

CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
August 7, 2023

Livestream: <https://boxcast.tv/view/regular-meeting-of-the-louisburg-city-council-bj1md0xkd95jlf7eu8p>

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, Clint Ernst and TJ Williams present
Council Member Scott Margrave present by virtual means
City Administrator Nathan Law
Finance Director Rick Mikesic
City Clerk Jessica McGowin
Police Chief Josh Weber
Public Works Supervisor Craig Hufferd
Communications Coordinator Jean Carder
City Attorney Mary Stephenson

PLEDGE OF ALLEGIANCE

Councilmember Williams led the pledge of allegiance.

APPROVAL OF THE CONSENT AGENDA

Councilmember Ellison moved, seconded by Councilmember Williams and carried 5-0, to approve the consent agenda as presented.

APPROVAL OF MINUTES

Councilmember Ernst moved, seconded by Councilmember Williams and carried 5-0, to approve the minutes from the July 17, 2023, regular meeting.

Councilmember Ellison moved, seconded by Councilmember Town and carried 5-0, to approve the minutes from the August 1, 2023, special meeting.

APPROVAL OF BILLS

Councilmember Williams moved, seconded by Councilmember Town and carried 5-0, to approve the bills list.

SCHEDULED VISITORS

Bryan Smith and Joel Lajoie – Metcalf Ridge Golf Course Development

Smith and Lajoie discussed their plans to purchase the former Metcalf Ridge Golf Course and develop it into 63 single-family homes. They approached the Planning Commission about the project at its last meeting and also met with some city officials and city and county staff. Smith and Lajoie spoke about the need to have assistance from the City to build this subdivision to get utilities to the site. Discussion occurred about potential costs for the project and the desire to potentially open up Rockville Road for the development. Cook noted there is a time factor for the group due to the seller's desired closing date and asked if the Planning Commission and Council should have a workshop with the developers and try to see what is feasible and possible. Law stated that a joint work session is possible, however Council would need figures and numbers from Smith and Lajoie. Ellison asked why the golf course was incorporated in the city limits to begin with. Law said he is not sure but research that information. Ellison said she would like to know the history of why and how that became part of the city limits. Discussion occurred. Williams said it might be prudent to be sure to talk about other options used by other subdivisions. Mayor Cook asked staff to check schedules for a workshop to be held as soon as possible.

PUBLIC COMMENTS

Wayne Waldon, who lives at Club Estates, said he was representing neighbors of the golf course property and Club Estate property owners. He said residents enjoy their open spaces and would like the developers to keep the HOA informed of the project and to meet with the developers.

Steve Williamson, who lives on W. 295th Street, is concerned at the speed at which the development is moving, and decisions that will need to be made. He said this is a unique property that while inside the city limits is surrounded by unincorporated county property. He is concerned that decisions are being made by city residents and how this will impact the surrounding area.

Keith Niebaum, who lives on Masters Drive, stated that he has seen a plot plan that shows 141 home sites and with that type of influx it would overcrowd an already overcrowded school system. He questioned if there had been any tax projections for building new schools with the consideration of the City and County already helping fund the utilities to get the development on City utilities. Niebaum believes that we are not looking far enough ahead in the future and thinks that this will raise taxes. Mayor Cook did clarify that the number of homes projected to be built is 63.

Victoria Cadena, who lives on W. 295th St., asked how much experience the developers have and for references. Cadena also stated that she understood Panhandle Eastern owned the golf

course property for their employees and gifted it to the City of Louisburg. She would like to see the golf course rejuvenated.

Kim Meyers, who lives on W. 295th St., is concerned about having to tie into the city sewer system and what that would entail. He asked about annexing Club Estates into the City since their subdivision is in the County. Meyers feels like there is a lot of angst with how fast things are moving.

Becky Bowes, Chamber of Commerce director, invited Council to the new USD 416 staff luncheon that week; informed them of a ribbon cutting at Gold Bridge with retired NBA player Lamar Odom who is partnering with Gold Bridge; shared that Cider Run is coming up in October and will have a new race route this year and plans to bring back the special event application to the next meeting so they are able to secure their alcohol permit from ABC.

Shea Miller said he is the agent for the seller of the golf course property and explained the contract has a time frame. He said he can try and work with the sellers to get an extension on the sale of the property.

