



**CITY OF LINN VALLEY
CITY COUNCIL-TOWN HALL
MEETING MINUTES
JUNE 8, 2026**

Mayor Potter called the meeting to order at 6:33 p.m.

Council Members' Present:

Michael Hemphill, Council President
Curits Coffman, Council Member
John Weers, Council Member
Richard Gravelle, Council Member
Shannon Smith, Council Member

Also Present:

Mendi Cyr, City Clerk
James Brun, City Attorney
Corey Murrison, Public Safety Director
Matthew Kosmatka, Building Inspector

Mayor Potter led the Pledge of Allegiance and John Weers led the members in Prayer.

APPROVAL OF MINUTES

Council President Hemphill made the motion to approve the May 11, 2026, minutes as written. Council Member Weers seconded the motion, carried unanimously.

Council President Hemphill made the motion to approve the May 16, 2026, Town Hall minutes as written. Council Member Weers seconded the motion, carried unanimously.

MAYOR'S REPORT

The Town Hall meeting went well, it was a nice informal Q&A the council plans on having more in the future.

CLERK REPORT

Council Member Weers made the motion to approve the vouchers for \$89,203.42. Council Member Coffman seconded the motion, carried unanimously.

Pay Application #12 was presented to the Council for payment. The total amount was \$497,362.33, Hettinger Excavating \$451,531.89, BG Consultants \$45,777.33, and RWD #1 \$53.11. Council Member Weers made the motion to approve Pay Application #12 for the amount of \$497,362.33. Council President Hemphill seconded the motion, carried unanimously.



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BUILDING INSPECTOR REPORT

Building Inspector Kosmatka reported he completed twenty (20) inspections in May. Permits are picking back up; there have been a couple of permits turned in for water line. He's been taking a lot of phone calls with questions on water line installment.

CODES ENFORCEMENT REPORT

Codes Enforcement Officer Muller was unavailable for report, she did submit a report in writing. She has written citations for a dangerous tree and junked motor vehicles. She has been sent letters for weeds, sanitation of building, and a residence with no sewer.

She is also working on the software to read the new meters. The initial readings went well; there were a few meters that did not register. She is working all the bugs out on the software.

POLICE REPORT

The Police Department's monthly activity report highlighted several public safety and enforcement matters. Officers investigated a phone harassment complaint, responded to an incident requiring protective custody for an elderly resident, and made an arrest following a traffic stop involving possession-related offenses and multiple traffic violations. Traffic and ordinance enforcement remained a focus, including citations issued for reckless driving in the Clubhouse parking lot and warnings provided to underage ATV operators after officers met with their parents or guardians to explain city ordinance requirements. The department also addressed a fence damage complaint connected to nearby dock upgrade work, which was resolved between the Property Owners Association and the property owner. In addition, officers responded to several fireworks complaints over Memorial Day weekend, monitored activity, and provided education on city regulations, with no significant related incidents reported.

Chief Murrison also discussed an ordinance for e-bikes. The current ordinance for ATV's, UTV's etc. does not cover e-bikes.

Chief Murrison asked the Council opinion on opening the gun range to the public for a few days a week. The insurance would be approximately \$700.00 a year. If they allow the range to be available to the public, there will be very strict guidelines, and specific times for the public.



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FIRE DEPARTMENT

The Fire Department was dispatched to two (2) EMS calls. They are getting the station ready for Fireworks. They will start selling fireworks on June 29-July 4.

Purple Wave will be down to take pictures of the old fire truck and get it posted on their website.

SEWER REPORT

Page Enterprises performed the monthly lagoon checks, changed out four (4) grinder pumps, started rebuilding pumps and had eleven (11) locates.

Council Member Gravelle reported that the engineering plans for the new lagoon system are still with USDA for approval.

Council Member Gravelle made a motion that the governing body recess into executive session at 7:10pm to discuss Contractual Legal matters for twenty (20) minutes, returning to the council room at 7:30pm. Council President Hemphill seconded the motion, carried unanimously.

At 7:30pm council members, Weers, Smith and Hemphill returned to the council room. Council Member Weers made the motion to extend the executive session to another fifteen (15) minutes, returning to the council room at 7:45pm. Council Member Smith seconded the motion carried, 3-0.

Council Members returned to the council room; the meeting was called back to order at 7:50pm with no action taken.

