

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
JUNE 21, 2021**

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

Council Members Steve Town, Donna Cook, Sandy Harris, Kevin Vohs, Scott Margrave  
City Administrator Nathan Law  
City Clerk Traci Storey  
City Attorney Jared Anderson  
Police Chief Tim Bauer  
Fire Chief Gerald Rittinghouse  
Communications Coordinator Jean Carder  
Public Works Supervisor Craig Hufferd  
Visitors Joel Viterna, Christy Knop

**PLEDGE OF ALLEGIANCE**

Councilmember Kevin Vohs led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Donna Cook and Sandy Harris asked questions regarding the bills list. Administrator Law explained. Councilmember Harris moved, seconded by Councilmember Vohs, and carried 5-0, to approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes from June 7, 2021, and the bills list.

**VISITORS**

Chamber representative Joel Viterna asked Council to consider signing a resolution to allow for the sale and consumption of alcohol during the Chamber's Cider Run. The run is set for Oct. 2 starting at 3 p.m. and ending at 7 p.m. Broadway would be closed at noon for set up and clean up should end by 8 p.m. Councilmember Cook asked if everything would be held in the downtown. Mr. Viterna said yes it will. Mayor Southard asked if Police and Fire had anything they needed. Chief Bauer and Chief Rittinghouse said they were fine with the event.

Councilmember Steve Town moved, seconded by Councilmember Cook, and carried 5-0, to adopt Resolution 6-21-2021.

Liquor Depot owner Cristy Knop told the Council that the State of Kansas has changed the regulations for Sunday alcohol sales. Alcohol can now be sold from 9 a.m. until 8 p.m. Mrs. Knop would like the council to consider changing the City ordinance to expand the hours to match the State. Councilmembers had discussion and would like Mr. Law to draft an ordinance to bring back to the next meeting.

### **PUBLIC COMMENTS**

None

### **DEPARTMENT REPORTS**

**Police Department:** None

**Fire Department:** Fire Chief Gerald Rittinghouse said he will be meeting with the County on Tuesday. If we continue this dry spell, a burn ban may be enacted. This may affect community July 4 celebrations.

**Public Works:** Mr. Hufferd had no report but answered an earlier query made by Councilmember Cook and said the City has 19 cell phones and three tablets.

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

None

### **MAYOR'S REPORT**

Mayor Southard thanked everyone for a great fishing derby this past weekend.

Mayor Southard asked if we have completed a harassment training lately. Mr. Law said it was planned last year, but was canceled due to COVID. We will get back in touch with them and have it planned as soon as the company is available.

### **ADMINISTRATOR'S REPORT**

**Master Planning Review Continued:** Mr. Law reviewed the 14 items on the staff memo. Councilmember Cook asked about No. 7, the installation of bike

facilities and if the old railway would be a trail. Mr. Law said the old railway was suggested as a location for a trail through town by utilizing the Rails to Trails program. She asked about land acquisition. Mr. Law said that would be required if a trail along the old railway was intended to extend to Lewis-Young Park, easement acquisition may be required somewhere between the old railway and N. 16<sup>th</sup> Street.

**Minimum Housing Code Violation – 302 South Elm Street – Hearing:** Mr. Law said this agenda item is intended to be the start of a more formal process as required by City Code and state statutes. He said the Council could decide to delay the process. Councilmember Cook said she is in favor of delaying. Mr. Law said staff preference is to set up a timeframe for this housing violation. Councilmember Cook asked if there is a group that could fix up the porch roof. Councilmember Vohs said he talked with a representative of the homeowner and their concern is if the porch is removed it could cause other issues to the home. City Attorney Anderson said the problem is if a volunteer group fixes it and is later determined that those corrections cause additional problems that could be an issue for the City or the volunteer group. Mr. Law said staff has no way of knowing if there are additional structural issues inside the home. He also said if the City pays for repair or demolition the City may never recoup those expenses. Attorney Anderson said language could be drafted to provide legal coverage. Councilmember Vohs said he is in favor of delaying this issue. Councilmember Town suggested waiting until September to allow for additional time. Council agreed the bring it back at the second meeting in September. Mr. Law said based on the conversation Mr. Vohs had, City staff would have further conversations with the homeowner representative rather than the homeowner.

Councilmember Cook asked if the letter to the homeowner is a standard letter. Mr. Law said legal language in the letter is based on statute that has to be followed to the letter. He said the language is standard to that process and understands that it reads harshly. Councilmember Harris said in the meantime it is hoped that someone can assist with work on the home. Councilmember Cook said we need to make sure that no one would be liable for further damages as noted by the City Attorney.

**Downtown Parking Consideration:** Mr. Law reviewed the information and said there are currently no conflicts among currently occupied properties for parking. But he cautioned that if those vacant buildings become viable businesses then there might be a conflict. Councilmember Cook said she is not in favor of designated parking. Mr. Law said that Louisburg Library director Kiersten Allen plans to be at the next council meeting so it might be a good idea to wait and discuss this with her as she is the one who made the initial request about designated parking.

Councilmember Vohs asked if there had been parking complaints. Mr. Law said most complaints stemmed from when the restaurant/bar was located at S. First & Broadway. There were conflicts with the chiropractic office and in the private parking lot across the street. Councilmember Town asked if designated parking was allowed who would be responsible for signage. Councilmember Cook asked how it would be enforced, could drivers be ticketed. Mr. Law said yes that would be the general idea. Councilmember Town asked if it would be up to the business owner concerning enforcement. Mr. Law said it could, otherwise a law enforcement officer would need to be assigned to parking. Councilmember Harris asked how do you tell which business is being visited by car occupants. Mr. Law said that is difficult to determine. Mayor Southard said signage could be added to the Fox Hall area that overflow parking is available in the lot behind City Hall. Councilmember Cook asked if we could add public parking signage in the gravel lot behind Fox Hall. City Attorney Anderson said he has problems with advertising a public lot that isn't up to City Code.

**Kubota RTV:** At the last Council meeting, Staff proposed to offset the cost of the RTV by trading in the 1982 Ford 5610 tractor. This tractor has had very little use over the last seven years and the City has new tractors that are utilized instead. The need for another RTV has grown at Lewis/Young Park and now is an essential need with the addition of the walking trail and disc golf course. The RTV could also be used at other city-sponsored or city-participated events such as Freedom Fest, Fishing Derby and Cider Run. Councilmember Town moved, seconded by Councilmember Harris to approve the low bid. Councilmember Harris asked what the difference is in the two bids. Mr. Hufferd said the unit from Romans Outdoor Power is a bigger vehicle and they don't have access to a smaller machine. Councilmember Cook asked if all public works employees have their own trucks why a RTV is needed. Mr. Hufferd said he is hoping to keep the heavier trucks off the sports fields and other grass areas as well as the new asphalt trail. Motion carried 4-1(Cook voting no) to trade in the 1982 Ford 5610 tractor for the Kubota RTV from Ottawa Kan Equip.

**2022 Budget – Revenue Neutral Rate:** Mr. Law explained the Revenue Neutral Rate and why a hearing is recommended. Councilmember Cook said if the council votes to approve this we do not ultimately have to do it. Mr. Law said that is correct. Mayor Southard said if the council votes to proceed, staff notifies the County Clerk but then we do not have to move forward from there. Mr. Law said that is correct. Mr. Law said because valuations have gone up, the City would collect the same property tax revenue but the mill levy would drop so there is a net zero increase in taxes. Mr. Law said staff will not know tax needs until the draft budget is done.

Councilmember Town moved, seconded by Councilmember Harris to direct staff to notify the County Clerk of the intent to exceed the Revenue Neutral Rate for the 2022 budget. Councilmember Cook asked again if we adopt this it does not mean we have to increase if it is not needed. Mr. Law said that is correct. Motion carried 5-0.

**Rural Opportunity Zone Participation:** Mr. Law told Councilmembers that the County Commission recently adopted a resolution that allows the County to participate as a Rural Opportunity Zone. This program is designed to slow out-migration in rural counties and provides a state income tax waiver and student loan repayment assistance to eligible residents of these rural counties.

