

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday December 18, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; Esther Shields; and Tony Williams.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Julie Funk; Kelly and Dennis VanTuyt; Randy Tinsley; Mike DeMott, LeRoy Turpen; Linda Williams with two daughters; and Roger Sims.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: December 5 – 18, 2002;
Minutes of December 4, 2002 City Council Meeting;
November 2002 Financial Statement

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

UTILITY IMPROVEMENTS REPORTS

a. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT

- i. Payment Requests – None Presented
- ii. Time Extension Request

- a. *Motion to Approve Time Extension Request*

Council Member Barber moved to sign the six-month time extension request for the project. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:04 p.m.

b. WATER IMPROVEMENT PROJECT

- i. Soils Investigation Proposal

- *Motion to Decline Soils Investigation Proposal*

Council Member VanVlack moved to decline the soils investigation proposal. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:12 p.m.

- ii. Workshop December 30, 2002

- *Motion for Workshop December 30, 2002 at 7:30 p.m.*

Council Member VanVlack moved to have a workshop to review the water project report on December 30, 2002 at 7:30 p.m. at City Hall. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:13 p.m.

c. GAS IMPROVEMENT PROJECT – CDBG GRANT

City Clerk Herrin reported several easements had been received. Follow ups would be done after the first of the year.

DISCUSSION FROM THE FLOOR**Linda Williams Regarding Structures in Alley**

Linda Williams reported she had moved the two sheds previously in what is now being called the alley and on VanTuyl's property. She cannot afford to move the trailer or the other building. When she put the trailer in previously she just put it back where the old one had been. Mrs. Williams noted nobody cared where the easement was thirty years ago, why now. Codes Officer Farrell concurred the two sheds had been moved. Mayor Weitman noted that several meetings ago the council had asked Mrs. Williams to move the sheds and an attachment to be added to her deed should this trailer in question ever be replaced or sold and Mrs. Williams had indicated she would move them at that time then didn't. Mrs. Williams' daughter spoke up that everyone in the block is in the alley with something and why aren't they being required to be moved too if her mother has too now. Mayor Weitman noted they were looking for a resolution to resolve this and referred to legal counsel. City Attorney Sutherland noted the information would have to be reviewed to determine just what could be done now.

Mrs. Williams noted she could not remove the cement slab in the alley that was covering a well. Dennis VanTuyl noted everyone had previously agreed the slab could stay at this time to cover the well. Mayor Weitman noted the city was looking for a resolution to protect future land use in that area of the neighborhood and city. Council Member Barber asked about an attachment to the deed. City Attorney Sutherland reported it could be reviewed to see if an attachment could be added and leave the existing trailer; it will have to be reviewed just how to protect everybody if that is done. Mrs. Williams again stated she had just put the trailer back where the other one was. Mayor Weitman again stated the city was just trying to make the now know situation work. Mrs. Williams stated she did not get a permit approved to move the buildings but went ahead and moved them. Will dig up the lilac bushes this spring and move them. Mr. VanTuyl noted as far as moving the trailer he just wanted to alert her and the city they planned to put up a privacy fence next spring along their boundary line. Mrs. VanTuyl noted she did not want to have to see Mrs. Williams have to move her trailer right now either but there had to be a way for KCP&L to reach the power lines and they, the VanTuyl's were not giving KCP&L any easement to enter onto their property to get to Mrs. Williams line. Mrs. Williams responded if the alley was used they could reach her line without crossing the VanTuyl's property. Mayor Weitman noted it had been concurred prior that KCP&L could enter the alley from the south end of the block. Mr. VanTuyl noted he felt the trailer could stay in the alley till Mrs. Williams's dies or sells the property but it should be moved at that time. Mayor Weitman asked City Attorney Sutherland to look into the matter on how to proceed.

Mrs. VanTuyl asked who they should contact to move the electric service pole that was Mrs. Williams and on their property? Randy Tinsley, and electrician, reported it is the customer who will have to move it. Mrs. VanTuyl noted it would need to be done before they put up their fence in the spring. Mrs. Williams again noted she would move the lilac bushes in the spring.

Mrs. Williams asked if City Attorney Sutherland would let her know when he had information. City Attorney Sutherland responded 'Yes'. (Time: 7:28 p.m.)

REPORTS OF CITY OFFICERS:**Police Chief & Codes Officer – Chuck Farrell Jr.**

Provided written police report for December 1 – 16, 2002.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

i. Emergency Generator Seminar

- *Motion for Jerome Moore to Attend Emergency Generator Seminar*

Council Member Barber moved to send Public Works Employee Jerome Moore to the ‘Emergency Generator Seminar’ on January 14, 2003, at Independence, Mo. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:30 p.m.

ii. Water Plant Electrical Wiring

Superintendent Craig asked the council to consider hiring Dick Clune, who wired the water plant when it was done, to come and help train Randy Tinsley, a local electrician who is currently doing some work for the city, to learn the basics of the plant system. Water plants are electrical specialties. The cost for Dick Clune for a whole day would not exceed \$500. Randy Tinsley agreed to work for half price his usual rates to help clarify in the future if a problem is a possible electrical short versus a float in the clearwell, etc.

- *Motion for Dick Clune to Assist Randy Tinsley for Not More than \$500*

Council Member VanVlack moved to have Dick Clune assist Randy Tinsley for not more than \$500 for him to go over the plant electrical system. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:34 p.m.

- *Motion for Randy Tinsley to work with Dick Clune not to Exceed Cost of \$500*

Council Member VanVlack moved to hire Randy Tinsley to work with Dick Clune at a cost not to exceed \$500. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:35 p.m.

iii. River Pumps

Superintendent Craig reported the north river pump is not functioning after the new pump has been installed. Layne Western says it should be working normally from what they have inspected. Layne Western is going to come back down and lower the pipe in the river eighteen inches at their own cost to determine it is not a problem with the low water level in the river. We understand the water level in the river has been lower prior to this and it was not a problem then, but it will not hurt to lower the eighteen more inches. If this does not work will have to locate some divers to check the filter screens at the end of the pipe in the river for a clog. The Miami County Divers have done some of this for other cities and trying to get in touch with them to see if they will come to La Cygne. If not and have to get divers out of Topeka the cost is around \$2500. To pump the line out is also around \$2500. Will continue checking and get the pumps back to normal as quickly as possible.

STANDING COMMITTEE REPORTS:

Sewer

City Clerk Herrin reported there is some additional Revolving Loan dollars left over if the city wishes to use all of the loan money available. The interest rate for this money is only 3.5%. The payments for the loan were met this year along with current expenses without any problems. Discussed having the sewer committee meet with the engineer to determine if

additional work should be down with the sewer project as there were some lines left that needed some repairs.

- Sewer Committee to Meet with Engineer to Determine if Additional Repairs be Completed

Council Member VanVlack moved to have Sewer Committee meet with the engineer to go over the additional repairs needed. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:47 p.m.

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SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Council Member VanVlack reported the second meeting was held tonight at City Hall. Still trying to get organized and will have a report after the next meeting.

Planning Commission Committee

Chairman Randy Tinsley reported they had spoke with Kirkham Michael Engineers and asked for the book by the end of the week to have reviewed by the end of the year. Will be holding special meetings to review the book when it is received.

UNFINISHED BUSINESS:

La Cygne PTO Request Regarding a Value Card Book

Council Member Shields noted she had reviewed and recommended the city take it under advisement. No other action taken.

NEW BUSINESS:

Cereal Malt Beverage Renewal Licenses

Police Chief Farrell noted there were no problems with the renewal applications submitted.

- i. Casey's
 - *Motion to Approve*

Council Member VanVlack moved to approve the Cereal Malt Beverage License renewal for Casey's. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:50 p.m.

- ii. Stub's
 - *Motion to Approve*

Council Member VanVlack moved to approve the Cereal Malt Beverage License renewal for Stub's Market. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:51 p.m.

- iii. Bits & Pieces
 - *Motion to Approve*

Council Member VanVlack moved to approve the Class B Club License renewal for Bits & Pieces. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:52 p.m.

- iv. Lonesome Dove, Kim Wilmurth
 - *Motion to Approve*

Council Member VanVlack moved to approve the Class B Club License renewal for Lonesome Dove, Kim Wilmurth. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:53 p.m.

- v. Loma Farms
 - *Motion to Approve*

Council Member VanVlack moved to approve the Cereal Malt Beverage License renewal for Loma Farms. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:53 p.m.

vi. Jim's Food Fair – Not Received

Park Board Members Two-Year Appointments

Mayor Weitman recommended reappointing Kenny McClanahan and Tammy Weitman to the Park Board for two-year terms each.

- *Motion to Approve Appointments*

Council Member Shields moved to approve the two appointments of Kenny McClanahan and Tammy Weitman to the Park Board. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:54 p.m.

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NEW BUSINESS: (Continued)

Senior Housing Appointment

Mayor Weitman reported the Senior Housing Authority had recommended reappointing Don Pease to the Senior Housing Board.

- *Motion to Approve Senior Housing Appointment*

Council Member Barber moved to approve the appointment of Don Pease to the Senior Housing Board. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:55 p.m.

Authority to Transfer Excess 2002 Funds

Council discussed options of how to transfer any excess funds from the general fund.

- *Motion to Transfer 2002 Excess Funds*

Council Member Barber moved to transfer 2002 excess funds from the general fund to the capital improvement fund, the equipment reserve fund, and the Special Highway Fund. Discussed if should use percentages or leave open for CPA after amount is determined. Council Member Barber amended motion to place 50% in Special Highway Fund, 30% in Equipment Reserve Fund, and 20% in Capital Improvement Fund. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:04 p.m.

Close Compactor December 31, 2002

- *Motion to Close Compactor December 31, 2002*

Council Member Barber moved to close the compactor on December 31, 2002. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:06 p.m.

Unfinished Business, Water Leak on Vine Street

Council Member Barber asked Superintendent Craig about the water standing in the ditch where the previous water leak had been on Vine Street. Superintendent Craig noted it had been inspected and was no longer leaking.

EXECUTIVE SESSION:

Council Member McGinnis moved to go into Executive Session for up to seventy-five minutes following a ten-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:13 p.m.

Council Member McGinnis left due to illness.

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Others requesting time or invited into executive session were: City Clerk Herrin and Superintendent Craig.

Open Session Resumed at 9:24 P.M.

OTHER BUSINESS

None

CITY CLERK'S REPORT:

City Clerk Herrin presented election forms for the next April city election.

City Clerk's Written Report Included:

- A] Transfer 2002 Funds
- B] Next Meeting Reminders

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NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM 2003 Services Catalog
- b] MLA Municipal Leadership Academy 2003 Curriculum
- c] LKM Personnel Services
- d] LKM Federalism and the Changing Role of Cities
- e] KSFM Seminar Certificate for Glenn Farrell Jr.
- f] IIMC Region VII Conference, St. Charles, MO.
- g] KMGGA Meeting Notice
- h] Kansas Government Journal Volume 88, Number 11, November 2002

ADJOURNMENT:

With no further business, **Council Member VanVlack moved to adjourn the meeting. Seconded by Council Member Barber, voted on, passed 4-0.**

Meeting adjourned at 9:26 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 18th day of December 2002.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, December 4, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; and, Tony Williams. Absent: Esther Shields.

REGULAR MEETING

Year =2002

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Glenn Farrell; City Attorney John Sutherland; Randy Tinsley; Roger Sims; Dennis Van Tuyl; and, Julie Funk.

In the absence of Mayor Terry Weitman, Council President McGinnis called the meeting to order at 7:10 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: November 19 - December 4, 2002;
Minutes of November 20, 2002, Regular City Council Meeting;

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

UTILITY IMPROVEMENTS REPORTS

CDBG Sewer Grant – State Revolving Loan – EDA Grant

- i. Amend Amount on East Interceptor Change Order #2 Approved at the November 6, 2002 Meeting

- *Motion to Amend Additional Amount from \$4,457.25 to \$1,800.75*

Council Member VanVlack moved to amend the additional amount on Change Order #2 for the East Interceptor to \$1,800.75 from the previously amount listed of \$4,457.25. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:12 p.m.

- ii. City Clerk Herrin presented fax transmittal from Rob Gavin covering quantities and costs associated with the pipe repair for the sewer project along with the minutes from the August 21, 2002 City Council Meeting approving \$152,359.50 for this project. Discussed the additional sewer lines and point repairs requiring attention for a total cost of \$204,129.00. Noted there are not enough funds to handle all of the repairs. Reported Mr. Gavin would be going back over the information, identify the linings that are the most critical, and get back with the Sewer Committee this Friday, December 6, 2002. Discussed the need to know the final costs of the point repairs prior to giving the go-ahead.

- *Motion to Authorize Sewer Committee to Make Decision of Lines to Identify From Engineer on Friday*

Council Member Barber moved to authorize the Sewer Committee to make the decision on what lines to address after reviewing with the engineer on Friday. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:18 p.m.

Water Improvement Project

Gas Improvement Project

DISCUSSION FROM THE FLOOR:

Dennis Van Tuyl: Regarding Property Behind Theirs

Dennis Van Tuyl asked the City Attorney if there had been any progress? City Attorney Sutherland responded there was now a lull until a little more time was given to Mrs. Williams to respond to him or the City Council. If she did not respond in fourteen days then the city would look at filing a suit.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer Chuck Farrell Jr

Police Chief Farrell presented a written report of for November 2002.
Public Works Superintendent George Craig

Thanked everyone for the Christmas Dinner, it was great. Reported the additions to the north tower were completed and working great.

STANDING COMMITTEE REPORTS:

Park

Public Works Superintendent Craig reported the slide at the north park had been repaired and a hole drilled in the base of the slide where water was not draining properly.

Community Building

Council President McGinnis noted that during the preparations for the dinner last weekend the counter top range controls were lose and very easily turned on without intending to. Asked about looking at taking it out of the cabinet and replacing with countertop. Noted. No action taken.

Cemetery

Asked Public Works to help Kenny McClanahan cut some limbs out of some trees where the pole saw was needed to accomplish the task.

SPECIAL COMMITTEE REPORTS:

Planning Commission Committee

Committee Chairman Tinsley reported they were waiting for a final draft from the engineer to review.

UNFINISHED BUSINESS:

Survey for Grand View Ave between 5th & 6th

Discussed the need to complete the information to determine the actual street width. Noted the property owner wishing to build a garage can move forward under the current nonconforming building guidelines. Determined to hold the survey until after the first of the year.

NEW BUSINESS:

Boundary Resolution #276

City Clerk Herrin noted the boundary for the city was the same as last year. This resolution notes the same boundary area.

- *Motion for Pass Boundary Resolution #276*

Council Member VanVlack moved to pass Resolution #276. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:33 p.m.

REGULAR MEETING

Year =2002

Kansas Firefighter Relief Associations Seminar, January 25, 2003

- *Motion to Send Fire Chief Moylan and City Clerk/Fire Treasurer Herrin to Seminar*

Council Member VanVlack moved to send Ernie Moylan and Devona Herrin to the Kansas Firefighter Relief Associations Seminar, January 25, 2003 with usual per diem. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:34 p.m.

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NEW BUSINESS: (Continued)

KMGA Board of Directors Appointment

- *Motion to Appoint Director and Alternate*

Council Member VanVlack moved to appoint George Craig. Discussed need for a primary person and an alternate. **Council Member VanVlack withdrew motion.**

Council Member VanVlack moved to appoint City Clerk Herrin as primary and Public Works Superintendent Craig as alternate to represent the city on the KMGA Board of Directors. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:36 p.m.

Jayhawk Software Workshop for Series 3X

- *Motion to Send Linda Elder and Devona Herrin to Workshop*

Council Member Barber moved to send Linda Elder and Devona Herrin to the Jayhawk Software Workshop on January 15, 2003 with fees and mileage. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:40 p.m.

La Cygne PTO Request Regarding a Value Card Book

Council discussed if there was anything the city could do towards this project. Appointed Council Member Shields to review and address.

LKM, Regarding Governor Cutting Demand Transfer Payments

- *Motion to Add City of La Cygne to LKM Request*

Council Member VanVlack moved to add the City of La Cygne to the LKM response to the governor cutting demand transfer payments. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:47 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of personnel and legal for up to forty minutes following a twelve-minute break. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:48 p.m.

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

Open Session Resumed at 8:38 p.m.

OTHER BUSINESS:

Grant Full Time City Employees Alternate Holiday Schedule with a Personal Day

- *Motion to Grant Full Time City Employees Alternate Holiday Schedule with a Personal Day*

Council Member Barber moved that in light of the holidays grant full time city employees an alternate holiday schedule with a personal day added. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:39 p.m.

Date for January 1, 2003 City Council Meeting

Discussed. Employees attending on holiday are compensated holiday pay.

- *Motion to Change January 2003 City Council Meetings*

Council Member VanVlack moved to change the January 2003 City Council Meetings to January 8th and January 22nd. Seconded by Council Member Williams, voted on, passed 4-0. Time: 8:44 p.m.

CITY CLERK'S REPORT:

City Clerk's written report included:

- a. Boundary Resolution #276.
- b. Survey for Grand View Ave Between 5th & 6th
- c. Next Meeting Reminders

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *Thank You* from Bill Craven
- b] La Cygne Planning Commission Minutes, November 14, 2002
- c] KDCH Letter Regarding KDDA 2003 Membership Application Form
- d] *Thank You* from Linda and Grady Elder

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member VanVlack moved to adjourn. Motion seconded by Council Member Barber, voted on, passed 4-0.**

The meeting was adjourned at 8:47 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 4th day of December 2002

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday, November 20, 2002. Council Members present were: Sam Barber; Esther Shields; Connie McGinnis; and Mike VanVlack. Absent: Tony Williams (arrived at 8:20 p.m.).

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Attorney John Sutherland; City Police Chief Chuck Farrell; Julie Funk; Roger Sims; LeRoy Turpen; Dennis and Kelly VanTuyl; and, Mr. and Mrs. David Brenneman.

Mayor Terry Weitman called the meeting to order at 7:03 p.m.

PUBLIC HEARING:

Mayor Weitman announced the purpose of the Public Hearing was for discussion and consideration of the condemnation of property owned by Dan Devine, at 204 North 1st Street, La Cygne, Kansas.

Codes Officer Farrell presented photos taken on November 18, 2002 where the location had been cleaned up and the unrepaired porch removed from the premises. It was reported Dan Devine had called and left word the porch materials had been purchased and it would be replaced within the next three months. The place looks ok now and there is a renter living there. Recommended no further action.

Mayor Weitman asked for any other comments from the council. Noted that seeing none to make a note for the record the Mr. Devine has complied with the city's request.

- *Motion to Decline Further Action*

Council Member VanVlack moved to take no further action on the property located at 204 North 1st. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:08 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda With Amendments*

Council Member VanVlack moved to approve the consent agenda as presented with the following amendments: 1. Pride Committee Donation added to the November 6, 2002 Minutes, 2. Amend the Check Register as it lists the Pride Committee Donation deposit twice; and, 3. Add October 2002 Financial Statement. The consent agenda presented consisted of:

Check Register: October 30 – November 18, 2002;
Minutes of November 6, 2002, Regular City Council Meeting;

Motion seconded by Council Member Barber, voted on, passed 4-0. Time: 7:09 p.m.

CDBG SEWER GRANT – STATE REVOLVING LOAN-EDA GRANT:

1. Noted KDCH Letter on Initial Monitoring of CDBG #99-PF-038 had been received.
2. Noted EDA had finally received all of the previously requested paperwork from the city engineers and approved to begin the release of funds.

GAS IMPROVEMENT PROJECT – CDBG GRANT

Mayor Weitman asked if there had been any response from the city engineer regarding the previous workshop and comparing the differences between poly pipe and steel pipe. City clerk did not have any information from the city engineer, but will check on status.

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DISCUSSION FROM THE FLOOR:

David Brenneman Regarding a Fence in the Alley Behind Robert Perkins Property

Mr. Brenneman reported Mr. Perkins had tried previously to close the alley behind the Perkins property and the city council had voted against it. Now Mr. Perkins has a fence across the alley...think it is an electric fence. Presented photo of the area for review. There were two hot wires in the photo.

Codes Officer Farrell reported he had spoke with Mr. Perkins earlier that day and was told that the fence charger Mr. Perkins had been using to keep his mule in had gave out and was getting a new one later this week. As soon as he gets the new charger he will move the wire back to just his yard.

Mr. Brenneman asked what is going on as the fence goes around the front of the house too.If the part is pulled out of the ally then what about the rest of the fence around the yard? If the fence was moved from the alley that would help.

Mayor Weitman noted the city would monitor and see if Mr. Perkins does what he says he will do.

Mr. Brenneman thanked the council.

Dennis and Kelly VanTuyl Regarding the Alley Behind Their Property

Mr. VanTuyl asked City Attorney Sutherland if there was anything moving on the proceedings?

City Attorney Sutherland reported he had spoke with Mrs. Williams' attorney and was instructed to send all notices directly to Mrs. Williams. Asked if there were any records other than the VanTuyl's survey regarding the buildings. Mr. VanTuyl reported in the negative.

Mr. VanTuyl asked what the width of Grandview Ave that runs north of their house was. Council noted they were unsure as of meeting time. City Clerk reported there had been information received that it looked like it was thirty feet, but final determination had not been confirmed completely yet. Council Member Shields volunteered to research with the County Engineers' office and report back.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

City Attorney Sutherland reported further court information had been received from Classic Communications for approving their financial restructuring plan. The city had already filed their interest in the case and there really was no further recourse to have any influence on the final court decision.

Police Chief & Codes Officer – Chuck Farrell Jr.

Police Chief Farrell presented a written police activity report for the period of November 1 – 18, 2002.

Public Works Superintendent George Craig

Mr. Craig reported the following:

1. Repair Estimate for JCB Backhoe – The estimate for the kingpost repair is \$11,359.00. This particular model has to be welded. Can work on general work with the backhoe running as is and adding grease. Recommended tabling until further research could be done as with this cost to repair it may make more sense to replace. There is only 2200 hours on the machine including road time and the kingpin should have lasted a lot longer. The only project currently pending is the gas line for a new construction and waiting on Morgan Brown to set a date to weld the gas hook up. Mayor Weitman noted he would like to have the salesman that sold the JCB to the city come to a council meeting and explain how the backhoe wore out so much faster than usual before doing any further business. No further action taken.
2. Phase monitors for the Sewer Lift Stations – Reported the phase monitor had went out on the South Park Lift Station and in reviewing for repairs JCI found it was now obsolete and needed to be replaced. Requested to go ahead now and replace the phase monitor at the Industrial Park Lift Station as it takes over six weeks to order when they are needed and it is obsolete too. It will save \$150 trip time to have both fixed at the same time. The cost is less than \$700 for one station. JCI has done the maintenance service on both lift stations.

- *Motion to Spend Up To \$700 on Phase Monitor at Industrial Park*

Council Member Barber moved to spend up to \$700 on replacing phase monitor at Industrial Park. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:33 p.m.

3. New Building at North Water Tower – Reported the work is done at the north water tower and the building looks good

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STANDING COMMITTEE REPORTS:

Park

Noted the pool has been winterized thanks to public works employees. Council Member Barber discussed the slide at the north park is holding water at the bottom of the slide and then there is a board that is broke along the play bars and needs to be removed before someone is hurt. Asked Public Works to look at the wood railing and maybe take it down is in dangerous condition.

Cemetery

Reported the Oaklawn Association would be building the new building as soon as possible.

SPECIAL COMMITTEE REPORTS:

Planning Commission Committee

1. Application for Use Permit, Carmen Claar, 107 N. Broadway, Beauty Shop.
The Planning Commission at their November 14, 2002 meeting recommended approval.

- *Motion to Approve Use Permit*

Council Member Shields moved to approve the use permit for Carmen Claar for Prime Cuts as recommended by the Planning Commission Committee. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:38 p.m.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Replace Santa Suit

Noted the Santa Suit belonging to the city is missing. City Clerk Herrin did not remember who had last borrowed it. Discussed. Council Member McGinnis volunteered to loan her Santa Suit for the two events the city loans the suit out for. Will not loan this suit to anyone else, as it will be returned to Council Member McGinnis.

Request to Amend 2002 City Budget

City Clerk Herrin requested consent to amend the city budget as determined needed by City CPA Sercer. At the close of the October Statement it appears the Sewer Budget and the Gas Budget may require changes. As of time of meeting other lines had not been reviewed in detail, so requested the entire budget be reviewed and publish as necessary due to the lack of monies expected to be received and the payments now being applied to the loans put in place earlier in the year for the utilities.

- *Motion to Amend Budget as Needed*

Council Member McGinnis moved to approve amending budget as needed on Sewer & Gas and any other lines as necessary; and, to publish accordingly. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:48 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of personnel, and legal for up to forty-five minutes following a ten-minute break. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:50 p.m.

Others invited into or requesting a portion of time included: City Clerk Herrin; Police Chief Farrell; and Public Works Superintendent Craig.

Open Session Resumed at 8:45 p.m.

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OTHER BUSINESS:

City Christmas Dinner

Council Member McGinnis noted there were at least fifty to signed up to attend. Planning Bar-B-Q for the meal. There will be door prizes and voluntary gift exchanges. Hope everyone can come.

Continuing Education Requirements for Certified Municipal Clerk Title

City Clerk Herrin reported on the third year class she attended to complete the Certified Municipal Clerk Title. Discussed the requirements of continuing education to retain the Certified Municipal Clerk designation.

- *Motion for Continuing Education for City Clerk*

Council Member Shields moved to have city clerk go forward with continuing education requirements. Seconded by Council Member VanVlack, voted on, passed 5-0. **Time: 9:00 p.m.**

CITY CLERK'S REPORT:

None.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM 2003 Statement of Municipal Policy Letter
- b] KDOT Letter Regarding "Illegal Classification of Sign Inventory No. 19549"
- c] 2002 Clerks Certification Institute Graduates
- d] KMGA Letter on Natural Gas Fixed Price
- e] *League News*, Volume 7, Number 22, November 7, 2002

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member Shields, voted on, Passed 5-0**

Mayor Weitman adjourned the meeting at 9:03 p.m.

REGULAR MEETING

Year =2002

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 20th day of November 2002.

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REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday, October 16, 2002. Council Members present were: Sam Barber; Connie McGinnis; Esther Shields; and Mike VanVlack.

Others present included: City Clerk Devona Herrin; City Attorney John Sutherland; Julie Funk; Roger Sims; Public Works Supervisor George Craig; LeRoy Turpen; Robert Turpen; City Police Chief Chuck Farrell Jr.; Mike DeMott; Steve Hisel; Lacy Tinsley; Randy Tinsley; Larry James; City Treasurer Linda Elder; Kelly VanTuyl; and, Dennis VanTuyl.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

MOVE MEETING TO COMMUNITY BUILDING

- *Motion to Move the Meeting to the Community Building*

Council Member VanVlack moved to continue the meeting at the Community Building. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:01 p.m. (Meeting moved to the Community Building)

GOODBYE TO COUNCIL MEMBER

Mayor Weitman reported the Council Member Steve Hisel had resigned at the last City Council Meeting due to moving out of town. Mayor Weitman expressed everyone's appreciation for the positive contributions Steve contributed to the city while he was an active member and was looking forward to his continued participation in the Fiesta Committee. Mayor Weitman awarded a plaque to Steve for his time served. Steve Hisel thanked everyone for all the joint efforts; it was fun working with everyone, and shook everyone's hand.

APPOINT NEW COUNCIL MEMBER

Mayor Weitman asked that with the approval of the Council he would like to appoint Tony Williams to fill the vacancy left by Steve Hisel.

- *Motion to Appoint Tony Williams as Council Member*

Council Member Shields moved to accept the appointment of Tony Williams as a Council Member. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:05 p.m.

City Clerk Herrin swore in Tony Williams as Council Member.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: October 3 – 16, 2002;
Minutes of October 2, 2002 Regular City Council Meeting,
August 2002 Financial Statement
September 2002 Financial Statement;
3rd Quarter 2002 Financial Statement

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

UTILITY IMPROVEMENTS REPORT

a. CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

None.

WATER IMPROVEMENT PROJECT

City Clerk Herrin noted she had been informed the project would be ready to present to the Council for review the next Monday, October 21, 2002.

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GAS IMPROVEMENT GRANT

City Clerk Herrin reported she had been informed the engineering firm was finished writing the easements. If the council wanted any further information on whether to go with steel pipe or transition to poly pipe as the line is replaced now would be the time as the firm will be doing the design now.

Mayor Weitman reported he had met with Kansas Gas Service to see what was currently being done with lines from an entity that worked with gas lines all the time; and then was introduced to A & L Underground who also works with gas lines on a full time basis. There were several pros for moving to poly and some cons. Asked if the council would be interested in a workshop where someone from A & L Underground would just come and explain the differences to help the city make an informed decision. Discussed how would get it set up before the next council meeting. Discussed a possible date and will have the City Clerk alert everyone if that date has to be changed after contacting A & L Underground to confirm dates.

- *Motion to Set Up Workshop With A & L Underground for Information*

Council Member VanVlack moved to set up a workshop for gas line information at City Hall on October 24, 2002 at 7:00 p.m. if date is acceptable. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:10 p.m.

DISCUSSION FROM THE FLOOR:

Larry James Regarding the Condemned Property at 407 S. 2nd, Resolution #272

Larry James asked the City of La Cygne if he could go ahead and tear down the property at 407 S. 2nd instead of the city doing it. He would be doing it on weekends and in his spare time so would need a few months to get the work done. Discussed how long he would need to get the work completed and Mr. James felt he could have it done by January 1, 2003. Mr. James also asked if he could repair the outbuildings instead of tearing them down. Discussed if he would concur with the Codes Officer as to the repairs being adequate and Mr. James agreed.

- *Motion to Allow Mr. James Till January 1, 2003 for Property to Meet Satisfaction of Codes Officer*

Council Member VanVlack moved to give till January 1, 2003 for Mr. James to bring the property up to the satisfaction of the Codes Officer. Seconded by Council Member Barber, voted on, passed 5-0. Time: 7:12 p.m.

