

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
JULY 15, 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, Sandy Harris, Thorvald McKiearnan, 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 Bob Bazin, Cool Cats

PLEDGE OF ALLEGIANCE

Councilmember Steve Town led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Councilmember Sandy Harris inquired about Chief Services & Fab on the bills list. City Administrator said he believes that is for the rails at the City Park. Harris asked about the bill for Kansas One Call. Administrator Law said the City pays the Kansas One Call, which allows the service to be free to those placing the request. Councilmember Sandy Harris moved, seconded by Councilmember Thorvald McKiearnan and carried 5-0, to approve the consent agenda to include adoption of the agenda, approval of the July 1, 2019, minutes and bills list.

VISITORS

None

PUBLIC COMMENTS

None

DEPARTMENT REPORTS

Fire Department: Chief Gerald Rittinghouse said the ladder truck had been certified this week.

Police Department: Police Chief Tim Bauer said the new truck is waiting on more lights. He will bring the truck over when all the equipment is all on.

CITY ATTORNEY'S REPORT

None

COUNCIL REPORTS

Councilmember Baer: Councilmember Lee Baer said he spoke to Dr. Biermann asking if it was a possibility for the crossing guard to move locations from Metcalf to the K-68 Crossing by the high school. The school pays for the crossing guard at the Metcalf location. Councilmembers had discussion. Councilmember Baer asked if it was normal for a school district and city to share that cost for a guard. Administrator Law said he would check into it and bring back to Council.

Councilmember McKiearnan: Councilmember Thorvald McKiearnan asked if Council could get a map with updated ditch work. Public Works Director said he would provide that information.

Councilmember Harris: Councilmember Sandy Harris thanked Police, Fire and City Staff for a great job at Freedom Fest. Jean Carder and Nathan Law deserve a huge thank you along with Committee Members. It was a great event and he looks forward to next year.

Councilmember Smith: Councilmember Kalee Smith asked if there was an ordinance against grass clippings on the roadways. Police Chief Bauer said the Police Department does keep an eye on that and it is addressed through the Standard Traffic Ordinance. Residents have been told not to put clippings in the storm drains.

MAYOR'S REPORT

Planning Commission Opening: Mayor Southard said he is working on filling the Planning Commission vacancy.

ADMINISTRATOR'S REPORT

Rural Housing Incentive District – Louisburg Land Holding, LLC: Previously this year Council has initiated a housing study, accepted the study and finding therein, and applied for and received approval for creating three separate Rural Housing Incentive Districts. From these previous steps, staff has received two separate requests for next steps of the RHID process to receive incentives to pay back the initial cost of public infrastructure to realize housing as called for in the housing study. The first request is for property intended to develop the area preliminarily platted and currently known as Summerfield Village PUD. The plans for the area have existed since 2007 with housing as called for in the development plan attached with the memorandum. In the development plan, 20 single-family houses are identified south of Danford Drive and 61 multi-family townhomes in varying multi-plex units are shown north of Danford Drive.

The development plan includes a development agreement Council will be asked to approve contingent upon furtherance of the RHID discussion, through to finalization of the process 30 days following and approval of the final ordinance. The terms within the development agreement are fairly standard for an agreement, with language specific to the statutory requirements of the RHID Act, based on additional requirements of the City, and with some changes as identified by the City Attorney.

Financial Consideration: The financial study of the developmental plan as presented calls for new infrastructure and other reimbursable costs totaling \$3,554,100.00. The estimated return by allowable timeframe is expected to be \$2,368,199.00. The development plan includes language based on statute that any lack of property tax captured within the 15-year period may be paired with any other sources of revenue to cover the eligible costs.

Legal Consideration: City Attorney reviewed the attached resolution and development plan, returned comments and requested changes to developers' counsel, and the attached reflects changes made to the documents.

Recommendation: Discuss this RHID request as desired. If supportive of the continuation of this project, adopt the attached resolution as presented for the purpose of adopting the development plan of housing and public facilities, establishing the date and time of a public hearing, and providing for the giving of notice of such public hearing.

