

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
September 18, 2017

The Lyndon City Council met in regular session on Monday, September 18, 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 (7:04), Katie Shepard (7:08), Darrel Finch and Darin Schmitt present. Ryan Kuhn absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; and Darrel Manning, Chief of Police/Planning and Zoning Administrator (7:25).

Others Present: Tammy Schlingmann, Herald Chronicle.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Patterson made the motion to approve the regular meeting minutes of September 5, 2017 as amended. Finch seconded, motion carried.

3. CONSENT AGENDA:

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

4. PUBLIC COMMENTS: None.

5. CORRESPONDENCE TO COUNCIL:

- September 2017 Edition of the Kansas Government Journal.

6. UNFINISHED BUSINESS:

- a) LAND AND EASEMENT CONTRACTS: The City Attorney stated he received the two signed contracts from Mr. Hickey's attorney for the conveyance of the permanent easement and of real estate for the sewer project. After brief discussion, Patterson made the motion to approve and authorize the Mayor to sign on behalf of the City the contract for conveyance of the permanent easement with Mr. Hickey for the amount of \$1,000. Shepard seconded, motion carried.

Schmitt made the motion to approve and authorize the Mayor to sign the contract on behalf of the City for the conveyance of real estate for the amount of \$3,406.50. Shepard seconded, motion carried. The City Attorney stated \$100.00 is paid up front with the remaining to be paid at closing and title insurance is obtained.

- b) ORDINANCE NO. 823 – AMENDING SECTION 22 OF ORDINANCE NO. 781 – RATES: The City Attorney drafted Ordinance No. 823 that amends City water rates with a fifty-cent increase per incremental step. The increase is implemented due to the increase of the price to purchase water from Public Wholesale Water

Supply District #12. The increase will take effect on October 1, 2017. After a brief discussion, Finch made the motion to approve Ordinance No. 823 amending water rates. Schmitt seconded, motion carried.

- c) CITY 1% INFORMATION TO RESIDENTS: The City Clerk provided the Council with another draft of the flier for the City 1% information that will be sent to residents. She stated one important fact added was that this is a renewal of the current City 1% tax and not an increase. After a brief discussion, it was consensus that after the Clerk made the requested changes to the heading and updated street picture, to proceed with mailing to residents the first week of October.
- d) DILAPIDATED HOUSE ISSUE: The Council received a copy of a letter from Matt and Megan Bones in regards to the house on Monroe in need of removal. The letter states they are in the process of obtaining bids for removal and will notify the City of any progress. The Zoning Administrator spoke to Mr. Bones and he stated the contractor with the lowest bid is scheduled six months out. They have not contracted with anyone yet, however, will notify the City with a date for demolition as soon as they can.

The City Attorney recommended an update to the City's unsafe structure ordinance. He stated he researched the state law and even though the changes are minor, still should redo the ordinance. The City Attorney stated they removed the ordinance language allowing a property owner to repair the damage if it is 50 percent or less, giving the Council more discretion. He also stated the League's model ordinance requires five signatures on a petition to trigger the hearing and process. After a brief discussion, it was consensus of the Council to proceed with updating the unsafe structure ordinance.

7. NEW BUSINESS:

- a) GRAND OPENINGS FOR NEW BUSINESSES: The City Clerk stated that two new businesses in town are opening. Lyndon Floral Creations is open and True Brew will be open by October. She stated she has spoken to both owners and they will contact her in the near future to set a time to have the ribbon cutting ceremony.
- b) ACCOUNT MODIFICATIONS: The City Clerk discussed two utility account modifications for Council to consider. She stated the accounts are ones that all attempts to collect were taken and due to extenuating circumstances there are no other options or avenues to take to collect balances. The City Clerk requested the Council modify the accounts to waive the remaining balances to close the accounts. After a brief discussion, Shepard made the motion to modify account 0073d in the amount of \$46.00. Schmitt seconded, motion carried.

Finch made the motion to modify account 0285a in the amount of \$135.00. Patterson seconded, motion carried.

8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer Activity report.
- b) PLANNING AND ZONING: The commission met before the Council meeting at 6:30 p.m. to conduct a public hearing for rezoning of property after proper notification of residents within 200 feet and publications. The City Attorney stated the commission's unanimous recommendation is to proceed with rezone of the senior property from R1 to R2 with Council approval. He stated there is a 14-day required waiting period after the hearing by the commission and the ordinance would have to be at the first October meeting. The City Attorney stated if the Council agrees with the recommendation, he can prepare the draft re-zoning ordinance to for the October 2 agenda. It was consensus of the council to have the City Attorney proceed with drafting the rezoning ordinance.
- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report. The Maintenance Supervisor was absent with notification.

Mayor Morrison brought up the Tiger Ridge Development and the concern about water and sewer service options for that area. After a brief discussion, matter was tabled and will be revisited after further research. The City Clerk stated she has contacted the engineer to see if they have any information or conducted any studies when this first began in approximately 2010.

- d) CITY CLERK: The Clerk reported that the Bailey House work is still scheduled to begin on Wednesday, September 20.

Briefly discussed the progress Kwikom is making with getting the internet and phone service installed in city facilities and parks. The phone system at the sewer plant will not happen until the new pump station is installed after the sewer project is completed. Hotspots for the parks and community center will be set for use between the hours of 6 a.m. to 10 p.m.

- e) POOL YEAR-END: Pool manager Lisa Reeser provided Council with a written year-end report for pool season 2017.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson asked about the alleyway behind Three Lakes that was previously discussed and any progress in resolving the issue. The Mayor stated that the Maintenance Supervisor plans to put a new culvert at the top of 14th Street where the alley hits the road to avert the water to Topeka Avenue.

Mayor Morrison thanked the maintenance crew for all of the work improving the parks and city facilities. He stated the shelter house does need to have the roof replaced in the near future.

Morrison encouraged new council members to tour facilities with the maintenance supervisor if they can and take inventory of things they see when they are around town that need attention.

10. EXECUTIVE SESSION: Patterson made the motion to recess to executive session for five minutes for Attorney-Client Privilege with the City Attorney attending. Shepard seconded, motion carried. Council reconvened with no binding action taken.

Shepard made the motion to recess to executive session for 15 minutes for Attorney-Client Privilege with the City Attorney attending. Schmitt seconded, motion carried. Council reconvened with no binding action taken.

11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, October 2, 2017, at 7:00 p.m. for regular meeting. Finch seconded, motion carried.



City Clerk