Eddie Andersen, RWD #1, Unused Line Across Right-of-way in Front of First Calvary Baptist

Eddie Andersen with RWD #1 reported it was his understanding the city had hooked on to an old 3inch line that belongs to Linn #1 and they wanted to keep it for emergency, and they also understand that at some time two city customers were also hooked to this line. Mayor Weitman asked if when the rural water district released the Stainbrooks did this somehow slip through? Mr. Andersen noted he did not know, but was thinking if the city would put a T where the city line goes north and put a meter pit east of the T then rural water

would also be able to use it. Council Member Barber asked if they were interested in an inner-connect meter? Mr. Andersen said yes, to use as an emergency for both entities. Public Works Superintendent Craig reported the Linn #1 pumps were set up for a six-inch line and did not think this old four-inch line would keep up with the pumps; and the line was a four-inch line, not a three inch. Also, this line is hooked to the city water and when it broke last year the city was the one required to repair it, Linn #1 did not. Mayor Weitman asked if there were an installation of the T and meter pit would this solve the problem? Council Member Barber noted he liked the idea of an inner-connect both ways; also noted that at the time the two properties connected to this line were annexed it was ok to use the line. Public Works Superintendent Craig reported that the Stainbrooks line goes under the road and only one property is connected to this line. The Gaylord property is connected to this line and at the end of the Gaylord property the four-inch line is cut and both ends capped. Superintendent Craig concurred they could get a T and get it put in next Monday. Mr. Andersen reported Linn #1 would turn the line over to the city with a T put in by the city and then a meter pit, and make sure it was in their minutes of the approval.

- *Move to Install T in Place of 90 with Meter Pit and Another Valve*

Council Member Barber moved to install a T in place of the 90, and a meter pit, and another valve. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:24 p.m.

Kelly and Dennis VanTuyl: Regarding Buildings in Alley Behind Them

Dennis Van Tuyl asked if anything further had been done? City Attorney Sutherland reported nothing yet. VanTuyl's said thanks and they would see the city council at the next meeting.

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REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Reported on police activities for October 1 - 15, 2002. Also, reported the Essex property has had tin put around the bottom of the trailer.

Public Works Superintendent George Craig

The following items were covered:

1. River Pumps Upgrade under New Water Project:

Discussed while installing new pumps converting to a 15hp on the north pump to meet bigger water volume. Received three bids to redo the two river pumps. Douglas Pump Service, Inc bid was \$8,486 for each pump and does not allow time to pump nor clean, and includes a clause to change the price if unforeseen problems or adverse weather conditions arise while they are working. JCI bid was \$15,404 for the North Pump and \$14,335 for the South Pump, including the 15HP motor for the North Pump. Layne-Western bid was \$24,028 for both pumps and the 15HP motor for the North Pump. None of the bids included any electrical control modifications, or cleaning the verticals if needed. Discussed if the verticals did require cleaning the city employees would get Ace or Rooter-Rooter to come do it. Discussed Layne-Western did the existing pumps. George noted the Randy Tinsley had looked at the electrical part of the project and to update for the 15HP motor it would cost up to \$2000, and that's to accommodate the new motor, there will still be some outdated parts in the electrical unit.

- *Motion to Accept Layne-Western bid of \$24,208*

Council Member VanVlack moved to accept Layne-Western's bid of \$24,028.00. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:34 p.m.

2. Wastewater Lift Station Maintenance Agreement:

REGULAR MEETING

Year =2002

Discussed the City used to have a maintenance agreement with JCI to pull, oil, and check the lift stations either once a year, or semi-annually. They have not been checked for years and are beginning to have some problems with no warning. Public Works Superintendent Craig presented a price from JCI to put the lift stations back on a maintenance agreement to keep them oiled and prevent possible problems from lack of maintenance. The price to check once a year was \$963.00 per lift station.

- *Motion to Accept Service Agreement with JCI for \$963.00 per Lift Station*

Council Member Barber moved to accept service agreement with JCI for \$963.00 per lift stations. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:38 p.m.

3. KDHE Letter on Circulation at the North Water Tower:

Discussed receiving the letter from KDHE. Public Works requested to continue to proceed with the circulation project.

- *Motion to Proceed with the North Tower Circulation Project*

Council Member VanVlack moved to proceed with the north water tower circulation project. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:39 p.m.

4. Electric Work for River Pumps:

- *Motion to Approve up to \$2000 for Electrical Work for River Pumps by Tinsley Electric*

Council Member VanVlack moved to have Tinsley Electric to do the electrical work for up to \$2000 for the river pumps. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:40 p.m.

5. KCC 2002 Annual Pipeline Safety Inspection Report:

Public Works Superintendent Craig noted the report overall was good for the city. There were two requests for some paperwork correction corresponding with some outdated information on the pipeline map. This would be taken care of. Council Member Barber asked that George let Morgan Brown know about the gas workshop.

NOTES AND COMMUNICATIONS:

Mayor Weitman opened a Thank You from the Doug Johnston family expressing appreciation and friendship from the city council and employees.

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STANDING COMMITTEE REPORTS:

Reassign Committees

Mayor Weitman requested the following Committee Changes with Council approval: Street – add VanVlack; Sewer – add VanVlack; Park – add Barber and assign him as representative to the Park Board; Cemetery – switch VanVlack to Williams; Public Safety – switch VanVlack to Williams; Community Building – add Williams.

- *Motion to Approve Committee Reassignments*

Council Member VanVlack moved to approve committee reassignments. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:45 p.m.

Street

1. Alley Behind Lot Methodist Church Purchased: Council Member Barber asked Public Works to check if the city had a culvert that would fit for the front part of the property;

also before making any decisions on the alley will talk to other property owners in the area before moving any further.

Park

Council Member VanVlack reported Park Board Member Kenny McClanahan and he had winterized the pool but for a part that Public Works would need to do, as they did not have the equipment.

Community Building

Public Works Superintendent Craig reported the two back furnaces were not working in the Community Building. The pilots are lit, but they will not blow out heat.

SPECIAL COMMITTEE REPORTS:

Fiesta

Council Member McGinnis reported the next meeting is next Monday night at 7:00 p.m. Currently there are numbers for about \$1700 profit.

Emergency Disaster Committee

Still in the planning stage.

Planning Commission Committee

Planning Commission Chairman Randy Tinsley reported they are still looking at the Comprehensive Plan. He had taken to current info the committee had been working on to Sam Long with the City of Louisburg and asked him to look at it for another opinion and input to make sure it is as complete as possible with today's information. Mr. Long agreed to look at it for no charge. Mr. Long is currently working with other smaller cities in the area on what it takes to get building codes in effect and would come give info to the city. Discussed having a workshop with the Planning Commission on this topic. Then, Mr. Long is available on a fee basis to work on a call basis with a small city's codes officer to keep the project moving forward if the city is interested after the workshop and finishing the Comp Plan.

Mayor Weitman reported Randy Gorton had also requested to do a presentation with is new firm to the city. Mr. Tinsley noted Mr. Gorton had also contacted him about the Planning Commission. Discussed and took under advisement.

Will discuss workshop with Planning Codes further.

UNFINISHED BUSINESS:

RWD #1, Final Agreement, for East Annexation

Discussed the date of the agreement was to be October 17th, but now with the change in the water line will not be ready till next Wednesday at the earliest.

- *Motion to Approve Agreement with Date of October 23, 2002*

Council Member Barber moved to approve agreement with date of October 23, 2002. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:00 p.m.

NEW BUSINESS:

REGULAR MEETING

Year =2002

SEK "Businesses & Communities Connecting" October 24, 2002, Pittsburg, Kansas

Reviewed. No action.

Close City Hall Friday, October 18, 2002, for Computer Updates

City Clerk Herrin requested to close City Hall to allow the time needed to be applied for the individual to work on the computers without interruptions to make the most of the charges by the computer company.

- *Motion to Approve Closing City Hall for Computer Updates*

Council Member McGinnis moved to close City Hall on Friday, October 18, 2002 for Computer Updates. Seconded by Council Member Shields, voted on, passed 5-0. Time: 8:02 p.m.

KMGA Annual Meeting of Member Cities, November 13-14, 2002, Wichita, KS.

Discussed. No one available those dates.

November 6th Meeting with Public Hearing

Discussed, as City Clerk will not be available. City Treasurer Elder will fill in for City Clerk Herrin and keep original meeting date.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of legal and personnel for up to 35 minutes following a 10-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:06 p.m.

Others invited into or requesting a portion of time included: City Clerk Herrin.

Open Session Resumed at 8:38 p.m.

OTHER BUSINESS:

Report on State Transportation Meeting October 8, 2002

Council Member Shields and Mayor Weitman attended the meeting on October 8, 2002. Council Member Shields reported she got out of it that there is not going to be the money for the original highway improvement as they are using the money for other things to do not have the projected needed monies. Mayor Weitman reported it did not appear the short fall was in the highway budget. The plan approved in 1999 for the budget was creating the necessary funds but now the state is transferring those funds to take care of other department funds that are not receiving the expected tax revenue from their appropriate areas so the tax dollars created for the highway projects are not being transferred to the highway projects as set up. This will create problems in the future when tax dollars are established for one item and then used by the state for something else, the people will not vote for tax dollars to improve a project as those tax dollars may not be used for what they are voting for.

Reviewed Financial Statements

City Clerk Herrin went over the City Financial Statements and how the tax dollars are not meeting the expectations for the Special Highway fund and some shortfalls in the General Fund. Without the dollars will not be able to even spend to the budget limit and will have to watch the actual dollars received. Discussed other funds too.

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CITY CLERK'S REPORT:

City Clerk Herrin reported the State had sent the city a FEMA payment of \$2,232.26 that is reflected in the General: Government fund for administrative costs of handling the project. The total budget is adjusted with FEMA payments without amending the budget.

Written report included:

- a] Reminders: Public Hearings on November 6th and 20th for Condemnations
- b] Reminder: City Clerk will be Out of the Office the Week of November 6th

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM Leadership Academy "Planning & Zoning" November 2002
- b] 7th Annual Kansas Rural Policy Symposium Thursday, November 21, 2002
- c] Kansas Pesticide Certification Form
- d] LKM "State Health Care Program" Information
- e] Kirkham Michael & Associates Annual Trap Shoot Invitation
- f] *Kansas Government Journal*, September 2002
- g] *Kansas Government Journal*, October 2002
- h] KDHR, Division of Workers Compensation – Industrial Safety & Health Correspondence

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member McGinnis moved to adjourn. Seconded by Council Member VanVlack, voted on, 5-0.**

Meeting adjourned at 9:08 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 16th day of October 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday October 2, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; Esther Shields; and Steve Hisel.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Julie Funk; Kelly and Dennis VanTuyl; Rob Gavin; Eddie Andersen; Randy Tinsley; Danny and Melody Troth; and Roger Sims.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member McGinnis moved to approve the consent agenda that consisted of:

Check Register: September 19 – October 2, 2002;
Minutes of September 18, 2002 City Council Meeting;

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

UTILITY IMPROVEMENTS REPORTS

d. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT

iii. Rob Gavin reported:

- i. Haupt Construction was about ready to test the lagoons;
- ii. McCorkendale Construction was scheduled to start digging footings this week on the east pump station; and,
- iii. Insituform delivered the 2nd set of tapes yesterday but he had not had a chance to review them yet. After they are viewed, will address and fix the worst lines first. The last change authorized by the city council has not been implemented with an order change and can be amended. Also, have negotiated with the company to change the costs on the additional point repairs depending on the degree of damages and the difficulty for the repairs, which should bring the costs down.

Council Member Barber asked if the fence on the backside of the Troth property and the gate to the entrance was still on the schedule. Rob confirmed this. Discussed a manhole on the Smith property in the crop field and the request to have a cage placed around it. It will be reviewed and report back.

e. WATER IMPROVEMENT PROJECT

Rob Gavin reported he would have the scheduled plans ready to deliver on October 18th.

f. GAS IMPROVEMENT PROJECT – CDBG GRANT

Rob Gavin reported his firm is currently working on easements.

d. 6TH STREET IMPROVEMENT

Rob Gavin reported the road is completed and ready for final pay estimate. Killough Construction final costs for the street improvement are \$61,364.10.

- *Motion to Approve Payment of \$61,364.10 to Killough Construction*

Council Member Barber moved to approve \$61,364.10 for payment of 6th Street improvement project completed by Killough Construction. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 7:13 p.m.

g. SEWER – EDA GRANT

Rob Gavin reported the Division of Water Resources approval letter for the lagoon was still pending after several discussions with that office. They had originally given verbal approval and said the letter would be sent shortly and this was several months ago. Now they have thrown it into the damn category and it had to meet their requirements, and it has met those standards too. Now the most recent inquiry was if it would raise the flood level and was quickly determined it would not. Now they have requested this in writing from the engineering firm and that is being done this week. Rob will go over to the division in Topeka on Friday and pick up the letter of approval from the DWR.

DISCUSSION FROM THE FLOOR**Eddie Andersen, RWD #1, Regarding Charges on Water Threat**

Eddie Andersen noted the lady involved in the recent water threat appears to only be charged with a misdemeanor. Felt this was too easy and interested in how the city feels regarding pressing charges for the damages incurred. Mayor Weitman agreed that charges should be charged to the fullest extent we could give this person. City Attorney Sutherland noted the city and the Rural Water Districts could sue her, but felt it would have no impact on this person whatsoever. It would just be more costs for legal expenses with no chances of recovery from this lady. Mr. Andersen asked how we could get together to let the public know we will not tolerate this in the future. A misdemeanor is too light; it's just not right for what everyone went through. Mayor Weitman asked the City Attorney if there was anything else to do and not just throw good money after bad. City Attorney Sutherland noted there was not much else to do with her. The FBI did not feel it was worth pursuing. This person could not pay for any damages. The County is doing whatever it can to pursue the case when the Fed's won't. Council Member Hisel noted if it happened again we would all have to stand together and do something. Mayor Weitman concurred it needed to be known to the public that all three entities would not tolerate this again and if it happens again it will go further. Eddie Andersen agreed and told everyone he appreciated their time concerning this issue.

Melody Troth, Regarding Alley Behind Lot Methodist Church Purchased

Melody Troth reported the United Methodist Church had purchased some lots across from the church for a parking area. She was here to ask the city if they would help clear the alley portion of the lot that is at the south end of the lot as the Church would like to open the alley and use it to drive into the parking lot area. Currently there is a vehicle setting on part of the alley that is just west of the lots that is also blocking the alley from use. The Church would like the whole alley improved for use.

City Attorney suggested someone from the city look at the request before any decision is made by the city.

Mayor Weitman asked the Street Committee to review the request and report back at the next meeting.

Council Member Hisel asked if there was a time frame the Church was trying to follow. Mrs. Troth reported the church would like to move forward as soon as possible. Mr. Troth also asked if it would be possible to widen the culvert entrance from the street. Council Member Hisel noted there were guidelines for the length of culverts; the committee would review this along with the rest of the request.

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DISCUSSION FROM THE FLOOR: (Continued)**Dennis & Kelly VanTuyl Regarding Buildings in the Alley Behind Them**

Dennis Van Tuyl asked City Attorney Sutherland if he had had a chance to do anything yet regarding this issue. City Attorney Sutherland replied he had been in contact with Mrs. Williams' attorney and there had been a response with a question if there was an actual alley there. City Attorney Sutherland had checked the Platt map and it is obviously platted as an alleyway, so it looks like it is an actual alley.

Mr. Van Tuyl asked the city if they were now going to have the building removed from the alley as originally discussed, as apparently the Williams are not going to move the buildings.

Mrs. Van Tuyl noted the city had previously discussed making them move the little buildings because there were no building permits obtained at the time they were placed there. Mr. Van Tuyl asked what the city was going to do. They also had a letter from the previous owner of their property who had addressed the clothes line that the Williams had placed on what is now the Van Tuyl's property stating it had been put up when the property owners were not at home and it was ok to leave it, but was also recognized that it was on their property and not the Williams' property, (previous property owners before the Van Tuyls were Hewitt's).

Discussed what was previously discussed at prior meetings.

Council Member VanVlack recommended the city send notice about the building erected without a permit or a motion to pursue further. It was noted that with the original discussions when Mrs. Williams was present she had given verbal agreement to the city to move the buildings and the city would allow this one mobile trailer to continue to stay where it was in the alley while they owned it, or until replaced.

Mayor Weitman noted the city would now have to move forward with serving notice to move the buildings. Council Member Shields asked if since Mrs. Williams did not keep her agreement, should all buildings be requested to be moved from the alley. Discussed further. Mayor Weitman asked City Attorney Sutherland to proceed with the process.

The Van Tuyl's thanked everyone for their time and noted they may not be back to the next city council meeting.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

City Attorney Sutherland reported he had sent a letter to the Willingham's regarding their property; a letter to TXU requesting additional information for the additional billing; and working on easements for the water line to be extended east of town.

Police Chief & Codes Officer – Chuck Farrell Jr.

Provided written police report for the month of September 2002. Noted the Dog Pound has been full for most of the last month.

Presented photos and a request for repair or condemnation of the property located at 204 North 1st, La Cygne, Kansas. It was reviewed and discussed.

- *Motion to Proceed with Resolution #275, Condemnation Process*

Council Member Shields moved to accept the condemnation process for repair or condemnation of the property at 204 North 1st, with Resolution #275, and setting the Public Hearing on November 20th at 7:00 p.m. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:55 p.m.

Reported no action regarding the condemnation proceedings for 407 S. 2nd, Resolution #272, had been taken to date by the property owners. Codes Officer Farrell noted he had spoke with a grandchild of the deceased landowners and explained if the city moved forward with the demolition cost this cost would be transferred to the property owner and asked him to come to the meeting tonight. However, for some reason he is not here. He had indicated he wanted to tear the house down but had not proceeded because he thought the city was already in motion

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REPORTS OF CITY OFFICERS: (Continued)

Police Chief & Codes Officer – Chuck Farrell Jr. (Continued)

For the work to be done. If the city gets bids for the demolition, the grandson said he would live with the decision too. City Council discussed Codes Officer Farrell getting in touch with this grandson again and ask for a time frame for him to get the house tore down, and if not done then the city would do what needs to be done. Council and Mayor concurred. Asked Codes Officer Farrell to get in touch with the grandson and report back at the next meeting.

Reported a letter had been sent to Jeff & D'Ann Essex at 610 E Locust regarding the removed skirting from the trailer with a time frame for the repairs to be completed. There has been no attempt to repair, nor a response. Discussed the fines to cover these kinds of issues when property is not in compliance with the ordinances. Noted it had been skirted and they had removed it and failed to replace it. Determined it was time to cite them and send it on to the court.

Public Works Superintendent George Craig

Superintendent Craig reported on the following:

1. They were ready to bore under Highway 152 for the water line connection to the east annexation as soon as the weather permits.
2. Noted the Public Works Employees along with Police Chief Farrell were in the process of completing the Operator Qualification Tests and there were many, many, many of them.
3. Asked for a workshop after the papers were here on the 18th to go over the water plant improvements with at least the Water Committee, and if possible the whole council.

Noted an electric motor had gone out on one of the river pumps and to make sure it is all running together smoothly would like to move forward with the pumps replacement part of the water project now and help save the life of the new motor. There are two businesses that are interested in this part of the project and it is separate from the water plant part. Concurred it was ok to go forward with the bids for the pumps at the next meeting.

STANDING COMMITTEE REPORTS:

Street

Discussed what could be done this year to the streets with the sewer project effecting so many of the streets. George Craig asked about looking into prepay for some materials this year for the streets and then using them as soon as the weather permits next year as then the sewer lines would be complete and it would not cause possible double work. Discussed Cold Patch and how it will not work if it is used with any density; discussed Hot Patch on several of the larger spots; discussed lack of proper equipment for some types of patching. Noted a paving machine with hot mix would be the best. Discussed the possibility of the county having a lay down machine the city could use; but noted it was hard for wedge areas and there are several of them on the sides of the streets this year due to the dry weather.

Sewer

Discussed the DWR Questionnaire for Senate Bill 436 Background. Concurred to ask City Engineer Rob Gavin if he would complete the questionnaire and if he had any concerns or questions to bring them back to the city council.

SPECIAL COMMITTEE REPORTS:

Fiesta

Council Member Connie McGinnis reported the Osawatomie Graphic did an excellent job of covering the event. There has not been a meeting since the Fiesta due to other events going on. Have heard lots of good comments and good ideas for next year. Will move forward with next year with the same committee and add more people to help.

Emergency Disaster Committee

REGULAR MEETING

Year =2002

Council Member VanVlack reported the second meeting was held tonight at City Hall. Still trying to get organized and will have a report after the next meeting.

Planning Commission Committee

Chairman Randy Tinsley reported the committee is working on a rough draft to revise the Comprehensive Plan and will be meeting for a workshop again tomorrow night. Hope to complete it quickly. Council again pledged their support.

UNFINISHED BUSINESS:

Community Building Cleaning Rate Change Request

City Clerk Herring explained Carla Snow Wade had agreed to clean the City Hall for the price currently set. Ms. Wade has requested a change in the rate for the Community Building from the current \$10.00 per hour. Ms. Wade is asking for a minimum of \$20.00 for the first hour of cleaning and then \$15.00 for each additional hour due to the heavy labor of scrubbing the entire building.

- *Motion to Change Community Building Cleaning Fee to \$20 Minimum & \$15 for each Additional Hour*

Council Member Hisel moved to change the Community Building cleaning rates to \$20.00 minimum for the first hour and \$15.00 an hour for each additional hour. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:40 p.m.

KDOT Local Partnership Grade Separation Program Response and City Requirements

Discussed the cost of the engineering fees to do the requested report just to apply for the program. City Attorney Sutherland recommended he call and see if the funds are there with the current cut backs on state taxes and then to get some idea of what to expect to see if the city does make this investment. Concurred.

FIESTA:

Council Member McGinnis asked if whoever took the paperwork left at 7th & Walnut after the parade would please return it so they could use some of the contents for next year's parade. A card table is also missing that was left with the paperwork. However, the card table does not have to be returned just requesting the paperwork in a brown folder.

NEW BUSINESS:

League News "Governor Reactivates the Transportation 2000 Committee"

Discussed. Mayor &/or one or two City Council Members will try to attend the October 8th meeting.

EXECUTIVE SESSION:

Council Member Shields moved to go into Executive Session for up to thirty-five minutes following a ten-minute break. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:52 p.m.

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Others requesting time or invited into executive session were: City Clerk Herrin.

Open Session Resumed at 9:35 P.M.

OTHER BUSINESS

Resignation of Council Member Steve Hisel

REGULAR MEETING

Year =2002

Council Member Hisel stated that as of October 8th, he was resigning as a City Council Member as he would become ineligible on that date due to moving out of town. Everyone noted he would be missed and thanked him for his involvement in the city projects. He agreed to stay an active part of the Fiesta Committee. Mayor Weitman thanked him for his time served. Concurred to have a Bar-B-Q with Steve at 6:00 p.m. before the next council meeting and to bring family members.

Christmas Party

Discussed possible dates for the party.

- Motion to Have Christmas Part on November 30th with Last Years Budget Amount

Council Member VanVlack moved to have the Christmas Party on November 30th and to spend last years budget amount up to \$700.00 Seconded by Council Member Shields, Discussed amount to be spent and who to invite, Voted on, passed 5-0. Time: 9:53 p.m.

Council Member Connie McGinnis agreed to be the Chairman of the party and the time would be at 6:00 p.m.

CITY CLERK'S REPORT:

City Clerk Herrin reported future dates she would be out of the office for meetings or on vacation.

City Clerk's Written Report Included:

A] Community Building & City Hall Cleaning Person

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM Leadership Academy "Planning & Zoning" November 2002
- b] 2002 5th Annual Local Roads Seminar
- c] Kansas Water Law Conference, Tuesday, November 19, 2002, Salina, KS
- d] KRWA "Electrical Maintenance & Troubleshooting", October 17 & 18, 2002, Iola, KS
- e] Kirkham Michael & Associates Annual Trap Shoot Invitation
- f] Kirkham Michael & Assoc Letter to Planning Commission
- g] 'Elders & and Law' October 8, 2002, Mound City, Kansas
- h] FFA Homecoming Chili Feed Friday, October 4, 2002

ADJOURNMENT:

With no further business, **Council Member McGinnis moved to adjourn the meeting. Seconded by Council Member Shields, voted on, passed 5-0.**

Meeting adjourned at 9:57 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 October 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday, September 18, 2002. Council Members present were: Steve Hisel; Sam Barber; Connie McGinnis; Esther Shields; and Mike VanVlack.

REGULAR MEETING

Year =2002

Others present included: City Clerk Devona Herrin; Rob Gavin; City Attorney John Sutherland; Julie Funk; Roger Sims; Public Works Supervisor George Craig; Gary Curnutte; James Hazelet; Jerome Moore; City Fire Chief Ernie Moylan; LeRoy Turpen; City Police Chief Chuck Farrell Jr; Kelly VanTuyl; and, Dennis VanTuyl.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: September 5 – 18, 2002;
Minutes of September 3, 2002 Regular City Council Meeting,

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

UTILITY IMPROVEMENTS REPORT

a. CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

- i. Status of Report from Division of Water Resources:

Rob Gavin, with Kirkham Michael Engineers, reported he had been in contact with the Division of Water Resources regarding the letter required by EDA from them that has been pending for some time. The DWR has now reviewed the request and found that the lagoon holds over fifty acres of water and now meets the requirements of a damn permit. The DWR has requested a copy of the piping specs and two extra sets of plans. Rob noted he would deliver these items to DWR tomorrow. After his discussion with them, they agreed that the current plans met the requirement and it would be a matter of getting the additional paper work and putting it though the system. Should have the required letter by next week. This will release the funds from EDA.

- ii. Contractor Pay Requests

Rob Gavin reported the following for the three projects:

- a. Insituform Technologies is 61% complete with raising the manholes. The engineers have not yet received the final tapes; they will be reviewed as soon as they are received.
- b. McCorkendale Construction is 60% complete. They are waiting on the pump station and the electrical service.
- c. Haupt Construction is 77% complete. The outfall structure and the seeding are some of the outstanding items.
- d. The pay estimates for the projects to date include further payments of \$120,171.15 for Haupt Construction; \$76,097.70 for McCorkendale Construction; and, \$77,737.50 for Insituform. The original total were listed and then the correction to the actual payments to be requested.

- *Motion to Authorize Payment Request for Haupt Construction*

Council Member Barber moved to authorize payment request by Haupt Construction for \$120,171.15. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:09 p.m.

- *Motion to Authorize Payment Request for McCorkendale Construction*

Council Member Barber moved to authorize payment request by McCorkendale Construction for \$76,097.70. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:10 p.m.

- *Motion to Authorize Payment Request for Insituform Technologies*

Council Member Barber moved to authorize payment request by Insituform for \$77,737.50. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 7:11 p.m.

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GAS IMPROVEMENT GRANT

Rob Gavin reported the surveys were done in the field. There are additional easements involved. They are done writing the permanent fifteen feet easements and the temporary fifty feet easements to be used during construction. The easements are where the line will be moved from the edge or under the road to the side of the right of way. Will need to stay on the easements to get them going. This is done by sending out letters, giving the property owner two weeks to respond, and then start contacting them individually. There are over one hundred entities to contact.

WATER IMPROVEMENT PROJECT

Rob Gavin reported he brought Mark Sipe and met with George and James to go over the design. They will be doing the design work and getting it out. Now that the water plant is soon over the peak season they can get started by getting the design to the state for approval.

6TH STREET IMPROVEMENT PROJECT

Rob Gavin reported the road was now paved, but not yet inspected.

DISCUSSION FROM THE FLOOR:

Kirkham Michael Engineers Donation to Fiesta

Rob Gavin reported he was authorized to donate \$300.00 on behalf of Kirkham Michael Engineers to the city Fiesta. Council and Mayor thanked Rob for the donation to the community Fiesta.

Kelly and Dennis VanTuyl: Regarding Buildings in Alley Behind Them

Dennis Van Tuyl asked if anything had been started by the city yet? City Attorney Sutherland noted he had spoke with her attorney and have copies of the letters between Williams' attorney and the Van Tuyl's attorney. Mr. Sutherland also noted there was a request by one attorney to have the title examined to see where the easement was originally established. Mr. Van Tuyl noted he was aware of this. Said he would see the city council at the next meeting.

REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Reported on police activities for September 1 – 17, 2002. Reported he had taken photos of 114 West Market Street after finding the roof in disrepair and the doors open to anyone. Photos were passed around the council. Discussed if any evidence of any repairs by the owner. To date there were no apparent repairs begun. Determined if the needed repairs were began soon, it might be possible to be repaired. If not, it will not be repairable as it is currently not livable and there are no working utilities. Codes Officer Farrell recommended notice be sent and the property owner refurbish quickly and secure from the public, or the dwelling be demolished.

- *Motion to Adopt #Resolution #274 for 114 West Market Street*

Council Member Hisel moved to adopt Resolution #274, for condemnation of 114 West Market Street. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:30 p.m.

Discussed the need for a date and time for the public hearing required in Resolution #274.

- *Motion to Set Hearing Date for Resolution #274 for November 6, 2002 @ 6:45 p.m.*

Council Member Barber moved to set the hearing for Resolution #274 on November 6, 2002 at 6:30 p.m., no, change to 6:45 p.m. at City Hall. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 7:35 p.m.

“Night Out Against Crime” – Chief of Police Farrell noted this event would be held this year on September 28, 2002 from 6-8:00p.m. at the big shelter house in the park with a cookout of hot dogs and hamburgers. Requested everyone to encourage attendance. Will have county deputies there for a while.

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REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

George Craig thanked all of the city council, mayor, Esther for the food, and everyone else who helped with the City Wide Clean Up.

The following items were covered:

6. Boring for water line connection for east annexation line and repair of water line under K-152 by Post Office. Mr. Craig reported he had two sealed bids for each job with the city furnishing the materials.
City Attorney Sutherland opened the bids and read the following: Pemberton Excavating bid \$1250 for the Post Office location and \$1780 for the Engert property for the east annexation; McElreath Excavating bid \$1500 for the Post Office location and \$2500 for the Engert property for the east annexation.

- *Motion to take bids under advisement*

Council Member VanVlack moved to take all bids under advisement for further clarification. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:42 p.m.

7. Annual Gas Pipeline Safety TSI Seminar, Oct. 29-31, 2002, Salina, Kansas: Discussed whom to send to the annual seminar.

