

**CITY OF LOUISBURG, KANSAS  
MINUTES OF REGULAR MEETING  
NOVEMBER 18, 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.

Council Members Lee Baer, Steve Town, Thorvald McKiernan, Kalee Smith, Sandy Harris  
City Administrator Nathan Law  
City Clerk Traci Storey  
City Attorney  
Police Chief Tim Bauer  
Fire Chief  
Communications Coordinator Jean Carder  
Public Works Supervisor  
Press  
Visitors Matthew Oehlert

**PLEDGE OF ALLEGIANCE**

Councilmember Thorvald McKiernan led the pledge of allegiance.

**APPROVAL OF CONSENT AGENDA**

Councilmember Thorvald McKiernan moved, seconded by Councilmember Sandy Harris and carried 5-0, to approve the consent agenda to include adoption of the agenda, approval of the November 4, 2019, minutes and bills list.

**VISITORS**

None

**PUBLIC COMMENTS**

None

**DEPARTMENT REPORTS**

None

## **CITY ATTORNEY'S REPORT**

None

## **COUNCIL REPORTS**

**Councilmember Smith:** Councilmember Kalee Smith said she received a call from resident Jim Lancaster at 601 S. Doyle. Smith would like to know if there is a temporary or quick fix for his stormwater problem. Administrator Law said if we take out 2 of the culverts and replace with one it would impact the downstream project. Smith asked if the pipes are all too small. Law said there has been a lot of rainfall this year and the APWA regulations have also changed since the culverts were installed. Smith would like to look at the projects and see who needs it the most. Law said review and prioritization was done through the stormwater master plan process, but hydraulics and full engineering have not been done. Councilmember McKiernan asked how much it would cost to hire an engineer to design the priority projects. Administrator Law said it could cost upwards of \$250,000-\$350,000. McKiernan said we should spend the money and get it done. Administrator Law said the several decisions would have to be made such as whether to seek bids or utilize a qualifications-based selection process, are sidewalks and walkability a desirable long-term goal, and whether Council would like to specify the material to be used where stormwater infrastructure is called for. Councilmember Lee Baer said at some point he hopes to see Louisburg as a walkable community. Council would like Administrator Law to bring this item back to next meeting.

**Councilmember McKiernan:** Councilmember Thorvald McKiernan said an advertising sign that is on the west end of town keeps leaning. It is even worse when the wind is blowing. He is afraid that at some point it will take out a power pole. Administrator Law said that particular sign could be maintained but not heavily modified as it is a grandfathered pole sign. Staff will contact the owner of the sign to pursue options.

## **MAYOR'S REPORT**

Mayor Marty Southard would like a 10-minute executive session at the end of the regular session to discuss non-elected personnel. Councilmember Steve Town moved, seconded by Councilmember Thorvald McKiernan and carried 5-0,

to hold a 10-minute executive session to discuss non-elected personnel at the end of the meeting.

## **ADMINISTRATOR'S REPORT**

**Metcalf 2.0 Construction Design Selection Process Update:** Matt Oehlert, Miami County Engineer Project Manager, discussed the selection process for construction for the Metcalf 2.0 project. Last year Council approved a commitment for \$175,000 to the City's share of the project. BG Consultants have been selected for the project through a modified QBS process. Councilmember McKiernan expressed his concerns about maintaining access to businesses along Metcalf during construction. Mr. Oehlert said they would do their best to make sure businesses have temporary access availability and signs noting the businesses are open.

**Stormwater Priority Project – Shoreline & Broadmoor:** Administrator Law said the bid opening for the first stormwater project occurred Wednesday, Nov. 6. Nine bids were submitted for this project. Apparent low bid is Mega Industries with a bid of \$221,962. The intended source of project funds is the Stormwater Utility Fund, which currently has enough available funds and budget authority to accommodate this project. With the available project timeline, the costs and budget authority will likely be allocated across two budget years. Funding and authority is available within the 2020 budget as well, with staff having budgeted for use of all remaining stormwater funds.

With project site access occurring off Broadmoor Cove, there will likely be damage to surface infrastructure and grounds. The cost for repair on this lot is not included in the bid. Infrastructure repair will be included with annual street, curb/gutter and sidewalk work. Project quantities can be increased to accommodate this lot during grading/seeding efforts near the end of the planned work.

