

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
OCTOBER 18, 2021**

Livestream link: <https://boxcast.tv/view/louisburg-city-council-10-18-21-922963>

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, 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 Jennifer Leikam, Mike Belew

PLEDGE OF ALLEGIANCE

Councilmember Scott Margrave led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmembers Donna Cook asked questions regarding the bills list. Administrator Law explained. Councilmember Sandy Harris moved, seconded by Councilmember Steve Town and carried 4-0, to approve the consent agenda to include adoption of the agenda and approval of the regular meeting minutes October 4, 2021 and the bills list.

VISITORS

Jennifer Leikam said Halloween on Broadway will be October 24, 2021. Broadway would be blocked off starting at 3 p.m. Leikam is trying to locate the owner of the old Spector Motors. Mayor Southard said he could reach out to the owner. Leikam said it would be regarding parking during Halloween on Broadway. They would like that area blocked off. Trick or treating will be from 4 p.m. until 6 p.m. The Library is having an event at 7 p.m. at Fox Hall. Organizers

are asking the Fox Hall parking be blocked for the Fox Hall event. Leikam said everyone is excited to have Halloween on Broadway back.

Mike Belew representing CBC Real Estate Group is interested in purchasing the City-owned property at Amity and Metcalf. They already have interest from several national retailers that would occupy the space. One of the retailers would like to move forward immediately. He asked what Council might do to move this forward. Councilmember Cook said a concern is the Council does not know what the business will be, it might be a competing business for other local retailers and there is currently vacant retail space. City Attorney Anderson cautioned that it does not matter if it is a competing business legally for the consideration of selling property. Mr. Belew said they are not asking for incentives only would like communication regarding the property. He said the site was chosen for its connectivity to the community. Councilmember Harris asked about the time frame. Mr. Belew said they are ready to move forward, which they could close ten days after city approval, including approval of the site plan and any other planning considerations. Councilmember Town asked if anything from the site plan has changed. Mr. Belew said they now have a second retailer that wants space on the corner. The first retailer is fully committed and the second one is prepared to move forward once the site is controlled. Councilmember Harris asked if the retailers have a strong presence in the Midwest. Mr. Belew said both retailers exceed 10,000 stores throughout the country and are financially stable. Leases would be for 10-15 years. CBC Real Estate Group would develop the site and own the buildings long-term, Mr. Belew said. He provided examples of some properties the company currently holds in the Kansas City area. Mayor Southard asked Councilmembers for their thoughts. City Attorney Anderson said conversation should focus on the issues raised the last time, including the possibility of building a facility that remains empty. Mr. Belew said the development group is a conservative group and won't build without a tenant. A signed lease to break ground in a certain amount of time will be required. The City would have a buy-back option if those terms weren't met. Councilmember Harris asked how many employees would be hired. Mr. Belew said the first retailer would have 18-22 full- and part-time employees while the second would employ 20-30 with additional seasonal employees. Councilmember Cook asked if we would take seal bids. Mr. Law said there are few ways to ensure some of the concerns are addressed and this is one way. If you sell to a person, you are selling the land outright but by selling to a group such as this allows for stipulations. Attorney Anderson asked if the real estate group would consider a sealed bid process. Mr. Belew said they would not engage in a bidding war and want to protect their clients and also be fair to the City. Administrator Law said individual properties can be sold using varying sales

methods. Councilmember Cook asked if a decision needs to be made tonight. Mayor Southard said a decision should be made sooner rather than later. Mr. Law said he will bring back additional information on various methods for disposing of City-owned property and will work with City Attorney Anderson based on his research regarding limitations placed on certain properties and will bring that back to the next meeting. Mr. Belew said the retailer would like to be open by the 2022 holiday season.

DEPARTMENT REPORTS

Fire Department: None

Public Works Department: Public Works Supervisor Craig Hufferd said the cemetery mowing contract will be up for bid soon. There is an option in the current contract to extend it for two years. This would lock in our rate for another two years, which is \$580 a mow. Councilmember Town said if the performance has been satisfactory then he would suggest extending. After discussion it will be brought back at the next meeting.

Councilmember Town asked why the lake is a green color. Hufferd said he thought the lake was turning over, which they tend to do twice each year.

Hufferd told the Council the job opening at Public Works was filled from an employee at the PUA who wanted to move back to Public Works due to a scheduling issue. This now creates an opening down at the Water Plant and will now be advertised for that opening.

Police Department: None

CITY ATTORNEY'S REPORT

City Attorney Anderson said state statutes give a wide latitude for cities to sell and purchase properties. He discussed appraisals and online auctions, which are allowed. He said cities are not allowed to put more stipulations on a property than what zoning would mandate. His recommendation is to take each parcel of land on a case-by-case basis as it is more efficient. Administrator Law said he and City Attorney would come up with decision items for the next meeting.

MAYOR'S REPORT

Mayor Marty Southard said he received news from Councilmember Kevin Vohs that he has moved out of his district. Mayor Southard will be taking applications to fill the vacancy and asked Staff to advertise for volunteers.

ADMINISTRATOR'S REPORT

Master Planning Review Continued: Mr. Law said the review for tonight's meeting is Ron Weers Park. Councilmember Cook asked about the rankings online. Mr. Law said there are two rankings – one by the Park & Tree Board and one developed after public comment was sought and received.