- *Motion to Send Gary Curnutte to Gas Seminar in Salina, KS*

Council Member Barber moved to send Gary Curnutte to the Annual Gas Seminar on October 29-31, 2002 in Salina, Kansas with the usual per diem. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:44 p.m.

8. KMU Natural Gas Distribution Workshop, Garnett, Kansas, September 26-27, 2002: Discussed whom to send to the meeting portion of the workshop.

- *Motion for Three to Attend KMU Natural Gas Distribution Workshop*

Council Member Barber moved to send George Craig, Gary Curnutte, and Devona Herrin to the KMU Gas Workshop at Garnett, Kansas, September 26-27, 2002. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:48 p.m.

9. Public Works Employees Help Set Up Fiesta and Study Gas Operator Qualifications on Saturday, September 21, 2002: Requested consent for the Public Works employees to set up the necessary items on Saturday and then between items requiring their assistance, to study the gas operator qualifications in preparation for meeting the October deadline for qualifications.

- *Motion for Employees to Work and Study*

Council Member McGinnis moved to have the Public Works Employees to work and Saturday and Sunday as needed for the Fiesta and to study. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:50 p.m.

STANDING COMMITTEE REPORTS:

Park – Resignation of Park Board Member Bobbie Barber & Appointment of Tammy Weitman

Mayor Weitman noted that Bobbie Barber had donated a lot of her time to city activities and it was very much appreciated, but she is firm on her resignation. (Pause) Mayor Weitman noted there was no motion to accept her resignation but the end result was the same.

Mayor Weitman reported he had discussed with the Lincoln Township Trustee an individual for the vacancy and with the Trustee's consent would like to recommend Tammy Weitman.

- *Motion to Appoint Tammy Weitman as Park Board Member*

Council Member Shields moved to accept the appointment of Tammy Weitman as a Park Board Member. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:53 p.m.

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STANDING COMMITTEE REPORTS:

Public Safety

Noted it had been reported to the police there were five dead birds found on the northeast end of town.

Community Building

Request to waive the deposit fee for Ducks Unlimited, a nonprofit organization, using the building on October 5, 2002 for a fund-raiser.

- *Motion to Waive Deposit Fee for Ducks Unlimited Fund Raiser*

Council Member Hisel moved to waive the deposit fee for Ducks Unlimited for the benefit dinner. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:56 p.m.

SPECIAL COMMITTEE REPORTS:

Fiesta

The parade route will be a little different on Broadway. Supposed to be about 500 Shriners in the parade and ten floats.

Planning Commission Committee

Discussed the benefits of the chairman, or a representative, of the committee to attend some of the council meetings to help improve communications between everyone including the codes officer. Also discussed council members attending the Planning Commission Meetings when possible in an attempt to continue to work together towards the same goals without any mix-ups.

“Use Change Request for 116 E Market” – Planning Commission Committee recommended the approval of the use change request from a floor covering business to a retail and auction business.

- *Motion to Approve Use Change Request for 116 E Market*

Council Member Barber moved to approve the use change request for 116 E Market with the condition Planning Commission recommended of no items sitting out front. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:07 p.m.

Mayor Weitman noted the City Council also gives full support to the Planning Commission Committee and the Codes Officer.

UNFINISHED BUSINESS:

Services Offered by Prairie View High School *Applied Business Technology*

City Clerk Herrin reported she had spoke with the applicable teacher, Debbie Likely, regarding the possibility of this class researching for grant money and other opportunities for help to the community for such items as a new dog pound, a new dog catcher vehicle, and avenues for funds for the new pool at the park. The response from Ms. Likely was positive that the class could do these items as they had time around other projects and would be glad to help in this manner if there was not a deadline involved to complete the research. Council concurred it was ok for the high school class to take this project on in an effort to move forward with these research items.

Code Footprint Seminar Wednesday, November 6, 2002, Paola, KS

Discussed if anyone should attend the workshop and if so, whom. Fire Chief Moylan indicated he would not be able to attend.

- *Motion to Send Codes Officer Farrell to Seminar, November 6, 2002*

Council Member McGinnis moved to send Chuck Farrell to the Seminar on Wednesday, November 6, 2002 at Paola, Kansas. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:16 p.m.

Clarifier, ‘Vulnerability Assessment’ with Grants

City Clerk Herrin reported that both KRWA and KDHE were looking into the report regarding small water plant systems. Will report back as soon as any additional information is received.

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NEW BUSINESS:

Resignation of Rene Hetzer Cleaning City Hall and Community Building; Joy Akes Cleaned in Interim but has Declined to Continue due to Family Commitments

Discussed the resignation and replacement.

- *Motion to Approve Hiring Carla Wade (Snow) for Cleaning Position*

Council Member VanVlack moved to hire Carla Wade (Snow) for cleaning City Hall and the Community Building contingent on Carla accepting with current criteria. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:18 p.m.

Kirkham Michaels Grand Opening, September 19, 2002, 4-8 p.m., Overland Park, KS

Noted and expressed thanks for the invitation. Council Member VanVlack and Mayor Weitman will try to attend.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of legal and personnel for up to 35 minutes following a 10-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:20 p.m.

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

Open Session Resumed at 9:05 p.m.

OTHER BUSINESS:

Fiesta

Discussed the need for signs to be posted to attempt to keep anything with wheels, except handicap equipment, off the streets. Concurred to have signs made about no bicycles, skateboards, skates, etc. and for the police department to enforce.

Boring Bid on K-152 by Post Office

- *Motion to Approve Bid from Pemberton for Boring by Post Office Location*

Council Member Barber moved to approve the bid from Pemberton Excavating for the water line repair by the Post Office for a bid of \$1250 with the date work to be done to be determined by the Public Works Superintendent and accepted by the contractor and so noted the tentative date is the week of October 7, 2002. Seconded by Council Members Hisel, Shields, McGinnis, and VanVlack, voted on, passed 5-0. Time: 9:14 p.m.

Boring Bid on K-152 by Engert Property for East Annexation

- *Motion to Approve Bid from Pemberton for Boring under K-152 by Engert Property*

Council Member Barber moved to accept the bid from Pemberton Excavating for the bore under K-152 for the water line extension for the east annexation near the Engert property with the same conditions as stated in the last bid. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:16 p.m.

City Attorney Sutherland noted both accepted bids were the low bids.

CITY CLERK'S REPORT:

Written report included:

- a] Community Building & City Hall Cleaning Person

NOTES AND COMMUNICATIONS TO COUNCIL:

REGULAR MEETING

Year =2002

- a] KDOT Letter to Detour Traffic for Fiesta, September 21, 2002
- b] Letter of Interest to KDOT for Local Partnership Grade Separation Program
- c] KRWA *Water Tank Maintenance Demonstration*, Tuesday, October 15, 2002,
Coffey County RWD 2 Tank Site, south of Burlington, Kansas
- d] MAP, "Utilities Should Examine Security Measures" MAP Brochure, Pages 4
& 5
- e] ICBO '2000 International Seminars' Kansas City, MO, October 28-30, 2002
- f] KLTAP '2002 Kansas Snow & Ice Control Workshop' Friday, October 11,
2002
- g] LKM 'Regional Suppers' October 30, 2002, Burlington, KS
- h] *Kansas Government Journal*, August 2002
- I] *League News*, Volume 7, Number 19, September 13, 2002

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member Shields moved to go home.** Mayor Weitman noted request for move to adjourn. **Motion seconded by Council Member Barber, voted on, 5-0.**

Meeting adjourned at 9:17 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 18th day of September 2002.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, September 4, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; and, Esther Shields. Steve Hisel arrived at 7:42 p.m.

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Glenn Farrell; City Attorney John Sutherland; Le Roy Turpen; Debbie May; Jerry Chambers; Kelly Van Tuyl; Dennis Van Tuyl; Julie Funk; and Jennifer McDaniel.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

Noted Water Situation on August 28, 2002. Mayor Weitman expressed appreciation to all of the known and unknown helpers during the water situation on August 28, 2002. The known helpers included Paola and Fort Scott Walmart Stores for donating bottled water; the Cities of Drexel, Missouri, and Louisburg, Kansas for offering assistance; Diane Dotts and others who took water to the elderly; all of the Linn County Emergency Personnel; the City Council Members and City Staff; and all the many other volunteers not mentioned here. Everything worked out ok, there is noted room for improvement should another incidence occur and the city will address this later.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member McGinnis moved to approve the consent agenda that consisted of:

Check Register: August 22 - September 4, 2002;

Minutes of August 21, 2002, Regular City Council Meeting;
Minutes of August 26, 2002 City Public Hearing Meeting;
Minutes of August 28, 2002 Special City Council Meeting.

Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:04 p.m.

UTILITY IMPROVEMENTS REPORTS

CDBG Sewer Grant – State Revolving Loan – EDA Grant

Water Improvement Project

Gas Improvement Project

6th STREET PROJECT

(None. City Engineer was not present.)

DISCUSSION FROM THE FLOOR:

Debbie May & Jerry Chambers: Regarding City Policy on Water Notice

Debbie May asked what the policy was for the city when there are water notices issued. She was not notified at her store east outside of town, nor was the restaurant east outside of town in the county. Who is responsible for those in the country to notify them? Ms. May requested to have this identified for any future happenings. Mayor Weitman noted the City appreciated the input and that the Public Safety Committee will be working on this; including looking at how to get this information out as it's everyone's responsibility. The Safety Committee for the City Council is currently Mike VanVlack and Connie McGinnis, and they would take any input available as they are going to set up a committee to handle this. Council Member VanVlack noted that proper notifications is one of the main topics covered at the first meeting held earlier tonight to address this. Debbie May suggested having an annual disaster drill including who is going to talk to the media as it would help people know who to work with. The drills also let you look at the situation and look at ways to improve after they are over. Council Member VanVlack noted they also looked at who had medical experience and to check with surrounding towns for possible assistance in some disasters. Mayor Weitman noted the city would be looking at people like Debbie May and others like her to help be prepared in the future.

DISCUSSION FROM THE FLOOR: (Continued)

Dennis & Kelly Van Tuyl: Regarding Property Behind Theirs

Dennis Van Tuyl asked the City Attorney if there had been any response to the property behind them? Kelly VanTuyl asked if he had spoke with Ms. Williams' attorney? City Attorney Sutherland responded he had not had any discussion as of now. Briefly explained photos taken at different years of the back yard area showing when a shed was present and when it wasn't. Dennis Van Tuyl said he would see the City Council at the next meeting.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer Chuck Farrell Jr

Police Chief Farrell presented a written report of for August 2002. Also gave a verbal report on the property at 2nd and Elm – Merle Raymond had reported he would be getting his vehicles off of the property prior to the city taking any action in tearing the property down and cleaning it up.

Public Works Superintendent George Craig

Reported on the following:

1. A new gate had been installed at the north water tower for a cost of \$85.00
2. State has recommended an electrical update in the water plant carbon room by installing explosion proof plug-ins. Checked several places and carbon could be

considered a possible explosive in certain situations. Have received a bid from Tinsley Electric for \$1642.49 to install explosive proof plug-ins. Noted the cost of the plug-ins themselves are expensive.

- *Motion to Make Electric Modifications to Carbon Room*

Council Member Shields moved to make the electric modifications to the carbon room in the water plant for a cost of \$1642.49 by Tinsley Electric. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:19 p.m.

STANDING COMMITTEE REPORTS:

Park

Resignation of Park Board Member, Bobbi Barber: Mayor Weitman requested to table this request till the next regularly scheduled meeting.

Public Safety

Mayor Weitman reported the committee was putting together an Emergency Disaster Committee, which consists of Mike VanVlack and Connie McGinnis. With the approval of the City Council Mayor Weitman requested to appoint the following as additional committee members: Randy & Diane Tinsley, Dianne Dotts, Darlene VanVlack, and Wini Munson.

- *Motion to Approve request to Establish Committee with Listed Individuals*

Council Member Barber moved to approve the request to establish an Emergency Disaster Committee with the listed individuals. Council Member McGinnis asked about adding Debbie May to the committee. Council Member Barber amended his motion to add Debbie May to the committee. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:23 p.m.

Council Member VanVlack reported the committee would meet the first Wednesday of every month at 6:00 p.m. at City Hall just prior to the City Council Meetings.

SPECIAL COMMITTEE REPORTS:

Fiesta

Council Member McGinnis reported there are raffle tickets for a 3day – 3-night trip to Branson for two, and other items that can be purchased for \$1.00 each or 6 for \$5.00. The committee is meeting on Tuesday nights at 7 p.m. at City Hall. They have lots of booths signed up.

SPECIAL COMMITTEE REPORTS: (Continued):

City Wide Clean Up Day, September 14, 2002

Council Member Shields reported she had moved the breakfast to the Community Building at 7:30 a.m. Then later lunch.

UNFINISHED BUSINESS:

KDOT Application Letter for “Local Partnership Grade Separation Program”

Report was not available from Rob Gavin with Kirkham Michael Engineers. Discussed letter of interest to be sent by September 15, 2002. Mayor Weitman asked that a letter be sent to KDOT. City Attorney Sutherland will forward letter to KDOT next Monday.

REGULAR MEETING

Year =2002

City Wide Garage Sale, September 7, 2002

Mayor Weitman noted the fall City Wide Garage Sale sponsored by the Chamber of Commerce was scheduled for this Saturday, September 7, 2002.

NEW BUSINESS:

“Water Quality Workshop” September 17-19, 2002, Ottawa, KS

Discussed who was available to attend the meeting portion of the workshop. Council Members Hisel and Shields attended the previous meeting.

- *Motion for Council Member Shields to Attend Workshop Meeting on September 19, 2002*

Council Member McGinnis moved to send Council Member Shields to the meeting portion of the workshop on September 19, 2002 with the usual per diem costs. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:37 p.m.

Services Offered by Prairie View High School *Applied Business Technology*

City Clerk Herrin reported the initial information sent from the school indicates this class would be available to do some research for some possible grants for such things as a Dog Pound, Parks and Recreation Projects, etc. Asked if the city would be interested in looking at this avenue for this research as time for these items are currently limited. Discussed the possibilities.

Mayor Weitman asked City Clerk Herrin to contact the appropriate individuals for further information and report back at the next meeting.

KPERS Designated Agent Workshop One Day Session, October, 2002

Discussed the various locations and dates available for City Clerk Herrin to attend the annual workshop for KPERS. Determined Ottawa or Pittsburg would be the best locations for the month of October.

- *Motion to Approve Attendance to KPERS Workshop*

Council Member Barber moved to approve the attendance of City Clerk to KPERS Workshop on either October 10th at Ottawa, or October 8th at Pittsburg with per diem. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:48 p.m.

Executive Session

- *Motion to Go Into Executive Session*

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

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

Open Session Resumed at 8:15 p.m.

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OTHER BUSINESS:

LKM 2002 Conference for City Attorney's Meeting

City Attorney Sutherland requested attendance to the LKM 2002 Conference for the City Attorney's Portion of the meetings.

REGULAR MEETING

Year =2002

- *Motion to Send City Attorney to LKM Conference for the Attorney Portion*

Council Member Barber moved to send City Attorney Sutherland to the LKM Conference for the City Attorney's Portion on Tuesday, October 15, 2002, with registration fee of \$55.00 and per diem fees. Council discussed also sending him as the city's delegate. **Council Member Barber amended motion to add appointing City Attorney Sutherland as the City's delegate. Seconded by Council Member McGinnis, voted on, passed 5-0.** Time: 8:16 p.m.

Salary Adjustment for Public Works Employee James Hazelet

- *Motion to Increase James Hazelet Hourly Wages \$.40 per Hour*

Council Member VanVlack moved to increase \$.40 hourly pay for James Hazelet. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:20 p.m.

City Clerk Herrin asked what effective date this change was to occur.

- *Motion to Make Salary Increase Effective September 8, 2002*

Council Member VanVlack moved to make the salary increase for James Hazelet effective September 8, 2002. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:21 p.m.

CITY CLERK'S REPORT:

City Clerk Herrin noted a bulletin had been received for a *Code Workshop for Fire and Building Officials*. The workshop is November 6, 2002. Concurred to add this to the next regularly scheduled meeting.

City Clerk noted article in the *KRWA Clarifier*, August 2002, regarding "Vulnerability Assessment" for water plants and the possibility of funding from the government. Council asked for further information and to report back.

City Clerk's written report included:

A] None

NOTES AND COMMUNICATIONS TO COUNCIL:

Council Discussed items, taking no action.

- a] Memo from Dennis and Kelly Van Tuyl
- b] KRWA, *Water/Wastewater Text Methods*, Tuesday, September 10, 2002, Topeka, KS
- c] *Kansas Scenic Byways Conference Schedule & Agenda* September 11-12, Ft. Scott, KS
- d] "Organizational Meeting for Mayors of Southeast Kansas" September 21, 2002, Burlington, KS
- e] *KRWA Clarifier*, August 2002
- f] LKM 'Regional Suppers' October 30, 2002, Burlington, Kansas
- g] *Kansas Government Journal*, Volume 88 – Number 7, July 2002

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member Shields moved to adjourn. Motion seconded by Council Member McGinnis, voted on, passed 5-0.**

The meeting was adjourned at 8:30 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 4th day of September 2002.

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The La Cygne City Council held a Special Meeting at 7:25 p.m., Wednesday, August 28, 2002, at La Cygne City Hall.

Council Members present were: Esther Shields, Steve Hisel, Connie McGinnis, and Mike VanVlack, and, Sam Barber.

Others present included: City Clerk Devona Herrin, Julie Funk, City Attorney Sutherland, Police Chief Chuck Farrell, Public Works Superintendent George Craig, Roger Sims, Max Thayer, Rex Heape with KDHE, Lara Moritz with TV 9, Curt Rierson with TV 9, Gregg Bourdon with TV 9, and Tess Koppelman with Fox 4.

SPECIAL MEETING

Mayor Weitman called the Special Meeting to order at 7:25 p.m.

The purpose of the Special Meeting was for:

1. Water Plant Operation

Mayor Weitman announced the purpose of the Special Meeting was for the purpose of discussing the Water Plant Operation because of a phone call received stating the water had been compromised.

Mayor Weitman reported the county had received a phone call around noon today reporting Rural Water District #1 and Rural Water District #3 water had been compromised. The city was notified by Rural Water District #1, and then contacted KDHE, Rex Heape, to see what steps to follow. Mayor Weitman then asked Rex Heape to report.

Rex Heape reported they had collected water samples that were on their way now to Topeka. Some tests should be completed by tomorrow morning and others by noon tomorrow. There are some differences of opinion on operating the water plant. If the distribution system has contamination then flushing the water hydrants and continuing to keep the water level high at the water plant will flush any of it out. There is no sign of sabotage at the plant or the water towers in town. There is good water at the plant and that is getting good water into the system. Recommended keeping the water level up in the storage tank, continue to keep the plant running, and flush keeping the water level up.

Council Member Barber asked if Rural Water #1 and Rural Water #3 had been contacted.

Rex Heape reported both districts are aware of what is going on.

Council Member Shields asked what would happen to the rural water districts.

Rex Heape noted he guessed they could leave their distribution lines turned off. They will have the possibility of contamination from backwash into their lines. When they turn the water back on they will have to fill back up and continue to have their water checked for bacteria from the backwash. Their water will be a couple of days or more before it will be safe and it will continued to be checked during that time and they will have boil orders.

Rex Heape reported the city boil till the tests are returned to be on the safe side.

Council Member Hisel asked what Rex recommended for current action.

Rex Heape responded to flush now to get the good water in the distribution system and continue to flush all night and get ready for the big demand on the water when it is turned back on for the rural water districts.

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Mayor Weitman asked if there were any other questions from the floor. No questions from the floor.

- *Motion to Continue Water Plant Operations and Flush the Lines*

Council Member VanVlack moved to recommend a motion to continue with the water plant operations and flush the distribution lines. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:28 p.m.

Mayor Weitman asked if KDHE would be reporting back tomorrow.

Rex Heape reported they would be in constant communication with the city and let us know tomorrow as soon as he had some information.

Council Member Hisel asked if the city would have any back siphoning from the Rural Water Districts.

Rex Heape noted the city had check valves on both rural meters that would protect the city. Also, keeping the city system pressured will keep the system ok.

No further questions or comments.

Adjourn

With no further business, **Mayor Weitman closed the meeting at 7:32 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 28th day of August 2002.

The La Cygne City Council held a Public Hearing at 7:02 p.m., Monday, August 26, 2002, at La Cygne City Hall. The purpose of the Public Hearing was regarding consideration of condemnation of the property located at 407 S. 2nd, La Cygne, Kansas.

Council Members present were: Esther Shields, Sam Barber, Steve Hisel; Connie McGinnis; and Mike VanVlack.

Others present included: City Clerk Devona Herrin, City Chief of Police and Codes Officer Glenn Farrell, Jr.; City Attorney John Sutherland; and, Roger Sims.

Mayor Weitman called the Public Hearing to order at 7:02 p.m.

Mayor Weitman announced the purpose of the Public Hearing was for discussion of the consideration of the condemnation of property owned by Jessie and Martha James, at 407 S. 2nd, La Cygne, Kansas.

Mayor Weitman opened the meeting to the public for comment or discussion. No comments were made.

REGULAR MEETING

Year =2002

Codes Officer Glenn Farrell recommended the building be torn down, the yard cleaned up, and the untagged vehicles removed from the property. Discussed this recommendation for the following reasons: unsafe, dangerous, unfit for human use, beyond rehabilitation, no known utilities in use, untagged and unlicensed vehicles on the property, codes violations too numerous to mention, vegetation against codes standards are on all lots owned by this landowner.

c *Motion to Condemn Property and Forward Notice to Property Owner*

Council Member VanVlack moved to condemn the James Property at 2nd & Elm finding the structure unsafe or unfit for human habitation and notice to be sent to the owner to demolish or remove from the property within ten days. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:14 p.m.

Codes Officer Farrell asked what action the city wanted to take if the owners did not address the property within the requested ten days. City Attorney Sutherland noted he could report back to the city council during a regular city council meeting; also, if deemed hazardous the Public Officer may cause the building to be demolished.

Adjourn

With no further questions, **Council Member VanVlack moved to adjourn the Public Hearing. Seconded by Council Member McGinnis, voted on, passed 5-0.**

Meeting was closed at 7:16 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 26th day of August 2002.

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REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday August 21, 2002. Council Members present were: Mike VanVlack; Sam Barber; Esther Shields; and Steve Hisel. Absent: Connie McGinnis.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Julie Funk; Kelly and Dennis VanTuyl; Rob Gavin; and Roger Sims.

Mayor Terry Weitman called the meeting to order at 7:05 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: August 8 – August 21, 2002;
Minutes of August 7, 2002 City Council Meeting;
Minutes of August 14, 2002 Special City Council Meeting
July 2002 Financial Statement

Motion seconded by Council Member Barber, voted on, passed 4-0. Time: 7:06 p.m.

UTILITY IMPROVEMENTS REPORTS**h. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT**

- iv. Rob Gavin presented maps of the sewer lines and the areas currently identified as needing repairs. This included a total lining footage of 6105.5 linear feet and 17-point repairs. The map presented was a preliminary map of which there was one area of line 35 – 48 noting repairs that are not required and then there were a couple of manholes left off that have since been found. Current repairs indicate a cost of right at \$200,000. As of this date have not identified any sag's in the lines to be bad enough to have to dig up.
- v. Rob Gavin went on to report that the other issue pending for the city was that if McCorkendale Construction was to do any more work the city would have to get them moving, as they are almost complete with their part of the projects. They would be the contractor involved in the Mason's building sewer service. The city has the option of extending the line to Robertson's Road and then go north with a main line; or to go to the west side of McGee's property where a dog house would have to be added and then go north with a main line; or just add a service line with the Mason's obtaining the necessary easement from McGee's. Discussed it was currently unknown where to expect future growth and how laying a main line could effect future growth. Discussed the need for the dollars to be spent the best way for all of the community. Noted the cost of the Mason's service line would be \$5,845.00 as well as require the Mason's to get the easement.

- *Motion to Approve Service Line for Mason's Building*

Council Member Hisel moved to approve the service line for the Mason's building for up to \$5,845 with McCorkendale Construction and the Mason's obtaining the easement. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:23 p.m.

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i. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT

- i. Rob Gavin returned to the Sewer Lining and Point Repair topic for approval to work on the additional areas identified. Discussed that not all of the videos were completed and reviewed to date. However, Rob felt that the lining already identified were in the oldest part of town and should be the worst. Went on to identify 5-point repairs that were in the same areas as the lining repairs which would make them require repair at the same time. Reported the other identified point repairs could be handled by the city at a later date with the city putting it out to bid for others as the point repair costs for this job were a little high overall. Or, the city employees could do the work if the city had the necessary equipment. Rob Gavin recommended the city move forward now with the additional 6105.5 linear feet of sewer lining and include the 5 point repairs in this same area.

- *Motion to Approve Service Line Repair With Five Points for up to \$152,359.50*

Council Member Barber moved to approve the identified sewer-lining repair with the five points to be included for a cost of up to \$152,359.50. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:34 p.m.

j. WATER IMPROVEMENT PROJECT

Rob Gavin reported he was ready and coordinating time frames with George.

k. GAS IMPROVEMENT PROJECT – CDBG GRANT

Rob Gavin reported all section corners and alignment are done. Now obtaining piping design.

d. 6TH STREET IMPROVEMENT

Rob Gavin reported the surveyors were at the road site today. He is meeting with them at 9 a.m. tomorrow and the road will probably be closed then. They have identified two problems that were not on the original specs, the flashing school lights and the electric pole. However, noted they should be able to work around them.

DISCUSSION FROM THE FLOOR**Dennis & Kelly VanTuyl Regarding Buildings in the Alley Behind Them**

Kelly VanTuyl asked City Attorney Sutherland if he had sent the letter to Mrs. Williams yet. City Attorney Sutherland replied yes, but had not received a response yet from Mrs. Williams. Dennis VanTuyl asked City Attorney Sutherland if he had sent the letter that the trailer be moved if she would sell her property? City Attorney Sutherland noted he had asked Mrs. Williams to call him or to have her attorney call him. Kelly VanTuyl reported Mrs. Williams's attorney was Steve Jensen. City Attorney Sutherland noted that at this time any agreements added to a deed would require the landowner to agree. Dennis VanTuyl asked if the city was giving the alley to Mrs. Williams. City Council noted there were no such plans. Kelly VanTuyl reported Mrs. Williams was claiming 18 feet of their property as hers and it is their understanding you cannot jump the alleyway to do this. Kelly VanTuyl noted that they discovered the two buildings were partly on their property when they had their own property surveyed, until then the exact property line was not known; now Mrs. Williams has an attorney and has threatened to sue them. Dennis VanTuyl asked City Clerk Herrin if she had reviewed the 1985 – 1991 records for who the newspapers were when and who the city clerk was. City Clerk Herrin responded negatively as it had been previously understood Mr. VanTuyl would be in during the week to review and specify what years he was looking for; that the minutes for those years were available for review during regular city hours. Mr. VanTuyl agreed he had planned to come in and was still unsure of exactly what years he was looking for. Council also noted the information he was looking for should be in the newspapers information and that was on file at the library. Invited Mr. VanTuyl to come review the records when he was ready.

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REPORTS OF CITY OFFICERS:**Police Chief & Codes Officer – Chuck Farrell Jr.**

Provided written police report for August 1 – 20, 2002. Passed out children's tattoo's the department had to give to school age children. Reported on the review of *Put the Brakes on Fatalities? Awareness Day, October 10, 2002*. The state is wanting to do something all day long and suggest the city pass this up this year as the city does participate in the "Night out Against Crime" and maybe later can find a way to just do an evening function or just a part of the day for this other topic too.

Public Works Superintendent George Craig

Superintendent Craig requested the city add one step and a rail for aide at the watersalesman for a cost of up to \$200. Dave Slaughter had volunteered to public works to do this at no cost to help his dad reach the quarter slot when he purchases water. Felt the city should do this and the cost including materials would not be over \$200.

- Motion to Spend Up to \$200 to Add Step & Railing and have David Slaughter Do the Work

Council Member VanVlack moved to spend up to \$200 to add a step and railing to the watersalesman and to have David Slaughter do the work. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:45 p.m.

STANDING COMMITTEE REPORTS:

Cemetery

Council Member Shields reported she had been asked by Edith Wade to look at the brick pillars at the cemetery. Council Member VanVlack noted they had both looked at the brickwork. The west ones appeared to be in ok shape; however, the east ones were chipping and cracking. George Craig knows of someone who may do the repairs for community service and will look in the repairs by this method first.

SPECIAL COMMITTEE REPORTS:

Fiesta: Meeting weekly. Rob Gavin will be singing during a portion of the Fiesta.

UNFINISHED BUSINESS:

Ordinance #1286, Natural Gas for Gas Customers and Over Three Mile Residents

Discussed spelling error for the word ‘maters’ under 14-307 DEPOSIT. It should be ‘matters’.

- *Motion to Approve Ordinance #1286 With Spelling Change*

Council Member VanVlack moved to approve Ordinance #1286 with the corrected spelling change. Seconded by Council Member Hisel/Shields, voted on, passed 4-0. Time: 7:50 p.m.

NEW BUSINESS:

Planning Commission Zoning Changes Recommendations

Noted this recommended change by the Planning Commission was to align the Codes Book and the Planning Commission Book regarding the Planning Commission Book Article VII, Section 5, Application for a Preliminary Plan; Article XX, Section 6, Board of Zoning Appeals Filing Fee; and, Article XXII, Section 10, Special Uses Filing Fees and Other Costs.

- *Motion to Approve Recommended Changes*

Council Member Shields moved to accept the Planning Commission changes as presented. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:52 p.m.

KDOT Application Letter for “Local Partnership Grade Separation Program”

REGULAR MEETING

Year =2002

Discussed where there was a railroad crossing that would work for this program in the city limits. Possibly down off industrial and go under the tracks. Rob Gavin volunteered to get more information from KDOT and report at the next meeting. Mayor Weitman accepted and asked Rob to report back at the next meeting.

KMU Public Relations & Accounting Workshop Salina, Kansas, September 12-13

Discussed who should attend, if anyone. Noted items to be covered could also be available at other meetings. No action taken.

