

MEETING OF THE CITY COUNCIL
OF LINN VALLEY, KANSAS
April 12, 2021
6:00 pm

Mayor Cindy Smith called the meeting to order. Present at the meeting were Councilmembers Jason Jenkins, Lewis Donelson, Robert Suppenbach, John Weers and City Attorney James Brun. Council Member Brenda Muncy joined the meeting later. The meeting was held via Zoom.

REVIEW AGENDA

There were no changes.

AGENDA - MEETING MINUTES

Minutes from the March 8, 2021 meeting were presented. Councilmember Suppenbach made a motion to accept the minutes as written. The motion was seconded by Councilmember Jenkins and passed 4-0. Minutes from the March 15, 2021 meeting were presented. Councilmember Donelson made a motion to accept the minutes as written. The motion was seconded by Councilmember Suppenbach and passed 4-0.

SEWER REPORT

Page Enterprise provided a sewer report. There were two call to check pumps and 15 requested locates.

PLANNING AND DEVELOPMENT REPORT

Director of Planning and Development Dan Donham introduced Brett Waggoner of GAS to address a proposal to do the wastewater project Environmental Report. He explained the process, the writing and submission of the report to USDA. Mr. Waggoner answered questions from the Council. The Council decided to discuss the proposed contract in an executive session later in the meeting.

Michael Hall from McClure Engineers had been asked to be the City's on-call engineer for the low-pressure sewer system. Mr. Hall would advise the City on the system's ability to support requested new extensions to the system. Mr. Hall, the Council, and the City attorney discussed limiting his interaction with the property owner and with directly with the City. Also discussed was who is responsible for the fees for the engineering review. The council will discuss the contract at an executive session later in the meeting.

Mr. Hall expected, after the contract is signed, to have a preliminary design of meters within 30 days and final within 45 days. Equipment is difficult to get and receipt of meters will determine the time until installation. Mike Page will do the installation. Budget for meters is \$40,000.

The Council was informed that the lift station pump will need to be replaced soon.

Council Member Muncy joined the meeting at 6:25 pm.

EK Land Management has been hired to mow and/or burn around lagoons and along Fitch Lane.

BUILDING CODES REPORT

In March there were 47 permits issued including 4 new residences, 6 skid sheds and 7 lot clearings. January and February there were six sewer tank applications and 10 electrical upgrades (camping lots).

SHORT TERM LAGOON MITIGATION

Director Donham reported that the lagoons are not so over capacity as to become a problem. The status will continue to be monitored. A bid for desludging has been requested from company in Iowa. Desludging will give about 30% additional capacity, but desludging will also be required by USDA when construction begins on the wastewater system before turning the area into wetlands. The Council discussed new home construction's effect on lagoons. Other recommendations for mitigating lagoon capacity issues were an aeration system in the lagoons. Adding catfish would help to dissolve solids. Councilmember Suppenbach was asked to send ideas on short-term mitigation to the Mayor and then to the Council.

NUISANCE CODES REPORT

Codes Enforcement Officer Donald Hastings reported twelve violation letters sent in March and one citation. Total letters sent for the year is 42. Officer Hastings submitted a list of four properties to consider for condemnation. The Council discussed people living in a camper on a bank-owned building lot.

MAINTENANCE REPORT

C&C Group spoke with Officer Hastings about connecting the generator to the lift station during a power outage. A switch would cost \$2500 plus labor cost. Director Donham has authority to spend this amount. The council recommended a test of the system prior to an emergency.

In spring, the area around the lagoons will need to be mowed and the City does not have equipment to mow the lagoon edges. Officer Hastings will continue research into mowing equipment for use around the lagoons. EK Land Management will be asked to submit a bid for the mowing.

PUBLIC SAFETY DIRECTOR REPORT

Public Safety Director Corey Murrison reported one warrant arrest, one theft report, five arrests for narcotics, and two arrests for driving while suspended.

K9 Unlimited reported being impressed with Harley's abilities and expects training to be completed soon.

The Fire Department responded to five grass fires, one deck fire, and ten medical calls in Linn Valley. The Fire Department responded to six fires, two medical calls and one injury accident in Miami County.

The Fire Department is considering opening a fireworks stand. Profits would be used for a UTV. Councilmember Suppenbach made a motion to allow \$5000 to the Fire Department for fireworks for a fire department fund raiser. Councilmember Muncy seconded the motion and it passed 5-0.

CITY CLERK'S REPORT

City Clerk Siffring reported the animal clinic was held April 10. The annual audit is scheduled for April 27th. Council Member Donelson made a motion to approve vouchers in the amount of \$225,338.13. The motion was seconded by Councilmember Suppenbach and carried 5-0.

