

**CITY COUNCIL MEETING
CITY OF LINN VALLEY
NOVEMBER 18,2024
6:00 pm**

Mayor Lewis Donelson called the meeting to order at 6:00 pm.

COUNCIL MEMBERS PRESENT: Richard Gravelle, Robert Suppenbach, John Weers, Michale Hemphill

ALSO IN ATTENDANCE: City Attorney James Brun
Corey Murrison, Director of Public Safety

Mayor Donelson asked everyone to stand for the Pledge of Allegiance.

Pastor David Van Bebber led the Council and audience in prayer.

Mayor Donelson nominated Connie Capps to fill the vacant Council position. The Council all approved of the nomination. Connie Capps was sworn in by Mendi Cyr, City Clerk and she took her appointed seat with the Linn Valley City Council.

APPROVAL OF MINUTES:

Councilman Hemphill made the motion to approve the October 28, 2024, minutes as written. Council President Suppenbach seconded the motion, carried 5-0.

CLERK REPORT:

- A. City Clerk Cyr reported an income of \$99, 512.97 and \$75,158.40 in vouchers. Council President Suppenbach made the motion to approve the Vouchers in the amount of \$75,158.40. Councilman Hemphill seconded the motion, carried 5-0.
- B. City Clerk Cyr asked the council if she could move monies over to First Option Bank, they offer a 3-month CD with a 4.45% interest rate. It was at this time Mayor Donelson asked for a motion to appoint Mendi Cyr as the City Treasurer along with her City Clerk position, this is a common practice for small communities that have limited staff. This will allow her to remove the prior City Clerk's name off all County Tax documents. Councilman Weers made to motion to appoint Mendi Cyr as the City of Linn Valley Treasurer. Councilman Hemphill seconded the motion, carried 5-0.

NEW EMPLOYEES:

- A. Lisa Becraft was introduced as the new Administrative Assistant for the City. Mayor Donelson asked for a motion to approve hiring Lisa for \$12.75 per hour as a full-time employee, she will be evaluated at 90 days and 12 months. Council President Suppenbach made the motion for the Mayor to hire Lisa Becraft as the Administrative Assistant , for \$12.75 per hour with a 90 day and 12 month review period as a full-time employee. Councilman Hemphill seconded the motion, carried 5-0. She will start work on November 19, 2024.
- B. Klayton Parscale was introduced by Corey Murrison , Murrison asked the Council to consider him for the position of part -time police officer at \$22.00 per hour, starting Thursday. Council President Suppenbach made the motion to hire Klayton Parscale as a part time police officer starting Thursday, November 21, 2024, at a rate of \$22.00 per hour. Councilman Weers seconded the motion, carried 5-0. He was then sworn in by City Clerk Cyr.

SEWER REPORT:

Page Enterprise sent its October 2024 sewer maintenance update. The Council had no questions at this time.

NUISANCE/BUILDING REPORT:

Steve German reported 232 permits year-to-date, 203 of those permits have been approved. In October, 45 inspections were completed, bringing the year total to 406 inspections. In October 11 certified letters were sent out for codes violations.

Annette Hawkins presented the Council with conflicting information from the City Codes on the website as opposed to our ordinance concerning fences. Mayor Donelson assured Ms. Hawkins that the information will be reviewed and corrected.

PUBLIC SAFETY REPORT:

Public Safety Director Murrison presented his report. The Council had no questions at this time.

ORDINANCE 267- CMB

The council reviewed the changes made with the CMB ordinance, which includes increasing the yearly fee from \$25.00 to \$100.00. The fee will include the \$25.00 that is sent to the State and \$75.00 will be used for a yearly inspection of the premises to ensure the safety of patrons. Council President Suppenbach made the motion to adopt Ordinance 267, License for Cereal Malt Beverage also covers containing not more than 6% alcohol by volume within the City of Linn Valley Kansas and repealing Ordinance 200. Councilman Weers seconded the motion, carried 5-0.

WATER PROJECT

Mayor Donelson reviewed notes taken at a water project update meeting with the City of La Cygne. Linn Valley members present were Mayor Donelson, Council President Suppenbach, Councilman Gravelle and City Clerk Cyr. Several members of the La Cygne City staff were present including the Mayor Debra Wilson, City Clerk Jodi Wade, Council President Tommy Capp, Council Member David Brenneman and the Public Works Director, Dan Nasalroad. Also present were Jason Hoskinson and Aaron Castro from BG Consultants. Mr. Hoskinson updated everyone present that the plans are completed. It will take about 30 days to advertise and another 30 days to select a contractor. The project could be a 2-year project, give or take, depending on the contractor and weather obstacles. Once construction starts, the priority is running a line from the tower to the new fill station. Mr. Nasalroad will have constant communication with the water tower and Linn Valley usage. Linn Valley will inform him of any big water usage amounts (filling the pools) before we start filling.

SEWER PROJECT

All paperwork is at the State level awaiting approval.

OLD BUSINESS

Mayor Donelson asked the City Council to consider spending \$3700.00 to update security cameras for City Hall. Councilman Weers made the motion to allow Mayor Donelson to spend \$3700.00 to update security cameras for City Hall. Council President Suppenbach seconded the motion, carried 5-0.

Mayor Donelson asked for a 10-minute Executive Session regarding contractual discussion and trade secrets. Council President made to move into a 10-minute to executive session to discuss contractual discussion and trade secrets to return at 7:06pm. Councilman Hemphill seconded the motion, carried 5-0.

Mayor Donelson called the meeting back to order at 7:06pm with no action taken.

Council President made the motion to adjourn the City Council meeting. Councilman Weers seconded the motion, carried 5-0

Submitted by:

Mendi Cyr

City Clerk

November 2024**Total Income** \$26,309.46**11/30/2024****Vouchers**

General Fund	\$47,708.96
Street & Highway	\$1,050.28
Sewer Utilities	\$4,193.13
Water Project	\$7,687.64
Wastwater Project	\$4,985.00

Total Vouchers \$65,625.01**Budget**

	YTD	2024 Budget
General Gov't	\$161,228.80	\$146,079.00
Buildings	\$38,891.19	\$47,850.00
Governing Body	\$12,366.23	\$11,020.00
Administration	\$91,895.25	\$134,500.00
Court/Legal	\$80,656.06	\$99,430.00
Codes	\$101,509.42	\$150,750.00
P&Z	\$7,279.26	\$16,700.00
Police	\$262,944.66	\$367,500.00
Fire	\$35,809.97	\$33,000.00
Public Works	\$6,222.39	\$176,106.00
Sewer	\$245,084.78	\$410,009.00
Water	\$759,738.15	
Wastewater	\$251,526.37	

Account Balances

Money Market	\$280,336.23
Operating Checking	\$104,027.00
Sewer	\$264,337.53
Sewer Investment Pool	\$504,631.51
Street & Highway	\$162,244.88
Wastwater Investment Pool	\$133,425.32
Wastwater Investment Pool 365	\$4,852,881.43
Wastewater Project	\$76,447.95
Water Investment Pool	\$19,282.54
Water Project	\$49,379.68

Special Revenue Funds

Parks & Recreation	\$3,550.59
Street & Highway	\$175,792.10
Special Equipment	\$54,695.29
Capital Improvement	\$48,710.70
Wastwater Project	\$5,062,754.70
ARPA	\$708.95
Public Safety Reserve	\$46,443.55
Mayor's Christmas	\$900.37

Linn Valley Public Safety Report

12/09/2024

Police

Report and arrest for Criminal Damage and Battery

Car Deer Accident report

Vehicle Accident report with Fed Ex Truck

Unattended death

Warrant arrest for Miami County

Citation issued for Criminal Damage

Vehicle Pursuit with arrest, charges for Felony flee and Elude, Child Endangerment and Possession of Methamphetamine.

Fire Department

3 medical calls

1 unattended death

3 Grass Fire calls

Miami County Calls

Vehicle fire

Hay Bale fire.

Reference the vehicle pursuit. It started in Linn Valley with a stop sign violation. Driver refused to stop and was chased on gravel roads for 30 minutes before tires were deflated by KHP south of Louisburg. Vehicle came to a stop in Louisburg. KHP, Miami county Sheriff and Louisburg PD assisted with the arrest of one adult male. A female and two young children were transported to Louisburg PD while arrangements for a ride were made. Suspect was from Kansas City.

Building Codes Report
December 9, 2024
Permit Application Status

YEAR	TOTAL SUBMITTED	TOTAL APPROVED	OPEN AS OF 10/31/2024
2022	276	248	6 (Extended)
2023	184	175	13 (8 Extended)
2024	250	219	134

Inspections – November 2024

	November 2024	YTD 2024	*YTD 2023
New Residence	0	37	20
Roof Replacement	1	2	1
New Electrical Service or Upgrade	3	97	58
New Skid Shed	2	16	1
Renovation of Existing Structure	2	13	14
Deck Repair or Replace	3	32	16
Accessory Building	1	35	18
New Dock	1	8	11
Carports (Metal Awning)	1	11	15
Lot Clearing	1	7	-
Culverts	0	14	-
Seawall/Retaining Wall	0	5	6
Sewer Holding Tank	2	48	24
Water Holding Tank	0	35	19
Concrete Patio/Slab	1	7	0
Propane Tank	1	7	2
Fence	2	10	0
POA Water	0	0	2
Sewer System	0	4	4
Rural Water	0	5	1
Tornado Shelter	0	1	0
Hot Tub/Swimming Pool	0	1	0
Gazebo / Lean-To	0	7	10
Garage Addition	0	21	6
Photovoltaic System Installation	0	3	3
Demolition	0	1	231
Totals	21	427	214

*Moratorium was in effect until April 2023

Nuisance Codes Report
December 10, 2024
Nuisance Codes for November 2024

Letter:

6 -Certified Mail Letters sent

Violations:

3 -RV on building lot

Junked vehicles

2 – Sheds / propane tank encroaching on neighbor's lot

Results:

Permit was obtained for shed

Junked vehicles moved

Large tent removed

RV on building lot

Citations Issued for December court:

Sanitation & inoperable vehicle

RV encroachment & Sanitation

2 RVs on one lot (2nd time this year)

Living in shed < 600 sq ft w/o sewer hookup

RV on a building lot with structure (2nd time this year)

For November Court

1- Warrant issued

1 –Work completed & court fines paid

1 – Outstanding warrant from February

Steve German
Codes Enforcement

11 -Certified Letters & citations sent @ \$9.68 each

6-Trips to Post Office to send certified letters

24 - Trips to properties

1- Court appearance

22 - Files updated

POA USAGES
2024

	CLUBHOUSE	BATH HOUSE #2	POA OFFICE	SEWER HAULS
January	4,723	3,055	18,585	n/a
February	5,452	3,575	21,510	n/a
March	1,865	4,303	22,835	n/a
April	16,729	5,592	61,448	n/a
May	27,393	10,408	21,447	n/a
June	25,516	25,516	43,165	n/a
July	17,006	11,369	31,371	565,000
August	10,870	8,899	8,590	535,000
September	2,451	4,222	3,203	405,000
October	5,660	3,119	*display off	420,000
November	3,221	3,600	Over read last time	
December				

RESOLUTION NO. 134

A RESOLUTION REPEALING RESOLUTION NO. 125 AND ESTABLISHING FEES PERTAINING TO CITY SERVICES, PERMITS, AND APPLICATIONS OFFERED BY THE CITY AND REFERENCED WITHIN THE CODE OF LINN VALLEY, KANSAS.

WHEREAS, the City of Linn Valley, Kansas, presently charges for a variety of services, permits and applications; and

WHEREAS fees are currently set forth in the Code of the City of Linn Valley, Kansas, having been authorized and formulated by the City Council at different times throughout the history of Linn Valley; and

WHEREAS, administration of the various fees would be simplified if all such fees would be consolidated into one resolution where both city staff and the citizens of the City of Linn Valley could determine the fees charged by the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINN VALLEY, KANSAS:

Section 1. The following list of fees shall be charged for the appropriate service, permit or application, as referenced by the Code of the City of Linn Valley, Kansas:

FEE DESCRIPTION	CODE SUBSECTION	FEE AMOUNT
Administration		
Open Record Inspection Fee	1-612	Charged at the rate of \$25 per hour per employee engaged in the record search, or a minimum \$25 charge per request
Open Record Copying Fee	1-613	\$0.25 per page
Animal Control		
Dog License Fees	2-102	\$3 fee per neutered male or spayed female dog; \$8 for each intact male or female dog. \$25 kennel fee for three or more dogs per household
Overdue Dog License Fee	2-104	\$10 per dog if not fee is not paid within the time required

Dog Tags	2-202	\$8 fee for duplicate tag to replace lost or stolen tag
Dog Impoundment Fee	2-124	\$25
Dog Boarding Fee	2-125	Boarding fee \$20 per day in addition to other fines and fees
Cereal Malt Beverage Licenses		
Cereal Malt Beverage License Fee	3-207	(a) General Retailer - \$100 per calendar year (b) Limited Retailer - \$100 per calendar year
Cereal Malt Beverage Location Change Application Fee	3-211	\$100
Building Permits		
Building Contractor Registration Fee	4-103	\$50 fee per calendar year
Building Permit Application Fee	4-202	\$35
Building Permit Base Fee	4-202	\$75
Building Permit Fees-New Residential, and Non-residential Construction greater than 240 sq. ft.	4-202	Calculated using Exhibit A worksheet
Environmental Impact Fee	4-202	\$500 for each water holding tank and sewer holding tank, in addition to the required permit fees.
Public Sewer System		
Sewer Use Rates	15-101	The first billing cycle in January 2025 monthly rate of \$62.43; rates will increase 2.5% annually. The billing cycle is on the 21 st day of the month through 20 th day of the following month. Payments are due on the 9 th of the month. Payments not made by the due date will be charged a late penalty of \$2.50 in addition to payment due.

High Volume Users Rates (250,000 or more gallons annual flow into city wastewater treatment facility)	15-101	Rate per 1000 gallons is \$19.10; effective January 1, 2025, rates will increase 2.5% annually. Payment is due on the 24 th of the month. Late penalty is 5% of balance due.
Replace missing or damaged vent cap	15-207	\$88.00
Replace missing or damaged control panel key lock	15-207	\$25.00
Public Sewer System Connection Fee	15-209	\$6611.25 fee in 2025; annual increase 2.5%

PASSED AND ADOPTED by the Governing Body of the City of Linn Valley, Kansas on this 9TH day of December 2024.

Mayor

City Clerk

EXHIBIT A

TOTAL VALUATION	FEES
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000	\$25.00 for the first \$500.00 plus \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$62.25 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$349.75 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, and including \$50,000.00
\$50,001.00 to \$100,000.00	\$574.75 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$887.25 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,887.25 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000 and up	\$5,012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof.

Manufactured housing fees are 50% of the fees for conventional housing.

BUILDING PERMIT FEE WORKSHEET

1. 1 st Floor sq. ft.	
2. 2 nd Floor sq. ft.	
3. Total Area (1 + 2)	
4. Wood frame sq. ft.	x 65.00 = (a) _____
5. Masonry sq. ft.	x 70.00 = (b) _____
6. Attached Garage sq. ft.	x 22.00 = (c) _____
7. Garage or Large Building	x 22.00 = (d) _____
8. Manufactured Home	x 32.50 = (e) _____
9. Finished Basement	x 20.00 = (f) _____
10. Unfinished Basement	x 14.00 = (g) _____
TOTAL (a - g) (h) _____	

Use total (h) and follow the formula on Total Valuation table to determine permit fee.

TOTAL PERMIT FEE

+

\$

December 9, 2024

City Council Meeting (Linn Valley, KS)

City of Linn Valley Water System Improvements

WATER TOWER Project

- Project Status:
 - More/less 100% complete less the filling of tower.
 - Project is on "work hold" until the tower can be filled with water.
- Construction Contract Status:
 - \$1,551,700.00 Construction Contract.
 - Amount Claimed to Date: \$1,474,115.00 (± 95%)
 - Balance to finish, plus retainage is \$77,585.00
- Upcoming Council Tasks/Considerations:
 - Final walk-thru and project acceptance in 2025.

WATER DISTRIBUTION Project (booster station, transmission main, waterlines)

- Project Status:
 - Design, Easements, Permits: 100% complete
 - USDA – RD issued Authorization to Bid Project on December 4, 2024
- Target base bid EOPC: ± \$12 million
- Upcoming Council Tasks/Considerations:
 - TONIGHT: Authorize 30-day (min.) advertisement period for bidding
 - BG will post on Drexel Technologies Plan Room site
 - BG will send to Local Paper to publish Wed. December 18, 2024
 - Week of Jan. 6-10, 2025: Conduct Pre-Bid Meeting
 - Friday Jan. 17, 2025 : Receive bids
 - Monday Jan. 27, 2025: Award of construction contract.
 - Late Winter/Early Spring 2025: Begin Construction

POSSIBLE COUNCIL ACTION ITEMS:

1. Move to authorize advertising of the Linn Valley 2024 Water Distribution Project and set a Bid Date of Friday January 17, 2024.

NOTE: *In compliance with the Dodd-Frank Wall Street Reform and Consumer Protection Act, BG Consultants, Inc. recommends the City of Linn Valley contract with and receive professional financial advice from a registered municipal financial advisor. BG Consultants, Inc. is not registered municipal financial advisor and all information provided concerning infrastructure projects and financing of improvements is general and typical information.*

Jason Hoskinson

From: Hines, Sidney - RD, KS <Sidney.Hines@usda.gov>
Sent: Wednesday, December 4, 2024 3:52 PM
To: Pan, Chun - RD, KS; Khan, Muhammad - RD, KS; Jason Hoskinson
Subject: USDA RD - Linn Valley- Water Systems Improvement - Bid Process

Hello Jason,

USDA has reviewed, and Linn Valley is free to begin the bid process.

Thank you.

Alex Hines, BS/MS/JD
Area Specialist
Community Programs, Rural Development
United States Department of Agriculture
202 W Miller Rd, Iola, KS 66749
Work Phone: 620-380-3105
www.rd.usda.gov

"Together, America Prospers"

Stay Connected with USDA:



USDA is an equal opportunity provider, employer, and lender.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



Application Date: 11/25/2024

Period:

Via (Engineer): _____

BC Consultants, Inc.

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

Engineer's Project No.:

Change Order Summary

ORIGINAL CONTRACT PRICE.....	\$ 1,551,700.00
Net change by Change Orders.....	\$
Current Contract Price (Line 1 + 2).....	\$ 1,551,700.00
TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$ 1,551,700.00
RETAINAGE:	
a. 5% X \$1,551,700.00 Work Completed.....	\$ 77,585.00
b. X _____ Stored Material.....	\$
c. Total Retainage (Line 5a + Line 5b).....	\$ 77,585.00
AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$ 1,474,115.00
LESS PREVIOUS PAYMENTS (line 6 from prior Application).....	\$ 1,416,112.50
AMOUNT DUE THIS APPLICATION.....	\$ 57,902.50
BALANCE TO FINISH, PLUS RETAINAGE	
(Column G on Progress Estimate + Line 5 above).....	\$ 77,585.00

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

(Line 8 or other - attach explanation of the other amount)

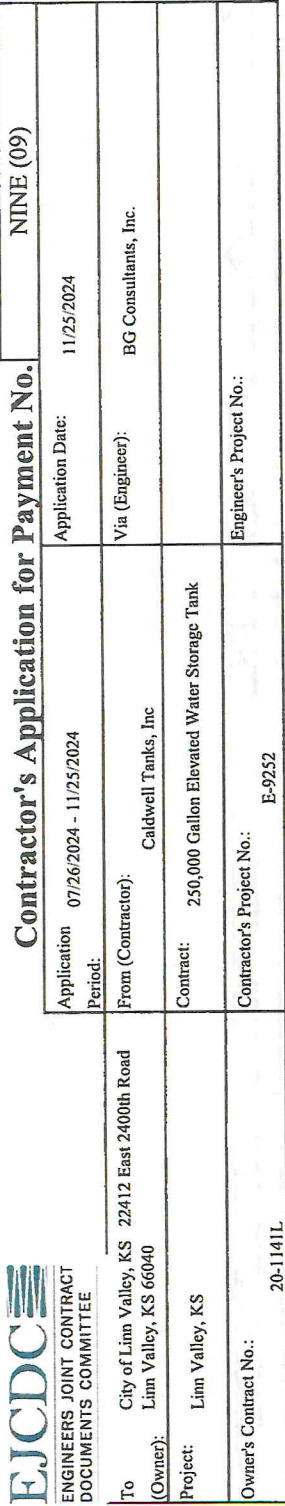
12/6/2024
(Date)

(Line 8 or other - attach explanation of the other amount)

(Date)

11/05/2024

(Date)



NINE (09)

1.	ORIGINAL CONTRACT PRICE.....	\$	\$1,551,700.00
2.	Net change by Change Orders.....	\$	
3.	Current Contract Price (Line 1 ± 2).....	\$	\$1,551,700.00
4.	TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$	\$1,551,700.00
5.	RETAINAGE:		
	a. 5% X \$1,551,700.00 Work Completed.....	\$	\$77,585.00
	b. X _____ Stored Material.....	\$	
	c. Total Retainage (Line 5a + Line 5b).....	\$	\$77,585.00
6.	AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$	\$1,474,115.00
7.	LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$1,416,212.50
8.	AMOUNT DUE THIS APPLICATION.....	\$	\$57,902.50
9.	BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above).....	\$	\$77,585.00

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

57,902.52

other amount)

11/11/11

(Date)

Other amount)

(Owner)

(Owner) (Date)

By: 0: 10: 110

Date: 11/25/2024

(Date)