EXECUTIVE SESSION:

None.

OTHER BUSINESS

None.

CITY CLERK'S REPORT:

City Clerk Herrin reported Mike St.John, General Manager with Heartland Propane, had contacted her this afternoon. His company is looking for a location in Linn County to place a storage tank of propane that would require one acre of land, and then in the future to also place an office. He had already contacted Dennis Arnold and been told it would not be possible in the county that he would have to check within a city of the county. This would only require one employee in the area for now, and then project 3-5 employees in the future. Discussed the possibility of a place in the Industrial Park. It would require a review of what was approved to be placed in the Industrial Park by the City Attorney if the city was interested as well as placing Heartland's plans before the Planning Commission. Mayor and Council asked City Attorney to review and have the information to the Planning Commission for that meeting next week. City Clerk is to inform the Planning Commission of a Special Meeting to be added to the workshop for August 28, 2002.

City Clerk's Written Report Included:

A] Public Hearing August 26, 2002 at City Hall to Consider Condemnation of 407 S. 2nd

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OTHER BUSINESS (Continued)

City Wide Clean Up

Council Member VanVlack asked when the council wanted to choose a date for city wide clean up. In the past it has been done the first Saturday in October. Some helpers will not be available that date. George Craig suggested changing this year to the Saturday before the Fiesta in an attempt to have the city improved for the Fiesta activities. Discussed.

- *Motion for City Wide Clean-Up on September 14, 2002*

Council Member VanVlack moved to have the City Wide Clean-Up on September 14, 2002. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:10 p.m.

Council Member Shields noted she would have breakfast at her house. Also discussed obtaining the extra trash containers for that day.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *Class II Water Exam Certification* for James Hazelet
- b] *Operation of Small Surface Water Treatment Plants* Training Session by KRWA, August 28, 2002, Madison, Kansas
- c] *League News* Volume 7, Number 18, August 12, 2002
- d] LKM Nominating Committee Letter

ADJOURNMENT:

With no further business, **Council Member VanVlack moved to adjourn the meeting. Seconded by Council Member Hisel, voted on, passed 4-0.**

Meeting adjourned at 8:13 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 21st day of August 2002.

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The La Cygne City Council held a Special Meeting at 7:00 p.m., Wednesday, August 14, 2002, at La Cygne City Hall.

Council Members present were: Esther Shields, Steve Hisel, Connie McGinnis, and Mike VanVlack. Absent: Sam Barber.

Others present included: City Clerk Devona Herrin, Julie Funk, City Attorney Sutherland, Police Chief Chuck Farrell, Public Works Superintendent George Craig, C.A. Curtis, Tom Adams, Steve Morris, Clayton Stoker, Dave Malone, Roger Sims, and Amit Shrivastava.

SPECIAL MEETING

Mayor Weitman called the Special Meeting to order at 7:03 p.m.

The purpose of the Special Meeting was for:

- 2. Paperwork of G.O. Bonds with Dave Malone of Cooper Malone McClain, Inc
- 3. Sewer Line for New Masons Building
- 4. North Water Tower Circulation System
- 5. Mid-Street Culvert Repair on 5th St. Between Market & Walnut, Excavate Road
- 6. Street Maintenance
- 7. Sewer Manhole Repairs Report from Videos
- 8. Hunter's Safety Course, Classes Aug. 21-23, 2002, in Community Building

Mayor Weitman announced the purpose of the Special Meeting by listing the seven items given above in these minutes. These are the only items to be discussed at this meeting.

1. Paperwork of G.O. Bonds with Dave Malone

Dave Malone presented a Bid Tabulation for the Public Water Bond Sale. Explained received three bids that were all very competitive. The bids consisted of:

- a. Gold Capital, Overland Park, Kansas for an average Net Interest Rate of 4.68346%
- b. Commerce Bank, Kansas City, Missouri for an average Net Interest Rate of 4.777198%
- c. Fahnestock & Co. Inc, Kansas City, Missouri for an average Net Interest Rate of 4.581067%.

All of the bids received met the requirements that included a Good Faith Deposit of 2% of the listed amount or provided a Sure Bid. All three bidders provided a Sure Bid. The accepted bidder will wire the funds tomorrow morning to the City's account. As the City's

Financial Advisor, Dave Malone, recommended the city accept the lowest bid from Fahnestock & Co.

- *Motion to Accept Fahnestock & Co as Lowest Bidder*

Council Member Hisel moved to accept the lowest bid. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:05 p.m.

Dave Malone presented the Bond Ordinance required to authorize the bond issuance combined with a Resolution. Since there has been no time to review these prior to this meeting Mr. Malone recommended they be passed subject to review by the City Attorney and City Financial Advisor. There is a short ordinance that talks about the basics of the bond issuance and goes along with the longer resolution, which is not published. This meets all the required guidelines and helps keep the cost of publication down.

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1. Paperwork of G.O. Bonds with Dave Malone (Continued)

- *Motion to Pass Bond Ordinance #1285 Contingent on Review*

Council Member Shields moved to pass the bonds Ordinance #1285 contingent upon review by the City Attorney and City Financial Advisor. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:08 p.m.

- *Motion to Pass Resolution #273 Contingent on Review*

Council Member McGinnis moved to pass Bond Resolution #273 contingent upon review by the City Attorney and City Financial Advisor. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:09 p.m.

Dave Malone explained the resolution blanks for the correct bond information would be filled in when reviewed. Also, the last four years of the approved bidder have a term bond option and the resolution wording will indicate this information. To insure the information is in order, the City's Financial Advisor as well as the State Attorney General will review it.

2. Sewer Line for New Masons Building

Mayor Weitman asked who was the current presiding officer for the Masons. Clayton Stoker noted Bill Obermeier was, however, he was unable to attend tonight so Mr. Stoker was representing the Masons in Mr. Obermeier's place. Amit, with Kirkham Michael Engineers, presented two cost estimates for the city to review if the city wanted to make changes in this area where the Masons are planning to build. One cost estimate would lay a main line 120 feet further east of where the line currently stops between Family Café and McGee's Insurance Agency properties. This takes the line out to the west edge of Roberson's Road and then a 10" main going north for 800 feet for an estimated cost of \$31,154.00. The other cost estimate would be for a 4" Service Line to the Mason's property for a cost of \$5,845.00. This method would require the Mason's to obtain an easement from McGee's Insurance. Council discussed both options. Also discussed if a main line could be run north along the west property boundary of McGee's Insurance and how many easements would be required and if that would have the line available to service a greater area or cause problems for subdividing at a later date. Clayton Stoker asked if the city was planning on laying a line for the Masons one-way or the other. Mayor Weitman responded that right now it looks like it. Concurred McGee's Insurance would provide an easement for the Mason's for an individual service line. Mayor Weitman asked the Sewer Committee to review the options to see which would be in the

city's best interest for the future with the dollars available and report back at next week's meeting.

3. North Water Tower Circulation System

Public Works Superintendent George Craig presented the bid from C.A. Curtis for \$20,150.00 for the whole north water tower circulation system except for the electric line required to be run by KCP&L. Another estimate was received from Haynes for a considerably higher price. The estimated cost for KCP&L to run the electricity is \$4,358.00. The plant improvements will require the plant to be shut down for longer periods of time and the north tower will be put into service. Currently there is concern about the water in the north tower holding the chlorine count. George Craig noted they would like to set up the scheduled cleaning of the north tower to be done and then add the circulator with the chlorinator to make sure to keep the water safe when it is needed for the updates in the water plant and then continue to be safe for future use. This circulator was in the original plans when the tower was built. C.A. Curtis noted that chlorine dissipates over time and when this system is put in place it will keep the chlorine at the levels required.

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3. North Water Tower Circulation System (Continued)

- *Motion to Approve Bid to C.A. Curtis and Electrical Cost for KCP&L*

Council Member VanVlack moved to award the bid for the circulation system to C.A. Curtis for a cost of \$20,150 and to pay up to \$4,358 to KCP&L for the electrical required. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:43 p.m.

4. Mid-Street Culvert Repair on 5th St. Between Market & Walnut, Excavate Road

Public Works Superintendent George Craig presented information on the drainage area in the middle of 5th Street between Market and Walnut. Several utilities are in this area. The existing culvert is 10 inches on one line and 15 inches on the other end, however has not been draining adequately for some time. To improve the drainage will require the street to be cut and the culvert replaced. Discussed the type of culvert to use, steel vs. plastic. Discussed compaction when completing the project to maintain the street after it is cut. Determined the cost should not be over \$500 for the materials of the culvert, rock, and asphalt.

- *Motion to Replace Culvert for a Cost of Up To \$500 in Materials*

Council Member Hisel moved to replace the culvert on 5th Street between Market and Walnut for a cost of up to \$500 in materials. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:50 p.m.

5. Street Maintenance

Public Works Superintendent George Craig reported that to chip and seal streets wanted to know which streets could be done and not involve those streets being addressed in the sewer line repairs. Amit, with Kirkham Michael Engineers, presented a map of the area of town that had been identified thus far for requiring repairs that will have the contractors working in the streets. Discussed there is so much street area being covered by the sewer repairs efforts to chip and seal would not be utilized. Discussed just working on a couple of streets that need some attention and where the sewer lines are not an issue.

6. Sewer Manhole Repairs Report from Videos

Amit, with Kirkham Michael Engineers, discussed locations of point repairs and manhole repairs from the videos already viewed. Amit presented a copy of a letter dated August 14, 2002 of the video inspection of 21,700 L.G. of sewer line in the City listing 5222 L.F. of sewer line needing repair at \$29.00/L.F. amounting to a total cost of \$147,833 and 17 instances of point repair at \$5500/L.F. amounting to a total cost of \$93,500. This creates a combined total cost of \$241,333.00. These are preliminary reports and there is another 28,000 L.F. of video yet to be sent to the engineer. Council asked how the repairs would be addressed. Amit responded they would take all of the videos and then address the worst areas throughout the whole town. Tom Adams and Steve Morris viewed the repairs to possibly be added. Steve Morris also noted manhole #117 did not require being replaced as was noted on the bid, the condition was the same as other manholes in the area. Unknown at this time when the rest of the videos will be available.

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7. Hunter's Safety Course, Classes Aug. 21-23, 2002 in Community Building

Council Member VanVlack reported the individual presenting the Hunter's Safety Course was asking to waive the community building fee to hold down costs for a nonprofit program.

- *Motion to Waive Fee for Hunter's Safety Course*

Council Member VanVlack moved to waive the community building fee for the Hunter's Safety Course classes August 21-23, 2002. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 8:15 p.m.

Council noted the presenter did understand the building would need to be left as clean as they found it.

Adjourn

With no further business, **Council Member McGinnis moved to adjourn the meeting. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:16 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 14th day of August 2002.

REGULAR MEETING

Year =2002

The LaCygne City Council met in regular session with the 2003 Budget Hearing included on Wednesday, August 7, 2002. Council Members present were: Steve Hisel; Sam Barber; Connie McGinnis; and Mike VanVlack. Absent: Esther Shields.

Others present included: City Clerk Devona Herrin; Rob Gavin; City Attorney John Sutherland; Julie Funk; Roger Sims; C.A. Curtis; Max Thayer; Eddie Andersen; Clayton Stoker; Bill Obermeier; Kelly VanTuyl; and, Dennis VanTuyl.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member McGinnis moved to approve the consent agenda that consisted of:

Check Register: July 18 – August 7, 2002;
Minutes of July 17, 2002 Regular City Council Meeting;
Minutes of July 31, 2002, Special City Council Meeting;

Motion seconded by Council Member Barber, voted on, passed 4-0. Time: 7:02 p.m.

UTILITY IMPROVEMENTS REPORT

a. CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

iii. Approval of CDBG & EDA Drawdowns:

City Clerk Herrin presented the drawdown forms for both CDBG & EDA. The CDBG amount was \$76,284.00; and, the EDA amount was \$238,836.50.

- *Motion to Authorize Drawdown Requests*

Council Member Barber moved to authorize signing the drawdown requests for CDBG in the amount of \$76,284.00 and EDA in the amount of \$238,836.50. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:03 p.m.

iv. Manhole Repairs Report from Videos:

City Clerk Herrin presented written report from Kirkham Michael Engineers indicating the initial review by the firm indicates additional repairs are needed with the sewer lines for a estimated cost of \$151,438.00 and 17 instances of point repair for an estimated increase of \$93,500.00 for a total increase to date of \$244,938.00. There is still 28,000 L.F. of sewer line videotape to be reviewed. Discussed the increase in possible additional costs in this area. Council requested the City Clerk add this topic to next week's special meeting agenda and have the Engineers bring the videotapes to the meeting for discussion.

v. Extend East Interceptor 2900 Feet:

Tabled. Require more details from the engineers regarding total additional costs in other areas before pursuing this project.

WATER IMPROVEMENT PROJECT

City Clerk Herrin noted a Special Meeting is scheduled for August 14, 2002 at 7:00 p.m. for the G.O. Bonds. The original handling of the bonds had been scheduled for tonight's meeting. However, due to some legal wording in the original notice it had to be republished and delayed till next Wednesday.

GAS IMPROVEMENT GRANT

City Clerk reported the Revenue Bonds were being put in place with the bond money scheduled to be deposited with the city on August 8, 2002. Also, in the absence of Engineer Rob Gavin, City Clerk reported on his behalf the easements were in process, estimating they would be completed in the next four weeks. Targeting to have bids out by October 2002.

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6TH STREET IMPROVEMENT PROJECT

Noted: Works is still scheduled to begin on August 19, 2002, with a time frame of approximately thirty days.

DISCUSSION FROM THE FLOOR:**RWD #1, Eddie Andersen: Bill for Leak at Master Meter Connecting RWD #1 to the City**

Mr. Andersen gave a report that the Rural Water District had been notified on June 24th and again on July 10th that they had a water leak on their side of the line where the Rural Water District line intersects with the City line with the master water meter. Both times they had checked and reported back that the leak was not on their side. Last weekend Council Member Barber asked Mr. Andersen when it would be fixed. Mr. Andersen then requested their employee address the leak and repair it. The Rural Water District hired David Slaughter to dig the line and after three hours of digging found the leak not on their side but on the City side with the water running underground until it came over to the RWD side and coming above ground. Mr. Andersen reported this took six hours time from their man and then the backhoe time for a total of \$462.00 that he felt the city owed the Rural Water District. He was here requesting the city pay the Rural Water District the \$462.00.

- *Motion to RWD #1 for Backhoe and Labor*

Council Member VanVlack moved to pay Rural Water District #1 for the backhoe and labor of the repair. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:13 p.m.

Clayton Stoker and Bill Obermeier: Sewer Line for New Masons Building

Clayton Stoker asked if there was an official answer an a sewer extension for the Mason's Building that is to be built north of McGee's Insurance Agency building. Mayor Weitman noted he had spoke with Loree Mendenhall about this some time ago and it was his understanding at that time that the building had to be constructed at the time the plans were being made to put in this new sewer main. Mr. Stoker noted the Masons' had thought as long as they had the land purchased they would not have to pay any fee for the sewer line that it would be a part of this project the city is now working on. Mr. Stoker asked if Mr. McGee had to pay for the sewer line as they had heard was going to happen? The response was no, Mr. McGee's system was included with the sewer project. Mr. Stoker asked if the Masons' building could just attach their line to Mr. McGee's line when they built? The response was no, only one building to a line was part of the city ordinance. Mr. Stoker asked why the Masons' building was not a part of the line being built now? Council responded the engineer was not there to answer if they had to have the building built before it could be included in this project. Mr. Stoker reported the Masons' boundary line is greater than three hundred feet from the main line being installed.

Mayor Weitman asked to have this topic added to next week's special meeting and they would have the engineer review the requirements to have an answer for them.

Mr. Stoker then asked where the water line for the building was going to come from. The Council responded the City would address this when the time comes.

Mayor Weitman communicated that for an organization such as the Masons' the city will try to help in any legal way they can.

7:30 P.M.: 2003 BUDGET PUBLIC HEARING

The purpose of the hearing was to receive public comment concerning the proposed year 2003 budget.

Mayor Weitman began the Public Hearing by asking for comments or questions from citizens in attendance.

No one present had any questions or comments concerning the budget.

- *Motion to Adopt 2003 Budget*

Council Member VanVlack moved to accept the year 2003 Budget as published. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 7:33 p.m.

Mayor Weitman resumed the regularly scheduled meeting portion.

DISCUSSION FROM THE FLOOR: (Continued)

Kelly and Dennis VanTuyl: Regarding Buildings in Alley Behind Them

Kelly VanTuyl asked City Attorney Sutherland if he had done any paperwork yet. Mr. Sutherland reported he would not have an answer until the next scheduled meeting. Ms. VanTuyl asked if Codes Officer Farrell had taken any action. Codes Officer Farrell reported he had spoke with Mrs. Williams and been told by her that she is not moving any of her buildings until her attorney tells her to.

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DISCUSSION FROM THE FLOOR: (Continued)

Dennis VanTuyl asked who was the official newspaper in the late 80's and who was the City Clerk at that time. Response was unknown for sure without checking. City Clerk Herrin commented there are minutes of the meetings available during that time that would provide that information. Mr. VanTuyl indicated he would check back with the City Clerk next week for the information as he was unsure at this time exactly which year he was interested in.

REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Reported on police activities for the month of July 2002. Reported he had sent notices on some inoperable vehicles and unattended properties using the new digital camera to send pictures to the offenders of the items to be addressed. Responses to the attached photos were making the issues easier to address with the individuals.

Public Works Superintendent George Craig

In the absence of Public Works Superintendent Craig, the City Clerk presented a written report with estimate from C.A. Curtis for the North Tower Circulation System. This estimate was delivered to City Hall just before the Council Meeting began and Mr. Craig had not had a chance to review. Also, KCP&L had not yet reported back on what their costs would be to run the line to the tower. Council discussed the need to review the information with Mr. Craig and needing the electric information too. C.A. Curtis commented he was available to answer any questions the council or city employees may have either now or at a later date, to just let him know if he needed to be present at any future meetings. Mayor Weitman asked to add this item to the August 14, 2002 Special Meeting Agenda.

Fire Chief – Ernie Moylan

Council Member VanVlack reported the fire truck did not have a clutch problem, but was an inexpensive slave cylinder that Fire Chief Ernie Moylan was repairing. Council Member VanVlack commented the Fire Department had sent \$100 to the Walter Grigsby Family Memorial in memory of Mr. Grigsby's wife.

STANDING COMMITTEE REPORTS:

Water & Gas Committee and Street Committee

i. KDHE Kansas Source Water Assessment Program Workshop

Discussed who should attend the Workshop in Ottawa on August 9, 2002 for training to complete the forms. Council Member Shields will cover the office if the City Clerk attends.

- *Motion for City Clerk to Attend KSWA Workshop*

Council Member VanVlack moved to send the City Clerk to the KSWA Workshop in Ottawa, Kansas on August 9, 2002. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:50 p.m.

Street

Council Member Barber discussed the options the Street Committee had been considering for this years street improvements. They included: 1. Whether to do two major street repairs or to continue with the chip & seal street program; 2. To check with the county on help with a base on Lincoln from the east city limits to 7th Street; 3. Whether to purchase a Wacky Packer for patching pot-holes, or just rent one for a month and see how the city employees feel about using one due to their weight and awkwardness.

Sewer

i. Ordinance Update for Natural Gas over Three Mile Residents

City Clerk Herrin reported the ordinance was not ready to be presented. Would work with the City Attorney for the wording to stay complaint with the KCC for these customers. Will prepare for the next regularly scheduled meeting.

Park

i. Distribution of Park Money

Council Member Hisel noted that City Council had previously divided the \$1200 distribution equally between the Ball Congress and the Soccer Association. Council Member Hisel moved to split differently as the Ball Association has more overhead due to now mowing the ball field behind the grade school and the costs of lights; recommended giving \$800 to the Ball Association and \$400 to the Soccer Association. Council Member VanVlack reported the Township may be picking up the cost of the mowing behind the grade school and that expense would not be passed on to the Ball Association. Council Member Barber recommended giving half and half again this year. Council Member Hisel reported there are 151 youth through the Ball Association and it is unknown how many with the Soccer Association through the two seasons each year. Concurred wanted to do what is best for the youth of the community. Discussed requesting the financial information from both associations prior to next year as well as the number of youth involved.

- *Motion to Disburse the \$1200 Park Money Half and Half*

Council Member McGinnis moved to split the \$1200 Park Money half and half and ask for financial information prior to next year. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:08 p.m.

Community Building

City Clerk reported the front air conditioner was breaking fuses again. Cause unknown at the time of the meeting.

SPECIAL COMMITTEE REPORTS:

Fiesta

The next meeting is Monday, August 12, 2002 at 7:00 p.m. Five little girls are running for Queen. Seven boys and seven girls are running for prince and princess.

UNFINISHED BUSINESS:

TXU Energy Services Outstanding Bill for Transportation Charges

Council discussed the bill now at \$12,046.23 for transportation charges TXU is saying the city was not previously billed for. To date TXU has not furnished any written documentation of how this occurred only the bill with a letter requesting the back amount. Originally billed back to March 2001, now have adjusted to June of 2001. Requested the City Attorney write a letter again asking for the previously requested information as to how this back amount is now due.

VanVlack, voted on, passed 5-0. Time: 8:05 p.m.

NEW BUSINESS:

Court Management Fall Conference, September 19-20, 2002, Emporia, Kansas

- *Motion to Approve Court Clerk Attendance to Fall Conference*

Council Member VanVlack moved to send the Court Clerk to the Court Management Fall Conference, September 19-20, 2002 at Emporia, Kansas with the usual expenses paid. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:19 p.m.

3rd Year City Clerk Institute, November 4-8, 2002, Wichita, Kansas

- *Motion to Approve City Clerk Attendance to 3rd Year City Clerk Institute*

Council Member Barber moved to send the City Clerk to the 3d Year City Clerk Institute, November 4-8, 2002, at Wichita, Kansas with usual expenses paid. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 8:23 p.m.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of for up to 20 minutes following a 10-minute break. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:24 p.m.

Others invited into or requesting a portion of time included: City Police Chief Chuck Farrell Jr.

Open Session Resumed at 8:55 p.m.

OTHER BUSINESS:

CITY CLERK'S REPORT:

City Clerk Herrin referred Mayor and Council to the written report items pending for the month. Also asked if the Council was interested in the *Put on Brakes on Fatalities?* information. City Police Chief Farrell noted he would review it further and report back at the next meeting.

Written report included:

- a] Special Meeting August 14, 2002 for Water G.O. Bonds
- b] Public Hearing August 8, 2002 at City Hall by Planning Commission for Changes to the Zoning Regulations
- c] Public Hearing August 26, 2002 at City Hall to Consider Condemnation of 407 S. 2nd
- d] Firefighters Relief Association distributed \$3250.02 to the La Cygne Fire Relief Fund

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *Thank You Note from Kenny & Arlene McClanahan*
- b] *Employment Law Seminar, August 28, 2002, Topeka, KS*
- c] *'Animal Shelter License'*
- d] *LKM Workshop 'Effective Municipal Courts' Shawnee Mission, KS*
- e] *Put the Brakes on Fatalities? Awareness Day, October 10, 2002*
- f] *LKM City Official Slate of Officers*
- g] *"Kansas Government Journal" Special Edition June 2002, Volume 88 –*
Number 6
- h] *KRWA "Operation of Small Surface Water Treatment Plants" August 28, 2002*

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member Barber, voted on, 2-2 (No: Hisel and VanVlack).**

REGULAR MEETING

Year =2002

Mayor Terry Weitman adjourned the meeting at 9:05 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 7th day of August 2002.

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The La Cygne City Council held a Public Hearing immediately followed by a Special Meeting at 7:00 p.m., Wednesday, July 31, 2002, at La Cygne City Hall.

Council Members present were: Esther Shields, Steve Hisel, Connie McGinnis, Sam Barber, and Mike VanVlack.

Others present included: City Clerk Devona Herrin, Julie Funk, City Attorney Sutherland, Police Chief Chuck Farrell, Public Works Superintendent George Craig, C.A. Curtis, and LeRoy Turpen. Rob Gavin arrived at 7:15 p.m.

PUBLIC HEARING:

Mayor Weitman called the Public Hearing to order at 7:00 p.m.

Mayor Weitman announced the purpose of the Public Hearing was the consideration of condemnations of properties: 405 S 1st; 824 7th Street Court; and, 413 S 1st.

Mayor Weitman asked for Public Comment. None given.

405 S. 1st: Codes Officer Chuck Farrell reported the burned debris had been cleaned up and a new mobile home placed at the location.

824 7th Street Court: Codes Officer Chuck Farrell reported the open basement had been fenced properly to protect against intruders.

413 S. 1st: Codes Officer Chuck Farrell reported the property had been sold and the new owner had demolished the building leaving a vacant lot at this time.

Adjourn:

With no further business, **Council Member VanVlack moved to adjourn the Public Hearing. Seconded by Council Member Hisel, voted on, passed 5-0.** Time: 7:04 p.m.

SPECIAL MEETING

Mayor Weitman called the Special Meeting to order at 7:04 p.m.

The purpose of the Special Meeting was for:

9. Change Orders on Wastewater Projects
10. Kirkham Michael Engineers Statements Approval
11. Gas Line Project
12. Street Maintenance
13. Water Improvement Project for the North Water Tower
14. Gas KCC Compliance Filing Docket #02-GIMX-211-GIV
15. City Gas Purchase Contract
16. Utility Software and Acer Pentium Tower

Mayor Weitman announced the purpose of the Special Meeting by listing the eight items given above in these minutes. These are the only items to be discussed at this meeting.

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Utility Software and Acer Pentium Tower

City Clerk Herring reported the Tape Drive Backup on the Utility Computer Tower had failed. The cost to repair was between \$300-400. Also the current utility program with Jayhawk software will be obsolete at the end of this year as the company is updating the program will require the city to be computer 2000 compliant to continue to receive updates. With the current need to make adjustments to the tower due to equipment failure Advantage Computer/Jayhawk Software has offered a new tower now that is 2000 compliant along with a lease agreement for the next year to have the new utility program installed when it is ready next month without any additional costs other than those presented now. The total cost to update now with the new tower is \$2,692.00. Of this, \$575 is the annual software lease program and \$500 is software support agreement whereby if there are any problems there is support without any other costs during the year. The remaining amount is the tower and installation.

- *Motion to Purchase Utility Software and Acer Pentium Tower*

Council Member Shields moved to purchase the Acer Pentium Tower and the Utility Software for a total cost of \$2,692.00. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:08 p.m.

City Gas Purchase Contract

1. Discontinue TXU Energy Services Contract as of August 31, 2002 and accept KMGAs (Kansas Municipal Gas Agency) as natural gas purchasing agent.

Mayor Weitman reported Marketing Representative Mark Wolf with TXU was again unable to attend any meeting with the city this week. Have also been unable to obtain any breakdown as to how gas prices are determined through TXU, especially now with the current amended bill going back for twelve months of adjustments. Discussed how KMGAs had presented the way they do business with the different charges being known. Previous rate information for both entities averages the same over time with KMGAs doing more of the paperwork.

- *Motion to Discontinue TXU Contract and to Accept KMGAs Contract*

Council Member McGinnis moved to discontinue the contract with TXU Energy Services as of August 31, 2002 and accept the contract with KMGAs as of September 1, 2002. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:11 p.m.

Mayor Weitman noted this change should actually see some savings, as the City Clerk's workload should be decreased with KMGAs handling the daily and monthly paperwork for the city.

2. Ordinance #1283, Accepting Membership to KMGAs

- *Motion to Accept KMGAs Membership with Ordinance #1283*

Council Member VanVlack moved to accept Ordinance #1283 for KMGAs Membership. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:13 p.m.

3. Ordinance #1284, Gas Acquisition and Pledge of Revenues with KMGAs

City Attorney Sutherland noted in the forms the city would be committed till April 30, 2004, after that is a year-by-year contract; and, this contract requires a year's notice to cancel the agreement.

- *Motion to Accept Gas Acquisition and Pledge of Revenues with KMGA with Ordinance #1284*

Council Member VanVlack moved to accept KMGA's acquisition and pledge of revenues with Ordinance #1284. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:14 p.m.

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City Gas Purchase Contract (Continued)

4. Interlocal Agreement with KMGA

- *Motion to Accept Interlocal Agreement with KMGA*

Council Member VanVlack moved to accept Interlocal Agreement with KMGA and authorize mayor to sign. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:15 p.m.

Gas KCC Compliance Filing Docket #02-GIMX-211-GIV

Mayor Weitman noted the KCC tariffs were required to be met for those natural gas customers living three miles or more outside the city limits. The Gas Committee reviewed the twenty-seven-page requirement prior to the meeting. The changes include wording to be added to late and disconnect notices for those customers outside the three-mile territory.

- *Motion to Authorize City Clerk to prepare Required Ordinance Changes to Meet KCC Requirements*

Council Member McGinnis moved to authorize City Clerk to prepare the required changes to gas ordinance to meet KCC requirements for customers outside the three-mile territory. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:16 p.m.

- *Motion to Authorize City Clerk to Sign KCC Forms*

Council Member McGinnis moved to authorize City Clerk to sign the KCC tariff forms. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:16 p.m.

Change Orders on Wastewater Projects

Rob Gavin presented a change order request for all three wastewater projects. Reported there is still \$269,540.50 left after these change orders are handled.

1. Sewer Line and Manhole Repair with Insituform Technologies, Inc. includes addition of 23 manhole covers and the addition of 28,000 linear feet of cleaning and video inspection of the existing sewer lines for a total increase of \$44,850 for a new estimated total of \$295,940.00. 2. Lagoon Addition with Haupt Construction includes addition of work to clear and grub existing trees along east side of lagoon entrance road and seeding of disturbed area; and, the addition of 400 tons of gravel surfacing for entrance road for a total increase of \$7,960 for a new estimated total of \$317,107.00. 3. East Interceptor Extension with McCorkendale Construction, Inc. includes addition of one 15" X 4" service connection and stub out; relocate manhole A-9, 25 feet south to miss existing waterlines and extend boring 25 feet south; and, relocate manholes A-10 to A-14 eight feet north to avoid existing telephone line for a total increase of \$2,656.50 for a new estimated total of \$301,277.50.

