

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
MARCH 7, 2016**

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 David Cannon, Steve Town, Dave Maddax, Jean Carder, Carol Aust
City Administrator Nathan Law
City Clerk Traci Storey
City Attorney Mary Stephenson
Police Chief Tim Bauer
Press Jon VanPelt
Visitors Holly McLain, Tracey Correll, Terry Tinich, Janet McRae

PLEDGE OF ALLEGIANCE

Councilmember Dave Maddax led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Jean Carder moved, seconded by Councilmember David Cannon and carried 5-0, to adopt the consent agenda to include adoption of the agenda, approval of the February 15, 2016 Council Minutes, and approval of the bills list.

VISITORS

Holly McLain, representing the Louisburg Library, spoke to the Council regarding the Summer Bash events planned for this year. The events and requests have been presented and approved by the Park and Tree Board, including waiving fee for Ron Weers restroom key. Requesting closing of street in front of First Baptist Church for Bike Fest on June 18 as well as End of Summer Bash in front of Library on July 29 after 6 p.m. Chief Bauer stated his familiarity and has no problem with closures similar to what was done last year. Councilmember Carol Aust asked if this would interfere with any downtown improvements, or if those would even be underway by then. City Administrator Nathan Law said the plans and prices will be presented by then but will not be ready to move forward without

additional discussion and decision making by Council. Councilmember Jean Carder asked if the Bike Fest will conflict with the Fishing Derby. June 18th is the Saturday before Father's Day, which is the day utilized for the Fishing Derby each year. The dates conflict, but the locations do not. The potential issue will be those kids that may have to choose one or the other event that day, but they may draw different kids based on preference for events. Councilmember Carol Aust moved, seconded by Councilmember Jean Carder to approve use of park facilities, waiving fee for Ron Weers restroom key and closing of Vine Street between 4th and 5th Streets south from 10:00 a.m. to 12:00 p.m. on June 18 and Broadway Street between 2nd and 3rd Streets south from 6:00-9:00 p.m. on July 29. Councilmember Steve Town added a comment that he would like to see one lane of the street during each event accessible for emergency equipment. Ms. McLain stated there should be enough space at each event to allow for this access. Motion carried 5-0.

Tracey Correll was present to discuss Post Prom 5K. She was asked to come back and present number of runners for the 5K, as of today 45 have signed up, but they have until the day of the race to sign up. Last time there was concern over use of the road versus the sidewalk. With only 45 individuals, the use of sidewalks is reasonable. The only location without sidewalk is a half block on Countryside. Would like to set at Countryside and Wildcat so cars don't come from the Middle School for the few minutes runners will be in the area. Council sees no issue with the event or the route as requested and discussed.

Janet McRae, Miami County Economic Development Director, was present to update Council on current County activity. Ms. McRae passed around a quarterly report. The February report is the most interesting for County ED because it includes year end information for 2015. Indicators across the board were good for the year, particularly in housing. County ED assisted City of Louisburg with sending mailers notifying Kansas City builders of the permit fee waiver offered in the first quarter of 2016, as well as putting together a quality of life brochure. The brochure will be taken to the Greater Kansas City Home Show next week. We get a free booth there, under the guise of tourism, but Ms. McRae spends time each day there talking with builders. It is a way to speak with both builders and individuals looking for homes in various communities.

Later this year, following the legislative session, will be a review of County policies and incentives. Five or six years ago the County put together an incentive policy with the help of Springsted. At that time integrated all of the TDDs and CIDs and everything associated with revenue bonds. There have been some administrative tweaks to those programs since then, so now asking financial

consultant to update those policies. Had a template made for City policies to reflect county policy and applications. Will likely do that again.

Two weeks ago was a round table dinner for tourism groups, 40 people participated, representing fourteen sites, of which about one-fourth were from Louisburg. Good time to visit with the Visit KC reps, learn about what they can do to better improve their individual marketing.

Have been working with Nathan and consultant you hired in regard to marketing and economic development, providing input for that process.

The last 60 days the County has spent time on workforce, particularly in relation to the Osawatimie State Hospital. State agencies have not been particularly helpful in portraying our workforce as a great workforce. We've been doing marketing efforts there and countywide.

Councilmember Carol Aust asked if there was anything coming down the pike specific to Louisburg. Ms. McRae responded there is not currently anything specific to Louisburg, but there are proposals out for Paola and the unincorporated area. Nathan and I spent time the last couple of weeks speaking with a Merrill Companies agent about the former Alco building and current conversations they are having about that space.