Ellison asked Administrator Law if there is a notification process that would need to be followed if the City were to invest or provide funding options. Law stated that applies to an RHID but not other types of funding. Discussion occurred. Law said the council always has the option to have a public hearing. Discussion occurred.

Tom Smith, one of the proposed golf course development investors, explained some the challenges the developers are facing in this project and that includes whether the City would be willing to help with utilities.

COUNCIL REPORTS

WILLIAMS – Williams thanked Public Works Supervisor Craig Hufferd for installing a speed limit sign in the Park Meadows subdivision.

ERNST – None

ELLISON – asked if there was a desire to have a float in the Labor Day Parade as there has been past discussion about this. Discussion occurred. Asked for an update on the school zone signage at Amity and Aquatic Dr. Law said it has been through the initial design process, school zone signs have been ordered and we are waiting on KDOT to ok the sign locations.

MARGRAVE – None

TOWN – asked for a Metcalf 2.0 update. Law stated there was still one remaining issue and he would send the update out to Council.

DEPARTMENT REPORTS

Finance –

INVESTMENT BID – Finance Director Richard Mikesic updated Council on the investment bids received. The highest offer was from First National Bank at 4.54% for two years. The recommendation was to invest with First National Bank. Williams motioned, seconded by Ellison and carried 5-0, to accept the bid from First National Bank at 4.54% for two years.

WATER UTILITY RATE - Mikesic provided options for a water rate increase. Mikesic explained that an increase would be necessary to keep the fund from being negative as the City is currently paying more to purchase water than what it is selling it for. Ellison voiced concern about only raising the rate instead of spreading the cost over the rate and base charge to balance it, Williams and Ernst were in favor of only raising the water rate and not raising the base rate. When asked, Town said he was in favor of option E which would spread the increase over the rate and base charge. Margrave was unable to give his opinion as his signal was lost. Discussion occurred. Margrave reconnected and Council decided to take a 5-minute recess to allow Margrave to look over the rate recommendations.

Ellison moved, seconded by Williams and carried 5-0, to take a 5-minute recess and return at 8:30 p.m.

Regular session resumed at 8:30 p.m.

Williams moved, seconded by Town and carried 5-0, to approve Ordinance 1186 water rate increase to include \$27.56 base rate; \$8.84 per 1,000 gallons of water; \$1.00 per 100 gallons of water for sub metered water; fire hydrant meters will be charged a base charge equal to the base rate in effect at the time and the water protection fee of \$.0032 per 1,000 gallons of water.

Administration –

FOX HALL PURCHASE RECOMMENDATION – Law said the Fox Hall board has recommended the purchase of a robotic mop/vacuum machine for the building not to exceed \$1,000. Ellison, who has been helping clean Fox Hall, asked if this machine would be suitable for a large area and what the warranty might be. Margrave moved, seconded by Ernst and carried 5-0, to purchase a Roomba to not exceed \$1,000.

CEMETERY FENCE – Law provided information from the last cemetery board meeting on its discussion about relocating the ornamental fence in the old cemetery due to the accident that damaged part of the fence last fall. The board requests to move the existing ornamental fence to the west side and add additional fence to finish complete the fence between the cemetery and the commercial properties to the west. The price estimate was less than \$14,000. Discussion occurred. Town moved to put out a RFP for cemetery fence. Williams suggested the old cemetery fence be replaced with new and less expensive fence and the same fence be installed on the west side of the new cemetery. Ellison asked where the funding comes from. Law said most of the funding would come from the insurance claim on the damage. Mikesic said we have received \$27,524 from the insurance claim. Motion died for a lack of second. Cook noted that

the board has also discussed removing the stone entrance and exit pillars at the old cemetery since they are a safety issue when leaving the cemetery. Council suggested getting bids for the fence as discussed during the meeting and have the cemetery board review at its next meeting.

CITY ATTORNEY'S REPORT

City Attorney Stephenson suggested moving the next KOMA training review to the next meeting due to the length of the meeting.

MAYOR'S REPORT-

SRO DRAFT AGREEMENT – Law said the school district has signed both contracts. Ernst asked to strike the last sentence in #1 in both contracts as it was repeated in section 5.

Williams moved, seconded by Ellison and carried 5-0, to approve the amended SRO agreements for the 2023-2024 and 2024-2025.

CITY FLAG – The City flag will be displayed in the front foyer.

