

REGULAR MEETING**January 3, 2007***Pages 1 of 5***REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday January 3, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; City Fire Chief Scott Stainbrook; Codes Officer Greg Osborne; Sandy White; Liz Beggs; City Officer Phillip Davis; Greg Cook; Krista Cook; Le Roy Turpen; Robert Turpen; Doug Lloyd; Matt Byerly; Jake Fleming; Jim Whitworth; Eddie Andersen; and Jeff Wilbur.

Mayor Keith Smith called the Meeting to order at 7:00 p.m.

NEW EMPLOYEE INTRODUCTION

Mayor Smith deferred introductions to Council Members Turpen and Williams. Greg Cook was introduced as the future Police Chief replacing the retiring Police Chief Glenn D. Farrell. Mrs. Krista Cook was also introduced. Both were welcomed to the community.

City Attorney Sutherland noted the city could not have two Police Chief's at the same time. It was agreed Mr. Cook would be recognized as a Police Officer until after Police Chief Farrell's retirement.

City Clerk Herrin handled the Oath of Office for Officer Cook.

MAYORS COMMENTS:

1. Walkway Across Railroad Crossing: Mayor Smith informed everyone there is a 1987 Agreement with the Railroad providing a walkway crossing. The railroad will work on a timeline to get the walkway crossing re-established. Deputy City Clerk Mahon is working with the railroad and will monitor the project.
2. There was several school athletic games in the future for those interested.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Boone moved to approve the consent agenda as presented that consisted of:

Check Register: December 21, 2006 – January 3, 2007
 Minutes of December 20, 2006 Special City Council Meeting
 Minutes of December 20, 2006 City Council Meeting
 Minutes of December 22, 2006 Special City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:08 p.m.

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WATER IMPROVEMENT PROJECTS

- A. Upgrade Sludge/Backwash Lagoons
 - i. Pending Condemnation Process – No Discussion.
- B. Utility Changes for KDOT Road Project
 - i. Pending KDOT Engineering Approval – No Discussion.

DISCUSSION FROM THE FLOOR:**Katie Knopp Requests Waiving Community Building Fee for Fundraiser**

In the absence of Katie Knopp, Mayor Smith explained her parents had lost their home and everything in it earlier this week to a fire. Friends and family are putting a fundraiser together to help them with this loss. They have asked to use the Community Building for this event on Saturday January 20th and hoping to save expenses of the event by asking the city to waive the rent fee.

- *Motion to Waive Community Building Fee for Katie Knopp's Fundraiser*

Council Member Williams moved to waive the community-building fee for the fundraiser for Katie Knopp's parents. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:10 p.m.

Eddie Andersen for the La Cygne Christian Church

Eddie Andersen asked the city for approval to gravel the alleyway between the Christian Church parking lot and the county ambulance barn. The alley is currently not in use as an alley to drive through. Discussed if it was an open alley and just not an improved alley or if the alley had previously been closed with utility easements retained. Mayor Smith noted the city would have to determine the status of the alley and get back with Mr. Andersen.

REPORTS OF CITY OFFICERS:**Police Chief Glenn D. Farrell Jr**

- i. Stats Report: Noted written reports for December 2006, Annual Report for 2006, and Stats Report from 1994 through 2006.

Public Works Superintendent George Craig

- i. KDHE – PWS – Sanitary Survey Inspection Report

Public Works Superintendent George Craig reported KDHE inspectors reported the inspection was the best they had ever seen during one of their inspections with the city. There was one minor non-compliance and it has been handled.

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REPORTS OF CITY OFFICERS: (Continued)**Fire Chief Scott Stainbrook**

- i. **Change in Fire Chief and Establish Assistant Fire Chief** – Fire Chief Scott Stainbrook requested his resignation as Fire Chief due to other duty conflicts. He also requested the city appoint Doug Lloyd as his replacement and he would accept an Assistant Fire Chief position. Mr. Lloyd has a fire background and is willing to do the paperwork that goes with being the fire chief. He will go on the calls to supervise and handle the paperwork as well as the paperwork for grants the city needs to apply for to help properly supply the fire department with current up-to-date equipment for the safety for the volunteer firemen.

- *Motion to Accept Scott Stainbrook's Resignation as Fire Chief*

Council Member Robbins moved to accept Scott Stainbrook's resignation as Fire Chief. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:20 p.m.

- *Motion to Appoint Doug Lloyd as Fire Chief*

Council Member Weitman moved to appoint Doug Lloyd as Fire Chief. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:21 p.m.

- *Motion to Appoint Scott Stainbrook as Assistant Fire Chief*

Council Member Turpen moved to appoint Scott Stainbrook as Assistant Fire Chief. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:22 p.m.

Oath of Offices will be signed at City Hall.

- ii. **Request for Six Fire Gear Sets**

Assistant Fire Chief Stainbrook explained the fire department is working on grants this year for fire gear, however this takes time to apply and finally receive any funds if approved. The existing city gear is not considered safe for today's standards. There are twelve fire fighters that all need new gear. At this time would like the city to consider purchasing six sets at about \$1,200.00 per person, or a total of \$7,200.00 as a rough estimate to cover the average number of firefighters attending fires at this time. If there is money in the equipment reserve, the fire firefighters would appreciate any consideration for this purchase at this time. Council discussed there was money in equipment reserve for this purchase.

- *Motion to Purchase Six Sets of Gear for Up To \$7,200.00*

Council Member Boone moved to spend up to \$7,200.00 for city firemen for six sets of gear. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:26 p.m.

- iii. **Request for \$50.00 per Firefighter for Appreciation**

Assistant Fire Chief Stainbrook asked the council to consider the firefighters the same as the part time employees and provide them with the same \$50.00 per person for appreciation of services. There are twelve firefighters and am asking on their behalf at their request. The county gave the county firefighters an appreciation check at the year-end 2006. Mayor Smith noted their request and would consider the request.

Codes Officer – Greg Osborne

- i. **317 N. 4th Property Review**

Codes Officer Osborne reported the repair items were 75 - 80% on schedule for those items to be done by January 3rd. Again, weather and health problems have been a factor in completing the projects. The property owners are continuing to work on the property.

Noted a written report of other locations was ready for council.

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DISCUSSION FROM THE FLOOR: (Continued)

Mayor Smith asked if there were any other individuals interested in having time for discussion from the floor. None.

STANDING COMMITTEE REPORTS:Sewer

Mayor Smith noted the water treatment plant lagoons look good after the overhaul.

Council Member Robbins noted the city should look at putting up a fence between the lagoons and the county compactor to help hold the loose trash at the compactor site. Discussed if the county would help with the cost since the loose trash is coming from that site. City Clerk Herrin reported there had already been discussed with the fence repairs out front by the highway and the County Commissioners had told their Solid Waste Department they would not help with that fence maintenance.

SPECIAL COMMITTEE REPORTS:None**UNFINISHED BUSINESS:**Designation of Floating Holiday for 2007

Council discussed changing this Floating Holiday to a Personal Day for the employee to take whenever. If they wanted one of the two existing holiday's they would use their personal day to observe the day or they could use it at their discretion while balancing the workload with other employees in the department. City Clerk Herrin noted this change could be drawn up for the next meeting for approval and if anyone wanted Martin Luther King Holiday they would be able to use a day of vacation and have the personal day to use in place of the vacation day later.

NEW BUSINESS:None**Executive Session**

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of trade secrets, personnel, and legal for up to fifty minutes. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:38 p.m.

Others invited into or requesting a portion of time in executive session included: None.

Open Session Resumed at 8:05 p.m.

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OTHER BUSINESS:**Firefighter Relief Associations Seminar, January 20, 2007**

Fire Chief Doug Lloyd requested to attend the seminar at Salina with per diem. There are changes occurring at the state level and this is where the information is passed on to the local departments.

- *Motion for Fire Chief to Attend Firefighter Seminar in Salina on January 20, 2007*

Council Member Robbins moved to send Fire Chief Doug Lloyd to the Firefighter Relief Associations Seminar in Salina on Saturday, January 20th with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:07

Extend Holiday Bonus to Firefighters in Amount of \$50.00

- *Motion to Extend Holiday Bonus to Firefighters in Amount of \$50.00*

Council Member Robbins moved to extend the holiday bonus to the firefighters in the amount of \$50.00 each and apologize for any oversight. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:08 p.m.

CITY CLERK'S REPORT:

Verbal:

1. Location of January 17, 2007 Council Meeting is at the Labette Bank at 502 Market

Reminder:

1. 2007 City Election Filing Deadline is January 23, 2007 for April Elections

Written Report:

1. KDOT Speed Limit Review for Highway 152
2. KDHE – PWS – Sanitary Survey Inspection Report
3. Designation of Floating Holiday in 2007

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] City of La Cygne 2006 Building Permits
- b] KDOT Kansas Transportation Symposium
- c] Planning Commission Minutes of December 14, 2006
- d] MLA "Advanced Municipal Finance" Course

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Williams moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 5-0.**

Meeting adjourned at 8:12 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 3rd day of January 2007.

REGULAR MEETING**January 3, 2007***Pages 1 of 5***REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday January 17, 2007 at the La Cygne Labette Bank Building, 501 E. Market. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Codes Officer Greg Osborne; Penny Osborne; City Fire Chief Doug Lloyd; Assistant Fire Chief Scott Stainbrook; Officer Phillip Davis; Officer Greg Cook; Fire Fighter Jimmy Whitworth; Fire Fighter Jake Fleming; Liz Beggs; Sandy White; Officer Reservist Robert Turpen; Fire Fighter Matt Byerley; and, Kathy Faircloth.

Mayor Keith A. Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS

1. Thanked the bank for the meeting facility use.
2. Wished everyone well through the ice and cold weather.
3. Announced PVHS Band will be playing for Senator Brownback's presidential campaign announcement in Topeka this weekend.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Williams moved to approve the consent agenda as presented that consisted of:

Check Register: January 4 - 17, 2007
 Minutes of January 3, 2007 City Council Meeting
 December 2006 Treasurer's and Budget Reports
 4th Quarter 2006 Financial Statement
 Annual 2006 Financial Statement

Motion seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:02 p.m.

WATER IMPROVEMENT PROJECTS**a. Water Improvement Project**

- i. Upgrade Sludge/Backwash Lagoons

Pending Condemnation Process

b. Utility Changes for KDOT Road Project

- i. Ponzer-Youngquist Engineering Agreement

- *Motion to Approve Engineering Agreement*

Council Member Robbins moved to approve the engineering agreement with Ponzer-Youngquist as approved by KDOT. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:05 p.m.

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DISCUSSION FROM THE FLOOR:**Kathy Faircloth Regarding Water Pressure at 112 Grand**

Kathy Faircloth expressed concern about her water pressure to her personal home and had found others in the community were also concerned about their water pressure too. Ms. Faircloth asked how old the city's water system was and if the present system could withstand an increase in pressure in the lines to allow for more pressure to the residents who desired more pressure. Or, if the lines were too old was there any future improvements in the plans of the city on this infrastructure. Discussed the size of her line off of the main line and again Ms. Faircloth asked about the city's lines handling increasing the pressure to her line. Ms. Faircloth annexed into the city just prior to building her new home but would have stayed rural with rural water's better pressure had she been aware of such a difference. City noted the current city lines meet state standards on pressure. Mayor Smith thanked Ms. Faircloth for her time and expressing her concerns. Noted the city council will look into this area of infrastructure.

REPORTS OF CITY OFFICERS:**Police Chief Glenn D. Farrell Jr**

- ii. **Stats Report:** Noted written report for January 1 – 16, 2007.
- iii. **Uniform Color:** Officer Cook asked the council if they had any preference on color of uniforms the city officer's wore. New uniforms were being ordered and the decision had been made to wear one color all year round. Discussed khaki and black. No difference in cost. Council had no preference. Officer Cook chose black as a recognized color for the area.

Public Works Superintendent George Craig

- ii. **Diversified Contracting Generator Bid for WTP:** PWS George Craig presented a bid of \$72,900 for a 100KW natural gas generator to service the water plant and river pumps during power outages. The generator would be set to automatically fire every month as part of the maintenance plan. Public Works had been able to obtain several generator bids, but there were no other electricians with the electrical knowledge of the water plant to do the wiring other than Mike Page who had done the last wiring in the plant.

Council asked the City Clerk to check on any matching grants for this kind of project.

Fire Chief – Doug Lloyd

- i. **Fire Gear:** Fire Chief Doug Lloyd reported the black fire gear had been ordered and the donated fire gear would be picked up this weekend.
- ii. **Equipment Truck Donation:** Asked council to consider a donated 1985 Chevy Cargo Van, box type, truck to haul air packs, extra hose, and other supplies to a fire. Crawford County Fire District #4 is receiving a new one from the Forest Service for use and the Forest Service has agreed to donate this used but in good condition truck to La Cygne if the city is interested. The city will maintain it and it will continue to be owned by the Forest Service. The council was ok with the fire department accepting this donation for the city's use.
- iii. **1990 Pierce Truck Maintenance:** Reported the Pierce had recently required new batteries to run, and had actually be down for a short time until the batteries were shipped to the city. Asked to establish a routine maintenance process as established by the State Fire Marshall. Council concurred, just asked for a copy of the list for everyone's awareness.

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REPORTS OF CITY OFFICERS: (Continued)**Fire Chief – Doug Lloyd (Continued)**

- iv. Fire Barn Door: Asked if anyone knew the status of the new door replacing the existing one on the fire barn. This had changed hands within the city and FC Lloyd had not been able to reach the business that was to do the installation. Will have PWS Craig contact the contractor for a status report.
- v. Letter in Newspaper Regarding State Inspections: Council Member Turpen asked what the notice in the paper was about for the rural fire department not meeting all state inspection requirements. FC Lloyd noted that was pertaining to the maintenance requirements that had been discussed earlier and if the city moves forward as just discussed it will not be a problem.
- vi. Grants: Fire Department is working on locating grants for equipment, buildings, etc.

Codes Officer – Greg Osborn

- i. Clean Up Plan/Completion Date – Jim/Sandy White – 4th and Locust: Codes

Officer Greg Osborne reported the weather has been a hold up for the White's as well as several others.

STANDING COMMITTEE REPORTS:**Public Safety**

- i. Sidewalk Across Railroad Crossing: Council Member Turpen reported Deputy City Clerk Mahon, and himself had met with Mike Smith from Burlington Northern Railroad regarding the sidewalk across the railroad crossings. They will only place one on the north side due to wiring just under the ground on the south side. The railroad will put in a crossing with railroad ties or will try to use concrete crossing material if any are available. The BNSF will only provide the walkway across the tracks from signal to signal. The old crossing went at an angle that led back onto the highway on the west side of the tracks. Concurred would like the crossing going straight west across the tracks. Discussed creating a sidewalk all the way to Railroad Street staying north of the highway. Estimated approximately 145 feet in length to reach the roadway. Determined to have Deputy City Clerk Mahon contact the railroad and have them install their part of the walkway across the tracks and have the city determine what kind of a sidewalk to add. Asked City Clerk Herrin to check if the city had any matching grant money.

SPECIAL COMMITTEE REPORTS:None**UNFINISHED BUSINESS:****Establish Personal Holiday for Full Time Employees**

- *Motion to Establish Personal Holiday for Full Time Employees*

Council Member Turpen moved to amend the Personnel Policies and Guidelines Article E-3, Holidays, to delete option of Martin Luther King Day or Presidents Day and add Personal Holiday for employees to have own choice of either day, or another day. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:42 p.m.

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UNFINISHED BUSINESS: (Continued)**La Cygne Christian Church Request to Park Van in Alley**

Discussed the current city codes do not allow for blocking of an alley. The alley in question is an unimproved open alley at this time. Police Chief Farrell noted there is currently a whistle (culvert) going across the east side of the alley included as part of the drainage used in the driveway for the ambulance barn. The bus in question is currently parked on the south end of the block and there have been no complaints. Concurred the city will not approve any change to the current codes of the city.

NEW BUSINESS:**Ordinance #1348 for Zoning Map Change**

- Approve Ordinance #1348 for Zoning Map Change

Council Member Robbins moved to follow the Planning Commission's recommendation and approve Ordinance #1348 for Zoning Map Change. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:46 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of legal, personnel, and land acquisition for up to thirty minutes following a ten-minute break. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:48 p.m.

Others invited into or requesting a portion of time in executive session included: Fire Chief Doug Lloyd.

Open Session Resumed at 8:28 p.m.

OTHER BUSINESS:

None

CITY CLERK'S REPORT:

Written Report:

4. 2007 City Election Filing Deadline January 23, 2007
5. KDOT Speed Limit Review for Highway 152
6. Annual Water Tank Maintenance Renewal
7. Water Improvement Project – Upgrade Sludge/Backwash Lagoons
8. Personal Holiday
9. Sidewalk Across Railroad Crossing

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] City of La Cygne 2006 Water Production Reports
- b] City of La Cygne 2006 Gas Loss/Gain Report
- c] Planning Commission Minutes of January 11, 2007
- D] "City Hall Day at the Capitol" January 25, 2007
- E] Notice of Public Hearing for Conditional Use Permit
- F] *Kansas Government Journal*, Volume 92, Number 12, December 2006

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ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Williams moved to adjourn the meeting. Motion seconded by Council Member Turpen, voted on, passed 5 - 0.**

Meeting adjourned at 8:31 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of January 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday February 7, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Scott Stainbrook; Jim Whitworth; Rod Benson; Randy Tinsley; Matt Byerley; Jake Fleming; Danny Troth; Harry Smith; Codes Officer Greg Osborne; Sandy White; Liz Beggs; City Officer Phillip Davis; Tammy and Robert Blanck; and Robert Turpen.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

KDOT Report on Highway 152 Speed Limits

Cancelled by KDOT. Rescheduled for the next meeting, February 21, 2007.

MAYOR'S COMMENTS:

1. Thanked the Fire Department for their presence at the Workshop held just prior to the regular meeting. The Fire Department is going to look at options for a new fire department building and bring back ideas to the city.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: January 18 – February 7, 2007;
Minutes of January 17, 2007 City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:05 p.m.

Council Member Terry Weitman arrived at 7:05 p.m.

REGULAR MEETING**January 3, 2007****UTILITY IMPROVEMENTS REPORT****A) WATER IMPROVEMENT PROJECT**Upgrade Sludge/Backwash Lagoons

- i. Pending Condemnation Process – No Report

B) UTILITY CHANGES FOR KDOT ROAD PROJECTRevised Engineering Agreement with Ponzer-Youngquist

- *Motion to Rescind Prior Agreement and Approve Agreement Dated February 5, 2007*

Council Member Turpen moved to rescind the prior agreement with Ponzer-Youngquist and approve the new agreement dated February 5, 2007. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:07 p.m.

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DISCUSSION FROM THE FLOOR:Robert Blanck with Linn County Twisters Wrestling Tournament

Robert Blanck presented a letter to each council member explaining the Twisters Wrestling Tournament and what makes up the Linn County Twisters. For the tournament the group is contacting local entities for donations of any kind. Items purchased for the tournament will be purchased locally when available. One item of expense is the goal to purchase t-shirts for the fifty volunteers for a cost of around \$700. Some businesses are donating food or money. There will be around 1,800 people in the area that day with several spending in the community.

- *Motion to Donate \$200 to Linn County Twisters Wrestling*

Council Member Robbins moved to donate \$200 to the Linn County Twisters Wrestling Tournament. Seconded by Council Member Boone. Questions: Council Member Turpen asked how much was donated to the After Prom Committee? \$100.00. Noted the city had not previously donated to this youth organization. Voted on, passed 5-0. Time: 7:15 p.m.

Scott Stainbrook Regarding City Franchise Fees

Scott Stainbrook asked the city to revisit the city's utility franchise fees for future city income.

REPORTS OF CITY OFFICERS:City Attorney John Sutherland

- ii. KRWA Attorney's Forum, Tuesday, March 27th

- *Motion for City Attorney Sutherland to Attend KRWA Attorney's Forum*

Council Member Robbins moved to approve City Attorney Sutherland to attend the KRWA Attorney's Forum on Tuesday, March 27th in Wichita with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:18 p.m.

Police Chief Greg Cook

- iv. Stats Report: Noted written report for January 2007.
- v. New Uniforms: Council noted the new uniforms looked good.

REGULAR MEETING**January 3, 2007**Public Works Superintendent George Craig

- iii. Sewer Lift Station Preventative Maintenance Bids: Public Works Superintendent Craig presented two maintenance agreements; one from Lee Mathews and one from Douglas Pump Inc. Douglas Pump fees are less than Lee Mathews. Both companies respond well to the city needs.

- *Motion for Sewer Lift Station Maintenance Agreement with Douglas Pump*

Council Member Turpen approved an annual maintenance agreement for sewer lift station maintenance with Douglas Pump. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:21 p.m.

- iv. Generator for Water Treatment Plant and River Pumps: Tabled.

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REPORTS OF CITY OFFICERS: (Continued)Fire Chief Doug Lloyd

Fire Station – Fire Chief Doug Lloyd presented estimates to replace the door on the fire station, noting the previous contractor would not return calls, nor was the door yet installed. Council Member Boone noted the door had been special ordered by that contractor and the city would have to pay for it. Noted Fire Chief had not been informed and the contractor had not returned his calls. Noted contractor had contacted public works. Council concurred to hold the new bids and wait a while to see if the contractor will install in a few weeks.

Codes Officer – Greg Osborne

- i. 35th Division Band Concert Performance

Mayor Smith read a request for the city to consider having the band give a concert performance and sponsoring the band with a meal afterwards. The summer performance tour times are June 30th through July 15th. Also discussed a possible performance during the fiesta and asked Greg to discuss with the committee.

- ii. 317 N. 4th Property Review

Codes Officer Osborne reported there had been no activity due to the weather. There had also been no activity at any other locations. Mr. Osborne mailed five letters, notices to others, and eight tickets to six different people today. Mayor Smith asked for a list of his letters and action taken.

STANDING COMMITTEE REPORTS:Water & Gas

Council Member Boone reported the public works employees had spent a lot of days in the bad weather maintaining the water and gas utilities for the city. Really appreciated the hard work. City Clerk Herrin also reported individuals had given appreciation of their efforts while in City Hall. Council also noted thanks for the response to all the roadwork clean up.

Park

Mayor Smith read a letter from a youth, Logan Smith, again asking for a skate park. He passed the letter on to the Park Board. Discussed positive results from other skate parks in other cities. Noted Lincoln Township supports the park financially.

REGULAR MEETING**January 3, 2007**Community Building

Council Member Turpen expressed the need to move forward on the repairs to the community building. The new ceiling tiles have been ready to install for over a year, and the painting was over a year past due. Also noted the west wall needed to have the ceiling fan removed and the overhead door removed and properly prepared for painting.

- *Motion to Advertise Paint Bids Again with Detailed Specs*

Council Member Turpen moved to rework the paint specifications and put the bids out again with the necessary specs including proof of insurance. Seconded by Council Member Williams.

Discussion:

1. Council Member Boone volunteered to paint.
2. Others volunteered.
3. One old bid listed 25 gallons of primer and 35 of semi gloss.
4. Buy a good quality of paint.
5. Getting bids on west wall repairs.

Council Member Turpen rescinded his motion. Accepted by Mayor Smith.

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STANDING COMMITTEE REPORTS: (Continued)Community Building (Continued)

Discussed color. Council Member Turpen noted eggshell and council concurred. Mayor Smith asked the committee to order the paint; and, the committee to get together and work out the details for the repairs and the painting.

SPECIAL COMMITTEE REPORTS:Fiesta Committee

The committee is meeting tomorrow, Thursday, February 8th at 7:00 p.m. in the library.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:KRWA Annual Conference, March 27 – 29, 2007, Wichita, Kansas

Requested one public works employee and one from city hall to attend the conference this year due to the topics being covered, with several topics at one time. PWS Craig noted was tentatively considering Jerome and Gary. Would like to leave the final personnel person open in case of the need for changes.

- *Motion to Approve Two to Attend the KRWA Annual Conference*

Council Member Robbins moved to send Gary Mahon and Jerome Moore to the KRWA and if they are unable to attend to send another employee with per diem. Seconded by Council Member Turpen, voted on, passed 5 - 0. 7:50 p.m.

City Clerks Annual Spring Conference, March 6 – 9, 2007

- *Motion for Deputy City Clerk or City Clerk to Attend City Clerks Annual Conference*

Council Member Robbins moved to send Deputy City Clerk Mahon or City Clerk Herrin to the City Clerks Annual Spring Conference March 6 – 9 with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:53 p.m.

2007 Municipal Court Clerks' Conference, March 30th

- *Motion for Court Clerk Elder to Attend Municipal Court Clerks' Conference*

Council Member Williams moved to send Court Clerk Linda Elder to the Court Clerks' Conference on

REGULAR MEETING**January 3, 2007**

March 30th with the city covering the uncovered per diem costs. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:53 p.m.

City Wide Garage Sale for 2007

Discussed date held in prior years. Tabled to check for prior dates.

Hercules 3 Axle Utility Trailer

- *Motion to Purchase Hercules Utility Trailer for \$3,500 from Federal Surplus*

Council Member Turpen moved to purchase the Hercules three axle utility trailer from the Federal Surplus for \$3,500.00. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:57 p.m.

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NEW BUSINESS: (Continued)Appointment of Public Health Officer

Mayor Smith recommended the appointment of Greg Cook as Public Health Officer

- *Motion to Appoint Greg Cook as Public Health Officer*

Council Member Robbins moved to approve the recommended appointment of Greg Cook as Public Health Officer. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:58 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of trade secrets, land acquisition, personnel, and legal for up to fifty minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:00 p.m.

Others invited into or requesting a portion of time in executive session included: Dennis Arnold.

Open Session Resumed at 9:00 p.m.**OTHER BUSINESS:**City Wide Garage Sale

Years previously it had been the first Saturday in May. Council concurred to sponsor the citywide garage sale again this year the first Saturday in May.

Merit Increase for Harry Smith

- *Motion for \$.25 Merit Increase for Harry Smith*

Council Member Williams moved for a \$.25 merit increase for Harry Smith. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:02 p.m.

Chamber of Commerce City Delegate

Council Member Turpen asked the city to pay the annual dues membership for the Chamber of Commerce. Discussed who would be the delegate for the city. Left with Council Member Turpen for now.

REGULAR MEETING**January 3, 2007**Dates Community Building Available for Painting

City Clerk Herrin reported the Community Building was currently booked until the last two weeks of March.

CITY CLERK'S REPORT:

Written Report:

1. City Wide Garage Sale
2. Dog Days, April 28, 2007
3. City Clerk's Annual Conference
4. KRWA Annual Conference

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NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *League News*, Volume 12, Number 3, January 28, 2007
- b] *League News*, Volume 12, Number 4, February 1, 2007
- c] MLA KOMA/KORA Course, February 17, 2007
- d] KMGMA Memorandum "Gas Purchase Program"
- e] KRWA 2007 conference Booklet

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.**

Meeting adjourned at 9:06 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of February 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday February 21, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Scott Stainbrook; Matt Byerley; Jake Fleming; Sandy & James White; Liz Beggs; City Officer Phillip Davis; Grady Elder; Sue Riley and Hugh Bogle with KDOT; and City Reserve Officer Robert Turpen.

In the absence of Mayor Keith Smith, Council President Travis Robbins called the meeting to order at 7:00 p.m.

REGULAR MEETING**January 3, 2007****KDOT Report on Highway 152 Speed Limits**

Hugh Bogle and Sue Riley with KDOT presented the following information regarding K-152 (La Cygne) Road Safety Audit:

1. Speed limit at east edge of town will be reduced to 50 MPH.
2. 30 MPH speed zone will begin approximately 200 feet east of Industrial Road.
3. KDOT will install the new speed limit signs.
4. KDOT will be responsible for the city limits signs.
5. Recommends city replace all school crossing signs with new signs.
6. New school signs can include solar panel flashing light.
7. New signs require an application process by the government entity.
8. Information will be forwarded to the city for the application process.
9. KDOT will purchase the school signs and the city is responsible to install them.
10. School Crossing Pavement markings are fading.
11. There is funding the city can apply for to address sidewalks in disrepair headed towards the school for school children. Will forward the application forms to the city.

Hugh Bogle informed everyone the bridge west of the city limits was scheduled to be let for bids in December and targeting next spring to start construction.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: February 8 - 21, 2007;
Minutes of February 7, 2007 City Council Meeting;
January 2007 Treasurer's and Budget Report.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:08 p.m.

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UTILITY IMPROVEMENTS REPORT**A] WATER IMPROVEMENT PROJECT****Upgrade Sludge/Backwash Lagoons**

- iii. Rescind Resolution #312

- *Motion to Rescind Resolution #312*

Council Member Williams moved to rescind Resolution #312 regarding condemnation of property. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:10 p.m.

- iv. Resolution #313, Regarding Condemnation for WTP Lagoon Construction

- *Motion to Approve Resolution #313*

Council Member Turpen moved to approve Resolution #313 regarding condemnation of the Stevermer property for the water treatment plant lagoon construction. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:11 p.m.

B] UTILITY CHANGES FOR KDOT ROAD PROJECT

REGULAR MEETING**January 3, 2007**None**DISCUSSION FROM THE FLOOR:**Jenny Lee with Basketball Association Regarding Waiving the Community Building Fee for a Party for the Youth, March 2nd

- *Motion to Waive Community Building Fee for the Basketball Association*

Council Member Williams moved to waive the Community Building fee for the Basketball Association on March 2nd. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:13 p.m.

REPORTS OF CITY OFFICERS:Police Chief Greg Cook

- vi. Stats Report: Noted written report for February 1 - 20, 2007.
- vii. Police Radios and Supplies: Reported the department will not be getting any radios from the Linn County Grant monies as earlier thought. Police Chief Cook is pursuing other avenues, as the existing radios are no longer functioning consistently and need to be replaced soon. Police Chief Cook asked to discuss making other changes to some police supplies. He will meet with the Public Safety Committee regarding the changes to keep council informed.

Public Works Superintendent George Craig

- v. Chlorine Dioxide Trial Agreement: Public Works Superintendent Craig presented Deputy City Clerk Mahon's report on the CDG Technology agreement. The six-month trial period has expired. The city can now purchase the equipment for \$19,426.03 or continue to make \$600.00 monthly payments for the next 36 months with the interest rate of approximately 7%. Noted the equipment is working well and the warranty remains the same either way.

- *Motion to Purchase CDG Technology Equipment for \$19,426.03*

Council Member Boone moved the purchase the CDG Technology equipment for the water plant for the outstanding cost of \$19,426.03. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:18 p.m.

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REPORTS OF CITY OFFICERS: (Continued)Public Works Superintendent George Craig (Continued)

- vi. Excavation Safety Program, 6:30 p.m., March 1st, Paola, Kansas: This is the Annual One Call meeting public works employees usually attend during a luncheon. Requested evening attendance by public works employees and anyone else interested. There is no cost for attending, or eating, and they have an informational program for staying up to date with the one call process. Agreed to register for six to attend from the city, including Council Member Boone.
- vii. Trident-Seal Live Natural Gas Repair Certification: PWS Craig presented information on this gas repair kit method to repair different kinds of leaks on a gas line by city public works employees instead of calling on another entity. The company representative will be present tomorrow and if the process is determined to be of long lasting value the cost is \$200 per employee to become certified. Requested approval to certify three employees if they decide to use this method after the presentation.

- *Motion to Approve Certifying George, Harry, and Jerome if Determined City Will Utilize Process*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to approve the cost of certifying public works employees George Craig, Harry Smith, and Jerome Moore if they decide to use this method after the presentation. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:23 p.m.

Fire Chief Doug Lloyd

- i. Items Donated to La Cygne Fire Department – Fire Chief Doug Lloyd noted items already donated to the fire department from Kansas Forest Service, Crawford County Fire Department District 4 from Girard, Kansas, Wellington Fire Department, and the Abilene Fire Department.
- ii. ISO Review: Reported they have received information from ISO of items needed for the equipment truck and the Pierce fire truck in order the city to improve their protection class rating from a 7 to a 6.
- iii. KSFA Annual Conference: Fire Chief Lloyd requested attendance to the annual Kansas State Fire Association Annual Conference April 25 – 28, in Hutchinson, Kansas. Felt it was a good way to obtain training and stay current with state changes and recommendations. There are no conference fees, just per diem costs.
 - *Motion for Fire Chief Lloyd to Attend KSFA Annual Conference*

Council Member Williams moved to send Doug Lloyd to the Firefighters Annual Conference with per diem. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:27 p.m.