Terry Tinich was present to discuss the Flea Market. This will be the second annual Louisburg outdoor flea market this summer. Two Saturdays this year instead of three – June 11th and July 16th – in the parking lot of the Middle School. Last year was successful despite the rain. Gave \$600 back to the school this year and award 10 different take and play scholarships. Will charge a little more this year for parking lot, with the ability to fit more vendors there – \$25 per lot instead of \$10. Our goal is to give another \$600 back to the school. Received the okay from the school already, spoke with Marty and he asked that I come speak with Council about the returning event. Had a great first year and will hopefully build on it. Councilmember Carol Aust noted the efforts of the City to promote businesses downtown, asking if Mr. Tinich considered holding this event on the open lot between new City Hall and Fox Hall, or some other downtown area. Mr. Tinich noted the school was willing to give the space for free last year and we were able to give a donation to the school, the idea is to do the same this year. The goal with this event is to eventually be a two or three day event. Councilmember Aust requested in future to work with the Chamber and possibly keep it downtown, if that would ever work out. There was discussion on liability of leaving vehicles; if

this event ever included overnight vehicles/equipment, coordinate with the Police Department. Mr. Tinich noted the flea market and the farmers market helped cross promote each other to vendors and customers last year.

PUBLIC COMMENTS

None.

DEPARTMENT REPORTS

Chief Bauer presented Council with bids for a 2016 Ford Explorer AWD Police Interceptor, noting last year Council approved a similar vehicle for the PD. There was discussion last year about getting a second vehicle within the 2015 budget but was held off for a number of reasons. Three bids were sought and received from Shawnee Mission Ford, Louisburg Ford and Olathe Ford. The pricing received was \$26,484.00, \$26,657.18 and \$26,991.00 respectively. This vehicle will replace the 2007 Crown Victoria police cruiser that has approximately 102,000 miles on it. There are two similar aged Crown Victoria cruisers in the fleet, one of which Chief Bauer had to last week go to a salvage yard to find an instrument cluster to keep it in service until the new vehicle is received. There are two Ford Explorers in the fleet currently and have been excellent vehicles for the type of use and needs locally. Sticking with these vehicles will allow PD to standardize the fleet, making it an easy transition among officers, if they have to take a different vehicle than the one they typically use, they will know where all the equipment and instruments are located without need to search, saving precious time when responding to a crisis situation. This proposal is vehicle only. Will likely order equipment and have it installed in-house, saving approximately 40% of equipment costs from last year. Mayor Southard asked if in-house install changes warranties. Chief Bauer noted the wiring is preinstalled on the vehicle. The only warranty at risk is for the equipment installed. City Administrator Nathan Law said there is room in the budget for this vehicle purchase. Councilmember Jean Carder moved, seconded by Councilmember Dave Maddax to purchase a new Interceptor from Louisburg Ford for the price listed. Motion carried 5-0.

Councilmember Carol Aust thanked the Police Department for the way they handled today's school issue.

CITY ATTORNEYS REPORT

City Attorney Mary Stephenson noted work with City Administrator Nathan Law regarding ordinance changes for fall elections. An ordinance was put together amending City Code Section 6-101, subsections e. f. and g. changed to reflect language about first Monday succeeding the first Tuesday in November as it pertains to the wards, Mayor and At-Large positions in each subsection. Also added is new subsection j. stating those elected in November take office the second Monday of the following January. This follows the state election calendar. Councilmember David Cannon moved, seconded by Councilmember Jean Carder to approve Ordinance 1055 regarding changing elections to fall of each year. Motion carried 5-0. City Attorney Stephenson noted this ordinance and change does not address the required meeting to install officials the second Monday in January. Council has the ability to make additional City Code changes to accommodate or can either call a special meeting or adjourn the previous meeting to the second Monday each year. At this time Council is intending to call a special meeting to accommodate this schedule. City Attorney Stephenson also noted this does not include changing the Charter Ordinance in regards to Mayoral annual appointments. This was last changed to allow for appointments in June of each year. This can be changed to coincide with January installment date, left in June, or some other configuration. This will be brought back up at a later date.

COUNCIL REPORTS

Councilmember Carder: Councilmember Jean Carder asked if The Porch decided to move signs out of the easements. City Administrator Law stated they did not, but that those signs should be removed as of today.

Carder noted when we are able to make improvements to downtown, does the City have regulations against living in second floor of buildings in the downtown area? City Administrator Law noted that the commercial district zone in the downtown area allows living in the second floor of buildings as long as they are equipped with appropriate facilities – restroom and kitchen. Councilmember Carder clarified that overnight parking is not allowed on Broadway, so they would have to park elsewhere. Law confirmed.

