

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
February 4, 2019

The Lyndon City Council met in regular session on Monday, February 4, 2019, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Doug Harty, Darin Schmitt and Katie Shepard (7:05) present. Heit absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Darrel Manning, Chief of Police; and Scott Culley; Public Works.

Others Present: Brian Foster and Wes Weishaar, BG Consultants; Tammy Schlingmann and Jan Ogleby (7:33), Osage Herald Chronicle; C.D. and Sue Olsen.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Schmitt made the motion to approve the regular meeting minutes of January 22, 2019 as amended. Harty seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Patterson made the motion to approve the bills as set forth. Schmitt seconded, motion carried.

4. PUBLIC COMMENTS: CD Olsen spoke with the Council about the ongoing problems with the large amount of water that continues to be pumped out his basement. After a lengthy discussion, no action was taken by the Council.

5. CORRESPONDENCE TO COUNCIL:

- January/February 2019 Edition of the Kansas Government Journal.

6. UNFINISHED BUSINESS:

SEWER PROJECT UPDATE – BG CONSULTANTS: Wes Weishaar and Brian Foster provided the following update for the ongoing sewer project:

Wastewater Treatment Improvements: 87% complete.

- Lagoons:
 - Fence installation underway – subject to thawed/wet ground.
 - Final cleanup and seeding to follow in Spring.

- Seepage test accepted by KDHE. Wastewater flow can be diverted when ready.
- Headworks building construction:
 - Building structure complete. HVAC/electrical installation underway.
 - Equipment control panel connections to follow. When electrical connections are made, pumps will be tested with clean water. Station startup will follow with manufacturer representative and City operators and representatives (likely in February)
- Project completion anticipated by end of March.

Sanitary Sewer Collection System Mainline Improvements: 88% complete.

- AIS waiver for Rausch End Seals granted. Installation to commence late February/early March.
- Final clean up and close-out procedures to follow. Final photo documentation to follow Taps completion.
- Final Change Order Quantities Identified. **\$52,313.50 and 25 days**
 - The final quantity adjustment is for field adjustments required due to existing conditions. The majority of the cost is for additional length on point repairs that were deemed necessary once they were uncovered. All quantities are itemized in the change order documents.
 - The additional days are being requested due to the fact that we requested the contractor use fewer crews for mainline lining activities to ensure that city staff and the construction observer would be able to coordinate with lining activities effectively. The Contractor agreed to work with us. The additional days are compensatory for the days lost during this process and as a result of the waiting period for the AIS waiver for the Rausch End Seals.
- Certificate of Substantial Completion is prepared for mainline. Work remaining is just Rausch USA end seals and final photo documentation.

Sanitary Sewer Service Tap Improvements: 65% complete.

- Tap installation on recently lined mains complete. Tap liners to be installed on Hwy 75 main concurrently with taps that have to be bored to limit traffic interruption.
- Open Trench Service Tap replacement proceeding. Pipe Services has hired a new sub-contractor to complete the remaining isolated tap repairs. Production is expected to increase with project completion in April.
- Funding agencies granted approval of change order request letter for Hwy 75 service boring. Change Order 4 is included with quote from Nowak. Quantities

are agreed to by Pipe Services but no attachment for their services. We will include it with the final change order form.

- Tap liners converted to digs: The project has seen many taps change status from liner rehabilitation to open trench methods due to various complications (3", Orangeburg, etc.). Approximately 100 taps that were scheduled to be lined will need to be converted to digs. This will increase the cost of the project potentially by \$150,000, but will still be within the original project budget. The contractor will also be requesting additional construction days due to the change in scope.
 - a) CHANGE ORDER #2 REED DOZING: Shepard made the motion to approve Reed Dozing Change Order #2 in the amount of \$52,313.50 with the additional 25 working days. Harty seconded, motion carried.
 - b) CERTIFICATION OF SUBSTANTIAL COMPLETION - REED DOZING: Mr. Foster stated the Certificate of Substantial Completion once approved sets the time for the project warranty of one year. The certificate for consideration sets the warranty to start as of February 1, 2019. After a lengthy discussion, Council tabled the matter due to not all of the work by the contractor being completed.
 - c) CHANGE ORDER #4 - PIPE SERVICES: Shepard made the motion to approve Pipe Services Change Order #4 in the amount of \$178,847.05. Schmitt seconded, motion carried.

7. NEW BUSINESS:

- a) OSAGE COUNTY CONNECTING LINKS AGREEMENT: The City Clerk provided Council with a copy of the connecting links agreement received from the County Commissioners. The City Attorney stated that in Lyndon the connecting link is East and West 6th Street. The agreement allows the city to opt out and take over maintenance of the street in the amount of \$582.00. It was noted that historically the City has never signed the agreement. Patterson made the motion to not enter into the proposed agreement. Shepard seconded the motion, which carried. The City Clerk will return the unsigned agreement and a letter to the County Commissioners with an answer.
- b) SEWER ABATEMENT: The City Clerk stated that Ann and Duane Robison were charged in error after the fire at the property in April 2018. She stated they should not have received sewer charges for the months of July through October 2018 after the fire due to the house not having any plumbing connected to city sewer and has requested a credit to the account in the

- amount of \$235.73. Patterson made the motion to grant the abatement. Shepard seconded, motion carried.
- c) 2018 AUDIT PRESENTATION: John Welch, CPA presented and reviewed the financial statement for year ending December 31, 2018 with the Council. After the presentation, Shepard made the motion to proceed with submission of the City's financial statement ending December 31, 2018 to State of Kansas with the noted amendments to the date. Schmitt seconded, motion carried.
 - d) AUDIT SERVICES CONTRACT EXTENSION: Matter tabled to allow time for the City Attorney to review the contract.
 - e) OSAGE COUNTY GUIDE - JAN OGELBY, OSAGE HERALD CHRONICLE: Ms. Ogleby provided Council with pricing to continue advertising in the Osage County Guide and discussed what the city has done in the past. Mayor Morrison asked how many were printed each year and Ms. Ogleby stated 8,000 were printed and have a two-year shelf life. The guides are provided to paper subscribers, lakes, banks, libraries, cities, and other various places for distribution. Ms. Ogleby stated they will be published by the end May and would like to have advertising done by the first of March. After brief discussion, the matter was tabled.

8. STAFF REPORTS:

- a) POLICE: Council received the Officer's Activity report for January 19 to February 2, 2019 and briefly discussed.
- b) PLANNING AND ZONING: Planning and Zoning will hold the public hearing on Monday, February 18, 2019 for the application submitted by David Parry to rezone the property at 129 East 9th. There are no pending building permits at this time.
- c) PUBLIC WORKS: Council received the Maintenance Activity report for January 23 to February 4, 2019 and briefly discussed.
- d) CITY CLERK: Tree City application is due tomorrow and is working with Brad Loveless to get this completed so the city is certified for 2018.

The new treasurer started on Friday, January 25.

Patterson asked if the trash contract and if the prices were changing and the Mayor stated after talking with Wayne Rathbun for 2018 the rates will stay the same and no additional charge for the extra bags.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson asked if Brad Loveless is still planning on chairing the Tree Board due to his new position and the City Clerk stated she has not spoken with him yet, however, left a message with his secretary.

Patterson stated he read that the extreme weather conditions have possibly killed the Emerald Ash Borers. The City Clerk stated she would ask Kim Bomberger about it.

Schmitt asked about the size of the poly carts and the City Clerk stated they are all 96-gallon containers.

Mayor Morrison thanked the department heads for being fiscally responsible and the City Clerk for maintaining financial and project records.

Mayor Morrison thanked Maintenance for their hard work removing snow and clearing the roads.

City Attorney asked if there was any progress with the water and sewer rate analysis from KRWA. The City Clerk stated she would check in with Greg Duryea at KRWA.

10. EXECUTIVE SESSION: None.

11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, February 18, 2019 for regular meeting. Shepard seconded, motion carried.

Respectfully submitted,

Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

Approved by the governing body on February 18, 2019

Attest:

Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

