



LOUISBURG PLANNING COMMISSION MEETING MINUTES

Wednesday September 25, 2019

The Planning Commission of the City of Louisburg, Kansas met at 6:30 p.m. in the City Hall Council Chambers with Chairperson Andy Sauber presiding.

ATTENDANCE:

Commission Members: Donna Cook, Michael Sharp, Michelle Olson, Brandon Fosbinder, Rick Phillips, Les Page and Nate Apple
City Administrator: Nathan Law
City Council: Steve Town, Sandy Harris, Thorvald McKiernan and Lee Baer
Police Chief: Tim Bauer
Fire Marshall: Jerry Rittinghouse
Staff: Jean Carder
Newspaper: Doug Carder (Miami County Republic)
Recording Secretary: Rusty Whitham
Visitors: Joe Hammer, Timothy Payne, Fred & Gayle DeHoff

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE AGENDA:

A motion was made by Les Page to adopt the agenda. The motion was seconded by Rick Phillips. Motion passed 8-0.

ITEM 3: APPROVAL OF THE MINUTES:

A motion was made by Nate Apple to approve the minutes from the August 28, 2019 meeting. The motion was seconded by Rick Phillips. Motion passed 6-0. Les Page and Brandon Fosbinder abstained.

ITEM 4: PUBLIC COMMENTS: Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

PUBLIC HEARING BUSINESS ITEMS:

Item 5: 19001-SUP (Special Use Permit) “Gold Bridge Treatment Center” 24 hour In-Patient Drug and Alcohol Treatment Facility located at 105 East Amity.

Chairperson Andy Sauber began the discussion by establishing ground rules on how the public hearing would be conducted. Sauber stated the following:

- The applicant will be allowed to speak at the podium first.
- Audience members will be given an opportunity to speak at the podium to express their concerns or ask questions.
- Audience members will be allowed a maximum of three (3) minutes to speak.
- Audience members cannot “give” their 3 minutes to another person.
- All questions will be directed towards the Planning Commission and not towards the applicant.
- The applicant will be allowed an opportunity to answer questions after everyone has spoken.
- Everyone must be respectful during this public hearing.

Joe Hammer (Applicant) approached the podium and explained how he will operate the “Gold Bridge Treatment Center”. He also addressed community concerns posted on Facebook. Hammer made the following statements:

The average length of treatment time is 30 days. Some may stay a little more depending upon the care needed.

The number of patients will be limited to 16 to begin with. This number may be increased slightly at some point but most likely will remain at 16.

Hammer has operated several treatment facilities of this type before. Based on his past experience the fewer patients that are in the facility results to better care. Fewer patients means more one-on-one time with counselors.

Gold Bridge Treatment Center will not accept court-mandated care patients. This treatment facility will only accept private health insurance or cash-based clients.

Hammer mentioned that he will personally conduct interviews for potential patients. Not everyone will be accepted into his treatment program. Hammer explained further by saying they want people serious about seeking help. Patients must want treatment. This facility will not be for someone who is entering treatment for any other reasons.

All potential clients will be interviewed and routinely screened randomly for drug or alcohol use. There is a zero tolerance for drug and alcohol use in the facility.

Once a patient is accepted into the program their personal items and rooms will be checked for drugs or alcohol.

Patients will be asked to review and agree to a list of facility rules.

Indoor and outdoor video surveillance cameras will be installed in all public areas.

The facility will be staffed with multiple counselors during normal business hours. Staffing will go down to a minimum of two (2) qualified members during nighttime hours. Nighttime staff will not be allowed to sleep. Nighttime staff will be monitoring surveillance cameras and doing hourly head counts as required by state law.

There will be organized specialty classes such as art therapy, meditation and fitness groups. In addition, there will be several 12-step meetings per week and family group meetings. There will also be an optional church service on Sundays for those who want to attend.

Outpatient services will be provided to patients after they leave the facility. This includes family support.

