

REGULAR MEETING
OF THE CITY COUNCIL
OF LINN VALLEY, KANSAS
OCTOBER 24, 2016

REGULAR MEETING

1. Mayor Dwyer opened the Regular Meeting at 6:30. Present were Council Members Claire Smith, Dennis Kidwell, Dan Davies, Jason Jenkins and Lew Donelson. Also present were City Attorney Gary Thompson, City Clerk Karen Siffring, Planning and Zoning Commissioner Greg Ahnemann, and Fire Chief Dan Smith.

The Council had no changes to the agenda.

2. APPROVAL OF MINUTES.

Mayor Dwyer called for the approval of minutes from the October 10th and October 15th meetings. The minutes were approved as presented.

3. CITY CLERK'S REPORT

- a. City Clerk Siffring requested purchasing a safety deposit box with the intention of storing electronic back-ups of City documents. Council Member Davies made a motion to allow the Council President, the Mayor and City Clerk access to the box with only one signature required. The motion was seconded by Council Member Kidwell. The motion carried 5-0.
- b. Clerk Siffring informed the Council that the current resolution assigning check signers no longer reflected the current Council membership. Resolution 76 was presented which named all current Council Members, the Mayor, City Clerk, and Court Clerk as signers. Council Member Kidwell made a motion to approve Resolution 76. Council Member Davies seconded the motion and the motion passed 5-0.
- c. Clerk Siffring called to the attention of the Council that the second meeting in December was scheduled December 26 - the Monday after Christmas which would normally be a City Holiday. After discussion, the Council decided to consider the issue during a meeting nearer that date.

4. PLANNING AND ZONING

- a. Attorney Thompson presented Ordinance 185 to adopt definitions recommended by the Planning and Zoning Commission. He sighted a Resolution from the Planning and Zoning Commission listing the recommended definitions. At the request of the Council, Commissioner Greg Ahnemann explained the Commission's findings and that in the Commission's opinion the definitions fit into the City's Comprehensive Plan. It was also noted that some definition were already covered by state law. After additional discussion, Council Member Davies made a motion to approve Ordinance 185. The motion was seconded by Council Member Smith and the motion carried 5-0.
- b. Attorney Thompson presented Ordinance 186 granting a Special Use Permit, as recommended by the Planning and Zoning Commission. Attorney Thompson read the Commission's Resolution that recommended the permit be approved. The Council discussed

potential issues of water, street improvement and lighting. After extensive discussion, Council Member Smith made a motion to approve Ordinance 186 with Council Member Kidwell seconding the motion. The motion passed 4-1 with Council Member Jenkins voting no.

5. KANSAS OPEN MEETINGS ACT

- a. Attorney Thompson gave a talk about KOMA rules that affect the Council. A meeting is any time three or more council members meet and talk about City business. No decisions can be made outside of the public eye. Council meetings were for the Council business and are not public hearings. Executive sessions can be held only to discuss specific issues that would affect legal, personnel and security for the City. He warned of penalties for breaking KOMA rules.

6. MAYOR'S REPORT

- a. CELL TOWER: A letter from American Tower presented two alternative options to the current on-going \$500/month for payment of the cell tower lease. 1) Payment of \$960/month for 10 years totaling \$115,200 or 2) A one-time payment of \$85,200. After consideration, Council Member Davies made a motion to take the \$85,200 one-time payment and that it be used on infrastructure. Council Member Kidwell seconded the motion. The motion passed 5-0. Attorney Thompson noted that if the money would be spent this year or next year, the budget would likely need to be amended.
- b. MEETINGS WITH POA: The Council agreed that meeting should be held quarterly. Topics to be discussed should be of mutual responsibility. Mayor Dwyer was asked to coordinate the agenda with the President of the POA Board. The next meeting would be in January to be held in conjunction with the time and place of the standing POA Board Meeting. This would be a Special Meeting.

7. FIVE YEAR PLAN – Fire Department

- a. Fire Chief Smith presented a list of fire department vehicles and personnel. He provided a document with his written five year plan. Chief Smith followed up with additional detail. Major needs cited were training and up-to-date gear.

8. OPEN FORUM

- a. There were no comments from the audience.

9. ADJOURN

- a. Council Member Smith made the motion to adjourn. The motion was seconded by Council Member Jenkins and carried 5-0. The meeting adjourned at 8:45 pm.

Submitted by
Karen Siffring
City Clerk