

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
NOVEMBER 4, 2019**

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. Councilmember Sandy Harris was absent.

Council Members Lee Baer, Steve Town, Thorvald McKiernan, Kalee Smith
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 Craig Hufferd
Press
Visitors Jeremy Holloway

PLEDGE OF ALLEGIANCE

Councilmember Thorvald McKiernan led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 4-0, to approve the consent agenda to include adoption of the agenda, approval of the October 21, 2019, minutes and bills list.

VISITORS

LHS Principal Jeremy Holloway addressed the Council on the impacts of vaping at the high school.

Mr. Holloway said a few weeks ago the high school auditorium was packed to capacity for an assembly and, for the first time in several years included the middle school, for a presentation on vaping. Vaping has become a major epidemic among youth across the United States, and Louisburg, Kan., is not exempt from it.

Mr. Holloway said he has great concern about this issue and realizes that some think vaping is not a big issue in our schools. He shared some key points from the presentation, thoughts from his perspective as a high school principal and a few anecdotal stories.

The presenter's name is Dr. Christopher Jensen. What I loved about him even before he came is that he is a teacher. He is a high school teacher up in Blue Valley, and was described as a teacher that all of the kids love. These are the types of speakers that have the biggest impact. Being able to put a topic like this into terms that students can understand and relate to is an art. Teaching is an art. Anyone can toss a football with friends, but not everyone can play in the NFL. Anyone can have kids and manage a small group, especially when it involves what the kids want to do, but not everyone can teach. Dr. Jensen was a perfect fit. Here are some key things that I took away from the presentation:

1. After talking with students, they were highly impressed and mentioned that they learned things they did not know.
2. Dr. Jensen put it into very factual and relatable information. It did not come across as a lecture.
3. Dr. Jensen mentioned that vaping usage in high school students has gone up over 75% in the last 2 years.
4. If you ever see an ad for Juul, check it to see just who they are really targeting. Does it look like the typical person that an adult is looking to follow?
5. Vaping cases are just now starting to show up because it is still new, but deaths and vape related illnesses are rising, because doctors were unaware of what was causing the illnesses until recently.
6. Vaping is now showing to have far faster affects on the lungs than smoking.
7. There were a few students giggling during the presentation. These kids would be ones that I would fear are vaping.
8. If you are vaping, there is almost no way that it will be the last thing you do. It is a huge gateway to other things.
9. Almost anything can be in a vape.

10. The human brain is not fully developed until around the age of 25, and the chemicals in vapes greatly lower the ceiling of possibility for those students that use regularly.

As a high school principal, here are some things that I think that you should know:

1. It is harder than ever to tell which students are vaping. When I was in school, the smokers were obvious. Today, the vapers are obvious and not obvious. Straight A students and your best athletes are succumbing to the glamour of vaping.
2. One student told me that he believed that 75% of students vaped outside of school. I want so badly to believe that is not true. Ask your students what they think.
3. That same student said that about 10% of those students' parents would say that they knew about it.
4. Students have told me that they commonly keep their vapes in their underwear.
5. Across the country schools are stiffening their consequences for vaping. Louisburg has gone from 1 day of ISS to 3 days of OSS for a first offense. Agree or disagree, I wanted to make vape a drug offense, and many schools have done this. Remember, vape cartridges can be manipulated to have almost anything in them. School should not be the first place that a student will be exposed to a vape.
6. If a student cannot go a whole day without vaping in school, they are addicted.
7. Many towns across the state are raising the age to buy vapes to 21. Paola recently did it. I will tell you that it is the 18-year-old high school students that buy vapes on their way to school that then sell vapes to younger students at the high *and* middle school.

Some anecdotal stories.

1. A student that I taught graduated last year. He is a great kid, and he came to me with a vaping problem that had turned into marijuana. I watched as he broke down in my office. He had not been caught, just wanted to talk. He

said that he was having a hard time making it through the day without using. He didn't bring stuff into school, but he couldn't focus on anything but wanting to use again. He was addicted. We did get him help, but it was crazy to see how a kid started off vaping with friends and how those friends moved on to stronger things. He was trying to at least not bring it in to school. I never expected to see this student in front of me this way.

