

LYNDON CITY COUNCIL
ADJOURNED MEETING MINUTES OF
JUNE 21, 2010

The Lyndon City Council met in adjourned session on Monday, June 21, 2010, 7:30 p.m., at City Hall.

Members Present: Kay Jones, Wayne Howard, Bill Patterson, Brandon Smith,
Doug Watson, City Attorney Pat Walsh,
and City Clerk Barbara Schattak

Absent: Mayor Jeff Bronson

Others Present: Larry Thurston, Outgoing City Administrator
Darrel Manning, Chief of Police/Zoning Administrator
Dave Wilson, Maintenance Superintendent
Robert Smith, Patrolman

In the absence of the Mayor, Council President Patterson called the meeting to order. A motion was made by Jones to approve the June 7, 2010 regular meeting minutes as amended. Watson seconded the motion, which carried.

RWD #1: City Clerk Barb Schattak reported Rick Hines who is representing the City during negotiations with RWD #1 called the office this morning. Mr. Hines will be working on a contract with the District's attorney, Delton Gilliland. After some discussion, the matter was tabled.

CITY PARK FACILITIES: City Clerk Barb Schattak presented information which was received from Carr Concrete regarding building facilities and noted pricing did not come with the packet. Also noted was the other company where information was requested from had not sent any information to date. After some discussion, it was consensus of the Council to have the City Clerk call the companies for more information. The matter was tabled.

RIBBON CUTTING CEREMONY: City Clerk Barb Schattak reported she had visited with Kim Houser, Manager of the new Dollar General Store. Ms. Houser indicated a tentative opening date of July 1st but she would contact City Hall with a definite date. Barb questioned the council as to which radio station she should contact regarding the ceremony; council members indicated possibly 94.5 from Topeka or KOFO out of Ottawa. The matter was tabled.

At 7:40 p.m. a motion was made by Smith to recess to executive session for 20 minutes to discuss a personnel matter and have Larry Thurston attend. Jones seconded the motion, which carried. Howard did not attend the meeting. The governing body reconvened at 8:00 p.m. No action was taken.

At 8:02 p.m. a motion was made by Watson to recess to executive session for 15 minutes to discuss a personnel matter and have Larry Thurston attend. Smith seconded the motion, which carried. Howard did not attend the meeting. The governing body reconvened at 8:17 p.m. No action was taken.

As Larry left the meeting council thanked him for his three years of service with the city and wished him luck in the future.

BUDGET PREPARATION: City Clerk Barb Schattak reported it is time for the 2011 Budget to be prepared and asked council members to think of items to be placed in the budget; each member was given an updated copy of this year's budget expenditures and receipts. Jones requested each department to make a wish list for the next year. City Attorney Walsh recommended the City hire an accountant to help prepare the budget. Barb will ask other cities who prepares their budget and a rough estimate of the cost. Jones asked for an updated list of certificate of deposits on for the City. After some discussion, the matter was tabled.

CLUB REQUEST: A request for a club license was received from Claudia Hillmon for the Smoke Shak, 609 Topeka Avenue; the fee of \$100 was paid. A motion was made by Watson to approve the request and authorize Mayor Bronson to sign the license on behalf of the City. Jones seconded the motion, which carried.

APPOINTMENTS: Requests to be appointed to the Planning and Zoning Commission were tabled in the absence of the mayor.

MAINTENANCE: Dave Wilson reported his crew is catching up and getting things in order where he can give council answers on projects. Reported he has been in contact with Killough Construction; manhole extensions have been received and have pre-fitted them to make sure they work. Killough should be able to work on city streets by mid-July; they will be in contact with Dave.

Dave reported due to the flooding at the Community Center on June 8th, crews from Stover's Restoration have been in to clean the carpet and dry the walls. In the last week maintenance has installed a manual shutoff valve in the sewer line to the center to prevent this from happening again. Watson inquired to how much of the floor was flooded to which Dave reported only half of the carpeted area and the bathrooms had water on it. Concerns were raised regarding homes being flooded when there is a lot of moisture; Dave's reported water has not gotten into the homes as they are higher than the center. The sewer lines in town cannot handle the amount of water as was received on June 8th, the sewer plant still gets some infiltration even with the slip-line project and it does seem the water gets to the plant faster now. It was suggested by Dave to seal 2 or 3 manholes every year to prevent the infiltration. Jones asked Dave to make a list of items he feels need to be done to be placed in the budget.

Patterson inquired if the City can use the results of the old smoke test and try to work with problem areas; Dave reported a new test is needed and the City is on KRWA's list to do a new smoke test in the future.

City Attorney Pat Walsh indicated since there is not a city administrator at this time the chain of command is first the Mayor, Council President and if the council has questions they call him and if it is important call a special meeting. Patterson asked if the spending limit is \$500 before coming to council; City Clerk Barb Schattak reported it was.