Councilmember Steve Town asked about addresses for the new homes. He would like Police and Fire to approve them first. Town asked if there would be green space and park areas. City Administrator Law said the development plan does not show that type of detail yet. Other questions were if basements or shelters would be included. Louisburg Land Holdings said some units would have basements. Councilmember McKiernan asked the valuation of the townhouses and single-family homes. The townhomes will range from \$150,000 - \$180,000 and the single-family \$225,000 and up. Councilmembers had discussion. Construction would take 19-24 months to complete. Councilmember Harris asked if the stormwater would be able to keep up. Law said yes the inspections would be done to ensure that everything worked properly. Councilmember Smith asked about the term and pace of the incentives. Administrator Law said the subdivision's plans from 2008 were halted when the economy slowed. Having new homes will help grow the community and, hopefully, support existing or bring in new businesses. The incentive encourages a degree of expediency by the developers. Councilmembers had discussion. Councilmember Sandy Harris moved, seconded by Councilmember Lee Baer and carried 4-1 (McKiernan voted no), to adopt Resolution 7-15-19A.

Rural Housing Incentive District – MBB, LLC: Previously this year Council has initiated a housing study, accepted the study and findings therein, and applied for and received approval for creating three separate Rural Housing Incentive Districts. From these previous steps, staff has received two separate requests for next steps of the RHID process to receive incentives to pay back the initial cost of public infrastructure to realize housing as called for in the housing study. This second request is for property intended to be developed under the business name MBB, LLC. This group is intending to develop the area preliminarily platted and currently known as Prairie Crossings. The plans for the area have existed since 2003 with the area shown as having housing as called for in the development plan attached with this memorandum. In the development plan, 96 single-family houses are identified south of S. 16th Street (287th Street).

The development plan includes a development agreement Council will be asked to approve contingent upon furtherance of the RHID discussion, through to

finalization of the process 30 days following approval of the final ordinance. The terms within the development agreement are fairly standard for an agreement, with language specific to the statutory requirements of the RHID Act, based on additional requirements of the RHID Act, based on additional requirements of the City, and with some changes as identified by the City Attorney.

Financial Consideration: The financial study of the development plan as presented calls for new infrastructure and other reimbursable costs totaling \$5,417,000.00. The estimated return by allowable property tax levies, within the allowable timeframe, is expected to be \$6,363,250.00. The development plan includes language based on statute that any lack of property tax captured within the 15-year period may be paired with any sources of revenue to cover the eligible costs.

Legal Consideration: City Attorney reviewed the attached resolution and development plan, returned comments and requested changes, and the attached reflects changes made to the documents.

Recommendations: Discuss this RHID request as desired. If supportive of the continuation of this project, adopt the attached resolution as presented for the purpose of adopting the development plan of housing and public facilities, establishing the date and time of a public hearing, and providing for the giving of notice of such public hearing.

Councilmember McKiernan asked where the stormwater would be going into. Administrator Law said it would be going into the creek or the pond. Councilmember Baer asked if this would have curb and guttering. Administrator Law said yes it would. Baer asked if the single-family homes would have an HOA. From the audience MMB LLC representative Bob Bazin said yes there would be. Councilmember Town asked about a green space or park area. Bazin said there is 8.53 acres of green space. The valuation of these homes will be \$215,000 - \$250,000. Bazin stated all the home would have basements. Councilmembers had discussion. Councilmember Lee Baer moved, seconded by Councilmember Steve Town and carried 5-0, to accept MMB, LLC Resolution 7-15-19B. Councilmember Harris asked about site plans. Motion carried 5-0.

Councilmember Harris found a few proofreading errors that will be fixed.

ADJOURNMENT

At 7:20 p.m. Councilmember Thorvald McKiernan moved, seconded by Councilmember Kalee Smith.

At this time, the owners of Cool Cats approached the Council. They said they were contacted about taking their feather "Open" sign down. They have taken it down and now their sales have dropped by 40%. They are asking if there is a possibility of keeping one sign up. Councilmembers had discussion and asked to have this item brought back to the next meeting.

At 7:30 p.m. motion carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk