

REGULAR MEETING OF THE CITY COUNCIL  
OF LINN VALLEY, KANSAS  
February 11, 2019  
6:00 pm

The regular meeting was opened at 6:00 pm by Mayor Cindy Smith.

Present at the meeting were Mayor Smith and Council Members Dan Davies, Jason Jenkins, Lew Donelson, Brad Pennington, and Dennis Kidwell. A quorum was present. Also present were City Clerk Karen Siffring, Police Sergeant Joseph Rogers, Building & Codes Officer Dan Donham and Building Maintenance Manager Ralph Fitch.

1. REVIEW OF AGENDA

There were no changes to the agenda.

2. APPROVAL OF MINUTES

Council Member Jenkins made a motion to approve minutes from the January 14, 2019 meeting. The motion was seconded and passed 5-0. Council Member Donelson made a motion to approve minutes from the February 4, 2019 meeting. The motion was seconded and passed 5-0.

3. KANSAS PRIDE RESOLUTION

Mayor Smith presented and read the proposed 2019 Entry Government Resolution for the Kansas Pride Program. Resolution 83 was approved.

4. PLANNING AND ZONING REPORT

The Planning and Zoning Commission held a public hearing on rezoning lots 4655 and 4656 from R-1 (Single Family Residential) to C-1 (Restricted Commercial). The Planning Commission recommended that the rezoning be adopted. Council Member Kidwell made a motion to adopt Ordinance 199 for rezoning of the two properties. The motion was seconded by Council Member Pennington. The motion carried 5-0.

5. SEWER REPORT

Operator Mike Page was absent. The Council reviewed the submitted report.

6. FIRE DEPARTMENT REPORT

Sergeant Rogers reported that there were three medical calls. A hose has been repaired. The furnace at the fire station was not operating correctly and has been repaired. Helmet lights were received and they were awaiting delivery of bunker gear.

7. POLICE DEPARTMENT REPORT

Sergeant Rogers presented a report for January activities. There was one arrest for driving while suspended, and two warrant arrests. Several applications for the Citizen's Academy have been received and background checks are being conducted. There is room for four more students.

8. BUILDING AND CODES REPORT

Building & Codes Officer Donham requested that a policy be established regarding building permit refunds. His recommendation was to refund the cost of the permit minus \$40 administrative fees if the permit is less than 180 days from the date issued. Council Member Jenkins made a motion to accept this policy. The motion was seconded by Council Member Davies. The motion passed 5-0.

Annual contractor’s fees were discussed. After review of the research of other city’s policies, Officer Donham recommended fees be increased from \$25 to \$50. The motion to accept this change was made by Council Member Donelson and seconded by Council Member Davies. The motion passed 5-0.

The next topic was the definition of contractors and handymen. After much discussion, the Council agreed to differentiate licensed contractors and unlicensed contractor. The distinction would be individuals or entities doing work that required a building permit would be considered a contractor and must pay the annual contractor’s fee. Unlicensed contractors would not need a license if the work performed was not required to have a building permit. The Council also agreed on the list of “work exempt from a permit”. Attorney Thompson will write an ordinance to include this information.

The Council discussed a property with an unsafe house that is recommended for condemnation. Officer Donham has requested three bids for demolition of the building and to-date has received one. The bid was for \$11,000 for demolition and removal of the house. Officer Donham is working with the owner to find alternate ways of demolition that would reduce or eliminate the owner’s cost for the process. The Council gave direction to give the owner 90 days for cleanup. If not completed, condemnation proceedings would begin.

- 9. Building Maintenance Manager Fitch reported that repairs were completed on water damage to the floor at City Hall. Flooding under the building continues to be a problem. Work is being done to remove the standing water and then will begin to identify the drainage problem location and repair. Officer Fitch reported the cost of three 24 foot flagpoles planned to be put in front of the City Hall building. Cost with shipping would be approximately \$2512. There was much discussion on placement and surrounding area. The subject was tabled for later discussion.

10. CITY CLERK’S REPORT

The financial report for January 2019 is as follows:

General Fund income for the month was \$249,547.98 and expenses were \$47,902.53. Income from Ad Valorem tax was approximately \$241,000.

Following are balances of the City’s accounts as of January 31<sup>st</sup>

General Fund	\$259,880.37
Special Funds:	
- Restricted Mayor’s Christmas Fund*	\$270.57
- Restricted Tree Maintenance Fund*	\$2,100.00
- Restricted Parks & Recreation Fund*	\$1,400.59
- Restricted Capitol Improvement*	\$79,142.00

- Restricted Special Equipment\* \$25,385.07

\*Restricted funds are included in General Fund/Money Market total.

Money Market	<u>\$124,509.82</u>
Total	\$384,390.19

Street and Highway Fund \$101,934.97

Sewer Construction Fund \$26,775.67

Utilities Fund \$212,326.95 with income of \$26,282.95 and expenses \$3,343.29

Infrastructure Fund balance is \$56,496.11.

General Fund vouchers: 12364 – 12421: \$44,740.41

Street and Highway Fund: vouchers 1452: \$421.51

Sewer Utilities Fund: vouchers 1334 – 1339: \$2,296.40

Sewer Construction Fund: vouchers 1157 – 1158: \$3,907.83

Total: \$51,366.15

A motion was made by Council Member Donelson to approve the vouchers in the amount of \$51,366.15. The motion was seconded by Council Member Jenkins and carried 5-0.

#### 11. HEALTH INSURANCE

Clerk Siffring presented summaries of five health insurance policy coverage plans and associated cost for 2019. This included the current policy. Three plans from Blue Cross/Blue Shield and two from United Health Care were reviewed. The 2019 rate for the current policy decreased from last year and the cost was within budget. Council Member Jenkins made a motion to continue with the current policy at the new rate. The motion was made and seconded by Council Member Davies and carried 5-0.

#### 12. MAYOR'S REPORT

The Mayor reported that the meeting planned with USDA was cancelled due to a health issue. The meeting will be rescheduled.

#### 13. PERSONNEL MANUAL AND POLICIES

The Council reviewed changes to the Personnel Manual in sections; Governing Body, General Expectations, Employee Classification Policy, Pay Periods, Holiday pay and days, Overtime, Retirement, Credit Cards, and Social Media. Council Member Davies made a motion to approve the changes. The motion was seconded by Council Member Jenkins and passed 5-0. Policies on Social Media for the City, and Social Media for Personnel were reviewed. Council Member Davies made a motion to accept both Social Media policies and Council Member Kidwell seconded. The motion carried 5-0. A Credit Card policy proposal was introduced. Council Member Donelson made a motion to accept the Credit Card Policy. The motion was seconded by Council Member Davies and passed 5-0. Council Member Donelson made a motion to adopt the Code of Ethics for personnel. Council Member Davies seconded and the motion passed 5-0.

#### 14. ENHANCED CEREAL MALT BEVERAGE ORDINANCE

Attorney Thompson presented and explained the need for a new ordinance addressing enhanced cereal malt beverage use. He asked the Council to clarify what they wanted as to days

and hours of sale. With that information, Thompson will write an ordinance to be presented at the next meeting.

15. POLICE DEPARTMENT BUILDING

Attorney Thompson told the council that he has been working with First Option Bank to finalize the lease/purchase agreement toward construction of a police station. He explained that there would be additional costs associated with the transaction. A resolution will be needed for the City to enter into the lease/purchase contract. Thompson will draft a resolution for the Council to vote on at a future meeting.

Council Member Donelson discussed the need for a survey and had a recommendation for a surveyor. Council Member Davies made a motion to allow up to \$5000. The motion was seconded by Council Member Pennington and passed 5-0. Donelson also provided costs for door hardware including door key pads and ADA approved doors. The Council agreed that ADA doors be installed.

16. SPAY AND NEUTER CATS PROGRAM

Council Member Donelson reported that six people have volunteered to help with the Trap/Spay/Neuter program. Up to five cats can be spayed/neutered in mid-March and more in May-June.

17. OPEN FORUM

Todd Stone asked the Council and public to remember Fire Chief Stan Giles. This is the anniversary of his death.

Todd Stone also presented three military plaques: for Army, Navy and Airforce to the City He will make additional plaques for other branched of service.

EXECUTIVE SESSION

Council Member Donelson made a motion for a 10 minute executive session for legal and a 10 minute executive session for personnel. The motion was seconded and passed 5-0. The Council retired to the board room at 7:37 pm and returned at 8:07 pm with no action taken.

Council Member Jenkins made a motion to hire Doug Barlet as City Judge at the same rate as the current judge. The motion was seconded and passed 5-0.

18. ADJOURN

A motion to adjourn was made by Council Member Davies and was seconded. The motion passed 5-0. The meeting adjourned at 8:08 pm.

Submitted by  
City Clerk Siffring