

LYNDON CITY COUNCIL
AJOURNED MEETING MINUTES OF
AUGUST 20, 2012

The Lyndon City Council met in Adjourned Session on Monday, August 20, 2012, 7:30 p.m., at City Hall.

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

Members Absent: Wayne Howard (7:38 p.m.)

Others Present: City Attorney, Pat Walsh
Kim Newman, City Administrator
Julie Stutzman, City Clerk
David Wilson, Maintenance Supervisor
Darrel Manning, Chief of Police
Jayson & Erin Massey

1. CALL TO ORDER: Mayor Jones called the meeting to order.
2. ROLL CALL: The City Clerk called roll of the City Council; Howard arrived at 7:38 p.m.
3. ADOPTION OF MINUTES OF PREVIOUS MEETING: A motion was made by Watson to approve the Special Meeting Minutes of August 6, 2012. Kneisler seconded the motion, which carried.

A motion was made by Patterson to approve the Regular Meeting Minutes of August 6, 2012 as amended. Watson seconded the motion, which carried.

4. CORRESPONDENCE TO COUNCIL:
 - a) Delegate letter from LKM.
 - b) MediaCom letter regarding increase.
 - c) Pledge of Securities from LSB.
5. CITIZEN'S STATEMENTS AND PETITIONS: None.
6. UNFINISHED BUSINESS:
 - a) **LOCAL SALES TAX:** The City Administrator provided the Council with a Sales/Use Tax booklet to review. The Council was also given rates of the surrounding counties for comparison. The City Administrator stated the Council should make a decision by the September meeting so it can be put on the November ballot. Discussion continued regarding time frame and plans for funds. It was consensus of the Council to move forward with Proposition 2 which authorizes the

City to impose one-half percent Citywide retailers' sales tax for the purpose of providing an adequate level of public services within the City. The City Attorney will begin the process of drafting a resolution. Matter was tabled until September.

- b) **DISCUSSION OF REMOVAL OF CONFLICTS FROM COUNCIL APPOINTED POSITIONS TO BOARDS:** City Administrator received a letter from Darrel Manning resigning from the Planning and Zoning Commission. A letter will be forthcoming from the City Clerk resigning from the Recreation Commission. The City Administrator has advertised the vacancies on the Commissions. George Stutzman has submitted a letter of interest for filling the vacant position on the Recreation Commission.

7. NEW BUSINESS:

- a) **METER ISSUE AT 316 TOPEKA:** The Council was given copies of the meter history, copy of the invoice with the resident's response, and a letter from the Maintenance Supervisor to the Council. After discussion, it was consensus of the Council for the City Administrator to write a letter to the homeowner explaining the City's policy.
- b) **CLASS ACTION SETTLEMENT:** The City Attorney explained the Class Action lawsuit to the Council and recommended that the City move forward with filing a claim. A motion was made by Patterson authorizing the City Administrator to sign on behalf of the City contingent upon feasibility. Kneisler seconded, motion carried.
- c) **ALLEY CLOSURE:** Bridget Leuszler submitted a letter requesting the closure of the west half of the east/west alley which runs between Culley's Barber Shop and the proposed Casey's location. Following discussion, a motion was made by Howard to authorize the City Attorney to prepare the paperwork to close the west half of the east/west alley. Patterson seconded, motion carried.

8. STAFF REPEORTS:

- a) **POLICE:** Each Council member was given a copy of the activity report from the PD.

Patterson asked about the decorative light pole which was damaged near 6th Street. The Maintenance Supervisor stated the cost to the City will be approximately \$1304.00.

Howard asked if the crossing guard position had been filled. At this time, no applicants have applied; the police department will cover the position in the meantime.

- b) **MAINTENANCE:** Each Council member received an activity report from Maintenance.

Smith asked what the procedure is for utility line issues within the City. The Maintenance Supervisor stated he has contact numbers to handle these issues.

Patterson asked when the pool was to be emptied. The Maintenance Supervisor stated it will be done after Labor Day Weekend after all the chlorine has burned out of the pool.

- c) CITY ADMINISTRATOR: It was noted by the City Administrator that trash service will be changed before the next meeting and pick up will be Tuesday.

The circus is Wednesday, August 29th at City Park at 5 p.m. and 7:30 p.m.

The magic show is Friday night, August 24th at 7 p.m. Bring a canned good for Help House.

The City Administrator reported to the Council regarding Senior Housing. BG Consultants will not sign off on the sewer without a lift station. Jeff Clark is to give a second opinion on the plumbing.

The City Administrator related information about a grant through Pride for improving and promoting healthy lifestyle for City residents. It would give the City \$25,000 for 3 years if selected.

9. COUNCIL COMMENTS:

Patterson asked if there was any information on the drought. Watson stated there is nothing statewide currently, however, there is a permit with the State that allows farmers to pull water from lakes.

Patterson also asked about the sidewalk heading to Dollar General. The Maintenance Supervisor stated there had been a line repair which has resulted in the sidewalk damage. Future repair is planned.

Kneisler asked about the new water billing cycle. The City Clerk noted she had spoken to 70+ people and for the most part residents understood recent payments had been credited, but were not reflected on the new bills.

Mayor Jones stated that she would like to have another Town Hall Meeting next month. It was consensus of the Council to hold the meeting on Saturday, September, 29th from 9 a.m. to 11 a.m. at the Lyndon Community Center.

10. EXECUTIVE SESSION:

- a) **ATTORNEY CLIENT PRIVILEGE:** At 8:45, a motion was made by Watson to adjourn to executive session for Attorney Client privilege with the City Administrator and City Attorney for 10 minutes; Kneisler seconded, motion carried. Executive session on Attorney Client ended at 8:58 p.m. with no action taken.

b) **PERSONNEL:** A motion was made by Smith at 9:02 p.m. to adjourn to executive session for 15 minutes for personnel matters. Kneisler seconded, motion carried. The governing body reconvened at 9:17 p.m. A motion was made by Patterson to authorize the City Administrator to offer the job to Candidate A pending a background check. Kneisler seconded, motion carried.

11. **ADJOURNMENT:** Motion was made by Watson to adjourn to Tuesday, September 4th, 2012 at 7:30 p.m. for Regular Meeting due to Labor Day holiday. Patterson seconded, motion carried.

Julie Stutzman,
City Clerk