Balances for the City's accounts and funds on March 31, 2021:

General Fund: \$264,890.93
Street & Highway Fund: \$99,698.05
Sewer Utilities Balance: \$111,241.02
Infrastructure Balance: \$158,671.25

March expenses for the general fund were \$108,497.26 and income was \$55,630.11.

FRANCHISE FEES

Clerk Siffring informed the Council of the City's franchise fees from Evergy and Peoples Telecommunications now at 2% each. A survey of other cities found that franchise fees ranged from 3% to 5%. The Council asked Attorney Brun renegotiate contracts with both entities.

RESOLUTION FOR VEHICLE SALE

Resolution #98 was presented to the Council to surplus the 2013 Ford Explorer. Council Member Donelson made a motion to adopt Resolution #98. The motion was seconded by Councilmember Suppenbach and passed 5-0.

CONTRACTORS FOR CITY HALL SERVICES

Councilmember Donelson reported that research is on-going to explore the City's needs for contractor services such as snow removal, repairs, etc.

RETROACTIVE PAY RAISE

Councilmember Weers made a motion to increase pay for Dusting Stuteville retroactive to the first of January 2021. Councilmember Jenkins seconded the motion and the motion passed 5-0.

IT CONTRACT(S)

The City is in the initial stages of hiring a person or persons to do IT services. This would include covering the email and server, and website redesign and maintenance. Mayor Smith and Clerk Siffring will finalize the requirements and put out a request for proposals. Councilmember Suppenbach made a motion to allow the Mayor and Karen to finalize requirements for a website design firm and an IT contracting firm and put out a request for proposals. The motion was seconded by Councilmember Jenkins and the motion passed 5-0.

ELECTED OFFICIALS WORKING AS CITY EMPLOYEES

The Council considered having a councilmember also be a volunteer fire fighter. Attorney Brun pointed out that it is legal in Kansas for a councilmember to be a fire fighter. He noted potential liabilities with this situation. He also stated that the decision was up to the council. Several councilmembers appreciated that a council member is willing to give more back to his community. Attorney Burn informed the council that technically a volunteer fire fighter is not a city employee and that some other cities allow elected officials to serve on the fire department and others do not. After additional discussion Councilmember Donelson made a motion that following the guidance of our attorney that we do not allow city officials to work on behalf of the city under managed departments. The motion was seconded by Councilmember Weers. The motion passed 4-1 with Councilmember Suppenbach voting no.

TNR

Councilmember Donelson reported that TNR will begin in May with cats being accepted at the K-State facility twice a month for vaccinations and spay/neuter. In 2019, 125 cats went through the program. Councilmember Donelson requested \$450 for fuel expenses for 2021. Councilmember Weers made a motion to support the program for \$450 for fuel. The motion was seconded by Councilmember Suppenbach and passed 5-0.

IN-PERSON MEETINGS

The May meeting will be in-person.

Councilmember Donelson made a motion to change the time of council meetings to 7:00 pm. Councilmember Suppenbach seconded the motion and the motion passed 5-0.

A resolution for the time change will be presented at the May meeting. The May meeting will be at 6:00 pm.

NEW BUSINESS

Councilmember Suppenbach told the council that tracking the amount of fuel in the tank at city hall is not reliable. He sighted lack of security as a possible reason. Director Donham noted security cameras covered that are. Another solution would be a flex fleet card to track vehicle use. Director Murrison agreed with the idea of card especially for traveling. This subject will be on the May agenda.

OPEN FORUM

There were no comments.

Councilmember Donelson made a motion for a 45-minute executive session for trade secrets. The motion was seconded by Councilmember Suppenbach. The motion passed 5-0. The Council retired to executive session at 8:56pm. Director Donham, Officer Hastings and Jay Butler were asked to attend the session. legal matters and a 45 minut4 executive session for trade secrets. Councilmember Donelson seconded the motion which passed 5-0. The Council retired to the sessions at 8:56 pm and returned at 9:45 pm with no action taken.

Councilmember Donelson made a motion for an executive session for legal for 10 minutes. Councilmember Suppenbach seconded the motion and the motion passed 5-0. The Council retire to executive session at 9:46 and returned at 9:59 with no action taken.

Councilmember Donelson made a motion to accept the contracts with GAS for the Environmental Report, and the Contract with McClure engineering for on-call services, subject to Attorney Brun negotiating timeline adjustments to the contracts.

ADJOURN

Councilmember Donelson made a motion to adjourn. The motion was seconded by Councilmember Suppenbach and passed 5-0. The meeting adjourned at 10:02 pm.

Submitted by
City Clerk Siffring