Dave stated 11th and Cedar is one of the roads to be asphalted this year and this area flooded as well on June 8th; the tube in the water way is 18" to "20" and too small to handle the runoff. In

visiting with Glenn Tyson with Osage County Road and Bridge the tube should be at least 36" in diameter or larger and possibly 2 tubes be put in at an estimated cost of \$1,000 per tube. It was noted the right of way is 80 feet and the tubes may or may not be in the right of way. After some discussion, the matter was tabled.

Dave reported he hasn't heard from KCCI regarding the sewer project or Henry Brothers regarding the mower; he will know more by the next meeting.

Watson inquired as to how the sewer plant is running since improvements were made. Dave reported test results are good, it acts different throughout the Imhoffs; the procedure is different and staff has a good handle running the plant.

Smith indicated the council may needs Dave's input on items to be placed in the contract between the City and RWD #1 when the time comes. Dave indicated council may want to look at updating their meters, look at the meter pits. When asked if testing the water on this line would increase cost, Dave indicated it would not. Dave suggested the Council may want to visit with Vic Montgomery with KDHE. After some discussion, the matter was tabled.

POLICE DEPARTMENT: Each council member received a copy of the Police Activity Report.

Darrel reported all officers have received their required hours of training; starting in July officers, including part-time officers, will begin advanced training. Smith questioned how the City would get a new car; Darrel stated his department would look at doing the same as how the last car was purchased. Jones asked if the radars are certified each year; Darrel reported they are. Jones inquired if there were any police grants available to which Darrel stated grants are now matching fund grants. Darrel reported new radar units use a DVD rather than VHS and cost roughly \$5000 each.

CITY CLERK: Each member was given a copy of Public Wholesale Water Supply District No. 12 minutes of their May 19, 2010 meeting as well as correspondence generated by city staff.

Patterson asked if the Bailey House is put on the State Historical Register will it be a funding item to totally upgrade; Barb felt it would. Jones stated Peggy Clark is looking at firms which deal with restoration of such structures to try to get an estimated cost of repairs. Jones also indicated there is cost for a planning grant to calculate such amount and a restoration grant. The bottom line is if it is too costly the Council may want to take the building down.

Barb reported it had been found there is a conflict regarding the deposit of a meter tests in the water rate ordinance and the utility code ordinance. Ordinance 694 stated the deposit will be \$7.50; and Ordinance 628 stated \$10. After some discussion, it was the consensus of the Council to use Ordinance 694 for the deposit of meter tests.

CITY ATTORNEY: Pat Walsh reported he has called the League for a model ordinance regarding no guns in city facilities, to date hasn't received one. City Clerk Barb Schattak offered to check with other cities to see if they have such an ordinance. After some discussion, the matter was tabled.

Pat questioned if the City is still waiting on Mr. Kneisler's building permit; Darrel indicated yes.

At 9:19 p.m. a motion was made by Smith to recess to executive session for 15 minutes to discuss a personnel matter and have Barb attend. Jones seconded the motion, which carried. Howard did not attend. The governing body reconvened at 9:34 p.m. No action was taken.

At 9:35 p.m. a motion was made by Jones to recess to executive session for 15 minutes to discuss a personnel/attorney client privilege matter. Watson seconded the motion, which carried. Howard did not attend. The governing body reconvened at 9:50 p.m. No action was taken.

GOVERNING BODY COMMENTS: Smith encouraged department heads to communicate with the Mayor and Council.

Jones questioned Darrel as to why the Community Center sign is a non-conforming sign. Darrel indicated it is a ground sign and has the two posts; which is not legal according to the sign regulations in the Zoning Ordinance; he will be visiting with the Planning & Zoning Commission regarding this section of the ordinance.

Jones asked if Holy Fish Designs had contacted the City recently about the City logo; City Clerk Barb Schattak she has not heard from them to date.

Watson requested pool manager to give a report at the next meeting; the City Clerk will contact Kayla.

Watson reported a couple of lights working intermittently along the trail; Darrel stated they have been reported to Kansas City Power & Light.

Watson indicated the Employee Handbook has not been updated since 2006 may need to be updated.

Jones asked if Jan Ogleby has been in contact with the City about the tourism guide; to date she has not been in contact. City Clerk Barb Schattak was asked to contact Jan Ogleby as well as Holy Fish Design.

Patterson reported the Geo Caching Event was not held due to the recent rains; looking to re-schedule the event soon.

Patterson indicated Larry should be paid for the extra day. After some discussion, it was the consensus to pay the extra day and process his final check with payroll.

Patterson requested council members to check their calendars as a special meeting is needed; Barb will be notified when a date is selected.

At 10:01 p.m. a motion was made by Howard for adjournment to Tuesday, July 6, 2010, at 7:30 p.m. Watson seconded the motion, which carried.



Barbara Schattak, City Clerk