WATER REPORT

The connection to Linn Valley water system is complete and it went well with minimal problems. As of May 31st, the project is 52% completed. The bulk fill station is up and running, Hettinger is now placing meters on the Main Line down Holiday and the side streets.

Mike Page sent two invoices for parts that need to be purchased for emergency repairs. The question is where does this money come from, revenues or projects? We will have more information at the next meeting.



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Council Member Weers made a motion that the governing body recess into executive session at 8:00pm for fifteen (15) minutes to have an Attorney Client discussion, returning to the council meeting room at 8:00pm. Council President Hemphill seconded the motion, carried unanimously.

The meeting was called to order at 8:15pm with no action taken.

WATER ORDINANCE 276

Council Member Gravelle re-read Ordinance 276, he is satisfied that the ordinance is complete. Section 4(c) remove “decommission” and replace with proper term.

RESOLUTION 144-FEE SCHEDULE

Resolution 144 will be revised updating fees and adding commercial meters. It will be presented to the council at the next meeting.

Council President Hemphill is going to research options for accepting payment plans for the \$2000.00 meter install fee.

COMPREHENSIVE PLAN

Contract renewal was sent from Olsson studios, council questioned how other communities utilize consulting companies. Council Member Smith will research how other community Planning and Zoning committees use consultants.

TINY HOMES

Inspector Kosmatka will write an Ordinance for Tiny Homes; council will then ask the Planning and Zoning Committee to review the Ordinance.

WATER FILL WIFI

Installing Wi-Fi at the fill station will allow the camera’s to be viewed remotely, one of the camera’s is a ring camera that will allow someone to get help if needed. Wi-Fi would also allow Page Enterprises to remotely monitor chlorine in the water. It would cost about \$400 for installation and \$125.00 monthly. Council Member Weers made a motion to allow the City Clerk to enter a contract with Peoples telecom for Wi-Fi. Council Member Coffman seconded the motion, carried unanimously.



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SEPTIC TANK SET BACK

This ordinance will be presented to the council at the next meeting.

TECHNOLOGY & ADVANCED INDUSTRIAL (TAI) OVERLAY DISTRICT

Mayor Potter first explained to the members that no project has been proposed, and no project has been approved, he is presenting a framework, not a deal. Linn County has put a moratorium on Data Centers/AI computing Centers in unincorporated areas, if a company wants in, they will have to go through a city. We are an ideal area for their projects; they go where the power is. It isn't if they approach us, it is all about when they approach us. This is the time for research, conversations and honest discussions. We want to take a reactive approach, have our ordinances, rules and protections in place before they contact us. This is the first of many discussions between the community and the council.

CITY HALL

The lease on city hall will be up for lease next year, and it is showing its wear and tear. Council Member Coffman is researching a new building for City Hall. He is looking at simple barndominium; to be built by a contractor, the inside would be put out to bid for local contractors. Looking at some old plans, the starting price was about \$330,000. This project will be funded by existing funds, it will not be included in the mill levy.

ADJOURNMENT

Council President Hemphill made the motion to adjourn the council meeting. Council Member Smith seconded the motion, carried unanimously.

City of Linn Valley, June 8, 2026, council meeting adjourned at 9:37pm.

Grid-Scale Battery Safety and your Community

Why Batteries? Our Commitment

As the world shifts towards cleaner, more sustainable energy, grid-scale batteries—like Tesla’s Megapack—play a key role in storing renewable power and keeping the grid stable. Tesla doesn’t just design every product for safety—we analyze and improve it every day, backed by decades of data, testing, and real-world experience.

If you have questions, we’re here. This is your community—and we’re committed to being good neighbors.



How Tesla Approaches Safety

The safest incident is one that doesn’t happen. The next safest is one where the hazards have no effect on anything or anyone. Tesla understands that things happen. We want to be prepared, which is why we design to minimize the chance of an incident. We also design so that when the worst happens, the risks are known, and everyone is ready.

To deploy anywhere on earth, we must be prepared for anything. Our goal is to do the thinking, so you don’t have to worry.

We take a layered approach:

- 1. Built-In Safety:** Non-occupiable enclosures designed to stop problems before they start to minimize risks to personnel and property.
- 2. Fire-Safe Site Design:** Sites are built on non-flammable ground, resilient to wildfire risks.
- 3. 24/7 Monitoring:** Our always-on software watches every Megapack to detect and correct issues.
- 4. Working with First Responders:** We partner with local fire departments, regulators, and government officials to train, plan, and share learnings. From code development to hands-on drills—we’re in this together.



