

CITY COUNCIL MEETING
OF LINN VALLEY, KANSAS
March 25, 2024 - 6:00 PM
AGENDA

CALL MEETING TO ORDER

REVIEW AGENDA

1. APPROVAL OF MARCH 11, 2024 AND MARCH 22, 2024 MINUTES
2. SWEAR IN CITY CLERK
3. COUNCIL APPOINTMENT
4. WATER PROJECT – FILL STATION LOCATION
5. WASTEWATER PROJECT UPDATES
6. CITIZEN PARTICIPATION
7. VAN VLACK MOWING CONTRACT
8. ORDINANCE FOR PERMIT REQUIREMENTS
9. RESOLUTION FOR CHECK SIGNERS
10. OLD BUSINESS
11. NEW BUSINESS
12. ADJOURN

MEETING OF THE CITY COUNCIL
OF LINN VALLEY, KANSAS
March 11, 2024
6:00 pm

Mayor Lewis Donelson called the regular meeting to order at 6:00 pm. Councilmembers present were Richard Gravelle, Dan Donham, Michael Hemphill, and Robert Suppenbach. City Attorney James Brun was present.

Appointment of Planning and Zoning Commissioner was added to the agenda.

Mayor Donelson announced Gregg Ahnemann had resigned from the Planning and Zoning Commission. With unanimous approval of the council, Brad Kalush was appointed as Planning and Zoning Commissioner, and sworn in by City Clerk Karen Siffring.

Mayor Donelson announced the pending retirement of City Clerk Siffring. Her notice of retirement was read and will be effective July 5, 2024.

Councilman Suppenbach made a motion for a fifteen-minute executive session for non-elected personnel regarding the city clerk's retirement, to return at 6:23 pm. The motion was seconded by Councilman Hemphill and carried 4-0. The mayor, council, and city attorney moved to executive session. City Clerk Siffring was asked to join the session. The council returned at 6:23 pm with no action taken.

Councilman Suppenbach motioned to move Mendi Cyr to the city clerk position and, at the appropriate time, move to backfill the assistant city clerk position. The motion was seconded by Councilman Hemphill and carried 4-0.

MEETING MINUTES

Councilman Hemphill motioned to approve minutes from the February 26, 2024 meeting. Councilman Donham seconded, and the motion carried 4-0.

CITIZENS PARTICIPATION

No public comments.

WATER PROJECT

Councilman Donham reported a meeting was scheduled on March 22nd with Councilman Gravelle, City Clerk Siffring, himself, and Jason Hoskinson of BG Consultants. City Attorney Brun stated he received notice from BG Consultants stating the project was on hold until the meeting on March 22nd.

City Attorney Brun left the meeting.

WASTEWATER PROJECT

Councilman Donham reported Wesley Weishaar of BG Consultants was continuing to work on the wastewater project planning. Clerk Siffring received approval from the council to prepare documents to rezone the lagoon land and request amending the Zoning regulations to include water and wastewater treatment plants as permitted use for light industrial (I-1) zones.

CITY BUILDING

Councilman Donham reported he and Councilman Suppenbach will meet with an architect March 28 to discuss a city building.

SEWER REPORT

Sewer Operator, Page Enterprise, provided a monthly report. Pumps were changed out at two locations, and there were ten sewer line locates.

BUILDING INSPECTOR REPORT

Inspector Steve German submitted the Building Report. Fifty-three inspections were completed in February and 27 permits were approved.

After concerns with culvert installations and some property owners not following laws for construction, the council concluded that permit requirements eliminated by Ordinance #244 should be reinstated. Clerk Siffring will prepare an amending ordinance for presentation at the next scheduled council meeting.

NUISANCE CODES REPORT

Codes Enforcement reported twelve violation notice letters sent in February and four citations issued.

PUBLIC SAFETY REPORT

Public Safety Director Corey Murrison reported a total of five arrests, three citations issued, and two reported motor vehicle accidents. The fire department received eight medical calls and three grass fires within Linn Valley. The department responded to two grass fires in Miami County.

Director Murrison requested the council approve purchase of equipment to upgrade the emergency siren to digital activation. Councilman Suppenbach motioned to approve up to \$800 of ARPA funds to upgrade the siren to a remote activation system. The motion was seconded by Councilman Gravelle and carried 4-0.

Director Murrison received an application from Shawn Ward for fire fighter and would like to add him to the department. Councilman Suppenbach motioned to approve Shawn Ward as a fire fighter. The motion was seconded and passed 4-0.

CITY CLERK'S FINANCIAL REPORT

City Clerk Karen Siffring reported General Fund income of \$28,991.03 and expenses of \$56,822.56 in February 2024.

Balances for the city's accounts and funds on February 29, 2024:

Operating Fund: \$516,327.20

-Restricted Mayor's Christmas Tree Fund* \$1,029.57

-Restricted Parks & Recreation Fund* \$2,850.59

-Restricted Capital Improvement* \$48,890.70

-Restricted Special Equipment* \$54,695.29

*Restricted funds included in the Operating Fund total.

Street & Highway Fund: \$156,441.16

Sewer Utilities: \$582,514.54

Sewer Reserve Fund: \$98,911.63
ARPA: \$6,067.95
Temporary Notes (Water Project): \$638,037.62
Temporary Notes (Wastewater Project): \$5,133,940.87

Councilman Hemphill motioned to approve the vouchers in the amount of \$143,949.85. The motion, seconded by Councilman Suppenbach, carried 4-0.

HEALTH INSURANCE

City Clerk Siffring presented three options for employee health insurance policies from Blue Cross / Blue Shield of Kansas. Councilman Suppenbach motioned to approve Plan 1 (Platinum 500/25). The motion was seconded by Councilman Hemphill and carried 4-0.

CITY INSURANCE

Truly Insurance provided two options, based on deductible amounts, for the city insurance policy. After review, Councilman Suppenbach motioned to enter into a contract for Annual Bid #1 as presented. Councilman Gravelle seconded, and the motion carried 4-0.

CELL TOWER

An offer to acquire the sixty-year cell tower easement for \$110,000 was received from CV Equity I, LLC and reviewed by the council. The offer was not accepted by the council.

MAYOR'S REPORT

Mayor Donelson thanked all the city employees for their continuing hard work and dedication.

OLD BUSINESS

Councilman Donham asked if something could be done to clean up Fitch Lane.

NEW BUSINESS

No new business.

ADJOURN

Councilman Hemphill made a motion to adjourn. The motion was seconded by Councilman Suppenbach and carried 4-0. The meeting adjourned at 7:26 pm.

Submitted by
Karen Siffring, City Clerk

ORDINANCE NO. 255

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF LINN VALLEY REQUIREMENTS AND FEES FOR BUILDING PERMITS ISSUED BY THE CITY OF LINN VALLEY, KANSAS.

IT IS HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF LINN VALLEY, KANSAS:

SECTION 4-202 OF THE CITY CODE SHALL BE AMENDED TO READ AS FOLLOWS:

Section 1. The following sections of the 2006 International Building Code are hereby amended to read in their entirety:

Section 108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Section 108.1.1 An application fee shall be required with all permit applications. Review of the application will not commence until such fee is paid. The application fee shall be applied to payment of the permit fee. The application fee will not be refunded for an application denied approval by the city or withdrawn.

Section 108.1.2 If the full permit fee has not been paid within thirty days of issuance, approval of the permit shall be withdrawn.

Section 108.2 Permit Fees. On buildings, structures with electrical, gas, mechanical, plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required prior to commencing any work included on said permit.

Section 108.2.1 All said fees shall be set by resolution.

Section 108.2.2 Permit fees for improvements or construction, not included in 108.2.1 shall be determined by multiplying the base fee by the number of inspections needed.

Section 108.2.3 The base fee will be applied to approved changes to an existing permit. Fees will be due upon the building official's approval of changes.

Section 108.2.4 An environmental impact fee set by resolution will be assessed for installation of each sewer holding tank and water holding tank in addition to the required permit fees. Environmental impact fee shall be set by resolution.

Section 108.2.5 No permit or fee shall be required or assessed for the following:

- a. Roof repair if project does not exceed \$5,000 in cost
- b. Yard fences under six feet in height.

c. Lot clearing – removal of brush and small trees. Excavation shall require a building permit. Excavation is defined as removal of soil or rock from a property site or within a site to form an open face, or hole using tools or machinery. Purposes for excavation may include but not exclusively for footings, basements, and structural foundations.

d. General outside maintenance excluding foundation and electrical work that does not exceed \$5000 in cost.

Work exempt from permit requirements must comply with city code and ordinances.

108.4 Penalties. Any person who commences any work requiring a permit prior to obtaining the necessary permit shall be required to obtain a permit and be subject to a fine of no more than \$100 a day, but not less than \$25 a day, until such time as the property permit is obtained.

108.6 Refunds. The building official is authorized to grant refunds of up to one half of original permit fees up to \$200 provided the request for a refund is submitted in writing no more than 60 days from the date of issuance of permit.

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed as to the conflicting portions.

Section 3. This ordinance shall take effect and be in full force from and after its adoption by the governing body of the city, approved by the mayor, and publication of summary in the official newspaper and publication of the entire ordinance on the official city website, www.linnvalleyks.com.

ADOPTED AND PASSED by the governing body of the City of Linn Valley, Kansas on twelfth 25th day of March 2024.

Lewis Donelson, Mayor

Attest:

Karen Siffring, City Clerk

RESOLUTION NO. 129

WHEREAS, the City of Linn Valley, Kansas, maintains accounts at Labette Bank in LaCygne, Kansas; First National Bank of Louisburg in Louisburg, Kansas; and the Kansas Municipal Investment Pool.

WHEREAS, the City Council wishes to designate by Resolution those members of the Governing Body and City of Linn Valley Staff who are authorized to discuss accounts, withdraw funds, authorize checks, and be listed as authorized signers and take all other actions involving City Accounts at Labette Bank in LaCygne, Kansas; at First National Bank of Louisburg in Louisburg, Kansas; and the Kansas Municipal Investment Pool.

NOW, THEREFORE, BE IT RESOLVED, that;

Section 1. Labette Bank in LaCygne, Kansas; and First National Bank of Louisburg in Louisburg, Kansas are hereby designated as depositories of the City of Linn Valley, Kansas, for the purpose of banking services; and

Section 2. The following individuals are hereby individually authorized to sign checks and orders for the payment of money; and withdraw funds on deposit with the named financial institutions and shall be listed as signers on all accounts established with the institutions.

<u>Name</u>	<u>Title</u>
Lewis Donelson	Mayor
Robert Suppenbach	City Council Member
Melinda Cyr	City Clerk
Jennifer Schooler	Codes/Billing Clerk
Karen Siffing	Finance Clerk

Section 3. The City Clerk is hereby authorized to make routine purchases for City purposes in an amount up to \$5000.00 without prior Council approval, providing that said purchases are included in the Claims Register presented to the Council for approval at the next Council meeting after said purchase.

Section 4. The City Clerk is hereby authorized to make transfers of funds to and from various checking, savings, and other accounts owned by the City as needed in an amount up to \$50,000 without prior approval of the Council, providing said transfers shall be included in the Clerk's financial report at the next Council meeting following said transfer and said report shall be accepted or adopted by the Council.

Section 5. Other than transactions set out in Section 3 and Section 4 of this Resolution, all purchases, payments, and transfers exceeding \$2000.00 must be approved by no less than two authorized individuals listed in Section 2 of this Resolution.

Section 6. Any portion of any resolution conflicting with this resolution is hereby rescinded.

Section 7. Resolution No. 94 is hereby repealed.

Section 8. This resolution shall be effective upon its passage by the Governing Body.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF LINN VALLEY,
KANSAS THIS TWENTY-FIFTH DAY OF MARCH 2024.

Mayor

Attest:

City Clerk

DRAFT