Carder asked about the possibility of having local grants for residential installation of low-flow toilets, in particular for elderly individuals. Janet McRae noted that she and City Administrator Law asked a representative of Mid-America Regional Council (MARC) about possible grants available for such a program, but that none exist at this time. However, he suggested contacting Bridging the Gap.

Ms. McRae noted that the previous conversation with staff included the question whether low-flow toilets are required with new construction. They are not.

Carder asked about communication on misinformation. What does the City do to combat rumors, set record straight, etc.? That is where we need to utilize the website, social media or utility mailers recapping project updates or community happenings. City Administrator Law noted staff is working on a utility mailer, but that other efforts are made to utilize social media and website, but Facebook page is limited to those friends with the City. The larger limit is how the City or employees are able to respond to pointed misinformation presented in that format. The City website has a series of Frequently Asked Questions regarding the Sewer Treatment Plant process, but it is difficult to answer all questions when new questions or misinformation comes about regularly. Councilmember Carder noted the City has to be its own Public Relations function, putting out quality information, touting positive projects and actions, and doing so regularly. City Administrator Law noted other communities' use of regular newsletters. Councilmember Carder stated the benefits of at least offering that information, noting you can't make people read it, but at least it is out there.

Carder noted the availability of property across from the West Gym for potential future parking for the downtown area. Might be something to think about, but not necessarily a question being proposed for discussion.

Carder about plans for the area immediately north of City Hall, stating she does not want to see rock there. Law noted lack of plans currently, but that Council direction can dictate use of the space. Councilmember Carder would like to see green space, not rock.

Carder noted the waiver on building permit fees ends this month and Janet McRae said she will be attending the Home Show. Would City Administrator Law recommend extending that program? Law noted the number of building permits in the first two months being similar to all of the previous year. Councilmember Carol Aust asked if that was a function of the program, or builders waiting for the program once they knew about it. Law responded that he is not sure. Councilmember Jean Carder moved to extend the program another three months, seconded by Councilmember Carol Aust. City Administrator Law stated he would bring an ordinance to the next meeting for final action, but that this action would allow Ms. McRae to move ahead with advertising such with the Kansas City Homebuilders. Motion carried 5-0.

Councilmember Cannon: Councilmember David Cannon asked about the timetable for repairing the bench vandalized last year at the City Lake. City Administrator Law noted a donation received for the repair and stated it is on the spring list of projects and should be addressed shortly. Mayor Marty Southard noted a Cub Scout group's willingness to donate too.

Cannon asked also about parking lot striping at Ron Weers Park, whether that was intended to be done this year. Law noted it is likely on the list as well, and would coincide with street work.

Councilmember Aust: Councilmember Aust asked if we figured out a way to light a fire under the Chinese restaurant. City Administrator Nathan Law said he has not yet figured out the best way to approach the issue. Aust stated it was her understanding that Council agreed staff should send a letter asking their intentions to use the building, make repairs, or otherwise. Law stated there is not significant legal backing to any letter noting nuisance issues or safety concerns. City Attorney Stephenson wanted to clarify that Aust is talking about the old Phoenix Restaurant and not the Rice House. Aust continued by stating this topic has been discussed multiple times by Council and she understands that there is a lengthy process to legal proceedings on properties, but it has to start somewhere and that should be a letter to the property owner. Law agreed to send a letter to the property owner.

Aust thinks we should start talking about a civic center. It has been discussed as part of a number of quality of life aspects. Mayor Southard stated that is something he is interested in, future agenda topics of the Council, and will have this on the next agenda.

Aust stated the need for a brand event for the City of Louisburg. Aust has mentioned this before and would like for this to be part of additional conversation moving forward. Mayor Southard wanted clarification on what Aust means by brand event. Aust mentioned the Lenexa Spinach Festival, Paola has the Roots Festival, Spring Hill has a Fall Festival, but Louisburg does not have a branded event. In speaking with a businessman in Garnett, they have events almost every weekend. These events are put on by various groups – businesses put on some events, the city puts on several each year, and other local groups put on events as well. Mayor Southard stated he will have this on a future agenda as well.

MAYOR'S REPORT

Designation of Official Newspaper: Mayor Marty Southard stated the need to designate our official newspaper as the Miami County Republic, replacing the Louisburg Herald. Councilmember Jean Carder moved, seconded by Councilmember David Cannon to designate the Miami County Republic the official City newspaper. Motion passed 5-0.