Megapack is a giant rechargeable battery (about the size of an RV!) that stores clean energy from sources like solar and wind. It helps keep the power on when demand is high or the sun isn’t shining or the wind isn’t blowing—like a big energy backup for the whole community.

Grid Scale Battery Safety and your Community

When it Comes to Battery Safety, Let's Debunk Myth vs. Reality

Myth

"Batteries are dangerous—they easily catch fire."

"If one battery catches fire, the whole site is doomed."

"Battery fires release toxic smoke and pollute the air."

"Nothing can prevent batteries from catching fire."

"First responders aren't prepared."

"Companies downplay battery risks."

"The technology is too new to be trusted."

Reality

Grid-scale battery systems are engineered with a focus on safety. Megapacks are 10x less likely to catch fire than a U.S. home and 300x less likely than a car on the road.

Each Megapack is an independent unit designed to limit fire spread, and both testing and real-world events show incidents remain localized with minimal impact to property and operations.

Emissions from battery fires are similar to a typical house fire. And with proper training, emission exposures are safely managed. Public health agencies have found no toxic health risks due to incidents.

Risks of battery fires are addressed through built-in prevention mechanisms and real-time safety monitoring. Trained service teams are on call 24/7 to respond to issues before they can escalate.

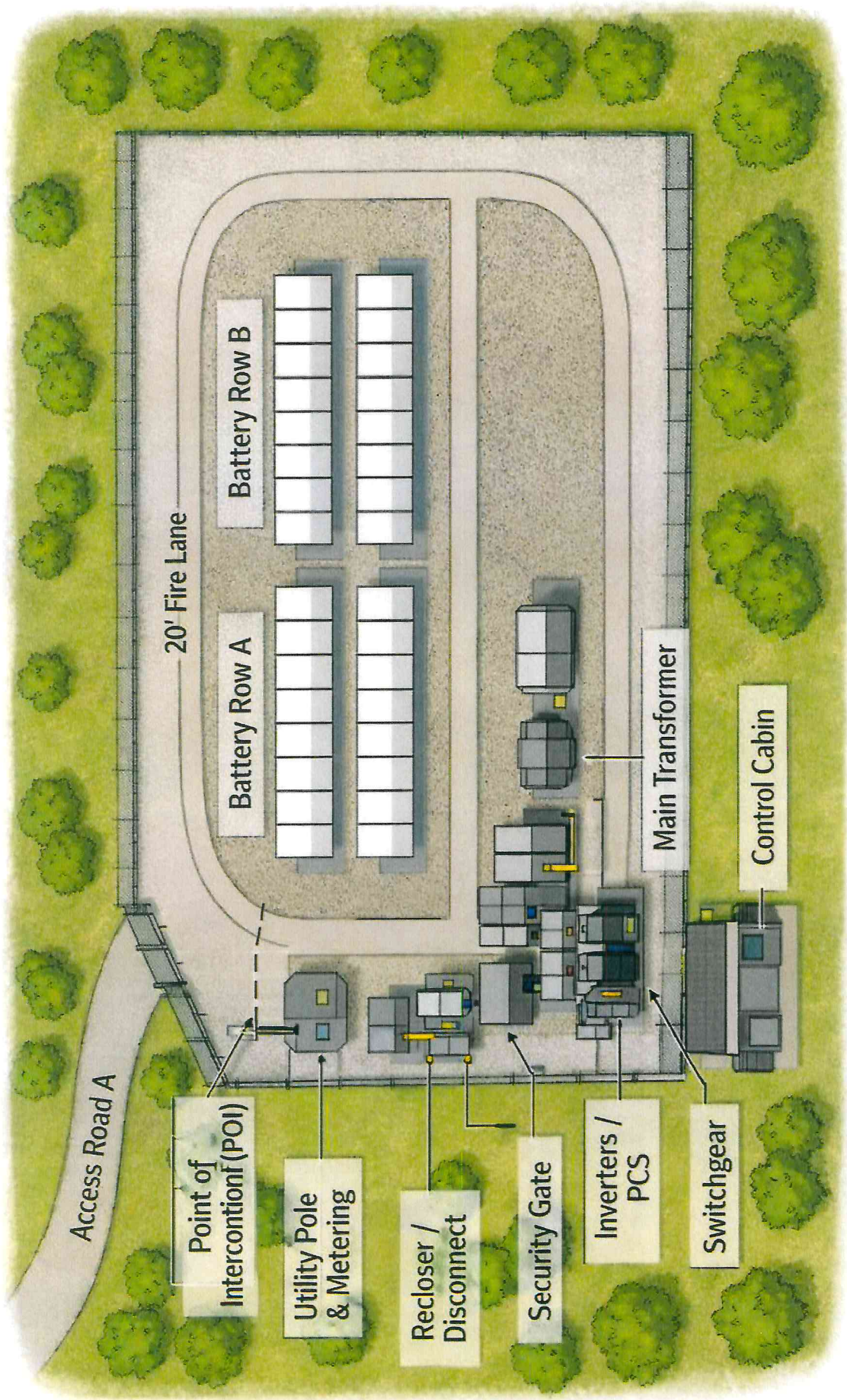
We actively train firefighters, work with local officials, and follow the latest fire codes and standards. We share knowledge that empowers informed responses and keeps communities safe.

Safety comes first. Our design and testing are validated by independent third-party reviews. We communicate risks honestly, investigate every event, and apply improvements across our fleet to protect people and communities.

Our battery technology benefits from 20+ years of design improvements, resulting in a global fleet of thousands of sites operating safely every day. Rigorous testing ensures that when failures happen, they are predictable and safe.

Example 100 MW BESS Facility





Conceptual BESS Site Plan



LETTER OF INTENT

Option to Lease - Development Site for Distributed Battery Energy Storage Facility

June 19, 2026

Landowner:

City of Linn Valley, Kansas
22412 E 2400 RD
Linn Valley, KS 66040

Developer:

Silverton Power
www.silvertonpower.com
info@silvertonpower.com

Property:

Approximately 1.0 acre located in Linn Valley, KS, as depicted in Exhibit A attached hereto (the "Property").

1. Purpose

This Letter of Intent ("LOI") sets forth the principal business terms under which Developer proposes to enter into an Option to Lease Agreement (the "Agreement") with Landowner for the purpose of developing, constructing, financing, owning, operating, maintaining, and decommissioning a distributed battery energy storage facility and related interconnection and utility facilities (the "Project") on a portion of the Property.

Except as expressly stated herein, this LOI is non-binding and intended solely as a framework for expression of mutual interest and negotiating of definitive agreements.



SILVERTON POWER

2. Project Description

- **Facility Type:** Standalone distributed battery energy storage facility.
- **Estimated Size:** Less than 10 MW (final size subject to engineering and interconnection approval).
- **Footprint:** Approximately 1.0 acre (to be determined by survey and final design).
- **Improvements may include:** battery containers or enclosures; inverters, transformers, switchgear; substation and interconnection equipment; underground and overhead utility lines; fiber/communications infrastructure; access roads; drainage improvements; fencing, security systems, and fire suppression systems and any other improvements required by utility and/or municipality.

Developer shall have the right to determine final configuration, size, and placement of improvements in its reasonable discretion.

3. Option Period

- **Option Term:** 24 months from execution of the Agreement, which Developer may extend for an additional period of one six months.
- **Purpose:** Due diligence, permitting, environmental review, geotechnical studies, interconnection studies, engineering, financing, and market evaluation.

4. Option Payment

- **Option Payment:** \$7,500.00, paid in quarterly installments, with first payment upon execution of the agreement.
- **Extension Payment(s):** \$ 2,500.00 fixed amount.

5. Lease Term

- **Initial Lease Term:** 20 years from Commercial Operation Date.
- **Renewal Terms:** Up to Four (4) additional five (5) year extensions at Developer's option.
- **Maximum Term:** Up to 40 years total.

6. Rent Structure (Commencing Upon Exercise of Agreement)

- \$7,500 per acre per year*

7. Rights to be Maintained During Option Period

- Landowner to retain full use of land during Option Period.
- Landowner to ensure full access to the site for development activities including but not limited to environmental studies, engineering design, surveyor, and other technical studies by licensed, insured, professionals.

**Final acreage to be determined by survey and approved site plan.*



SILVERTON POWER

8. Rights to Be Granted Under Lease

- Exclusive use of the leased premises for the Project.
- Rights of ingress and egress.
- Rights to construct, install, operate, repair, replace, upgrade, repower, and remove improvements.
- Rights to utility easements and interconnection facilities.
- Rights to assign the Option and Lease to affiliates, lenders, or financing parties.
- Mortgagee protections customary for project financing.

9. Decommissioning

Upon expiration or early termination of the Lease:

- Developer shall remove at its expense all above-ground equipment.
- Foundations removed to an agreed depth (typically 3 feet below grade unless otherwise required by law).
- Site restored to a reasonably similar condition, ordinary wear and tear excepted.
- Financial assurance (bond or other security) to be provided at a mutually agreed milestone consistent with applicable law.

10. Taxes

- Developer responsible for taxes attributable to Project improvements.
- Landowner responsible for underlying land taxes, subject to allocation if land use classification changes due to Project.

11. Exclusivity

For a period of [90-120] days following execution of this LOI, Landowner agrees in good faith not to negotiate with third parties for lease of the subject property.

12. Access Rights

Upon execution of a mutually acceptable access agreement, Developer shall have the right to enter the Property to conduct studies, surveys, testing, and investigations during the Option period.

13. Confidentiality

The parties agree to keep the existence and terms of this LOI confidential except as required for financing, permitting, professional advisors, or as required by law.

14. Non-Binding Nature

This LOI is non-binding except for Sections 11 (Exclusivity), 12 (Access Rights), and 13 (Confidentiality), which shall be binding upon execution.

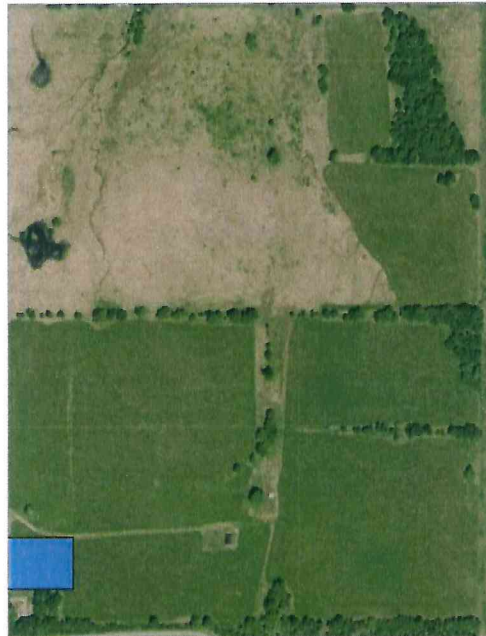
15. Target Execution of Definitive Agreement

The parties intend to negotiate and execute a definitive Option to Lease Agreement within [30-60] days. Upon execution, the Agreement will be recorded in the Official Records of Riley County, KS.



EXHIBIT A

Parcel 0540141900000005000



Approximate outline of potential project placement. Final placement subject to engineering feasibility studies.

ORDINANCE NO. 278

**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 permanently disconnected from the residence. Disconnecting the tanks shall be at the owner's expense. 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 disconnected tanks for compliance. Disconnecting 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 148.

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. Ordinance 276 is hereby repealed.

Section 29. 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 Twenty-second (22) day of June 2026.

Mayor, Lister Potter

Attested:

City Clerk, Mendi Cyr

ORDINANCE NO. 279

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR PRIVATE SEWAGE HOLDING TANKS AND PRIVATE WATER TANKS IN THE CITY OF LINN VALLEY, KANSAS.

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

Section 1. Private sewage holding tanks and private water storage tanks (cisterns) shall:

- a) Be constructed of precast, reinforced concrete.
- b) Follow the standards of the Kansas Department of Health and Environment (KDHE)
- c) Have a minimum capacity of 1500 gallons.
- d) The tank bedding layer below the tank shall be compacted and have a minimum 4" level gravel base. The holding tank shall be back filled evenly on all four sides in 12" compaction lifts.
- e) The location of the sewer holding tank should be such as to maintain not less then the following required separation distances:
 - 50' from a pond or lake not used for drinking water.
 - 5' of undisturbed soil between a (cistern) water holding tank and the sewer holding tank.
 - 10' from a potable water line
 - 5' from a habitable building 10' from the property line
 - 15' from the front property line
 - 25' from a public water line
- f) Be accessible to a pumping vehicle, within a maximum distance of twenty feet between the vehicle and the removable lid of the tank.

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 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.

Passed and approved this 22nd day of June 2026.

Mayor, Lister Potter

Attested:

City Clerk, Mendi Cyr

ORDINANCE NO. 280

**AN ORDINANCE REGULATING THE OPERATION OF ELECTRIC-ASSISTED BICYCLES,
HIGH-POWER ELECTRIC MOTORCYCLES, AND ELECTRIC DIRT BIKES WITHIN THE
CITY OF LINN VALLEY, KANSAS.**

WHEREAS, the City Council finds that electric-assisted bicycles provide a safe and environmentally friendly means of transportation and recreation; and

WHEREAS, the City Council further finds that certain high-powered electric motorcycles and electric dirt bikes pose unique safety concerns due to their speed, weight, and operating characteristics;

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

SECTION 1. PURPOSE

The purpose of this ordinance is to promote public safety, protect pedestrians, and establish reasonable regulations governing the operation of electric-assisted bicycles and high-powered electric vehicles within the City of Linn Valley.

SECTION 2. DEFINITIONS

A. Electric-Assisted Bicycle (E-Bike)

An electric-assisted bicycle shall have the same meaning as provided by Kansas law and shall be classified as follows:

Class 1 E-Bike:

A bicycle equipped with a motor that provides assistance only while the rider is pedaling and ceases assistance at twenty (20) miles per hour.

Class 2 E-Bike:

A bicycle equipped with a motor capable of propelling the bicycle without pedaling and ceases assistance at twenty (20) miles per hour.

Class 3 E-Bike:

A bicycle equipped with a motor that provides assistance only while pedaling and ceases assistance at twenty-eight (28) miles per hour.

B. High-Power Electric Motorcycle or Electric Dirt Bike

Any electrically powered two-wheeled vehicle that:

1. Is capable of speeds greater than twenty-eight (28) miles per hour under motor power;
2. Has a motor rated in excess of seven hundred fifty (750) watts;

3. Is designed primarily for off-road use; or
4. Is marketed as an electric motorcycle, electric dirt bike, motocross bike, trail bike, or similar vehicle.

Examples include but are not limited to Sur-Ron, Talaria, E-Ride Pro, Rawrr, Ventus, and similar vehicles.

SECTION 3. AGE REQUIREMENTS

A. Class 1 E-Bikes

1. Operators shall be at least ten (10) years of age.
2. Operators under sixteen (16) years of age shall wear a bicycle helmet.

B. Class 2 E-Bikes

1. Operators shall be at least twelve (12) years of age.
2. Operators under eighteen (18) years of age shall wear a bicycle helmet.

C. Class 3 E-Bikes

1. Operators shall be at least sixteen (16) years of age.
2. All operators shall wear a bicycle helmet.

D. High-Power Electric Motorcycles and Electric Dirt Bikes

1. Operators shall be at least sixteen (16) years of age.
2. All operators shall wear a DOT-approved helmet.

SECTION 4. OPERATION OF E-BIKES

A. E-bikes may be operated on city streets and private roads where traditional bicycles are permitted.

B. Operators shall obey all applicable traffic laws.

C. No operator shall operate an e-bike in a careless, reckless, or negligent manner.

D. Operators shall yield the right-of-way to pedestrians at all times.

E. No person shall operate an e-bike while using a handheld electronic device.

F. E-bikes operated between sunset and sunrise shall be equipped with:

1. A white front light visible from at least 500 feet; and
2. A red rear reflector or red rear light visible from at least 500 feet.

SECTION 5. SPEED RESTRICTIONS

A. No e-bike shall exceed fifteen (15) miles per hour:

1. On shared-use paths;
2. Near the clubhouse grounds;
3. Within city parks;
4. On trails;
5. At beaches, docks, playgrounds, or other designated recreational areas.

B. E-bikes operating on roadways shall not exceed the maximum speed permitted by law or manufacturer design.

SECTION 6. HIGH-POWER ELECTRIC MOTORCYCLES AND ELECTRIC DIRT BIKES

A. High-Power Electric Motorcycles and Electric Dirt Bikes shall not be considered bicycles or electric-assisted bicycles.

B. The following areas are prohibited for operation:

1. Sidewalks;
2. Walking trails;
3. Parks;
4. Playgrounds;
5. Beaches;
6. Docks;
7. Golf-cart paths;
8. Clubhouse grounds;
9. Property owned or maintained by the Linn Valley Property Owners Association where motorized vehicle operation is not otherwise authorized.