2. I want to give you three very different types of responses that I have gotten from parents when their kid was disciplined for vaping over the past few years.
 - a. **The Parent That Thinks It's Ok-** "Mr. Holloway, why are you focused on such minor things? He wasn't bothering anybody. You should be focused on bigger issues in school."
 - b. **The Parent That Is Missing the Point-** "Mr. Holloway, I'm sorry and I support your decision." Parent turns to student and says, "You know you shouldn't be doing that *here*."
 - c. **The Parent That Gets It-** "Mr. Holloway, I am so sorry. I can't believe that it is only 1 day of ISS. That seems like a definite OSS to me. Seems very lenient. I had no idea they've been doing this"

As you can see, it's not easy. My responses would be that it is far from minor, that I'm glad you disapprove of usage in school, but we may be missing the point, and you're right, and we will be changing that policy as soon as we can.

- Two years ago during a staff meeting, a teacher asked, "What's a vape?" Everyone knows now. Remember, the presenter told us that usage among high school age students has gone up by 75% over that time.
- Many of you probably remember the old pictures of the black lungs that pretty much helped end smoking in the '80s and '90s. This presentation showed the permanent scarring that as a result of vaping that is often referred to as popcorn lung.

To end this conversation, I just want to emphasize one last time that both our staff and students have been impacted in a positive way by this presentation.

Mr. Holloway asked the Council to consider changing the age to 21 to purchase tobacco products and vaping materials in Louisburg. The City of Paola recently changed its ordinance and he would like Louisburg to do the same.

Councilmember Lee Baer would like to see this brought back to Council. Administrator Nathan Law said he would bring it back to the next meeting.

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Fire Department: Fire Chief Gerald Rittinghouse reminded everyone to change the batteries in your smoke detectors with the time change.

Police Department: Chief Tim Bauer said residents dropped off 30 pounds of medicine during the Drug Take Back Day. Chief Bauer thanked the City for allowing them to participate in the program.

Water Leak Adjustment: City Administrator Nathan Law presented a water leak adjustment for Bryce Smith (214 Shoreline Drive) for a reduction in billing of \$112.63. Councilmember Steve Town moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the one-time leak adjustment to Bryce Smith.

Golf Course Update: Administrator Law said little has changed in regards to the golf course. At this point, the best opportunity is to consider a short-term lease of the facility to garner additional time. There is no change in timing as the property owner is still looking to either sell to someone or allow for cattle to populate the property for the taxable benefit. The terms for the lease will be mentioned under a department report, but is for \$8,000/month triple-net (all other costs borne by the lessee, including: insurance, property taxes and maintenance), with a set term of five years, but with any lesser timeframe allowed along with a 60-day notice to terminate the lease. That would allow for this arrangement to get past the end of the year and allow for more time in 2020 to figure out purchase options and other donations. At \$8,000/month, excluding the triple-net aspect, this keeps the annual lease under the \$100,000 approved by Council.

Councilmember Kalee Smith asked how long is this going to keep going on. Smith wants to get this wrapped up. Councilmember Town asked if any of the interested investors have come forward yet. Administrator Law said there has been no change in the last two weeks. Councilmember McKiernan and Smith both said they do not feel the City should spend that kind of money. Administrator Law

noted again that this is within the previous desired funding approved by Council. Mayor Southard asked if anyone would like to make a motion. No motion was made.

CITY ATTORNEY'S REPORT

None

COUNCIL REPORTS

Councilmember Baer: Councilmember Lee Baer asked how the ditch digging had gone. Craig Hufferd said it went well and next year they will get even more done.

Councilmember McKiernan: Councilmember Thorvald McKiernan asked what the illegal dumping fee was. Chief Tim Bauer said the fee for illegal dumping is \$250.00 minimum and goes up to \$1,000. McKiernan would like to see more signs posted regarding no bags accepted with the leaves.

Councilmember McKiernan asked how the Building Code updates were coming along. Administrator Law said they working on them. Mr. McKiernan asked if they would be done by the end of the current year. Mr. Law said he will reach out again to the individual conducting the update process and ask about timeframe for completion.

