

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
June 20, 2023**

Livestream:

<https://boxcast.tv/view/regular-meeting-of-the-louisburg-city-council-tx4cwmbni9hsibuq1mu5>

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, Tiffany Ellison present.

Clint Ernst present by virtual means.

Council Members Scott Margrave and TJ Williams absent.

City Administrator Nathan Law

Finance Director Rick Mikesic

City Clerk Jessica McGowin

Police Chief Josh Weber

Public Works Supervisor Craig Hufferd

Fire Chief Gerald Rittinghouse absent

Communications Coordinator Jean Carder

City Attorney Mary Stephenson

PLEDGE OF ALLEGIANCE

Councilmember Steve Town led the pledge of allegiance.

APPROVAL OF THE CONSENT AGENDA

Councilmember Town moved, seconded by Councilmember Tiffany Ellison and carried 3-0, to approve the consent agenda.

APPROVAL OF MINUTES

Ellison moved, seconded by Town and carried 3-0, to approve the minutes from the June 5, 2023, regular meeting.

APPROVAL OF BILLS

Town moved, seconded by Ellison and carried 3-0, to approve the bills list.

SCHEDULED VISITORS

James Auth, 705 N Fifth St., appeared before the Council to voice his concern of the City's vicious dog and dangerous animal code. Auth read a third-party prepared statement regarding an incident that took place at his residence involving a neighbor's dog. He then showed a cell phone video to the Council regarding the same incident. Auth spoke about a municipal court case regarding his neighbor's dog and his concern for his family's safety. Auth stated that in his opinion the court did not handle the case properly and is not enforcing the city code as written. Auth asked that the dog be impounded. Mayor Cook and City Administrator Law both stated that the code was in the process of being reviewed prior to this meeting, and they will work with the municipal judge and police chief to make sure any changes are written in a manner that is clear and enforceable in the future. Discussion occurred. City Attorney Mary Stephenson stated there is a separation of power between the Executive branch – the council - and the Judicial branch – the court. Stephenson stated the Executive branch cannot override a Judicial decision but that we would work with the judge and prosecutor to make a stronger statute. Auth asked if anything could be done immediately with the dog. Mayor Cook stated the council could not override the Court's decision.

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Finance – Finance Director Rick Mikesic summarized the bids for investment offers. Bid requests were sent out to four banks: Bank Midwest, First National Bank, First Option Bank and Landmark Bank with three banks returning bids. First Option Bank had the highest bid at 5.01%.

Ellison moved, seconded by Town and carried 3-0, to invest the \$3 million CD with First Option Bank at 5.01% for 18 months.

Council agreed to allow Mikesic to move forward with bidding an overnight investment which will not have any stated maturity date. Bids will be brought back for Council approval at a future meeting.

HR update – All contracts have been signed. HR partners have requested documents to be sent to them to start the audit. Staff is working on that.

Public Works - Public Works Supervisor Craig Hufferd will prepare a draft RFP for the contract vacuum excavator and provide that to Council at the next meeting.

Asphalt work - Work will start the last week of June into the first week of July.

Police – Police Chief Josh Weber presented 2 candidates to hire.

Town moved, seconded by Ellison and carried 3-0, to hire Sean Bussanmas as a full-time police officer at pay scale grade 4-2B.

Town moved, seconded by Ellison and carried 3-0, to hire Jacob Bonham as a full-time police officer at pay scale grade 4-2B.

Chief Weber also discussed a recently submitted special event permit. Louisburg Stampede Rodeo submitted a special event permit to hold a rodeo at Lewis-Young Park July 1, 2023. The event timeframe is 7:30-9: 30 p.m. with an estimated 1,000-1,500 attendees. There was discussion about how admission would be taken, crowd control, security and logistics of traffic. Weber stated that this is an alcohol-free event and was held last year with no issues. Town asked about the lights as they might affect a scheduled event held by Powell Observatory. Administrator Law stated that the organizers are to notify all affected neighbors including Powell Observatory prior to event, however staff would be reaching out to Powell Observatory as well to make sure they were aware of the event.

Ellison moved, seconded by Town and carried 3-0, to approve the special event permit for the Louisburg Stampede Rodeo at Lewis-Young Park on July 1, 2023.

Weber discussed budget items including new vests and gave a firearm update. He will also be working with the judge on the dangerous dog and vicious dog city code.

Fire – None

CITY ATTORNEY'S REPORT

City Attorney Stephenson gave an update on the City Attorneys Association of Kansas seminar she recently attended. She received a lot of good information and said it was well worth her time to attend.

KOMA / KORA Training Update – Stephenson suggested setting aside time during the City Attorney's report at future meetings to review KOMA/KORA training. All were in agreement.

MAYOR'S REPORT

Mayor Donna Cook said the Louisburg Library was planning on painting their side door to coincide with the downtown door painting initiative started by the art committee established by Mayor Cook.

Cook is planning to appoint the members to the Agri Tourism committee at the next meeting.

ADMINISTRATOR'S REPORT

Senior Center Parking Lot – Law stated there were representatives of the Senior Center in the audience and turned the discussion over to Council. Mayor Cook said the senior center has issues with their parking lot after the Metcalf 2.0 construction, and Cook said she thinks the issues are project related. Rhonda Kerr, director of the senior center, passed out photos and spoke about the condition of the parking lot. Kerr stated she has reached out to the project manager Matt Oehlert at Miami County and read the email from him that indicated he did not believe that Miami County was responsible for the damage. Kerr said the equipment did not stay within the easement and provided additional pictures to the Council showing equipment outside the easement. The main concern is the large pothole and general deterioration of the lot has become a safety concern for patrons parking and walking in and out of the building. Kerr stated that she understood the parking lot was older and is not asking for the entire parking lot to be replaced but would like consideration for payment to repair at least half of the parking lot. Discussion occurred. Mayor Cook asked for guidance on what could be done. Law stated a formal complaint could be made from the City to the County on behalf of the Senior Center.

Ellison moved, seconded by Town and carried 3-0, to draft a letter and send to Miami County representatives about the parking lot.

Joanie Maddox, 1212 Villa Lane, Louisburg, read a prepared statement regarding safety concerns of the senior center parking lot.

Text Amendment – Highway Overlay District – Law provided a draft ordinance with a memorandum for the Council to consider. He stated that Planning Commission members have been working on making modifications to the K-68 Highway Overlay District. Planning Commission had discussed changing the language previously drafted. The change will allow for side yard setbacks to match underlying zone districts.

Ellison moved, seconded by Town and carried 3-0, to approve the Highway Overlay District Ordinance 1185 as presented.

Special Use Permit - Amendment to Ordinance 620, Case. No SP97-02 Rabbit Creek Products

Law provided a draft ordinance along with a memorandum for the Council to consider. The ordinance would be an amendment to Ordinance 620 and would allow for placement of a high tunnel greenhouse structure at 906 N. Broadway. Law said while this property is owned by Mayor Cook and since she is a non-voting member of Council, he does not believe there is any conflict. Law stated that it has been through the appropriate steps and approved by Planning Commission. Discussion occurred.

Ellison moved, seconded by Town and carried 3-0, to approve Ordinance 1186 Special Use Permit as presented.

Master Planning Review - Law said he was happy to discuss this memo. Ellison asked when we conducted the public hearing on the comp plan's implementation progress. Ernst stated that we did not hold one last year and would like to either hold the public meeting or see it removed from the list. Mayor Cook would like to see it removed from the list. It was decided to remove the public hearing from the Master Planning Review list.

EXECUTIVE SESSION

Ellison moved, seconded by Town and carried 3-0, 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 Administrator and City Attorney present for a total of 15 minutes with the open meeting to resume at 8:35 p.m.

Council returned to open meeting at 8:36 p.m.

Ellison moved, seconded by Town and carried 3-0, 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 Administrator and City Attorney present for a total of 15 minutes with the open meeting to resume at 8:50 p.m.

Council returned to open meeting at 8:51 p.m. with no action taken.

COUNCIL REPORTS

Town – no report

Ellison - Ellison, who is the Council liaison to the LRC, said she, Law and representatives from the LRC met to discuss ballfield costs. She asked about the EV Charging Station grant. Law there is no update to report at this time. Ellison gave an update about a meeting with she, the Mayor, Law and KDOT to discuss traffic/pedestrian safety concerns at Amity and Aquatic Drive. Approval has been granted to install school zone signage. Law noted that approval has been given to install a Pedestrian Hybrid Beacon and is in the 2024 budget. Ellison asked if all Public Works vehicles were marked with City of Louisburg decals. Public Works Supervisor Craig Hufferd said yes except for his. Discussion occurred.

Ernst – no report

ADJOURNMENT

At 8:59 p.m. Ellison moved, seconded by Town and carried 3-0, to adjourn the meeting.

Approved:

Donna Cook, Mayor

Attest:

Jessica McGowin, City Clerk