Easements have been secured for onsite work. Project entrance will utilize a vacant lot dedicated for utility and drainage easement, and will be returned to previous condition when the project is finalized. Councilmember Sandy Harris moved, seconded by Councilmember Steve Town and carried 5-0, to accept the recommendation of Olsson, awarding the bid of Mega Industries for \$221,962, to send a Notice of Award, and directing staff to sign all necessary documentation.

**Tobacco/Nicotine Age Limit Considerations:** City Administrator Law said at the last meeting staff was requested to bring back information for Council to review recent activity in Kansas and elsewhere to limit the age of tobacco and nicotine containing items by cities and counties, the intent of which is to make the legal age to purchase these items 21, an increase from the current age of 18. Councilmembers Kalee Smith and Thorvald McKiernan both think the age should be left at 18. No action was taken.

**Building Permit Fee Waiver & Ordinance:** City Administrator Nathan Law said the most recent building permit fee waiver ordinance lapses at the end of this year. Currently the City has issued 27 single-family housing permits. Previous years' volumes have been 14 in 2018, 23 in 2017 and 46 in 2016; compared to 7 permits in 2015 and 4 permits in 2014; during years without permit waivers. With success of this waiver, now is the time for Council to consider extending the program for another period of time. Based on the volume of permits this year and the previous three years, and on the perceived return on those new builds, Council may wish to consider another full year waiver of building permit fees. Councilmember Thorvald McKiernan moved, seconded by Councilmember Lee Baer and carried 5-0, to authorize Mayor Southard sign Ordinance 1114, to continue to waive the permit fee for single family building permits.

**Façade of Louisburg Improvement Program – Renewal:** For the past two years the City has offered an incentive program for exterior improvements to residences and commercial buildings. At this time Council is encouraged to consider extending this program for another calendar year. Councilmember Kalee Smith moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to extend both Residential and Commercial FLIP for calendar year 2020, setting funding levels at \$10,000 and \$15,000 respectively.

**Downtown Pavilion Conceptual – Update:** Administrator Law said at a October Council meeting a conceptual drawing for a downtown public space that included canopy structures was provided for review. During that presentation, Council asked staff to obtain updated price estimates for structures more similar to a traditional pavilion. Since that meeting staff has received updated information from McClure, including a steel-topped canopy. The price difference was an increase of approximately \$105/square foot of canopy, with a total quantity of 3,000 square feet of canopy, an estimate increase of \$315,000. The total estimate of probable cost is currently \$769,783.33 without contingency. The cost of a more traditional pavilion will exceed even that of the current costs for steel canopy structures included with the updated estimate. Councilmembers had discussion.

Councilmember Steve Town moved, seconded by Councilmember Thorvald McKiernan to proceed with a pavilion concept. Councilmember Lee Baer asked if this was the open air option like the City of Merriam. Councilmember Thorvald McKiernan asked if the canopy will be on the north. Administrator Law said yes a pavilion will be like the City of Merriam, but a structure on the north side of the area may still be a canopy structure. Motion carried 5-0.

**Park and Tree board Recommendations to Council:** At the last Park and Tree Board meeting members discussed decreasing the non-voting members of the Park and Tree Board from three to two, with the two representatives from the Louisburg Recreation Commission and the USD 416. Staff presented that consideration to the Park and Tree Board at its last regular meeting. The recommendation from that board is to instead decrease the number of non-voting members to one, with that representative being the Louisburg Recreation Commission.

Park and Tree Board member Ernie Reinhart made a motion at this same meeting to change the name of City Park to Heroes City Park. The motion passed that board by a vote of 3 to 1 with Wayne Knop voting in opposition (Dave Maddax absent). The stated reason for the negative vote was due to possible future confusion with that park's name and a veteran's park. Councilmembers had discussion and came to a consensus to keep the name as City Park. Councilmember Lee Baer moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to reduce the number of non-voting representatives to the Park & Tree Board to just one and that member would be a representative of the LRC.

### **EXECUTIVE SESSION**

Councilmembers recessed into executive session at 7:15 p.m. and reconvened in regular session at 7:25 p.m.

### **REGULAR SESSION**

No action was taken as a result of the executive session.

**ADJOURNMENT**

At 7:25 p.m. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to adjourn the meeting.

Approved:

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Marty Southard, Mayor

Attest:

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Traci Storey, City Clerk