

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
JULY 20, 2020**

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, 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 Gerald Rittinghouse  
Communications Coordinator Jean Carder  
Public Works Supervisor  
Press Doug Carder  
Visitors Members of the Community

**PLEDGE OF ALLEGIANCE**

Councilmember Steve Town led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Thorvald McKiernan wanted to make sure that everyone in attendance tonight would be able to speak. Mayor Southard said yes, each person would be able to make a comment. Councilmember Cook and McKiernan asked questions regarding the bills. Councilmembers had discussion. Councilmember Thorvald McKiernan requested that the G&B Construction line item be called out from the bills list. He made a motion, seconded by Councilmember Donna Cook and carried 5-0, to approve the consent agenda to include adoption of the agenda, approval of the regular meeting July 6, 2020 minutes.

**VISITORS**

None

## **PUBLIC COMMENTS**

Members of the Community that spoke against the mask ordinance, included Cathy Detherage, Nathan Mayberry, Shawn Baus, John Holmes, Jessica Henderson. Emails were read that were sent from Mike Gregg, Jennifer Goodman, Kimberly Burris, Chris Kelly, Torrie Battle and Bryan Sterner in opposition to a mask ordinance.

Emails were read from those that were in favor of the mask ordinance including: Ann Mathison, Cari Dixon, Janelle Ryals and Haley Hammer.

## **DEPARTMENT REPORTS**

**Fire Department:** None

**Police Department:** None

## **CITY ATTORNEY'S REPORT**

None

## **MAYOR'S REPORT**

**First National Bank Proclamation:** Mayor Marty Southard said the First National Bank in Louisburg is celebrating its centennial year of serving Louisburg and the surrounding area on July 30, 2020. Mayor Southard presented a Proclamation that proclaims Thursday, July 30, 2020 as First National Bank of Louisburg Day. Councilmember Kalee Smith moved, seconded by Councilmember Donna Cook and carried 5-0, to approve the First National Bank Proclamation.

**Mask Draft Ordinance:** Mayor Southard asked the Council for thoughts or questions regarding the draft mask ordinance. Councilmember Smith said this ordinance says how schools will also operate not just the city. It also says that school athletes must be 6 foot apart. What sport would that include? Mayor Southard said the Governor just came out today with more information. Councilmember Smith thinks we should all have a choice if we want to wear a mask or not. Councilmember McKiearan said is there an interest in doing any different than we did two weeks ago? Smith said if we don't vote can this issue come up again. Mayor Southard said he just wanted to have a healthy discussion. McKiearnan said he thought there was enough discussion two weeks ago. Mayor Southard said that was before other cities,

including other municipalities in the county, approved mask ordinances. Councilmember Cook said she has received half yes and half no for the masks. Councilmember Town asked if it was mandated for school. Councilmember Smith directed the question to audience member Dave Tappan (Assistant Superintendent). Mr. Tappan said there is a school Site Council that has been set up and more information will be available after tomorrow. Councilmember Harris said he appreciates all the emails everyone sent him. Harris said he has watched lots of videos and read information regarding masks. He would like to see a 6 month time limit, and revisit the mandate as needed in the meantime or extend it at that time if necessary. Councilmember Cook said she received half yes and half no votes, but the majority is a no. Councilmember McKiernan feels that we have small amount of numbers and masks don't slow down the virus. Mayor Southard asked if anyone wanted to make a motion. Councilmember Smith does not want this brought back to future meetings. Councilmember Kalee Smith made a motion to not mandate masks and the motion died for lack of a second. Councilmember Sandy Harris made a motion to adopt the ordinance. Motion died for lack of a second. Councilmember Town said he encourages masks and social distancing, but can't see enforcing it on people.

## **ADMINISTRATOR'S REPORT**

**Stormwater-Pipe Pricing:** At the last meeting Council directed staff to price various stormwater pipe materials and return the information for review. Below is a list of per foot and per item pricing for various materials from two companies, with the cheaper pricing for all material types listed.

- N12 Dual Wall HDPE - \$14.15/ft; \$39.69 per split coupling; \$307.25 for a 45 bend plain end; no delivery cost.
- Galvanized - \$18.97/ft; \$45.00 per hugger band; \$192.00 for an end section; \$220 delivery cost.
- Aluminized - \$19.86/ft; \$48.00 per hugger band; \$250 for an end section; \$220 delivery cost.
- Reinforced Concrete - \$32/ft; \$700 for an end section (maybe optional), \$1,500 with a toe wall; \$250 delivery cost.

Additionally, the question was whether there is a way to connect varying types of materials. In a HDPE manual there is a prescription for a geotextile wrap between two pipe materials with a concrete collar poured in place around the pipe sections. There is an option for a dissimilar pipe material coupler by way of reinforced

rubberized mastic bands, which is likely more expensive than the geotextile wrap and concrete option.

Financial Consideration: HDPE, galvanized and aluminized come in 20' pipe sections, whereas reinforced concrete comes in 8' sections. Assuming a total project footage of 36', the project pricing for the various materials is estimated to be:

- N12 Dual Wall HDPE - \$566.00 with no end section. Unknown cost for concrete collars; of which there may be three total depending on the project scope.
- Galvanized - \$758.80 with no end section and delivery. Also unknown for concrete collars.
- Aluminized - \$794.40 with no end section and delivery. Also unknown for concrete collars.
- Reinforced Concrete - \$1,530 with no end section and delivery

Councilmember McKiearnan asked if the City provides the pipe in similar instances and the homeowner puts it in. Administrator Law said that was correct. Councilmembers had discussion. Councilmember Thorvald McKiearnan moved, seconded by Councilmember Steve Town and carried 5-0, to approve the HDPE 40 ft.