Since the County recently approved this program, the City can also participate financially or leave it up to businesses to provide financial assistance. The State provides \$1,500 with a local sponsor matching that dollar figure. Mr. Law said if the City wants to participate it should set aside a dollar figure for the program. Mayor Southard said he doesn't understand why the City would want to participate. Councilmember Harris asked how many participants there are from Louisburg. Mr. Law said he did not know but would see if he can find out that information and provide at a later date. Mr. Harris asked if this could be promoted within the community and through the city newsletter. No action was taken.

**Policy for Honoring Contributions:** Mr. Law said this is a conversation item for the Council. He said since he has been with the City, Council has presented two keys to the City and recently provided flowers for a resident celebrating a 104<sup>th</sup> birthday. Councilmember Harris said a policy would be good. He is supportive of certificates and such items. Council asked Staff to provide something formal at a future meeting.

**Executive Session:** Mr. Law asked for a 15-minute executive session to discuss a finance director applicant and a public works applicant per K.S.A. 75-4319(b)(1). Councilmember Harris moved, seconded by Councilmember Cook and carried 5-0, to go into executive session at 7:27 p.m. and to return to the open meeting at 7:42 p.m.

## **REGULAR SESSION**

Council resumed in regular session at 7:42 p.m. It was asked to Public Works Supervisor if he would be short staffed due to a delay in hiring. Hufferd said they could make it work in the meantime.

## COUNCIL REPORTS

### **Councilmember Vohs - None**

**Councilmember Harris:** Councilmember Harris does not think our leaders from Topeka are doing enough to advocate for residents or the city from the high cost of natural gas in the February cold spell. Mr. Law said local legislators supported the low-interest loan offered by the State, of which Louisburg took advantage. Mr. Law said the Federal Energy Regulatory Commission is currently investigating whether inappropriate action was taken by gas suppliers at that time. He is not sure legislators are involved in that. City Attorney Anderson said there have been some lawsuits over the situation and there will likely be answers at some future point. Mr. Anderson said the litigation may take months or even years and if it is settled out of court, we may never know the outcome. Mr. Law said KMGA has been very helpful and reports to us any updates on those processes. Council had discussion on the legal aspects. Councilmember Town asked when the new rates go into effect. Mr. Law said that happened with this month's bill for last month's consumption. Councilmember Cook asked if we had made the first payment to the state for the loan. Mr. Law said we had.

Mr. Harris said the fishing derby was great and the joy that it brings to the little ones in catching their first fish. He thanked everyone involved for the great event.

**Councilmember Cook:** Councilmember Cook thanked staff for helping with the Fishing Derby and for the wastewater treatment plant tour.

Ms. Cook thinks we should have work studies prior to meetings like the County Commission and City of Paola has. Mayor Southard said he isn't sure how that could happen. He said he hopes if councilmembers have questions, they should ask those during regular meetings and hopes no one would vote on anything they do not understand. He said Staff is approachable to ask questions as well.

Ms. Cook asked about the gravel sidewalk area at S. Fourth and Sims. Hufferd said that is temporary from a culvert repair and will be fixed in the next few weeks.

Councilmember Cook said the budget workshop should be more than an hour. Mr. Law said department heads will also be in attendance to discuss their larger expense items. If the Council in its entirety requests more time, Mr. Law said that is not a problem.

**Councilmember Margrave:** Councilmember Scott Margrave said he is the Fox Hall and Cemetery Board liaison and attended a recent meeting by that group. The Fox Hall is alive and doing great and a lot of people are using it. The most recent finances show that facility is in “the black”, covering expenses, by about \$80.

**Councilmember Town:** Councilmember Town said on the south side of K-68 and Rockville the grass needs mowed as there is a sight issue pulling onto the highway.

Councilmember Harris said moving the fence back at the new Casey’s was great and is not sure who prompted the movement but appreciates it.

### **ADJOURNMENT**

At 8 p.m. Councilmember Vohs moved, seconded by Councilmember Harris and carried 5-0, to adjourn.

Approved:

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Marty Southard, Mayor

Attest:

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Traci Storey, City Clerk