ADMINISTRATOR'S REPORT

Water Leak Adjustments: City Administrator Nathan Law presented two water leak adjustment requests. The first is for JAJ (Louisburg Ford) 124 Fairlane Drive in the amount of \$284.70. Councilmember David Cannon moved, seconded by Councilmember Steve Town to approve the adjustment. Motion carried 5-0. The second is for Michael McIntire 508 Broadmoor Cove in the amount of \$25.25. Councilmember Jean Carder moved, seconded by Councilmember Carol Aust to approve the adjustment. Motion carried 5-0.

Sewer Rate Change: City Administrator Nathan Law stated that Isaac Crabtree, with Larkin Lamp Rynearson, is present to discuss updates to previously submitted sewer rate increase estimated following the school district's decision to meter irrigation system. Mr. Crabtree stated rates were reviewed again to make sure all considerations had been paid to this recommendation. The decision to meter irrigation caused that consumption to decrease, requiring an increase across the far higher number of residential customers. The base charge and usage charge increased in the first two rate increase estimate, but less so in future years. There is little change to the average residential charge as a result. The rates proposed for 2016 are \$18.00 base charge and \$6.30 usage charge. Law reminded Council that future rate changes will be a moving target based on reaction to initial rate increases, closer estimates for construction costs, actual construction costs and any changes in the number of customers within the City. Law reminded Council rate increases are intended to begin with April billing for March usage. Councilmember David Cannon moved, seconded by Councilmember Jean Carder to approve Ordinance 1056 updating sewer rates. Motion carried 4-0-1 (Maddax abstained). After clarification of the discussion, and at the advice of City Attorney Mary Stephenson, the vote was called a second time. Motion carried 5-0.

Turner Property Revisited: City Administrator Nathan Law provided a brief overview of discussions regarding the removal of a low water crossing at this property. Law has spoken with City Attorney Mary Stephenson about this item repeatedly, but a definitive answer has not been decided regarding the setting of precedent. Stephenson noted there is a uniqueness to this issue and could be

viewed similarly to the practice of repairing driveways when utility work requires cutting through pavement. She was unable to provide a definitive answer, but that is something for Council to decide. After brief discussion Council took no action on this item. Law noted he will communicate such to Mr. Turner.

PUA Refunding 2016: City Administrator Nathan Law presented an item submitted by Pat McQueen, Louisburg Finance Director, regarding an opportunity to refund a portion of existing debt of the PUA. Law stated this action falls under the member municipalities of the PUA, securing the refunding and lower interest rate, but qualifies as issued debt under the municipalities. This action does not negatively affect the City as there is no current intent to issue or refund additional debt. This action will result in a cumulative savings of \$979,837 for the PUA. Law added this should help keep PUA rates steady for the next year or two. Councilmember David Cannon moved, seconded by Councilmember of Steve Town to approve Ordinance 1057 refunding PUA debt. Motion carried 5-0.

City Hall Facility Use: City Administrator Nathan Law noted the increased requests for use of City Hall, particularly Council Chamber, for various meetings and presentations. Because it is an election year, there have been political group requests, resulting in staff making series of recommendations for use of the facility, including: Setup/teardown/cleanup by the event sponsors, event must coincide with daily operating hours and not conflict with other scheduled events/meetings, no food/beverages, no displays, no use of city owned equipment, no use or involvement of city personnel, and not advertising that lists City as supporting any political party affiliation. Similar requirements would apply to local organizations. Councilmember Carol Aust stated the desire of the City to be as friendly as possible. Councilmember Jean Carder moved, seconded by Councilmember Steve Town to establish facility use policy with the additional requirement of pre-approval of advertisements by City staff. Motion carried 5-0.

Council Projects for 2016 & 2017: City Administrator Nathan Law received lists of requested items prepared by Councilmembers. Law will compile the list of requests and recommendations and present with future budget discussion.

Executive Session: Councilmember Jean Carder moved, seconded by Councilmember Steve Town to recess into executive session for 10-minutes to discuss a personnel matter. Motion carried 5-0.

EXECUTIVE SESSION

The Council recessed into executive session at 7:50 p.m. and reconvened at 8:01 p.m.

REGULAR SESSION

Councilmember Steve Town moved, seconded by Councilmember Jean Carder to adjust the Municipal Court Judge pay to \$450/docket. Motion carried 5-0.

ADJOURNMENT

At 8:02 p.m. Councilmember Jean Carder moved, seconded by Councilmember David Cannon to adjourn the meeting. Motion carried 5-0.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk