

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
August 7, 2017

The Lyndon City Council met in regular session on Monday August 7, 2017, 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, Darin Schmitt, Katie Shepard (7:07) present. Ryan Kuhn and Darrel Finch absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; and David Wilson, Maintenance Supervisor.

Others Present: John Welch, CPA, Auditor; Tammy Schlingmann, Herald Chronicle.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Shepard made the motion to approve the special meeting minutes of July 24, 2017 as written. Schmitt seconded, motion carried.
- b) Patterson made the motion to approve the special meeting minutes of August 1, 2017 as written. Shepard second, 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: None.

5. CORRESPONDENCE TO COUNCIL:

- Public Wholesale Water Supply District meeting minutes from July 21, 2017.

6. UNFINISHED BUSINESS:

- a) 2018 BUDGET: The City Clerk and auditor John Welch briefly discussed the final changes made to the budget in the Employee Benefits, Water, Sewer, City 1%, City .5%, and Capital Improvement funds. After a lengthy discussion, Patterson made the motion to approve the funds as set forth in the 2018 budget and to proceed with publishing the notice of budget hearing set for Monday, August 21, 2017. Shepard seconded, motion carried.

The City Attorney stated there was discussion of funds set aside for removal of trees due to the issue of Emerald Ash Borers. The City Attorney stated he has conducted research concerning tree removal in the right-of-way/easements. He stated the City has an ordinance and there is State law that supports the current ordinance, which states that the owner that adjoins those trees even if it is in the City right-of-way/easements is responsible for removal and maintenance of said

trees. The City's only responsibility lies with trees that are on City property. The Maintenance Supervisor stated that most of the trees on City property can be handled in house, however, might have some of the ones at City Park by the cabin that will need to be removed by a tree service.

- b) SENIOR HOUSING - ANNEXATION AND REZONING TIMELINE: The City Attorney stated in the previous meeting the City received a request from Bill Caton concerning senior housing behind the Sheriff's office on 14<sup>th</sup> Street. He stated there are a lot of processes to be completed on a very short timeline. The City Attorney stated he contacted Charna Williams with Planning and Zoning, Chief Manning, Zoning Administrator and Mr. Caton with regards to the process of annexing and rezoning of the proposed property. He stated he has a petition and consent for annexation that is signed by the Spencers who currently own the property but have a current contract with Windy Ridge Developments that is contingent upon annexation and rezoning. The City Attorney stated that with the approval of the Council an ordinance would be presented at the August 21<sup>st</sup> meeting for passage.

The City Attorney stated that after annexation the next step is to rezone the property from R1 (single family) to R2 (multifamily) as it is automatically zoned as R1 with annexation. He stated the process for rezoning is to notify residents within 200 feet of proposed property and hold a public hearing with publication in the paper 20 days prior. He stated the public hearing and rezoning of the property is handled by the Planning and Zoning Commission who then provides their recommendation to Council. The City Attorney stated Mr. Caton would make his official request to rezone the property at the special Zoning meeting being held on August 14, 2017 at 6:30, which will then start the process. He stated the public hearing will be held in mid-September and the ordinance to rezone presented for approval at the October 2, 2017 Council meeting if all goes according to plan.

## 7. NEW BUSINESS:

- a) APPROVAL OF CODE OF ETHICS FOR SEWER PROJECT - KDOC REQUIREMENT: The City Clerk stated there are four documents that the City is required to have approved and on file for CDBG funding through the Kansas Department of Commerce. She stated that out of the four required documents, only the Code of Ethics is in need of updating from the last project in 2007. The City Attorney reviewed the document and had no concerns. Patterson made the motion to authorize the Mayor to sign and approve the Code of Ethics. Schmitt seconded, motion carried.
- b) CITY HALL CARPET/TILE CLEANING QUOTE: The City Clerk stated she obtained a quote from Rite Way Services to clean the carpets and tile at City Hall. She stated the quote includes stripping and waxing of the tile floors upstairs and downstairs. Schmitt made the motion to approve the quote from Rite Way Services for cleaning services in the amount not to exceed \$900. Shepard seconded, motion carried.

- c) DOCUMENT 360 COPIER QUOTE: The City Clerk stated she was contacted by Document 360 several times and was provided a quote on a newer copier and software options. After a brief discussion, it was consensus of the Council to hold off on changing services at this time and revisit closer to expiration of current lease with Toshiba.
  
- d) 10-YEAR METER REPLACEMENT PLAN: The Maintenance Supervisor stated he has reviewed the 10-year meter list and provided a replacement plan for the next 10 years replacing approximately 50 meters a year. He stated it would take until 2024 before the City will catch up on replacement of meters. The Maintenance Supervisor stated the estimated cost to purchase 50 meters is approximately \$6,000 annually. He stated the industry and Kansas Rural Water Association standards are replacement of meters approximately every 10 years or when the meter reaches one million gallons whichever comes first as calcium deposits can cause meter to slow down. Council took no action, as this information was information only.
  
- e) APPROVAL OF FUNDS FOR 2017 STREET PROJECT: The Council received a copy of the projected 2017 street expenses for review. The Maintenance Supervisor stated he would like the Council to approve the total spending amount of \$186,600 as set forth in the 2017 budget, however, does not foresee spending the entire amount. He stated briefly discussed the approximate cost of curbing and sidewalks from Quality Built in the amount of \$70,000 and areas in town that will be repaired. The Maintenance Supervisor also briefly discussed the streets in town that will be included in the project, however, has not met with Killough for cost estimate but is scheduled for later in the week. Shepard made the motion to approve the 2017 street project expenses and funding sources. Schmitt seconded, motion carried.

8. STAFF REPORTS:

- a) PUBLIC WORKS: Council received a copy of the Maintenance Activity report and briefly discussed the process of a chlorine burn out.
  
- b) CITY CLERK: The City Clerk provided the Council with financial updates as of June 30, 2016 including bank and fund balances.

Kwikom has been working at the City Shop to get their LTE system to work in order for the shop and community center for internet installation. The City Clerk stated if they cannot get the LTE system to work, probably will not be able to have Kwikom service at the shop and continue with the current service. It was noted that some work on the hotspot for City Park has begun, however, not completed.

Terracon will begin conducting fieldwork tomorrow Tuesday, August 8 for the wetland delineation at the lagoon site and will have preliminary findings by Wednesday, August 9 from Brian Foster at BG Consultants.

9. COUNCIL/MAYOR COMMENTS AND REPORTS: Patterson thanked the City Clerk, Maintenance Supervisor and City Staff for all of their hard work.
10. EXECUTIVE SESSION: Patterson made the motion to recess to executive session for 20-minutes for Attorney-Client Privilege with the City Attorney attending. Schmitt seconded, motion carried. Council reconvened with no binding action taken.
11. ADJOURNMENT: Shepard made the motion to adjourn to Monday, August 21, 2017, at 7:00 p.m. for regular meeting. Patterson seconded, motion carried.



City Clerk