- iv. FEMA Grant Writing Seminar: Fire Chief Lloyd attended a FEMA Grant Writing Seminar last Monday in Overland Park. He learned there are monies available with the correct paperwork that is very extensive and has to be filled out perfectly.
- v. Fire Station Locations: Reported they had been unable to locate any property available for a new location at this time. Consensus of the department would be to keep the city in their own building.

Page 4 of 6

REPORTS OF CITY OFFICERS: (Continued)Fire Chief Doug Lloyd (Continued)

- vi. Grants, Including KanStep Program: City Clerk Herrin reported Linda Weldon of SEKRPC had contacted the city regarding the LMI information for the city the county had previously started last year. The city's information is still available to the city if the city wishes to finish the city portion of the project. SEKRPC will compose a letter for mailing and later compile the responses at no charge in order to allow the public to know the information would be kept confidential. The city would be required to make copies of the letter, handle the mailing costs including a stamped return envelope to SEKRPC. The city was also encouraged to consider incentives for responses. Next, if there are still outstanding households needed to respond to meet the percentage requirement, there would be a need for someone in the city to make individual contacts to complete the process. Once the LMI process was complete and the city met the requirements, the city would qualify until 2013 for not only a fire department building, but the information could also be used for any grant applications for other economic development needs including water and sewer improvements. Council asked to have the sample letter for review at the next meeting.

Codes Officer – Greg Osborne

- iii. 317 N. 4th Property Review

REGULAR MEETING**January 3, 2007**

Codes Officer Osborne was not present. Tabled.

STANDING COMMITTEE REPORTS:**Community Building**

Council Member Turpen discussed the condition of the paneling on the south wall of the large room. The Committee has put the purchasing of the paint on hold and will price a light colored paneling to go over the existing paneling.

SPECIAL COMMITTEE REPORTS:**Fiesta Committee**

Council Member Boone reported he had heard the Fiesta was going to be in the Park.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:**LKM Annual Conference Room Reservation**

Discussed there is a cost up front this year to reserve a room at the conference center if for some reason there is no one available to attend at the time of conference. Agreed would plan on a city employee, or council member, attending and would be easier to stay at the conference site.

- *Motion to Reserve a Room At The Sheraton for LKM Conference*

Council Member Boone moved to reserve a room at the Sheraton for the LKM Conference. Seconded by Council Member Turpen, voted on, passed 5 - 0. 7:45 p.m.

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NEW BUSINESS: (Continued)**Prairie View High School After Prom Donation**

- *Motion to Donate \$150 to Prairie View High School After Prom*

Council Member Boone moved to donate \$150.00 to the Prairie View After School Prom activities. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:47 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for land acquisition and personnel for up to forty minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:50 p.m.

Others invited into or requesting a portion of time in executive session included: Police Chief Cook and City Clerk Herrin.

Extend Execute Session

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for land acquisition and personnel for up to twenty minutes. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:40 p.m.

REGULAR MEETING**January 3, 2007**Open Session Resumed at 8:57 p.m.**OTHER BUSINESS:**None**CITY CLERK'S REPORT:**

Verbal:

1. Chuck Farrell's Retirement Reception is Sunday, February 25, 2007
2. Pat Foreman Reported Bank Items will be removed from the Labette Bank Building on Broadway in the next two weeks.

Written Report:

5. KDOT Speed Limit Review for Highway 152
6. Sidewalk Across Railroad Crossing – Council Member Turpen and Fire Chief Lloyd would like to be present when Deputy City Clerk Mahon and Mike Smith meet.
7. Resolution #312 and #313
8. LKM Annual Conference Room Reservation

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] January 2007 Gas Report
- b] January 2007 Water Reports
- c] Planning Commission Minutes of February 08, 2007
- d] *League News*, Volume 12, Number 5, February 9, 2007
- e] *Kansas Government Journal*, Volume 93 – Number 1, January 2007
- f] KMGA Reports
- g] "2007 Animal Control Officer Academy" March 12 – 16, 2007
- h] 2007 Paved Road Maintenance Workshop, March 22nd, Olathe
- I] "Thank You" from Mine Creek Amateur Radio Club

Page 6 of 6

OTHER BUSINESS:Flood Plain Map Update Status

Council Member Turpen asked if there had been anything received by the city regarding the updating of the flood plain maps and the questions the city had regarding those received earlier. No information received to date. City Clerk Herrin will check with Deputy City Clerk Mahon on the status and report back.

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 5-0.**

Meeting adjourned at 9:03 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of February 2007.

REGULAR MEETING**January 3, 2007****REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday March 7, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Jerome Moore; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Codes Officer Greg Osborne; Penny Osborne; James and Sandy White; Liz Beggs; City Officer Phillip Davis; Dan Gullotta; Denise Mertens; and Lori Dennis.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

2. Encouraged everyone to vote at the April 3rd elections.
3. School Spring Break is in two weeks.
4. Thanked the Emergency People and sirens set off for the recent storm warnings.
5. Read a Thank You card from Phyllis Turpen for flowers.
6. Council Member Turpen announced the petition for the Hospital Board had passed through the Linn County Commissioners and would now begin the process to select the first board members.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: February 22, - March 7, 2007;
Minutes of February 21, 2007 City Council Meeting;
February 2007 Treasurer's and Budget Reports.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:04 p.m.

UTILITY IMPROVEMENTS REPORT**A] WATER IMPROVEMENT PROJECT****Upgrade Sludge/Backwash Lagoons**

- i. Ordinance #1349, Condemnation of Approximately Four Acres of Stevermer Property for Lagoons

- *Motion to Approve Ordinance #1349 Regarding Condemnation*

Council Member Williams moved to approve Ordinance #1349 condemning Stevermer property to build the water treatment plant lagoons. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:06 p.m.

B] UTILITY CHANGES FOR KDOT ROAD PROJECT

None

REGULAR MEETING**January 3, 2007**

Page 2 of 6

DISCUSSION FROM THE FLOOR:None**REPORTS OF CITY OFFICERS:**Police Chief Greg Cook

- viii. Stats Report: Noted written report for February 2007.
- ix. Executive Time: Requested personnel time during executive session.

Public Works Superintendent George Craig

- viii. Requested Mobile Diesel Tank, Hose and Pump: In the absence of Public Works Superintendent Craig, Public Works Jerome Moore requested to purchase a 105-gallon fuel tank, hose and pump for off road diesel to have ready for multiple purposes. One specific purpose was for the generators at the lift stations. Currently the city has to pay a surcharge for Coop to deliver since they hold a small amount comparatively to other business purchases and when the electricity is out there is difficulty acquiring the fuel locally. This storage would allow public works to have the fuel on hand and ready for refueling during the emergency times. Estimated a cost of up to \$1,000 when checked at Family Center in Paola.

- *Motion to Purchase Fuel Tank and Necessary Equipment for Up To \$1,000*

Council Member Turpen moved for public works to purchase a fuel tank with necessary equipment spending up to \$1,000. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:12 p.m.

Fire Chief Doug Lloyd

- i. KSFA Annual Conference Fee: Fire Chief Doug Lloyd reported there was a fee for the conference this year of \$65.00. Conference cost was unknown at the last meeting when attendance was approved.

- *Motion to Approve KSFA Conference Fee of \$65.00*

Council Member Robbins moved to approve the \$65.00 conference fee in addition to the previously approved fees for attendance. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:14 p.m.

- ii. Side Door for Fire Barn: Requested looking into a side entry door to the fire barn. Currently the only way to enter is through the sliding garage door and when there is a power failure someone has to get to the barn before the failure and then it takes up to three people to open the garage door manually. Would have to cut into the steel sidebars to install a side door. Discussed getting a contractor who handles these types of buildings and doors to install a pre-hung door. Noted it should also help with the heat bills in the wintertime. Mayor Smith asked for detailed information including prices for the next meeting.
- iii. Fire Station: Fire Chief Lloyd reported the firefighters had all pulled together and completely emptied the station, hosed it out, cleaned it up and arranged needed items for readiness. It looks much better and staying clean.

REPORTS OF CITY OFFICERS: (Continued)Codes Officer – Greg Osborneiv. 317 N. 4th Property Review

Codes Officer Osborne reported there had been some progress, however, there is now some discussion about the fence between their property and their neighbors to the east. Dan Gullotta, (neighbor to the east), spoke up about his fence posts being four-inches inside his property line and the Whites were attaching netting to his posts, so he removed the netting. James White noted he had a survey completed and on record with the county showing his property line was further east than Mr. Gullotta agreed with. Council noted this dispute is a civil court situation, not a city council matter. Continued to discuss whether or not the survey stake had been moved. Mayor Smith asked to move on for any other topics.

v. Miscellaneous

1. Discussed how to dispose of tires. Reviewed possibility of Trinkle's Auto, Prescott Landfill, and several tires behind JV's Auto. All locations had a fee for tires.
2. Council asked if there weren't other properties to also address. Codes Officer Osborne reported there were to have been eight notices to be handled in court this month and court had been cancelled due to the health of the judge.
3. Codes Officer Osborne asked if the city provided a spring-clean up day for people to have a way to get rid of items through the city. Noted the city does a fall clean up.

STANDING COMMITTEE REPORTS:Water & Gasi. Generator Backup for Water Treatment

Council Member Boone reported the city had a bid from Diversified Contracting for the installation of a natural gas generator for the water treatment plant and the river pumps for a total cost of up to \$72,900. The city had previously been waiting for other bidders to bid and those bidders have excused themselves from the bidding process.

- *Motion to Accept \$72,900 Bid for Generator Backup for Water Treatment*

Council Member Boone moved to accept the bid of \$72,900 for the installation of a natural gas generator for water treatment for power outage emergencies. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:29 p.m.

Council Member Robbins asked if the moving of Highway 152 Bridge would affect the wiring to the river pumps. Noted this wiring would be handled in conjunction with the KDOT project.

ii. Water Distribution Lines

Mayor Smith noted there have been articles about city distribution lines and concerns, thus the city may also need to look at the city's existing distribution lines in the near future.

REGULAR MEETING**January 3, 2007**

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STANDING COMMITTEE REPORTS: (Continued)Public Safety

Mayor Smith noted there was now a current list of shelters available to the public and the list would soon be posted in different areas of the city.

Community Building

Committee reported they are still checking our paneling costs and will try to get figures together by the next meeting.

SPECIAL COMMITTEE REPORTS:Fiesta Committee

The Fiesta will be in the park this year.

Emergency Disaster Committee

Mayor Smith expressed appreciation for being kept informed with progress including the current list of storm shelters. This included the alarms being set off early during the last tornado through Linn County that was targeted to hit the city. This allowed time for everyone to get to shelter, even though this did have the alarms going off for a long time.

UNFINISHED BUSINESS:Low-to-Moderate (LMI) Income Surveys

Discussed completing the city portion of the project Linn County had begun last year for LMI requirements. The completed survey can be used for several grant projects if the city meets the LMI requirements, which it did when completed in 1999. SEKRPC recommended an incentive for responses. The responses are kept confidential and will be processed by SEKRPC. Council concurred the incentive should include those households who had already participated.

- *Motion to Proceed with LMI Survey with SEKRPC and \$100 Incentive for Responses*

Council Member Robbins moved to have Linda Weldon of SEKRPC and City Clerk to work on project to complete LMI survey and to include a \$100 survey response offer. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:44 p.m.

KDOT "Kansas Safe Routes to School" Program

Discussed. Not clear how much involvement the state is requiring of the city if there is participation. Tabled.

Old Labette Bank Building Conversion to City Hall

Mayor Smith asked to meet with those who were available in two weeks during spring break to look around the building again in further detail. Will call a workshop if enough members are available.

REGULAR MEETING**January 3, 2007**

Page 5 of 6

NEW BUSINESS:**Conditional Use Permit Application and Solid Waste Processing Facility Certification–
Midwest Glycol – Tom Overbay**

Council noted the Planning Commission had previously approved this with conditions.

- *Motion to Approve Conditional Use Permit Application with Conditions*

Council Member Turpen moved to approve the conditional use permit application with the Planning Commission’s conditions. Seconded by Council Member Boone, voted on, passed 5 - 0. 7:52 p.m.

- *Motion to Authorize Signing Solid Waste Processing Facility Certification*

Council Member Robbins moved to authorize signing the Solid Waste Processing Facility Certification. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:54 p.m.

State DAR Budget Workshop, March 26, 2007, Iola, KS

- *Motion for Deputy City Clerk or City Clerk to Attend DAR Budget Workshop*

Council Member Robbins moved to send Deputy City Clerk Mahon or City Clerk Herrin to the DAR Budget Workshop on March 26th with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:56 p.m.

MLA, “Personnel Management” Course, March 30, Chanute

- *Motion for Deputy City Clerk or City Clerk to Attend MLA Course*

Council Member Turpen moved to send the City Clerk or the Deputy City Clerk to the March 30th MLA course with per diem costs. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:58 p.m.

Request to Waive the Building Permit Fee for the New Library Construction

Council concurred as long as this was a savings to the city library and not the contractor building the library.

- *Motion to Waive the Building Permit Fee for the New Library Construction*

Council Member Robbins moved to waive the Building Permit fee for the new library construction as a savings to the library. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:00 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of land acquisition, personnel, and legal for up to forty-five minutes following a five-minute break. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:03 p.m.

Others invited into or requesting a portion of time in executive session included: Police Chief Cook, Lori Dennis, and City Clerk Herrin.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for up to twenty minutes for legal, land acquisition, and personnel. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:53

Open Session Resumed at 9:13 p.m.

REGULAR MEETING**January 3, 2007**

Page 6 of 6

OTHER BUSINESS:**Interim Replacement of City Court Judge**

Mayor Smith expressed the loss of the city's long time Judge Robert Stocking. He had helped the city in many facets over the years and would be missed.

In the interim, until another judge can be appointed, retired Judge Sam Mason has agreed to fill the position for the city. Mayor Smith recommended the appointment of Sam Mason.

- *Motion to Appoint Sam Mason as City Judge*

Council Member Turpen moved to appoint Sam Mason as interim judge. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:15 p.m.

Execution of Hwy 152 Bridge Replacement City Right of Way Acquisition

- *Motion to Execute Hwy 152 Bridge Replacement City Right of Way Acquisition*

Council Member Turpen moved to execute the Hwy 152 Bridge Replacement City Right of Way Acquisition. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:16 p.m.

Resolution #314 for Hwy 152 Bridge Replacement City Right of Way Acquisition

- *Motion to Approve Resolution #314*

Council Member Turpen moved to approve Resolution #314. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:17 p.m.

CITY CLERK'S REPORT:

Written Report:

9. Check Register Includes Following Semi-Annual Interest Payments:
 - a. SRF (Wastewater/Sewer) for 415,638.11 (\$9,266.66 Principal, Interest and fees \$6,371.45)
 - b. G.O. Water Bonds \$10,083.75 Interest
 - c. Revenue Gas Bonds \$40,197.50 Interest
10. Consumer Confidence Water Quality Report
11. City Newsletter

Verbal Report:

1. A KMU Report included House Bill 2932 regarding legislation that would deregulate municipal natural gas and electric utilities that have customers more than three miles outside of the city boundaries. The bill is moving forward.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *League News*, Volume 12, Number 6, February 16, 2007
- b] *League News*, Volume 12, Number 7, February 23, 2007
- c] 2006 Water Quality Report
- d] *Kansas Government Journal*, Volume 93 – Number 2, February 2007 (Noted a write up by Krista Cook was included.)

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-1 (No: Boone).**

Meeting adjourned at 9:21 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of March 2007.

REGULAR MEETING**January 3, 2007**

Pages 1 of 7

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday March 21, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Barbara Proffitt; LeRoy Turpen; Assistant City Fire Chief Scott Stainbrook; Codes Officer Greg Osborne; Sandy White; Liz Beggs; City Officer Phillip Davis; Annette Prentice; Fiesta Committee Member Lonnie Baker; Firefighter Jake Fleming; Robert Sullivan; Grady Elder; Denise Mertens; and Lori Dennis.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

7. Thank You card from Labette Bank
8. Thank You card from George and Elaine Craig
9. Encouraged everyone to vote on April 6th

COUNCIL COMMENTS:

1. Council Member Turpen encouraged everyone to attend the Hospital Board formation meeting on April 6th at the Labette Bank meeting room. The formation of the board to include the election of officers will take place at this meeting.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: March 8 - 21, 2007;
Minutes of March 7, 2007 City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:04 p.m.

UTILITY IMPROVEMENTS REPORT**A] WATER IMPROVEMENT PROJECT**

Upgrade Sludge/Backwash Lagoons

- i. None.

B] UTILITY CHANGES FOR KDOT ROAD PROJECT

None

DISCUSSION FROM THE FLOOR:**Annette Prentice Regarding Street Signs**

Annette Prentice presented a map of the cul-de-sac on 7th Street Court. She asked for a 'No Outlet' sign at the entry of the street explaining many drivers unfamiliar with the area drive into the city limits from the east of 7th Street Court and turn into the street thinking they are on the through 7th Street, then have trouble turning around at the end of the cul-de-sac.

Mrs. Prentice was also concerned about the sprayed and faded signs as you drive down 5th and 6th Streets, as well as other streets in the city. She felt it was dangerous for emergency vehicles to locate a specific place as well as making it hard for others to know what street they are on while in the city.

Discussed wording for a sign at the entrance of the cul-de-sac on 7th Street Court. 'Dead End' and 'No Through Street' were also discussed.

- *Motion to Purchase Appropriate Sign for Entry of 7th Street Court*

Council Member Turpen moved to allow Public Works Superintendent George Craig to get the appropriate sign for the entry to 7th Street Court. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:10 p.m.

REPORTS OF CITY OFFICERS:**Police Chief Greg Cook**

- x. **Stats Report:** Noted written report for March 1 – 19, 2007.
- xi. **Police Radios:** Council Member Turpen asked if there had been any response from the county yet for the police radios for the La Cygne Police Department. Police Chief Cook distributed a letter he had prepared to send to the Linn County Emergency Officer David Yates. Council concurred to send the letter and asked Police Chief Cook to keep them informed.

Public Works Superintendent George Craig

- ix. **Add Replacing Gas Valves to 10% Gas Meter Replacement Program:** Public Works Superintendent George Craig explained the need to begin replacing the gas valves along with the current 10% annual gas meter replacement program. The valves also begin to be less effective as they age. Currently the 10% replacement program amounts to fifty meters a year. It would cost approximately \$1,750 for fifty valves.

- *Motion to Add Gas Valves for Cost of \$1,750 for Fifty Gas Valves*

Council Member Williams moved to add fifty gas valves for up to \$1,750.00 with the 10% replacement of gas meters. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:15 p.m.

- x. **Mosquito Spray & Workshop:** PWS Craig explained the mosquito equipment is calibrated for no cost during the workshop, lunch is provided, and there is no charge for labor if there are repair parts needed, only the cost of the parts. He requested to send two employees to the workshop, purchase sixty gallons of Bio Mist for \$4,500 and the flush chemical to maintain the tank and equipment for \$600.

- *Motion for Two to Attend Workshop and Purchase Chemicals for up to \$5,100*

Council Member Turpen moved to send two employees to the mosquito workshop in Ottawa and to spend up to \$5,100 for chemicals. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:18 p.m.

REPORTS OF CITY OFFICERS: (Continued)**Public Works Superintendent George Craig (Continued)**

- xi. **Weed Spray:** PWS Craig requested the purchase of 130 gallons of Harvar, ground sterilant, and thirty-five gallons of 2-4D. PWS Craig explained if the council wanted to add to the chemicals to spray the grass on the cemetery roads they could convert the old street sweeper to use the spray bar to handle the road area.

- *Motion to Purchase Weed Chemicals for up to \$8,900*

Council Member Turpen moved to buy 130 gallons of chemicals for \$8,200 and 2-4D for \$700 for a total cost of up to \$8,900. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:21 p.m.

- xii. **Fall Cleanup:** PWS Craig reported public works had handled the fall cleanup the week before Fiesta in years past. Last year the city was cited for open burning after the cleanup. For this year the county has agreed to have two additional dumpsters that week, but no definite commitment to being able to dump them during that week to refill. PWS Craig estimated it would take at least fifty dump truck loads to Prescott landfill just for the brush that is picked up during that week. Discussed the detailed requirements for the city to obtain a burn permit. Requested city employees check into a burn permit and what could be burned with that permit and report back to the council.

- xiii. **Sewer Lines Treatment:** PWS Craig requested to have the sewer lines treated with acid for a cost of up to \$7,000. The entire lines were last treated in November 2005 and it was unusually dry last summer which causes roots to grow faster into the lines where there are cracks.

- *Motion to Purchase Acid Treatment for up to \$7,000 for Sewer Lines*

Council Member Turpen moved to purchase acid treatment for up to \$7,000 for sewer line treatments. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:26 p.m.

- xiv. **Gas Distribution Workshop:** PWS Craig requested to send two employees to the gas workshop being held on April 17th in Iola, Kansas for a fee of \$75 per person. No one attended the training session in Great Bend earlier this year. The two to attend would be Jerome and George.

- *Motion for George and Jerome to Attend Gas Workshop in Iola*

Council Member Turpen moved to approve George and Jerome to attend the Natural Gas Workshop on April 17th in Iola with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:28 p.m.

Fire Chief Doug Lloyd

- iv. **Fire Barn Door Bids:** Deputy Fire Chief Scott Stainbrook reported there were two sealed bids they were able to obtain for the installation of a side door on the fire station building.

City Attorney Sutherland opened the two bids for a 36" door including installation:

1. Tony Williams	1 Steel Door with Wood Frame	\$350
2. T L Remodeling	1 Steel Door with Frame	\$500
	\$25 Additional for Dead Bolt Lock	

- *Motion to Accept Tony Williams Bid of \$350*

Council Member Turpen moved to accept Tony Williams bid of \$350 for the door and labor. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:32 p.m. Noted there would be a dead bolt on the door.

REGULAR MEETING**January 3, 2007**

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REPORTS OF CITY OFFICERS: (Continued)**Fire Chief Doug Lloyd (Continued)**

- v. **Protection Class Upgrade:** AFC Scott Stainbrook reported the fire department had been working with the ISO representative for the city for ways to improve the city's current protection class of 7 to a 6. Improvements in protection classes lower property insurance premiums. Generally the lower the protection classes the lower the premiums. According to the information provided the city needs a few more items in the equipment truck to meet a protection class upgrade. Some of the items needed include salvage covers, tarps, a generator, air pack attachments, and special lights. Prices checked indicate all of the items could be purchased for less than \$2,000.

- *Motion to Purchase Equipment for up to \$2,000 for Equipment Truck*

Council Member Turpen moved to allow up to \$2,000 for necessary equipment for the fire equipment truck as presented. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:36 p.m.

- vi. **Ford Fire Truck:** AFC Stainbrook reported the Ford fire truck has been determined by ISO requirements to only be worth one point. What does the city want to do with the truck? The tank is getting rusty and not worth the investment of repairs. Concurred to let the truck set for now and be added to surplus sale at a later date.
- vii. **Miscellaneous:** Suggestion was made to check with the state surplus for the necessary equipment items for the equipment truck. Discussed the fire department was still looking for any building that would become available to be used for a fire station.

Codes Officer – Greg Osborne

- vi. **317 N. 4th Property Review**

Codes Officer Osborne reported there had been several items completed. The north side of the home was finished, the fence around the outside of the property was complete, and the containment area recommended by the fire department was finished. The White's plan to reside the home in the spring and summer. Code Officer Osborne's recommendation was to discontinue the two-week review.

Council concurred to table any decision to discontinue monitoring until the next meeting. At that time the council would determine how often to continue to review.

STANDING COMMITTEE REPORTS:**Community Building**

- iii. **Wall Treatment**

Council Member Turpen reported there were several different kinds of wall covering and not sure just what would be the best for the building. Recommended spending more and contacting contractors for recommendations and spending between \$2,000 - \$3,000. Discussed options, including an inspector, and obtaining proposals with estimates versus prices with different options. Police Chief Cook recommended the city have contractors submit proposals with ballpark bids to the council, the council choose a firm proposal, and then have all of the interested contractors bid on the chosen proposal. Concurred to have contractors provide proposals to then choose for a firm bid.

REGULAR MEETING**January 3, 2007**

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SPECIAL COMMITTEE REPORTS:**Fiesta Committee**

Fiesta Committee Member Lonnie Baker reported the following individuals as the core members of the committee for this year's Fiesta: Randy & Diana Tinsley, Chris Waddell, Chris Epperson, and himself, Lonnie Baker. Mr. Baker reported the committee had already met with the Park Board and received consent to have the Fiesta at the park this year. They are looking at several different ideas, some from prior years, including a carnival, air balloon rides, fire department exercise exhibits, and the life flight helicopter. With trying some or all of these different ideas there may not be positive revenue this year, but the committee felt the future expectations would create more income in future years. The Chamber of Commerce will be helping to support the committee as well as other individuals in the area.

The next meeting will be next Thursday, March 29th, at 7:00 p.m. Everyone is invited to attend.

Emergency Disaster Committee

Police Officer Davis noted this committee only meets once a month just before the first council meeting each month. Any items, he will try to report at that time.

Council Member Turpen asked if the committee had considered contacting Channel 4 to see if the storm warning training seminars could be held in this area. Scott Stainbrook reported the fire department had checked into this training and learned it was too late this year for them to schedule this area. Now is the time to schedule for next year. Discussed contacting the other television stations.

UNFINISHED BUSINESS:**Old Labette Bank Building Conversion to City Hall**

Mayor Smith discussed getting with all city employees working in city hall to discuss ideas for the work area. Police Chief Cook noted the city employees had gone over ideas and were ready to discuss. Discussed how to get costs for the roof repair, any changes to the counter, and different flooring types. Asked city employees to contact contractors for proposals and will then take a firm proposal and obtain bids. There is already a bid for the computers and wiring, concurred wanted adequate system for all workstations. Also discussed pumping the water from the cellar in the back of the building and determining how to keep the water out and prevent any mold problems.

NEW BUSINESS:**Goals/Projects Quarterly Review**

Reviewed the outstanding goals &/or projects left over from 2006. Concurred to move those projects to 2007 for target completion. There were no other projects discussed to be added to any category for 2007 or any future years.

REGULAR MEETING**January 3, 2007**

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to take a ten-minute break and then go into executive session for discussion of land acquisition, personnel, and legal for up to seventy-five minutes. Seconded by Council Member Weitman, voted on, passed 5-0. Time: 8:50 p.m.

Others invited into or requesting a portion of time in executive session included: Police Chief Cook.

Council Member Robbins left the meeting at 8:50 p.m.

Open Session Resumed at 9:13 p.m.

OTHER BUSINESS:**Hire Lori Dennis as Police Officer**

- *Motion to Hire Lori Dennis as Police Officer*

Council Member Williams moved to hire Lori Davis as a city police officer with wages to be determined by the Police Chief. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 9:15 p.m.

Noted Ms. Dennis would need to meet the states requirements of completion of the police academy within the first year of employment. The Police Chief will also determine the date of employment after she obtains a release date from her present employer. Oath of Office will be handled on her first day of employment.

Restructuring Codes Officer Position

- *Motion to Restructure the Codes Officer Position*

Council Member Williams moved to restructure the codes officer position back to the Police Department. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 9:18 p.m.

Noted the current codes employee position would be eliminated effective March 30, 2007.

Appoint Greg Cook as Codes Officer Effective March 31, 2007

Mayor Smith recommended the appointment of Greg Cook as Codes Officer effective March 31, 2007.

- *Motion to Accept Appointment of Greg Cook as Codes Officer*

Council Member Williams moved to accept the appointment of Greg Cook as Codes Officer effective March 31, 2007. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:20 p.m.

CITY CLERK'S REPORT:

Written Report:

12. Deputy City Clerk Mahon's Conference Report – Council noted appreciation of report.
13. Mosquito Spray and Workshop
14. Weed Spray
15. Fall Cleanup
16. Acid Application for Sewer Cleaning

REGULAR MEETING**January 3, 2007**

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NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *Legal Forum* "Taxability of City Employee Fringe Benefits"
- b] NAGC Newsletter "Municipals' Price –Fixing Suit Against Major Oil Companies for Violation of Federal Antitrust Laws Gets Green Light from Court"
- c] February 2007 Gas and Water Reports
- d] *League News*, Volume 12, Number 8, March 2, 2007
- e] *League News*, Volume 12, Number 9, March 9, 2007
- f] City Attorney Sutherland reported there had been a notice in the newspaper regarding the Miami County Rural Water District and Louisburg regarding dollar values on annexation.

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.**

Meeting adjourned at 9:25 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of March 2007.

NO MEETING ON APRIL 4, 2007 – LACK OF QUORUM

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SPECIAL MEETING:

The La Cygne City Council met for a special meeting on Wednesday April 11, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Liz Beggs; Chris Epperson; and, Lonnie Baker.

Mayor Keith Smith called the special meeting to order at 7:00 p.m. Noted the Special Meeting consisted of the attached agenda due to lack of quorum for last week's meeting.

MAYOR'S COMMENTS:

10. Congratulated Jerry Boone and Travis Robbins for election results. Noted it was nice to be working together with the city voters' approval.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

REGULAR MEETING**January 3, 2007**

Check Register: March 22 – April 4, 2007;
Minutes of March 21, 2007 City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:03 p.m.

SPECIAL COMMITTEE REPORTS:Fiesta Committee

Fiesta Committee Chairman Lonnie Baker reported on adding the following:

1. Requested to change the date of the Fiesta from September 15th to September 27 – 29th. A carnival is available on that Saturday the 29th and will only come if set up for three days. If the carnival makes over \$7,500 the city will receive 15% of the revenue over that amount.
2. With enough electrical hookups will also have a Bar-B-Q Smoke Off for thirty slots on Saturday.
3. Putting together a volleyball tournament on Saturday.

Council Member Boone reported he had gotten started on the electric by getting with KCP&L, public works, and an electrician to see what would be needed and some estimated costs to take to the Park Board to be able to handle this kind of an event in the park.

Council discussed date change and there were no problems with the date change, as it did not conflict with any other cities activities in the immediate area.

Chris Epperson reported they were considering a 50's – 60's style theme.

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REPORTS OF CITY OFFICERS:Public Works Superintendent George Craig

- xv. KRWA Water System Training Session: Public Works Superintendent George Craig reported this session was to cover State 2 Disinfectants and Disinfection Byproducts/IDSE and Ground Water Rules. The closest session was April 19th at El Dorado. PWS Craig requested for Art Terry and hopefully himself to attend, and if not himself another public works employee. There are credits for attendance and the information would help the city for any more possible changes required.

- *Motion for Two Public Works Employees to Attend KRWA Training Session*

Council Member Turpen moved to send Art Terry and another public works employee to attend the KRWA training session in El Dorado on April 19th with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:12 p.m.

STANDING COMMITTEE REPORTS:Park

- iv. Damaged Bench at North Park

REGULAR MEETING**January 3, 2007**

Council Member Robbins asked public works if the damaged bench at the north park could be removed until it could be repaired. Discussed the bench had been torn out of the cement base in the ground.

Community Building

1. Wall Covering Proposal: Tony Williams presented a covering for the wall called ‘smart siding’. It is used on the exterior of homes, but has also been used for the interior where there is going to be rough treatment. The material is made to handle moisture without a lot of problems for a long time. It comes primed and ready for painting with ease in painting. The paint does fade of time, but easy to paint again. The cost for this material and trim to cover the back room of the community building is \$1,900.00.

Discussed:

1. Determined the material would stand up well to public use.
2. Pull ceiling trim back from wall and place top portion under the trim.
3. Council Member Boone volunteered to paint if that would get the project done.
4. Council Member Williams will draw up specs.
5. City Hall employees are to put the specs out for bid prior to the next meeting to have the bids back by the first May meeting.