- *Motion to Authorize Mayor to Sign Three Change Orders*

Council Member Barber moved to authorize the Mayor to sign change order #1 for the East Interceptor Extension, the Lagoon Addition, and the Sewer Line and Manhole Repair project. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:26 p.m.

Rob Gavin presented pay requests for all three wastewater projects. Reported anticipate more repair work to be added to the manhole repair project after the videos are completed. 1. Lagoon Addition amount completed \$112,958, retain 10% for \$11,295.80, for amount

this estimate of \$101,662.20. 2. Sewer Line and Manhole Repair amount completed \$94,255, retain 10% for \$9,425.50, for amount this estimate of \$84,829.50. 3. East Interceptor Sewer amount completed \$83,832.00, retain 10% for \$8,383.20; for amount this estimate of \$75,448.80.

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Change Orders on Wastewater Projects

- *Motion to Authorize Mayor to Sign Pay Requests*

Council Member Barber moved to authorize the Mayor to sign the payment requests for McCorkendale Construction, Haupt Construction, and Insituform Technologies. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:32 p.m.

Rob Gavin presented a change request to take the new sewer line north of HWY 152 for and additional 2900 feet. If the project were handled now the cost would be \$119,607.43 using the rate for the existing project while the mobilization is currently in process with the existing project. The added costs include design engineering. The inspection portion would be included under the existing project and no further costs incurred for that portion.

- *Motion for Engineer to Pursue the 2900 Feet Extension*

Council Member Barber moved to have the engineer, Rob Gavin, pursue the additional 2900 feet of sewer line with the contractor and report back.

Rob Gavin noted he wanted to check with the contractor now and make sure his time frame was such he could continue before moving on and needed to check with the property owners for easements in this area. Discussed doing a preliminary inquiry.

Council Member Barber amended motion for the engineer to do a preliminary inquiry for feasibility and to find out if the contractor is available to do the work at this time, then report back at next weeks meeting. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:47 p.m.

Kirkham Michael Engineers Statement Approval

City Clerk Herrin reported the firm had requested payment for

Rob Gavin reported EDA had requested a separate letter than what he had provided them that was not completed yet, but would be tomorrow. Also, the Division of Water Resources had not yet responded and he had contacted the supervisor of his contact, David Nigel, who had not yet finished the report. He is supposed to have a fax from them by tomorrow.

- *Motion to Approve Payments*

Council Member VanVlack moved to approve the payments requested. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:54 p.m.

Gas Line Project

Discussed the review of changes in the line between 2200 Rd and 2400 Rd north of Prairie View High School. Asked the engineer, Rob Gavin, to look at moving the line between 2300 Rd and 2400 Rd to continue down 1095 and then go west the half of mile on 2300 Rd.

Street Maintenance

Discussed working on the odd numbered streets last year. Discussed oil prices. Mayor Weitman asked the Street Committee to get with public works and devise a plan to work within this year's budget.

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Water Improvement Project to The North Tower

Discussed if ammonia needs to be added to chlorine if a mixer is put in place at the tower. Discussed what the possible electrical costs could be to have an electric pole put on place at the tower. C.A. Curtis noted his bid could vary depending on what quality of building is built and how many pumps are used. One pump would be set up to run 24 – 7. If electric is out in the cold winter the line would need to be drained immediately to avoid freezing. Discussed where to run the power from. The north tower would need to be down for 48 hours for set up. A good time would be to coordinate when the tower was to be cleaned. Time to order all of the equipment and set up would be approximately 8 – 12 weeks. Mayor asked for final figures in writing for the next scheduled meeting.

Adjourn

With no further business, **Council Member McGinnis moved to adjourn the meeting. Seconded by Council Member VanVlack, voted on, passed 5-0.** Time: 8:30 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 31st day of July 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday July 17, 2002. Council Members present were: Mike VanVlack; Connie McGinnis; Sam Barber; Esther Shields; and Steve Hisel.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Julie Funk; Kelly and Dennis VanTuyt; Mike DeMott; Rob Gavin; Ruby Roy; Rick Waddell; Chris Merritt; and Jim Widener.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Barber moved to approve the consent agenda that consisted of:

Check Register: July 4 – July 17, 2002;

Minutes of July 3, 2002 City Council Meeting;
Minutes of June 11, 2002 Special City Council Meeting
June 2002 Financial Statement
2nd Quarter Financial Statement

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

KMGA (Kansas Municipal Gas Agency) Presentation for Purchasing Gas

Chris Merritt and Jim Widener presented information on the Kansas Municipal Gas Agency. This included the 2001 Annual Audit for the Agency, an explanation of how the agency is a joint action agency not for profit in the state of Kansas representing sixty-one cities with forty-three of them in the gas program. The benefits for the program to the cities included: the rebundeling of services where there is one invoice with everything on it and the entity knows exactly what they are paying for; increased power in the market place due to the combined increase in volume to be purchased from the suppliers; services include acquisition and management of the gas supply down to a daily volume check for the day to day operations; they apply seasonal pricing for April through October and November through March each year, currently looking at purchasing the winter supply with considerable expertise in this area, the whole committee makes the final decision when to buy; set up daily purchasing and can eliminate scheduling fees.

There is a membership requirement and then a gas agreement requirement for the agency. These include ordinances, excerpt of minutes, etc for first becoming a member and then to purchase gas.

Mayor Weitman noted this agency is a not for profit agency for the cities in Kansas and they have a large marketing power. Asked the gas committee to look into the agreement with current supplier and report back with best move for the city at the next meeting. Thanked Chris Merritt and Jim Widener for attending.

2003 Budget Review with Terry Sercer, CPA

Mr. Sercer explained that with the items the city listed the mill levy would increase from 56.315 to 58.121 for a total of \$13,000 more dollars than last year. To leave the mill levy approximately the same as last year the city would have to cut \$9,000 from this list in either the general fund or the employee benefits fund. To do this would leave the cash levy at the same dollar amount plus factor for some improvements but have the total at \$288,874; which is an increase in dollars due to the increase in valuations of property.

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2003 Budget Review with Terry Sercer, CPA (Continued)

Discussed establishing a pool fund to place money raised for a new pool in future years. Agreed this would require a trust account fund for a new pool. Agreed the money could be left in the city's account with a separate fund established to show the actual amount allotted to this fund.

- *Motion to Establish Trust Account Fund for New Pool*

Council Member Hisel moved to establish a trust fund account for a new pool. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:50 p.m.

Mr. Sercer summarized by reporting if the city would cut the budget they planned for 2003 by \$9,000 then this budget will levy almost the same as last year, just a fraction below; and this will keep the taxes the same but also allow some dollars for growth. If they remain the same an ordinance will not be required. The 2003 budget will need to be signed and published by July 25th, 2002 and then the Public Hearing can be scheduled during the regular city council meeting on August 7, 2002.

Discussed not cutting employee benefits since the health insurance premiums for next year were unknown at this time, but predicted to have a considerable increase. Discussed what part of the General Fund to cut the \$9,000.

- *Motion to Cut \$9,000 from the General-General Capital Outlay Fund & Schedule Public Hearing*

Council Member Barber moved to cut \$9,000 out of the General-General: Capital Outlay Fund and schedule a budget hearing at 7:30 p.m. on August 7th, during the regular city council meeting. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:02 p.m.

UTILITY IMPROVEMENTS REPORTS

I. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT

Rob Gavin reported Haupt Construction is moving dirt on the Lagoon Project. Tom Adams a sub-contractor on the Manhole Project is raising manholes and another sub-contractor is videoing the sewer lines. Discussed one manhole on First Street that was repaired looks diveted. Rob will look into and take care of any problems. The contractors for the East Interceptor Project has the pipe strung. Found an extra telephone line that was not picked up on the original survey that will cause the pipe to move to one side in that area. Also on the south side of K-152 when the rural water district water line was identified during preliminary survey's has now been marked about twenty feet from that original spot, so will be working with them to make sure exactly where it is to not have a manhole right beside it.

b. 6TH STREET IMPROVEMENT

Rob Gavin reported Killough Construction targeted August 19, 2002 at starting date for 6th Street Construction. They hope to start sooner but wanted to make sure their time frame would work. The actual construction time should be 30 days or less.

c. WATER IMPROVEMENT PROJECT

Rob Gavin reported with the water plant bonds now in place he would be getting with George and James to go over the plans on the Filter to Waste. Kirkham Michaels is almost ready for the covers. Question was asked as to how long it would take to change the media. Noted it would take about a week. Discussed holding off till after the heat and high water usage was past. Rob has been discussing with U S Filter about adding more anthracite to one side of the filters and doing one side at a time. However, will look at what is best for maintaining plant operations while the improvements are being done.

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b. 6TH STREET IMPROVEMENT (Continued)

George Craig, Public Works, asked about the sidewalk on the Post Office Property running east to 6th Street. The Post Office contractors are getting ready to pour the new sidewalk to the existing old sidewalk and for \$4.00 a square foot will lay a new sidewalk to the street while they are there if the city is interested. With the street being widened need Kirkham Michael Engineers to mark where the sidewalk should end to be able to meet up with the new street handicap ramp being installed at that time. Rob indicated they could mark this radius while they are here with the sewer projects so the sidewalk would match up when finished.

a. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT (Cont.)

Rob Gavin reported the primary contractor for the Manhole Project, Insituform, should be locating the manholes; however, even though it is not Kirkham Michael's responsibility they are using Corey to locate them as Insituform has not made arrangements with their

subcontractor for this and want to see the project continue to move forward. The contractor for the East-Interceptor Project has been given the drawings for the Troth stub out.

a. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT (Cont.)

Have discussed the trees east of the Lagoon Project. Will get a price from the contractor, Haupt Construction. Some of the trees do not appear to be on the city's property so will need written permission from the property owner and the crops renter that there is not responsibility for damage.

Discussed the drainage from the Long property north of the existing lagoon back to the river. Rob Gavin noted he had been contacted by the Soil Conservation about this, but it was not discussed in the original plans as an issue to address. Will look at it and keep it monitored as they work in the area, any problems may take care of itself with the updated changes adding the third cell.

d. GAS IMPROVEMENT PROJECT – CDBG GRANT

Rob Gavin presented aerial maps of the existing gas line. Discussed the possibility of obtaining easements in some areas to get away from the road as part of the gas line is now under the road due to the road being widened over the years and then fiber-optics added beside the road and right beside the existing gas line making it difficult to replace the gas line. Requested permission to send letters to property owners in the area of the gas line of what is in process and see if they are willing to give permanent easement to go along the property with the line being placed underground along the paved road. Also will need to look at the part of the gas line that is west of the paved road in Linn County. There is already an existing easement continuing south on the paved 1095 Road.

- *Motion for Feasibility Study for Improvements and Repairs of Gas Line*

Council Member Barber moved to authorize the Gas Committee, along with the Mayor, to make a feasibility study, for purposes of the future improvements and repairs, of the City's gas line starting at the Panhandle Station then proceeding southward. This study should utilize the services of the City's engineering firm, city employees and other professionals as necessary. Seconded by Council Member Shields, voted on, passed 5-0. Time: 8:40 p.m.

Rob Gavin noted their firm has all of the county record information at this time.

a. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT (Cont.)

Rob Gavin reported the sub-contractor for the Manhole Project has already looked at the one side of town targeted for TV-Video review. This is an excellent price they are charging for this work and asked if the city has any other areas to be looked at while they are here.

- *Motion to Authorize Sewer Committee to Review and Make Decision*

Council Member VanVlack moved to authorize the Sewer Committee to review the sewer lines for further viewing and make decision on any further cost for areas to be viewed while the contractor is here. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:45 p.m.

c. WATER IMPROVEMENT PROJECT (Continued)

Rob Gavin reported the state is asking for a list of projects to be considered for the next SRLF, State Revolving Loan Fund. All it requires is for the city to complete the form; it does not require you to act on it at this time. Agreed to complete form and submit to have on file.

City Clerk Herrin reported the Distribution Project require the city to do the LMI reports in the next month to be ready for the September date to submit to the state. Discussed how many projects are currently being handled for this year. Requested the City Clerk to flag this project to begin the first of next year to be ready to file next fall.

KIRKHAM MICHAEL ENGINEER NOTICE

Rob Gavin reported the firm is downsizing. Randy Gordon is no longer with the firm. The firm is making the necessary arrangement with the City's Planning Commission to continue with another person from the firm. City Clerk Herrin reported she had already spoken with John Baker at Kirkham Michaels firm and the workshop planned for the Planning Commission on July 18, has been changed to August 1, 2002.

DISCUSSION FROM THE FLOOR

Ruby Roy Regarding Fireworks in the City Limits

Ms. Roy presented a list with fifty names asking the City Council to adopt an ordinance concerning the use of fireworks in the city limits to only apply between 6 a.m. on July 3rd until midnight on July 4th; or to do away with them all together. A part of the issue is the fireworks trash that is left in neighbors' yards from others and youth being allowed to shot them anywhere, including the streets, and then again leaving the trash. Discussed the wish for better control by everyone so a few do not take away the privilege for all.

Mayor Weitman noted the council had a year before the concern would arise again. Asked the Safety Committee to look into the request and report back; and, if possible, to attempt to find a compromise, or suggestions on how to handle.

Dennis & Kelly VanTuyl Regarding Buildings in the Alley Behind Them

Kelly VanTuyl asked City Attorney Sutherland if he had filed the paperwork for the easement in the alley yet regarding the mobile home of her neighbor? City Attorney Sutherland reported he had not done this yet. Kelly VanTuyl reported she had already spoken to Chuck Farrell and he had not talked with the neighbor yet about moving the two sheds. Kelly VanTuyl asked the City Council and Mayor if they knew why KCP&L was at her property to today. City Council indicated they did not know. Mike DeMott reported KCP&L was looking for an old alley that was where the electric poles are. Asked if there were any maps of this the city had. City Clerk Herrin noted there were no known maps at the city known to her, but there could be such at the County Offices. In doing some personal family research in the county City Clerk Herrin had observed maps showing where the alley was in a different place years ago, but did not remember where those maps had been located.

Mike DeMott and Kelly VanTuyl requested a copy of the June 27, 2002 minutes of the Special City Council Meeting.

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REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer – Chuck Farrell Jr.

Provided written police report for July 1 – 16, 2002. Noted the Resolution for the fourth condemnation was ready for the location at 407 S. 2nd, La Cygne, Kansas.

- *Motion to Approve Resolution #272, Condemnation of 407 S. 2nd, La Cygne, Kansas*

Council Member VanVlack moved to approve Resolution #272 regarding condemnation of 407 S. 2nd, La Cygne, Kansas. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:10 p.m.

REGULAR MEETING

Year =2002

- *Motion to Set Public Hearing Date of August 26, 2002 for Resolution #272*

Council Member VanVlack moved to set the Public Hearing on August 26, 2002 at 7:00 p.m. for Resolution #272. Seconded by Council Member Hisel, voted on, passed 5-0.
Time: 9:12 p.m.

Public Works Superintendent George Craig

Superintendent Craig requested the purchase of Gas Certification CD's to be able to get all four public works employees certified. With the new requirements to be in place by October 2002 anyone public works employee responding to a gas leak is required to be certified. One packet has already been purchased, but the city is required to purchase a packet for each employee to be certified. They are less then \$250 per person.

- *Motion to Spend Up To \$750.00 for Gas Certification CD's*

Council Member VanVlack moved to spend up to \$750 for Gas Certification CD's. Seconded by Council Member Barber, voted on, passed 5-0. Time: 9:16 p.m.

Superintendent Craig requested attendance to the LKM 'Right of Way Management Summit' on August 9, 2002 at Topeka, Kansas. The topics covered include Legal Overview, Right of Way Management Ordinances, and issues for Gas Providers as well as other utility providers. Noted Council Member VanVlack is available to attend. Cost is \$35.00 per person.

- *Motion for Two to Attend LKM 'Right of Way Management Summit'*

Council Member Hisel moved to send Public Works Superintendent Craig and Council Member VanVlack to the meeting on August 9th, 2002 for a total cost of \$70.00 and usual expenses. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:22 p.m.

Council Member Hisel asked about trimming trees around the intersections where the limbs are blocking views in the right away. Public Works Superintendent Craig noted they would address this.

Fire Chief – Ernie Moylan

Council Member VanVlack reported the Fire Department is working on the Ford Fire Truck. Believe the cylinder to the clutch is the problem. Will report more later.

STANDING COMMITTEE REPORTS:

Water & Gas

1. Kansas Source Water Assessment Program: Discussed completing forms last July 2001, and submitting. Now asking for confirmation of participation.

- *Motion to Confirm Participation in Kansas Source Water Assessment Program*

Council Member VanVlack moved to confirm participation in the Kansas Source Water Assessment Program. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:26 p.m.

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STANDING COMMITTEE REPORTS: (Continued)

Water & Gas (Continued)

2. WRAPS Marias Des Cygnes Basin Water Issues Workshop: Discussed meeting is in September. Time on notice is not listed. Requested further information and report back.

3. LKM 'Right of Way Management Summit' August 9, 2002, Topeka, Kansas: Completed under Reports of City Officers.

4. The Pipeline Group 'Awareness Program' August 8, 2002, Iola, Kansas: Discussed covers safety standards to be met and also applies to the Police Department responding as well as to the Public Works Employees responding.

- *Motion for Police Chief Farrell to Attend Program, August 8, 2002 in Iola, Kansas*

Council Member VanVlack moved for Police Chief Farrell to attend the Pipeline Group 'Awareness Program' on August 8, 2002 in Iola, Kansas. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:30 p.m.

Street

Noted the Committee will get with Public Works and identify the streets to begin the Chip and Seal Project when the dollars are received by the state.

Council Member Barber asked the City Council to consider compensating Slaughter for his time for the rear end he pulled and delivered to the street barn for a city truck. After it was brought into the city street barn it was found not to be compatible. Recommend giving him \$25.00 for his time and effort to help.

- *Motion to Give \$25.00 to Slaughter for Time and Effort*

Council Member Barber moved to give \$25.00 to Slaughter for labor in his effort to help the city locate a rear end for a truck. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:34 p.m.

Park

City Clerk Herrin reported the City has received \$1200 for Park Money. Discussed how it could be used and who would be designated to make the decision. Tabled till next meeting.

SPECIAL COMMITTEE REPORTS:

Fiesta: Meeting tomorrow night, July 18, 2002.

UNFINISHED BUSINESS:

Building Permits Application Form for Review

City Attorney Sutherland discussed the included draft of a Building Permit with the guidelines listed. Suggested adding the request for a diagram of the applied project

- *Motion to Approve Application Contingent with Adding Request for Diagram*

Council Member Barber moved to approve the Building Permit Application Form contingent with adding the remarks requesting a diagram with the application. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:42 p.m.

Condemnation with Public Hearing and Resolution #272

Completed under Reports of City Officers.

NEW BUSINESS:

TXU Gas Sales Agreement Amendment for July 2002

REGULAR MEETING

Year =2002

City Attorney Sutherland noted he believed the intent of the agreement was to just apply to the additional gas the city ordered for the month of July 2002. However, the wording was unclear on the agreement. Requested the City Clerk call TXU and have the wording changed to clearly apply to just the additional Gas for the month of July 2002.

TXU Adjustment Invoice

City Clerk Herrin reported the invoice was covering additional costs for the transportation of gas through the pipeline to the city gate for the time period of March 2001 to March 2002. To date TXU had been unable to explain why this cost appeared as of September 2002 but no one was aware of it until a TXU auditor caught it earlier this year while doing a regular audit. Have asked TXU what changed to create this bill. Also why are they going back to March of 2001 when the City was not officially notified of anything outstanding until the statement was received in June of 2002? TXU is checking on this information and is to have some responses next week. Concurred to table until there is a complete report for the next meeting.

SEK "Businesses & Communities Connecting" Meeting, July 18, 2002, Linn Valley, Kansas

Discussed City Clerk and Mayor attending this meeting at a cost of \$12.00 per meal.

- *Motion for City Clerk and Mayor to Attend Meeting*

Council Member McGinnis moved for City Clerk Herring and Mayor Weitman to attend the SEK meeting on July 18, 2002 at a total cost of \$24.00. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:52 p.m.

Rick Waddell, Ball Congress, Regarding Damage to Park Restroom

Rick Waddell requested the cost for the repairs for a toilet that was blown up during a time when the ball congress was using the park. The Ball Congress will reimburse the city for the cost once they have a bill to base the cost on.

Authorization for Bids on CD's from Both Local Banks

City Clerk Herrin requested authorization to obtain bids from both local banks when CD's became renewable to help keep the interest income up as much as possible.

- *Motion to Authorize Bids for CD's from Both Banks*

Council Member VanVlack moved to authorize the city to obtain rates for CD's from both banks for the best rates. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:55 p.m.

EXTEND MEETING

- *Motion to Extend Meeting*

Council Member Shields moved to extend meeting up to 10:30 p.m. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:56 p.m.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Shields moved to go into executive session for up to thirty minutes for legal and personnel, following a three-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:57 p.m.

CITY CLERK'S REPORT:

City Clerk's Written Report Included:

- A] Reminder: North Siren will be checked on July 18, 2002
- B] Public Hearings July 31, 2002 at City Hall Regarding Three Condemnations
- C] EMC Insurance Paid \$1,976.90 for Lightning Loss to Lift Station on 05/25/02
- D] La Cygne Pharmacy Payment of \$5,000 Received
- E] Distribution of Park Money

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *NRWA, Third Quarter 2002, Pages 16 & 17*, 'Rural Water District with Kan Step'
- b] *KDCH* 'Notice of Hearings on Kansas Consolidated Plan' August 2002
- c] 'Personality Characteristics & Stress Management' Seminar
- d] FSCC Fall Class for 2002 'Wastewater Treatment Plant Operations'
- e] *KRWA*, 'Understanding, Troubleshooting & Repairing Automatic Control Valves' August 6, 2002, Olathe
- f] Baughman Company, P.A. "Planning Commissioner's Workshop" Saturday, August 24, 2002, Wichita, KS
- g] Boy Scouts of America Thank You Letter
- h] *KDCH* Letter Regarding KAN STEP Video

ADJOURNMENT:

Executive Session lasted until 10:30 p.m. when meeting time ran out.
Meeting ended at 10:30 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 17th day of July 2002.

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The La Cygne City Council held a Special Meeting at 6:00 p.m., Thursday, July 11, 2002, at La Cygne Public Library. The purpose of the Special Meeting was for:

- 17. Bonds for Water & Gas Improvements
- 18. 6th Street Improvement Project
- 19. East Interceptor Sewer Change Request
- 20. Platt for East Side of Industrial Park
- 21. Personnel.

Council Members present were: Esther Shields, Steve Hisel, Connie McGinnis, Sam Barber, and Mike VanVlack.

Others present included: City Clerk Devona Herrin, Julie Funk, County Commissioner Herb Pemberton, Darlene VanVlack, Randy Tinsley, Jim Johnson, Freeman Thomas, Dave Malone with Cooper, Malone, McClain, Inc, Amit Shrivastava with Kirkham Michael Engineers, and, City Attorney Sutherland arrived at 6:20 p.m.

Mayor Weitman called the Special Meeting to order at 6:00 p.m.

Mayor Weitman announced the purpose of the Special Meeting by listing the five items given above in these minutes. These are the only items to be discussed at this meeting.

Bonds for Water & Gas Improvements

1. Water – G.O. Bonds

Dave Malone explained the debt service for the \$500,000 in water bonds totaled approximately \$41,000 a year in total payments. The current water debt bonds that have one more payment in 2003 are currently paying \$56,000. This will have a \$97,000 payment next year, but there is enough cash flow to handle this one year higher payment as a large portion of the monies for the \$56,000 payment is already established in the water fund this year for that payment.

There will be a public sale for the bonds on August 7th, 2002 with the first maturity date as 2003.

\$485,000 of the \$500,000 will go towards construction. A portion of this will be used to redeem the Temporary Note of \$100,000 that was issued last December for part of the improvements that have already been completed.

The necessary forms to process the bonds are here. The city is required to publish the Notice of Intent two weeks in advance. Then the sale can be completed on the 7th of August and the City Council can accept or reject all bids at that time. This will require a motion to publish the notice of intent for the bond sale.

- *Motion to Publish Notice of Bond Sale Pending Review by Attorney and Investment Banker*

Council Member Shields moved to publish the notice of Bond Sale pending review by City Attorney and Dave Malone, Investment Banker. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 6:08 p.m.

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Bonds for Water & Gas Improvements

2. Gas – Revenue Bonds

Dave Malone explained the gas revenue bonds of \$1,652,000.00 would create approximately \$140,000 a year in annual debt service payments. A bond reserve account will be required to be established and will designate \$25,000 from current gas funds to begin this account.

Mr. Malone presented and reviewed a revenue and expense analysis. With the projected changes in gas loss to 7% or less and line improvements determined there should be an increase of \$100,000 a year in revenue. This should allow the gas department to be able to generate over \$500,000 in income and be able to meet all utility costs. Recommend leaving rates as they are for now and then maybe a year after the project is complete review for the possibility of lowering the rates. The gas costs to purchase the gas will play a big factor on future gas rates. This is a twenty-year debt service and the city has the right of prepayment at any time if there are excess funds the city wants to apply towards the debt.

1. Water – Continued

Mr. Malone also suggested leaving the water rates at the current rates for now and see where the water costs are after the RWD's pull away to the Public Wholesale District.

2. Gas – Continued

City Council discussed their options for the gas again are to either sell the gas department or do the repairs. In moving forward with the repairs, any surplus with the current rates can be applied to future capital improvements or prepayment of the debt service being created. Determined the gas loss is in the transmission line and feel the 7% future loss is conservative and will more likely be below 5%.

Mr. Malone explained he had all of the necessary documents that require action and recommend action subject to city attorney review and his own review as the documents had just been handed to him. These documents included an Ordinance #1282 and a Resolution #271 to put the process in motion.

- *Motion to Approve Ordinance #1282 Contingent of Review*

Council Member Barber moved to approve Ordinance #1282 contingent of review by City Attorney and Dave Malone, Investment Banker. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 6:21 p.m.

Mr. Malone explained there is a requirement to maintain debt service coverage subject to annual review and will become a part of the annual audit. This covenant is a requirement for revenue bonds.

- *Motion to Approve Resolution #271 Contingent of Review*

Council Member Barber moved to approve Resolution #271 contingent of review by City Attorney and Dave Malone, Investment Banker. Seconded by Council Member Shields, voted on, passed 5-0. Time: 6:23 p.m.

Mr. Malone noted he would plan to be back on the August 7th meeting with the G.O. Bonds information.

Page 3 of 3

6th Street Improvement Project

Discussed changes to original plans by changing a culvert at the south end, then the type of asphalt and the depth. This adjustment changes the original bid with Killough Construction from \$78,613.20 to \$60,786.00. Options discussed were to go with this method for a long-term street, or to chip and seal and then be ready to maintain repairs every year on the street.

Discussed accepting the bid without the alternate bid being included as the Thomas' have decided to concrete their parking area per Mr. Thomas.

- *Motion to Accept the Revised Bid for 6th Street*

Council Member Barber moved to accept the revised bid of \$60,786.00 for 6th Street and excluding the Alternate Bid #1. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 6:38 p.m.

East Interceptor Sewer Change Request

Council Members discussed there was a hook-up and riser left out of the plans and need to add for future hook-up, to also include a record of waiving the tapping fee. This had been previously discussed and just missed. Amit presented a diagram to add the hook-up and riser and explained the process for Change Order #1.

- *Motion to Approve Change Order #1*

Council Member Hisel moved to approve Change Order #1 to include tapping fee to be waived. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 6:42 p.m.

Mr. Pemberton asked if there was a stub out on Darlene Engert’s place. Discussed and reviewed diagram for this location.

Platt for East Side of Industrial Park

County Commissioner Pemberton discussed the County Resolution 02-17 already signed by the commissioners and being filed.

- *Motion to Accept Platt Agreement with County Resolution 02-17*

Council Member Shields moved to accept the Platt Agreement along with the County Resolution 02-17. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 6:50 p.m.

Personnel

Executive Session

- *Motion to Go Into Executive Session for up to Thirty Minutes*

Council Member Shields moved to go into Executive Session for up to thirty minutes for Personnel. Seconded by Council Member Barber, voted on, passed 5-0. Time: 6:51 p.m.

Open Session Resumed at 7:19 p.m.

Adjourn

With no further business, **Council Member McGinnis moved to adjourn the meeting. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:20 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 11th day of July 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday July 3, 2002. Council Members present were: Mike VanVlack; Connie McGinnis; Sam Barber; Esther Shields; and Steve Hisel.

Others present at some point in the meeting included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Julie Funk; Kelly and Dennis VanTuyl; Mike DeMott; LeRoy Turpen; Herb Pemberton; Freeman Thomas; Rob Gavin; Mark Smith with Killough Construction; and Jennifer McDaniel.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Barber moved to approve the consent agenda that consisted of:

Check Register: June 13 – July 3, 2002;
Minutes of June 12, 2002 City Council Meeting;
Minutes of June 25, 2002 Special City Council Meeting
May 2002 Financial Statement

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

UTILITY IMPROVEMENTS REPORTS

m. CDBG SEWER GRANT-STATE REVOLVING LOAN – EDA GRANT

Rob Gavin reported the contractors for all three projects are set to proceed Monday, July 8, 2002.

n. WATER IMPROVEMENT PROJECT

Rob Gavin reported he had met with U.S. Filter and poised to go with the filter to waste system, covers over the clearwells, and the pumping portion of the system.

City Clerk Herrin reported from the recent water meeting that the city could apply for just the distribution repairs through CDBG or a KANSTEP program offered by the government. If the city wanted to try again for a grant and delay on the water distribution portion of the water improvement plan. With the KANSTEP program the city does not have to compete against other cities, just qualify and have a need for the repairs, such as looping issues, water pressure, and age of the lines, etc. A film was present for the KANSTEP program for the council and public to review if interested. Concurred to review the film after discussing all of the projects so the engineer could leave.

o. GAS IMPROVEMENT PROJECT – CDBG GRANT

Rob Gavin reported his firm is currently going over easement and mapping. Should have the information compiled shortly to see if there is a need to approach property owners for any additional easements for the existing lay of the lines, or if there are any changes in the lay of the lines.

UTILITY IMPROVEMENTS REPORTS (Continued)

d. 6TH STREET IMPROVEMENT

Rob Gavin noted that a representative from Killough Construction was to have been at the meeting but was not present. Council Member Barber reported the Street Committee had reviewed and was looking at building the street to hold up to the traffic and to go with a pavement section that is adequate even if it did cost more than originally set up for. It was noted for this major improvement project the funds could be used from the Capital Improvement Fund. Mr. Thomas reported the new pharmacy building was 2-3 weeks from being completed; that they were now held up on the parking and need to review with the contractor some changes as a monolithic sidewalk was installed and would change the curb cost. Mark Smith with Killough Construction arrived. Discussed going with the original bid on the road improvement but with a little less thickness than the eight inch as it would not be

real heavy semi-trucks, but big mail trucks using the road. Mark agreed the construction firm was ok with this. As for timing it would be the middle of August, around the 15th, before Killough Construction would be able to proceed. Agreed everyone could have everything necessary to be ready to talk of the final arrangements at a Special Meeting on July 11th, 2002 going with the original project just depth changes to the surface.

- *Motion to Have Special Meeting July 11, 2002 at Community Building*

Council Member Barber moved to have a Special Meeting July 11, 2002 at 6 p.m. Seconded by Council Member Hisel. City Clerk noted it would need to be at Community Building due to court the same night. **Council Member Barber amended to add location at Community Building, seconded by Council Member Hisel, voted on, passed 5-0.** Time: 7:23 p.m.

KAN STEP film from the Kansas Department of Commerce & Housing, Community Development Division was viewed by all of those present. Covered how the grants were noncompetitive; take an enormous community effort; require several thousand hours of volunteers' time; and an individual to be the 'sparkplug' to keep it moving forward to completion, along with other factors listed in the brochure.

DISCUSSION FROM THE FLOOR

Dennis & Kelly VanTuyl Regarding Two Building in the Alley and Two Feet into Their Property

Mr. VanTuyl asked about the two buildings that were partly on their property and then in the alley behind them and what action was being taken to remove them since they were in the city's alley. Mayor Weitman noted that at a previous meeting Mrs. Williams had volunteered to move the buildings but did not set a time. Mayor Weitman asked Codes Officer Farrell to get with her and find if she has a time frame, and to set a time frame if none is given. Mr. VanTuyl noted they had asked her in April to move them off of their property and nothing was done but the clothes line cut. Mayor Weitman asked the City Attorney how to proceed. City Attorney concurred to begin the process by asking for a time frame and then to proceed with the normal process. Mrs. VanTuyl asked if they could cut them down? Mayor Weitman noted that was not the city's call that was a civil matter and City Attorney agreed. Mr. VanTuyl asked if there was a fifteen-year squatter's right then does that alley become hers at the end of that time? City Attorney responded that is a possibility if nothing is done. To avoid this would require her to move or enter an agreement where she would waive adverse possession rights. Mr. VanTuyl asked if the property is sold then what? City Attorney noted any agreement would have to be added to the property deed. Mayor Weitman summed up the need to address the removal of the buildings and leave the trailer with the other building right beside it that would require an agreement for adverse possession. Ms. VanTuyl asked about a fence on their property. Since their house does not follow the twenty-five foot setback from the street can the privacy fence go as far north towards the street as the house does? Codes Officer Farrell noted that since the house is closer than the required twenty-five feet it should still be ok to be even with the house as the codes note a fence at this point can be even with the house. Mrs. VanTuyl asked if they would need to get with KCP&L regarding the removal of the neighbor's meter on the pole on their property. Mayor Weitman responded affirmative. Mr. VanTuyl asked if any letter sent to her could also have copies sent to other residents. City Attorney Sutherland reported action taken for adverse possession just needs to be recorded and then anyone can get a copy from there. Mr. VanTuyl asked if there would be a motion to for the city to do this. City Attorney Sutherland noted that would not be necessary, as the Codes Officer had been instructed by the City Council.

NEW BUSINESS:

It was noted there had been a request to change the speed limit from 55 to 35 mph on Industrial Blvd. City Police Chief Farrell reported he had already spoke with Larry Robinson who is with the county and was getting speed survey's in this area to determine what 85% of the traffic is doing. The state recommends this and the east half of the street is the county's to determine the speed limit with the west side belonging to the city. To have two different speed limits would be hard to control and confusing. At this time not all of the data was gathered. Will try to have it by the first meeting in August. Currently the speed limit on the west side is 30 mph and the east side is 55 mph. Council Member Shields asked why not just go 35 mph if there are residents in the area. City Police Chief Farrell responded that per Larry Robinson the county tries to do the 85 percentile and found it is generally the safest. Once data is collected it is better for both the city and county to live with and will try to have the limit the same on both sides. County Commissioner Pemberton noted the county commissioners are waiting for the survey and will probably go with that as it goes with the state regulations.

Platt Review for the East Part of the Industrial Park

Mayor Weitman asked County Commissioner Pemberton if the Platt for the East Part of Industrial Park had been discussed at last Monday's county meeting? County Commissioner Pemberton reported there had really been no discussion; that they were waiting on city input. Mayor Weitman noted that he had attended the last city Planning Commission Meeting and the committee had agreed to recommend acceptance of the Plat with the county retaining the street till a later date. County Commissioner Pemberton noted the county had voiced the same intent but did not know the legalities of it and asked City Attorney Sutherland if he knew them? City Attorney Sutherland responded he did not really know. County Commissioner Pemberton reported the county still had some legal questions and didn't have the answers at this time as to how do it legally. Do know that in the City of Pleasanton the county retained the road at that industrial park until the park is fully occupied as the county is better prepared to maintain it and the city people do pay county taxes too so it is one way to give tax dollars back to the city individuals. The legal part is unknown.
Discussed when this issue could be determined as the platting is holding up a new business till approved. All concurred should have legal information by next Thursday, July 11, 2002.

- *Motion to Place Platt Review on Special Meeting Agenda*

Council Member Shields moved to Place Platt Review on July 11th Agenda. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:10 p.m.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer – Chuck Farrell Jr.

Provided written police report for the month of June 2002. Provided names of Jessie and Marilyn James for the fourth condemnation notice. City Clerk did not have the resolution ready for this notice. Will complete process later.

Public Works Superintendent George Craig

Superintendent Craig requested attendance for James Hazelet to a water class in Lawrence, Kansas, from July 30-August 2, 2002 for his Class II water certificate. The test is on the last day of class. Discussed if there was any other time later in the year to attend and could not find another date available this year.

- *Motion for James Hazelet to attend Water Training Session for Class II License*

Council Member VanVlack moved to send James Hazelet to class for his Class II license on July 30 through August 2, 2002. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:18 p.m.

Superintendent Craig reported if the city holds off on its distribution lines they will need to add a circulation system to the north tower. A rough estimate indicates it can be done for less than \$20,000. Discussed how this could be paid for.

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REPORTS OF CITY OFFICERS:

Public Works Superintendent George Craig

City Clerk Herrin noted it could be done using the water distribution capital outlay monies, or it could be applied from the water improvement loan, which ever the city decided. The actual amount up to \$810,000 for the water improvement project did need to be decided so the City Clerk could alert Cooper, Malone, McClain Company what debt amount they wanted at this time. Determined up to \$500,000 should take care of the plant upgrades and the circulation system for the water tower.

- *Motion to Approve Debt Loan for \$500,000 for Water Project*

Council Member VanVlack moved to approve water project debt loan for up to \$500,000. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:25 p.m.

Council Member Barber asked who would handle the installation of the circulation system. Superintendent Craig noted they had been working with C.A. Curtis to do the installation. Mayor Weitman noted this is a recirculation pump and the cost included the building for it. All concurred.

STANDING COMMITTEE REPORTS:

Street

Changing Railroad Street to One-Way: Council Member Hisel noted there were two other individuals on this street who were not for changing Railroad Street to One-Way. Committee recommends leaving as is for now and having the police department monitor.

Park

2003 Park & Pool Budget for Approval: Budget was included in materials for approval by City Council.

- *Motion to Approve 2003 Park & Pool Budget as Presented*

Council Member VanVlack moved to accept the 2003 Park & Pool Budget as presented. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:28 p.m.

Public Safety

Stop Sign Review at North End of Broadway: Council Member VanVlack reported he had spoke with City Police Chief Farrell and agreed to try a stop sign at this location. The sign would be placed on the south side of Grand on the North end of Broadway. Also discussed putting signs at the north ends of the T's at 7th & Lincoln, and, 5th and Grand. Police Chief Farrell will handle.

SPECIAL COMMITTEE REPORTS:

Fiesta: Meeting next Wednesday night.

UNFINISHED BUSINESS:

Guidelines to Apply with Building Permits to Include Possible Survey & Waiver of Responsibility

City Attorney Sutherland handed out a draft of a Building Permit with the guidelines listed. Recommended the council review and bring back for any further discussion at the next meeting. Also mentioned another possibility would be for a pre-permit where it is decided then if a survey would be required, but then city hall would have two steps of paper work to

handle. Mayor Weitman reported he would like the Planning Commission to review this for approval too since they had made the recommendation the city review this process and ask them for any input. Asked the City Clerk to place this draft on the Planning Commission agenda as they will be meeting before the next regularly scheduled council meeting.

Items for 2003 Budget and Future Capital Outlays

Reviewed the final list previously compiled at the last city council meeting. No items were added. Mayor Weitman instructed the City Clerk to draw up the Capital Improvement Plan from the list and present the 2003 items to accountant for the budget. Will discuss further if the accountant has any issues.

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NEW BUSINESS: (Continued)

Zoning Change for Block 29, Ordinance #1281

Mayor Weitman confirmed the time frame for protest was past. This zoning change will change the area from C-1, to C-2.

- *Motion to Accept Ordinance #1281, Zoning Change for Block 29*

Council Member VanVlack moved to accept the zoning change for Block 29 with Ordinance #1281. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:50 p.m.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for up to twenty minutes for legal and land acquisition, following a ten-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:52 p.m.

Resumed meeting at 9:22 p.m.

OTHER BUSINESS:

Road Repair Question from Trailer Hauling Mobile Home

Council Member McGinnis asked on behalf of George and Connie Eaton who was responsible for the damage done to their ditch where a tractor trailer rig brought in a mobile home and turned the corner too sharp cutting ruts in their ditch. Police Chief Farrell noted the vehicle owner was responsible. It might be possible to obtain this information from Larry Erickson or Betty Moore who are the owners of the trailer park where the mobile home was placed.

Complaints of Litter and Noise from Fireworks

Mayor Weitman reported he had received a complaint from the noise of fireworks from Deborah A. Ross in writing. Council Member McGinnis also reported she had received calls of noise and ultimately the litter that is left in other peoples yards as the children shooting them do not stay in their own yards, nor do they clean up after themselves. Police Chief Farrell noted there is an ordinance that only allows the fireworks from June 27th through July 5th, and from 6a.m. to 12 midnight. Discussed how this does give the community a chance to celebrate this particular holiday. Council Member McGinnis asked about the littering? Police Chief Farrell noted the ones in question agreed to clean it up but now the ones with the litter do not want them back on their property at all. Police Chief Farrell noted he would like to see the fireworks banned completely except on July 4th in the city limits, but realizes this would

cause others to complain. Noted there are complaints every year and for those who have to get up at 4 a.m. to go to work there is not enough quiet time for sleep. Council and Mayor concurred they understand the concerns and complaints, too bad there is not more supervision of children with Class 2 fire materials in order for the supervised children to enjoy the holiday without worrying about losing the privilege.

Meeting Date of Next City Council Meeting

City Clerk Herrin asked if the next regularly scheduled meeting date was ok with the mayor and city council. Concurred.

CITY CLERK'S REPORT:

City Clerk gave verbal report on the below listed:

- A] North Siren will be checked again on July 18th, as it did not go off with the routine run. There were no objections to doing a test run on that day while the company was here to repair, will put notice up.
- B] Division of Safety and Health will be here for inspection on July 11, 2002.
- C] Asked if Council wanted the KAN STEP tape returned to the state. Discussed looking into further information on this program and to check with the city with fliers to see if there is truly an interest. Will discuss further later.

CITY CLERK'S REPORT: (Continued)

City Clerk's written report included:

- a. Reminder: Planning Commission Public Hearings, July 11, 2002 at 7:00 p.m.
- b. Zoning Change for Block 29
- c. Railroad Street to One-Way Citizens Comments
- d. Public Hearings July 31, 2002 at City Hall Regarding Three Condemnations

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KDCH 'Community Capacity Building Program' Workshop
- b] *Children's Advocacy Center* Attendance Certificate for Glenn Farrell
- c] SEK 'Businesses & Communities Connecting' Meeting, July 18, 2002
- d] KDOC, *KLINK Programs* with Cities
- e] Letter to Linn County Clerk's Office Requesting Distribution of Park Money
- f] KDHE Letter Regarding Changes in Fees for Death Certificates
- g] MLA *Personnel Management* Training Session in July 2002
- h] KMU *Municipal Telecommunications Seminar* July 24, 2002
- I] KSU Letter Regarding "Park and Recreation Facility Inventory"
- J] Letter from Kelly VanTuyl to KCP&L, dated June 25, 2002
- K] *League News* Volume 7, Number 17, June 28, 2002
- L] Planning Commission Minutes of June 13, 2002 Meeting
- M] Planning Commission Public Hearing Minutes of June 27, 2002
- N] Park Board Meeting Minutes of June 30, 2002

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member VanVlack, voted on, passed 5-0.**

Meeting was adjourned at 9:50 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 3rd day of July 2002.

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The LaCygne City Council held a Special Meeting at 7:10 p.m., Tuesday, June 25, 2002, at LaCygne City Hall. The purpose of the Special Meeting is for: 1. Pratt Addition, Block 2, discussion with KCP&L and with Dennis & Kelly VanTuyl, and, Mike & Melissa DeMott; 2. Closing City Hall on July 5, 2002; and, 3. 2003 Budget Planning to Include Long Range Planning.

Council Members present were: Esther Shields, Steve Hisel, Connie McGinnis, and Mike VanVlack. Absent: Sam Barber.

Others present included: City Clerk Devona Herrin, Police Chief Farrell, Tony Keim with KCP&L, Linda Williams, Julie Funk, Mike & Melissa DeMott, Dennis & Kelly VanTuyl.

Mayor Weitman called the Special Meeting to order at 7:10 p.m.

Mayor Weitman announced the purpose of the Special Meeting was for: 1. Pratt Additions, Block 2, discussion with KCP&L and with Dennis & Kelly VanTuyl, and, Mike & Melissa DeMott; 2. Closing City Hall on July 5, 2002; and 3. 2003 budget Planning to Include Long Range Planning. These are the only items to be discussed at this meeting.

Pratt Addition, Block 2, discussion with KCP&L and with Dennis & Kelly VanTuyl, and Mike & Melissa DeMott

Mayor Weitman presented a brief update of what occurred at the previous City Council meeting where it was decided to continue when KCP&L could have a representative available. The City does not feel the city has any control at this time, but would like to see the issue resolved.

Discussed if the arm extension on the electric pole was a permanent fix. Mr. Keim reported the extension was extended ten feet to move the line from the DeMott structure making it safe and could stay permanently. This north and south line was installed in the late 1960's. There was no mention until now about it being placed outside of the alley easement. A privacy fence is no problem for KCP&L; they will take the fence down and put it back up if there is a need to get to the pole. If the pole is required to be moved, then there is no electricity for two houses as the electricity is cut and left where the pole is now. To move the pole, someone will have to pay the costs.

Council Member Hisel asked if part of the prior concerns wasn't about a fence not being put back if KCP&L did need access? Mrs. DeMott responded they felt that way because when the arm extension was put on there were 2X4's and stakes that were removed on their property that were not put back when they left.

Mrs. VanTuyl spoke about how the last time Tony came to their house she was threatened by Tony with two other witnesses there at the time. That KCP&L did not have an easement and if the pole were moved he would pull their line. Why does it have to stay in their yard? Mayor Weitman responded the city cannot address. Mr. Keim reported he did not threaten Mrs. VanTuyl; just explained that if KCP&L did have to move the pole then would also have to move the wire as there would not be an easement for the wire either.

Mr. DeMott stated KCP&L does have a sixteen-foot easement in the alley and the arm is still ending in my property. Mayor Weitman noted he would like to see this resolved but do not see how the city is involved.

Mrs. VanTuyl reported the alley had been established since 1881 per the county. Also, that Linda’s trailer would prohibit putting the pole over in the alley.

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Pratt Addition, Block 2, discussion with KCP&L and with Dennis & Kelly VanTuyl, and Mike & Melissa DeMott (Continued)

Mr. DeMott noted the biggest problem is the ruts left in the yard from the trucks. His yard is a low area and stays wet during dry times and really wet in bad weather, which is usually the cause for a truck to need to be at the pole for repairs. If KCP&L could bring trucks in from the south end of the alley this would solve that problem, as any ruts would be in the alley. There is a big tree in the ally behind DeMott’s property and on the south end of the alley that would need to be removed along with Mr. Medlin’s shed then KCP&L could use it.

Council Member Hisel asked if the main concern is access to the pole? Mr. DeMott nodded affirmative. Mrs. VanTuyl stated it’s still not right but need some solution to keep from tearing up their yard.

Mr. Keim reported if the pole and secondary lines stay where they are then KCP&L will lower the trees in the alley to get them accessible from the electric lines for someone else to finish removing. Will get with the city and get permission for which limbs to cut. Council Member VanVlack noted he would be available next week and KCP&L could work with him through City Hall.

DeMott’s and VanTuyl’s both agreed this would be a workable solution.

Mrs. VanTuyl asked what about the sheds in the alley and on their property. Mayor Weitman noted this was not on the agenda to discuss at this meeting and they were welcome to come to the next regularly scheduled meeting on July 3rd to discuss.

Closing City Hall on July 5, 2002

- *Motion to Close City Hall on July 5, 2002*

Council Member Shields moved to allow the employees who want off without pay, or use vacation or comp time to be off on July 5, 2002 and for City Hall to be closed for this year only. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:42 p.m.

2003 Budget Planning to Include Long Range Planning

City Clerk Herrin handed out rough draft of Schedule of Capital Outlays. The Mayor and Council reviewed and discussed the following items with estimates of cost:

Dog Kennel with 8 Runs	2004	\$25,000 with grant
Property Purchase	2003	\$10,000
New Cemetery Property		
a. Landscape	2003	\$5,000
b. Lot Platts	2003	\$5,000
Roof on Cemetery Bldg	2003	\$1,500 with inmates
Fire Hydrants	1 Ea. Yr.	\$2,000
New/Add-on City Hall/	2003-4	\$80,000
Fire Department/	2003-4	\$80,000 with grant
Police Department	2003-4	\$80,000
City Annexation Improvements	2003	\$100,000
Swimming Pool	2005	\$150,000 with grant
Comm. Bldg Heat/AC	2003-4	\$20,000
Dump Truck	2003	\$40,000
Lawn Mower	2003	\$8,000

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Backhoe	2003	\$70,000	
Skid loader	2003	\$40,000	
Streets, Cap. Imprvmnt	2006	????	with grant

City Clerk Herrin noted the items already committed for 2002 would have values on them at the next meeting as well as the items already completed from 2001 and 2002.

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Adjourn

With no further business, **Council Member VanVlack moved to adjourn the meeting. Seconded by Council Member Hisel, voted on, passed 4-0.** Time: 8:54 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 25th day of June 2002.

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REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday June 12, 2002, due to rescheduling the June 19, 2002 meeting date. Council Members present were: Mike VanVlack; Connie McGinnis; Sam Barber; and Steve Hisel. Absent: Esther Shields.

Others present included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Planning Commission Chairman Randy Tinsley; Roger Sims; Julie Funk; Kelly and Dennis VanTuyl; Mike DeMott; Linda Williams; Wes Medlin; Travis Robbins; and Bob Bousfield.

Mayor Terry Weitman called the meeting to order at 7:02 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: June 6 – 12, 2002;
Minutes of June 5, 2002 City Council Meeting;

Motion seconded by Council Member Barber, voted on, passed 4-0. Time: 7:04 p.m.

DISCUSSION FROM THE FLOOR

Dennis & Kelly VanTuyl and Mike & Melissa DeMott Regarding Alley in Their Block

Mr. Medlin reported he had called KCP&L to ask them about an electric line that crossed his back yard in regards to placing his travel trailer in the same area. When KCP&L employee was at his house looking at the area this employee noted there was a building going up on another part of the block that was too close to an electric line.

Mayor Weitman reported he had read the 'request/demand' from the VanTuyl's and the DeMott's that the City of La Cygne have 'Linda & George Williams move their trailer, side building, 2 sheds, pole with their utilities on it and clothes line' and KCP&L to move their pole. Mayor Weitman asked if they knew when this block became Pratt Addition, Block 2? Kelly VanTuyl noted she did not know. Mike VanTuyl noted the current homes in the block

were built in the 1960's. It was also noted there were other homes in the block prior as foundations have been found. Mike DeMott reported they had received an OK from KCP&L to go ahead with their building as KCP&L had done a temporary fix to the pole. Kelly VanTuyl noted there is no record of the electric company having an easement in the block and the electric company cannot put the power line into the easement/alley because the trailer is in the easement. Where the electric pole is was not an issue until now.

Mayor Weitman reported there was a permit issued in July 1991 for the Williams trailer. The city did not even begin any zoning requirements until October 1991 and did not put it in place and hire the first codes officer until September 1992. City Attorney Sutherland noted that prior to hiring the codes officer there was no checking done by the city; that the building permit was just for county information. There was not checking of property lines, etc.

Dennis VanTuyl referred to the survey they had had completed showing the Williams' trailer was 14-15' in the sixteen foot alleyway; there are two metal sheds that are north of the trailer with about one foot of each on the VanTuyl property. Requested the city have these moved from the alleyway.

City Attorney Sutherland noted that items in the alleyway were the city's option to act or not act. However there are many areas like this that occurred prior to 1991, and it is up to the city. Mr. Medlin asked how far the trailer was into the alley? Mike DeMott responded 'fifteen feet'.

Kelly VanTuyl reported there are three property owners in the area that want to put up privacy fences and cannot with the electric pole where it is without the electric company tearing down the fences if they need access.

Linda Williams reported they poured a cement slab where the sheds are to cover a well in 1993, then moved the buildings that were already on the property and built around the 1970's to that slab area.

Kelly VanTuyl noted they had asked the Williams' to move the buildings once they had completed their survey and found they were on the VanTuyl property. But to date, all that had been done was the clothesline wire cut by Mr. Williams. We try to be quiet when we are working but they say we make too much noise. Linda and George are just not happy with what we have done in our own property, we even moved the building in 25 feet to give them space instead of just the required fifteen feet.

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DISCUSSION FROM THE FLOOR (Continued)

Dennis & Kelly VanTuyl and Mike & Melissa DeMott Regarding Alley in Their Block (Continued)

Mayor Weitman noted it appears the power and light pole has never been in the easement/alleyway. Why does the city have anything to do with this? The city did not create this. Mike DeMott responded the Tony Keim with KCP&L said the poles were placed in the mid-fifties. Mayor Weitman noted it appeared the only thing the city could do would be address the storage buildings placed in 1993 apparently without any building permits. City Attorney Sutherland noted it was and unimproved open alley. Council Member Barber addressed the VanTuyl's and DeMott's noting 'you are trying to get us to say that since it's in the alley you want us to do something'. This was confirmed. Kelly VanTuyl noted the city could make her move her sheds since there were no building permits. Then discussion noted Mike DeMott's building permit was granted by the city and then he was stopped from building by KCP&L. Mayor Weitman noted the permit was approved based on city guidelines not KCP&L guidelines. City Attorney Sutherland noted the city was not involved at all with where KCP&L put their pole. Dennis VanTuyl reported KCP&L will not move the pole till the trailer is moved. City Attorney noted need to get with KCP&L for them to tell what they can do in this situation. Mike DeMott reported he had been talking with Tony Keim who is the local superintendent. Randy Tinsley asked if they had looked into the primary going underground. Noted it had been discussed but may still have to be ten feet from the building.

Mayor Weitman reported it looked like need to ask KCP&L for representation. Requested City Clerk contact Tony Keim and Woody Woodman to set up a special meeting with a time frame that would work with KCP&L.

Linda Williams noted the electric company used to drive through the southwest corner of her property but this also puts them in the north edge of the property south of her and that new owner does not want them entering from there anymore. Mrs. Williams noted they would remove the sheds but not the slabs due to the well.

Mayor Weitman asked that the city get with KCP&L to set up a meeting and then alert all concerned as to the meeting time.

Wes Medlin Asked About Four-Wheelers on Public Roads

Mr. Medlin asked if there were any laws against four-wheeler on public roads. City Police Chief Farrell responded that city's of the third class, which included La Cygne, permitted these vehicles on the public roads of the city but not any highway streets. The vehicles were subject to the same rules and regulations as autos, which includes staying within the speed limits.

6TH STREET IMPROVEMENT

Discussed movement on project. Looked at bid where Killough does the groundwork and then the city &/or county doing the chip and seal work later. Discussed what might be best for the city long term as to cut back too much could just lead to more repair work later, but much sooner than if it was asphalted now. Mayor Weitman asked the street committee to review in detail and report back at the next meeting. Also to let the engineer know the city will try to have a decision at the July 3, meeting.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer – Chuck Farrell Jr.

No police report for the last week. Noted the city council will need to begin the process for the previously noted unfit structures.

Public Works Superintendent George Craig

Superintendent Craig reported the city council might be getting a letter from the county on cleaning the gas line on Lamb Road. To the best of his knowledge this had not been done in the past there is no money in the budget for weed spray. Talking about \$10,000 in spray to do the job as has been requested to be done.

STANDING COMMITTEE REPORTS:

Street

Changing Railroad Street to One-Way: Pending, have not met with everyone yet.

Public Safety

Stop Sign Review at North End of Broadway: Still under review, will report back at the next meeting.

SPECIAL COMMITTEE REPORTS:

REGULAR MEETING

Year =2002

Fiesta: Meeting tonight. Connie McGinnis will handle the letter from Parker Harvest Fest regarding the date of the Fiesta for 2002. The Park Board will handle the queens again this year.

DISSUSSION FROM THE FLOOR: (Continued)

Bob Bousfield for Mine Creek Radio Club

Bob Bousfield asked to borrow the generator for Mine Creek Radio Club to use over the weekend of June 22-23, 2002, realizing if there is a city emergency it will be returned.

- *Motion to Approve the Loan of Generator to Mine Creek Radio Club*

Council Member VanVlack moved to approve the loan of the generator to the Mine Creek Radio Club for the weekend of June 22-23, 2002. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:18 p.m.

UNFINISHED BUSINESS:

Dr. Rogers, 121 N Broadway, Curb in Front of Office

Committee still checking into. Continue until the next meeting.

Guidelines to Apply with Building Permits to Include Possible Survey & Waiver of Responsibility

City Attorney noted he would have the information at the next meeting on July 3, 2002.

Four Unfit Structures

Discussed the four properties Codes Officer Farrell presented at the last meeting. These properties are: Gary Prentice, 824 7th St. Court; Sandra Wisdom, 413 S. 1st; Don Porter, 405 S. 1st; and, James, 407 S. 2nd. Discussed the full name on the James property is unknown as of meeting date. City Attorney noted will need full information on the name before proceeding on that location. Reviewed guidelines for unsafe and unfit structures.

- *Motion to Set Public Hearing for July 31, 2002 at 7:00 p.m. for Three Locations*

Council Member Hisel moved to set the public hearing for July 31, 2002 at 7:00 p.m. at City Hall for Prentice, Wisdom, and Porter. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:30 p.m.

- *Motion to Authorize Resolutions #268, 269, and 270 for Unfit & Unsafe Structures*

Council Member Hisel moved to authorize Resolutions #268, 269, and 270 on the matter aforementioned. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:31 p.m.

SEKRPC Planned Priority Public Works Projects Lists

Discussed. Council passed on completing this form at this time for SEKRPC. Will include in the budget and future plans meeting to be held next month to be prepared for next year.

NEW BUSINESS:

None

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Hisel moved to go into executive session for up to twenty-five minutes for legal, ten

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Year =2002

minutes for personnel, following a ten-minute break. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 8:35 p.m.

Resumed meeting at 9:08 p.m.

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OTHER BUSINESS:

None

CITY CLERK'S REPORT:

City Clerk gave verbal report on the below listed:

- A] State Tax Increase as of July 1, 2002
- B] Decrease in State Tax Revenue as of July 1, 2002
- C] North Siren Hit by Lightning
- D] Pending Zoning Change for Block 29

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Certificate of Attendance for James Hazelet
- b] *Kansas Government Journal* April 2002, Volume 88 – Number 4
- c] Planning Commission Agenda for June 13, 2002

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member Hisel moved to adjourn. Motion seconded by Council Member Barber, voted on, 2-2 (No – VanVlack and McGinnis).**

Mayor Weitman adjourned the meeting at 9:16 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 12th day of June 2002.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, June 5, 2002. Council Members present were: Sam Barber, Steve Hisel; Connie McGinnis, Mike VanVlack, and Esther Shields.

Others present included: City Clerk Devona Herrin; Chief of Police Glenn Farrell; Public Works Superintendent George Craig; City Attorney John Sutherland (arrived at 7:30 p.m.); City Fire Chief Ernie Moylan; City Treasurer Linda Elder; Jennifer McDaniel; Julie Funk; Kelly and Dennis Van Tuyl; Jim Johnson; Michael McCool; and Darlene VanVlack.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member McGinnis moved to approve the consent agenda, which consisted of:

Check Register: May 16 - June 5, 2002;

Minutes of May 15, 2002 Regular City Council Meeting

Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:01 p.m.

UTILITY IMPROVEMENTS REPORT

CDBG SEWER GRANT - STATE REVOLVING LOAN - EDA GRANT

- a. Noted letter from KDCH granting contract time extension request
- b. Noted letter from KDCH giving approval to use EDA Funds in place of SRF
- c. Mayor Weitman reported he had met with Rob Gavin to sign some sewer contracts

6TH STREET IMPROVEMENT PROJECT

- a. Council Member Barber reported engineers are still working on details of 6th Street and should have some information by the end of the week.

DISCUSSION FROM THE FLOOR:

Julie Funk, Asking about a Stop Sign on the North End of Broadway

Julie Funk asked about putting a stop sign at the north end of Broadway at the ‘T’ intersection with Grand Ave. Public Safety asked about putting up a yield sign. Mayor Weitman asked the Public Safety Committee to work with Police Chief Farrell and report back. Police Chief Farrell noted when a street T’s the dead-end is the one to yield and at intersections the person/vehicle on the right has the right-of-way.

REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Police Chief Farrell submitted and reviewed a written report of police activities for the month of May 2002.

Presented photos of four premises that need repaired or torn down. The council and mayor viewed the photos. All locations are vacant. The locations are: 2nd & Elm, James; 1st & Linn, Sandy Wisdom; 1st & Elm, Don Porter; and Prentiss property off of east end of Grand Ave. The Prentiss property is an open basement only with the foundation now cracked and the building permit expired. Recommendation is to have them condemned and destroyed. Council Member Barber asked if the city could get caught with the expense if the owner doesn’t address the corrections. Noted the city could end up bearing the initial expense and then place the cost on the property tax rolls. At this time they are a health hazard for animals and growth to the community as a whole.

- *Motion to Begin Condemnation Process*

Council Member VanVlack moved to authorize Codes Officer Farrell to begin the condemnation process. Seconded by Council Member Shields. Discussion: Council Member Hisel asked if the open basement would be acceptable if it was filled with rock/gravel and then maybe used later. Codes Officer Farrell noted that should be all right at this time to meet the health and safety needs. Concurred the owner is aware there is a foundation problem and it could be filled in to make it safe for now as a way of addressing this one. **Voted on, passed 5-0.** Time: 7:22 p.m.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

REGULAR MEETING

Year =2002

Superintendent Craig reported Jerome Moore needs ten hours by the end of this year to renew his sewer certification. There is a class in Lawrence for two days in July that will meet these requirements.

- *Motion for Jerome Moore to Attend School in Lawrence in July*

Council Member Barber moved to send Jerome Moore to school for two days in Lawrence in July. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 7:24 p.m.

STANDING COMMITTEE REPORTS:

Park

Council Member Hisel reported the Park Board is looking at a new chlorinator and diving boards. Also the motor for the pool has been rebuilt as well as the back up motor.

Cemetery

Council Member Shields complimented the city crew for helping get ready for the recent holiday, even getting the gates painted. It looks nice.

Public Safety

Council Member VanVlack reported the committee recommendation for action concerning Railroad Street north of Market Street is to make it a one-way street going south. Council discussed how to possibly do this process. Mayor Weitman asked the Street Committee to check with the people on that street for input and to report back.

Community Building

Council Member VanVlack noted they are still working on purchasing tables.

SPECIAL COMMITTEE REPORTS:

Fiesta

Next meeting is June 12, 2002, the second Wednesday of each month.

UNFINISHED BUSINESS:

Dr. Rogers, 121 N Broadway, Curb in Front of Office

Council Member Hisel reported he has been discussing this with Mr. Rogers and will have report at a later date.

Ordinance Amendment for Survey's with Building Permits

City Clerk Herrin reported information obtained from other cities indicated most other cities let the zoning/codes person make the call when a survey was needed before a structure was put in place. Generally this would happen when the property owner wanted it close to the boundary requirements and the boundary was not clear. One city did require a survey on any new addition to a property. Codes Officer Farrell was ok with the call for a survey as long as it was set out for the community in some manner. Discussed. Asked City Attorney Sutherland to draw up application requirements to include a possible survey determined at the discretion of the codes officer with a waiver of responsibility to the city and the officer added to the building permits and bring back for review.

NEW BUSINESS:

SEKRPC Planned Priority Public Works Projects Lists

City Clerk Herrin reported this projects list coincided with the future Capital Improvement Plans and is to cover items the city wants to address in the future, whether they are actually put in place in those designated years or not, they are there for review. Council discussed and agreed to return to this item later.

Page 3 of 4

TERRY SERCER, CPA, 2001 ANNUAL AUDIT REPORT

Terry Sercer reviewed the Independent Auditors' Report explaining how the city waives the Generally Accepted Accounting Principals and follows statutory basis of accounting. The audit does record year-end encumbrances in the statements. At the year-end of 2001 there was \$52,000 in the general fund available to transfer half to the Capital Improvement Fund and half to the Equipment Reserve Fund. There was a negative balance in the Gas Fund due to year-end payables. The city increased rates last year but not early enough to catch up. There were no Budget Law violations.

Mr. Sercer noted the cover letter is same as every year. It lists the lack of separation of duties as are required to report. Staff is too small for complete separation of duties. There was no evidence of wrongdoing or misappropriation of City funds.

Council Member Barber asked if it was possible to use the Capital Improvement Fund for a major street improvement related to a business area. Mr. Sercer noted this fund is to be used with long range plans, but don't think there is any problem if the street is to be done for a long-range project. Will check to make sure and report back.

Mr. Sercer noted he would be returning in a month to a month-&-a half for next years budget plan. Asked the city to consider their needs including the employee benefits as they have been fluctuating. Also discussed the state cuts and the cities cut is not as bad as universities and some other government areas. For the City of La Cygne it will affect LAVTR, Revenue Sharing, and the Highway Fund, which is about \$60,000 of the total revenue to the city. Then the city's sales tax was up a little last year, which was good.

Thanked the city for their time and would see them again soon. He would call the city clerk this Friday with the information on the Capital Improvement Fund.

NEW BUSINESS: (Continued)

A Council Member said thanks for spraying for the mosquitoes. Have seen an improvement. Public Works Superintendent Craig reported they have been spraying this year on a schedule to try to help keep them down.

KRWA, 'Financial Management, Funding Options & Capacity Development'

There is no charge for attendance for this special financial management seminar. One location is Thursday, June 27, at Chanute; and the other closest was Friday, June 28, at Topeka. Discussed who should attend. Mayor Weitman noted he would try to attend the one in Topeka on the 28th if his work schedule allowed it.

- *Motion to Approve City Clerk for Attendance to Seminar*

Council Member Hisel moved to approve the city clerk to attend the seminar with the usual perdecum and to include anyone on the council who can attend. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:28 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Barber moved to go into executive session for legal advice, and discussion of personnel for up to one hour and twenty minutes following a 10-minute break. Motion seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:30 p.m.

Those invited into or requesting a portion of executive session was: City Police Chief Farrell; City Clerk Herrin; and Mike McCool.

Open Session Resumed at 9:47 p.m.

Extend Meeting Time

- *Motion to Extend Meeting*

Council Member Barber moved to extend the meeting up to 10:30 p.m. Motion seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:47 p.m.

Page 4 of 4

Executive Session Extended

- *Motion to Extend Executive Session*

Council Member Barber moved to extend the executive session for discussion of personnel for up to 35 minutes. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:48 p.m.

Open Session Resumed at 10:25 p.m.

OTHER BUSINESS:

Employee Raises

- *Motion for Employee Pay Raises as Presented*

Council Member Barber moved to approve pay raises for city employees as presented on paper. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 10:26 p.m. (Printed pay changes included the following: George Craig from \$12.50 to \$13.50; Bill Craven from \$6.75 to \$7.75; Gary Curnutte from \$10.53 to \$11.60; Linda Elder from \$10.58 to \$11.58; Chuck Farrell from \$13.58 to \$14.83; James Hazelet from \$9.50 to \$11.00; Devona Herrin from \$13.58 to \$14.83; Kenny McClanahan from \$8.00 to \$8.50; Jerome Moore from \$10.41 to \$11.41; Mike Watson from \$10.25 to \$11.25; and Tate West from \$8.36 to \$9.00)

Health Benefits □ Blue Cross & Blue Shield Rate/Coverage Change

- *Motion to Change BCBS to Higher Deductible Plan*

Council Member Barber moved to change the Blue Cross/Blue Shield coverage to a higher (\$1000) deductible. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 10:27 p.m.

REGULAR MEETING

Year =2002

City Clerk Herrin asked if there would be any changes to the City Benefits currently paid by the city for the city employees. City Council responded there would be no changes.

Change Next Regularly Scheduled City Council Meeting

Discussed changing the next city council meeting date due to city attorney being unavailable on the regularly scheduled date of June 19, 2002.

- *Motion to Change Date For Council Meeting to Wednesday, June 12, 2002*

Council Member VanVlack moved to change the June 19, 2002 City Council Meeting to Wednesday, June 12, 2002 for full attendance. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 10:29 p.m.

CITY CLERK'S REPORT:

The written report included:

- a] State Tax Increase as of July 1, 2002
- b] Decrease in State Tax Revenue as of July 1, 2002
- c] KRWA *Clarifier* May 2002, Report on 'Public Water Supply Capacity Survey sent to 900 water systems in Kansas'

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Accountant Representation Letter Regarding Audit of City Financial Statements
- b] 'General Budget Seminar' Certificate for City Clerk
- C] Thank Letter from the Weitman Family
- D] USDOT Letter Regarding Pipeline Safety Public Awareness
- E] KRWA Seminar 'Water System Operation and Maintenance' Neodesha, KS, Thursday, June 13, 2002
- F] KDCH 'Housing Application Workshops for Year 2002'
- G] KDOT 'News Release'
- H] KRWA 'Kansas Water Rights' Program Notice
- I] Kansas Contractors Association Invitation to Attend Social Event
- J] KRWA, Certificate of Attendance for James Hazelet

ADJOURNMENT:

- *Motion to Adjourn*

Council Member McGinnis moved to adjourn. Motions seconded by Council Member VanVlack, voted on, passed 5-0. Time: 10:30 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 5th day of June 2002.

Page 1 of 4 Pages

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday May 15, 2002. Council Members present were: Esther Shields; Mike VanVlack; Connie McGinnis; Sam Barber; and Steve Hisel.

Others present included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Planning

REGULAR MEETING

Year =2002

Commission Chairman Randy Tinsley; Rob Gavin; Ray Haberstroh with McCorkendale Construction; Billy Waters with BRW Construction; Jackie Pribble; Linda Elder; and Julie

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: May 9 – 15, 2002;
Minutes of May 1, 2002 City Council Meeting;
Minutes of May 8, 2002 Reconvened City Council Meeting;
April 2002 Financial Statement

Motion seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:01 p.m.

6TH STREET IMPROVEMENT

Discussed movement on project. Determined to look at Killough doing the groundwork and then the city &/or county doing the chip and seal work later. Asked Kirkham Michael Engineer Rob Gavin to check this direction with Killough Construction and report back.

DISCUSSION FROM THE FLOOR

Billy Waters with BRW Construction Regarding Sewer Interceptor

Mayor Weitman explained Mr. Waters had previously contacted him about concerns Mr. Waters had about not completing all of the necessary forms for the Sewer Interceptor project contract. Mayor Weitman then asked Mr. Waters to bring his concerns to the council to explain to everyone.

Mr. Waters spoke about how the paperwork that was not completed by his company had been in the amended part of the packet and his company had thought they had completed all of the necessary paperwork when they handed in the bid. Mr. Waters felt it very well may have been a miscommunication between them and the city engineers, but was not done intentionally by anyone. With that information could his company be reconsidered for the project? City Attorney Sutherland noted that the city did not think anything was intentional, however the whole packet needed to be completed to be in compliance and the initial decision was based on that.

Mr. Waters noted if the council had no room to reconsider then he guessed that's where he stands.

Mayor Weitman noted that unless the council had something else to say then that's where the city stands is with the previous decision made. No additional comments from the council.

Mr. Waters asked if the second bidders paperwork was complete or if they missed the additional paperwork. It was noted the second bidder did have all of the required paperwork at the time the bids were opened.

Mr. Waters thanked the council for his time and left.

Jackie Pribble Regarding Vehicles Driving Too Fast on Railroad Street North of Market

Jackie Pribble reported there are various people zooming down her street to beat the train when the crossing lower on Market Street as they try to get to the crossing on Swan Street before the train. Often times they are not familiar with the road and there is a curve, which they almost miss because they are going too fast. Would the city consider speed bumps, or something to slow this traffic down?

Council consensus was that speed bumps had been tried on another street and just caused other problems where the drivers would drive off into people's yards to avoid the bumps, or use them as ramps to take off from, that they just didn't work. They would ask law enforcement to try to be more available in that area when there is a train coming. Ms. Pribble

did not think that would work, as it was not the same time of day or the same vehicle/driver causing the problem, but would like to see something done. Mayor Weitman asked the Safety Committee to review and report back for any possible options.

Ms. Pribble asked if there was a curfew for the city as there had been kids out as late as 2 a.m. in the parking lot by the railroad tracks. So far no trouble, but did not feel that they should be there that late at night.

Pages 2 of 4

DISCUSSION FROM THE FLOOR (Continued)

Jackie Pribble with Questions to the Council (Continued)

Ms. Pribble asked about a streetlight on the north end of Railroad. There was an old street light at the end of railroad where the road used to cross over the railroad tracks but it is up by the railroad tracks in the closed street area. Council asked the City Clerk to check on how much it would cost the city to move the existing pole down to the used part of the street &/or to put in a new light at the street curve.

Ms. Pribble asked if 2nd Street north of Market was a through street. The closed streets were checked and found that only 85 feet north of Market was considered open on 2nd Street. The part further north had been closed.

Ms. Pribble asked if the city was treating sewers for tree roots? Public Works Superintendent reported that the city had not treated the city sewer mains yet this year as there were several line repairs being done shortly and did not want to waste the materials being used in those areas. The city is then planning to treat the parts of the city sewer mains that are not repaired in the projects after the project is completed and it is known where these exact areas are.

Erwin Russell

Mr. Russell, who lives at 108 Linn, asked if the city was going to take any action on the property west of him, as the owner had done nothing since the January storm. Mayor Weitman reported the city is working on these projects and a notice has been sent already to that particular landowner. Mr. Russell thanked the council and left.

REPORTS OF CITY OFFICERS:

City Attorney Sutherland

Mr. Sutherland reported he had received confirmation from Classic Cable regarding the claim filed against them by the city for the outstanding franchise.

Mr. Sutherland reported he had received notice from the District Court ruling in favor of summary judgment dismissal for the Scott Stone case. This can be appealed, unknown at this time whether they will or not.

Public Works Superintendent George Craig

Superintendent Craig reported on the 2002 Water Supply Inspection Report from KDHE. The city was noted for no violations and received some compliments.

STANDING COMMITTEE REPORTS:

Street

Council Member Barber asked Public Works Superintendent to get with him and build some figures for costs if the city does the double chip and seal on the 6th Street Project.

Park

Council Member Hisel thanked the Public Works Employees for taking the tarp off the pool and for the other items of repair they had done at the park recently.

UNFINISHED BUSINESS:

Dr. Rogers, 121 N Broadway, Curb in Front of Office

Committee still checking into. Continue until the next meeting.

Interlocal Agreement for the Revitalization Program

Received the signed agreement with the county. No further action required to continue to May 13, 2004 with the changes listed.

Pages 3 of 4

NEW BUSINESS:

Invitation to Attend Geographic Reference System Informational Meeting Sponsored by City of Pleasanton on Tuesday, May 21, 2002 at 6:30 p.m.

Mayor Weitman asked Planning Commission Chairman Tinsley what he thought about a GIS system. Mr. Tinsley said he had heard they are pretty expensive. Noted letter from Pleasanton looks like other city was looking at it with a shared option. Rob Gavin commented that almost any survey firm could do this kind of project if the city is interested. Discussed sending city representative to the meeting. Mayor Weitman and Public Works Superintendent Craig will attend.

Water Board Meeting, Tuesday, May 21, 2002 at Ottawa

Council Member Shields reported she would be attending another Water Board Meeting next Tuesday, May 21, 2002 in the morning at Ottawa. She asked if any of the other council members were free to go. No one else was available at that time of day.

Planning Commission Request to Require a Stamped, Certified Plot Plan or a Survey Prior to Issuing a Building Permit for any Permanent Structure

Council discussed. Determined survey is the only method to make sure any building is within the required property owner's area. Discussed putting something in place and then the Planning Commission could grant a variance if any construction was clearly not an issue regarding boundaries. Any variance would require a hold harmless agreement. This would relieve some city responsibilities when exact area is unknown by all including city personnel, and smooth some neighbor concerns if/when they would occur. Asked the City Clerk to contact other cities and the League for ordinance copies used elsewhere and bring back for review at the next meeting.

Planning Commission Request to Address Willingham's Construction Without a Building Permit

Discussed the deck structure in question appears to be mobile. Codes Officer Farrell reported he had spoke with Mr. Willingham and been told he intends to leave it where it is. Noted the Outpost had also built a fence without obtaining a building permit. Need to look into this too. Determined to have City Attorney Sutherland draft a letter to Mr. Willingham that he is in violation of building permit requirements and setbacks.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

REGULAR MEETING

Year =2002

Council Member VanVlack moved to go into executive session for up to twenty-five minutes for legal, and personnel. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:10 p.m.

Those invited into or requesting a portion of executive session was: City Treasurer Elder.

- *Extend Executive Session*

Council Member VanVlack moved to extend executive session for up to ten minutes for legal. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:45 p.m.

Resumed meeting at 8:55 p.m.

OTHER BUSINESS:

Structures Constructed on Property

City Attorney Sutherland noted the city codebook states if anything is constructed that adds to the outside dimension it requires a building permit. It does not state it has to be a permanent structure.

Employee Benefits – Health Insurance

City Clerk reported the next years premiums had just been received and there was an increase. Discussed the increase. Requested City Clerk review changes and report back at the next meeting.

CITY CLERK'S REPORT:

None.

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NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Planning Commission Minutes of May 9, 2002
- b] Notice of Public Hearing, June 5, 2002
- c] LKM, *Legislative Alert*, May 8, 2002
- d] LKM, 2002 Leadership Summit Letter, May 7, 2002

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member VanVlack, voted on, 4-1 (Barber – No).**

The meeting was adjourned at 9:30 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 15th day of May 2002.

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REGULAR MEETING:

The La Cygne City Council met in regular rescheduled session on Wednesday, May 8, 2002. Council Members present were: Connie McGinnis; Steve Hisel; Mike VanVlack; and Sam Barber. Absent: Esther Shields.

Others present included: City Clerk Devona Herrin; City Chief of Police Glenn Farrell; City Attorney John Sutherland (Arrived at 8:00 p.m.); City Fire Chief Ernie Moylan; Public Works Superintendent George Craig; Public Works Employees Gary Curnutte, James Hazelet, and, Jerome Moore; Jennifer McDaniel; Kristie Cook; Jim Johnson; Rob Gavin; Bob Berry, FSCC; and, LeRoy Turpen.

REGULAR MEETING

Year =2002

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

PRESENTATION:

Mayor Weitman introduced Bob Berry with Fort Scott Community College Technology Department. Mr. Berry explained the Environmental Technology Department nominates and outstanding Technology Student each year and this year James Hazelet was chosen. The reasons Mr. Berry gave for Mr. Hazelet was how he reacted in class as they have found when they care in class they will care back at the plant too and James always reflected this in his work and attendance; then James also scored the highest ever seen on the Class I certification test; and, also, the district engineer asked Mr. Berry about James and reported James was doing great stuff at work with the training he had received. An award plaque was presented to James Hazelet and pictures were taken.

Mayor Weitman congratulated James Hazelet noting everyone was proud of James and his dedication. James Hazelet responded with a thank you to everyone and the great support from his fellow employees now and while attending the class.

NEW YEAR ORGANIZATION:

Mayor Terry Weitman recommended the following appointments for City Officers:

City Clerk	Devona Herrin
City Treasurer	Linda Elder
Chief of Police	Glenn D. Farrell Jr.
City Attorney	John S. Sutherland
Fire Chief	Ernie Moylan
Municipal Judge	Robert Stocking
Codes Officer/Zoning Compliance	Glenn D. Farrell Jr.
Public Health Officer	Glenn D. Farrell Jr.

c *Motion to Approve Recommended Appointments*

Council Member VanVlack moved to accept the recommended appointments. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:09 p.m.

Mayor Terry Weitman recommended Steve Hisel for Council Representative to the Park Board.

c *Motion to Approve Council Representative to Park Board*

Council Member Barber moved to accept the recommendation of Steve Hisel for Council Representative to the Park Board. Seconded by Council Member VanVlack, voted on, passed 3-0 (Hisel Abstained) Time: 7:10 p.m.

Mayor Terry Weitman recommended Linn County News for the Official City Newspaper.

c *Motion to Approve Official City Newspaper*

Council Member McGinnis moved to accept the recommendation of Linn County News for the Official City Newspaper. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:11 p.m.

NEW YEAR ORGANIZATION: (Continued)

Mayor Terry Weitman recommended the following appointment to the **Planning Commission**

3-Year Term	Jim Johnson
3-Year Term	Randy Tinsley
3-Year Term	Kenneth McClanahan
2-Year Term	Ann Ravnikar
1 Year Term	Bob Burnett

c *Motion to Approve Planning Commission Appointments*

Council Member VanVlack moved to accept the recommended Planning Commission appointments. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 7:12 p.m.

Mayor Terry Weitman recommended appointment of Dianne Dotts to the **Zoning Appeals Board** for another three-year term.

c *Motion to Approve Appointment to Zoning Appeals Board*

Council Member Hisel moved to approve Zoning Appeals Board appointment of Dianne Dotts. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:13 p.m.

Mayor Terry Weitman recommended the following **Standing Committee Appointments**

Water & Gas	Mike VanVlack & Connie McGinnis
Street	Steve Hisel & Sam Barber
Sewer	Sam Barber & Steve Hisel
Park	Steve Hisel & Connie McGinnis
Cemetery	Esther Shields & Mike VanVlack
Public Safety	Connie McGinnis & Mike VanVlack
Community Building	Steve Hisel & Connie McGinnis
Employee Relations/Training	Sam Barber & Esther Shields

- *Motion to Approve Appointments as Presented*

Council Member Barber moved to accept the mayor's recommended appointments as presented. Motion seconded by Council Member VanVlack, voted on, passed 4-0. Time 7:13 p.m.

Early Payment of Payroll & Monthly Bills

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

Council Member VanVlack 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 Barber, voted on, passed 4-0. Time 7:14 p.m.

Resolution No 267 - Waiver from Certain Accounting Procedures

- *Motion to Approve Resolution No. 267*

Council Member VanVlack moved to approve Resolution #267 & waive GAAP-Prescribed Statements and General Fixed Accounting. Seconded by Council Member Barber, voted on, passed 4-0. Time 7:15 p.m.

Election of Council President

Council Member McGinnis nominated Council Member Hisel to be Council President. Council Member VanVlack nominated Council Member McGinnis to be Council President. Mayor Weitman asked for any further nominations. With no further nominations, Mayor Weitman asked for a vote for Council Member McGinnis. Vote was taken by show of hands. All in favor of Council Member McGinnis - 3, against - 1 (McGinnis). Council Member McGinnis was elected Council President.

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CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member McGinnis moved to approve the consent agenda, which consisted of:

Check Register: April 18 - May 8, 2002;
Minutes of April 17, 2002 Regular City Council Meeting;
Minutes of April 25, 2002 Special City Council Meeting

Motion was seconded by Council Member Barber, voted on, passed 4-0. Time: 7:17 p.m.

UTILITY IMPROVEMENTS REPORT

CDBG SEWER GRANT - STATE REVOLVING LOAN - EDA GRANT

Extension Request with Letter of Explanation for Grant

- *Motion to Authorize Mayor to Sign Letter with Extension Request for Grant*

Council Member Hisel moved to authorize the mayor to sign the extension request for the grant along with the letter of explanation. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:18 p.m.

Letter Requesting Use of EDA Funds to Match CDBG

City Clerk Herrin reported Grant Administrator Linda Weldon had submitted a letter to Kansas Department of Commerce & Housing for granted permission to use EDA grant funds as the matching funds instead of the KDHE RLF loan funds, as anticipated when the application was written. If granted this will alleviate part of the financial burden to the citizens of La Cygne, or leave the difference available to apply to further sewer line growth. The decision can be made after a response is received back from KDCH and the existing projects are completed giving a final amount of any excess funds.

Three Bid Proposals Presentation by Rob Gavin

Rob Gavin presented written bid tabs with the engineers written recommendations to the council for all three-sewer projects.

- Sewer Line and Manhole Repairs: This project bid includes video with line cleaning as part of the project. There may be some additional linear feet to add to the repair project so this part of the price may go up before the total project is complete. The engineer's recommendation is that the city awards the contract for the Sewer Line and Manhole Repair to the apparent low bidder, Insituform Technologies in the amount of

\$251,090.00. There were two bidders for this project: Insituform Technologies for \$251,090.00, and, Municipal Pipe Tool for \$321,090.00. The engineer's estimate for the project was \$238,655.00.

- *Motion to Accept Engineers Recommendation of Insituform Technologies*

Council Member Barber moved to accept the engineer's recommendation of Insituform Technologies in the amount of \$251,090.00 for the sewer line and manhole repair project. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:26 p.m.

- East Interceptor Sewer Line: BRW Construction was the apparent low bidder, however they failed to include documentation as outlined in the Information to Bidders. The city may consider BRW Construction's bid, waive the formalities, and accept the bid or reject the bid and accept the bid from the second low bidder, McCorkendale Construction. The total difference in the bids is \$5,658.50. The bidders for the project were: BRW Construction @ \$292,962.50; McCorkendale Construction @ 298,621.00; Beamer Construction @ \$314,480.00; Mahurin Construction @ \$321,341.50; UCON @ \$344,588.00; Cutting Edge Construction @ \$353,745.00; Tom Adams @ \$379,680.00; Razorback @ \$391,958.95; Darnaby Construction @ \$415,000.00; and, Emerson Construction @ \$458,520.37. The engineer's estimate for the project was \$444,827.00

Council discussed options. Asked if could go into executive session to discuss further and city attorney was not present. Decided to wait and discuss later.

CDBG SEWER GRANT - STATE REVOLVING LOAN - EDA GRANT (Continued)

Three Bid Proposals Presentation by Rob Gavin (Continued)

- Lagoon Addition: The engineer recommendation is that the city awards the contract for the Lagoon Addition to the apparent low bidder, Haupt Construction in the amount of \$309,147.00. The bidders for the project were: Haupt Construction @ \$309,147.00; Cutting Edge @ \$327,783.10; Crossland @ \$402,932.00; Myers @ \$494,061.40; and, Emerson @ \$494,254.24. The engineer's estimate for the project was \$500,281.00.
- *Motion to Accept Engineers Recommendation of Haupt Construction*

Council Member Barber moved to accept the engineer's recommendation of Haupt Construction in the amount of \$309,147.00 for the lagoon addition. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:30 p.m.

Rob Gavin noted that with these bids there would likely be some dollars left over that would allow the city to either extend the sewer extension project, or, if EDA is accepted as a match for the CDBG money the city could buy back part of the SRF loan money and not extend the project. This decision can be made after the existing projects have been completed.

WATER IMPROVEMENT PROJECT

Rob Gavin, with Kirkham Michael Engineers, presented a diagram of the water plant improvement project. After presentation he gave the diagram to Public Works Superintendent Craig to review. Discussed the following items: 1. Filter to waste; 2. Filter media; 3. Covers over clarifiers and chlorine contact basin and may look at enclosing to a building instead of covers; 4. Install liquid feed; 5. Repair raw water pumps; 6. Floating intake and riprap; and, 7. Increase distribution mains to improve north tower flow.

GAS IMPROVEMENT PROJECT ¶ CDBG GRANT

Rob Gavin congratulated the city on receiving the CDBG Grant for the gas line improvements. The engineers are preparing to set up meetings with Miami County on laying new lines that will not be underneath the now paved road. They are also looking at poly-pipe versus steel pipe to give info on which would be the better process for the city and future growth.

6TH STREET IMPROVEMENT PROJECT

Rob Gavin, with Kirkham Michael Engineers, presented a written report from Killough Construction, Inc. of Ottawa, Kansas on additional alternatives to cut the costs on the 6th Street improvement project. This would save approximately \$14,500 from the original bid. At the time of the meeting Killough had been unable to obtain any prices for double chip and seal, but Mr. Gavin felt this would save another approximately \$4000 with this type of covering.

Discussed other possible ways to widen the road, such as take out the left turn lane as leaving 6th Street and entering Market Street. Mayor Weitman asked if the chip and seal part of the project might be something the county would do for the city with the city furnishing the materials after hiring Killough to build the street. Determined to discuss with the county to see if this was an option.

DISCUSSION FROM THE FLOOR:

Jim Johnson With Question on How Far North City Would Go with an Additional Sewer Extension

Mr. Johnson asked the City Council how far north of K-152 they would consider going if they do decide to extend the new sewer line. Mr. Johnson was asking because he was interested for his property, which is north of the current project. Mayor Weitman noted there was some potential development south of Mr. Johnson's property but at this time do not really know how to answer as there were several factors involved that would have to be explored first to determine any further growth. Council Member Barber noted that one of the factors now is that it may be better for our sewer rates to not move any further north and lower the SRF. Mr. Johnson said thank you for the city's time, he understood with the comments it would be awhile, if at all.

REPORTS OF CITY OFFICERS:

Police Chief Chuck Farrell Jr.

Police Chief Farrell read the written report of police activities for the month April 2002. Also noted regarding the codes part of his job he would try to bring condemnations to the council at meetings next month.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

Mr. Craig reported on the following items:

1. 2002 Water Supply Inspection Report from KDHE ¶ table till next meeting;
2. Training Course, May 24, 2002, Lawrence, on ¶Chlorine Safety; Operation & Maintenance of Gas Chlorinators¶ for James Hazelet ¶ Asked for Mr. Hazelet to attend this class as there is not cost for the class except for his time and travel expenses, of which he could use a city vehicle and just have his meal.

- Motion for James Hazelet to Attend Training Class

Council Member VanVlack moved to send James Hazelet to the training class in Lawrence, Kansas with usual expenses. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:55 p.m.

3. Weed Spray □ Mr. Craig presented written report on the need for weed spray for streets, gas department, water department, south park, north park, and cemetery for a total of 182 gallons estimated. If order 192 gallons it can be purchased for \$31.27 per gallon plus freight for a total of less than \$6200 plus freight.