Councilmember Harris asked if any items were available for discussion tonight. Mr. Law said it was and the benefit of these plans are they are fluid and can be adjusted as desired.

Councilmember Harris had questions regarding lighting around the lake trail. Mr. Law said this is for the east side of the trail but initial research into pricing was rather expensive. Harris agreed lighting would be good for safety. Councilmember Harris said the recent trail mileage signage has been defaced. Mr. Law said that was an Eagle Scout project and as with any project the City inherits, we also inherit upkeep and maintenance. Staff will look into making repairs. Councilmember Town asked if the trail markers and tree identification system were already in place. Mr. Law said yes that is being done. Councilmember Cook asked about electric charging vehicles station and thought there might be a need for those into the future. Mr. Law said that might be a project for a grant.

Cemetery Fees update: Mr. Law explained the current charges and costs of the cemetery for digging graves and selling plots. A plot sale is a one-time charge that really cannot be considered to offset service fee increases due to timing of sale, which could be years in advance of the costs for funeral services. He also mentioned that when rock is hit when digging a gravesite that is an additional cost that currently does not have an associated fee that we charge. Councilmember Cook asked where the fees go. Mr. Law said to the Cemetery Fund. She asked if that fund pays for mowing and street work. Mr. Law said it currently pays for mowing, but we try to absorb street paving because that's a large cost for a fund with limited revenue.

Councilmember Harris asked how our rates compare to other cities around us. Mr. Law stated they are about the same. Councilmember Harris said we shouldn't charge for an infant burial. Mr. Law said included in that charge is set up, tent and seating for the service. Mr. Law said our fees reflect a small mark-up from what is charged. Councilmember Cook asked what the cemetery revenue was last year. Mr. Law said he can pull those numbers but thinks it's a net loss. Councilmember Cook said if we aren't losing much money she wouldn't change the fee structure. Councilmember Town asked what expenses have been the past few years. Mr. Law said about \$40,000 over two years for moving and another \$20,000 for paving but that's not a yearly expense but once every 8-10 years. Tree trimming run about \$4,000-\$6,000 per year. Councilmember Harris asked if they have hit rock yet while digging. Mr. Law said not yet. Councilmember Harris asked if the Cemetery Board recommended these increases. Mr. Law said they did and their recommendation was to approve the new fee schedule. Councilmember Harris would like the infant fees removed. He would like to table this item. Councilmember Cook would also like to table. After discussion, Mr. Law will bring this item back.

Tower Attachment Request: Mr. Law said staff has been working with JMZ Corp. representatives to add wireless communications to our water towers. He said both he and City Attorney have reviewed the agreement.

Councilmember Cook asked how many do we already have. Mr. Law said we have at least three; Verizon, T-Mobile and Go Brolly. Councilmembers had discussion. Councilmember Town moved, seconded by Councilmember Margrave to approve the tower lease agreement with JMZ Corporation and authorize Mayor Southard sign the agreement. Councilmember Cook asked if all the leases on the towers were different prices. Mr. Law said they are, with at least one including services in lieu of direct payment. Motion passed 4-0.

Street Pavement Evaluation Report: Mr. Law said this survey was completed via a visual and vehicle inspection earlier this year. He said to keep in mind the scores on based on areas reviewed so one section of a street might be rated low while the rest of the street appears to be a different condition. He said the inspection will help prescribe methods of street maintenance. He reviewed some of the maintenance suggestions. Councilmember Cook asked why we don't use chip and seal. Mr. Law said that is not his preferred method with our stormwater issues. It could be fine for certain types of roadways and other locations. Mr. Law will update work that occurred this summer. Mr. Law said this information will be used to prioritize next year's street work.

Aquatic Center Enhancements: Councilmember Cook asked if the aquatic center sales tax could be used for other parks. Mr. Law said once debt is retired it can go to the aquatic center maintenance or to anything recreation the Council decides. Councilmember Town asked how much does it cost for pool maintenance. Mr. Law said we have a contract that costs between \$20,000 and \$35,000. The contract includes wax application on the inside of slides, painting exterior of slides, resealing the slides, replacing stair treads and slide deck, and additional items. He said you can assume about \$50,000 per year to cover most maintenance items. Councilmember Town asked how much money the sales tax brings each year. That tax brings in around \$450,000 each year, but that does not discount what the tax pays for in operations each year. Councilmembers had discussion. Mayor Southard asked what direction they wanted. Councilmember Town would like to reach out to companies for future years enhancements to the current aquatic center infrastructure.

Administrative Goals Workshop Request: Administrator Law said each year Council meets in a special workshop to review administrative goals. City Clerk Traci Storey will reach out to see what day works best for everyone.

COUNCIL REPORTS

Councilmember Harris: Councilmember Harris said Life 88.5 will have a tailgate party with prizes and snacks prior to the Friday night football game at Wildcat Vet Clinic.

Councilmember Cook: None

Councilmember Margrave: None

Councilmember Town: Councilmember Town said the Electric Light Show was another success.

ADJOURNMENT

At 8:04p.m. Councilmember Harris moved, seconded by Councilmember Margrave and carried 4-0.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk