

MEETING OF THE CITY COUNCIL  
OF LINN VALLEY, KANSAS  
December 14, 2020  
6:00 pm

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

AGENDA - MEETING MINUTES

Minutes from the November 9, 2020 meeting were presented. Councilmember Suppenbach made a motion to accept the minutes as written. Council Member Weers seconded. The motion passed 4-0. Minutes from the November 23, 2020 public hearing were presented. Councilmember Weers made a motion to accept the minutes as written and Councilmember Muncy seconded. The motion passed 4-0. Minutes from the November 30, 2020 workshop/meeting was presented. Councilmember Suppenbach made a motion to accept the minutes. Councilmember Muncy seconded and the motion passed 4-0.

PLANNING AND DEVELOPMENT REPORT

Director of Planning and Development, Dan Donham introduced Kip Hart from McLiney and Company. Mr. Hart explained the purpose of general obligation bonds. The Charter Ordinance presented is in place as an agreement to issue bonds if USDA does not cover the cost of the wastewater project. The bonds would only be used to fund the wastewater project. Bonds can be funded with property tax revenue if needed, all though at time there are no plans for this. This type of bond allows that flexibility. The proposed charter ordinance allows the City to generate bonds and allows the City to issue more than \$300,000 in bonds. Mr. Donham reported the application for funding by Rural Utilities Service (RUS) was submitted and is being processed. USDA requires this charter ordinance in place. Councilmember Donelson made a motion to adopt Charter Ordinance 12-621 (Charter Ordinance #13) for sewage disposal system. The motion was seconded by Councilmember Muncy and passed 4-0.

Shelly Underwood of Midwest Assistance Program sent notification of intent for the proposed construction of the lagoon treatment funding to the Potawatomi Nation and other Indian Tribes to ask if they would elect to participate in review of the proposed project. We are awaiting a response. The Corp of Engineers may need to inspect the propose lagoon area.

The intent to purchase contract has been signed by the property owner.

BUILDING CODES

Permits for 35 holding tanks in 2020. Not every newly purchased lot sold will have a holding tank. installed. 45 lot clearing permits issued in 2020. Sixty-five permits were issued in November and a total of 503 permits from January – November.

PUBLIC SAFETY DIRECTOR REPORT

Public Safety Director Corey Murrison announced Officer Jenkins' graduation from the academy and is back to working full time. Miami County Commissioners approved the mutual aid agreement with Linn Valley for coverage of medical calls and accidents in the southeast Miami County. Annual payment to the City is \$15,000. The area to be covered is from the state line to New Lancaster and from 359th south to Miami/Linn County line. The contract begins January 1, 2021.

The new patrol car arrived and the old vehicle will be put up for sale.

#### CITY CLERK'S REPORT

Balances for the City's accounts and funds on November 30<sup>th</sup> were:

General Fund Checking: \$55,144.77  
Money Market: \$125,804.98  
November income: \$37,399.45; expenses \$55,144.77  
Street & Highway Fund balance was \$91,977.10  
Sewer Utilities Balance is \$193,377.40

Vouchers were presented by Clerk Siffring. Councilmember Suppenbach made a motion to approve the vouchers in the amount of \$70,138.85. Motion was seconded by Councilmember Weers and passed 4-0.

Based on the estimated end-of-year data, expenses were below budget authority. Clerk Siffring recommended distributing \$25,000 to Special Equipment Fund and/or Capital Improvement Fund. Councilmember Muncy made a motion to move \$20,000 to Special Equipment and \$5,000 to Capital Equipment. The motion was seconded by Councilmember Weers and approved 4-0.

#### CEREAL MALT BEVERAGE LICENSE

Deer Trace Golf Course and The Lake Shop submitted two renewal applications each for Cereal Malt Beverage sales. One each for on premises consumption and one each for off premises. Councilmember Suppenbach made a motion to approve all applications. The motion was seconded by Councilmember Weers and passed 3-1 with Councilmember Donelson voting nay.

#### MAYOR'S REPORT

Attorney spoke with Mr. Hasting who brought the question to the Council of having chickens in Linn Valley. The Attorney has advised the Council to not change the City ordinance which prohibits chickens in the City. Although Prairie Village allows chickens, they conducted a \$20,000 study and created a six-page ordinance. For Linn Valley, the KDHE would most likely not allow it because of the recreational lakes also being a source of drinking water for the City. Making a change to the ordinance may have an impact on funding from USDA.

The Council approved bonuses for employees in the total of \$4,000. City hall will continue to be closed to the public. Employee evaluations will be conducted soon.

A time will be set during the January 2021 meeting to review the 2020 Work Plan.

#### NEW BUSINESS

There was no new business.

#### OPEN FORUM

There were no comments from the public.

Councilmember Muncy made a motion for a fifteen-minute legal executive session, the motion seconded Councilmember Suppenbach passed 4-0. The Council retired to the executive session at 7:05 pm and returned at 7:20 pm with no action taken.

Councilmember Donelson made a motion to counter offer \$4800 per acre with no use of the land for the intent to purchase contract. The motion was seconded by Councilmember Suppenbach and passed 4-0.

The Mayor, Director Donham, and Clerk Siffring will work on creating an ordinance to establish a commercial rate for lagoon use. The motion was made by Councilmember Suppenbach, seconded by Councilmember Donelson, and carried 4-0.

#### ADJOURN

Councilmember Donelson made a motion to adjourn. The motion was seconded by Councilmember Suppenbach and passed 4-0. The meeting adjourned at 7:25 pm.

Submitted by  
City Clerk Siffring