Chairperson Andy Sauber opened this topic up to public comment. The following individuals made comments:

Allen Cullete mentioned that he presently lives down the street from City Hall on South Broadway. Cullete stated that he has some experience with a treatment facility similar to the one proposed in Louisburg. Cullete explained that he was a volunteer fire fighter in New Hampshire and the Fire Department he was associated with also provided medical services. Cullete said he was the medical supervisor for the department. Cullete then stated that a drug and alcohol treatment facility moved into his small New Hampshire town. The town, roughly the same size as Louisburg with land mass similar to Overland Park. He said there are a number of unattended consequences that occur when a Drug and Alcohol Center is established in a town. His small town started to see an influx of drugs and drug use and he said the town became a hot bed of drug activity. The rescue squad that Cullete was a part of became the first in the state to carry NARCAN. The number of rescue calls associated to drugs shot up exponentially and New Hampshire is well known to have an epidemic drug use. He mentioned the City of Manchester (largest city in New Hampshire) just voted to have NARCAN in all middle and high schools. This shows how bad the drug epidemic has become. Cullete mentioned that he is afraid that the same thing will happen in Louisburg. Cullete warned we are going to have drug issues if this treatment center is approved. In New Hampshire, parents routinely search the playgrounds for spent needles. Cullete doesn't want to see this in Louisburg. He strongly suggests that the Planning Commission vote no to the treatment facility.

Jenny Dover had two questions:

1. The article in the newspaper mentioned in-patient and out-patient. Dover wanted to know what's the difference and will this facility have both.
2. The real estate listing states that there is about an acre of land included with the building. Is this enough space for an in-patient facility? People will be living there 24-hours a day. Dover stated that she doesn't know the property that well. She wants to know if there is room for expansion? Is there more land that can be purchased? Is there enough room for green space, basketball and tennis courts? In addition, the newspaper article mentioned that the patients will have access to the Louisburg Athletic Center. Will the patients have access to any other places so they can be outside other than being in the building for 24-hours a day?

Lisa Baus stated that she is a resident of Louisburg and lives a couple blocks away. Baus mentioned that she is a social worker. She said that she deals with people that have drug and alcoholic issues all the time. However, she does not work in the substance abuse field. Baus specializes in the mental health field. Baus stated that there is a strong need for this type of facility. If there is a facility that provides support and is operated correctly there is a world of difference between court-ordered treatment and people who choose to get treatment. Baus believes that this facility can offer good paying jobs. This treatment facility will provide a good use for this building. Baus mentioned that she doesn't like the number of vacant buildings currently in town. The treatment facility will provide Louisburg business opportunities. From her experience families that come to visit are typically supportive of the treatment and would most likely frequent Louisburg businesses. Baus said that her kids go to school in town. They go by this building all the time. She believes that it is good for her kids to know that treatment is available if needed. The facility will allow her kids to understand that drug and alcoholic use is a serious issue. Baus mentioned in her job had to remove kids from their home because the parents could not give up meth. Baus ended by saying that this treatment facility is a good thing. We should want people to get help if needed.

Shay Wise mentioned that she moved to Louisburg three years ago. Wise said her family enjoys the environment here. Louisburg is very peaceful. She stated that it was shocking to learn that Louisburg was considering a Drug and Alcohol Center within the city. Wise suggested that Louisburg is a big area and asked why does this facility have to be so close to schools. She stated that she has children and she is concerned about the proximity to the schools. Wise wanted to know if other locations were considered and why didn't they select somewhere else. Wise ended by stating that she is strongly against this plan. She does not want her children exposed to this facility.

Barbara Melton mentioned that she supports a special use permit for the proposed Drug and Alcohol Facility. Melton said that there is not nearly enough of this type of facilities to take care of the people needing help. We are privileged to be able to have a facility that can help people. The existing building is feasible and will play a major role in Hammer's business plan. Melton understands the concerns that this facility will bring drugs into our community. Melton said that drugs are already in Louisburg. This has nothing to do with that. These are two different issues. We can offer a business that friends and families can visit on weekends. Visitors can eat at our restaurants and do some shopping. This treatment facility will put a good use to a vacant building that is deteriorating. Melton ended by saying that this Drug and Alcohol Facility will be good for Louisburg.

No further public comments were made. Chairperson Andy Sauber then closed the public comment portion of the public hearing.

Andy Sauber then asked Joe Hammer to return to the podium to address concerns expressed during the public comment portion of the meeting.

Sauber asked what is the difference between inpatient and outpatient care. Hammer explained the different types of care.

Hammer then mentioned that this building is unique and was selected because it's perfectly designed for this type of treatment facility. Hammer then stated that there is sufficient outdoor space for outdoor activities. Hammer also stated that he will install a six (6) foot wooden privacy fence in the backyard for privacy.

Hammer then addressed the concern about potential for drugs and criminal activity that may be introduced into the community as a result of this facility. Hammer suggested that this is not true. Issues like this are more common with outpatient methadone treatment centers or court-appointed treatment centers. Issues like this are not associated with private insurance or cash-payment centers. Hammer would be surprised of any issues such as this will be caused by his treatment facility.

Hammer suggested that his treatment facility will employ up to 20 people and bring business to the community.

Rick Phillips asked what is the maximum number of patents (inpatients and outpatients) that will use the facility at one time. Hammer replied no more than 20.

Les Page asked Hammer where are the three treatment facilities he worked with in the past located. Hammer replied two in Laguna Beach and one in Osawatomie. Page followed up his questioning by asking if the program is associated was Alcoholics Anonymous (AA). Hammer said patients will attend at least three AA meetings a week. Page expressed concern that there may not be enough parking. Page stated that there are only 15-17 existing parking stalls. Hammer assured Page that there is sufficient parking. Page asked what procedures are in place to handle a patient that wants to leave without completing treatment. Page commented that he doubts a six (6) foot fence will keep people in. Hammer explained that family members are normally contacted to pick up the person wishing to leave. If no family member is available to pick up the patient, transportation arrangements will made by the treatment staff. Under no circumstances will anyone be allowed to simply walk off the property without signing out of the facility and having a secured mode of transportation. Page then asked if the patients will be allowed to cook in their rooms. Hammer said no. The kitchens in the rooms will only be used to store snacks. No cooking will be done in the rooms.

Michael Sharp asked what type of procedures are in place when patients leave the facility to participate in off-site activities. Hammer mentioned that all outings are done in groups settings. Groups will be transported in two passenger vans. They are chaperoned by staff members at an 8:1 ratio. If an individual must be seen for a medical appointment, a staff member will accompany them until they return to the facility. Sharp then asked Mr. Hammer, who previously said he was from Fort Scott, why he did not start a facility there rather than choosing Louisburg. Hammer replied that he currently lives in the Kansas City area about 25-30 minutes from Louisburg. Fort Scott would be too far to commute on a daily basis. Hammer continued by stating that he was looking for a location about 30 minutes from Kansas City. Many potential locations were considered. The unique building and the proximity to the Kansas City made Louisburg perfect fit.

Les Page asked how many staff members would be on duty. It was stated earlier that there would be at least 2 staff members on duty at all times. Hammer indicated that there would normally be 7-10 staff members during normal daytime hours. During the nighttime hours shift there will be a

minimum of 2 staff members on duty. This will be the only time we will have minimum staffing. The 8:1 mandatory ratio will be maintained throughout the 24-hour period.

Nate Apple asked would the residents have much contact with people in town. Hammer explained that there will be minimum exposure to city residents. Groups will attend some community 12-Step programs. Patients will also have an opportunity to attend a local church on Sundays. Groups will also use the Louisburg Athletic Center a few times a week. The groups will also do some kind of outings normally in a community park. Apple then asked will the patients have an opportunity to talk to kids walking to school. Hammer replied no. Patients will always travel in a group setting accompanied by a chaperone. The only time they will be outside alone will be at the facility within the fenced in area. Apple then asked how staff assures patients don't walk off. Hammer said that facilities such as this are required to do hourly head counts 24 hours a day. In addition, surveillance cameras located in public areas are monitored. Staff will have the capability to monitor inside and outside of the building.

Donna Cook asked how coed facility is managed. Hammer stated that there would be male and female rooms. No patient will be allowed to enter another person's bedroom. Cook then asked about patient to staff ratios. Hammer mentioned that the Kansas Department of Aging and Disability Services (KDADS) require an 8:1 patient to staff ratio at all times. In most cases, our facility will have more staff members on site than minimally required by the state.

Brandon Fosbinder asked where besides Osawatomie are treatment facilities similar to this located in the area. Hammer stated that there is one in Shawnee, Kansas and Kansas City, Kansas. There is also one in Kansas City, Missouri.

Nate Apple stated that this facility is not for court-mandated patients and that's a big deal.

Brandon Fosbinder asked when patients are outside are they be accompanied by a staff member. Hammer replied that we do not want our patients feel like we are babysitting them. For the most part patients will go to their rooms and their porches. There will be times when they will do activities on the property within the fenced area. Fosbinder then asked how do you address the concern that this facility is in close proximity to schools. Hammer said for the most part people will not be able to distinguish that this is treatment facility. It will be rare that anyone would be seen in front of the building. Patients will be most likely be in the building or behind the fenced-in area.

Michelle Olson asked what is the criterion for hiring staff members. Hammer mentioned that everyone must be at least 18 years of age. We are looking for individuals who are interested in helping other people. Individuals with a desire in entering the field as a career is a plus. Hammer added that they will be hiring full-time and part-time workers. Olson then asked will there be drug and Alcohol classes for employees. Hammer replied no but there is an employee training program. Olson then asked what are the guidelines for accepting acute care patients (self-harm). Hammer stated that a licensed professional will provide an initial assessment on all potential patients. If it is deemed that we are unable to provide care the patient is not accepted to the program. Olson then stated that people with drug and alcohol problems, sometimes burn bridges. In cases like this when the patient has no family, what assistance is provided when they leave treatment. Hammer mentioned that his facility will utilize Oxford Houses.

Note: *Oxford House is a concept in recovery from drug and alcohol addiction. In its simplest form, an Oxford House describes a democratically run, self-supporting and drug free home. Parallel to this concept lies the organizational structure of Oxford House, Inc. This publicly supported, non-profit 501(c)3 corporation is the umbrella organization which provides the network connecting all Oxford Houses and allocates resources to duplicate the Oxford House concept where needs arise. The number of residents in a House may range from six to fifteen; there are houses for men, houses for women, and houses which accept women with children. Oxford Houses flourish in metropolitan areas such as New York City and Washington D.C. and thrive in such diverse communities as Hawaii, Washington State, Canada and Australia; but they all abide by the basic criteria. (There are several Oxford Houses in the KC Metro)*

Andy Sauber asked Hammer if he has read the proposed stipulations. Hammer replied yes and he indicated that he agrees with them.

Les Page asked what is the percentage of people needing treatment for drugs vs alcohol. Hammer replied 2/3 alcohol and 1/3 drugs. Page wanted to confirm the number of patients in a room. Hammer answered 2 patients per room. Page then asked what happens when two patients in the same room do not like each other. Hammer said they make room assignments based on individual characteristics and treatment needs. Effort is made to ensure roommates are compatible. When a conflict does occur, room assignments are changed.

After additional discussion a motion was made by Nate Apple recommending approval of this Special Use Permit (SUP) request. This SUP allows the applicant to establish a 24 hour In-Patient Drug and Alcohol Treatment Facility located at 105 East Amity with stipulations. Below are the stipulations associated with this SUP:

1. Owner shall obtain required licensing from Kansas Department of Aging and Disability Services (KDADS) and provide all such documents to the City of Louisburg Planning and Zoning Department.
2. Shared road access to K-68 must be maintained with the property located to the West (Parcel ID: 1093202003001000) in accordance with the "Little Round House" Final Plat dated October 26, 2000.
3. All Easements and Right-of-Ways (ROW) to include Storm Water Drainage shall be maintained in accordance with the "OMNIVILLAGE" Final Plat dated May 12, 1989.
4. If the property owner wishes to expand the Drug and Alcohol Treatment Facility into the adjacent tract of land located to the east (Parcel ID: 1093202003001090) an additional Special Use Permit must be obtained. This includes all accessory uses established on the adjacent property.
5. The owner shall submit a Change of Use Application to the Louisburg Planning and Zoning Department. The purpose of this two-phase inspection process is to ensure that all commercial buildings are periodically inspected checking for fire and safety issues. The City Fire Marshall and the City Building Inspector will be conducting two separate inspections of