MAYOR'S REPORT

None

ADMINISTRATOR'S REPORT

Special Use Permit – Operation of a 24-Hour Inpatient Drug and Alcohol Treatment Facility at 105 E. Amity – Continued: City Administrator said the Planning Commission revisited the discussion as requested. Mr. Law presented an Ordinance for Council approval with the changes that were discussed at recent meetings. Councilmember Thorvald McKiernan moved, seconded by Councilmember Lee Baer and carried 4-0, to approve Ordinance 1113 as presented.

Louisburg City Code – Continued: Administrator Law said at the last meeting Council tabled this item to the current meeting to allow additional time to compile and bring back suggested changes. Council went through the changes and made several recommendations. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith and carried 4-0, to approve the following recommendations for code sections:

- 4-502 – Change fee range for electrical service to read 201 amps to 1000 amps;
- 7-213-8 – Change language to indicate contacting dispatch before burning;
- 7-303 – Increase insurance requirements for fireworks displays to match language for other permits, requiring \$1 million individual and \$2 million comprehensive liability;
- 12-115 – Remove any conflicting language to match Constitutional Carry laws;
- 12-301 – Change the number of non-voting members of the Park and Tree Board to two members, one from Louisburg Recreation Commission and the second from the USD 416;
- 15-309 – Remove vitrified clay pipe from allowable sewer pipe installations;
- 15-403 – Decrease the allowable contract period for solid waste to five years;
- 18-101 – Remove this section and take steps to dissolve the Downtown Committee;
- C.O. 5 & 7 – Take necessary steps to remove these charter ordinances to avoid any confusion with current election calendar;
- 1-802 – Remove list of streets from codebook.

Administrative Goals Update: Administrator Law said last week Council met in a special workshop to review administrative goals for the purpose of updating the list with additions or subtractions. Having had time since the workshop, staff would encourage Council to add or subtract from that list as they see fit at this meeting.

1. Review and revamp building process – includes the process for applying and issuing building permits
2. Weigh appropriate considerations for a Planning Director
3. Review frequency of delays with requesting and fulfilling inspections, and consider whether a second on-call inspector is warranted
4. Fill empty retail space

5. Analysis on Staffing and Efficiency – resulting in findings of possible improvements in areas of cross training, staffing levels, or division or combination of duties.
6. Pool enhancements
7. Community/Recreation Center – Long-term/Intermediate-term goal
8. Determine and support one grand event for Louisburg (long term)
9. Improve quality of life whenever/however possible (long-term)
10. Notify, court & return builders to Louisburg (short-term)

Councilmember Kalee Smith moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the list of administrative goals.

2020 Holiday Calendar and Considerations: City Administrator Nathan Law presented a list of recognized holidays, not all of which are City recognized but are included per City Code language, and additional considerations for each based on where they fall within their respective month/week. Councilmember Lee Baer moved, seconded by Councilmember Kalee Smith and carried 3-0-1 (Town abstained) to approve the 2020 holiday calendar and other considerations.

Additional Playground Information: At the last Council meeting, Council approved the purchase of a playground structure utilizing a grant through Burke's Move With Us program to be placed at the Louisburg Aquatic Center. At that meeting, staff was asked to get pricing for ForeverLawn turf playground surfacing.

The original proposal was Engineered Wood Fiber Mulch, an ADA compliant surfacing. The cost of the mulch and border for the 50' x 41' area is around \$4,000.

Other surfacing options as shown in the presentation included Duraplay, a poured-in-place option and Foreverlawn, a turf option.

The installation of the DuraPlay surfacing at 3.5" thick with 4" stone base is \$40,965.

The installation of ForeverLawn Ultra surfacing with stone base is \$34,515.

Councilmember Thorvald McKiernan moved, seconded by Councilmember Lee Baer and carried 4-0, to approve the \$4,000 wood fiber mulch for the playground at the Aquatic Center.

ADJOURNMENT

At 7:40 p.m. Councilmember Lee Baer moved, seconded by Councilmember Kalee Smith and carried 4-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk