

CITY OF LINN VALLEY
COUNCIL MEETING
FEBRUARY 23, 2026
AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRAYER

- 1 APPROVAL OF FEBRUARY 9TH MINUTES
- 2 CITIZEN PARTICIPATION-AGENDA ITEMS
- 3 OLD BUSINESS
- 4 NEW BUSINESS
 - A ACCEPTANCE OF COUNCIL RESIGNATION
 - B RESOLUTION 148-COUNCIL APPOINTMENT PROCESS
 - C INFRASTRUCTURE PROJECTS
 - D WATER CONNECTION ORDINANCE
 - E BUILDING CODE APPEAL PROCESS (IRC R112)-COMPLIANCE REVIEW
 - F FLEET VEHICLE USAGE POLICY & GPS TRACKING
 - G EXECUTIVE SESSION-K.S.A 75-4319(b)(1)
 - 1 NON-ELECTED PERSONNEL
- 5 CITIZEN PARTICIPATION-NON AGENDA
- 6 ADJOURN



CITIZEN PARTICIPATION GUIDELINES

- Each speaker is allotted up to three (3) minutes.
- Speakers must sign in at the podium and clearly state their name for the record.
- Each public comment session is limited to a total of thirty (30) minutes.

During Agenda Item Public Comment:

- Council members may ask brief clarifying questions.
- Speakers may be invited to return to the podium during discussion of the related agenda item.

During Non-Agenda Public Comment:

- The Council will listen to all comments but will not engage in discussion or provide responses, as required by law.
- Issues raised may be referred for follow-up or considered for placement on a future agenda.

**CITY OF LINN VALLEY
CITY COUNCIL MEETING MINUTES
JANUARY 12, 2026**

Mayor Potter called the meeting to order at 6:00pm

Council Members Present	Curtis Coffman, Council Member Richard Gravelle, Council Member Connie Capps, Council Member John Weers, Council Member (arrived 6:05pm) Michael Hemphill, Council Member
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Also Present:	James Brun, City Attorney Mendi Cyr, City Clerk Corey Murrison, Public Safety Director Jeremy Hansen, Assistant Fire Chief Lance Williams, Building/Codes Inspector
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Mayor Potter led the members in the Pledge of Allegiance.
Council Member Capps led the members in Prayer.

ELECTION OF COUNCIL PRESIDENT

Council Member Weers made the motion to move Michael Hemphill into the position of Council President. Council Member Capps seconded the motion, motion carried 4-0.

MAYOR REPORT

During the first 90 days, the Mayor plans to establish clear actions and timelines to enhance transparency. Key priorities include reviewing property tax procedures and organizing additional workshops on the water project to address citizen inquiries. The Mayor has met with all employees to gain a deeper understanding of their roles and city operations and outlined several initiatives aimed at improving the community.

APPROVAL OF MINUTES

Council President Hemphill made the motion to approve the December 8, 2025, meeting minutes. Council Member Weers seconded the motion, motion carried 5-0.

CLERK REPORT

City Clerk Cyr reported in December that the total income was \$96,266.60 and the total vouchers were \$128,090.42. Council Member Weers made the motion to approve the vouchers for \$128,090.42. Council President Hemphill seconded the motion, carried 5-0.

SEWER REPORT

Page Enterprises changed out three (3) grinder pumps, located nineteen (19) lines and did the monthly check on the lift station.

NUISANCE REPORT

Sever court cases were rescheduled to January court, one case was settled.

BUILDING REPORT

In 2025, 467 permits were submitted, an increase of 15 from the previous year. Inspectors closed 75 previously completed permits. As of January 12, 2026, there are 209 active permits: 1 from 2022, 17 from 2024, 190 from 2025, and 1 issued in 2026.

POLICE REPORT

In December 2025, police responded to incidents including a suicidal subject, a dog bite (citation issued), two suspected phone scams, two dogs at large, two 911 hang-ups, one traffic accident, and a burglary reported via a Ring doorbell alert.

Construction of the shooting range has begun, with materials delivered from the water project. The range will meet NRA specifications.

Officer Jenkins has ordered security cameras for the fire and police station.

FIRE DEPARTMENT

The Fire Department responded to nine (9) incidents in December, eight (8) in Linn Valley and one (1) mutual aid in Miami County. The year ended with a total of 114 incidents for the Fire Department.

WATER PROJECT

The booster pumps are turned on and running, testing on the transmission main has started. They expect chlorination as early as the end of the week and could possibly start filling the water tower.

PAY REQUISITION #7

Pay Requisition #7 was present to the council, Council Member Weers made the motion to approve Pay Requisition #7 for \$4,852,308.88. Council President Hemphill seconded the motion, carried 5-0.

LAGOON EXPANSION PROJECT

The bid information is with the USDA for approval.

COLA INCREASES

Council Member Weers made the motion to increase employee wages 2.8%, Council Member Capps seconded the motion, carried 5-0.

RESOLUTION 146-CHECK SIGNERS

Council Member Weers made the motion to adopt Resolution 146 removing Lew Donelson and Robert Suppenbach as signers on the bank accounts and adding Lister Potter and Michael Hemphill. Council President Hemphill seconded the motion, carried 5-0.

RESOLUTION 145-GAAP WAIVER

Council President Weers made the motion to approve Resolution 145, a Resolution of the Governing Body exempting the city from compliance with generally accepted accounting principles. Council Member Capps seconded the motion, carried 5-0.

OLD BUSINESS

No old business.

NEW BUSINESS

Building Inspector Kosmatka presented a safety checklist for short-term rentals.

Mayor Potter asked to schedule a workshop for water operator, the council agreed to meet Thursday, January 14 at 6:30pm.

CITIZEN PARTICIPATION

Julie Miller-Childs from the POA asked if a special permit would be needed for a dog park. The park will be surrounded by a 6ft fence. City Attorney Brun suggested a double entrance gate and for them to check with their insurance to make sure they are covered, no permit needed.

ADJOURN

Council Member Gravelle made the motion to adjourn the meeting. The motion was seconded by Council Member Coffman, motion carried 5-0.

Linn Valley City Council Meeting adjourned at 6:32pm.

Submitted by:
Mendi Cyr
City Clerk

RESOLUTION NO. 148

A RESOLUTION ESTABLISHING A POLICY FOR FILLING VACANCIES ON THE LINN VALLEY CITY COUNCIL.

WHEREAS, Kansas law provides that in cities of the third class, vacancies in the office of council member shall be filled by appointment of the mayor, subject to confirmation by the governing body; and

WHEREAS, the City of Linn Valley desires to promote transparency, fairness, and public participation in the appointment process;

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

Section 1. Upon the occurrence of a vacancy on the City Council, the City shall publicly announce the vacancy and invite qualified electors of the City to submit applications.

Section 2. The application period shall remain open for not less than fourteen (14) calendar days unless the Governing Body determines that an emergency circumstance requires a shorter period.

Section 3. The City shall conduct public interviews of applicants during a properly noticed open meeting prior to appointment, unless the Governing Body determines by majority vote that interviews are unnecessary due to limited applicants or emergency circumstances.

Section 4. Following the application and interview process, the Mayor shall appoint a qualified elector to fill the vacancy, subject to confirmation by a majority vote of the City Council.

Section 5. This Resolution establishes policy only and does not limit the statutory authority of the Mayor or Governing Body under Kansas law.

Section 6. This Resolution shall take effect immediately upon adoption.

Section 7. At the discretion of the acting Mayor, the Mayor for good cause shown waive the above time requirements for any applicant wanting to fill a vacant position for City Council.

ADOPTED by the Governing Body this 23rd day of February 2026.

Lister Potter, Mayor

ATTEST:

Mendi Cyr, City Clerk

**GOVERNING BODY OF LINN VALLEY
EXECUTIVE SESSION**

DATE: 2/23/24

MOTION MADE BY: Weers

"I move that the governing body recess into executive session to discuss:

Legal

Pursuant to KSA 75-4319 (b)

START TIME: 6:20

MEETING DURATION: _____

OPEN MEETING WILL RESUME AT: 645

MOTION SECONDED: _____

MOTION CARRIED: AYES: 5 NAYS: _____

75-4319. Closed or executive meetings; conditions; authorized subjects for discussion; binding action prohibited; certain documents identified in meetings not subject to disclosure.

b) Justifications for recess to a closed or executive meeting may only include the following, the need:

- (1) To discuss personnel matters of nonelected personnel.
- (2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship.
- (3) to discuss employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency.
- (4) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships.
- (5) to discuss matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person.
- (6) for the preliminary discussion of the acquisition of real property.
- (12) to discuss matters relating to security measures, if the discussion of such matters at an open meeting would jeopardize such security measures, that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; (C) a public body or agency, public building or facility or the information system of a public body or agency; or (D) private property or persons, if the matter is submitted to the public body or agency for purposes of this paragraph. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

**GOVERNING BODY OF LINN VALLEY
EXECUTIVE SESSION**

DATE: 2/23/20

MOTION MADE BY: Weers

"I move that the governing body recess into executive session to discuss:

Non Elected

Pursuant to KSA 75-4319 (b)

START TIME: 6:25

MEETING DURATION: 20

OPEN MEETING WILL RESUME AT: 6:45

MOTION SECONDED: Hemp

MOTION CARRIED: AYES: 5 NAYS:

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- (5) to discuss matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person.
- (6) for the preliminary discussion of the acquisition of real property.
- (12) to discuss matters relating to security measures, if the discussion of such matters at an open meeting would jeopardize such security measures, that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; (C) a public body or agency, public building or facility or the information system of a public body or agency; or (D) private property or persons, if the matter is submitted to the public body or agency for purposes of this paragraph. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

ORDINANCE NO. 276

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR CONNECTION TO THE PUBLIC WATER SYSTEM IN THE CITY OF LINN VALLEY, KANSAS.

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

Section 1. SUPERINTENDENT OF WATER AND SEWAGE. The general management, care, control, and supervision of the city water system shall be in the superintendent of water and sewage or other designee who shall be appointed by the mayor with the consent of the governing body.

Section 2. REGULATIONS. The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this ordinance.

Section 3. SERVICE NOT GUARANTEED. The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers.

Section 4. SERVICE CONNECTIONS REQUIRED.

(a) The owner of properties with existing water or sewer tanks, all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be within one hundred feet of public water mains, is hereby required at his or her own expense to make connection to such public water main.

(b) Before any connection is made to the city's water system an application must be made in writing to the city clerk, or city designee, by the owner of the premises, or his or her authorized representative, for a permit to make such connection.

(c) All water tanks existing on properties making connection to the public water main must be decommissioned. Decommissioning of tanks shall be at the owner's expense. Decommissioned tanks shall be completely disconnected from all plumbing systems on the premises and in no way connected to the new water system. The city reserves the right to inspect decommissioned tanks for compliance. Decommissioning of tanks must be done in accordance with local, state, and federal laws.

Section 5. APPLICATION FOR SERVICE.

(a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, or city designee, on a form furnished by the city for that purpose, for a permit to make the connection.

(b) The application shall:

- (1) Contain an exact description including street address of the property to be served;
- (2) State the size of tap required;
- (3) State the size and kind of service pipe to be used;
- (4) State the full name of the owner of the premises to be served;
- (5) State the purpose for which the water is to be used;
- (6) State the anticipated water demand if the purpose is other than residential (flushing toilets, showers, residential laundry, washing dishes, etc.);
- (7) State whether the property will include any sprinkler systems for fire protection or irrigation;
- (8) State any other pertinent information required by the city clerk;
- (9) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.

(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in Section 7.

Section 6. CITY TO MAKE CONNECTIONS. All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees or city designee only. The City will have control over the installation of their assets in lieu of the owners plumber making the install. The Connection Fee should include the cost to buy the materials and perform the work listed below.

Section 7. CONNECTION FEES. The fees for connection to the city waterworks system shall be \$2000 as stated in Resolution 144.

Section 8. CHECK VALVES. The City codes department will determine when backflow check valves and backflow prevention are required.

Section 9. UNAUTHORIZED SERVICE. It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the city water valve or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the Utility Supervisor or city designee.

Section 10. METERS.

- (a) All water furnished to customers shall be metered.
- (b) Meters shall be located between the edge of the roadway and the property line. Meters may also be located within the front utility easement of the property. City staff shall determine the location of the meter.
- (c) The city's responsibility stops downstream of the water meter.
- (d) The city's responsibility stops at the fill station.

Section 11. TESTING. Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within two percent, the meter will be deemed correct and a \$350 charge, set by resolution 144, will be made by the customer.

Section 12. TAMPERING WITH METER. It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.

Section 13. LEAKS PROHIBITED; PENALTY. No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has passed through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive.

Section 14. DISCONNECTION, RECONNECTION CHARGE. The governing body established, by Resolution 144, a \$50 water service disconnection and reconnection charge. Whenever the city receives a request from a customer for termination of water service the disconnection charge shall be added to the customer's final bill. Any service disconnected for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, interest penalty thereon, and the reconnection charge.

Section 15. UTILITY CONNECTION. At the time of making application for water service, the property owner or customer shall make a \$2000 payment

Section 16. INTERRUPT SERVICE. The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.

Section 17. PROHIBITED ACTS. It shall be a violation of this ordinance for any unauthorized person to:

- (a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;
- (b) Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;
- (c) Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.

Section 18. WASTING WATER. Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading

from the property to the meter in good condition at their expense.

Section 19. RIGHT OF ACCESS. Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines.

Section 20. RATES. The rates per month for the use of water in the city shall be set by City Resolution.

Section 21. PAYMENT OF BILLS. All water bills for the previous month's water service shall be paid on or before the ninth (9th) day of the month following the service. For any billing not paid a \$2.50 late charge will be assessed.

Section 22. DELINQUENT ACCOUNTS; NOTICE; HEARING; FINDING; LIABILITY. Water service shall be terminated for nonpayment of service fees or charges.

Section 23. USE DURING FIRE. Fire Department personnel arriving on scene of an active fire prior to Fire Apparatus have the authority to use water from an outdoor spigot on a metered home.

Section 24. CROSS-CONNECTIONS PROHIBITED. No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body.

Section 25. PROTECTIVE BACKFLOW DEVICES REQUIRED. Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which could lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the superintendent.

Section 26. INSPECTION. The city utility superintendent or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city.

Section 27. PROTECTION FROM CONTAMINANTS. Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city by its utility superintendent may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system, and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the city utility superintendent may terminate water service to any property where the cross connections or backsiphonage condition creates, in the judgment of the superintendent, an emergency danger of contamination to the public water supply.

Section 28. This ordinance shall take effect and be in force from and after its publication of summary in the official newspaper of the City and publication of the entire ordinance on the official website www.linnvalleyks.com for one week following the aforesaid newspaper publication.

ADOPTED AND PASSED by the governing body of the City of Linn Valley, Kansas on this Eighth (8th) day of December 2025.



Mayor, Lew Donelson

Attested:



City Clerk, Mendi Cyr

