

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
AUGUST 6, 2012

The Lyndon City Council met in Regular Session on Monday, August 6, 2012, 7:30 p.m., at City Hall.

Members Present: Mayor Kay Jones, Brandon Smith, Doug Watson, Bill Patterson, and Darby Kneisler

Members Absent: Wayne Howard

Others Present: City Attorney, Pat Walsh
Kim Newman, City Administrator
Julie Stutzman, Deputy City Clerk
David Wilson, Maintenance Supervisor
Darrel Manning, Chief of Police
Wayne White, Osage County Herald-Chronicle
Bill Maness, Senator Moran's Office
George Stutzman
Nancy Yockey
Kevin Payne

1. CALL TO ORDER: Mayor Jones called the meeting to order.
2. ROLL CALL: The Deputy Clerk called roll of the city Council; Howard was absent.
3. ADOPTION OF MINUTES OF PREVIOUS MEETING: A motion was made by Patterson to approve the Special Meeting Minutes of July 16, 2012. Watson seconded the motion, which carried.

A motion was made by Kneisler to approve the Adjourned Meeting Minutes of July 16, 2012 as presented. Smith seconded the motion, which carried.

4. CORRESPONDENCE TO COUNCIL:
 - a) Kansas Government Journal.
 - b) Letter from the Kansas Water Office regarding Drought Emergency Triggers and Additional Water Storage.
 - c) PWWSD#12 minutes from August 15, 2012.
5. CITIZEN'S STATEMENTS AND PETITIONS: Bill Maness, District Representative for Senator Jerry Moran who is assigned to the Pittsburg Office stopped by to give contact information to the Council. He will be hosting an Office day at City Hall on Tuesday, August 14th.

6. UNFINISHED BUSINESS:

- a. **APPOINTMENT OF CITY CLERK:** The Mayor made appointment of Deputy Clerk, Julie Stutzman to the position of City Clerk and asked the council for a motion to approve. A motion was made by Kneisler, Watson seconded, motion carried.
- b. **LYNDON 2013 BUDGET:** Due to no continued discussion, no action was needed.
- c. **ORDINANCE NO.786 ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2013:** At 8:43 p.m. a motion by Watson to approve, Patterson seconded, motion carried.
- d. **ORDINANCE 785 APPROVING CITY BUDGET FOR 2013:** At 8:45 p.m. a motion was made by Kneisler to approve, Watson seconded, motion carried.
- e. **ORDINANCE 784 WHICH ENTERS INTO CONTRACT AND SETS THE RATE AT \$14 PER MONTH FOR SOLID WASTE REMOVAL:** At 8:50 p.m. a motion was made by Patterson to approve. Watson seconded, motion carried.
- f. **CONTRACT AWARD TO OTTAWA SANITATION:** Motion was made by Smith to authorize the Mayor to sign the 2- year contract with Ottawa Sanitation. Watson seconded, motion carried.

7. NEW BUSINESS:

- a) **METER ISSUE AT 127 EAST 4TH:** Mr. Kevin Payne appeared before council and had given correspondence prior to the meeting regarding the meter at the apartments at 127 East 4th. City Administrator recommended that due to the new ordinance and the one meter not having any use, the East 4th apartments should only be charged for one meter which falls under the multi-dwelling structure. The Maintenance Supervisor stated that he will work with Mr. Payne, however, there needs to be work done towards making a physical break so the unused meter can be removed. It was consensus of the council to bill the multi-structure on the one meter and no access charges on the second meter.
- b) **ACCOUNT CLERK POSITION:** A timeline was given to Council for filling the current vacant position.
- c) **APPOINTMENT OF COURT CLERK:** The Mayor made the appointment of Darrel Manning as Municipal Court Clerk. A motion was made Patterson to approve. Kneisler seconded, motion carried.
- d) **APPOINTMENT OF CITY TREASURER:** The Mayor made the appointment of Kimberly Newman as City Treasurer. A motion was made by Watson to approve. Kneisler seconded, motion carried.
- e) **APPOINTMENT OF LOCAL FREEDOM OF INFORMATION OFFICER:** The Mayor made the appointment of Julie Stutzman as Local Freedom of Information Officer. A motion was made by Patterson to approve. Smith seconded, motion carried.
- f) **BOARD CONFLICTS.** Changes were discussed regarding conflicts of appointments on the Recreation Commission and Planning and Zoning. The matter was tabled to the next meeting.

- g) **LOCAL SALES TAX:** Due to the decrease in state tax, the City Administrator recommended that we put ½ cent increase on the ballot which will not increase the tax rate of 8.3%, but give the city 1.5% to help the General Fund. Matter was tabled.
- h) **(SHEP) CONTRACT RENEWAL:** Contract for renewal with Non-State Public Employer (NSPE) State Employee Health Plan (SEHP) was given to Council to review. Patterson made motion to sign renew the 3 - year SEHP contract and authorize the mayor to sign on behalf of the city, Watson seconded, motion carried.

STAFF REPEORTS:

- a) **POLICE:** Each Council member was given a copy of the activity report from the PD. It was noted that the officers will be doing crossing guard for morning and afternoons due to previous crossing guard not being able to come back due to personal reasons.
- b) **MAINTENANCE:** Each Council member received an activity report from Maintenance. Patterson asked when Killough was coming in and the Maintenance Supervisor stated it would be the first part of September.

Watson inquired about how many bridge structures we had in town. The Maintenance Supervisor stated that he had given a list to the City Administrator and that there were approximately 13, out of which 5 are priority. The City Administrator stated she had forwarded those to BG Consultants, however, the city will be paying for an assessment of the bridges so we can include them in the capital planning so the city will not be liable.

c) CITY ADMINISTRATOR:

Last summer movie was on Friday and had some great feed back after the movie via e-mail.

Met with the Senior Housing developer and engineer and has nothing to report at this time other than it seems to be on track.

Attended the Osage City Council meeting to find out about their Sales Tax plans.

Attended the last Planning & Zoning meeting and was asked why they were not consulted on the Zerr de-annexation.

Recently met with School Superintendant regarding the current members of Recreation Commission.

Attended County Commissioners meeting regarding planning issues.

Water plant does make 50 to 60 cents per 1,000 gallons at water plant. No cost increased is planned at this time.

Meeting with the employees is scheduled regarding the changes in health benefits.

10. COUNCIL COMMENTS:

Watson wanted to know the progress on the Safe Routes to School. The City Administrator stated we are still waiting for the award announcement for the grant.

The Mayor brought up the issue of allowing residents to install an additional water hydrant for watering. She stated that the City of Topeka allows separate meters for watering purposes. She had spoken with the Maintenance Supervisor and there were more cons than pros in allowing this.

11. EXECUTIVE SESSION: A motion was made at 9:30 by Patterson to adjourn to executive session for attorney-client privilege for 20 minutes. Watson seconded, motion carried.

A motion was made by Kneisler extend executive session for 5 minutes. Smith seconded, motion carried. Executive session adjourned at 9:55 p.m.

A motion was made by Patterson authorizing the City Administrator to send letter listing parcel numbers in the Rocking Z addition which will be considered for de-annexation contingent upon obtaining rural water, obtaining approval and compliance with Osage County zoning regulations and ordinances for residential development, and also being contingent upon Zerr's developer to provide the city with a ghost plat since the property is adjacent to the city. Smith seconded, which carried.

12. ADJOURNMENT: Motion was made by Watson to adjourn to Monday, August 20th, 2012 at 7:30 p.m. for Adjourned Meeting. Patterson, seconded, motion carried.

Julie Stutzman,
City Clerk