**Authorization for Publication of Draft Budget:** Administrator Law presented the proposed budget for publication. Councilmember Kalee Smith moved, seconded by Councilmember Thorvald McKiearnan and carried 5-0, to authorize publication of the 2021 budget summary and notice of budget hearing.

**Reconsideration Request – Tobacco Restriction in Parks:** Administrator Law said during discussion at the Parks and Tree Board meeting the topic of smoking in proximity to ballfields was brought up as a follow-up to the decision by Council not to pursue at a meeting earlier in the year. The board representative for Lewis-Young Park noted a recent concern with heavy smoking by a couple individuals near baseball fields. With the Louisburg Recreation Commission (LRC) Director in attendance at the park board meeting, that representative asked if LRC has experienced issues with tobacco use near playing areas. LRC has experienced issues regularly, with individuals being asked to not smoke near the fields, near the dugouts, or near seating areas. The Board asked staff what the interest level of the Council had been when presented with a draft no smoking policy. Staff provided a recollection of discussion by individual Councilmember comments on the matter, which ultimately resulted in a lack of support for a tobacco restriction policy.

Through additional discussion the Parks and Tree Board voted to send a request to Council for reconsideration of a ban on the use of tobacco and related products except for within designated areas at each park facility, with those designated areas to coincide with parking lots. The vote was unanimous of the four board members present.

Councilmember Smith is not in favor of a smoking policy. Councilmember Town and Cook asked if signs could be put up. Councilmember Smith asked if this would have to be done in all parks. Administrator Law said it would need to be a policy to be enforceable. When asked by the Council, LRC Director Diana Moore said that people have been asked to move to the parking lot area while smoking. Councilmember Harris asked if courtesy sign could be placed asking to smoke in other areas. No action was taken.

**CDBG-CV Use of Funds:** In May staff helped notify the community of the possibility of CDBG-CV funds, asking that local businesses complete a needs survey. Once the CDBG-CV funding announcement was made, the selected grant administrator sent to those same businesses an application for business resources and/or employee payroll needs, to help establish those businesses and/or employees that qualify based on the grant funding requirements. Of the initial 32 businesses or organizations that responded to the needs survey, 11 completed and returned the application for funds. Two of the eleven did not qualify, and one will likely qualify once additional information is received. There are a total of 38 employees spread across the nine qualifying applications. With this being the case, Council is asked to advise staff and grant administrator how best to split the available funding, with an understanding there are total award limits for businesses based on number of employees.

In order to remove any possibility of favoritism, staff recommends Council consider establishing weighting criteria for application awards. If this were solely based on number of qualifying employees, there would be no inclusion of factors like years in business, years in business within the community, economic impact, etc. A set of scoring criteria would be given to the grant administrator for ranking applications, compiling a recommendation of funding awards, and returning to Council for approval.

Councilmember McKiernan asked if the City was still paying for a grant administrator. City Administrator Law said yes. Councilmembers had discussion, which resulted in the following scoring recommendation:

Economic Impact	- 30 points available
Years in Service in Community	- 30 points available
Future Growth	- 20 points available
Years in Business	- 20 points available

Councilmembers had discussion. City Administrator will bring information regarding recommended awards to businesses at a later time.

## **COUNCIL REPORTS**

**Councilmember Town:** Councilmember Steve Town said he and others have been contacted to see if there would be interest to keep the pool open since the start of the school year has been pushed back to Sept. 9 if the pool could be extended if appropriately staffed. City Administrator Law will check with the pool managers on staffing availability and keeping the pool open would not compete with school or athletics potentially. Mr. Law reminded Council when the pool was open weekends only a few years ago that attendance was low and there is a real cost for chemicals. Councilmember Steve Town moved, seconded by Councilmember Kalee Smith and carried 5-0, to keep the pool open until Labor Day if staff is available and allow staff to determine if the hours should be shortened to allow for staffing.

**Councilmember Cook:** Councilmember Donna Cook asked how many permits have we sold for the UTVs. Chief Tim Bauer replied 29 to date. Cook would like a list of what all is inspected to get the tag. Chief Bauer will provide that information.

**Councilmember Harris:** Councilmember Sandy Harris said he attended the recent Park and Tree Board meeting. The Board is busy. He said the Board discussed installing a community garden in the lots the city owns between AuBurn Pharmacy and Sonic. Administrator Law said that could be one of the considerations, but there are other uses as well it could become. This Board also discussed vandalism at the Lake Trail and on a story board, copperhead snakes out at Lewis-Young Park, and that the disc golf course is almost done out at Lewis-Young Park.

Harris asked if there were any leads regarding the vandalism at the lake trails. Chief Bauer said not at this time.

**ADJOURNMENT**

At 8:13p.m. Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 5-0, to adjourn the meeting.

Approved:

---

Marty Southard, Mayor

Attest:

---

Traci Storey, City Clerk