

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
November 4, 2013

The Lyndon City Council met in regular session on Monday, November 4, 2013, 7:00 p.m., at City Hall.

Members Present: Mayor Brandon Smith, Doug Watson, Darby Kneisler, Chris Cole, and Bill Patterson

Members Absent: Laura Moore

Others Present: Kimberly Newman, City Administrator  
Patrick Walsh, City Attorney  
Julie Stutzman, City Clerk  
David Wilson, Maintenance Supervisor  
Jeremy Gaston, Osage Herald-Chronicle  
Stephanie Watson, Osage County Economic Development Director  
Tyler Jones  
Bill Caton, Excel Development Group  
Kenny Kuykendall, Osage County Commissioner  
David Osborne, Osborne Construction

1. CALL TO ORDER: Mayor Smith called the meeting to order.
2. ROLL CALL: City Clerk called roll of the city council; all members present with Moore absent with notification.
3. ADOPTION OF MINUTES OF PREVIOUS MEETINGS: Cole made the motion to approve the regular meeting minutes of October 21, 2013 as amended. Watson seconded, motion carried.
4. CORRESPONDENCE TO COUNCIL:
  - PWWDS#12 minutes from October 16, 2013.
5. CITIZEN'S STATEMENTS AND PETITIONS: Tyler Jones asked about the mailbox replacement after the street project. After further discussion, the Maintenance Supervisor stated there would be replacement mailboxes by the end of the week. It was consensus of the Council that the City would purchase the posts.
6. UNFINISHED BUSINESS:
  - a) SENIOR HOUSING, STEPHANIE WATSON, OCED: Stephanie Watson presented with Bill Caton of Excel Development Group, David Osborne of Osborne Construction and Osage County Commissioner Ken Kuykendall to discuss senior housing. Ms. Watson stated they needed a resolution of support from the Council and wanted to discuss sewer issues for the project. Mr. Caton explained to the Council that David

Osborne had bought out the project from Excel Development Group and they are now going to be heading the project. Mr. Caton also explained to the Council that the project had failed the first time due to lack of investors for the tax credits and apologized to the City for not keeping them apprised of the situation. He also stated that the City Administrator was going to estimate cost of the sewer and asked the City to provide access to that service waiving tap fees. Patterson asked if the site for the housing was the same and the amount of units in the project. Mr. Caton stated the site is the same and plan for four units of housing. Watson stated the demographic study did not support eight housing units as previously planned. Patterson also stated the property for the project is un-annexed. Commissioner Kuykendall stated the County has no issues annexing property that lies close to the City and Mr. Caton stated the property would be annexed after they get the funding for the project. The City Administrator stated in the initial proposal, the City would own the units after 15 years for one dollar and asked with the current proposal who would own the property. Mr. Caton apologized for giving her incorrect information about City ownership; however, the non-profit Midwest Housing Initiative would have to agree to section off and sell to different entities, as the City cannot own this type of housing without creating a housing authority. With the current proposal, after the 15 years the Osage County Economic Development Corporation would own this property. The City Administrator stated the cost to the City for the sewer is minimal at an estimate of \$10,000. The City Administrator also stated the sewer is not really her main concern. Due to the recent Adams Street project, the corner at 14<sup>th</sup> and Adams is very narrow and to widen it is not feasible at this time with the costs associated. The City Administrator noted in the next 6 months 14<sup>th</sup> street will be in plans for repair. Kneisler stated there is a lot of traffic on that road on a daily basis and is concerned about the safety of residents leaving that driveway. Mr. Caton stated they could incorporate turn around in the plans so that residents could leave driving out instead of backing into the street. After further discussion, Watson made the motion to support the project with a resolution to provide water and sewer access up to the property line and waive all tap and building permit fees for the project with the stipulation that monthly updates are provided to the Council on the progress of the project. Kneisler seconded, motion carried with Cole abstaining.

- b) USD 421 BUILDING PROJECT: The City Administrator invited Commissioner Ken Kuykendall to stay to discuss the USD 421 building project. The City Administrator stated she met with Bruce Boettcher of BG Consultants and Superintendent Brian Spencer regarding the closing 6<sup>th</sup> street for the building project. She stated that Thursday afternoon herself, the Maintenance Supervisor, Bruce Boettcher from BG, and Superintendent Brian Spencer briefly walked around the potential site discussing the exact location and potential problems. The City Administrator provided the Council with an unofficial drawing by the engineer of what occurred during these discussions regarding rerouting options. Commissioner Kuykendall stated the discussion is moot until the bond issue passes. The City Administrator stated she is not quite satisfied with option #1 due to safety issues with equipment and cars, but considered it due to the cost savings to the school. Option #1 would cost approximately \$500,000 to \$1,000,000 that would include full street reconstruction. The current road underneath is chip and seal which cannot handle the increased traffic. Option #2 would cost approximately \$2,000,000 to \$3,000,000. After discussing the two unofficial options provided, the FAS

route requirements, Jones Park access, traffic flow, locations of utilities and costs, Watson made the motion to authorize the City Administrator to enter into a 3-way contract with BG Consultants for an engineering study with consent from USD 421 and Osage County. Cole seconded, motion carried.

- c) LED LIGHTING: The City Administrator provided Council members finance options to review for LED lighting. After further discussion, the Council tabled the matter.
- d) UNSAFE STRUCTURES: The Council tabled the matter.
- e) DISCOUNTED UTILITY RATES FOR SUBSIDIZED HOUSING: The City Administrator stated she had contacted several other cities regarding discounted utility rates for private subsidized housing. She received approximately 10 responses and all but one were no. After further discussion, it was consensus of the Council to have the City Administrator write a letter to Raylen and Karen Phelon responding to their correspondence asking for discounted utilities rates for housing at 722 Washington and the City's decision not to grant the discount.

7. NEW BUSINESS:

- a) SAFE ROUTES TO SCHOOL PHASE II CONTRACT: The City Administrator provided the Council with the contract for Safe Routes to School Phase II for their review to vote on at the next meeting. The Council tabled the matter until the next Council meeting giving the City Attorney time to review the contract and to hear from Bruce Boettcher with BG Consultants.

8. STAFF REPEORTS:

- a) POLICE: No report given.
- b) PLANNING AND ZONING: No report given.
- c) MAINTENANCE: Each council member received a copy of the Maintenance report.
- d) CITY ADMINISTRATOR:

TRAIL: The City Administrator stated there are some issues with the trail. She stated the contractor, a representative from Westar, the Maintenance Supervisor and herself spent approximately 4 hours discussing the drainage issues near the wetlands and the parking area. The City Administrator stated once the dirt work is completed, the problems most likely will resolve. There was a discussion about enlarging the wetlands, but no decision yet. The City Administrator stated there are two sections of the trail were water is flowing over it, however, is not a concern at this time. She stated the contractor would survey the area and give some ideas on how to fix these concerns.

USD 421 BUILDING PROJECT: Moved to unfinished business item 7b by consensus of the Council.

STUDENT RESOURCE OFFICER GRANT: The City Administrator stated the City did not receive the funding for the Student Resource Officer. The City could re-advertise the position with the willingness to train. The City Administrator stated the vacant position has been budgeted for 2014. At this time, the City has three applications and could hire and train someone to fill the position. After further discussion, the Council tabled the matter.

10. COUNCIL COMMENTS:

PATTERSON: Patterson asked that thank you notes be sent to the people who take care of the flowerpots downtown.

Patterson wanted to clarify what the proposed school engineering study consists of for the road reconstruction to close 6<sup>th</sup> street. He wanted to know if this included the moving of utilities and the trail. The City Administrator stated that is the responsibility of the school district as far as the utilities and the study will be about the reconstruction of the street bed, drainage and resurfacing.

COLE: None

KNEISLER: None

WATSON: None

MAYOR SMITH: None.

10. EXECUTIVE SESSION: At 10:09, Patterson made the motion to recess to executive session for 5 minutes for personnel. Kneisler seconded, motion carried. At 10:14, Council reconvened with no action taken.

11. ADJOURNMENT: Patterson made the motion to adjourn to Monday, November 18, 2013 at 7:00 p.m. for Regular meeting. Watson seconded the motion, which carried.

*Julie Stutzman*  
City Clerk