6. your building(s). The fee for both inspections is \$50. This inspection process is initiated every time the ownership or change of use of a commercial property has occurred.
7. The owner shall submit plans and obtain proper permits from the Louisburg Planning and Zoning Department prior to any construction. All contractors must be licensed in Miami County.
8. Owner shall install a privacy fence to enclose entire backyard. Fence height shall be at least six (6) feet tall measured at grade.
9. Owner shall have at least two (2) qualified Staff Members on duty at all times.
10. Patients shall be initially limited to no more than 16 at one time. The number of patients maybe increased upon approval from The State Fire Marshall.
11. All staff conducting counseling or clinical work with the patients must have an addiction license through the BSRB. All nurses are required to be licensed by the board of nursing. Other, non-clinical staff, are not required to be licensed.
12. At least two qualified/trained staff members must be on duty at all times.
13. All patients leaving the facility for any reason must be accompanied by a staff member.
14. A sufficient number of security cameras (Indoor and Outdoor) shall be installed for the safety of staff and patients. The type and number of cameras shall be approved by the Louisburg Police Chief and Fire Marshall.
15. Security locks and hardware shall be installed on all exterior doors. Lock specifications must be approved by the Louisburg Police Chief and Fire Marshall.
16. The owner shall install and maintain a fire suppression system within the building. This fire suppression system must be approved by the Louisburg Fire Marshall.
17. Owner shall install a security/panic alarm system in the building.
18. All exterior signage shall meet requirements outline in the Zoning Regulation Requirements.
19. Any additions to the existing structure that alter the foot print of the building must be approved by the Planning Commission through the Site-Plan process outlined in Article 11 of the Louisburg Procedures Manual.
19. Existing landscaping of the property shall be maintained or enhanced.
20. All interior construction or modifications to the existing building shall be done by a licensed contractor. Construction plans must be submitted and permits issued prior to work.

Donna Cook seconded the motion. The motion passed 8-0.

This item with Planning Commission recommendations will be forwarded to the City Council for additional review and consideration. This SUP will be presented to the City Council on October 21, 2019. Property owners within 200 feet of subject property described above, wanting to protest the proposed SUP, will have fourteen (14) days after the Planning Commission makes its recommendation to submit a protest petition to the office of the City of Louisburg City Clerk. If a valid protest petition is filed with the City Clerk prior to the deadline, the SUP shall require

approval by a 3/4 majority vote of the City Council. Protest petitions are available in the office of the Codes Administrator for the City of Louisburg.

At approximately 7:46 p.m. Nate Apple made a motion for a 5 minute recess. Les Page seconded the motion. The motion passed 8-0.

At approximately 7:52 p.m. the recess concluded and the meeting resumed.

NON-PUBLIC HEARING BUSINESS ITEMS:

Item 6: Discussion concerning a fence request at 6302 West 295th Street (Formally Metcalf Ridge Golf Course). The type of fence requested by the property owner must be approved by the Planning Commission in accordance with City Ordinance 1099.

After a brief discussion Nate Apple made a motion to allow the property owner to install High-Tensile Horse & Livestock Fence (reference below picture) on the property. Michelle Olson seconded the motion. The motion passes 7-1. Donna Cook voted no.



OLD BUSINESS:

Item 7: Discussion concerning Temporary Stand Alone Signs (Feather Signs). Reference Sign Regulations amended by Ordinance 1082.

After a brief discussion, it was the consensus of the Planning Commission members that no changes to the sign regulations would be made to allow feather signs. During the discussion no member indicated that feather signs should be allowed.

NEW BUSINESS:

Item 8: Discussion concerning Section 622, “Solar Panel System Design Standards” to Article 6 of the City of Louisburg Supplementary District Regulations.

Administrator Law said council, after reviewing the standards, sent it back to the Planning Commission for potential revision and clarification.

It was mentioned that this item would not require a public hearing process. This item was previously discussed during a public hearing at a Planning Commission meeting on July 31, 2019.

A lengthy discussion occurred concerning modifications to the proposed addition to the Zoning Regulations Section 622, “Solar Panel System Design Standards” to Article 6. With input from Council Member McKiernan changes were recommended to the draft. It was agreed that this document will be discussed again by City Council on October 7, 2019.

REPORTS:

Item 9: None

Item 10: ADJOURNMENT:

A motion was made by Brandon Fosbinder to adjourn the meeting. Second was made by Michelle Olson. The motion passed 8-0. Meeting adjourned at 8:22 p.m.

Submitted by Rusty Whitham