

REGULAR MEETING
OF THE CITY COUNCIL
OF LINN VALLEY, KANSAS
NOVEMBER 13, 2017
6:00 pm

Mayor Dwyer opened the meeting at 6:00 pm.

Council Members present were Dan Davies, Lew Donelson, Dennis Kidwell, and Claire Smith. Council Member Jenkins attended by telephone. A quorum was present. Also present were City Attorney Gary Thompson, City Clerk Karen Siffring, Fire Chief Daniel Smith, Deputy Fire Chief Melissa Crownover, Police Chief Corey Murrison, and Building Inspector Joe Isabell.

Council Member Smith announced that she was resigning from the Council. Council Member Donelson made a motion to accept the resignation effective immediately. The motion was seconded by Council Member Davies. The vote was 3 yes and Council Member Kidwell abstaining. The motion carried.

Mayor Dwyer requested an Executive session. Council Member Kidwell made a motion for an executive session for personnel reasons to return at 6:30. The motion was seconded by Council Member Donelson and passed 4-0. The Council retired to the session, asking Chief Murrison to attend. The Council returned at 6:30 with no action taken. Council Member Donelson made a motion to return to executive session for 20 minutes for personnel matters. The motion was seconded and carried 4-0. The Council retired to the session. Fire Chief Smith was asked to attend. The Council returned at 6:57 with no action taken. Attorney Thompson stated that Information has come to the police department regarding a possible misuse of public funds and an initial investigation has been conducted by the department. Further investigation will requested from the KBI. The council has decided to suspend Fire Chief Dan Smith pending the completion and results of the investigation. Council Member Donelson made a motion to suspend Chief Smith from employment. The motion was seconded by Council Member Davies and the motion passed 4-0.

1. REVIEW AGENDA

There were no further changes to the agenda.

2. APPROVAL OF MINUTES

Mayor Dwyer asked if there were any comments on or changes to the minutes from the October 9, 2017 meeting. With no objection, the minutes stand approved.

3. FUNDING FOR CHRISTMAS TREE

Mayor Dwyer informed the Council that Ann Keffer has donated \$2500 to pay workers to put up and take down the tree for each of the next ten years. The funds would be put in a special account and allocated for this purpose only.

4. CHRISTMAS BONUSES

The topic was tabled until next meeting.

5. CELL TOWER CONTRACT

Attorney Thompson attempted to reach Verizon or American Tower by phone or email. Having no success he has sent letters to both parties regarding the proposed lease. The lease proposes an extending the length of the contract but no increase in pay was included in the proposal. The subject will be put on the agenda for next meeting.

6. MEETING SCHEDULE

It was agreed to cancel the second council meeting in December as it falls on Christmas Day. Scheduling a second meeting in December will be determined at a future meeting.

7. WATER AGREEMENT

Council Member Donelson expressed concern about the water agreement and stated that the City needs to limit their liability. He would like to discuss this subject at the next workshop.

8. LOW PRESSURE SEWER SYSTEM UPDATE

No report.

9. FINAL PAYMENT TO SHAFER, KLINE & WARREN

The City received an amendment to the Owner-Engineer Agreement. Attorney Thompson explained this would be a change order requesting payment of work done outside the original contract. The work was necessary due to the extension of the project. The Mayor asked if there was a motion to approve payment. There was no motion.

10. CITY CLERK'S REPORT

- a. City Clerk Siffring presented the financial report for October. General Fund expenses for the month were \$46,197.85. General income was \$8,523.25.

Following are balances of the City's accounts as of October 31st, before reconciliation.

General Fund	\$72,328.16
Special Funds:	
- Restricted Mayor's Christmas Fund*	\$336.57
- Restricted Tree Maintenance Fund*	\$2,500.00
- Restricted Parks & Recreation Fund*	\$1,300.59
- Restricted Capitol Improvement*	\$62,142.00
- Restricted Special Equipment*	\$2,000.00
	<small>*Restricted funds are included in General Fund total.</small>
Money Market	<u>\$103,291.14</u>
Total	\$175,619.30

Street and Highway Fund	\$80,128.96
Sewer Construction Fund	\$60,030.30
Utilities Fund	\$132,324.24
Infrastructure Fund	\$49,512.00

- b. Clerk Siffring presented vouchers: General Fund vouchers 11515 - 11579 in the amount of \$36,202.28; Street and Highway Fund vouchers 1424 - 1426 in the amount of \$2,121.54; Sewer Construction Fund voucher 1146 in the amount of \$4,005.00; and Utilities Fund

vouchers 1106 - 1111 in the amount of \$2,986.24; for a combined total of \$45,315.06. Council Member Davies made a motion to approve the vouchers in the amount of \$45,315.06. The motion was seconded by Council Member Kidwell and carried 4-0.

- c. Clerk Siffring informed the Council of two cereal malt beverage license renewal requests – for on premises and off premises sale for Linn Valley Lakes Pro Shop. Council Member Kidwell made a motion to approve the applications and the motion was seconded by Council Member Donelson. The motion passed 4-0.
- d. The account holding the Utility funds is not currently providing interest on the funds. Two options were available - one with unlimited check writing earning 0.10% interest. The other – a money market with a monthly six check maximum earning 0.20% interest. Clerk Siffring was confident that the number of monthly checks could be held within the six check limit. Council Member Davies made a motion to move funds to a Money Market account earning 0.02% interest with a six check per month limit. Council Member Kidwell seconded the motion and it passed 4-0.

11. SANITATION REPORT

- a. Sanitation Operator Mike Page was absent but provided a written report. Pumps were run daily. Locates as required. West lift station – pulled pump with ASC Pumping-pump ensuing extra labor and equipment and is down at present time. Pump on lot 1878 was pulled and sewer snaked. Changed out grinder pump at 1996 N. Linn Valley Drive. Start up on 137 Fascination Lane.

12. FIRE DEPARTMENT REPORT

- a. Deputy Chief Crowover reported five medical calls in October. Calls were for nausea & vomiting, shortness of breath, anxiety attack and other issues.

13. POLICE DEPARTMENT REPORT

- a. Police Chief Murrison reported arrests for out of state warrants, driving while suspended, domestic violence, possession of narcotics and drug paraphernalia, weapons, and aggravated assault domestic violence. One theft was reported.
- b. The animal inspector for the State of Kansas recommended the City adopt an ordinance requiring spaying or neutering of dogs to be adopted out. Chief Murrison recommended that the new owners pay a deposit refundable with proof of spay/neuter.
- c. Chief Murrison recommended that the city revisit the ordinance banning pit bulls and other specific breeds of dogs within the city limits. These types of ordinances are being challenged in many cities and are being removed from ordinances. The vicious animal ordinance would stay in place.
- d. Chief Murrison told the Council that he had accrued a large amount of vacation time, exceeding the amount that can be carried over into another year. He asked for payment of those vacation days. The Council asked that he put in writing the specifics of what he would like to happen.

14. BUILDING INSPECTOR'S REPORT

- a. Building Inspector Isabell reported 66 inspections, 5 new permits, 7 finalized projects, 38 active permits, 67 inactive permits, and 46 administrative hours.

15. CODES ENFORCEMENT OFFICER'S REPORT

There was no report.

16. OPEN FORUM

An attendee asked about timing of publication of minutes on the city's website. In response to the question, the Council stated that minutes are published only after they are approved by the Council.

17. ADJOURN

- a. Council Member Donelson made a motion to adjourn. The motion was seconded by Council Member Davies and the motion carried 4-0. The meeting adjourned at 7:24 pm.

Submitted by
City Clerk Siffring