber was recently hired by the City and was highly regarded in his previous role. Ernst said this event has provided everyone with lessons learned, including downtown might not be big enough for this type of event, and would like to see the event return next year for a more successful outcome.

Audience member and new Louisburg resident Greg Smith suggested that the difference between what happened at Timbercreek and Bub's needs to be figured out so this can be successful in the future. Cook said the hope is to get all the groups together to figure out where the communication broke down. Town noted that one of the big differences is when the event occurred at Timbercreek that is private property.

Audience member Dan Smith said he is a biker and also has a security business that works with the local law enforcement agency. He supports both groups.

Audience member Shelly Trustor said she lost her brother to a motorcycle accident and shame on the city for putting these bikers at risk.

Chief Weber invited Michael Bergen to come into the office to watch the video and have a conversation about the event.

Administrator Law said there are two options from KDOT for road closures; one is permits could be pulled and signage allowed for, the other is it could be treated like a parade. Neither of those conversations happened and the city has to give approval for that. Law said lessons learned include to have a potential highway road closure as part of the special event permit.

Chris Bergen said there were 308 registered motorcycles as part of the event.

Mary Stephenson said she has only been city attorney since March but was city attorney when the special event application process was approved. Her recommendation is to never approve anything that is within 30 days of an event as

is stipulated as part of the permit. She said in this situation everyone was trying to be accommodating to get the details worked out so the event could occur.

Mayor Cook ended the discussion by thanking those in attendance and said the Governing Body values the opinions of its residents.

At 8:20 p.m. Ellison moved, Williams seconded and passed 5-0, to recess for 5 minutes.

The meeting resumed at 8:20.

### **PUBLIC COMMENTS**

Drew Siebert, downtown Broadway business owner, asked that as council evaluates the special event application that thought might go into the expectation of contacting neighboring business owners. He pointed out that in a multi-tenant business there may need to be clarification about who is contacted.

### **DEPARTMENT REPORTS**

**Fire** – no report

**Public Works** – no report

**Police** – Chief Weber thanked the governing body for taking time out of a regular meeting to make this a better situation. He also thanked the community for its support.

Weber asked the council to consider the purchase of tasers using a level payment over 5 years as recommended by the Finance Department. Numbers of tasers needed are based on current inventory. All equipment includes a 5-year warranty. Ernst asked if this is within budget. Law said it is not which is why we are looking at level payments. Weber's recommendation is to go with option 2 as provided in prior email communication to council. Instructors would need to be recertified this year regardless of a taser purchase. Training costs can be included with the certification. Ellison asked what the life expectancy are of the units. Weber said 5-7 years. Ernst asked when they could be available for use. Weber said July and training would happen shortly thereafter. Ernst moved, seconded by Ellison and



passed 5-0, to allow Police Department to enter into a contract for new tasers with Option 2.

Weber said two candidates have been given conditional offers.

**City Attorney** – no report

## **MAYOR'S REPORT**

Mayor Cook said there will not be a quorum at the July 3 meeting and would like to move it to Wednesday, July 5. Cook asked staff to notify the appropriate persons. Cook asked about the number of deck chairs at the pool. Discussion occurred. Council asked staff to communicate that patrons can bring their own lawn chairs to the pool. Law said the Park & Tree Board could discuss adding additional chairs. Ernst asked about the slides not working. Craig Hufferd, public works supervisor, said the pumps did not work after the pool was filled even though they were working prior to that. Parts are being ordered to make repairs.

## **ADMINISTRATIVE REPORT**

**Stormwater Projects – Construction Oversight** – Law provided background and asked if Council wants to move forward with Olson or get bids. Ernst said he likes the fact that Olson is the engineer and knows what is going on. He doesn't think if another firm came in with a lower price that it might not end up being a lower price once they got up to speed on the project. Town moved, Williams seconded and motion passed 5-0, to use Olson as construction observation.

**Council Budget Priorities** – Ernst asked Law to provide a project list so there is no overlap or any projects don't get extended to future years. Law will send out a project list tomorrow.

**Realtor Services** – Law said it is up to council if they would like to continue the contract with Doug Bowes of Keller Williams to sell the properties located just west of Metcalf on the south side Amity. Law said the Planning Commission is currently discussing changes to the Highway Overlay District, which may impact this property. Mayor Cook said she would prefer not to renew at this time and to consider if selling the property is the best option at this time. Doug Bowes said two potential buyers wanted the property to be zoned commercial. It might be

beneficial to rezone it to commercial if Council decides to list it again, he said. Williams moved, seconded by Town and passed 5-0, to initiate the process to rezone the city-owned property on Amity to commercial.

**Master Plan Review** – Ellison asked about wayfinding and gateway signage. Law explained about the gateway arch being a design element that could be carried out in other locations. Cook asked that wayfinding signs be added to the Planning Commission agenda. Town asked about entrance signs to city and if they need to be replaced. Law said they are fairly new.

## **COUNCIL REPORTS**

**Williams** – He asked about the advertising in the Kansas Tourism magazine ad. Cook said there are six guaranteed businesses that would like to be included. Since we signed up for the early bird rate, we have until Aug to get the eight advertisers.

**Ernst** – He asked about Metcalf 2.0 at The Lake and who maintains the property along the trail. Law said the expectation is that property owners will maintain that. Ernst said tonight was a tough situation but everyone did a fine job and thanked everyone.

**Ellison** – She asked about the new stoplight timing at S. Fifth & Metcalf. Hufferd said it was on a timer at first but is now camera-based. She asked about the curbs and when they might be complete. Hufferd said all curb work should be done with asphalt coming sometime after June 20. She thanked staff for their efforts over the past few weeks.

**Margrave** – He said he is thankful, grateful and happy to be a Louisburg resident. He said he has no reason to think Staff and Council would not want an event to be successful. He said it is important going forward to be sure to hear both sides of any situation. He is thankful for those folks who come to speak. We are a democracy, and they have every right to come speak.

**Town** – He asked if there was anything in the Metcalf 2.0 walk-thru that showed any discrepancies. Law said no but there still is a disagreement with a property owner and county. Town said he agrees with other councilmembers' sentiments regarding Staff response to the May 20 special event.

**ADJOURNMENT**

At 9:27 p.m. Williams moved, and Margrave seconded and passed 5-0, to adjourn the meeting.

Approved:

---

Donna Cook, Mayor

Attest:

---

Jean Carder, recording secretary