ADMINISTRATOR'S REPORT

SPECIAL EVENTS APPLICATION DRAFT UPDATE – Law provided Council with a draft of a revised special event permit. Mayor Cook had questions on the CMB and liquor attachments. Law stated that there would be two separate permits, one for non-alcohol events and one for events with alcohol. Discussion occurred. Cook asked what property owners should be notified. Law said that might fall on city staff to provide a list of those persons and might be related to street closures. Ellison asked if nearby property owners have issues how is that addressed. Law said that could be discussed when Council reviews the application. Discussion occurred if an event requires closure of Amity/K68 and the consensus to add language to the applications that says if the event requires highway closure the event organizer must provide a KDOT-issued permit. Cook asked what the protocol would be for someone who turned in the application after the 45-day deadline. Law said Council could still choose to review and staff would let them know application came in after that deadline. Ellison asked why the insurance amount had changed from \$50,000 to \$250,000. Law stated it was a correction to match the city code. Law said the applications will be updated and brought back to the next meeting.

SPECIAL EVENT APPLICATION – Mayor Cook said she missed bringing up the special event application for the American Legion tractor pull Sep. 2, 2023. Cook stated there will not be liquor sold at the event but they are asking for a resolution to allow alcohol consumption at the tractor pull. Discussion occurred. Williams moved, seconded by Town and carried 5-0, to approve the special event application as presented.

DANGEROUS ANIMAL CODE DRAFT UPDATE – Law provided a draft of a revision of the running at large and dangerous animal code update. Discussion occurred about the draft changes between council and Chief Weber. City Attorney Stephenson suggested that she review the draft and work with the City Administrator to come up with language for another draft revision and bring it back to Council.

Police Department Report –

Chief Weber noted to Mayor Cook that some department reports were skipped and would like to provide council with his report. Weber said the department is working with the Miami County Sheriff's Office to have a Coffee with a Cop event in September; are working on community safety programs with local HOAs; and provided an update on vehicle maintenance, taser training and interviews have started for the Police Assistant position.

Public Works Report –

Public Works Supervisor Hufferd said the street asphalt work is about half completed. There have been some weather delays and equipment issues. There are a couple areas that will need some additional work including repairs to a section of street after a water leak was fixed.

CONSIDERATION OF SIDEWALK WORK – Ernst would like to see the sidewalks on S. Third Street be repaired. Cook said she believes we can get concrete prices at a lower rate than what was presented. Ernst moved, seconded by Town and carried 5-0, to proceed with a RFP to replace the sidewalks suggested.

MASTER PLAN REVIEW – Law opened the floor up for questions. Cook asked about the upper story housing development program and if it is needed. Law said we have a few properties that currently fit into that category but can be removed if desired. It was decided since all of the items were for review this would be tabled.

APPOINTMENTS – Mayor Cook said she forgot to bring up an item in the Mayor's Report. She said a change needs to be made to the appointments of the Convention and Tourism Committee that was approved at the last meeting. Erin Ptacek needs to move from a one-year to a two-year term. Ernst moved, seconded by Williams and carried 5-0, to approve the change as presented.

EXECUTIVE SESSION

Administrator Law is requesting a executive session for a client/attorney consultation. Ellison moved, seconded by Williams and carried 5-0, to recess into executive session for an attorney consultation for item deemed as privileged in attorney-client relationship pursuant to the non-elected personnel matter exception KSA 75-4319 (b)(2) with the Council, City Administrator and City Attorney present with the open meeting to resume at 10:10 p.m.

Council returned into open meeting at 10:10 p.m.

Administrator Law requested an executive session to discuss the potential hiring of a community development director candidate. Ellison moved, seconded by Ernst and carried 5-0, 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 Council, City Attorney and City Administrator with the open meeting to resume at 10:20 p.m.

Council returned into open meeting at 10:21p.m.

Town moved, seconded by Ernst and carried 5-0, to hire Sarah Altic as the Community Development Director at a pay scale of 12-5B.

Ellison moved, seconded by Williams and carried 5-0, 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 Council and City Attorney present with the open meeting to resume at 10:3 5p.m.

Council returned into open meeting at 10:37p.m.

ADJOURNMENT

At 10:37 p.m., Williams moved, seconded by Ernst and carried 5-0, to adjourn the meeting.

Approved:

Donna Cook, Mayor

Attest:

Jessica McGowin, City Clerk