C. Such vehicles may only be operated on roadways if permitted by Kansas law and if all applicable state licensing, registration, and equipment requirements are met.

D. No operation shall be permitted between the hours of 11:00 p.m. and 6:00 a.m.

SECTION 7. PASSENGERS

No person shall ride upon an electric-assisted bicycle or high-powered electric vehicle unless the vehicle is specifically designed by the manufacturer to carry passengers.

SECTION 8. PARENTAL RESPONSIBILITY

A parent or guardian shall not knowingly permit a minor child to operate an electric-assisted bicycle or high-powered electric vehicle in violation of this ordinance.

SECTION 9. ENFORCEMENT

A. First Violation-Written warning or fine not exceeding \$50.

B. Second Violation Within Twelve Months-Fine not exceeding \$100.

C. Third Violation Within Twelve Months-Fine not exceeding \$250.

D. Repeated violations involving High-Power Electric Motorcycles or Electric Dirt Bikes may result in impoundment pursuant to applicable law.

SECTION 10. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 11. EFFECTIVE DATE

This ordinance shall take 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.

PASSED AND APPROVED by the Governing Body of the City of Linn Valley, Kansas, this 22nd day of June 2026.

Mayor, Lister Potter

Attested:

City Clerk, Mendi Cyr

RESOLUTION 149

A RESOLUTION REPEALING RESOLUTION 147 AND ESTABLISHING FEES PERTAINING 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;

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 page will list the fees that 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 Fee	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	2-104	\$10 per dog
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 LICENSE		
Cereal Malt Beverage License Fee	3-207	1. General Retailer \$75 per calendar year 2. Limited Retailer-\$75 per calendar year
Cereal Malt Beverage Location Change Application Fee	3-211	\$75
BUILDING PERMITS		
Building Contractor Registration Fee	4-103	\$50 Per calendar year
Building Permit Application Fee	4-202	\$35
Building Permit Base Fee	4-202	\$75
New Residential, and Non-residential Construction greater than 240 sq.ft	4-202	Calculated using Exhibit A worksheet

BUILDING PERMITS-CONTINUED

Environmental Impact Fee	4-202	\$500 for each water holding tank and sewer holding tank, in addition to the permit fees
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PUBLIC SEWER SYSTEM

Sewer Use Rates	15-101	The first billing cycle in January 2026 monthly rate will increase to \$63.99. Rates will increase 2.5% annually. Billing cycle is on the 21st day of the month through the 20th day of the following month. Payments are due on the 9th day 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 User Rates (250,000 or more gallons annual flow into city wastewater treatment facility)	15-101	Rate per 1000 gallons is \$20.07; effective January 1, 2025, rates will increase 2.5% annually. Payment is due on the 24th of the month. Late penalty is 5% of balance due.
Replace missing or damaged vent cap	15-207	\$88
Public Sewer System Connection Fee	15-209	\$6776.54 fee in 2026; annual increase 2.5%

PUBLIC WATER SYSTEM

Water use rates		<p>Meter Fee \$20 First 3000 gallons \$45 Total Monthly Minimum \$65</p> <p>Each additional 1000 gallons usage \$15. Rates will increase 2.5% annually. Billing cycle is on the 21st day of the month through the 20th day of the following month. Payments are due on the 9th day of the month. Payments not made by the due date will be charged a late penalty of \$2.50 in addition to payment due.</p>
Disconnect/Reconnect Fee		\$50/\$50
Water Install Fee		\$2,000
Commerical Meters		<p>Three (3) times cost for less than one (1) inch meter</p> <p>Five (5) times cost for more than one (1) meter</p>

PUBLIC WATER SYSTEM-CONTINUED	
Meter Replacement	\$350
Hold and Haul	\$15/1000 gallons
911 Signs	\$30

PASSED AND ADOPTED by the Governing Body of the City of Linn Valley, Kansas on this 22nd day of June 2026.

 Mayor, Lister Potter

(Seal)

 City Clerk, Mendi Cyr

**GOVERNING BODY OF LINN VALLEY
EXECUTIVE SESSION**

DATE: _____

MOTION BY: _____ SECONDED BY: _____

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

(Pursuant to K.S.A 75-4319(b))

Start Time: _____ Duration: _____

The open meeting will resume in the Linn Valley Council Meeting room at _____ (time).

Motion carried: Ayes: _____ 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.