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UNFINISHED BUSINESS:Relocation to Bank Building – Open Discussion includes Cost Estimates for Updates

Items at the table:

1. 2005 Inspection Report
2. Contract Agreement
3. Cost estimates for updates

Discussed:

1. Concerns about how much more of the roof is now leaking. South side of the roof was not leaking when 2005 inspection was completed.
2. Concerns about finding an open well in the cellar, and the foundation where the water has set in this cellar.
3. Concerns after locating the air-conditioning unit on the roof and the unit is very old.
4. Discussed Agreement Conditions with option to elect not to close on the property, but instead receive compensation for the La Cygne Property.
5. Concerns about sharing a common wall for fire hazard and roof changes.
6. Asked about air conditioning costs and heating costs with the old units.
7. Concerns about refurbishing an old building then continuing to have problems.
8. Acknowledged the building is a part of the city’s history but lack of prior maintenance has created concerns about the city taxpayers being able to afford to absorb these kinds of costs for a building.
9. Library has been contacted to discuss possibility of their existing building, maybe even blending the library and the existing city hall buildings together.
10. Would Labette Bank be willing to contribute on the repairs, and if so to what degree.
11. Discussed what size a building is needed for a city hall and police station along with the potential costs for a new building to meet the needs and allow for future growth being unknown at the time of the meeting.

City Attorney Sutherland recommended the city put in writing a letter to Labette bank letting them know the city does not want the building in the current condition, but would entertain a proposal from them. Noted to also let them know the city was pursuing other avenues.

Mayor Smith asked the City Clerk and City Attorney to prepare the letter and get it mailed.

REGULAR MEETING**January 3, 2007****NEW BUSINESS:****Mahon to Marais des Cygnes Basin Summit**

- *Motion to Approve Deputy City Clerk Mahon to Attend Marais des Cygnes Basin Summit Meeting*

Council Member Turpen moved to approve Deputy City Clerk Mahon attending the Annual Marais des Cygnes Basin Summit on May 4th in Paola with per diem. Seconded by Council Member Williams, voted on, passed 5 - 0. 7:4 p.m.

Craig or Herrin to KMGGA Board Meeting

- *Motion for Public Works Superintendent or City Clerk to Attend Annual KMGGA Board Meeting*

Council Member Turpen moved to approve either PWS Craig or CC Herrin to the Annual KMGGA Board Meeting on May 4th in Wichita with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:45 p.m.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to take a ten-minute break before going into executive session for discussion of land acquisition, legal, and personnel for up to forty-five minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:47 p.m.

Others invited into or requesting a portion of time in executive session included: Public Works Superintendent Craig and Police Chief Cook.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for up to fifteen minutes for personnel. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:42

Open Session Resumed at 8:57 p.m.

UTILITY IMPROVEMENTS REPORT**A) UTILITY CHANGES FOR KDOT ROAD PROJECT****Easement on McElreath Property**

- *Motion to Approve Water Line Easement on McElreath Property*

Council Member Turpen moved to authorize the public works department to make the proper arrangements for an easement on the McElreath property for the utility lines change due to the KDOT project. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:58 p.m.

CITY CLERK'S REPORT:

Written Report:

1. Hospital Board Organization Meeting – Friday, April 13th
2. Hecke Easement

REGULAR MEETING**January 3, 2007**

3. Community Building Wall Covering Proposal – Tony Williams
4. Relocation to Bank Building
5. Marais Des Cygne Basin Advisory Committee
6. KMGGA Board of Directors Meeting – May 4th at Wichita

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Mayor's Conference, May 4th & 5th at Topeka – Mayor Smith expressed regret he would be unable to attend as he had other commitments for the 5th.

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-1 (No: Boone).**

Meeting adjourned at 9:00 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 11th day of April 2007.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday April 18, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Sandy White; Liz Beggs; City Officer Lori Dennis; J. K. Fleming; Grady Elder; and Scott Stainbrook.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

11. Congratulated City Treasurer Linda Elder with a fifteen years of service certificate.
12. High School Prom is this weekend.
13. Congratulated the newly formed Hospital Board members, which included current Council Member Joe Turpen, as well as the other members making up the seven-member board. The newly elected officers first meeting is this Friday night.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: April 5 - 18, 2007;
 April 04, 2007 City Council Meeting Cancelled from Lack of Quorum
 April 11, 2007 Special City Council Meeting Minutes;
 March 2007 Treasurer's and Budget Reports;
 1st Quarter 2007 financial Statement.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:08 p.m.

REGULAR MEETING**January 3, 2007****UTILITY IMPROVEMENTS REPORT****B| UTILITY CHANGES FOR KDOT ROAD PROJECT**i. Utility Agreement No. 006072056 for 152-54 KA-0197-01

- *Motion to Approve Mayor Signing KDOT Utility Agreement*

Council Member Turpen moved to approve the KDOT Utility Agreement and to authorize Mayor Smith to sign the agreement. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:10 p.m.

DISCUSSION FROM THE FLOOR:

None

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REPORTS OF CITY OFFICERS:Police Chief Greg Cook

- xii. Stats Report: Noted written report for March 2007.
- xiii. Law Enforcement Mutual Aid Agreement: Police Chief Cook presented a Mutual Aid Agreement created by Linn Valley Chief Jack Harris. All of the Police Chiefs' in the county met and reviewed the agreement. Police Chief Cook noted the agreement would provide the ability for other cities to back up each other when the county was further out of reach during an emergency crisis than another city's police officers. Each city would be responsible for their own personnel even while they were responding in another city. Asked if the city council was interested in pursuing this agreement as when alarms at businesses go off and there was a serious problem it is not good to have just one officer respond without backup. Council agreed to look at the agreement further including City Attorney Sutherland reviewing for a legal opinion, at least for in the cases for disasters that might involve just one city.

Public Works Superintendent George Craig

- xvi. Ponds Behind Water Plant: Council Member Turpen expressed a special thanks to all the hard work the public works employees accomplished in cleaning out the ponds and redoing the pipes down in the ponds. Public works worked hard on the project and it looks good.

Fire Chief Doug Lloyd

- viii. FEMA Grant Application Submitted: Fire Chief Doug Lloyd reported the FEMA Homeland Security Grant had been submitted three weeks ago. The grant was submitted for basic gear including radios and pagers. The amount requested was for \$91,500. If the city is approved the city will have a 5% match responsibility. It will probably be August before it will be known if the city is approved. There has been a request for the firefighters NIMS certificates and still have two more firefighters certificates to collect before responding.
- ix. Department Status Report:
 1. All donated equipment has been installed, including some medical equipment.
 2. Setting up a 1st Responder 1st Aid Class for a Saturday in the near future. Noted would check with the lifeguards on CPR training.
 3. Granted consent from council to work on a program for Cadet/Junior Firefighters with City Attorney Sutherland.
 4. The walk-in side door is scheduled to be installed this next week.

REGULAR MEETING**January 3, 2007**Codes Officer – Greg Cook

- vii. Final Report from Greg Osborne: Noted.
- viii. 317 N. 4th Property Review: Codes Officer Cook noted he had nothing prepared to report tonight. Tabled.

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STANDING COMMITTEE REPORTS:Park

Council Member Boone reported the bids are out for the new restrooms and showers in the park. The Board is also working on adding electrical wiring if the budget will allow.

Community Building

Council Member Williams reported he had shown Deputy City Clerk Mahon what improvements are to be done with the bid for the large room. Mayor Smith noted he knew of someone who might be available for community service work if there was anything available.

SPECIAL COMMITTEE REPORTS:Emergency Disaster Committee

1. Mayor Smith asked if the committee would create a list of names of usual persons at each shelter to have available if there are problems at the shelter during a disaster.
2. Police Chief Cook noted there was discussion for mock disaster scenarios at school.
3. Fire Chief Lloyd reported the Fire Department was having a mock Fire Run at the La Cygne Elementary.

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

Discussed:

- i. Heckert Construction was to contact Council Member Weitman last fall about sealing before winter water infiltration.
- ii. Heckert Construction knows the project is not finished and now there are more problems.
- iii. Council Member Weitman will contact them to follow up.

NEW BUSINESS:LMI Survey Report and Drawing for \$100

City Clerk Herrin reported SEKRPC had not had time to give a final count of how many were still needed to complete the LMI requirements. Will have a detailed report at the next meeting for the next step.

Ruth York was the winner of the \$100.00 drawing.

Kansas One-Call Annual Meeting Proxy

- *Motion for Mayor Smith to Sign Proxy with Yes for Current Slate of Officers*

Council Member Turpen moved to approve Mayor Smith to sign the Kansas One-Call Proxy with a yes

REGULAR MEETING**January 3, 2007**

for the current slate of officers as listed. Seconded by Council Member Williams, voted on, passed 5-0.
Time: 7:40 p.m.

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NEW BUSINESS: (Continued)**U.S. Census Bureau Inquiry for 2010 Census Participation**

Discussed. Council concurred to continue forward with involvement until the total details were known enough to determine just how much time would be involved by the city. Participation by the city would help make sure there is an accurate census for the city, which can help with potential future grants.

Monthly Utility Meter Re-Reads

City Clerk Herrin asked to review the monthly utility meter re-reads. Council Member Turpen recommended the Water Committee, mayor, public works, and city hall employees at a time to be determined when everyone is available.

City Sponsor AARP Driver Safety Program

Discussed:

1. If there was possibly enough interest in the area to make a session worthwhile.
2. If there are enough people to try to get a group together for a bus to the Pleasanton session.
3. How to determine if there is any city interest, including the web site, newspapers, &/or churches.

Fair Housing Month Proclamation

Mayor Smith declared April as Fair Housing Month by signing and reading the proclamation.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to take a ten-minute break prior to going into executive session for discussion of land acquisition, personnel, and legal for up to sixty minutes. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:00 p.m.

Others invited into or requesting a portion of time in executive session included: Public Works Superintendent Craig; Fire Chief Lloyd and Assistant Fire Chief Stainbrook, and City Clerk Herrin.

Open Session Resumed at 9:10 p.m.

OTHER BUSINESS:**Resignation of Public Works Employee Harry Smith**

Council Member Turpen informed everyone Public Works Employee Harry Smith had verbally given Public Works Superintendent Craig his two weeks notice. Noted the notice was not in writing.

Hire Temporary/Summer Help for Public Works

- *Motion to Hire Temporary/Summer Help for Public Works*

Council Member Turpen moved to accept applications to hire temporary/summer help for public works. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:12 p.m.

REGULAR MEETING**January 3, 2007**

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OTHER BUSINESS: (Continued)**Old Labette Bank Building**

City Clerk Herrin reported the city had received the agreed contract amount of \$20,000 from Labette Bank for the land purchase in place of the city taking over the old building. The city had also returned the key to the bank.

KDOT Applications for Improvements Projects for Fiscal Year 2011

Discussed if city would be in a position to take on this kind of project along with other current projects. Asked City Clerk to check with engineers as to any costs now and if so how much.

Highway 152 Build Up East and West of City

Council Member Turpen asked if there were any reports as to future progress for the Highway 152 build up east and west of the city and if that might be something to consider.

CITY CLERK'S REPORT:

Written Report:

17. Heckert Construction
18. Community Building Bid Notice
19. LMI Survey Report and Drawing for \$100
20. U.S. Census Bureau Inquiry for 2010 Participation
21. Monthly Utility Meter Re-Reads

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Community Building Invitation for Bids Notice
- b] March 2007 Gas Report
- c] March 2007 Water Reports
- d] Rapid Communications Franchise Payment
- e] Certifications for the Natural Gas *Trident-Seal System*
- f] MLA *Municipal Finance* Course, Leavenworth, KS
- g] *League News* Volume 12, Number 12, March 30, 2007
- h] *Legislative Alert* Number 4, April 13, 2007
- I] KMGMA March 21, 2007 Minutes
- J] Teresa Whitaker Manager of the Year Award
- K] April 12, 2007 Planning Commission Minutes
- L] *Legislative Alert* Number 5, April 17, 2007
- M] "Garage Sale" Advertisement
- N] "Park Restroom Bids" Notice

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-1 (No: Boone).**

Meeting adjourned at 9:30 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of April 2007.

REGULAR MEETING**January 3, 2007**

The LaCygne City Council held a Special Meeting at 7:00 p.m., Thursday, April 19, 2007 at LaCygne City Hall. The purpose of the Special Meeting was: 1. Property Acquisition.

Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald 'Skip' Williams.

Others present included: Deputy City Clerk Gary Mahon

Mayor Keith Smith called the special meeting to order at 7:02 p.m..

Deputy City Clerk Mahon reported that Fire Chief Doug Lloyd had met with Russell Miller concerning property at the northeast corner of 4th and Sycamore. Mr. Miller had offered to sell 9 lots to the city at a cost of \$14,000.00. It was noted that, according to a wall map at city hall, 5 lots measured 26 ft by 100 ft and the remain 4 lots measured 25 ft by 130 ft.

A sample contract was provided to council for their review. The contract stipulated that no payment would be made until a clear title was produced.

- *Motion to Authorize Purchase of Lots 1 through 9, Block 70, 1st Addition (Russ Miller Property)*

Council Member Williams moved to authorize the purchase of lots 1 through 9, in block 70, of the 1st Addition to the City of La Cygne from Russell Miller at a cost of fourteen thousand dollars (\$14,000.00) with purchase being conditioned on the City receiving a clear title to the property. Motion seconded by Council Member Turpen. The motion was then voted on, passed 5-0.

Council Member Turpen suggested the City contact the manufacturer of Morton Buildings. Joe felt there is a possibility of City obtaining a favorable rate on new Morton Buildings.

ADJOURNMENT:

- *Motion to Adjourn*

Council Member Turpen moved to adjourn. Motion was seconded by Council Member Williams, voted on, passed 5-0.

There being no further business the Special Meeting was adjourned at 7:09 p.m.

I, _____,
Gary D. Mahon, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and hereby subscribe my name this 19th day of April 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, May 2, 2007, at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman (arrived at 8:05 p.m.), and Gerald 'Skip' Williams.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Supervisor George Craig; Jackie Taylor; Judy Kinder; Randy Tinsley; Grady Elder; City Treasurer and Court Clerk Linda Elder; Fire Chief Doug Lloyd; Jake Fleming, Tony Williams, LeRoy Turpen; Liz Beggs; Lonnie Baker; Sandy White; Herb Pemberton; Scott Stainbrook; and Danny Bosley.

Mayor Keith Smith called the meeting to order at 7: 00 p.m.

OATH OF OFFICE FOR MAYOR AND TWO COUNCIL MEMBERS

City Clerk Herrin swore in Mayor Keith A. Smith; and, Council Members Jerry Boone and Travis Robbins. Each signed an oath of office.

REGULAR MEETING**January 3, 2007****APPOINT COUNCIL PRESIDENT**

- *Motion to Appoint Joe Turpen as Council President*

Council Member Boone moved to appoint Joe Turpen as Council President. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:04 p.m.

NEW YEAR ORGANIZATION:

Mayor Keith Smith recommended the following appointments for **City Officers:**

City Clerk	Devona Herrin
Deputy City Clerk	Gary D. Mahon
City Treasurer	Linda Elder
Chief of Police	Greg Cook
City Attorney	John S. Sutherland
Fire Chief	Doug Lloyd
Municipal Judge	John Wilson
Codes Officer/Zoning Compliance	Greg Cook.
Public Health Officer	Greg Cook
Council Rep to Park Board	Jerry Boone

- *Motion to Approve Recommended Appointments*

Council Member Turpen moved to accept the recommended appointments. Seconded by Council Member Williams voted on, passed 4-0. Time: 7:05 p.m.

Official City Newspaper

- *Motion to Appoint Linn County News as Official City Newspaper*

Council Member Turpen moved to appoint the Linn County News as the official city newspaper. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:06 p.m.

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NEW YEAR ORGANIZATION: (Continued)

Mayor Keith Smith recommended the following appointments to the **Planning Commission:**

3-Year Term	Mike Feldman
3-Year Term	Mike DeMott
3-Year Term	Steve Hisel

- *Motion to Approve Appointments to the Planning Commission*

Council Member Robbins moved to approve the recommended appointments to the Planning Commission as listed. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:07 p.m.

Mayor Keith Smith recommended the following appointment to the **Zoning Appeals Board:**

3-Year Term	Doug Lloyd
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- *Motion to Approve Appointment to the Zoning Appeals Board*

Council Member Williams moved to accept the recommendation of the mayor as listed to the Zoning Appeals Board. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:07 p.m.

Mayor Keith Smith recommended the following **Standing Committee Appointments**

Water & Gas	Jerry Boone	Skip Williams
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REGULAR MEETING**January 3, 2007**

Street	Terry Weitman	Skip Williams
Sewer	Jerry Boone	Travis Robbins
Park	Jerry Boone	Terry Weitman
Cemetery	Travis Robbins	Joe Turpen
Public Safety	Joe Turpen	Terry Weitman
Community Building	Joe Turpen	Skip Williams
Employee Relations/Training	Travis Robbins	Skip Williams

- *Motion to Approve Appointments as Presented*

Council Member Robbins moved to accept the mayor's recommended appointments as presented. Motion seconded by Council Member Boone, voted on, passed 4-0. Time 7:08 p.m.

Early Payment of Payroll & Monthly Bills

- *Motion for Early Payment of Payroll & Monthly Bills*

Council Member Williams moved to authorize the payment of payroll checks and routine monthly bills if they become due and payable prior to appearing on the next council meeting check voucher list. Motion seconded by Council Member Turpen, voted on, passed 4-0. Time 7:09 p.m.

Resolution No 315 - Waiver from Certain Accounting Procedures

- *Motion to Approve Resolution No 315*

Council Member Turpen moved to approve Resolution #315 and waive GAAP-Prescribed Statements and General Fixed Accounting Procedures. Seconded by Council Member Williams, voted on, passed 4-0. Time 7:09 p.m.

MAYOR'S COMMENTS

1. Mayor Smith will be attending the La Cygne Library Board meeting next Monday at 7:00 p.m.
2. Congratulated Judy Kinder on her birthday and wedding anniversary.

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CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: April 19 – May 2, 2007;
Minutes of April 18, 2007 City Council Meeting;
Minutes of April 19, 2007 Special City Council Meeting.

Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:11 p.m.

UTILITY IMPROVEMENTS REPORTS**a. WATER IMPROVEMENT PROJECT**

- I. Upgrade Sludge/Backwash Lagoons: Tabled.**

DISCUSSION FROM THE FLOOR

Danny Bosley Regarding Alley Behind Syd's Market

Danny Bosley expressed great concern regarding the vehicles driving fast in the alley behind Syd's Market. The employees have to cross the alley to get merchandise out of the storage shed and then bring it back into the store. Some of the employees have complained that they

REGULAR MEETING**January 3, 2007**

have almost been hit by vehicles driving fast in the alley and not slowing down when they are in the area. Mr. Bosley asked if a sign could be put up that the alley is closed except for service only? Or, is there some other way to address this hazard? Council agreed to check into the issue.

REPORTS OF CITY OFFICERS:**Police Chief Greg Cook**

1. Presented an activity report for the period of April 2007.
2. Noted he had received a qualified applicant for a reserve officer he would discuss with council later during executive session.
3. Received the used radios and will use them until David Yates can order the new ones. Chuck Farrell has agreed to program these radios when he is available.
4. AARP Kansas Driver Safety Program is going to be held in Pleasanton. After further discussion with Pleasanton police it was felt best to let Pleasanton hold their session for the area and see how it goes before trying to have one later. Mayor Smith asked city employees to try to publish the Pleasanton information on the city web site, and post any posters where possible.
5. Mutual Aid Agreement with nearby cities is waiting for legal review. Dick George from the high school has also expressed an interest in joining the agreement for the city officers to be available to help during an emergency with the school.
6. Requested approval to attend the Street Survival Seminar in Tulsa, Oklahoma on June 18th through 19th. This will meet the educational requirements Chief Cook needs prior to the end of June.
7. STEP Program has been approved again this year for local city police to receive a grant for up to \$1,500 towards overtime if used for holiday traffic stops.

- *Motion to Approve Seminar in Tulsa, OK. June 18–19, 2007*

Council Member Turpen moved to approve Chief Cook to attend the Street Survival Seminar in Tulsa, Oklahoma June 18th and 19th with per diem. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:18 p.m.

Page 4 of 7**REPORTS OF CITY OFFICERS: (Continued)****Public Works Superintendent George Craig**

1. KCC Annual Audit was done today and Public Works was in compliance with all items. A positive report and great job by Public Works employees.
2. Rototiller: Requested to purchase a rototiller to help smooth out leak repair spots. Located one called Earthwork for \$665 that does not have a reverse. Also located a CubCadet for \$679 from Family Center. Both are 6 horsepower and 16". Water and gas departments will both be using the equipment.

- *Motion to Purchase Rototiller for \$679.00*

Council Member Turpen moved to purchase the CubCadet Rototiller from Family Center for a cost of \$679.00. Seconded by Council Member Williams, voted on, passed 4 – 0. Time: 7:20 p.m.

Fire Chief – Doug Lloyd

1. Cadet Program: Continuing to obtain information to move forward with the program.
2. Property for Fire Station: Council concurred the property just purchased was for a new fire station. The firemen will mow and maintain the property in preparation of a fire building.
3. Morton Building for a New Station: A company from Clinton, Missouri is sending paperwork and pictures of other fire stations made from these type of buildings. They are coming over to look at the property to help with a design. In the meantime, Doug is also looking for grants and other types of government help for funds.

REGULAR MEETING**January 3, 2007**

4. Kansas Firefighters Conference: Thanked the council for allowing him to attend the conference. Would like to attend next year in Topeka. Obtained some good information for the fire departments use. Also made contacts including having a two-day Regional fire training school in La Cygne. The school would then be free to the local firefighters. Actively working on getting this in place.

Codes Officer Greg Cook:

1. Addressing code issues as they come up.
2. Linda Elder has helped with some paperwork and he would like to continue using her help.
3. Would like to meet with some council members to determine the councils' thoughts on violations. Council Members Boone and Turpen volunteered to work with the codes officer during the day.

STANDING COMMITTEE REPORTS:Street

Mayor Smith reported Council Member Weitman had contacted Pete at Heckert Construction and discussed completing the sealing of the asphalted streets. Noted the repairs would likely be a crack seal. Pete of Heckert Construction is going to get in touch with the city and inspect the streets in the next couple of days. However, if the city has not heard from him within a couple of weeks, he asked the city to call him back.

Park

Council Member Boone reported the bids are out on the Restrooms and showers for the park. And, the board is working on the wiring for the Fiesta.

Public Safety

- i. Rock for Sloping Ground Away from Fire Station: The project has been completed. The side door has also been installed.

Page 5 of 7**STANDING COMMITTEE REPORTS: (Continued)**Community Building

1. Interior Wall Covering Bids

Four bids were received and opened:

1. Warren Wright	\$2,850
2. Wilbur Fleming	\$1,120
3. Tony Williams	\$2,200
4. Tinsley Electric	\$2,225

Insurance was not provided with any of the bids. Determined insurance needed to be determined before a final recommendation was made. Requested City Attorney Sutherland contact the four bidders for insurance information. Tabled until the next meeting.

*SPECIAL COMMITTEE REPORTS:*Fiesta Committee

Chairman Lonnie Baker presented a Contract and Agreement with MJR Amusements for a carnival with a guarantee of 8 to 10 rides. The carnival will be operating September 27 – 29, 2007. Also noted there is to be military presence with possibly a climbing wall.

- *Motion to Authorize Fiesta Committee to Enter Agreement*

Council Member Robbins moved to approve the La Cygne Fiesta Committee to enter into the agreement with MJR Amusements for the La Cygne Fiesta. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:38 p.m.

REGULAR MEETING**January 3, 2007****UNFINISHED BUSINESS:**Heckert Construction 2006 Resurfacing ProjectAddressed.City Hall BuildingMayor Smith reported he would be attending the Library Board meeting next Monday to check there for a possible location.**NEW BUSINESS:**Division of Accounts and Reports Municipal Seminar

- a. *Motion for Deputy City Clerk Mahon to Attend Seminar*

Council Member Turpen moved for Deputy City Clerk Mahon to attend the Budget Seminar in Iola with per diem. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:41 p.m.Blue Cross Blue Shield Health Insurance Renewal PremiumsDiscussed:

1. Renewal rates increased about 40%
2. Reviewing state insurance coverage options
3. Obtaining input from employees for needs
4. Meeting with Public Relations Committee prior to next meeting to go over possible workable solutions
5. Obtain quotes from other entities besides the state pool.

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NEW BUSINESS: (Continued)Linn County Fire Station in Industrial ParkLinn County Commissioner Herb Pemberton asked the city for an estimated cost of utilities to the new county fire station being built in the Industrial Park. He also asked about the availability of all utilities including possibly natural gas. Council noted all utilities are available in that area. PWS Craig noted that information had been provided previously to Eddie Andersen. Council asked public works and city hall employees to forward this information to Herb.**EXECUTIVE SESSION:**

- *Motion for Executive Session*

Council Member Turpen moved for a five-minute break prior to going into Executive Session for up to seventy-five minutes for personnel, trade secrets, and land acquisition. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:52 p.m. Council Member Weitman arrived at 8:05 p.m.**Others invited into or requesting a portion of executive time was: City Clerk Herrin, PWS Craig, City Treasurer Elder, Police Chief Cook, Linn County Economic Development Dennis Arnold and Linn County Commissioner Herb Pemberton.****EXTEND EXECUTIVE SESSION**

- *Motion to Extend Executive Session*

Council Member Boone moved to extend executive session for up to fifteen minutes for personnel and land acquisition. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:17 p.m.Open Session Resumed at 9:32 p.m.**OTHER BUSINESS**Temporary Public Works Employee

REGULAR MEETING**January 3, 2007**

No action. Requested advertisement be run another week.

Linda Elder Full Time Employee Effective June 1, 2007

- *Motion for Linda Elder to Become Full Time Employee*

Council Member Turpen moved effective June 1st Linda Elder would become a full time employee with a forty-hour workweek. Seconded by Council Member Boone, voted on, passed 5-0. Time: 9:35 p.m.

CITY CLERK'S REPORT:

Verbal Report:

1. Dog Days – 56 Animals Vaccinated with 22 City Dog Tags
2. \$1,500 from Pollman Checking Transferred to CD

Written Report:

1. New Year Organization
2. Deregulation of Natural Gas Utility Customers Outside 3-Mile Area
3. Burn Permit Update
4. LMI Requirements Still Outstanding
5. Blue Cross & Blue Shield Health Insurance Renewal
6. Reminders:
 - i. May 5, 2007 – CITY WIDE GARAGE SALE
 - ii. Schedule Personnel Evaluations

POLICE CHIEF GREG COOK REPORT

1. Street Survival Seminar, June 18-19, 2007

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NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *Kansas Government Journal*, Volume 93, Number 4, April 2007

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Seconded by Council Member Williams, voted on, passed 4-1 (No: Boone).**

Meeting adjourned approximately 9:43 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 2nd day of May 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday May 16, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder;

REGULAR MEETING**January 3, 2007**

LeRoy Turpen; City Fire Chief Doug Lloyd; Sandy White; Liz Beggs; Robert Turpen; and Tony Williams.

Mayor Keith Smith called the meeting to order at 8:06 p.m. (The 7:00 p.m. meeting was delayed until there was a quorum present.)

MAYOR'S COMMENTS:

14. High School Graduation is this Sunday at 2:00 p.m.
15. Next Tuesday is 8th Grade Promotion.
16. High School Baseball is currently taking place.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: May 3 - 16, 2007;
May 2, 2007 City Council Meeting;
April 2007 Treasurer's and Budget Reports.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:08 p.m.

UTILITY IMPROVEMENTS REPORT

None.

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

City Attorney John Sutherland

- i. Police Department Mutual Aid Agreement: Approved the presented agreement as a reasonable concept.

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REPORTS OF CITY OFFICERS: (Continued)

Police Chief Greg Cook

- xiv. Stats Report: Noted written report for May 1 – 15, 2007.
- xv. Law Enforcement Mutual Aid Agreement: Police Chief Cook reported the city was the last to sign, all of the other entities have the agreement in place.

- *Motion to Approve Mutual Aid Agreement*

REGULAR MEETING**January 3, 2007**

Council Member Williams moved to approve the mayor to sign the mutual aid agreement for the police department. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:10 p.m.

Police Chief Cook noted the mutual aid agreement had been revised to include the Prairie View Schools of which the city would be the primary support.

- *Motion to Add Prairie View Schools to Mutual Aid Agreement*

Council Member Williams moved to add Prairie View to the mutual aid agreement. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:12 p.m.

Public Works Superintendent George Craig

- xvii. Temporary Public Works Employee: Tabled.

Fire Chief Doug Lloyd

- x. Architect for New Fire Station: Fire Chief Doug Lloyd reported he would be meeting with an architect this Thursday to look at the project and begin the process of meeting requirements for grants. The firemen are also going to work at completing the LMI reports for that portion of the grant requirements.
- xi. CPR First Aide: Reported most all of the fire department personnel completed a CPR First Aide class last Monday night. The class was given to both the city and county firefighters. Everyone felt it was a good course. Beth Smith and Jerry _____ were the instructors with no charge from the instructors. Will send a thank you.

STANDING COMMITTEE REPORTS:Park

Council Member Boone reported there was a culvert not draining on the east entry into the south park. It has been cleaned out. Need to look at adding extra tubing at this entry. Also the tree that had been cut down previously has now been cleaned up.

Street

Discussed culverts and drainage ordinance.

1. Mayor Smith read the city codes Article 12-218 and 12-219 of the city ordinances.
2. Noted more than one place in the city where culverts were not handling heavy rains.
3. Noted brush is being placed in ditches and adding to the clogging when washed into culverts during the rains.
4. Mixed opinions as to who is responsible to replace &/or remove culverts in alleys that are in disrepair.

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STANDING COMMITTEE REPORTS: (Continued)Cemetery

Council Member Turpen reported he had driven down the new-formed road in the unplotted portion of the cemetery purchased by the city. The water level would have had to rise at least five feet more to go over the road.

Discussed plotting the area in the center of this road to include:

1. Reviewing the city ordinances pertaining to the income from the sale of the lots in this portion.

REGULAR MEETING**January 3, 2007**

2. What type of stones will be allowed in this section as for a cost savings for maintenance and conformity.
3. Who would plot the area.
4. Obtaining consensus on how many graves in a group and how far apart from the next group.

Mayor Smith announced he has been asked to speak at the Memorial Day Ceremony at 10 a.m. in May 28th.

Employee Relations

Mayor Smith announced Deputy City Clerk would be having Gall Bladder Surgery on May 25th.

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

PWS Craig reported Pete with Heckert Construction was scheduled to be in La Cygne at 2:00 p.m. next Tuesday at the shop to review the streets.

City Hall

Tabled.

Community Building Interior Wall Covering Bids

Tabled.

Blue Cross Blue Shield Health Insurance Renewal Options

Discussed:

1. City has had a previous commitment to employees.
2. The 2007 Budget can handle covering employees with the state program.
3. Look at making changes to city commitment to future new employees.
4. Two other companies are preparing bids and not available at meeting time.
5. Have a special meeting before the end of the month.

- *Motion for Special Meeting*

Council Member Robbins moved for a Special Meeting on May 23rd at 7:00 p.m. to cover health insurance for city employees. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:00 p.m.

Page 4 of 5

NEW BUSINESS:Greensburg Fund/Donation

LKM has created a fund for cities to donate to the City of Greensburg's Government expenses created by the devastating tornado.

- *Motion to Donate \$1,000 to the LKM Greensburg Fund*

Council Member Turpen moved to donate \$1,000 to the Greensburg Fund through the League. Seconded by Council Member Boone, voted on, passed 5-0. Time: 9:02 p.m.

REGULAR MEETING**January 3, 2007**Judge and Court Clerk Salary Review

- *Motion for \$25 Increase for Judge and Court Clerk*

Council Member Boone moved to increase the judge and court clerk monthly wage by \$25 a month each. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:09 p.m.

Architect Request for Qualifications for New Fire Station

- *Motion to Approve Architect Request for Qualifications Process*

Council Member Turpen moved to approve sending the architect Request for Qualifications letters. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:12 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to take a ten-minute break prior to going into executive session for discussion of personnel, legal, and trade secrets for up to sixty minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 9:15 p.m.

Others invited into or requesting a portion of time in executive session included: Public Works Superintendent Craig; and Police Chief Cook.

Open Session Resumed at 10:25 p.m.

OTHER BUSINESS:Community Building Interior Wall Covering Bids

- *Motion to Eliminate All Remodel Bids*

Council Member Turpen moved to eliminate all bids for the remodeling of the Community Building until further notice. Died for a lack of a second.

Discussed current city policy for bidding and contractor insurance requirements:

1. Felt current policies make it hard for an individual to help out with a minimal bid instead of using a fully insured contractor.
2. If going to follow city policies, then need to go by the whole policy.
3. Look at the city policies to be able to let people step up for a nominal fee.

- *Motion to Award Bid to Tony Williams for \$2,200*

Council Member Boone moved to award the bid to lowest bidder with insurance, Tony Williams for \$2,200.00. Died for a lack of a second. Tony Williams stated he would pull his bid and left the meeting.

Council Member Williams said he resigned; if the council couldn't make a decision he did not want to be a part of it. He left the meeting at 10:40 p.m.

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OTHER BUSINESS: (Continued)Add Personnel to Special Meeting on May 23rd

- *Motion to Add Personnel to Special Meeting on May 23rd*

Council Member Turpen moved to add Personnel to the Special Meeting on May 23rd. Seconded by Council Member Robbins, voted on, passed 4-0. Time: 10:42 p.m.

Employee Evaluations

Mayor Smith noted council would schedule personnel evaluations at the first June meeting.

July 4th Meeting

REGULAR MEETING**January 3, 2007**

July 4th is the 1st Wednesday of the month.

- *Motion to Change July 4th Meeting to July 5th*

Council Member Robbins moved to change the July 4th meeting to July 5th at the regular time. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 10:45 p.m.

Community Building Interior Wall Covering Bids (Continued)

- *Motion to Accept W. Fleming Bid for \$1,120 Waiving the Administrative Policy*

Council Member Boone moved to accept the bid of Wilbur Fleming for \$1,120 and waiving the administrative policy requirement. Seconded by Council Member Turpen, voted on, passed 3-0 (Abstain: Robbins)

Asked City Clerk to have Mr. Fleming sign a release agreement.

Council Member Robbins asked to review these policies in the near future. City Clerk Herrin noted they were there to protect the city but there may be ways to accomplish changes without causing the city any problems.

CITY CLERK'S REPORT:

Written Report:

22. Ponzer-Youngquist Payment
23. Burn Permit Update – Noted a location had not been identified to date.
24. LMI Requirements Still Outstanding
25. Employee Health Insurance Renewal Coverages/Premiums
26. Schedule Personnel Evaluations

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] April 2007 Gas Report by Deputy City Clerk Mahon
- b] April 2007 Water Report by Deputy City Clerk Mahon
- c] KRWA "User Charge Analysis: Water and Sewer Rates Workshop"

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Weitman, voted on, passed 4-0.**

Meeting adjourned at 10:50 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 16th day of May 2007.

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SPECIAL MEETING:

The La Cygne City Council met in a special meeting on Wednesday May 23, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Terry Weitman. Absent: Vacant position.

Others present included: City Clerk Devona Herrin; City Attorney John Sutherland; City Public Works Superintendent George Craig; City Fire Chief Doug Lloyd; Danny Curtis; Scott Stainbrook; Robert Turpen; City Police Officer Lori Dennis; and City Police Officer Phillip Davis.

Mayor Keith A. Smith called the special meeting to order at 7:00 p.m.

REGULAR MEETING**January 3, 2007**

The purpose of the special meeting was for:

1. Employee Health Insurance Renewal
2. Mutual Aid Agreement for the Kansas Cities of La Cygne, Linn Valley, Mound City, Parker, Pleasanton, USD 326 School District and the Linn County Sheriff's Office
3. Hire Seasonal Public Works Employee
4. Personnel.

1. Employee Health Insurance Renewal Review

Discussed:

1. The premiums for the two additional quotes received were higher than the current BCBSKS renewal premium
2. State Program is a three year commitment for the city
3. State Program gives the employees some options for coverage
4. State Program includes dental for the employee with broader coverage
5. State Program offers optional vision coverage
6. New hire waiting period
7. Employees are going to share in the costs with higher deductibles
8. Employee Benefit Budget should be able to handle up to \$120 a month increase in premiums provided to each city employee based on eleven full time employees.

- *Motion to Join State Health Insurance Group with \$120 Increase per Employee per Month*

Council Member Turpen moved to join the Kansas State Insurance Group with the employee choosing the choice of coverage with \$120 increase per employee per month. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 7:28 p.m.

2. **Mutual Aid Agreement for the Kansas Cities of La Cygne, Linn Valley, Mound City, Parker, Pleasanton, USD 326 School District, and the Linn County Sheriff's Office**

- *Motion to Authorize Police Chief to Sign Mutual Aid Agreement*

Council Member Robbins moved to authorize City Police Chief to sign the Mutual Aid Agreement. Seconded by Council Member Turpen, voted on, passed 3 – 1 (No: Boone). Time: 7:30 p.m.

3. Hire Seasonal Public Works Employee

- *Motion to Appoint Mike Feldman to Zoning Appeals Committee*

Council Member Weitman moved to hire Jesse Funk for \$8.00 per hour for seasonal public works help. Seconded by Council Member Boone.

Council Member Weitman amended his motion to include if a full time employee is hired the seasonal work position would be reviewed as needed. Seconded by Council Member Boone, voted on, passed 3-0 (Abstain: Turpen). Time: 7:33 p.m.

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4. Executive Session - Personnel

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of personnel for up to thirty minutes. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:34 p.m.

Others invited into or requesting a portion of time in executive session included: Police Officer Davis and Police Officer Dennis.

- *Motion to Extend Executive Session*

Council Member Boone moved to extend executive session for personnel for up to thirty minutes. Seconded by Council Member Robbins, voted on, passed 4-0. Time: 8:04 p.m.

REGULAR MEETING**January 3, 2007**

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for personnel for up to thirty minutes. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 8:34 p.m.

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 4-0.**

Meeting adjourned at 9:06 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 23rd day of May 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday June 6, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Terry Weitman. New Council Member: Robert (Bob) Sullivan.

Others present included: City Clerk Devona Herrin; City Police Chief Greg Cook; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Sandy White; Nate McGinnis; Robert Turpen; Donna Morris with Schulte Insurance Agency; Krista Cook; Police Officer Lori Dennis; Police Officer Phillip Davis; Jim Whitworth; Scott Stainbrook; Jake Fleming; and Danny Curtis.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

APPOINT COUNCIL MEMBER:

Mayor Keith Smith recommended the appointment of Bob (Robert) Sullivan to fill the vacant council member position.

- *Motion to Appoint Robert Sullivan as City Council Member*

Council Member Robbins moved to accept the recommended appointment of Bob (Robert) Sullivan for the council member position. Seconded by Council Member Jerry Boone, voted on, passed 4-0. Time: 7:02 p.m.

Oath of Office: Robert Sullivan accepted the oath of office delivered by City Clerk Herrin. An Oath of Office form was signed.

MAYOR'S COMMENTS:

17. Thank you received from Doug and Tracy Altic.
18. Thank you from Gary Mahon.
19. Welcome to Osawatomie Graphic Reporter Nate McGinnis.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: May 17 – June 6, 2007;
Minutes of May 16, 2007 City Council Meeting;
Minutes of May 23, 2007 Special City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:08 p.m.

EXECUTIVE SESSION

- *Motion for Executive Session*

Council Member Turpen moved to go into executive session for up to one hour for legal and personnel. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:08 p.m.

Those invited in included: City Clerk Herrin and Police Chief Cook.

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EXTEND EXECUTIVE SESSION:

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for up to one hour for legal and personnel. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:08 p.m.

Those invited in included: Police Chief Cook, Police Officer Lori Dennis, and Police Officer Phillip Davis.

EXTEND EXECUTIVE SESSION:

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for up to fifteen minutes for personnel. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 9:08 p.m.

BREAK

- *Motion for Break*

Council Member Turpen moved for a five-minute break. Seconded by Council Member Weitman, voted on, passed 5-0. Time: 9:24 p.m.

Council Member Robbins left the meeting at 9:24 p.m. (for work).

Open Session Resumed at 9:29 p.m.

REPORTS OF CITY OFFICERS:

City Attorney John Sutherland

- i. CAAK Meeting, Manhattan, Kansas:

- *Motion for City Attorney to Attend CAAK Meeting*

Council Member Turpen moved to approve City Attorney Sutherland attending the CAAK Meeting in Manhattan with per diem. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 9:30 p.m.

Police Chief Greg Cook

- xvi. Stats Report: Noted written report for May 2007.
- xvii. Quote for 1996 Vehicle Radio: Mayor Smith noted this radio is needed now for the safety of the officer in the vehicle.

REGULAR MEETING**January 3, 2007**

- *Motion to Purchase Radio for 1996 Police Vehicle*

Council Member Turpen moved to allow up to \$650 for the purchase of a radio in the 1996 police vehicle. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:32 p.m.

- xviii. Quote for Four Portable Radios: Noted there has still been no response from the Grant by Linn County for the city's radios as part of that grant. For the officers' safety recommended the city go ahead and purchase these radios, which are available from Western Communications for \$1,650.00.

- *Motion to Purchase Four Portable Radios from Western Communications*

Council Member Turpen moved to purchase four portable radios from Western Communications for up to \$1,650. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 9:34 p.m.

- xix. Anhydrous Leaks: Police Chief Cook reported there had been a series of three different nights of anhydrous leaks at Coop. A call out to Kansas EPA section had been done for them to investigate. Does not appear to be breaking in, just leaking which is still dangerous.

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REPORTS OF CITY OFFICERS: (Continued)**Public Works Superintendent George Craig**

- xviii. Hach Maintenance Renewal: Agreement is for the maintenance of water plant recording equipment with the cost for the next annual year at \$3,875.00.

- *Motion to Approve Annual Maintenance Equipment*

Council Member Turpen moved to authorize the signing of the Hach Renewal Maintenance Agreement for water plant equipment for up to \$3,875. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:37 p.m.

Fire Chief Doug Lloyd

- i. Service Maintenance of Fire Truck: Fire Chief Doug Lloyd reported the fire truck needs to have an annual maintenance review. It has been found to have a vibration on the front end, there has not been an oil change since it was purchased by the city about a year ago, and an annual pump test is required to verify the pump is meeting standards. Noted there are companies that specialize in maintenance of fire trucks. Mobile Apparatus Services will come to the truck for an hourly and mileage rate. Conrad Fire Services requires a minimum of two days with the truck brought to their building. Costs vary depending on what is found to need to be addressed to keep the vehicle in good working order. Both estimates for known needs were over \$1,000. Discussed contacting local mechanics to see if they could possibly handle any of the maintenance items. Agreed to go ahead and have the pump test done for \$185 plus mileage. Council asked for Doug to find out what could be done locally on the oil change, and front-end problem then report back at the next meeting.

STANDING COMMITTEE REPORTS:**Appoint Committee Assignments:**

Mayor Smith recommended Bob Sullivan fill the vacant committee positions of Water and Gas, Street, Community Building, and Employee Relations.

- *Motion to Approve Committee Assignments*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to approve the committee appointments as recommended by Mayor Smith. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:50 p.m.

Park

Council Member Boone reported the walls have been poured for the showers and restroom.

Cemetery

Council Member Turpen gave a special thanks to public works for helping around the town and especially the cemetery for an area to be proud of during Memorial Weekend. Mayor Smith reported he was honored to speak at the Memorial Services and the entire area was very nice.

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STANDING COMMITTEE REPORTS: (Continued)Community Building

- i. Installing New Ceiling Tiles: Received a bid from Wilbur Fleming to install the new ceiling tiles and new grids where needed with the city disposing of the old tiles and paying for any new grids/materials required for a cost of \$640.00.
 - *Motion to Hire Wilbur Fleming to Install Ceiling Tiles*

Council Member Boone moved to hire Wilbur Fleming to install the ceiling tiles. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 9:53 p.m.

- ii. Guttering Repair: Council Member Turpen asked for the name of the guttering company used by Labette Bank, &/or someone who does guttering, and get an estimate &/or write up specs to present to the council at a later date. This improvement should help the water problem along the wall.

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

PWS Craig reported Pete with Heckert Construction met with him as scheduled. Council Member Weitman reported Pete did not contact him after that for a report.

City Hall

Tabled.

EXTEND MEETING:

- *Motion to Extend Meeting*

Council Member Turpen moved to extend the meeting up to 10:30 p.m. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 9:58 p.m.

NEW BUSINESS:Applications for Architect for New Fire Station

Opened submitted Preliminary Architectural Qualifications Statements received.

- i. WDM Architects, Wichita, Kansas: Hourly Rate Schedule not to exceed \$8,400
- ii. Zingre & Associates, P.A., Fort Scott, Kansas: Hourly Rate of \$50 not to exceed \$2,100

- *Motion to Hire Zingre at \$50 an hour not to exceed \$2,100*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to hire Zingre and Associates for \$50 an hour not to exceed \$2,100. Died for a lack of a second.

Discussed:

1. A grant will require the city to contribute funds on a 50/50 basis.
2. Current station is in poor condition.
3. Current station is not large enough.
4. Current station will not qualify to apply for grants for other trucks or equipment.
5. Disregard grant option and build a new station without an architect.
6. A Morton Building not including plumbing or electric could be reviewed without architect fees.
7. Try to determine what other costs may be involved.
8. Will need to look for lease purchase agreement and method of payments.
9. Fire Department will bring plans to the next meeting.

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NEW BUSINESS: (Continued)

LKM, MLA City Clerk Fundamentals, June 28th, Oswego, KS

- *Motion for Deputy City Clerk to Attend LKM/MLA Training Session*

Council Member Turpen moved to send Deputy City Clerk Mahon to the LKM/MLA training session in Oswego with per diem. Seconded by Council Member Boone, voted on, passed 4-0. Time: 10:23 p.m.

FEMA/NIMS Training for Elected &/or Appointed Officials

Tabled until next meeting due to time constraints.

KDHE KanCap Program in Parker, KS

Concurred any council member(s) &/or employee(s) available those dates could attend. No one available at the meeting.

OTHER BUSINESS:

Employee Salary Increment

Tabled until the next meeting.

Salary Adjustment for Mayor

- *Motion to Increase Mayor Salary to \$150 a Month*

Council Member Turpen moved to increase salary of mayor to \$150 a month. Seconded by Council Member Boone, voted on, passed 4-0. Time: 10:29 p.m. Noted Ordinance would be available at the next meeting.

CITY CLERK'S REPORT:

Written Report:

27. Personnel Evaluations – Next meeting
28. Cemetery Plotting Outstanding
29. Applications for Architect for New Fire Station
30. KDHE KanCap Program in Parker, Kansas

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Notice of Public Hearing for Zoning Change by Deputy City Clerk Mahon
- b] Notice of Public Hearing for Zoning Change by Deputy City Clerk Mahon
- c] *Kansas Government Journal*, Volume 93, Number 5, May 2007

REGULAR MEETING**January 3, 2007****ADJOURNMENT:**

Meeting ended at 10:30 p.m. due to meeting time established by ordinance.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of June 2007.

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SPECIAL MEETING:

The La Cygne City Council met in a special meeting on Wednesday June 08, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Robert Sullivan, and Terry Weitman.

Others present included: Deputy City Clerk Gary Mahon; and City Attorney John Sutherland.

Mayor Keith A. Smith called the special meeting to order at 7:13 p.m.

The purpose(s) of the special meeting was:

5. Personnel

➤ *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for the discussion of personnel for up to one (1) hour. Motion seconded by Council Member Weitman, voted on, passed 5-0. Time: 7:14 p.m.

Others requesting time or invited into executive session included: None

Open Session Resumed at 7:58 p.m.

Council directed Deputy Clerk Mahon to contact Police Chief Greg Cook and request his presence at the meeting if possible.

➤ *Motion For 30 Minute Break*

Council Member Boone moved to take a break up to thirty (30) minutes. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:59 p.m.

Police Chief Cook Arrived at 8:10 p.m.
--

Meeting Resumed at 8:12 p.m.

➤ *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for the discussion of personnel for up to thirty (30) minutes. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:12 p.m.

Police Chief Greg Cook was invited into the executive session at 8:16 p.m.

Open Session resumed at 8:41 p.m.

REGULAR MEETING**January 3, 2007****➤ Motion to Adjourn**

There being no further business, **Council Member Turpen moved to adjourn. Motion seconded by Council Member Weitman, voted on, passed 5-0.** Time: 8:42 p.m.

The Special Meeting was adjourned at 8:42 p.m.

I, _____ LaCygne Deputy City Clerk, do hereby
(Gary D. Mahon) declare the above to be true and correct, to the best of
my knowledge, and do hereby subscribe my name this
08th day of June, 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday June 20, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman.

Others present included: City Clerk Devona Herrin; City Police Officer Phillip Davis; City Attorney John Sutherland arrived at 7:10 p.m.; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Assistant City Fire Chief Scott Stainbrook; Sandy White; Nathan Gill; Jerome Moore; and Jake Fleming.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

20. Congratulated Jerome Moore for completing the 2007 KMU Natural Gas Distribution Workshop.
21. Read a thank you letter from the City of Greensburg for our contribution of \$1,000 going towards the rebuilding of Greensburg after the massive tornado. Wished Greensburg well with the rebuilding process.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Robbins moved to approve the consent agenda as presented that consisted of:

Check Register: June 7 - 20, 2007;
June 6, 2007 City Council Meeting;
June 8, 2007 Special City Council Meeting;
May 2007 Treasurer's and Budget Reports.

Motion seconded by Council Member Boone, voted on, passed 5-0. Time: 7:04 p.m.

DISCUSSION FROM THE FLOOR:**Carolyn Hennigh Regarding Tall Grass at 617 Vine**

Ms. Hennigh presented a bowl of dirt and tall grass to the council and asked if the height of the grass was against city code. Ms. Hennigh explained the grass came from her neighbor's yard, that she had called the city about it on June 1st, and was told the city could not locate the owner. Officer Davis agreed he had been unable to locate the owner either. Noted the 617 Vine property was in foreclosure and vacant. Concurred the grass was too high. Council requested the mortgager be notified and proper action followed for addressing the tall grass.

REGULAR MEETING**January 3, 2007**Jerry Clark Jr. Regarding Bad Problem with Loose Dogs

Mr. Clark reported there was a bad problem with loose dogs in his part of town at 821 N Broadway. Mr. Clark explained he had already talked to the dog catcher and asked if he couldn't change his schedule sometimes to help, as there are times of the day when it is worse. Also asked about a cat ordinance. Council noted a cat ordinance had been discussed before and was unable to locate any city that had such an ordinance; however, would check again.

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REPORTS OF CITY OFFICERS:Police Chief and Codes Officer

- xx. Stats Report: Noted written report for June 6 – 20, 2007.
- xxi. Authority to Forward Police Reports to KBI: Police Officer Davis asked for some type of authority to get the reports sent to KBI in a timely manner. Mayor noted there was no problem; Officer Davis could handle the reports during this time.
- xxii. Codes: Mayor Smith asked Officer Davis to talk to him about codes later.

Public Works Superintendent George Craig

- xix. Bobcat Exchange: PWS George Craig presented a quote from KC Bobcat to exchange the 2006 S205 Bobcat Skid-Steer for a 2007 model for one payment of \$3,800. Two hundred and fifty hours are on the 2006 model.

- *Motion to Upgrade Skid-Steer for \$3,800*

Council Member Turpen moved to exchange the 2006 skid-steer for a 2007 for \$3,800 with KC Bobcat. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:16 p.m.

- xx. Drag Chain Assembly for Salt and Sand Spreader: PWS Craig reported the drag chain had broken towards the end of the season last season and a part had been obtained from the local state road department. Flink Co. has a quote of \$1,310.00 to replace the 11' drag chain assembly.

- *Motion to Purchase Drag Chain Assembly*

Council Member Turpen moved to purchase the 11' drag chain assembly for the salt and sand spreader for a cost of \$1,310.00. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:18 p.m.

Fire Chief Doug Lloyd

- xii. New Fire Station Building Information: In the absence of Fire Chief Doug Lloyd, Assistant Fire Chief Scott Stainbrook asked to table this until the next meeting as they are still compiling additional bids and Doug would like to be present when council reviews.
- xiii. Pump Test on Pierce Fire Truck: Reported the pump test was completed and tested 100%. The brakes have been adjusted by Chris Trinkle. Some needed parts have been ordered and should be here next week.
- xiv. State Matching Grant Approved: Reported the fire department had been approved for the Federal Assistance grant Fire Chief Lloyd had applied for. The amount of the federal funds provided is \$2,750, which is 50% of the approved total. The city is responsible for the other 50% for a total of \$5,500.00. If the final cost for the purchase of items requested is less than the total of \$5,500, only 50% of that total will be paid, up to the maximum of \$2,750. Requested approval from the council

REGULAR MEETING**January 3, 2007**

to match the grant so the equipment could be ordered and the grant be used by the city. This is the first grant for the fire department in years.

- *Approve Matching Grant for \$2,750 from Equipment Fund*

Council Member Turpen moved to approve the grant match for \$2,750 from the city using the equipment fund. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:22 p.m.

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STANDING COMMITTEE REPORTS:**Public Safety**

- Question About Closing 1st Street During Bridge Project: Mayor Smith read an email from KDOT asking if the city would strongly oppose to closing 1st Street, both north and south. Council had several concerns. Concurred not to close 1st Street during the bridge project for more than a few hours for something special, preferably at night when there's less traffic. Requested response be sent to KDOT.

Community Building

- Guttering Repair: Council Member Turpen reported there had been no reply yet from the company that installed the bank's guttering. Have learned about Rainbow Guttering and will also have them contacted. Noted new ceiling tile already wet.

UNFINISHED BUSINESS:**Heckert Construction 2006 Resurfacing Project**

No report from Heckert Construction.

City Hall

Tabled until Other Business.

Ordinance # 1350, Mayor's Salary Change

- *Motion to Approve Ordinance #1350*

Council Member Turpen moved to approve Ordinance # 1350 amending the mayor's salary. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:30 p.m.

FEMA/NIMS Training for Elected &/or Appointed Officials

The *League* sent notice the National Incident Management System has developed and adopted a unified approach to handling a major disaster. This requires that all Elected and/or appointed officials complete at least the basic NIMS training, IS-700 NIMS, course, which is available online. Mayor Smith noted he would take the course and pass the information on as to the process.

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NEW BUSINESS:**Requests for 2008 Budget**

Council discussed need to review items for budget review. City Clerk Herrin asked for the

REGULAR MEETING**January 3, 2007**

information as soon as possible to either Deputy City Clerk Mahon or herself in order to compile a tentative budget for the council to review. Council will review the capital improvement lists planned for 2007, what is still undone from 2006, and individually bring their ideas to city hall to be compiled for the next meeting.

Ordinance 1351 – Rezoning 4th and Sycamore – Fire Station

- *Motion to Approve Ordinance # 1351*

Council Member Robbins moved to approve Ordinance #1351 rezoning 4th and Sycamore as per the Planning Commission's recommendation. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:40 p.m.

Ordinance 1352 – Rezoning – Max Thayer

- *Motion to Approve Ordinance # 1352*

Council Member Weitman moved to follow the Planning Commission's recommendation and approve Ordinance # 1352. Seconded by Council Member Boone, voted on, passed 4-0, 1 Abstain (Turpen). Time: 7:42 p.m.

Resolution # 316 – Cable TV Franchise Transfer

City Attorney Sutherland reported:

- i. This is the 2nd transfer of company since 2001
- ii. Agreement is for 10 years with 3% franchise fee
- iii. Have to have a good reason not to agree
- iv. If concerns/problems this would be the time to move to someone else
- v. If service was bad to date this is the time to check on improvements
- vi. If no action is taken within 30 days from June 1st it is presumed approved.

Noted there had been some problems with billing, anyone available to connect or disconnect, and a working phone number for customers to call. Mayor Smith asked Deputy City Clerk Mahon to put together a list of concerns, ask how the new company plans to handle, and have it mailed in time to be within the 30 days. Will put the resolution on the next meeting's agenda.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel, and land acquisition for up to seventy minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:47 p.m.

Others invited into or requesting a portion of time in executive session included: Public Works Superintendent Craig and City Clerk Herrin.

Open Session Resumed at 8:54 p.m.**OTHER BUSINESS:**City Hall Building

REGULAR MEETING**January 3, 2007**

Mayor Smith asked to table this topic until the next meeting.

Employee Salary Increment

- *Motion to Increase Noted Employees Hourly Salary*

Council Member Turpen moved to give a \$.25 an hour increase to Devona Herrin, Gary Mahon, Phillip Davis, George Craig, Art Terry, Jerome Moore, and Linda Elder, and \$.15 to Bill Craven. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:58 p.m.

CITY CLERK'S REPORT:

Verbal Report:

31. Next Regular Meeting is Thursday, July 5, 2007

NOTES AND COMMUNICATIONS TO COUNCIL:

None

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 9-0.**

Meeting adjourned at 9:00 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of June 2007.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday July 05, 2007 at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, and Terry Weitman. Absent: Joe Turpen.

Others present included: Deputy City Clerk Gary Mahon; City Police Officer Phillip Davis; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Fire Chief Doug Lloyd; Assistant City Fire Chief Scott Stainbrook; Phil Gratton; Jerome Moore; Danny & Julie Bosley; Lonnie Baker; Danny Weitman; Jake Fleming; and several members of the La Cygne City Volunteer Fire Department.

Mayor Keith Smith called the meeting to order at 7:01 p.m.

MAYOR'S COMMENTS:

22. Reported that Council Member Joe Turpen was doing well from his recent hip replacement surgery;
23. Reported on meeting with State Senator Pat Apple, County Commissioner Herb Pemberton and others concerning emergency planning and reparations for flood damage. Noted that Red Cross, KDHE, and FEMA had set up at Osawatomie for people needing assistance – including anyone from La Cygne area;
24. Expressed gratitude there were no injuries or loss of life during the flood. Thanked all the volunteers for helping their neighbors, to Herb Pemberton for his insistence on keeping ambulance from temporarily leaving town, to Herb and Linn County road crew Danny Morris and Steve Hisel for assisting in keeping Somerset Road in Miami County open and passable, and to Syd's Market, Casey's, and Julie's Thriftway for their cooperation of working late hours and donations of food, water, etc.
25. Expressed Thanks to everyone for their hard work, team work, and people doing the right thing.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

Council Member Weitman moved to approve the consent agenda as presented that consisted of:

Check Register: June 16 thru July 5, 2007;
June 20, 2007 City Council Meeting;

Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:12 p.m.

DISCUSSION FROM THE FLOOR:

Danny Bosley

Danny inquired about the status of the K-152 river bridge, citing many rumors. Mayor Smith informed that as far as he knew the bridge was in good shape. No mention was made during the flood meeting the previous day. It was noted that KDOT hoped to have U.S. 69 open by the next day and KDOT would commence work on K-152 after that.

REPORTS OF CITY OFFICERS:

Police Chief and Codes Officer

- Officer Phil Davis submitted an activity report for the period of 6/20 to 7/04/07.
- Permission to switch to light blue uniforms for summer: Police Officer Davis asked for permission to use the light blue shirts for summer as the black uniform shirts were hot. Mayor will get back with Phil later.
- Meth Watch Program: Officer Davis reported on a Meth Watch Program he would like to initiate. Permission was granted to place appropriate signs and distribute materials at strategic locations within the city.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

- Dump Truck Walking Beam Replacement: PWS George Craig reported that the walking beams on the dump truck are rubbing against the tires and frame. George had received a quote from Dave Harmann to perform the repairs on site for \$2180. George also noted that the work could be taken to Custom truck for approximately \$1500 to \$1900, but would require two men + the stress on the tires to drive to the location.

✓ *Motion to Repair Dump Truck Walking Beam*

Council Member Weitman moved to approve on-site repairs to the dump truck walking beam by Dave Harmann at a cost of \$2180.00. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:19 p.m.

- Sewer Lagoon Flood Damage: PWS Craig reported the following flood damage to the sewer lagoons: Perimeter fence is gone; Portion of berm on 3rd cell has been washed away; portions of road leading to lagoons are washed out. Council requested Craig to keep extensive documentation & records of costs and to date everything.
- Phil Gratton Recommendation: PWS introduced Phil Gratton and recommended that Phil be hired as a public works employee.

✓ *Motion to Hire Phil Gratton*

REGULAR MEETING**January 3, 2007**

Council Member Boone moved to hire Phil Gratton for the public works department at the rate of \$12.00 per hour. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:25 p.m.

Fire Department: Chief Doug Lloyd & Assistant Chief Scott Stainbrook

- Resignation of Fire Chief Lloyd: Citing unspecified recent conflicts, Fire Chief Doug Lloyd submitted his resignation as City Fire Chief, Member of the Planning Commission, and Member of the Disaster Planning Committee.
- Resignation of Assistant Fire Chief Stainbrook: Citing unspecified recent conflicts, Assistant Fire Chief Scott Stainbrook submitted his resignation as Assistant City Fire Chief.
- Resignation of Entire Volunteer Fire Department: Citing unspecified recent conflicts, Assistant Fire Chief Scott Stainbrook gave notice that there is no longer a City of La Cygne Volunteer Fire Department. Scott noted he was speaking on behalf of the entire department and that all firemen had resigned.
- Discussion: Council Member Boone stated he felt the whole issue was personal between Mr. Lloyd and himself stemming from remarks made during the recent flood. Mr. Boone praised the members of the fire department for their hard work and commitment to the city, but he did have an issue with Fire Chief Lloyd.

Mayor Smith would not officially accept the resignations nor was any motion forthcoming. Council Member Weitman noted that fire department members were making decisions based on emotions and requested personnel to take some time before making final decision.

Deputy City Clerk Gary Mahon asked for clarification as to whether or not the City still had a fire department. Scott Stainbrook informed him that the city did not. Mr. Mahon asked for the phone number of Linn County Emergency Preparedness so they could be apprised of the development and make adequate preparations in case of a fire in La Cygne.

Scott Stainbrook informed that any fire calls for La Cygne would be handled by the Rural Fire Department Station 950 and if the LaCygne Rural Station 950 were already on a call then response would have to come from either Pleasanton or Parker. It was noted that because of flood neither Parker nor Pleasanton could get to La Cygne. Mr. Stainbrook noted that there would be no one other than 950 to respond until flood waters receded and the city could be left unprotected.

When asked what it would take for firemen to reconsider, Council was informed they would stay if Council Member Boone apologized. After more discussion Boone and Lloyd shook hands.

All Resignations Withdrawn: Doug Lloyd told the council that since the matter seemed to be resolved both he and the firemen would continue to maintain the city's fire department.

STANDING COMMITTEE REPORTS:Sewer:

PWS George reported that during recent rains and flooding, the sewer system had difficult time in keeping up. Part of the problem is the fact that two 8 inch lines dump into one 10 inch line at the lagoons. This problem needs to be rectified.

It was also noted that many sump pumps and down spouts in town illegally dump into the sewer lines. Not sure what can be done about houses already doing this. PWS will investigate.

SPECIAL COMMITTEE REPORTS:Fiesta

Lonnie Baker provided and update on Fiesta Activities

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

No report from Heckert Construction.

REGULAR MEETING**January 3, 2007**City Hall Building

Tabled until next meeting.

Resolution 316 – Cable TV Franchise Transfer

Deputy City Clerk Mahon reported that neither cable company had responded to the city's letter of inquiry. No action taken on the resolution.

Resignation of Police Chief Greg Cook

✓ *Motion to Accept Resignation of Police Chief Greg Cook*

Council Member Robbins moved to accept the resignation of Greg Cook as City Police Chief effective June 09, 2007. Motion seconded by Council Member Weitman, voted on, passed 4-0. Time: 7:48 p.m.

NEW BUSINESS:Ordinance #1353 – Solid Waste Rate Increase

✓ *Motion to Adopt Ordinance 1353*

Council Member Robbins moved to approve Ordinance No. 1353 increasing monthly trash rates. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:50 p.m.

2008 Budget – 1st Draft

Discussion was held on the first draft of proposed 2008 budget. Deputy City Clerk Mahon noted that the first draft would require an increase of 6.295 mills. Discussion followed on possible ways to reduce expenses or increase revenues to reduce the mill levy. Council directed Mahon to submit another proposal for next meeting.

Executive Session

✓ *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel, and land acquisition for up to forty (40) minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:10 p.m.

Others invited into or requesting a portion of time in executive session included: PWS George Craig.

Open Session Resumed at 8:52 p.m.**OTHER BUSINESS:**Appointment of Interim Police Chief.

✓ *Motion to Appoint Gary Mahon as Interim Police Chief*

Council Member Weitman moved to appoint Gary Mahon as interim police Chief. Motion seconded by Council Member Boone, voted on, tied 2-2. (No: Robbins & Sullivan) Mr. Mahon would/could not come up with the required payola so Mayor Smith broke the tie by voting no. Motion failed 2-3. Time: 8:54 p.m. Mr. Mahon also expressed anguish at having received two negative votes.

✓ *Motion to Appoint Phil Davis as Interim Police Chief*

Council Member Weitman moved to appoint Police Officer Phil Davis as interim police chief. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:19 p.m.

Resignation of Jerome Moore from Fire Department

Jerome Moore turned in his pager to Deputy City Clerk Mahon stating that he was resigning as a member of the La Cygne Volunteer Fire Department.

REGULAR MEETING**January 3, 2007****CITY CLERK'S REPORT:**

Verbal Report:

32. First Street open during KDOT Bridge Project

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] May 2007 Gas Report
- b] May 2007 Water Reports
- c] *Kansas Government Journal*. Volume 93, Number 6, June 2007

ADJOURNMENT:

✓ <i>Motion for Adjournment</i>

As there was no further business Council Member Boone moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 4-0.

Meeting adjourned at 8:57 p.m.

I, _____ LaCygne Deputy City Clerk, do
(Gary D. Mahon) hereby declare the
above to be true and correct, to the
best of my knowledge, and do hereby
subscribe my name this 05th day of
July, 2007.

Pages 1 of 5

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday July 18, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman.

Others present included: City Clerk Devona Herrin; Interim City Police Chief Phillip Davis; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Assistant City Fire Chief Scott Stainbrook; Sandy White; Kenny Foulk; Debbie Higgins; and Jake Fleming.

In the absence of Mayor Keith Smith, Council President Joe Junior Turpen called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS: (By Council President Joe Turpen)

26. Announced FEMA would be setting up in the Community Building for flood victims in just a few days. Also asked those affected to watch for mold and to please obtain the items required to protect the structures, etc.
27. Industrial Park Road railroad crossing is repaired. The crossing has been widened and is very nice. Thanks to the railroad for the improvement.
28. Thanks to everyone for the potted plant received following Joe's surgery. He is getting along much better now.
29. League of Kansas Municipalities called today announcing State Agency Heads will be in Osawatimie next Monday night, July 23, 2007 at 7:00 p.m. to cover Long Term Issues from the flood problems including housing and economic development. LKM asked for La Cygne representation at the meeting.

REGULAR MEETING**January 3, 2007****CONSENT AGENDA:**

- *Motion to Approve Consent Agenda*

Council Member Weitman moved to approve the consent agenda as presented that consisted of:

Check Register: July 6 - 18, 2007;
July 5, 2007 City Council Meeting;
June 2007 Treasurer's and Budget Reports;
2nd Quarter Annual Financial Statement.

Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:06 p.m.

DISCUSSION FROM THE FLOOR:

None

2006 AUDIT REPORT BY TERRY SERCER, CPA

CPA Terry Sercer with Diehl Banwart Bolton Firm reviewed the city's 2006 Audit Report. There were no violations noted. Expressed appreciation to Gary, Linda, and Devona for courtesy and assistance during the audit.

- *Motion to Accept 2006 Audit as Presented*

Council Member Robbins moved to accept the 2006 Audit as presented. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:19 p.m.

Page 2 of 5

2008 BUDGET REVIEW

Discussed:

1. \$25,000 drop in sales tax in 2007 and projected through 2008,
2. Around \$70,000 Street Improvement Temp Note Payment,
3. Increase in the Fire Department for operating maintenance, fire truck payment, and future fire station payment if the city continues with own fire department. Fire Station payment amount may not be adequate,
4. Reviewing benefit changes in the near future to prepare for the 2009 budget,
5. Gary did a great job in preparing this budget, the state format is not an easy one,
6. This draft has a 3.055 mill increase from 2007,
7. Have the ability to publish this notice and then make more cuts at the Public Hearing; however, cannot increase any mills at the Public Hearing.

- *Motion to Publish Proposed Budget of Estimated 60.932 mills*

Council Member Weitman moved to publish the 2008 proposed budget with notice of hearing on the 15th day of August 2008, at 7:00 p.m. in the Community Building. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:29 p.m.

REPORTS OF CITY OFFICERS:

Police Chief and Codes Officer

- xxiii. Stats Report: Noted written report for July 4 - 18, 2007.
- xxiv. Purchase New Police Vehicle: Presented specifications for a 2008 Ford Crown Vic patrol car. Requested consent to obtain bids. Council discussed comparing a Crown Vic to other models prior to making a decision, including checking with the Kansas Highway Patrol for a used vehicle. Phillip noted different vehicles included different equipment, and some vehicles would require more equipment to be additionally purchased. Council asked for other vehicle specs. Also discussed poor condition of 1996 city vehicle.

REGULAR MEETING**January 3, 2007**Public Works Superintendent George Craig

- xxi. Water 2" and 3" Prime Pumps: PWS George Craig presented a price from WinWater Works of \$1,596 for a 3" pump; and, a price from Grainger of \$2,450 for a 2" pump. Both were used during the flood and wore out requiring replacement. Both are used for water leaks and when the river intake plugs.

- *Motion to Purchase 2" and 3" Floating Prime Pumps*

Council Member Boone moved to purchase both pumps for the water department. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:46 p.m.

- xxii. Sidewalk at Broadway and Market: Council asked about the sidewalk damaged by the railroad crew. PWS Craig reported the railroad has someone coming in to replace the sidewalk including the curb.

Fire Chief Doug Lloyd

- xv. New Fire Station Building Information: In the absence of Fire Chief Doug Lloyd, Assistant Fire Chief Scott Stainbrook asked the council to explore all options for an up to date fire department for the city in order to be prepared for a new era. The considerations would include the option of merging with the county fire department, raising the budget to build a new station, continuing to look for grants for trucks and equipment. Council noted the 2008 Fire Budget is over \$50,000, which other cities the same size have comparable budgets. The building specs presented were varied from a turnkey project to steel buildings that did not include the site preparations, electric, plumbing, etc. Council briefly discussed need to look at options that were best for the financial and protective interest to the people of the city. Will look at in more detail at a later meeting. Scott agreed it would probably be less tax mills if the city joined the county, but the city would have to decide what was best overall.

*Page 3 of 5***STANDING COMMITTEE REPORTS:**Water & Gas

- i. Question About Wholesale Water District: Council Member Boone asked if the wholesale water district was now hooking up to the two rural water districts currently using city water with a city contract and if that didn't break the city's contract. PWS Craig reported RWD #3 was staying with the city for water usage from Lamb Road to La Cygne, which includes the school. They have also asked to pull one day a week; which will not be a problem until RWD #1 leaves. Noted RWD #1 is scheduled to leave August 1st. Council asked city clerk to bring the contracts to the next meeting.

Sewer

- i. Add line to Lagoon: Since inquiring about adding the line to the lagoon the floodwater damaged the lagoon walls. An estimate from Cutting Edge of repairing the walls was presented along with including the placement of the second line while they are repairing the wall in the same area as the line. Discussed how the funds for repairing the walls would be available. The city is meeting with FEMA next Monday, July 23rd, in Pleasanton to go over how Public Assistance works with flood victims. The lagoon levels are low enough now to wait until all the information is available on means of handling the costs of the repairs. Will place on the next meeting agenda.

Park

REGULAR MEETING**January 3, 2007**

- i. Brush and Weeds: Council Member Boone reported there were brush and weeds in the park the Park Board will address.

Cemetery

- i. Dead Tree: Council Member Boone reported there is a big old dead oak tree in the old part of the cemetery that needs to be removed. Council Member Robbins said he would check into it.

Community Building

- ii. Guttering Repair: City Clerk Herrin reported Deputy City Clerk Mahon had not received any information from his previous contacts. Council Member Turpen asked to go ahead and get bids/prices on guttering for the community building.

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

No report from Heckert Construction.

City Hall

Tabled.

Resolution #316, Cable TV Franchise Transfer

No response from either Cable Communications System. People in the city are complaining about the service. No action on resolution. Council asked Deputy City Clerk Mahon to attempt to follow up.

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NEW BUSINESS:MLA Planning & Zoning Course, August 10, Olathe, KS

- *Motion to Approve Deputy City Clerk Mahon to Attend Course*

Council Member Robbins moved to send Deputy City Clerk Mahon to the MLA Planning and Zoning course on August 10th in Olathe with per diem. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:14 p.m.

Resolution #317, Payment of Series 2004 Temporary Note

- *Motion to Approve Resolution #317*

Council Member Weitman moved to approve Resolution #317 as presented. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:16 p.m.

SCS Engineers 'Site Access Agreement'

Noted this agreement extends to another site where a current access agreement exists for these engineers to check for contamination from the old Wade's station on behalf of KDHE. They will work with the public works department regarding working around any utilities.

- *Motion to Approve SCS Engineers 'Site Access Agreement'*

Council Member Robbins moved to approve signing the SCS Engineers 'Site Access Agreement'. Seconded by Council Member Sullivan, voted on, passed 5 - 0. Time: 8:18 p.m.

FEMA Memorandum of Agreement

REGULAR MEETING**January 3, 2007**

Noted FEMA is using the Community Building for a headquarters in Linn County for the flood victims through August 1, 2007. They have asked for a signed 'Memorandum of Agreement' with the city.

- *Motion to Approve Memorandum of Agreement*

Council Member Turpen moved to approve signing the FEMA Memorandum of Agreement. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:20 p.m.

Sidewalk between Broadway and Railroad

Discussed:

1. The railroad is going to replace the sidewalk crossing the railroad tracks on the north side of HWY 152.
2. Need the entire sidewalk between Broadway and Railroad for walking in this area.
3. Railroad has tore up this entire area and is now in the process of returning to driveway and grass in appropriate areas.
4. Will ask the railroad to replace the entire sidewalk while the sidewalks in the surrounding area are being repaired/replaced.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel for up to fifteen minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:28 p.m.

Others invited into or requesting a portion of time in executive session included: None

Open Session Resumed at 8:52 p.m.

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OTHER BUSINESS:KRWA Summer Management Conference

This conference includes sessions for council members, managers, and administrative staff, as well as for the water operators. The conference is August 15th and 16th, the public hearing and council meeting will need to be moved if council members are attending this conference. No one was available to attend.

CITY CLERK'S REPORT:

None.

NOTES AND COMMUNICATIONS TO COUNCIL:

None

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business Council Member Boone moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0.

Meeting adjourned at 8:57 p.m.

REGULAR MEETING**January 3, 2007**

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of July 2007.

*Pages 1 of 5***REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday August 1, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman.

Others present included: City Clerk Devona Herrin; Interim City Police Chief Phillip Davis; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Assistant City Fire Chief Scott Stainbrook; Jake Fleming; Charlie Bangs; Linda Meisel; Fred Meisel; Ricky Waddell; Donnie R. Johnson; Carol Johnson; Leilani Seaborn; Lonnie Baker; Jim Wilson; Herb Pemberton; Robert Turpen; Liz Beggs; Bryan Turpen; Dennis Arnold; and Jerome Moore.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

30. School will be back in session soon.
31. Flood Victims in the area are getting property back in order. Was good to have FEMA and other entities present to help. Now encourage everyone to clean up around their own homes to help make the city a place of pride to live. The city council plans to continue to look for ways to clean up the town to have a great place to live.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Robbins moved to approve the consent agenda as presented that consisted of:

Check Register: July 19 – August 1, 2007;
July 18, 2007 City Council Meeting;

Motion seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:04 p.m.

DISCUSSION FROM THE FLOOR:

1. Jim Wilson Regarding Sidewalk Design: Jim Wilson presented a diagram of a design for a sidewalk in front of his business on Commercial Street that included an 8" curb, approximately three feet of green space for grass, plants, and trees, then, a five foot sidewalk up against the building. Council and public works concurred the paper design looked acceptable as long as the drainage was workable with the design.
2. Charlie Bangs Regarding 40' Extension on Existing Driveway (326 E. Grand): Charlie Bangs requested approval of city council to extend his existing 20' driveway another 40' to the west. His reasoning was the area is hard to mow and he felt it would improve the area as well as help with the slope. His plans included placing gravel over the culvert. Discussed any culvert over 40' required council approval; and, a clean out was not required unless the total length was over 100'.

- *Motion to Approve Forty-Foot Extension to Culvert*

REGULAR MEETING**January 3, 2007**

Council Member Robbins moved to allow Charlie Bangs to extend his culvert forty feet to the west of the existing twenty-foot culvert. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:12 p.m.

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DISCUSSION FROM THE FLOOR: (Continued)

3. County Commissioner Herb Pemberton Regarding Merging La Cygne Fire Department with Linn County Fire Department: Commissioner Pemberton asked the council if the city would be interested in merging the city fire department with the Linn County fire department.

Discussed the following:

- a. Legalities of merging. Includes: i. Mutual resolutions published twice as to why it is to the best interest to everyone, with a sixty day opposition period. ii. Any consolidation is completed prior to July 1st to be effective the next January 1st – 2009 would be the earliest.
- b. Consider the balance of protection versus budgets.
- c. Increase firefighters to 20 to gain in protection.
- d. Response time – no difference.
- e. City's present equipment would be turned over to Linn County.
- f. Linn County Fire Station has enough room for a merge of vehicles.
- g. The County currently has 3.6 mills for the county fire department levy that the city would participate in.
- h. Negative – City wouldn't be in charge of own fire department.
- i. Once agreement is entered into there is no time limit.
- j. County Fire Board serves at the pleasure of the County Commissioners.
- k. Possibility of moving trucks and equipment to the county station prior to the January 1 date.
- l. City will give serious consideration to merge.

Thanked Commissioner Pemberton for his attendance and council will get back with him.

REPORTS OF CITY OFFICERS:Police Chief and Codes Officer

- xxv. Stats Report: Noted written report for July 18 - 31, 2007.
- xxvi. Purchase New Police Vehicle: Presented specifications and comparisons for a 2008 Dodge Charger, a 2008 Ford Crown Vic, and a 2005 used Highway patrol car. Council inquired about a Chevy Impala. Phillip had not received a call back from the dealership contacted as of the meeting time. Discussed availability of other Chevy Dealers. Discussed additional equipment needed varied between vehicles. Council tabled until they had time to review all the information.

Public Works Superintendent George Craig

- xxiii. KRWA Summer Management Conference, Topeka, KS: PWS George Craig requested attendance of either Jerome Moore or Art Terry to the second day portion of the conference.

- *Motion to Attend Second Day of KRWA Summer Management Conference*

Council Member Turpen moved to allow Jerome Moore or Art Terry to the conference on August 16th with per diem. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:34 p.m.

- xxiv. KCC Public Awareness Program: PWS Craig alerted Council it was time to begin the drawing part of the Public Awareness Program; and, the council will need to be involved in a commitment statement towards the KCC Public Awareness Program. City Clerk Herrin reported information had just been obtained this afternoon on

REGULAR MEETING**January 3, 2007**

ways to handle this commitment and would get with George and have ready at the next meeting.

- *Motion for Drawing for Public Awareness Program*

Council Member Turpen moved for a drawing for the Public Awareness Program. Seconded by Council Member Weitman, voted on, passed 5-0. Time: 7:36 p.m.

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REPORTS OF CITY OFFICERS: (Continued)**Fire Chief Doug Lloyd**

- xvi. New Fire Station Building Information: In the absence of Fire Chief Doug Lloyd, Assistant Fire Chief Scott Stainbrook reported the department was still obtaining information and with the earlier discussion regarding the fire department had nothing different to report.

STANDING COMMITTEE REPORTS:**Committee Member Changes**

Mayor Smith recommended the following Committee Member Changes: Move Terry Weitman from Park to Water & Gas; and, move Bob Sullivan from Water & Gas to Park.

- *Motion to Accept Appointment Changes*

Council Member Turpen moved to accept the recommended appointment changes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:37 p.m.

Sewer

- ii. Add line to Lagoon: Discussed:
- Illegal sump pumps tied to the sewer system add to the sewer problems during heavy rains.
 - Identifying and enforcing the move of the sump pumps would be a major undertaking by the city with negative feedback from the effected property owners.
 - Obtaining bids to change from the final one 10" main to two 10" mains.
 - Options for obtaining the funds for the second 10" main.

Cemetery

- ii. Dead Tree: Council Member Turpen confirmed there was a dead tree on the north end of the old part of the cemetery that needed to be removed along with four others in the front entry ground that are dying. Council asked that Jimmy Thompson be contacted to remove the dead tree and the four others.

Public Safety

- i. Sidewalk North of Highway 152 between Broadway and Railroad Street: Noted the railroad had not responded with any information at the time of the meeting.

Community Building

- iii. Guttering Repair: Council Member Turpen reported the contractor that did the guttering on the Labette Bank inspected the Community Building guttering and is repairing &/or replacing the damaged areas for \$388.00.

FIESTA

REGULAR MEETING**January 3, 2007**

Fiesta Member Rick Waddell inquired about the use of a city generator during the festivities as the current available outlets would not meet all of the needs for the food vendors, personal travel trailers on site, and other activities. Council Member Boone reported Mike Page helps out other cities when they have celebrations and was sure he would help out with this if needed. Currently the Park Board is having additional electricity ran to the area that could cover these needs. Noted the Park Board would try to take care of their electric needs.

*Page 4 of 5***UNFINISHED BUSINESS:****Heckert Construction 2006 Resurfacing Project**

Pete from Heckert Construction spoke with both PWS Craig and Council Member Weitman today. Discussed placing a thin layer of over-seal over the identified road areas. Pete committed in both conversations that he or a representative would be back in the area in a couple of weeks to evaluate.

City Hall

Tabled.

Resolution #316, Cable TV Franchise Transfer

No action on resolution. Discussed there are still problems that need to be addressed.

NEW BUSINESS:**Reservations for Christmas Dinner**

City Clerk Herrin reported if the city wanted an off-site location for a Christmas Dinner reservations would need to be made now. Council concurred last year's dinner in the Community Building was very nice and would just stay with the dinner being catered there. City Clerk noted would put the dinner back on the table later for bids for the catering.

Resolution #318, Final Payment of Series 2004 Temporary Note

Noted this resolution is for the final payment that is not due until 2008. Payment can be made this year, or hold until due next year. Council Member Turpen noted the interest earned on savings is greater than the interest owed on the temporary note. Council declined to pay at this time, will pay when due.

Library Sidewalk Replacement Grant Application

Reviewed the Library Sidewalk Grant Application. The 2006 matching Sidewalk Grant Application Program the city entered into with Linn County Economic Development for a matching \$12 a linear foot has a total left of \$1,600 from each entity for a total of \$3,200. The library is replacing 450 linear feet, which exceeds the available limit.

- *Motion to Approve Library Sidewalk Grant Application for Total of \$3,200 Available Limit*

Council Member Turpen moved to approve the Library Sidewalk Grant application for up to the maximum available of \$3,200. Seconded by Council Member Robbins, voted on, passed 5 - 0. Time: 8:06 p.m.

Court Clerk Fall Conference, September 20-21, 2007, Wichita, Kansas

- *Motion to Approve Court Clerk Elder to Attend Fall Conference*

Council Member Robbins moved to approve Court Clerk Linda Elder to attend the Fall Court Clerks Conference in Wichita on September 20th – 21st with per diem. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:08 p.m.

REGULAR MEETING**January 3, 2007**Deputy City Clerk to Osawatomie for Flood Meeting with Governor

City Clerk Herrin reported Deputy City Clerk Gary Mahon would be attending a meeting in Osawatomie at the YMCA tomorrow, August 2nd, at noon to meet with the Governor and other government entities to go over flood issues for the area.

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NEW BUSINESS: (Continued)Ground Breaking for New Glycol Business in Industrial Park

Dennis Arnold with Linn County Economic Development announced there would be a *Ground Breaking Ceremony* for the new Glycol Business next Thursday, August 9th at 3:00 p.m. in the Industrial Park. He invited the Mayor and Council to please attend if they were available.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of legal, trade secrets, land acquisition, and personnel for up to seventy-five minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:10 p.m.

Others invited into or requesting a portion of time in executive session included: Public Works Superintendent George Craig and City Clerk Devona Herrin.

Open Session Resumed at 9:18 p.m.

OTHER BUSINESS:

None

CITY CLERK'S REPORT:

1. Community Building Guttering
2. Cable TV Franchise
3. Resolution #318, Final Payment of Series 2004 Water Temp Note
4. Library Sidewalk Replacement Grant Application
5. Gas Line Relocation for New KDOT Bridge

NOTES AND COMMUNICATIONS TO COUNCIL:

None

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 5-0.**

Meeting adjourned at 9:207 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 1st day of August 2007.

REGULAR MEETING**January 3, 2007**

Pages 1 of 5

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday August 15, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman. Absent: Travis Robbins.

Others present included: City Clerk Devona Herrin; Interim City Police Chief Phillip Davis; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Doug Lloyd; Assistant City Fire Chief Scott Stainbrook; Jake Fleming; City Treasurer Linda Elder; Gary Armentrout; Chuck Farrell; Jimmie Lynn Farrell; Officer Lori Dennis; Denise Mertens; Kenny Foulk; and Jim Whitworth.

Full Quorum was not present at 7:00 p.m. The following comments were made prior to the beginning of the meeting:

MAYOR'S COMMENTS:

- 32. School back in session tomorrow.
- 33. PC One Cable wrote a response to the city regarding improvement plans.

Mayor Keith Smith called the meeting to order at 7:07 p.m.

PUBLIC HEARING:**2008 LA CYGNE CITY BUDGET HEARING**

Mayor Smith presented the 2008 La Cygne City Budget for discussion. There were no questions. (Budget included an estimated tax rate of 60.932 mills, an increase of 3.055 mills.)

- *Motion to Approve 2008 Budget*

Council Member Turpen moved to accept the 2008 La Cygne Budget as presented. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 7:08 p.m.

- *Motion to Approve Ordinance #1354 Attesting to Increase in Tax Revenues*

Council Member Turpen moved to approve Ordinance #1354. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:10 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: August 2 - 15, 2007;
August 1, 2007 City Council Meeting;
July 2007 Treasurer's & Budget Report.

Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 7:13 p.m.

Page 2 of 5

DISCUSSION FROM THE FLOOR:

REGULAR MEETING**January 3, 2007**

4. KRWA, Gary Armentrout, Regarding KanCap Program: Gary Armentrout made a presentation for the KanCap program sponsored by the Kansas Department of Health and Environment per the 1996 Safe Drinking Water Act, with training materials developed under KDHE contract by the Kansas Rural Water Association with the help of state and national drinking water experts. Extra points on the Kansas Public Water Supply Loan Fund applications are granted only for group training conducted by a KDHE-approved technical assistance provider. The program is broke down into three parts each three hours in duration. There is a written test at the end of each session. The sessions include: 1. Management, 2. Finance, and, 3. Water Rights. Each training group is limited to twenty participants. If the city was interested in providing a session the nearby cities and rural water districts could be invited for a sizeable group. Councils' schedules were not open enough to plan any dates. Council asked Gary Armentrout to let the city know if/when he was able to set up sessions with others in the area and they would check schedules at that time to see if any council members were available to attend.

REPORTS OF CITY OFFICERS:Police Chief and Codes Officer

- xxvii. Stats Report: Noted written report for August 1 - 10, 2007.

Fire Chief Doug Lloyd

- xvii. KSFFA Regional Fire School Selection: Fire Chief Doug Lloyd reported the City of La Cygne Fire Department had been chosen to host one of the regional fire training schools for 2008. The fire department will be allowed to choose which courses to have presented at this two-day session. Just having the class in the town will bring revenue to many of the local businesses.
- xviii. Hydrants Training: Asked for the opportunity for the firefighters to work with the public works department for hydrant training to know what hydrants work with the fire trucks and have the fire trucks handle training with those hydrants. Public Works Superintendent Craig reported the hydrants had been flushed last year and were all good at that time. Fire Chief Lloyd asked if it would be possible for the firemen to actually open them under observation to learn the training with the hydrants in the city, but if not that was fine. No action taken.
- xix. Firemen's Relief Association Bylaws: Tabled. Noted the La Cygne FRA was taking out a \$100,000 life policy with accident coverage while on duty as a fireman for continuity for all firemen.

COMMENTS:

Mayor Smith welcomed the new Glycol Industry to town. The ground breaking for the new construction took place last Friday morning with a good turn out on a hot morning.

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STANDING COMMITTEE REPORTS:Sewer

- iii. Lagoon Repair and Additional Force Main: Discussed:
- B.R.W. Construction LLC bid of \$152,170.00 included items not applicable to repairs and the 10-inch line construction.
 - Bid included some exclusions.
 - FEMA has indicated it will pay 75% of the flood repairs.
 - State Representatives have indicated the state will pay 10% of the flood repairs.

REGULAR MEETING**January 3, 2007**

- e. City Clerk reported the state would work with the city through the city's state revolving loan applying to the lagoons if an engineer is involved.
- f. FEMA will also possibly provide funds to raise the level of the cell higher as a preventative measure for future high waters. Detailed information would have to be submitted for approval. Need to have information by early September.
- g. Concurred adding the 10-inch line needs to be done now while the cell is being repaired.
- h. Cost of hiring an engineer is unknown. Ponzer-Youngquist has the information already for the 10-inch line.
- i. Wording of a motion for Ponzer-Youngquist to begin engineering process for repairs and improvements.

- i. *Motion to Hire Ponzer-Youngquist for Engineering*

Council Member Turpen moved to begin the process to repair and add the additional force main by authorizing Ponzer-Youngquist for a proposal/estimate. Seconded by Council Member Boone. Discussion: Council to review proposal and costs; have frequent reports; PWS Craig to handle with DCC Mahon. **Voted on, passed 4-0.** Time: 8:02 p.m.

Park

- i. North Park: Thanked Public Works for painting the shelter building. Discussed adding pea gravel to the wood chips in the play area. Discussed applying the budget funds for the possible purchase of play equipment this year.

Cemetery

- iii. Bid for Tree Removal and Trimming: Received a bid from Jim Thompson for removing 5 trees and trimming 7-8 others for a total price of \$1,100.00.
 - a. *Motion to Accept Bid to Remove Five Trees and Trim Other Trees*

Council Member Turpen moved to accept the bid from Jim Thompson in the amount of \$1,100 to remove five trees and trim several others in the cemetery. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:05 p.m.

Public Safety

- iv. Sidewalk Across Railroad Tracks: Council Member Boone reported it looks like a go by the railroad.

FIESTA

None.

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UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

No contact from Heckert Construction.

City Hall

- *Motion to Purchase Existing Library Building for \$55,000*

Council Member Turpen moved for the city to purchase the existing Library building for the amount of \$55,000.00 as agreed with the library board. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:08 p.m.

Mayor Smith reported the library plans to be entirely in their new building by November 1st. Pending remodeling issues, the city hall could be relocated by the 1st of the year.

REGULAR MEETING**January 3, 2007**

- *Motion for Present City Hall Site to be Sold*

Council Member Turpen moved to put the present City Hall site for sale through sealed bids with the right to refuse any and all bids. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:10 p.m.

Discussed and concurred to publish the notice for sealed bids in the Linn County News, the Osawatomie Graphic, the X-Changer, and the Web Site. Bids are to be received by September 18th, and reviewed by council at the regular meeting Wednesday night, September 19th.

Fire Department Merger with County

Tabled by council. Assistant Fire Chief Stainbrook noted if the city was worried about the cost of a fire department the bigger tax base is the county. However, the best overall protection for the city would be for the city to retain their own department.

Christmas Dinner December 8th or 15th

The City employees and departments dinner will be held on December 15th at the La Cygne Community Building.

NEW BUSINESS:

None

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of legal and personnel for up to sixty-five minutes following a ten-minute break. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:17 p.m.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend Executive Session for up to ten minutes for personnel. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 9:32

Others invited into or requesting a portion of time in executive session included: City Treasurer Linda Elder, Public Works Superintendent George Craig, City Clerk Devona Herrin, Officer Lori Dennis, and Interim Police Chief Phillip Davis.

Open Session Resumed at 9:42 p.m.

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OTHER BUSINESS:Phillip Davis to Attend CGIS Training on August 16, 2007

- *Motion for Davis to Attend CGIS Training*

Council Member Turpen moved to allow Interim Police Officer Phillip Davis to go to Topeka to attend CGIS training tomorrow using his own vehicle with mileage at \$.46 a mile. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 9:44 p.m.

CITY CLERK'S REPORT:

Verbal:

REGULAR MEETING**January 3, 2007**

1. Gas Line Relocation Paperwork Status – May need a special meeting to process the notice to proceed documents when ready.

Written:

1. 2008 Budget Comments
2. Fireman's Relief Association Bylaws
3. Public Works: KDOT La Cygne Bridge Project

NOTES AND COMMUNICATIONS TO COUNCIL:A] *Kansas Government Journal*, Volume 93, Number 7, July 2007B] Robert Conley, a long-term resident of La Cygne, will celebrate his 102nd Birthday this weekend with a party. All cards appreciated.**ADJOURNMENT:**

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Sullivan, voted on, 2-2 (No: Boone and Weitman).**

Mayor Smith adjourned the meeting at 9:55 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of August 2007.

NO MEETING September 5, 2007 DUE TO LACK OF QUORUM.

*Pages 1 of 7***REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday September 19, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman. Absent: Travis Robbins.

Others present included: City Clerk Devona Herrin; Interim City Police Chief Phillip Davis; City Public Works Superintendent George Craig; Judy Kinder; City Fire Chief Doug Lloyd; Jake Fleming; Kenny Foulk; Tanner Ogden; Rick McRae; Deputy City Clerk Gary Mahon; City Attorney John Sutherland; Jodi Wade; Fred Meisel; Linda Meisel; Joann Albright; Missy Ohlmeir; Tiffanie Rose; and Amy Sherman.

MAYOR'S COMMENTS:

34. Joann Albright presented Stuffed Bears for children who have experienced trauma from Royal Neighbors of America to the La Cygne Police, Ambulance, and Fire Department just before the meeting began. City appreciates her and her family's efforts.
35. Noted current sports events scheduled for PVHS.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

REGULAR MEETING**January 3, 2007**

Council Member Boone moved to approve the consent agenda as presented that consisted of:

Check Register: August 16 – September 19, 2007;
August 15, 2007 City Council Meeting;
August 2007 Treasurer's & Budget Reports.

Motion seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:04 p.m.

DISCUSSION FROM THE FLOOR:

5. Rick McRae Regarding July 2007 Water Usage Charge: Rick McRae requested a review of his August 1st Water Utility Bill for 24,300 gallons of water. He has found no evidence of a leak, nothing tampered with, and has monitored closely since with just normal usage occurring. Council Member Weitman noted if an average is figured the monthly total is 6,200 gallons.

- *Motion to Adjust Water Bill to Average of 6,200 Gallons*

Council Member Weitman moved to adjust the August water bill for 24,300 gallons to the 6,200-gallon average usage. Seconded by Council Member Boone.

Discussion: Council Member Turpen noted the July usage was only 4,400 gallons and if the 20,000 gallons was deleted from this August bill it would be for 4,300 gallons. Suggested the bill be adjusted for the 4,300-gallon usage. **Council Member Weitman rescinded his motion.**

- *Motion to Adjust Water Bill to Usage of 4,300 Gallons*

Council Member Weitman moved to apply the usage of 4,300 gallons for the August month of usage. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:08 p.m.

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DISCUSSION FROM THE FLOOR (Continued):

6. Missy Ohlmier Regarding Stop Signs: Missy Ohlmier, Tiffanie Rose, and Amy Sherman expressed concern about the speed of traffic on south 9th Street that intersects with Sycamore and Vine due to the increase of children in the area. They requested stop signs for the intersections. Officer Davis offered to work up a study of speeds for traffic in the area. Council discussed previous decisions on stop signs and the change in the amount of children now in this area.

- *Motion for Stop Sign at 9th & Vine and Four-Way at 9th & Sycamore*

Council Member Weitman moved to place a stop sign at 9th and Vine on Vine; then at 9th and Sycamore to make that intersection a 4-way stop. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:16 p.m. Discussed requirements to install the stop signs with public works.

3. Missy Ohlmier Regarding Speed Limit on City Streets: Missy Ohlmier asked what the speed limit was for the city side streets. Noted 30 mph unless otherwise posted. Ms. Ohlmier asked about "Slow Children Playing" signs for the area where she lives on 9th Street. Council determined would wait and monitor new stop signs first.

REPORTS OF CITY OFFICERS:

Police Chief and Codes Officer – Interim Police Chief Phillip Davis

- xxviii. Stats Report: Presented written report for August 15 – September 18, 2007. Report is not complete as Officer Dennis has two weeks of reports outstanding.
- xxix. Equipment and Repairs for 1996 Crown Vic: Presented estimate of repairs from Barrett Automotive for maintenance repairs for the 1996 Crown Vic. The estimate

REGULAR MEETING**January 3, 2007**

did not include any body damage repairs, or interior equipment that is no longer operating. The maintenance repair estimate was \$600.00. Discussed the department currently only has the 1999 Crown Vic, Officer Dennis is driving to training; and, the 2002 Crown Vic, Davis is using. Currently if there are any breakdowns the 1996 is not available for use.

Discussed:

1. Need for an extra vehicle only arises when one officer is out for training as both officers are not usually on patrol at the same time and can share during repairs under normal circumstances.
 2. Reviewed purchasing a new vehicle through the Kansas Highway Patrol program using a lease option. The City of Garnett uses the Impala's for fuel economy and due to the fact the officers in the city are not involved in high-speed chases in the city. Requested City Clerk Herrin obtain the vehicle info for this program and bring back to the council.
- xxx. Vehicle/Pedestrian Accident on Market Street by Casey's: Reported there had been an accident on Market Street at the intersection between Railroad Street and S. Broadway Street. Asked if the council would be interested in a crosswalk at this location. Phillip will check with KDOT on any state regulations.
- xxxi. Yield Sign at S. Broadway and Vine: Requested a Yield Sign at south Broadway and Vine as the road curves in this area and there is some obstruction. Would like to see it placed on the southwest corner. Council concurred.
- xxxii. Speed Limit on Side Streets: Reported the city has the power to lower the speed limit on the side streets and recommended they be changed to 25 mph. Council declined.
- xxxiii. Skate Boards: The city currently does not address where skateboards can be used on public property. Several people have contacted the police department about leaving them off of the sidewalks. Phillip asked the council to think about the safety of pedestrians versus skateboards.

Page 3 of 7

REPORTS OF CITY OFFICERS:**Public Works Superintendent George Craig**

- i. KCC Annual Gas Pipeline Safety Seminar: Public Works Superintendent George Craig requested attendance of either Jerome or himself to the KCC Annual Gas Pipeline Safety Seminar in Salina, Kansas.

- *Motion to Attend KCC Annual Gas Pipeline Safety Seminar*

Council Member Turpen moved to send either George or Jerome to Salina for the KCC Annual Gas Pipeline Safety Seminar with per diem. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:34 p.m.

Fire Chief Doug Lloyd

- xx. New Fire Station Building Information: Fire Chief Doug Lloyd presented financing options for a new fire station building. One form of financing had an annual repayment cost of \$11,920. The 2008 Fire Budget included \$8,900 to meet this payment cost. The interest rate is 4.25%. Left the information for the council to review.
- xxi. October Fire Prevention Month: Reported in October the fire department would be at the grade school for Fire Prevention Month with Smokey the Bear.

STANDING COMMITTEE REPORTS:**Sewer**

- iv. FEMA FLOOD APPLICATION: Deputy City Clerk Gary Mahon reported on:

- a. Four categories involved with FEMA process.
 - b. Category A – Debris Removal, and Category B – Emergency Protective Measures covered what was considered emergency work.
 - c. Category C – Road & Bridge Systems was for Lincoln Street and lagoon road repairs.
 - d. Submitted claims for the above three categories for a total of \$19,618.08. City hopes to be reimbursed for 75 % or \$14,715 by FEMA for these expenses. Anticipate approval and disbursements around October 15th.
 - e. Category F – Public Utilities is for rebuilding the Lagoons. This project must be completed within 18 months (Dec 2008). Notice of the project has been forwarded to FEMA.
- v. Lagoon Repair and Additional Force Main: Deputy City Clerk Gary Mahon presented the following report on Reconstruction:

3 Projects

- 1. *Rebuild sewer lagoon to original standards:* ⇒
 - \$184,000 (John Brann Estimate)
 - City Responsibility \$46,000 if FEMA pays 75%
- 2. *Rebuild sewer lagoon to original standards plus raise cell No. 1 to match original cells* ⇒
 - \$435,000 (John Brann Estimate)
 - City Responsibility 297,000 if FEMA pays 75%
- 36. *12" Parallel Force Main* ⇒ ⇒ ⇒
 - \$56,500 (John Brann Estimate Feb 2005)
 - City Responsibility \$56,500

STANDING COMMITTEE REPORTS: (Continued)

Sewer (Continued)

- xxii. Lagoon Repair and Additional Force Main (Continued): Deputy City Clerk Gary Mahon presented the following report on Reconstruction:

It is anticipated that FEMA will pay 75% and State of Kansas 10% on Project No. 1. Paperwork and documentation was submitted to FEMA on 9/13. We should hear back in approximately 1 month. The state legislature has not yet approved funding appropriations for its 10% share. Hopefully they will do so soon, but we cannot count on any money from the state until they actually approve a funding program.

There are three items that need to be addressed:

- 1) *The City of La Cygne needs to make a decision on what projects it wants to do. Repair to original or repair to new height? Do you want to add the 12" force main project?*
- 2) *Need to authorize making application to amend State Revolving Fund Loan.*
- 3) *Need to authorize Ponzer-Youngquist to prepare contract for council review.*

The city can finance its portion of the expenses by amending the State Revolving Fund (SRF). The original SRF runs through 2022. Amending the SRF will not amend the years. So any new amounts will have to be paid off by 2022 (15 years). It is my understanding that a totally new Loan may possibly be secured which would provide for a 20 year pay out.

At the current 3.3% interest rate, approximate annual payments would be:

- \$46,000 = approximately \$4150 per year*
- \$297,000 = approximately \$26,750 per year*
- \$56,500 = approximately \$5100 per year*

REGULAR MEETING**January 3, 2007**

Sewer Rates will have to be adjusted to raise the necessary revenue. The original loan was based on 500 hook ups. That number will not have changed significantly.

Discussed the following:

- State may also pay an additional 10% of costs; however, not approved by the senate to date.
- Project #2 too expensive. Per Council Member Boone the water has to reach the level of 33 feet before it will go over the lagoon.
- Project #1, rebuild, a must.
- Project #3, Increase Parallel Force Main – important to protect the city during heavy rains and for future growth.
- Work on Projects 1 and 3 with financing for a little over \$100,000.
- Estimated could add \$2 to each base sewer unit and meet additional loan payment if existing SRF loan is amended.
- Council requested financing options and methods of payment is explored.
- Ponzer-Youngquist has the information already for the 10-inch line.
- Council requested a contract from Ponzer-Youngquist for the next meeting.

Park

- i. North Park: Council Member Bob Sullivan presented a packet for playground equipment options. Discussed the different options for different age groups and the expense of padding for under the equipment. Will review materials and discuss further at the next meeting.
- ii. South Park: Council Member Boone reported the new restroom and shower facility should be completed tomorrow. There have also been several camper hook-ups added, along with more power and electricity throughout the park.

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FIESTA

Mayor Smith reported he had seen several posters around town and the kids at school were discussing the upcoming activities this year.

UNFINISHED BUSINESS:Heckert Construction 2006 Resurfacing Project

No contact from Heckert Construction.

City Wide Clean Up

Concerns/Ideas:

Brush now has to be hauled off instead of burned when picked up by the city.
 A Burn Permit for the City requires the site to be a certain distance from residences.
 Utilize Youth needing Community Service time for special projects.
 Pick up items other than brush.
 Locate a chipper to be loaned to the city for the brush and recycle the chips.

Mayor Smith asked PWS Craig and CC Herrin to check schedules and provide an idea on dates for any type of clean up.

NEW BUSINESS:Jodi Wade, Proposal for Sale Tax for City Pool

Jodi Wade presented a "Pool Presentation Outline" with handouts. Covered the questions of 'if the City Council would support the construction of a new swimming pool at the La Cygne

REGULAR MEETING**January 3, 2007**

Community Park' and, 'would the council approve placing a question on the Ballot for 2008 to increase the sales tax for the construction of the swimming pool'. After the presentation, the council agreed to both questions.

Park Funds Distribution

Mayor Smith noted the city had received the \$1,200 from the county to go towards parks and recreation. Discussed and determined it would reach more children used for equipment on the two city parks.

- *Motion for Donation to be Used Evenly at North and South Park*

Council Member Turpen moved to donate the Park Funds Distribution money to the north and south city park evenly. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 8:37 p.m.

CUP Fee Waiver Request from Lincoln/Scott Township Hospital Board

Deputy City Clerk requested on behalf of the nonprofit Lincoln/Scott Township Hospital Board that the city consider waiving the \$75 Conditional Use Permit Filing Fee.

- *Motion to Waive CUP Filing Fee*

Council Member Weitman moved to waive the \$75 filing fee for the CUP for the Hospital Board. Seconded by Council Member Sullivan, voted on, passed 3-0 (Abstain: Turpen). Time: 8:39 p.m.

LKM Annual Conference October 6-9, 2007 with Voting Delegate

- *Motion for City Clerk or Deputy City Clerk to Attend LKM Annual Conference*

Council Member Turpen moved for either City Clerk Herrin or Deputy City Clerk Mahon to attend the LKM Conference in Overland Park with per diem. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 8:41 p.m.

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NEW BUSINESS (Continued):LKM Annual City Attorney's Fall Training Session

- *Motion for City Attorney to Attend LKM Attorney Training Session*

Council Member Turpen moved for City Attorney Sutherland to attend the LKM attorney's fall meeting with per diem. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:43 p.m.

Bids for 210 Commercial Building

City Clerk Herrin reported there were no bids received for the building.

Aspects of City's Future Growth and Structure

Mayor Smith presented a list of ideas and projects for everyone to review, consider, and provide additional ideas, if any, at the next meeting. A primary concern was to attach the growing drug problem in the area and terminate it. Also, he encouraged all employees in all departments to offer help to and be respectful of every citizen. Mayor Smith expressed positive comments that he sees a very good job of everyone trying to get things moving forward.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of personnel and land acquisition for up to fifty-five minutes following a ten-minute break. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:50 p.m.

REGULAR MEETING**January 3, 2007**

Others invited into or requesting a portion of time in executive session included: Interim Police Chief Phillip Davis and City Fire Chief Doug Lloyd.

Open Session Resumed at 9:48 p.m.

OTHER BUSINESS:

None

CITY CLERK'S REPORT:

Written:

1. Park Donations
2. SRF and Bond Payments
3. KDOT School Program Grant
4. KRWA KanCap Program Dates
5. 2010 Decennial Census Workshop, October 2nd, Pittsburg
6. KPERS Annual Designated Agent Workshop, October 24th

NOTES AND COMMUNICATIONS TO COUNCIL:

- A] Monthly Water And Gas Reports
- B] Planning Commission Minutes for September 13, 2007
- C] Flood Plain and Conditional Use Permit Public Hearing Notices
- D] Thank You Card from Linda Elder

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ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Boone moved to adjourn the meeting. Motion seconded by Council Member Turpen, voted on, 4-0.**

Mayor Smith adjourned the meeting at 9:52 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 19th day of September 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday October 3, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, Joe Turpen, and Terry Weitman.

REGULAR MEETING**January 3, 2007**

Others present included: City Clerk Devona Herrin; Interim City Police Chief Phillip Davis; City Public Works Superintendent George Craig; City Attorney John Sutherland; Judy Kinder; Assistant City Fire Chief Scott Stainbrook; Linda Meisel; Fred Meisel; Herb Pemberton; Edith Pearl McClintic; Bill McClintic; Jodi Wade; Kenny Foulk; James White; Sandy White; Fire Chief Doug Lloyd; Dan Nasalroad; and Chris Epperson.

Mayor Keith Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS:

37. Fiesta: Excellent, received a lot of positive comments. Appreciate everyone's efforts in pulling everything together. Chris Epperson thanked all who supported the Fiesta including Public Works employees and the city.

EXECUTIVE SESSION:

- *Motion for Executive Session*

Council Member Weitman moved to go into executive session for up to fifteen minutes for personnel. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:04 p.m.

Open Session Resumed at 7:20 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: September 20, 2007 – October 3, 2007;
September 19, 2007 City Council Meeting;

Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:22 p.m.

DISCUSSION FROM THE FLOOR:

7. Edith Pearl and Bill McClintic Regarding City Water to Rural Property (17719 E 2150 Lane): Herb Pemberton represented the McClintic's with the following:
- a. Property was flooded covering the water well last July
 - b. Well has been pumped out multiple times and determined unlikely to ever be purified again
 - c. Requesting consideration to obtain city water at property

Discussed:

1. 1-inch line from park to Jerry Long's will not service two residences
2. 2-inch line from 1st and Linn would meet requirements to this property
3. As a dead-end line would require regular flushing
4. Property in RWD #1 jurisdiction
5. Cost to install unknown

Mayor asked McClintic's to get with City Clerk to check out steps for possibility.

Page 2 of 6

DISCUSSION FROM THE FLOOR: (Continued)

8. Jody Wade Regarding City Pool: Jodi Wade presented Swimming Pool Financing Options and the Request for Aquatic Design Services.
- i. Presented the following for Financing Options from Gilmore & Bell, PC:
 - a. General Obligation Bonds

REGULAR MEETING**January 3, 2007**

- b. Lease Purchase Agreement (COP).
- c. Public Building Commission (PBC) and requirements to create a commission.
- d. Sales Tax Bonds.

Jodi asked the council to review the options, as they would be required to initiate the chosen process.

- ii. Presented the following for the Request for Aquatic Design Services:
 - a. Proposal has been sent to five firms
 - b. Responses to be received by October 12th
 - c. Reduce choices down to two firms
 - d. Presentation from two firms to Park Board and City Council
 - e. Tentative schedule: to have financing determined by end of October or first of November; choose design firm: have designs by first of 2008: then begin fundraisers for some costs: and have information ready to place on the April Ballot with construction to begin the first of 2009.
 - f. Gathering numbers for an indoor pool. However, expectations are the project will be too costly.
 - g. Also spoke with school for potentially adding a building to the school facility. Recommended Jodi speak with Dave French for this possibility.

Concurred to have a workshop for the presentation preferably before a council meeting and to include the Chamber of Commerce, the Park Board, and the City Council.

REPORTS OF CITY OFFICERS:**Police Chief and Codes Officer**

xxxiv. Stats Report: Noted written report for September 19 – October 2, 2007.

xxxv. Fence Permit at 316 Swan: Reported the following:

1. Notified by City Hall a fence was being built without a permit
2. Contacted resident and he came to city hall for a permit
3. Reviewed codes and thought fence was ok so permit was issued
4. Others arrived in city hall and discussed differences for a corner lot and location of a fence
5. Contacted resident within an hour to two hours after permit was issued to cease construction as it did not meet guidelines
6. Resident declined and kept building

Discussed:

1. Fence extends eight feet too far east of house
2. Another individual in the city attempted to build a similar fence and the Planning Commission declined to approve
3. Need clarification from the Planning Commission
4. Hard to ask someone to take something down, but not right to make a change because improper construction began prior to permit being applied for
5. Council Member Turpen felt city requirements were way too strict
6. Guidelines are in place to protect everyone, and are to be reviewed annually.

Mayor Smith asked Officer Davis to contact the Planning Commission for review and move forward with action to be taken from there.

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REPORTS OF CITY OFFICERS: (Continued)**Fire Chief Doug Lloyd**

xxiii. New Fire Station Building Information: Fire Chief Doug Lloyd reported on:

REGULAR MEETING**January 3, 2007**

1. He had checked with the two local banks and only one was interested, however, the interest rate was higher than the USDA program.
2. Possibility of borrowing \$200,000 instead of the \$160,000 and paying off the existing note on the fire truck to free up that amount of annual payment to go towards one note. Will have to check if financing would approve this.
3. The \$91,000 FEMA grant is still pending for equipment for the city.
4. The building for \$160,000 is a four-bay, with a meeting room and a restroom.
5. Requested consent to apply for the USDA money.

Discussed merging with the county:

1. Mayor Smith noted the council is going to need to decide what is best for the city in merging with the county for financial and public safety needs.
2. Scott Stainbrook responded he felt the city would be better off providing city police and fire service. Dan Nasalroad agreed.
3. Resident Linda Meisel asked if any change could affect the property insurance rates.
4. Council Member Sullivan noted he was not real impressed with how the county was so slow in building the new 950 Station building.
5. Resident Jodi Wade noted there were lots of funds available for fire and police departments.
6. Noted county now only provides two ambulances for the whole county and often the fire departments are the first responders for a longer period of time than what used to occur.
7. Several issues for the council to consider.

Concurred Fire Department could apply for approval of the USDA funds, as the process takes awhile.

- xxiv. Insurance Refunds, City Portion: Fire Chief Lloyd informed the council the department had put some new coverage's for the firefighters in place for better protection for all firefighters. Dan Nasalroad is now the secretary/treasurer of the Fire Department. Due to the changes the existing life insurance policies that are in force for some firefighters are being cancelled. There will be some refunds from these policies that by state statute are required to be placed in the fire department's FRA fund and used only for benefits to firefighters. Currently the city pays the 15% co share for the premiums. The question is whether the fire department needs to check to see how the refund would be redistributed if the city wanted 15% of the refund back. Noted the refunds will be used to pay future premiums for the new coverage.

- *Motion to Decline Requesting 15% Portion Back from FRA*

Council Member Robbins moved to decline requesting the 15% portion back from the La Cygne FRA from the cancelled policies. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:10 p.m.

STANDING COMMITTEE REPORTS:Sewer

- a. Contract with Ponzer-Youngquist for Lagoon Berm Repair:

REGULAR MEETING**January 3, 2007**i. *Motion to Accept Contract and Authorize Mayor to Sign*

Council Member Robbins moved to accept the contract with Ponzer-Youngquist for the lagoon berm repair work, and authorize the mayor to sign the necessary paperwork. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:15 p.m.

- b. Costs for Sewer Lagoon Flood Damage Repair and Adding 12" Parallel Force Main: Reviewed report submitted by Deputy City Clerk Mahon regarding the costs to reconstruct the lagoon from the flood damage and to add a 12" Force Main. With FEMA paying 75% of the projected \$184,000 costs from the flood damage the city would have a responsibility of approximately \$46,000. And, the project for the 12" force main has an estimated cost of \$56,500. The total city responsibility would be around \$102,500 with yearly SRF payments of \$9,261.00. With 477 customers, the city has the option of a flat fee service to each customer of around \$1.62 or a monthly charge per 1000 gallons of water used of \$0.37. These figures can be changed if revenue changes.

- *Motion to Proceed With Ordinance for \$0.37 Sewer Increase Adjustment*

Council Member Boone moved to proceed with \$0.37 per 1,000 gallons increase with an ordinance and adjusting later if needed. Questions: Discussed average family costs with flat rate versus single retirees on fixed incomes. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:26 p.m.

Park

- iv. New Items for North Park: Council Member Sullivan reported he is still working with city employees for a good price for equipment and ground cover.

Community Building

- v. Guttering Repair: Council Member Turpen asked if the contractor had set a date to begin repairs. City Clerk Herrin reported Deputy City Clerk Mahon had left messages for contractor without any response. Council requested another company be contacted for a bid.

FIESTA

Fiesta Member Chris Epperson reported they did not have any tentative final income/expense numbers at this time; they were being put together this week. The carnival did almost make the required amount and agreed to come back next year. Also reported they were looking at different ideas to make things even better for next year. Felt having the activities in the park was a good success.

UNFINISHED BUSINESS:Kansas Highway Patrol Partners Program

City Clerk Herrin reported the city is required to join the program by signing the agreements and filing them with the Kansas Highway Patrol. There is no fee, nor any requirement to ever purchase anything from them. After joining the program they are then available to help. They are currently not taking orders for any new vehicles; however, they will begin mid-October to work with 2008 units. Council requested the paperwork be sent in to sign up for the program.

UNFINISHED BUSINESS: (Continued)Citywide Clean Up Week

REGULAR MEETING**January 3, 2007**

Concurred the Week of October 22nd would work for public works to provide a citywide clean up week. They also have someone who will take the batteries picked up so will be able to add them to the list of acceptable items.

NEW BUSINESS:**Meeting with KDOT, State, City, and County Officials**

Mayor Smith reported County Clerk David Lamb was attempting to put together a meeting with State Officials Pat Apple and Shirley Palmer, the county commissioners and employees, La Cygne city council members and city employees, and KDOT officials, to go over a bridge concern in the county and the possibility of raising Highway 152 east and west of the La Cygne city limits. The meeting will be held in La Cygne. The tentative dates to choose from are October 29th in the afternoon, November 2nd or 9th in either the morning or afternoon. Discussed and determined some could be available depending on what date was chosen. Directed City Clerk to let County Clerk know would work with whatever date could be worked out between the other officials and to let the city know as soon as a date was set.

Sidewalk between Broadway and Railroad Street Across Railroad Tracks on HWY 152

Discussed there had been no activity from the railroad. Asked for Deputy City Clerk Mahon to attempt to reach Roadmaster Mike Smith and if need be to have Mike call Mayor Smith during the day. Needs addressed before someone gets hurt bad. PWS Craig also reported the railroad did not repair 9th Street as they said they would nor paid for any barricades they borrowed and didn't return.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel and legal and personnel for up to thirty minutes following a five-minute break. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:50 p.m.

Others invited into or requesting a portion of time in executive session included: None.

Open Session Resumed at 9:25 p.m.

OTHER BUSINESS:**Current Sewer Rates**

City Clerk Herrin reported the current sewer base rate including the first 1,000 gallons of water use is \$9.50 and each additional 1,000 gallons of usage is \$1.75. These rates will be affected by the \$0.37 increase.

Community Service for Local Youths

Mayor Smith reported there were some local youths needing some community service. He has been discussing with PWS Craig about possibly having them paint the fire hydrants if the city would supply the paint and brushes.

CITY CLERK'S REPORT:

Verbal:

REGULAR MEETING**January 3, 2007**

1. 2002 Crown Vic Vehicle Damage Submitted to Insurance
2. Attended 2010 Census Meeting Tuesday, October 2nd

NOTES AND COMMUNICATIONS TO COUNCIL:

- a. *KMU* Dispatch September 2007, "Tap Water vs. Bottled"
- b. *Kansas Government Journal* Volume 93, Number 9, September 2007

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Sullivan, voted on, passed 4 – 1 (No: Boone).**

Meeting adjourned at 9:36 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 3rd day of October 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday October 17, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Robert 'Bob' Sullivan.

Others present included: City Clerk Devona Herrin; City Police Officer Phillip Davis; Katherine Burchett; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; Wilma Watson; Jodi Wade; Danny Bosley; Edith Pearl and Bill McClintic; Jackie Taylor; Mandy Higgins; Rural Fire Board Member Eddie Andersen; Fire Chief Doug Lloyd; Firefighters Scott Stainbrook, Jake Fleming; Jerome Mitzner; and Dan Nasalroad.

Mayor Keith A. Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS

4. School Activities.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: October 4 – 17, 2007
 Minutes of October 3, 2007 City Council Meeting
 August 2007 Treasurer's and Budget Reports
 September 2007 Treasurer's and Budget Reports
 3rd Quarter 2007 Financial Statement Report.

Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:07 p.m.

DISCUSSION FROM THE FLOOR:

REGULAR MEETING**January 3, 2007**Mandy Higgins for Dennis Hargis, La Cygne Elementary Grade School:

On behalf of Principal Dennis Hargis, Teacher Mandy Higgins expressed thanks to the fire firefighters for the wonderful job at the school with the children during Fire Prevention Week. Ms. Higgins passed out thank you letters to the firefighters from every grade school child. Expressed the wonderful role models the firefighters presented along with their being committed and flexible workers. The children especially enjoyed Smoky the Bear and were no longer afraid of firefighters in uniform.

Edith Pearl and Bill McClintic Regarding City Water to Rural Property (17719 E 2150 Lane):

Edith Pearl McClintic reported Betty Ernst with RWD #1 would write a release for the property. Discussed the cost of an engineer's design at \$3,000.00 that is required for approval by KDHE, the materials at approximately \$4,213.00, and a trencher at \$780.00. After these costs there is also the contractors labor costs. Discussed: 1. Closest existing line will not support two households, 2. An engineer is required by KDHE, 3. Possible annexation into the city, and, 4. Possibility of rural water helping with costs to the property owner. Council Member Boone agreed to talk to the rural water district to see if anything could be worked out. The McClintic's will check back at the next meeting.

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DISCUSSION FROM THE FLOOR:Eddie Andersen Regarding New Rural Fire Station

Eddie Andersen explained he was present on behalf of the construction for the new rural fire station 950 at the Industrial Park. Mr. Andersen asked the city to waive the fee for the sewer hook up, and the water service including the water meter, pit, and setter. PWS Craig noted the meter was a commercial meter for over \$2,000 in cost to the city. Mr. Andersen noted the county fire department had helped the city in the past without charging the city a penny. Discussed effects on city budget, the possibility of waiving some of the fees that do not actually create additional costs to the city, and having a workshop to review different options. Council concurred they would discuss and get back with Mr. Andersen.

REPORTS OF CITY OFFICERS:Police Department

- xxxvi. Stats Report: Noted written report for October 3 – 12, 2007.
- xxxvii. Resignation of Officer Phillip Davis: Acknowledged Phillip Davis' letter of resignation from all positions effective October 22, 2007. Mayor wished Phillip the best in his new position.

- *Motion to Accept Resignation of Phillip Davis*

Council Member Robbins moved to accept the resignation of Phillip Davis from all positions effective October 22nd. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:25 p.m.

Fire Chief Doug Lloyd

- i. Donated Equipment: Fire Chief Doug Lloyd announced the South Johnson County Fire District #2 donated 1,000 feet of 3-inch hose at a used value of \$4,700 and Pass devices at about \$600-\$700 at used value. Volunteer Fireman Jerome Mitzner is employed by the SJCFD and was asked to express the city's thanks for the donations. The city will also send a letter of thanks.

STANDING COMMITTEE REPORTS:

REGULAR MEETING**January 3, 2007**Water

Council Member Turpen reported an incident where a rural resident complained about the city's water quality and he had to explain the rural residents were no longer receiving city water. PWS Craig reported RWD #1 had recently returned to city water entirely.

Park

- i. Equipment for North Park: Council Member Sullivan reported he had play equipment bids from Athco for four items at a cost of \$4,110.00 before purchasing any ground cover. Reviewed the Special Park Fund and will check on status of the transfer of the \$600 county funds.

- *Motion to Purchase 4 Play Equipment Items from Athco*

Council Member Boone moved to purchase four play equipment items from Athco for a total of \$4,110.00. Seconded by Council Member Weitman, voted on, passed 5-0. Time: 7:34 p.m.

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STANDING COMMITTEE REPORTS:Public Safety

- i. Railroad Crossing Sidewalk: Council Member Turpen provided information that the railroad crews were working their way north from Pleasanton repairing tracks and the plans were to lay a pad across the tracks when they get to La Cygne.

Community Building

- i. Guttering: Council Member Turpen reported Rainbow Guttering was scheduled to inspect the guttering this Saturday and will obtain an estimate from them.
- ii. Use of Tables for Community Thanksgiving Dinner: Noted the council agreed to the Community Building tables being used for the dinner last year without any problems occurring.

- *Motion to Approve Use of Community Building Tables for Community Thanksgiving Dinner*

Council Member Robbins moved to allow the tables and chairs be allowed for the Community Thanksgiving Dinner on November 17th. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:38 p.m.

SPECIAL COMMITTEE REPORTS:

Fiesta: Preliminary reports indicate the Fiesta cleared over \$2,000.00.

Emergency Disaster Committee: Phillip Davis announced he would continue as a citizen on this committee.

UNFINISHED BUSINESS:Jodi Wade Regarding New City Swimming Pool

Jodi Wade reported she had received Aquatic Design Qualifications and had narrowed the submittals down to two: Aquatic Design Consultants in Louisburg, and Bohl & Associates in Olathe. Both are located close to our town and have worked with small communities. Invited everyone to attend the presentations, which will include their fees, at the workshop on November 7th at 6:00 p.m.

For Bond Issues Jodi recommended the Public Building Commission. This would require a Chartered Ordinance that would add "Recreational Facilities" as a type of building project a Public Building Commission (PBC) can oversee. This Chartered Ordinance must be approved by the council and published two times. The next step is then dependent on the bond issue

REGULAR MEETING**January 3, 2007**

passing. Gilmore and Bell would handle the Financial Procedures for the bonds. Gilmore and Bell will not charge unless the bonds are approved. Gilmore and Bell gave an estimate for their services of approximately \$23,000. The PBC consists of three to nine people willing to be involved with the entire project. Jodi has a list of eight people willing to serve on the PBC. The PBC would oversee the Design concepts, fundraising and construction for the entire pool project. At this time Jodi felt establishing an Aquatic Firm, getting a solid design concept and establishing the PBC would be the first step to getting things in place to educate the community for their vote in August 2008.

Council Member Robbins asked if the Park Board would still be handling the pool. Jodi responded her figures were based on the current pool budget and the Park Board would still oversee the Operations and Maintenance of the Pool. The pool will be titled to the City of La Cygne and Lincoln Township. Jodi also noted if the council changed the wording to recreation facility instead of pool then it would leave the PBC process open to use as an established bond route again for other buildings in the park.

- *Motion to Approve Pursuing a Charter Ordinance with Gilmore & Bell for Recreation*

Council Member Robbins moved to grant permission for Jodi Wade to pursue a Charter Ordinance with Gilmore & Bell for recreation. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:53 p.m.

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UNFINISHED BUSINESS: (Continued)**1996 Crown Vic Police Car Repairs**

Council Member Weitman reported he had spoke with Doug Barrett and determined the vehicle was a sound car and most of the \$600.00 in the repair estimate were maintenance items.

- *Motion for Barrett's Auto to Repair 1996 Crown Vic for \$600.51*

Council Member Boone moved to have Barrett's Auto repair the 1996 Crown Vic for a cost of \$600.51. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:56 p.m.

Public Officials and KDOT Officials Meeting November 2nd

Council Member Turpen reported the meeting between the state, county, and city officials with the KDOT officials was set for November 2nd at 1:30 p.m. in the new Library meeting room. Mayor Smith reported he would be able to attend as well as several council members also agreeing to be available.

NEW BUSINESS:**Conditional Use Permit Regarding Medical Facility, Ordinance #1356**

Council noted the Planning Commission had given approval for the Conditional Use Permit.

- *Motion to Approve Ordinance #1356 Pertaining to Conditional Use Permit for Medical Facility*

Council Member Robbins moved to approve Ordinance #1356 pertaining to zoning maps and conditional use permit for a medical facility. Seconded by Council Member Weitman, voted on, passed 4-0 (Abstain: Turpen). Time 7:59 p.m.

Proclamation Public Energy Awareness Week

Mayor Smith signed and read the proclamation for *Public Energy Awareness Week* as part of the city's participation natural gas public awareness.

Municipal Clerks Program, Wichita, November 15-16, 2007

- *Motion for City Clerk to Attend Municipal Clerks Program*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved for City Clerk Herrin to attend the Municipal Clerks program in Wichita, November 15th & 16th with per diem. Seconded by Council Member Robbins, voted on, passed 5-0. Time 8:03 p.m.

Adoption of Flood Plain Maps, Ordinance #1355

Council noted the Planning Commission had given approval for the adoption of the Flood Plain Maps.

- *Motion to Approve Ordinance #1355, Adopting Flood Plain Maps*

Council Member Turpen moved to approve Ordinance #1355 adopting the Flood Plain Maps. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:04 p.m.

Proclamation October Breast Cancer Awareness Month

Mayor Smith signed and read the proclamation for *October Breast Cancer Awareness Month* in conjunction with the Post Office.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, and personnel for up to ninety minutes. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:12 p.m.

Others invited into or requesting a portion of time in executive session included: Fire Chief Doug Lloyd and Assistant Fire Chief Scott Stainbrook and City Clerk Herrin.

Council Member Robbins left approximately 9:20 p.m.

Open Session Resumed at 9:46 p.m.

OTHER BUSINESS:Hire Police Chief, Public Health Officer, and Codes Officer

- *Motion to Hire James Dean at \$12.50 per hour for Police Chief, Public Health Officer, & Codes Officer*

Council Member Weitman moved to hire James Dean as the Police Chief, the Public Health Officer, and Codes Officer at the rate of \$12.50 per hour to be immediately contingent on meeting pre-employment requirements. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 9:47 p.m.

Council asked the City Clerk to contact Mr. Dean and have start date as early as possible.

Existing City Hall

City Clerk Herrin reported the front of the building was leaking badly when it rains. Mayor Smith requested an estimate for repairs.

New City Hall (Formally the Library)

Mayor Smith discussed the need to begin working on improvements and changes in the next month or so to get ready to move city hall to the old library building. Discussed having a workshop with city employees to review.

- *Motion for Workshop for New City Hall on October 24th*

Council Member Turpen moved to have a workshop on October 24th at 7:00 p.m. to discuss the design of the new City Hall. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 9:57 p.m.

REGULAR MEETING**January 3, 2007****CITY CLERK'S REPORT:**

Verbal:

A] Public Officials and KDOT Officials Meeting Set for Nov. 2nd, 1:30 p.m. at Library

Written Report:

A] Street Temporary Note Payment

B] Ponzer-Youngquist Payment

C] Workshop for Pool Information 6:00 p.m., November 7th

D] Public Energy Awareness Week

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] September 2007 Water Reports
- b] *Kansas Government Journal* Volume 93, Number 10, October 2007

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ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 4-0.**

Meeting adjourned at 9:59 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of October 2007.

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WORKSHOP, 6:00 P.M. REGARDING TRANSFERRING CITY HALL TO 206 COMMERCIAL:

Discussion took place regarding painting walls and ceiling, different flooring, office equipment, lighting inside and outside rear, and workstation locations.

REGULAR MEETING:

The La Cygne City Council met in a regular session that was rescheduled from Wednesday, November 7, 2007, on Thursday, November 8, 2007 at the Old La Cygne Library Building, 206 Commercial. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Robert 'Bob' Sullivan.

Others present included: City Clerk Devona Herrin; Deputy City Clerk Gary Mahon; City Police Chief James Dean; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; Jodi Wade; Edith Pearl and Bill McClintic; LeRoy Turpen; Robert Turpen; Corey Preston; Don Long; Fire Chief Doug Lloyd; Firefighters Scott Stainbrook, Jake Fleming; Matt Byerly; Tommy Capp; and Dan Nasalroad.

Mayor Keith A. Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS

- 5. School Activities.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

REGULAR MEETING**January 3, 2007**

Council Member Boone moved to approve the consent agenda as presented that consisted of:

Check Register: October 18 – November 8, 2007
Minutes of October 17, 2007 City Council Meeting

Motion seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:03 p.m.

DISCUSSION FROM THE FLOOR:

Edith Pearl and Bill McClintic Regarding City Water to Rural Property (17719 E 2150 Lane):

Council Member Boone explained the city policy requiring annexation of property into the city limits before being eligible for city utilities of any kind. Once annexed the property would also incur city taxes. Felt the best method for the McClintic's would be to have a holding tank installed and haul their water, or have someone haul the water to them. The cost of the holding tank would be less than half the cost of running water to the property. Names of local contractors were provided for the McClintic's to contact. The McClintic's asked who they would need to talk to if they still wanted to consider being annexed and obtaining a water line from the city. Council concurred it would be in their best interest and less costs for them to check prices for a cistern or holding tank before deciding. PWS Craig also noted it would take around three months just for state approval of the line after the engineers worked up the design.

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DISCUSSION FROM THE FLOOR: (Continued)

Lincoln/Scott Township Medical Board Requests East Speed Limit Signs Moved

Lincoln/Scott Township Medical Board Member Joe Turpen asked the city council to consider moving the 50 mph speed limit signs on the east end of Hwy 152 further east towards the city limits 475 feet, which is at the RWD shed building just east of the New Life Baptist Church.

Thank You Card from Library Board and Staff

Mayor Smith read a thank you card from the Library Board and Staff. Positive comments were made about the new library.

REPORTS OF CITY OFFICERS:

Police Chief and Codes Officer James W. Dean

xxxviii. 2002 Crown Vic: The vehicle has overheated and is now leaking around the manifold. May just be a gasket, setting up a date for repairs, cost could be over \$500. There is also a sending unit at Barrett's Automotive to install and that will be done at the same time.

xxxix. Introduction of New Police Chief James Dean: Mayor Smith introduced James Dean to the public and press.

Public Works Superintendent George Craig

REGULAR MEETING**January 3, 2007**

- i. Gas Line Relocation for Bridge Change on Hwy 152: PWS Craig reported this project had been completed.

Fire Chief Doug Lloyd

- i. Firefighters Training: Firefighters 1 Certification training will begin in January 2008 for the firefighters.
- ii. Halloween Participation: The city firefighters donated their time, food, and candy to cook hot dogs and hand out treats to the trick-or-treaters in the city. Served over 300 hotdogs and ran out. It was a great success; appreciate all of the firefighters donations of time and money spent to have the event.
- iii. Scheduled Hose and Pump Testing: All of the testing is complete.
- iv. New Station: Leaving any action on this topic up to the council.
- v. Hydrants: The youth volunteers painted the hydrants until their time ran out and then the firemen continued to volunteer their time and finish painting the hydrants that were left. There was enough paint to paint all of the hydrants.

STANDING COMMITTEE REPORTS:Water

Council Member Weitman reported several rural water district customers had contacted him and let him know they were glad to be back on city water and were asking how long they would be staying with city water. Council Member Weitman asked if out of respect for the city's responsibility to maintain water volume in the plant were the rural water districts keeping public works informed as to their volume of use? PWS Craig responded so far they were. Council Member Weitman then asked if this on again – off again use from the rural water districts wasn't a change in condition? City Attorney Sutherland responded yes and there was a possible proposal in the works.

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STANDING COMMITTEE REPORTS: (Continued)Sewer

- i. Status of Adding Second Line to Lagoon: The second line has been combined with the flood repair work to be done and the flood portion is waiting on FEMA and the engineer.

Park

- i. Ground Cover for New Equipment at North Park: Council Member Sullivan presented another estimate for ground cover from Grass Pad for 16 yards of mulch material for \$719.20 before delivery. Compared to 30 yards including deliver with Athco for \$1,013.00. Council Member Sullivan will check other companies and report back next meeting.
- ii. **Charter Ordinance #11 Relating to Public Building Commissions:** Jodi Wade reported on the two Aquatic Design firms presentations at last night's workshop with council and Park Board. Kevin with Gilmore and Bell was also present at the workshop to go over the Public Building Commission Charter Ordinance as a method to be able to obtain funds for a new pool, or any other future recreational facility, without placing any debt service against the city while still leaving the city in control of the facility though a lease process until the debt is paid off. When the debt is paid off the property becomes the sole property of the city. This is the first step of several phases prior to an election where the public votes on a method to generate revenue. Current cost to the city is the publication for two weeks of the charter ordinance. The next phase of determining design and feasibility appears to have a cost of around \$7,000; which would include getting information out to the

REGULAR MEETING**January 3, 2007**

public for information prior to an election. This would be handled through the Park and/or Pool funds.

- *Motion to Adopt Charter Ordinance #11 Establishing a Public Building Commission*

Council Member Turpen moved to adopt Charter Ordinance #11 establishing a Public Building Commission. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:05 p.m.

Cemetery

- iii. Road Around New Section: Council Member Turpen asked to move the west end of the road further west, as it would allow for 13 more sites. Will adjust the road to allow for the contiguous sites.
- iv. Don Long and Lonnie Farmer to Stake Out Portion of New Section: City Clerk Herrin reported Lonnie Farmer and Don Long were both working with establishing gravesites in the cleared new section portion. Don Long asked for some dirt when the city had some extra for an area on his property; council concurred. And, Lonnie Farmer asked for the same hourly rate as Caretaker Kenny McClanahan of \$9.50 per hour.

- *Motion to Approve \$9.50 per hour to Lonnie Farmer for Cemetery Project*

Council Member Boone moved for Lonnie Farmer to be paid \$9.50 per hour on cemetery project. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:11 p.m.

- v. Stainless Steel Lot Marker Stakes: City Clerk Herrin reported 250 stakes were needed to mark the new section. The stakes are \$2.79 each plus shipping. One hundred fifty stakes have been ordered, a minimum of another 100 need to be ordered. Council discussed ordering a total of 300 stakes to have some on hand.

- *Motion to Purchase 300 Stainless Steel Lot Marker Stakes*

Council Member Robbins moved to purchase 300-lot marker stakes for the cemetery. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 8:14 p.m.

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STANDING COMMITTEE REPORTS: (Continued)Cemetery (Continued)

- vi. East Fence Row of New Section: Discussed the brush in the area where the boundary line is between the cemetery and the residents' properties just to the east. Before being able to stake out lots in this area will need to clean the brush and discuss placing a fence along the boundary line. By reviewing the aerial of the area not sure the residents are aware of where the property line is. Council Member Turpen discussed contacting the property owners prior to making any changes.
- vii. Electricity to Flag: Council Member Turpen asked if any contact had been made with KCP&L for electricity to the flagpole from previous discussions. Requested someone in city hall contact KCP&L for costs.

SPECIAL COMMITTEE REPORTS:

Fiesta: Mayor Smith reported the Committee was still putting together final figures, as there were still a few bills outstanding.

UNFINISHED BUSINESS:FEMA Update

Moved to a later part of the meeting when Deputy City Clerk Mahon was available. He was currently with the Planning Commission Meeting.

REGULAR MEETING**January 3, 2007**Christmas Dinner Caterer

City Clerk Herrin asked how the council wanted to put the holiday dinner together. Discussed last year the local businesses that would cater were contacted with a menu and one was chosen. Council directed someone in city hall to establish the menu and prices from those interested in catering.

NEW BUSINESS:Replacement of Street Signs

Mayor Smith noted several street signs are very faded and need replaced. He asked how to best proceed, by replacing all at once or on a rotation basis? PWS Craig noted each sign had a different cost based on the amount of lettering required. Council Member Sullivan volunteered to drive around and list the signs needing replaced in an order of worst needed first.

2007 Budget Amendment

City Clerk Herrin reported the three funds relating to the proposed amendments were the Special Park and Recreation fund, the Special Highway fund, and the Special Park and Pool Fund. The Public Hearing will take place at the beginning of the December 5th regular council meeting.

- *Motion to Approve Notice of Hearing on Amending the 2007 Budget*

Council Member Boone moved to accept the Notice of Hearing on amending the 2007 Budget. Seconded by Council Member Robbins, voted on, passed 5-0. Time 8:25 p.m.

KMGA Annual Meeting, November 16th, Wichita

City Clerk Herrin reported she would already be in Wichita at the Clerk training sessions and would be able to leave the training long enough to go to the meeting and then return to the training classes. Council concurred.

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NEW BUSINESS:Existing City Hall Roof and Guttering Replacement

City Clerk Herrin reported the city's property insurance had been contacted and an adjuster had inspected the city hall roof. There is minor hail damage, however the wear and tear based on actual cash value along with the deductible leaves the city without any insurance resource. The roof is wore out and needs replaced with the flashing to the front cleaned and reestablished. Also, the guttering needs replaced. The adjuster estimated between \$3,000 - \$4,000 depending on the quality of materials used. Council discussed and determined did not want to spend any money on the building.

Special Meeting Wednesday November 14th in New Library for Fire Departments

Discussed a special meeting was being set up with the La Cygne City Council and the Linn County Commissioners at 6:30 p.m. on November 14th in the New Library meeting room to discuss options for the city and Linn County fire departments.

- *Motion for Special Meeting November 14, 2007*

Council Member Robbins moved to hold a special meeting with the Linn County Commissioners on Wednesday November 14th in the New Library for discussion of the Fire Departments. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:34 p.m.

REGULAR MEETING**January 3, 2007**Resolution Regarding Abatement of Nuisances at 509 E Vine, La Cygne

City Attorney Sutherland reported the state statutes and city ordinances required the city to send an actual notice to the property owner and then ten days required before the city could pass a Resolution on the property. Therefore, it could actually be until the December 5th meeting before a resolution can be passed. Will have the notice sent by certified mail and complete steps required to keep the process moving forward.

206 Commercial Street Building (New City Hall)

After discussion during the workshop, directed city employees to obtain bids for painting and carpet/tile, whatever flooring the workers consider best for the area. Also asked for a firmer price on a server and a phone service.

UNFINISHED BUSINESS: (Continued)FEMA Update (Continued)

Deputy City Clerk Gary Mahon reported the city had received the 70% for the emergency preparedness, roads, and a bridge for a total of \$16,637.85.

As for the lagoon, the engineer had provided an estimate of \$131,00 plus engineering fees and other costs for a total of \$184,000. FEMA brought back a value of \$45,500 and would pay 70% of that total. Deputy City Clerk Mahon declined to sign the papers for the \$45,500 total. The engineer has revised the project down to \$74,000, which is still higher so the city will have to go to an appeal process with FEMA before FEMA will review again for any different amount. Also discussed FEMA left out the fence. Deputy City Clerk Mahon will send the appeal letter tomorrow.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, trade secrets, and personnel for up to ninety minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:45 p.m.

Others invited into or requesting a portion of time in executive session included: City Clerk Herrin, Don Long, Public Works Superintendent George Craig, Police Chief James Dean, and Fire Chief Doug Lloyd with Assistant Fire Chief Scott Stainbrook.

Extend Meeting

- *Motion to Extend Meeting to 10:30 p.m.*

Council Member Robbins moved to extend the meeting up to 10:30 p.m. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 8:46 p.m.

Open Session Resumed at 10:12 p.m.**OTHER BUSINESS:**Emergency Disaster Committee Chairman Change

- *Motion to Appoint Doug Lloyd as the Emergency Disaster Committee Chairman*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to appoint Doug Lloyd as the Emergency Disaster Committee Chairman instead of Phillip Davis. Seconded by Council Member Boone, voted on, passed 5-0. Time: 10:13 p.m.

Continue Negotiations with Linn County Regarding Sharing Fire Barn

- *Motion to Authorize City Attorney to Negotiate with Linn County Regarding Fire Barn*

Council Member Turpen moved to authorize John Sutherland to continue negotiations about the fire barn with the Linn County Commissioners regarding a lease in accordance to tonight's proposal. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 10:14 p.m.

New City Hall (Formally the Library)

- *Motion to Purchase 206 Commercial for \$55,000 from Capital Improvement Funds*

Council Member Robbins moved to buy the old library building council is currently meeting in for \$55,000 using Capital Improvement Funds with closing prior to December 1st and authorizing City Attorney Sutherland to handle the paperwork with the Library District. Seconded by Council Member Boone, voted on, passed 5-0. Time: 10:16 p.m.

CITY CLERK'S REPORT:

Written Report:

- A] Workshop for Pool Information
- B] Ground Cover for New Park Equipment
- C] Don Long & Lonnie Farmer to Stake Out Portion of New Cemetery Section
- D] Stainless Steel Cemetery Lot Marker Stakes
- E] East Fence Row of New Cemetery Section
- F] FEMA Update
- G] Christmas Dinner Caterer
- H] Replacement of Street Signs
- I] 2006 Budget Amendment
- J] Existing City Hall Roof and Guttering Replacement
- K] Next Regular Council Meeting is November 21, 2007 – (will hold on schedule)
- L] Special Meeting to Discuss Rural & City Fire Departments

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NOTES AND COMMUNICATIONS TO COUNCIL:

a]

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Robbins moved to adjourn the meeting. Motion seconded by Council Member Sullivan, voted on, passed 5-0.**

Meeting adjourned at 10:18 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 8th day of November 2007.

SPECIAL MEETING – Rural Fire Station Bids

The La Cygne City Council met in special joint session on Monday, November 19, 2007 at the LaCygne Community Building. Purpose of the meeting was to review bids for concrete work, sewer lines, and water lines

REGULAR MEETING**January 3, 2007**

for the new rural fire station being constructed in the industrial park.. The following council members were present: Jerry Boone, Travis Robbins, Robert “Bob” Sullivan, Joe Turpen and Terry Weitman. All council members signed the request for special meeting..

Others present included: Deputy City Clerk Gary Mahon; City Attorney John Sutherland; City Fire Chief Doug Lloyd; Assistant City Fire Chief Scott Stainbrook; Dwayne Pemberton, Larry Henry, and Dan Nasalroad.

In the absence of Mayor Smith, Council President Joe Turpen chaired the meeting. The meeting was called to order at 6:05 p.m.

Review of Rural Fire Station Bids for Concrete, Sewer, & Water

Bids had previously been submitted to Linn County for concrete work, sewer lines and water lines for the new rural fire station being constructed in the Industrial Park at La Cygne. As a result of a newly enacted lease agreement in which the City will utilize a portion of the new rural fire station

Proposed Lease Agreement With Linn County Rural Fire Department

Purpose of the meeting was to discuss terms of a proposed lease agreement between the City of La Cygne and Linn County regarding space in the new county rural fire station under construction in the La Cygne Industrial Park.

The proposed agreement No. 3660 had been reviewed by both entities prior to this meeting. Council and Commissioners reviewed each of the eleven (11) sections.

Section 1: Description of Premises

- *Number of Bays? Number of Trucks?* County asked for clarification on the number of bays on/or trucks the city was requesting to place in the facilities. It was agreed the city would be allotted 2 spaces for two trucks.
- *Location of Bays?* Questioned whether the city should be allocated the north bays as this might be counter-productive to the drive thru aspect of the facilities. Questioned accessibility to street from the North Side. Agreed that city and county fire chiefs could switch areas if both were in agreement.

Section 2: Term

- County initially preferred five (5) years. City requested 10 as its initial expense would be approximately \$30,000 plus yearly utility expenses estimated at \$3500 per year for a total investment/expenditure of approximately \$65,000.
- Noted that county fire currently had fifteen (15) members and city fire currently had twenty (20) members. Thirteen (13) members of the city fire are also members of the county fire.
- Agreed on 10 years with start date to be determined.

Section 3: Consideration

- Noted that original specifications were drawn up by Eddie Andersen
- County Inspector would be Eddie Andersen
- City could also have an inspector
- Paragraph B. City agreed to go with bids submitted. City will re-bid per county specifications if original bidders cannot or will not be able to honor their previously submitted bids.
- Paragraph D. Add that city will provide up to \$1500 for construction costs and county an additional \$500 if needed. Maximum total cost to be \$2000

Section 4. Utilization of Premises

- Line 4. Change “disaster center” to read “ Emergency Operations Center”

Section 5. Expense of Construction and maintenance of Firehouse

- Line 4. The words “paragraph 2” should read “paragraph 3”

Section 6. Utility Service payments

- Add phone service as payable utilities

Section 7. Line

- Line 4. Strike the word “apparatus” and insert “equipment”

Section 8. Utilization of City’s Fire Truck(s)

REGULAR MEETING**January 3, 2007**

- Commissioner Ferrante questioned the “No Pay” clause. Discussion followed. It was agreed to leave section 8 as presented with no changes.

Section 9. Termination by Formation of Special Taxing Area or District for Fire Protections

- No Changes

Section 10. Mutual Cooperation and Benefit

- No Changes

Section 11. Resolving Disagreements

- Line 3. Change title of Linn County Emergency Preparedness Coordinator (EPC) to read Linn County Emergency Management Coordinator (EMC). Replace all references to “EPC” with “EMC”

Add Section 12. It was agreed to add Section 12 stating that the agreement would have to be re-negotiated if either party wished to make additions to the fire building.

Add Section 13. It was agreed that the City of La Cygne would pay one-half (1/2) of the cost of providing an exhaust system to disperse exhaust. The City’s maximum expenditure set at \$2,000.

Commissioner Ferrante requested that both the City and Rural Fire Station Chiefs submit quarterly reports on the status of the building to ensure the buildings are being taken care of and property maintained.

In response to questions from citizens in the audience, it was noted that the presence of two commissioners constituted a quorum thus allowing the transacting of county business and that the proposed fire building was not designed to include living quarters.

ADJOURNMENT:

✓ *Motion for Adjournment*

There being no further business Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 5-0.

The City Council adjourned at 8:01 p.m.

I, _____ LaCygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 14th day of November, 2007.

(Gary D. Mahon)

SPECIAL MEETING – Rural Fire Station Bids

The La Cygne City Council met in special session on Monday, November 19, 2007 at the LaCygne Community Building. Purpose of the meeting was to review bids for concrete work, sewer lines, and water lines for the new rural fire station being constructed in the industrial park. The following council members were present: Jerry Boone, Travis Robbins, Robert “Bob” Sullivan, Joe Turpen and Terry Weitman. All council members signed the request for special meeting.

Others present included: Deputy City Clerk Gary Mahon; City Attorney John Sutherland; City Fire Chief Doug Lloyd; Assistant City Fire Chief Scott Stainbrook; Dwayne Pemberton, Larry Henry, and Dan Nasalroad.

In the absence of Mayor Smith, Council President Joe Turpen chaired the meeting. The meeting was called to order at 6:05 p.m.

REGULAR MEETING

January 3, 2007

Review of Rural Fire Station Bids for Concrete, Sewer, & Water

Bids had previously been submitted to Linn County for concrete work, sewer lines and water lines for the new rural fire station being constructed in the Industrial Park at La Cygne. As a result of a newly enacted lease agreement with Linn County the City will utilize a portion of the new rural fire station for housing its fire truck and equipment. As part of the agreement the City agreed to pay for outside concrete work plus sewer/water line installation. The City also agreed to follow the original county specifications and use bids already received by the County. Bids forwarded from Linn County for concrete were from Pemberton Excavating, Nation Contracting, and Dave’s Mobile Services. Bids forwarded from Linn County for sewer & water line specs were from K & L Backhoe, Ellis Plumbing, and Pemberton Excavation.

Diversified Contracting had also submitted a bid to Linn County. The bid was received after the others had been opened. Therefore the bid was not considered by Linn County nor was it forwarded to the City of La Cygne. Diversified Contracting re-submitted the bid to City of LaCygne on November 19, 2007 and requested it be considered at this Special Meeting. Council was appreciative of receiving the bid. However, the bid was not considered by the City Council due to the fact the bid had not been included with those originally forwarded from Linn County due to the fact the county considered it submitted late.

City Assistant Fire Chief and Rural Fire Dept. member Scott Stainbrook had reviewed the bids for recommendations to Council. Scott and Deputy City Clerk Gary Mahon had contacted the bidders to determine if their bids were still valid due to the elapsed time from original submission. All bids were still valid.

(Continued on Page 2)

Bid comparisons were broken down as follows:

Concrete Slab	Pemberton	Nation	Dave's
Front 40'x60'x6"	Not Itemized	\$10,200.00	Not Itemized
Sidewalk 6'x26'x6"	Not Itemized	\$663.00	Not Itemized
Back 30'x30'x6"	Not Itemized	\$3,825.00	Not Itemized
Sidewalk 6'x4'x6"	Not Itemized	\$102.00	Not Itemized
TOTAL CONCRETE BID	\$14,790.00	\$14,790.00	\$21,750.00

Sewer Line	K & L	Ellis	Pemberton
Rock Clause	Yes	Yes	No
240' 4" sch 40 w/12 ga tracer wire	\$954.00		
320' 4" line with cleanouts			\$4,640.00
Three 4" Clean Outs	Included Above		
Two 2" Vent Pipes	\$38.00		
1000 gal Oil Trap, 3 cell	\$1,800.00		\$3,000 incl labor
Gravel	\$420.00		
Permit	\$700.00		
Labor Install Tank	\$1,200.00		
Labor Install Sewer Service	\$3,255.00		
Labor Install 2" Vent	\$300.00		
Total Sewer Line	\$8,667.00		

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Water Line			
Tracer Wire	\$37.40		
160' of 6" 200PSI pipe	\$478.40		\$1608 includes labor
20' of 4" 200PSI pipe	\$31.60		\$400 includes labor
40' of 2" 200 PSI pipe (Specs call for 35')	\$19.60		
35' of 2" 200PSI pipe			\$500 includes labor
1 - 6x4 reducer w/grip ring	\$114.00		
1 - 6" valve w/grip ring	\$443.00		
1 anchor coupler	\$84.00		
Fire Hydrant Installation			\$1,000.00
Fire Hydrant Valve, anchor, couple, gasket			\$491.00
Total of Materials	\$1,208.00		
Concrete: 1 saddle block 3/4 yard			
1 kicker 1/2 yard	\$480.00		
Labor:	\$2,320.00		\$1,608.00
GRAND Water Line TOTAL	\$4,008.00		
Total for Water & Sewer	\$12,675.00	\$ 10,850 ??	\$13,726.50
(Excluding Options)	Options Not Included	Options Not Included	Options Not Included
		Add City Water Tap Fee	
Option 1	\$393.00		
Option 2	\$502.00		\$2,087.50
Option 3	\$360.00		

Scott recommended that Council accept the Pemberton Excavation bid for concrete \$14,790 and the L & K Sewer/Water bid including option 1 for \$13,068. Larry Henry of L & K noted he could start work in approximately 1-1/2 weeks. Pemberton noted that some concrete work could be completed before L & K was finished with the plumbing. Discussion followed.

✓ Motion to Award Rural Fire Station Sewer/Water Line Bids

Council Member Boone moved to award the Sewer/Water Line bids for the rural fire station, include option 1, waive \$700 city tap fee, to K & L Backhoe in the amount of \$12,368.00. Motion seconded by Council Member Robbins, voted on, passed 5-0. (Time: 6:20 p.m.)

✓ Motion to Award Rural Fire Station Concrete Bids

Council Member Boone moved to award the concrete bids for the rural fire station to Pemberton Excavation is the amount of \$14,790.00. Motion seconded by Council Member Robbins, voted on, passed 4-0-1. (Abstained – Boone) (Time: 6:21 p.m.)

Council President Joe Turpen asked Attorney Sutherland if Council could discuss inspection of the project. Attorney Sutherland concurred. Council then discussed appointing someone to inspect the construction on behalf of the city.

✓ Motion to Appoint Jerry Boone as Project Inspector

Council Member Turpen moved to appoint Jerry Boone to be inspector of the rural fire

REGULAR MEETING**January 3, 2007**

station project on behalf of the City. Motion seconded by Council Member Robbins, voted on, passed 4-0-1. (Abstained – Boone) (Time: 6:27 p.m.)

ADJOURNMENT:

✓ *Motion for Adjournment*

There being no further business Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0.

The City Council adjourned at 6:28 p.m.

I, _____ LaCygne Deputy City Clerk, do
(Gary D. Mahon) hereby declare the
above to be true and correct, to the
best of my knowledge, and do hereby
subscribe my name this 19th day of
November, 2007.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday November 21, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Robert 'Bob' Sullivan (arrived 7:13 p.m.).

Others present included: City Clerk Devona Herrin; City Police Chief James Dean; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; Jodi Wade; Fire Chief Doug Lloyd; Denna Jones; LeRoy Turpen; and Robert Turpen.

Mayor Keith A. Smith called the meeting to order at 7:00 p.m.

MAYOR'S COMMENTS

6. Thanked the council for the positive input everyone from the city used while working out an agreement with Linn County over the ten-year lease of the fire station in the industrial park. Expressed city's participants' participation as a positive move for both fire departments and both government entities.
7. Thanked the La Cygne Fire Department for the tremendous job they undertook to insure all were safe and there was no trouble at the memorial service for Sgt. Jeff Mersman, who was killed in action on November 9th in Afghanistan.
8. Wished everyone the best this Thanksgiving Holiday and would try to move the meeting quickly to begin the holiday.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: November 8 - 21, 2007
Minutes of November 7, 2007 City Council Meeting
Minutes of November 14, 2007 Special City Council Meeting
Minutes of November 19, 2007 Special City Council Meeting
October 2007 Treasurer and Budget Reports.

REGULAR MEETING**January 3, 2007**

Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:05 p.m.

DISCUSSION FROM THE FLOOR:Denna Jones Regarding Pedestrian Walkway on North Broadway Street:

Denna Jones asked the council if there was anything that could be done about a walk area on North Broadway Street. What parts of the sidewalks that were left were in no condition to push a stroller and traffic travels at high speeds in this area as twice two speeding vehicles had almost hit her. Mayor Smith responded prior checking had indicated sidewalks were the responsibility of the property owners under the approval of city council. Stop signs at various intersections were discussed. Noted the 'children playing' signs in the area had been taken down and would be replaced. Mayor Smith also said he would look into future sidewalks, but not sure in what time frame they could be addressed. Police Chief James reported he had checked traffic in that area and found two vehicles traveling 40 mph who received warning notices. Mayor thanked Denna Jones for expressing her concerns and agreed to look into the problem.

Danny Bosley Regarding Alleyway Behind Syd's: Tabled until the next meeting.

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REPORTS OF CITY OFFICERS:Police Chief and Codes Officer James Dean

- xl. Stats Report: Gave a verbal report of recent activities.
- xli. 931 Market Street Code Violations: Reported this property was in foreclosure. He had been in contact with the mortgage company and they were moving the paperwork forward in an attempt to obtain possession to address the issues.
- xlii. Recent State Statute Changes Regarding Unauthorized Vehicles on City Streets: Police Chief James reported the state statute regarding unauthorized vehicles had recently changed and now pertained to every class of city including the 2nd, 3rd, and 4th Class cities. With the recent accident in the city involving a Kawasaki Mule, citizens have expressed concern about how the city is going to address this change in statute prohibiting them on any city street. The city can change the city ordinance to allow all worksite utility vehicles. Discussed requiring insurance on any types of vehicles on the streets.
- xliii. Three Training Requests: Reported there were three training courses available for continuing education with one in Wichita, one in Kansas City, and one in Pittsburg. All courses waived fees, the costs to the city would be per diem of transportation and meals. One class was December 12th, another January 8-10, and February 29th. Mayor Smith requested the information be on the next agenda for the council to review.
- xliv. Pit Bulls in City: Reported he had addressed some pit bulls in the city and requested the owners to remove them. As of the last few days they had not been seen.

Fire Chief and Disaster Committee Doug Lloyd

- i. Fire Station Merge with County: Fire Chief Doug Lloyd thanked the mayor and council for their help in the merge with the county station as a great help for a fire station for equipment and training area for the city and county firefighters.
- ii. Kansas Firefighter Relief Associations Seminar: Fire Chief Lloyd requested attendance by him and Secretary/Treasurer Dan Nasalroad on

REGULAR MEETING**January 3, 2007**

Saturday, January 19, 2008. The costs would be for per diem for mileage, meals, and motel the night before due to distance to travel.

- *Motion to Approve Two to Attend Seminar*

Council Member Robbins moved to send Doug Lloyd and Dan Nasalroad to the Firefighter Seminar with per diem leaving Friday for one night's stay. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:19 p.m.

- iii. Disaster Committee Name Change: Doug Lloyd reported there are grants available if the name is changed to Emergency Management and he was appointed as chairman of the Emergency Management Committee.

- *Motion to Change Name of Committee*

Council Member Turpen moved to change the Disaster Committee name to Emergency Management committee with Doug Lloyd as the Coordinator. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:21 p.m.

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STANDING COMMITTEE REPORTS:Street

- i. Faded Street Signs: Council Member Sullivan presented a list of street signs and his opinion of their current condition while trying to read them on a clear day. Noted some street intersections did not have any signs to identify them. Discussed how many to address at a time. Determined first priority would be the nine identified that had no signs. Street sign expenses are addressed using the General – Street fund. PWS Craig reported the best lasting signs for the best price could be found at National Sign Company. Agreed PWS Craig would get the information on costs Monday for the nine signs. These would be the most expensive as they would require posts and hardware too. All agreed the emergency people are the greatest concern and often these people do not know the town.

Sewer

- i. Adding Second Line to Lagoon: Council Member Boone asked why the second line to the sewer lagoon was not being addressed. Discussed this had been merged with the rebuilding of the berm damaged by the flood using State Revolving Loan Funds for both projects. There were FEMA holdups on money available for the repair portion.

Park

- i. Ground Cover for New Equipment in North Park: Council Member Sullivan presented a bid from Johnson County Topsoil & Landscape Materials, LLC, Stillwell, Kansas, for 30 cubic yards of certified playground mulch delivered to the city for \$805.00. This price is less than the bids from either Grass Pad or Athco.

- *Motion to Purchase Playground Mulch from Johnson County Topsoil*

Council Member Sullivan moved to accept the bid for \$805.00 for playground mulch. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:34 p.m.

- ii. New Pool Update from Jodi Wade: Jodi Wade reported those individuals interested would meet with the Park Board Members at the regular Park Board meeting next Wednesday at 7:00 p.m. in City Hall to make a final determination if they should move forward with this project. Jodi also reported she had completed

REGULAR MEETING**January 3, 2007**

some negotiations with the Aquatic Design firms and would also discuss choosing a firm at that meeting.

Cemetery

- ii. East Fence Row of New Cemetery Section: Council Member Turpen reported he had been in touch with the new owners of what had been Esther Boone's home and he would be meeting with them when they were in town next regarding their west property line that meets up with the cemetery property. City Clerk Herrin reported the previous survey stakes from the survey completed when the cemetery portion was purchased by the city had been located and flagged for easy identification.

Community Building

- viii. Guttering: Has been repaired.

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UNFINISHED BUSINESS:Move of City Hall

City Clerk Herrin reported there had been a volunteer to paint the walls with the approval of city council. Discussed there was no problem with having volunteers doing the painting. Discussed using a good quality of paint. Noted Teresa Whitaker used a Home Depot washable brand in the Senior Housing units with good success and she was the volunteer. Council Member Boone reported Robert Blanck had also volunteered to him as another volunteer. Council Member Boone said he would also help after all of the taping, repairs, and spackling were complete.

City Clerk Herrin presented a Notice of Bids that had been sent to Carpetman, Bauman's, a friend of Debbie Higgins, and Triangle Builders, as well as a notice in the next paper. Asked if there were any changes from the bid notice the council wanted to make. Council asked that the carpet place in Paola also be contacted Monday to see if they were interested in bidding. Hope to have final recommendation ready by the next city council meeting.

Noted Advantage Computers had inspected the building for computers and phones including a new phone system and a server for the computers. Deputy City Clerk Mahon also has another company contacted for a price on a phone system. May have some information ready for the next council meeting.

Presented Deputy City Clerk Mahon's spreadsheet on committed costs to the Capital Improvement Fund. Discussed possible financial limitations.

The deed for the property has been signed and the check ready to be delivered to the library. City Attorney Sutherland will file the deed Monday.

NEW BUSINESS:None**Executive Session**

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, trade secrets, and personnel for up to thirty-five minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:50 p.m.

REGULAR MEETING**January 3, 2007**

Others invited into or requesting a portion of time in executive session included: City Clerk Herrin.

Open Session Resumed at 8:38 p.m.

OTHER BUSINESS:**Accepting Bids for Two Properties**

Council requested to put together a description of the present city hall building and lot area as well as a description of the lots previously purchased this year for a fire station, then place both properties in the paper for sealed bids to sell.

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CITY CLERK'S REPORT:

At the table:

- A] Municipal Clerks Academy Report
- B] KMGGA Board of Directors Meeting Report
- C] Notice of Bids for Flooring

Written Report:

- A] Community Building Guttering Repaired

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] November 8, 2007 Planning Commission Meeting Minutes
- b] October 2007 Water and Gas Reports
- c] *Kansas Government Journal* Volume 93, Number 11, November 2007

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Boone moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0.**

Meeting adjourned at 8:42 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of November 2007.

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PUBLIC HEARING FOR AMENDING 2007 BUDGET

Council President Joe Turpen called the Public Hearing for amending city fund budgets pertaining to Special Park and Pool, Special Park and Rec., and Special Highway, to order at 7:00 p.m. asking for public comments. There were no comments.

- *Motion to Approve Amended 2007 Budget*

Council Member Weitman moved to amend the 2007 Budget as presented. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:04 p.m.

- *Motion to Close Public Hearing*

REGULAR MEETING**January 3, 2007**

Council Member Weitman moved to adjourn the public hearing. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:04 p.m.

REGULAR MEETING:

The La Cygne City Council met in a regular session Wednesday, December 5, 2007, at the La Cygne Community Building. Council Members present were: Jerry Boone, Joe Turpen, Terry Weitman, and Robert 'Bob' Sullivan. Absent: Travis Robbins.

Others present included: City Clerk Devona Herrin; City Police Chief James Dean; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; Jodi Wade; Linda Meisel, Christine Teagarden; Danny Bosley; Paul Myers; LeRoy Turpen; Robert Turpen; Corey Preston; Jamie Spero; Dennis Arnold; Fire Chief Doug Lloyd; Firefighters Dan Nasalroad; Jake Fleming; and Bryan Turpen.

In the absence of Mayor Keith A. Smith, Council President Joe Junior Turpen called the meeting to order at 7:04 p.m.

MAYOR'S COMMENTS

9. None.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Boone moved to approve the consent agenda as presented that consisted of:

Check Register: November 22 – December 5, 2007
Minutes of November 21, 2007 City Council Meeting

Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:06 p.m.

DISCUSSION FROM THE FLOOR:

Lonnie LawRance Regarding Gas Line at 210 Swan:

Tabled.

Danny Bosley Regarding Alleyway Behind Syd's

Danny Bosley asked if the city would again consider placing a chain and sign stating emergency access only in the center of the alley behind Syd's Market. Syd's storage building is across the alleyway from the store and there is now heavy traffic using the alley from a

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DISCUSSION FROM THE FLOOR: (Continued)

Danny Bosley Regarding Alleyway Behind Syd's (Continued)

residential property located in the middle of the alley. This particular traffic is not traveling safely in this area where employees are regularly crossing the alleyway for supplies. Syd's Market does use the alleyway for unloading deliveries. Discussed options of: 1. Speed bumps versus water drainage and possibility of drainage pipe for a speed bump, 2. Digging ditches for speed bumps versus delivery truck problems with ditches, 3. Filing complaints when the traffic is hazardous for the police to handle unsafe driving conditions, and, 4. Everyone reviewing the area for ideas to slow the traffic and stop the behavior.

REGULAR MEETING**January 3, 2007**Paul Myers with Linn County Insurance Regarding City Insurance Policies

Paul Myers introduced himself and his daughter Christine Teagarden as agents with Linn County Insurance located at 332 Market Street. Mr. Myers explained they also represent the city insurance company EMC and have for a number of years. Now, with the closing of the Schulte Insurance Office in La Cygne, Mr. Myers asked the city to consider their agency to represent the city with EMC. Mr. Myers noted EMC is a good company for cities and having representation with a local agent should make life easier for city employees. They pledged to work hard with the city and go over renewals each year with the city. In order to make the change effective the April 2008 renewal an Agent of Record letter would need to be approved and processed now.

- *Motion to Designate Linn County Insurance as Agent of Record Effective April 2008*

Council Member Turpen moved to designate Paul Myers' Insurance Agency as Agent of Record to be effective the April 2008 renewal. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:17 p.m.

Jamie Spero Regarding Four-Wheeler Ordinance

Jamie Spero asked if the city had passed a four-wheeler ordinance yet, that would allow four-wheelers on the city streets as he was currently using his to get himself to work. Council and Police Chief Dean noted they were currently reviewing and discussing this topic. Concurred Police Chief Dean and City Attorney Sutherland would discuss further and report back at a latter date to the city council.

REPORTS OF CITY OFFICERS:City Attorney John Sutherland

- i. Deed to 206 Commercial: City Attorney Sutherland reported the deed to the old Library Building was now complete and the property belonged to the city. City Clerk Herrin noted the insurance had also been transferred to the city.

Police Chief and Codes Officer James W. Dean

- xlv. Training Classes: 1. Crisis Resolution with EDP (emotionally disturbed persons), 7 hours CEU, Pittsburg, Ks, December 12, 2007, costs are fuel and wages. 2. State and Local Law Enforcement Training Symposium, 21 hours CEU, Wichita, Ks, January 8-10, 2008, costs are fuel, wages, and meals. 3. Responding to Missing and Abducted Children, 32 hours of CEU, Kansas City, February 26-29, 2008, costs are fuel, wages, and meals.

- *Motion to Grant Training Requests*

Council Member Weitman moved to grant the three training requests for Police Chief James Dean in December, January, and February. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:22 p.m.

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REPORTS OF CITY OFFICERS: (Continued)Police Chief and Codes Officer James W. Dean (Continued)

- xlvi. New Video Camera for 2000 Crown Vic: Police Chief James Dean reported a company has installed a new video camera in his vehicle for testing the next six weeks. Currently it seems to be working ok.

Public Works Superintendent George Craig

REGULAR MEETING**January 3, 2007**

- i. Faded Street Signs: PWS Craig presented prices from National Sign Company for 108 signs, ten posts, and thirty hanging clamp sets. Discussed the difference between flat and extruded signs, with \$125 in cost difference. Concurred with the difference in price the extruded signs were the right purchase. Discussed may need more posts or clamp sets.

- *Motion to Purchase Street Signs for Up to \$2,500*

Council Member Sullivan moved to authorize to spend up to \$2,500 for necessary extruded street signs and equipment. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:30 p.m.

- ii. Street Ordinance Review: Reviewed Chapter XII, Article 2, 12-201 and 12-202 pertaining to the type of overlay to actually be used versus how it is written. PWS Craig asked to add 'hot' in front of asphalt and 'or concrete' behind the word asphalt under 12-201(d). Also discussed 12-202 where the permit would be 'per cut' and have a sixty-day limitation included for the repairs to be completed. Council concurred and requested an ordinance be drawn up reflecting the changes to be brought back before the council.
- iii. Natural Gas Awareness Drawing: PWS Craig reported there were 625 flyers mailed out and 37 responses. Tonight was the time designated for the \$75 drawing for those who returned responses as part of the Natural Gas Awareness Program the City participates in to meet KCC regulations. The name drawn was Bonnie Smith.
- iv. Natural Gas Awareness Program: PWS Craig presented a Management Statement of Support that is also required to meet KCC regulations. This can be read and accepted annually or an ordinance can be written up later for the city to have as part of its standards. City Attorney Sutherland read the Management Statement of Support. Council approved.

- *Motion to Accept the Management Statement of Support for the Natural Gas Public Awareness Program*

Council Member Weitman moved to accept the Management Statement of Support as presented and read. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:30 p.m.

Fire Chief Doug Lloyd

- vi. Computer Donated by South Johnson County Fire Department #2: Fire Chief Doug Lloyd publicly thanked the South Johnson County Fire Department #2 for their donation to the city fire department of a computer for fire business and reports.
- vii. FEMA Grant: Reported the FEMA Grant previously applied for had been declined. Felt part of the decision came from the city not having any prior years reports on responses as the county had previously been filing them and been considered the first responders. This has now changed for city calls and Fire Chief Lloyd will continue to apply for more grants. Also checked on any monies available for the much-needed street signs just approved to be purchased and was unable to locate any funds left for such a project.

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REPORTS OF CITY OFFICERS: (Continued)Fire Chief Doug Lloyd (Continued)

- viii. Engine #3 Has an Elbow Pipe Leaking: Reported a pipe found to be leaking on Engine #3 had been repaired on site last Monday for a cost of \$300.00 by Apparatus Services. In repairing the pipe it was found the elbow was also leaking and the cost of labor and materials to repair by Apparatus Services is \$500. If not repaired the engine will not pump the proper flow of water and will break to the point it will not function.

REGULAR MEETING**January 3, 2007**

- a. *Motion to Repair Engine #3 Leaking Elbow Pipe*

Council Member Weitman moved to approve the expenses for the repair of the leaking elbow on the fire truck. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:45 p.m.

- ix. New Station: Requested the consideration of another driveway on South 9th Street for another way the fire trucks can obtain entrance into the fire station in the industrial park. Discussed ditch and utilities between the current south end of 9th Street and the corresponding lot in the industrial park. Concurred the Street Committee, Public Works, and the Fire Department would meet to discuss further.
- x. Emergency Management: Asked for individual volunteers from the community that were not already part of the fire department or otherwise involved in city emergency awareness. Would like to have these individuals willing to get involved and have meetings to establish emergency procedures to be ready when an emergency arises in the community.

STANDING COMMITTEE REPORTS:Public Safety

Council Member Boone reported he and Deputy City Clerk Mahon had met with railroad personnel the day the pedestrian crossing was installed and the existing length is all they were authorized to establish. Noted citizens have been seen using the crossing.

Sewer

- ii. Status of Adding Second Line to Lagoon: Continue to wait on FEMA and the engineer.

Park

- iii. Jodi Wade with New Pool Update: Jodi Wade reported Bohl and Associates had been chosen for the design contract for \$7,500. This will include help with drawings, brochures for the public, and attendance at a couple of town meetings. The Park Board and Public Building Commission Committee are set to meet with Bohl and Associates on January 9th to share thoughts on designs and put together mail outs. Also establishing 2008 activity plans at the park for public awareness. Asked PWS Craig to let them know when he was asked to open the pool next spring as the firm would like to inspect while the water was out of the pool.

Cemetery

- ix. Previously Approved Tree Removal Project: Council Member Boone reported he had spoke with Jim Thompson about completing the tree removal or the city would discuss hiring someone else.

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UNFINISHED BUSINESS:Dennis Arnold Regarding Installation of Midwest Glycol Utilities

Dennis Arnold reported Midwest Glycol was beginning the building phase of their plant operations in the city industrial park. At this time he was asking the city to confirm previous trade secrets regarding the city bringing the utilities to the building and hooking them up waiving costs. Discussed city not being equipped to install sewer lines. Dennis reported he was authorized to add up to \$1,000 to go towards the cost of having someone install this line with the city sharing in the costs. Unknown at this time just what type of sewer line, water line, or gas line and meter would be required. Concurred bringing new industry into the community is an improvement and city can handle basic utility installation, anything special should be part of the business, and they were not previously discussed.

REGULAR MEETING**January 3, 2007**

- *Motion to Approve Basic Utility Hookups to Midwest Glycol with \$1,000 from Linn County Economic Development*

Council Member Weitman moved to approve basic utility hookups to Midwest Glycol and appreciate the \$1,000 from the county economic development, and hookups include waiving any hook up fees. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:08 p.m.

Flooring Replacement for 206 Commercial

Presented commercial flooring bids on a spreadsheet from Flooring America, Carpetman, and Bauman's listing all of the minimum requirements for like quality. The bid from Flooring America totaled \$10,538.95; Carpetman provided two bids for \$6,808.51 for one type of carpet and another for \$6,687.67 for another type of carpet, then Bauman's provided two bids covering 28 oz. Carpet for \$7,593.30 and 30 oz. Carpet for \$8,964.30. Unknown what time frames anyone was available.

- *Motion to Accept Carpetman Bid of \$6,808.51*

Council Member Weitman moved to accept the bid of \$6,808.51 from Carpetman with the work to be completed by January 15th. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:24 p.m.

Christmas Dinner Caterer

City Clerk Herrin presented two bids for the Christmas Dinner. Outpost for \$9.00 per person and LJ's Lunchbox for \$9.50 per person.

- *Motion for Outpost to Cater Christmas Dinner*

Council Member Sullivan moved to accept the Outpost bid of \$9.00 a person to cater the Christmas Dinner. Seconded by Council Member Weitman, voted on, passed 3-0-1 (Abstain: Boone). Time: 8:27 p.m.

NEW BUSINESS:Cereal Malt Beverage License Renewals

- i. Casey's Retail Company
- ii. Julie's Thriftway
- iii. Syd's Market

- *Motion to Approve Cereal Malt Beverage License Renewals*

Council Member Turpen moved to accept the cereal malt beverage license renewals for Casey's Retail Company, Julie's Thriftway, and Syd's Market for 2008. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:29 p.m.

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NEW BUSINESS: (Continued)Christmas Holiday Hours for Compactor

Discussed having the compactor open Thursday and Friday the week of Christmas if the county would be willing to change out the container for the additional days open.

- *Motion for Compactor to be Open on December 27th and 28th*

Council Member Turpen moved to have the trash compactor closed on December 24th and 25th and to be open on December 27th and 28th if the county will exchange the containers. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:32 p.m.

Authority to Transfer 2007 Funds

- *Motion for Transfer of 2007 Funds Split Between Capital Improvement and Equipment Reserve*

Council Member Weitman moved to transfer any remaining general funds split 50-50 between the Capital Improvement Fund and the Equipment Reserve Fund. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 8:34 p.m.

REGULAR MEETING**January 3, 2007**NPL Construction Payment

Northern Pipeline has submitted their bill for moving the gas line in preparation of KDOT moving the bridge on K152 in the amount of \$205,535,83. The agreement is for 95% payment now and then when the state finalizes the changes the 5% retention is paid. Northern is aware of this withheld amount and the need for the engineer's approval.

- *Motion to Pay 95% to Northern Pipeline*

Council Member Weitman moved to pay 95% or \$195,259.04 to Northern Pipeline based on final approval by the engineer. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:36 p.m.

Holiday Bonuses

- *Motion for \$100 Bonus for Full Time Employees and \$50 Bonus for Part Time Employee*

Council Member Boone moved to give all full time employees a \$100 bonus and the part time employee a \$50 bonus. Seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:39 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Weitman moved to go into executive session for ten-minutes for discussion of personnel following a five-minute break. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:40 p.m.

Others invited into or requesting a portion of time in executive session included: City Clerk Herrin.

Open Session Resumed at 8:58 p.m.

OTHER BUSINESS:Special Meeting December 12, 2007

- *Motion for Special Meeting December 12, 2007*

Council Member Turpen moved to have a special meeting Wednesday, December 12, 2007 at 7:00 p.m. for the purpose of legal. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:00 p.m.

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CITY CLERK'S REPORT:

Written Report:

- A] Public Hearing for Amending Budget
- B] Christmas Holiday Hours for Compactor
- C] Authority to Transfer 2007 Funds
- D] NPL Construction Payment
- E] Public Works: Street Ordinance Review

Announcement

Fire Chief Lloyd announced he had just learned Harry Smith Sr. was donating the wood and making the lockers for the new fire station.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] None

REGULAR MEETING**January 3, 2007****ADJOURNMENT:**

- *Motion for Adjournment*

As there was no further business **Council Member Boone moved to adjourn the meeting. Motion seconded by Council Member Weitman, voted on, passed 4-0.**

Meeting adjourned at 9:02 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 5th day of December 2007.

SPECIAL MEETING – Rural Fire Station Bids

The La Cygne City Council met in special session on Wednesday, December 12, 2007 at the LaCygne Community Building. Purpose of the meeting was legal. In addition to Mayor Keith Smith, the following council members were present: Jerry Boone, Travis Robbins, Robert "Bob" Sullivan, Joe Turpen and Terry Weitman. All council members signed the request for special meeting.

Others present included: Deputy City Clerk Gary Mahon; City Attorney John Sutherland; City Clerk Devona Herring; Public Works Superintendent George Craig; Assist. Public Works Superintendent Jerome Moore; and Water Plant Operator Art Terry.

Mayor Smith called the Special Meeting to order at 7:02 p.m.

✓ *Motion To Go Into Executive Session*

Council Member Turpen moved to go into executive session for up to thirty (30) minutes for legal. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:03 p.m.

Open Session resumed at 7:33 p.m.

✓ *Motion To Go Into Executive Session*

Council Member Turpen moved to extend the executive session for up to thirty (30) minutes for legal. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:33 p.m.

Open Session resumed at 8:03 p.m.

✓ *Motion To Go Into Executive Session*

Council Member Robbins moved to extend the executive session for up to thirty (30) minutes for legal. Motion seconded by Council Member Boone, voted on, passed 5-0. Time: 8:03 p.m.

Open Session resumed at 8:26 p.m.

No action(s) taken.

There being no further business, Mayor Smith adjourned the special meeting. (Time: 8:26 p.m.)

REGULAR MEETING**January 3, 2007**

I, _____ LaCygne Deputy City Clerk, do
 (Gary D. Mahon) hereby declare the
 above to be true and correct, to the
 best of my knowledge, and do hereby
 subscribe my name this 12th day of
 December, 2007.

*Pages 1 of 6***REGULAR MEETING:**

The La Cygne City Council met in regular session on Wednesday December 19, 2007 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Robert 'Bob' Sullivan.

Others present included: City Clerk Devona Herrin; Deputy City Clerk Gary Mahon; City Police Chief James Dean; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; Fire Chief Doug Lloyd; LeRoy Turpen; Robert Turpen; Josh White and Rachel White with Midwest Communications; Linda Meisel; Fred Meisel; Nick Stradavari; Public Works Jerome Moore; Dan Nasalroad; Scott Stainbrook; Christine Teagarden; Tommy Capp; Rod Benson; Matt Byerley; Jerome Mitzner; Danny Curtis; and Corey Preston.

Mayor Keith A. Smith called the meeting to order at 7:00 p.m.

MIDWEST COMMUNICATIONS SATELITE TOWER PRESENTATION

Deputy City Clerk Gary Mahon introduced Josh White and Rachel White with Midwest Connections, Inc. Mr. White provided a presentation on their company's high-speed wireless Internet service. The presentation included a La Cygne Proposal Network to provide the wireless service to entities inside the City of La Cygne and areas south of the city. Currently with other towers north of the city there is coverage available to many residents north of La Cygne. Mr. White asked the city to consider allowing Midwest Communications to install a wireless base station on the water tower, which would include two small flat panel antennas, two small, integrated radio antennas, and one dish antenna two feet in diameter. Cabling would run alongside the water tower and a power source would be installed. Midwest Communications provides their own liability and there is no liability to the city if the employees happen to damage the equipment in some way while involved with the city's water tower. Mr. White referred to two-to-three free connects in exchange for the city's site for the base. Discussed the availability of other city contracts for the city to review to establish a contact with Midwest Communications that would fit both the city needs and Midwest Communications' needs. Discussed security of wireless service. Would take about a week to install if/when the city approves a contract. Concurred Mr. White would provide the contracts for review. Everyone appreciated the presentation.

MAYOR'S COMMENTS

10. This is the last week of school this year.
11. Wished everyone Merry Christmas and a Great New Year.
12. Thanked all of the members of public works, the city attorney, the police department employees, the fire department, those working in city hall, the council, and everyone involved in the city's workings for the great job done this year while working with him.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

REGULAR MEETING**January 3, 2007**

Council Member Turpen moved to approve the consent agenda as presented that consisted of:

Check Register: December 6 - 19, 2007
 Minutes of December 5, 2007 City Council Meeting
 Minutes of December 12, 2007 Special City Council Meeting
 November 2007 Treasurer and Budget Reports.

Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:25 p.m.

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DISCUSSION FROM THE FLOOR:

Rex Gaylord Regarding Culvert Extension at 202 Linn Street:

Rex Gaylord asked to extend the existing culvert at 202 Linn Street twelve-feet which will make the length forty-six feet long. This added length would allow him a driveway in a direction to provide access for parking in the yard and access to a garage he plans on building on the property. Public Works Superintendent Craig did not see any drainage problems with the plans for the extension.

- *Motion to Grant Culvert Extension at 202 Linn Street*

Council Member Turpen moved to grant Mr. Gaylord the twelve-foot extension to his culvert at 202 Linn Street. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:28 p.m.

REPORTS OF CITY OFFICERS:

Fire Chief and Disaster Committee Doug Lloyd

- i. Change Individual Firefighter Call Pay to Firefighter Activity Fund: Fire Chief Doug Lloyd reported the firefighters were requesting the city change the way the firemen are currently paid individually per call and/or meeting/training to just one check for the number of calls to the Firefighters Activity Fund. This fund is used by the fire department for extra needs by the department. Assistant Fire Chief Scott Stainbrook reported the county is already using this pay method. Concurred city would check on how to handle this and get back with them.
- ii. Cadet Firefighters: Fire Chief Lloyd asked the council if they were interested in the department pursuing the necessary guidelines for having cadet firefighters. The youth would not actually fight the fires but would be involved in the handling of the fire hose and learning what is required of a firefighter. Council concurred they were interested and asked for the final guidelines be brought for approval when the fire department had them ready for review.
- iii. Interior Building Materials for Fire Station Project: Fire Chief Lloyd presented the actual material costs of \$3,489.35 from Home Depot for the interior building materials for the new station in the Industrial Park. The fire departments recognize the city committed \$1,500 for the materials and the county \$500. The departments are working with Home Depot on some discounts they have available for fire departments and police departments.
- iv. Pierce Fire Truck: The two leaks have both been repaired and the line is working.
- v. ISO Survey Report: ISO has requested the annual survey report, which includes fire hydrants being tested with a flow meter called a pito gauge. Public Works currently opens the hydrants, but without the flow meter there is not a qualified test done to report to ISO. The firefighters have access to two pito gauges and would like to test the hydrants on a weekend when the firefighters are available. If there are hydrants that are not working up to speed the fire personnel need to know if there would be a

REGULAR MEETING**January 3, 2007**

cause to need a hydrant in that area. Would like to have public works on the team if they are available. Discussed and determined public works was not available when the firefighters were. PWS Craig noted when the hydrants were tested in such a manner it would cause the water to have a discoloration due to the pressure changes in the lines when testing. Fire Chief Lloyd agreed to notify the public and the newspapers prior to handling the testing.

- vi. South 9th Street Drive Access: Noted listed later on agenda.

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STANDING COMMITTEE REPORTS:Street

- ii. Entrance on South 9th Street: Council Member Weitman reported the area in question looks like a wide waterway with a manhole standing up above the ground base line. Public Works Jerome Moore noted he lives at the end of that street by the waterway and has seen the water four inches above the top of that manhole and spreading out into his yard and around the Senior Housing lawn across the street. Discussed depth and width of waterway and sewer line, along with the need to have the area able to provide free-flow water access during heavy rains. Concurred without an engineer, or someone who builds roads and is familiar with type of area it is unknown what would be required to retain free flow for water flow. Also concurred if any changes were made they were done correctly. Assistant Fire Chief Scott Stainbrook will contact County Street Supervisor Danny Morris for his input for this type of area.

Park

- iii. Playground Border Materials in North Park: Council Member Sullivan presented a bid from Athco L.L.C. for ten tuff timbers with 30 inch galvanized stakes for the additional playground border at a cost of \$495.00. The border materials from Lowes did not match with the existing materials. The additional costs would be used from the General Park Funds as the Special Park and Rec Funds are depleted.

- *Motion to Purchase Playground Border Materials for \$495 from Athco*

Council Member Sullivan moved to accept the bid for \$495.00 for playground border materials from Athco. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:55 p.m.

Public Safety

- iii. Four-Way Stop on S. 9th Street: Council asked the fire department how emergency vehicles traveled in stop sign areas. Fire Chief Lloyd responded all emergency equipment still stops at stop signs for safety as well as the firefighters going to the station are required to stop in their own vehicles.

Community Building

- x. Guttering: Council Member Turpen asked if the guttering repairs were working. City Clerk Herrin reported there had not been any heavy rains since the repairs, but no problems noted to date.

UNFINISHED BUSINESS:Ordinance #1357 Regarding Amending Street Excavation

- *Motion to Approve Ordinance #1357 Amending Street Excavation*

Council Member Turpen moved to approve Ordinance #1357 amending Street Excavation wording. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:58 p.m.

REGULAR MEETING**January 3, 2007**

Page 4 of 6

NEW BUSINESS:**Park Board Appointments**

Tabled until the next meeting.

Senior Housing Board Member Appointment

Tabled until the next meeting.

Mobile Home Park License Renewals

- i. Marsh Trailer Park
- ii. Erickson/Moore Trailer Park
- iii. Brokerage Securities Trailer Park

Tabled Erickson/Moore Trailer Park renewal as the application had not been received as of meeting time. Marsh Trailer Park and Brokerage Securities Trailer Park renewal applications had been received and reviewed by Codes Officer James.

- *Motion to Approve Marsh and Brokerage Securities Trailer Park License Renewals*

Council Member Turpen moved to approve the Marsh Trailer Park License renewal and the Brokerage Securities Trailer Park License renewal for the year 2008. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:00 p.m.

Contractor (8X20) Work Building Location for Bridge Construction

PWS Craig reported the bridge construction contractor was asking to place a work station building by the water plant for access to phone lines and electric. The building would actually be partially on state property and partially on city property by the water plant. The building would be there approximately 18-24 months, is not going to be in a location to bother city employees work area, nor should it cause any visibility problems from the corner intersection.

- *Motion to Approve Site for Contractor Work Building*

Council Member Robbins moved to allow the contractor 8X20 work building provided it does not obstruct view from corner. Seconded by Council Member Sullivan, voted on, passed 5-0. Time: 8:05 p.m.

Volunteer Painting at 206 Commercial Complete

City Clerk Herrin reported volunteer Teresa Whitaker had completed the painting of the ceiling and walls in what will become the new location for city hall. Council and Mayor expressed appreciation for her volunteer work and the great help it provided in preparing the building to move into.

Close City Hall Two Days When Making Move

City Clerk Herrin requested the council consider allowing city hall to be closed for two working days when it was time to make the move from one building to the next. Discussed the move would not take place until probably sometime in February and would get notices out to the public prior to being closed for the two days. Council concurred with notice to the citizens.

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NEW BUSINESS: (Continued)**Phone System, Wiring, and Computer Server Bids**

REGULAR MEETING**January 3, 2007**

Presented bids from Advantage Computer Enterprises for an IP base phone system, a PBX style phone system, wiring for the two different systems and for the computer wiring setup, and for a server system for the city hall computers. Discussed the differences between the two phone systems. The IP base phone system provided more options with the ability to run through the same cabling as the computer system for about \$500 difference. Bids note travel billed separately. IP phone system, wiring, and server total \$23,458.90 plus travel, and the PBX system, wiring, and server total \$22,861.90 plus travel. Another company discussed different systems with city hall employees and was to come inspect the building for a bid, but has not responded back as of meeting date.

- *Motion to Approve Up To \$25,000 for Phone System, Server, and Wiring with Advantage Computers*

Council Member Turpen moved to approve spending up to \$25,000 for IP telephone system, server, wiring, and mileage with Advantage Computers. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:15 p.m.

Wall for Two Police Officer Spaces

Bid was presented from Wilbur Fleming for two walls with two doors, moving ceiling lights and light switches and adding two plug-ins in the new walls for a total cost of \$1,800.00 for the police department.

- *Motion to Accept Wilbur Fleming's Bid to Build Walls for \$1,800*

Council Member Turpen moved to accept Wilbur Fleming's bid of \$1,800 for walls, doors, and electric in the police department area as presented. Seconded by Council Member Boone, voted on, passed 4-0-1 (Abstain: Robbins). Time: 8:23 p.m.

Furniture and Shelving

City Clerk Herrin reported four matching workstation desks had been located at United Wholesale for a total cost of \$1,000. Three matching shelving pieces had also been located at Sam's in Overland Park for \$150 each. Also at Sam's there is industrial metal shelving for storage in the vault area. Any items purchased from Sam's would require someone to pick them up and would like to consider some of the metal shelving if the other pieces are approved. Discussed spending up to \$1,000 at Sam's for shelving.

- *Motion to Purchase Desks and Shelving*

Council Member Boone moved to spend up to \$1,000 at United Wholesale for four desks and shelving from Sam's for up to \$1,000. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:28 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, and personnel for up to fifty minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:30 p.m.

Others invited into or requesting a portion of time in executive session included: City Clerk Herrin, Public Works Superintendent George Craig, Public Works Jerome Moore, and City Police Chief James Dean.

Open Session Resumed at 9:26 p.m.

OTHER BUSINESS:

Electric Review for 206 Commercial

REGULAR MEETING**January 3, 2007**

City Clerk Herrin asked about the council reviewing the electricity in the north portion of the building. Council concurred they would review.

CITY CLERK'S REPORT:

Verbal:

A] Last Meeting of the Year

Written Report:

A] Midwest Connections, Inc. High Speed Wireless Internet: Discussed generally if any franchises had applied to these connections.

B] Year-End City Boundaries Resolution: Not required this year, as there were no changes.

C] Park Board Appointments and Senior Housing Appointments: Mayor asked for the two Park Board Members whose terms were expiring. Will notify him of the names, did not have available at the meeting.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] November 2007 Gas and Water Reports
- b] Notice of City Property for Sale
- c] EMC Confirmation of Loss Control Survey
- d] Thank You from Linda Elder for Christmas Bonus

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0.**

Meeting adjourned at 9:38 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 19th day of December 2007.