- *Motion to Purchase 198 Gallons of Weed Spray*

Council Member Hisel moved to purchase 198 gallons of weed spray for up to \$6200 plus shipping. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:00 p.m.

4. Replace Carbon Pump at Water Plant □ Mr. Craig requested to replace the carbon pump as it had been rebuilt several times and was no longer holding after the last time it was worked on. The cost to purchase another one is \$685.00 plus shipping.

- *Motion to Purchase Carbon Pump*

Council Member VanVlack moved to purchase a carbon pump for the water plant for up to \$685.00 plus shipping. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:03 p.m.

City Attorney Sutherland arrived at 8:00 p.m.

Executive Session

- *Motion to Go Into Executive Session for Personnel*

Council Member Barber moved to go into executive session for up to twenty minutes for personnel. Seconded by Council Member VanVlack. Amended by Council Member Barber to invite Bill Craven into the session. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:04 p.m.

Open Session Resumed at 8:17 p.m.

CDBG SEWER GRANT □ STATE REVOLVING LOAN □ EDA GRANT (Continued)

Bid Proposal for East Sewer Interceptor (Continued)

Discussed the apparent low bidder did not submit the complete bid package requirements and the additional cost to accept the second low bidder is \$5,658.50.

- *Motion to Accept Engineers Recommendation of McCorkendale Construction*

Council Member Barber moved to accept the engineer's recommendation of the second lowest bidder, McCorkendale Construction for a cost of \$298,621.00. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 8:18 p.m.

REGULAR MEETING

Year =2002

Water & Gas

Mayor Weitman noted the city council had received a note from Jim and Julia Dale, a resident, asking why the city didn't get grants to help pay the water bills. The mayor noted there were no grants available to help pay water bills and grants applied for to help defray improvement costs had been unsuccessful. As to the costs of water, that is based on the usage by the consumer and only the consumer can control how much water they use. Public Works Superintendent Craig reported the Dale's water meter had been checked twice since last fall and no problems were identified, and no water in the ditch or anywhere else in the area indicating a leak near the meter of any kind. Council asked city clerk to send a letter explaining attempts by the city to keep the rates down.

Park

Council Hisel reported the Park Board would be taking a day to remove the tarp from the pool and would be contacting everyone in the room plus others for volunteers for this project.

Cemetery

City Clerk Herrin reported the Oak Lawn Cemetery Association had been contacted to see if they would be interested in helping with the costs of regarding and reseeding the new part of the cemetery just purchased to get it ready for plotting. A response has not been received back as of the meeting date. Consensus was this was a good idea if the association could help as these costs were pulled from the general fund.

Community Building

The front roof was checked again after the recent rains and was not leaking this time.

SPECIAL COMMITTEE REPORTS:

Fiesta

Reported would be adding Rene Hetzer to the committee.

UNFINISHED BUSINESS:

Classic Cable Bankruptcy Notice

City Attorney Sutherland reported he had drafted a letter for the city to file a claim on the city's outstanding franchise payment due for last year. Noted with the type of bankruptcy filed the city will probably not receive anything on the outstanding amount.

NEW BUSINESS:

Rock/Gravel Bids

City Clerk Herrin noted requests for rock bids had been sent to Hunt Midwest, Ash Grove Quarries, and Wade Quarries. Wade Quarries were the only ones to respond. City Attorney Sutherland opened the sealed envelope and read to bids for the various rock sizes:

AB3 □ for base construction	FOB QRY \$4.45	Delivered \$6.95
AB1, AB2, AB4 □ road rock	\$4.65	\$7.10
Chips (CM-K) Washed	\$6.75	
\$9.25		
Chips (CM-K) Unwashed	\$6.25	
\$8.75		
1 □□ Clean Lateral Rock	\$5.65	
\$8.15		
2□ Clean Lateral Rock	\$5.65	
\$8.15		

(Deliveries in City Limits of La Cygne, KS)

- *Motion to Accept All Bids from Wade Quarries*

Council Member VanVlack moved to accept all bids for aggregate materials from Wade Quarries. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 8:35 p.m.

Dr. Rogers, 121 N Broadway, Curb in Front of Office

Dr. Rogers was not present at the meeting. Discussed the curb is deteriorating in this area and who's responsibility it would be to repair. Determined guttering is part of the street, but is a curb part of the street or part of the sidewalk. Mayor Weitman asked the street committee to discuss the item with Dr. Rogers and to get with legal and codes officer to determine whose responsibility, then report back.

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Executive Session

- *Motion for Executive Session*

Council Member VanVlack moved to go into executive session for 20 minutes of legal and ten minutes of personnel following a ten-minute break. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 8:43 p.m.

Others invited into or requesting a portion of time included: Public Works Superintendent Craig.

Open Session Resumed at 9:24 p.m.

Mayor Weitman called the meeting back to order.

OTHER BUSINESS:

Notes & Communications

Discussed items listed under Notes and Communications. No action.

Surplus Blue Police Car

Discussed placing the blue police car under surplus. Will have public works look around for any items and put all together for the next meeting.

CITY CLERK'S REPORT

None.

NOTES & COMMUNICATIONS TO COUNCIL:

- a] Pollution Control Projects Seminar, May 2, 2002, Chanute, KS
- b] Thank You from La Cygne School Carnival
- c] AWWA, [Distribution Workshop]
- d] *Legislative Alert*, April 24, 2002, LKM Publication
- e] Certificate for James Hazelet from [Hach Technical Training Center]
- f] *League News*, May 3, 2002, Volume 7, Number 15
- g] *KMU Dispatch*, Page 3, April 2002, Iola, KS [Natural Gas Rate Change]
- h] Prairie View After Prom [Thank You] Letter
- i] *League News*, April 26, 2002, Volume 7, Number 14
- j] *Kansas Government Journal*, Volume 88, Number 3, March 2002

ADJOURNMENT

Seeing as there was no other business to discuss, **Council Member McGinnis moved to close the meeting. Motion seconded by Council Member Barber, voted on, 2-2 (Against: Hisel & VanVlack).**

Mayor Weitman adjourned the meeting at 9:33 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 May 2002.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, May 1, 2001. Council Members present were: Sam Barber; Mike VanVlack; Steve Hisel; and, Connie McGinnis. Absent: Esther Shields.

Others present included: City Clerk Herrin and Le Roy Turpen.

In the absence of Mayor Weitman, Council President Mike VanVlack called the meeting to order at 7:00 p.m.

CDBG GAS GRANT ANNOUNCEMENT

Council Member Barber informed the council the city had received word the city has been awarded the grant for the gas line repairs.

ADJOURNMENT TO RECONVENE May 8, 2002:

c Motion to Adjourn and Reconvene on May 8, 2002 at 7:00 p.m.

Council Member Barber moved to adjourn and reconvene on May 8, 2002 at 7:00 p.m. Motion seconded by Council Member McGinnis, voted on, passed 4-0.

The meeting was adjourned at 7:03 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 1st day of May 2002.

The LaCygne City Council held a Special Meeting at 6:20 p.m., Thursday, April 25, 2002, at LaCygne City Hall. The purpose of the Special Meeting is for: 1. Employee Evaluations.

Council Members present were: Esther Shields, Sam Barber, Connie McGinnis, and Mike VanVlack. Absent: Steve Hisel.

Council Member Hisel arrived at 6:50 p.m.

Others present included: City Clerk Devona Herrin. Police Chief Farrell arrived at 7:20 p.m. Public Works Superintendent Craig arrived at 7:10 p.m.

Mayor Weitman called the Special Meeting to order at 6:20 p.m.

Mayor Weitman announced the purpose of the Special Meeting was for employee evaluations.

Motion for Executive Session for Employee Evaluations

- *Motion to Go Into Executive Session for Up To Three Hours*

Council Member VanVlack moved to go into executive session for personnel for up to three hours and inviting appropriate personnel as needed. Seconded by Council Member Barber, voted on, passed 4-0. Time: 6:21 p.m.

Those invited into a portion of executive session were: Public Works Superintendent Craig, Police Chief Farrell, and City Clerk Herrin.

- *Extend Executive Session for Up To Fifteen Minutes*

Council Member VanVlack moved to extend executive session for personnel for employee evaluations for up to fifteen minutes. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:18 p.m.

Open Session Resumed at 9:33 p.m.

Adjourn

With no further business, **Council Member VanVlack moved to adjourn the meeting. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:33 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 25th day of April 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday, April 17, 2002. Council Members present were: Sam Barber; Esther Shields; Connie McGinnis; Steve Hisel; and Mike VanVlack.

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Attorney John Sutherland; City Police Chief Chuck Farrell; LeRoy Turpen; Randy Tinsley; Jerry Boone; Mike Howard; Frankie Howard; City Treasurer Linda Elder; Julie Funk; and Dennis Arnold.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: March 16 – April 17, 2002;
Minutes of April 3, 2002, Regular City Council Meeting;
February 2002 Financial Statement;
March 2002 Financial Statement;
1st Quarterly 2002 Financial Statement

Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:01 p.m.

CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

EDA Letters Approving Projects and Engineering Services; and, KDHE Letter of Approval of Plans

City Clerk Herrin reported the approval letters had been received from both EDA and KDHE.

DISCUSSION FROM THE FLOOR:

Linda Elder Reporting on Court Clerk Conference

Linda Elder reported as of July 1, 2002 the law enforcement training is going up \$2.00 and this is being added to the court costs of the existing \$7.00 currently being charged for each citation. The city will need to increase the court fees or absorb this from the city costs. Asked if the city had a Freedom of Information Officer, which was confirmed.

Linda Elder reported Stat Stop brought in water and gator aide to the fire fighters during the fire at a residential premise on Tuesday, April 16, 2002. Also reported a neighbor by the fire complimented the fire departments and the police department, with extra compliments to Police Chief Farrell.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer Chuck Farrell Jr.

Chief of Police Farrell presented a written report of police activities for April 1 – 16, 2002. Reported PRS is talking with Swan Manor about doing business from their facility. The consensus was the city had no issue with the business pursuing this location to put their business. Picked up his new police car and has it outside for all to see. Reminded everyone Dog Days is this Saturday, April 20, 2002.

Public Works Superintendent George Craig

Mr. Craig reported the following:

4. Requested 200 feet of Gas Pipe to have on hand for emergency. Used what was previously on hand for the most recent project. If ordered with another truckload being delivered to someone else in the area decreases the cost versus ordering during an emergency time frame. The cost to order five 40-foot pieces is less than \$10.00 per foot if ordered by this method.

- *Motion to Purchase Up to 200 Feet of Gas Pipe for Up To \$10.00 a Foot*

Council Member VanVlack moved to have Public Works Supervisor purchase up to 200 feet of gas pipe for a cost of up to \$10.00 per foot. Seconded by Council Member Barber, voted on, passed 5-0. **Time: 7:15 p.m.**

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REPORTS OF CITY OFFICERS:(Continued)

Public Works Superintendent George Craig (Continued)

5. Requested to Sell Surplus Fyfanon ulv, Mosquito Spray, to the City of Greeley. The city is not using this spray as has switched to Bio Mist for the sprayer. Council discussed the different types of sprays together with the effects. The cost of the fyfanon ulv was \$27.30 per gallon at the time of purchase.

- *Motion to Sell Surplus Mosquito Spray at \$27.30 Per Gallon*

Council Member Shields moved to sell the surplus mosquito spray by authorizing George Craig to sell it

at \$27.30 per gallon. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:18 p.m.

6. Reviewed Bush Hog Equipment. To repair the existing equipment is \$340.00. To purchase a new one varies in cost from \$1980.00, or \$1660.00, or \$875 for a Land Pride, or \$495.00 for a Row Cutter that is two years old but never been used, or \$489 for a King Cutter from Town & Country.

- *Motion to Purchase Bush Hog for Up to \$495*

Council Member Hisel moved to purchase a bush hog for a cost of up to \$495 and for Public Works Superintendent to check on a trade in for the old bush hog. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:25 p.m

7. Noted the Sickle Mower is being repaired for \$450.00.
8. Requested a Workshop Meeting Regarding the Gas Utility for Monday, April 22, 2002, at 6:30 p.m. Council concurred.
9. Provided Written Report from Morgan Brown for Follow Up of 1997 Recommended Repair Report. Discussed looking at the items during the gas workshop and to make sure they are in the CDBG improvement project.

STANDING COMMITTEE REPORTS:

Park

Council Member Hisel reported the new concrete had been laid around the concessions stand.

SPECIAL COMMITTEE REPORTS:

Fiesta

Mayor Weitman noted the resignations of Russell and Angie Miller due to time constraints. Assigned the committee to handle the vacancies.

UNFINISHED BUSINESS:

Street Name for Cul-de-sac in Industrial Park

Discussed various names for the street name for the east cul-de-sac road in Industrial Park once it becomes a city street. Names mentioned are 'Lawhead', after Nate Harris, 'Lincco Drive', and 'United Drive'.

- *Motion to Name Street in Industrial Park*

Council Member Barber moved to name the east cul-de-sac street in Industrial Park 'Lincco Drive' once it becomes a city street. Seconded by Council Member VanVlack, voted on, passed 4-0 (Abstain: Hisel). **Time: 7:44 p.m.**

Report from Public Meeting on Water Needs by Lake Region Resource Conservation

Council Members Shields and Hisel attended the Lake Region Resource Conservation Meeting. Reported the Marias de Cygnes Basin is divided into four units. The unit applicable to the City of La Cygne is not in bad shape, however, the northern part is in bad shape due to pollution from feedlots, leakages, etc. This causes algae, which dissolves oxygen in the water. They felt the main part of this initial meeting was to make all concerned aware of the concerns and to continue to come to the meetings to stay informed. The next meeting is in Fort Scott, Kansas.

REGULAR MEETING

Year =2002

Advertising for City Wide Garage Sale, May 4, 2002

Discussed costs and how many papers to run the ad in.

- *Motion to Place Ads in the Local Papers*

Council Member Shields moved to place ads in the Linn County News, the Osawatomie Graphic, and the Read-it-Free Paper with the City Clerk determining what size and cost. Discussion took place regarding adding the Exchange Paper. Council Member Shields moved to revise motion to add the Exchanger Paper the week of the Garage Sale. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:53 p.m.

NEW BUSINESS:

Dennis Arnold Regarding Neighborhood Revitalization Program

Dennis Arnold reviewed the current Revitalization Program including how it automatically sunsets on May 15th 2002 if no action is taken. The cities of Parker and Pleasanton deal with this program now. The school districts also have to approve this program, however they are reimbursed from the loss by the state. The building process has slowed over the last two years. Recently, in the last six months, there has been some increased activity. The county has proposed the following changes: 1. Application required to be turned in prior to construction as is currently hard to administer because they are not turned in in a timely manner, 2. Rebate will not begin until the total project is completed, 3. The minimum to apply is \$25,000 for existing building improvements and \$50,000 for new construction. Discussed how it helps new growth in the area.

- *Motion to Renew Inter-local Agreement with the Proposed Changes*

Council Member Shields moved to renew the inter-local agreement for the Neighborhood Revitalization Program with the listed changes. Seconded by Council Member Barber, voted on, passed 5-0. **Time: 8:07 p.m.**

Discussed when to present the applicable ordinance for the renewal once approved by the appropriate entities within the county. Will prepare ordinance for the May 15th city council meeting.

Planning Commission Recommendation for Block 29, Lots 1-17

Mayor Weitman reported the Planning Commission had presented a recommendation to change Block 29, Lots 1-17 from C-1 to C-2. This took place after a building permit was issued to Mike Howard for construction of a business building in this area. There is now a question as to the setbacks and how the property is zoned. Mr. Howard has halted construction until the issue is resolved and would like to move forward as soon as possible. This will require a change in zoning from C-1 to C-2 contingent on approval of KDOT if they are in their right of way with the building. The city also has the power to grant a variance but it still may not meet those standards if in highway right of way. City Attorney Sutherland noted since the permit had been granted they were building lawfully. Until everyone knows what the situation is with the road the city cannot make any decision.

Discussed how right of way of highway could be determined and need to establish the right of way line. Agreed the city will assist with KDOT and establish the line. Mr. Howard was concerned about every day adding to additional costs.

- *Motion to Approve Zoning Change from C-1 to C-2 for Block 29, Lots 1-17*

Council Member Hisel moved to accept the recommendation of the Planning Commission and change the zoning from C-1 to C-2 for Block 29, Lots 1-17. Seconded by Council Member Shields, voted on, passed 5-0. Time: 8:28 p.m.

Council Members concurred to keep everyone informed of information gathered.

Public Water Supply Capacity Survey from KDHE

Discussed and reviewed the Public Water Supply Capacity Survey from KDHE. No questions regarding responses to survey from city employees.

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NEW BUSINESS:

Kansas One-Call Proxy

- *Motion to Authorize Signing of Kansas One-Call Proxy*

Council Member VanVlack moved to authorize the mayor to sign the Kansas One-Call Proxy. Seconded by Council Member Hisel, voted on, passed 4-0. **Time: 8:34 p.m.**

Part Time Employee for City Hall

City Clerk asked about the possibility of hiring a part time employee for city hall instead of summer help to work especially in the area of the updates for the Planning Commission books and the codes book along with other items as they appear. Council discussed. No action taken.

CCMFOA Region XIV Meeting Thursday, April 25, 2002, Iola, Kansas

Deleted from agenda.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of personnel, and legal for up to forty-five minutes and inviting Public Works Superintendent Craig, following a ten-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:45 p.m.

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

Open Session Resumed at 9:40 p.m.

OTHER BUSINESS:

Set Up Special Meeting for Personnel Evaluations

- *Motion for Special City Council Meeting on April 25, 2002 for Personnel Evaluations*

Council Member VanVlack moved for a Special Meeting on April 25, 2002, at 6:00 p.m. for personnel evaluations. Seconded by Council Member McGinnis, voted on, passed 5-0. **Time: 9:43 p.m.**

- *Motion to Include City Employees to a Portion of the Special Meeting*

Council Member VanVlack moved to invite Chuck Farrell, Bill Craven, Kenny McClanahan, Devona Herrin, Linda Elder, and George Craig to the Special Meeting at 7:30 p.m. to go over evaluations. Seconded by Council Member McGinnis. Noted if any employee had conflicts with the date they would be rescheduled for the first regularly scheduled May city council meeting. Voted on, passed 5-0. Time: 9:44 p.m.

CITY CLERK'S REPORT:

Written Report Included:

- a] People Telecommunications Franchise Fee of \$600 Has Been Received
- b] United Wholesale, Inc. Regarding Street Name

- c] Advertising for City Wide Garage Sale, May 4, 2002
- d] Resignation of Millers' from Fiesta Committee

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NOTES AND COMMUNICATIONS TO COUNCIL:

- A] Planning Committee Minutes
- b] Letter for Request for Public Street in Industrial Park
- c] SEK Newsletter, Page 1, and Spring Meeting Notice
- d] Copy of Letter for Rock/Gravel Bids for May 1, 2002 Council Meeting
- e] *League News*, Volume 7, Number 12, April 5, 2002
- f] "Kansas Government Journal" Volume 88, Number 2, February 2002
- g] LKM, 'Opportunity to Promote Your City' Letter
- h] CLASSIC COMMUNICATIONS, Letter in Improvements
- I] *League News*, Volume 7, Number 13, April 12, 2002
- J] 'Municipal Court Clerks' Certificate of Attendance for Linda Elder
- K] KRWA Annual Conference Certificate of Attendance for James Hazelet

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member Shields, voted on, passed 5-0.**

Adjourned the meeting at 9:48 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 17th day of April 2002.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, April 3, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; Esther Shields; and, Steve Hisel.

Others present included: City Clerk Herrin; Public Works Superintendent Craig; City Police Chief Farrell; City Attorney Sutherland; Rob Gavin; Danny McElreath; Ernie Moylan; Ron Taylor; John Hamamy; Kristie Cook; and Jennifer McDaniel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: March 21 - April 4, 2001;
Minutes of March 20, 2002, Regular City Council Meeting;
January 2002 Financial Statement.

Motion seconded by Council Member Barber, voted on, passed 5-0. Time: 7:01 p.m.

REPORTS OF CITY OFFICERS:

Police Chief Chuck Farrell Jr.

Chief of Police Farrell presented a written report of police activities for the month of March 2002. Agenda noted Certificate of Training from KNOA for Police Chief Chuck Farrell Jr.

UTILITY IMPROVEMENTS REPORTS

CDBG Sewer Grant – State Revolving Loan – EDA Grant

Rob Gavin reported all three projects were approved this week and will be in the paper for bidding. Agenda noted the SEKRPC 1st Quarter 2002 Quarterly Report was included in the packet.

Water Improvement Project

Lime Sludge Lagoon Bids: Rob Gavin submitted a written report of the three bids received for the removal, transport, and land application of lime sludge from the Water Retention Lagoon.

- 1. Cutting Edge \$19,000
- 2. EWR-LLC \$19,700
- 3. McElreath Excavating \$15,900

Engineer’s recommendations were to waive any formalities and award the contract to McElreath Excavating in the amount of \$15,900.

- *Motion to Waive Formalities and Award Bid for \$15,900 to McElreath*

Council Member VanVlack moved to waive formalities and award the bid of \$15,900 to McElreath Excavating. Seconded by Council Member Barber. Question: Danny McElreath asked if it was ok if the project was not started until Mid-May due to other commitments. Rob Gavin concurred they could postpone the notice to proceed. **Voted on, passed 5-0.** Time: 7:09 p.m.

Gas Improvement Project

Rob Gavin noted it would be the end of May before any notice would be received on this project.

6th STREET PROJECT

Rob Gavin submitted a written report of the three bids received for the 6th Street Improvements project along with cost reduction alternatives.

- 1. Cutting Edge \$134,159.50 Alt. #1, \$19,355.00
- 2. Killough Construction \$ 78,553.20 Alt #1, \$ 7,795.50
- 3. Haupt Construction \$ 86,343.00 Alt. #1, \$11,074.95

The alternate #1 bid is for the portion of the pharmacy parking. Discussed the city’s commitment to the post office and if possible to just use chip & seal. Do need a wider paved street for the postal trucks. Discussed the possible cost reduction alternatives that were based on unit prices from the low bidder. Concurred to negotiate

UTILITY IMPROVEMENTS REPORTS (Continued)

6th STREET PROJECT (Continued)

directly with the lowest bidder for possible alternatives to lower the cost and to try to include the street committee in the negotiations if it can be worked out. Discussed time frame for current bids. Determined have 45 days to work with the bids. Noted the post office is beginning to move forward with concrete parking lot now.

Water Improvement Project (Continued)

Rob Gavin asked the City Council if they wanted to move quicker with the project by working with one contractor as they did the design or to put the project out to bids. Concurred the best price is generally to bid the projects. Mayor and Council discussed the need to keep moving and trim costs. The liquid feed and floating intake were possible areas that could be trimmed. Rob Gavin and George Craig will get together and review the total project.

DISCUSSION FROM THE FLOOR:

United Wholesale Inc, Ron Taylor & John Hamamy, Regarding Street Name in Industrial Park

John Hamamy introduced himself and Ron Taylor as the owners of United Wholesale Inc and gave a brief description of what their business entailed. They are planning on building a 2500 square foot building in the Industrial Park. They were interested in helping to name the cul-de-sac street in front of the business 'United Drive' if the city was at all interested. Discussed the requirements for the street to become a city street first from the county.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

Reported on the following:

3. Gas Line Repair of April 2, 2002 at corner of K152, 2200 Rd, and County 1095 Rd. K&B Construction had handled it quickly and smoothly for a cost of \$13,675.00.
4. Noted James Hazelet had received his Pesticide Certificate
5. Double Six Shipping Costs over prior approved costs for purchasing chemical.

- *Motion to Add \$200 to Prior Double Six Purchase Price*

Council Member VanVlack moved to add up to \$200 more to the previously approved cost to purchase Double Six to cover shipping. (Previously approved at the March 20, 2002 Council Meeting) **Seconded by Council Member Shields, voted on, passed 5-0.** Time: 7:51 p.m.

6. Paint for Street Markings. Discussed need to redo the yellow lines, the red lines at hydrant curbs, the white lines at cross walks, and the blue lines at handicap areas when the prisoners were available to help in May. The cost for the paint is \$3,000.00 plus freight.

- *Motion to Purchase Paint for \$3,000 plus freight*

Council Member McGinnis moved to spend up to \$3000 plus cost of freight to purchase paint for streets. Reminder: City Clerk Herrin reminded council even though the painting is also needed the cost of the paint would deplete the amount of dollars available for chip & seal in the summer. **Seconded by Council Member VanVlack, voted on, passed 5-0.** Time: 7:57 p.m.

7. Transmission Repair for the 1996 Dodge Truck. George Craig presented a bid from Ray Shepard in Fort Scott for \$2521 less 10% plus fluids; and, a bid from South Side

in Ottawa for \$2400. With the 10% discount the total cost from Ray Shepard would be less than \$2400.

- *Motion to Repair 1996 Dodge Truck Transmission at Ray Shepard for Cost Plus Extras*

Council Member Hisel moved to repair transmission at Ray Shepard for cost plus extras. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:02 p.m.

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REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig (Continued)

1. (Continued) Gas Line Repair of April 2, 2002

- *Motion to Approve Cost of Gas Line Repair for \$13,675*

Council Member Hisel moved to approve the \$13,675 for the gas line repair at the intersection of K152, 2200 Rd, and 1095 County Rd with K&B Construction. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:03 p.m.

Fire Chief – Ernie Moylan

Ernie Moylan noted the fire department had been talking with Public Works George Craig about another air pack for the chlorine room and if public works takes one of the fire departments for the room who will purchase another one needed for the fire department. George Craig noted they have currently not taken any action as they are checking with the state as to whether one has to be available, which one is just out the door with the fire department equipment, or if one has to actually be in the chlorine room at all times. Agreed to wait for that decision from the state. Ernie noted the fire department has three of the tanks that are old enough they need to be recertified.

STANDING COMMITTEE REPORTS:

Street

Mayor Weitman asked the Street Committee to look into the naming the street on the east side of the Industrial Park.

Park

Council Member Hisel reported the Park Board had agreed to let the Ball Congress run the concession stand and in exchange the Ball Congress will maintain the surrounding area and ball fields.

Discussed insurance coverage for the concession stand. Asked about any coverage for the storage shed. Requested coverage based on dimensions and construction type of both buildings.

Council Member Hisel noted maintenance person Bob Nichols had retired due to health reasons and the board is currently looking for a replacement.

Cemetery

Council Member Shields reported the grass is growing and looks nice. Discussed there were five to six more trees to trim and that Baucom Tree Service would take care of them for \$60 a tree. These were from the storm but over and above the number previously estimated. Committee directed to move forward on trimming these last few trees.

Employee Relations & Training

Council Member Shields reported there was only one directory board available to meet the requirements of corkboard with add-on letter panel on one side for outdoor use.

- *Motion to Purchase Outdoor Directory Board for up to \$400*

Council Member Shields moved to purchase a directory board for up to \$400.00. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:16 p.m.

SPECIAL COMMITTEE REPORTS:

Fiesta

Meets next Wednesday, April 10, 2002.

UNFINISHED BUSINESS:

Classic Communications, Inc Bankruptcy Notice

Tabled, waiting on response to attorney's letter.

Page 4 of 5

UNFINISHED BUSINESS: (Continued)

Laptop Computer Installation Fees

City Clerk Herrin explained the computer previously approved was sold out when ordered. Worked with the company on another laptop but there were some additional features on the next size available one increasing the cost about \$200.00. If the most figured for installation occurs need approval for this additional amount.

- *Motion to Add up to \$200 for Purchase and Installation of Laptop Computer*

Council Member Shields moved to approve up to \$200 more for the purchase and installation of Laptop Computer. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:20 p.m.

FEMA Payments for Storm Damage

City Clerk Herrin reported receiving payments from FEMA for the previous storm damage of the following:

Initial Storm costs of \$2,994.25 reported with \$317.12 pending insurance decision. Payment of \$2,088.24 was made based on \$2,677.23. Insurance was denied and FEMA has indicated they will be sending a check for 75% of the \$317.12;
Volunteer labor and materials totaled \$10,830.15 using FEMA's allowable rates. Payment of \$8447.51 was received;
Clean up portion totaled \$51,818.75 and \$40,418.62 was received. All of these payments include administrative fees over the 75% Federal Share.

ISO Public Protection Classification Results

Discussed letter previously sent to the city from ISO reflecting the change in fire rating for inside the city limits of La Cygne to a protection class 7 effective January 1, 2002. Previously the city was a protection class eight.

NEW BUSINESS:

Industrial Park Property Split for New Business

City Attorney Sutherland reported the findings from the city Subdivision Regulations under Article ii, General, Section 4. Exemptions #6 stating ‘Any parcel, lot, tract or block of land zoned for industrial use may be divided into two or more tracts without relating such lot, provided that any such relating shall not place any lot, tract or parcel so created in violation of the zoning regulations governing said industrial use’. With this exception the county can go forward and divide the Tract in the city’s Industrial Park for the new business without being required by the city to plat the whole unused area now.

PTO School Carnival Donation

Discussed donation for this year. Unknown at time of meeting what previous years donation was.

- *Motion to Donate the Same Amount as Last Year*

Council Member VanVlack moved to donate to PTO the same amount as was donated last year. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:33 p.m. (Previous Donation was \$50.00)

Heart of America Council Donation, Supported by KCP&L

- *Motion to Donate \$100 to Heart of America Council*

Council Member Shields moved to donate \$100 to Heart of America through KCP&L. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:35 p.m.

Public Meeting on Water Needs by Lake Region Resource Conservation

Discussed meeting about water quality and future water needs of the Marais des Cygnes Basin. Meeting is at 7:00 p.m. on April 10, 2002, in Anderson County Annex Meeting Room, 411 S Oak, Garnett, Kansas. Council Member Shields and Hisel will try to attend and then report back at the next meeting.

Executive Session

- *Motion to Go Into Executive Session*

Council Member McGinnis moved to go into executive session for discussion of personnel and legal for up to thirty-five minutes following a ten-minute break. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:42 p.m.

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

Open Session Resumed at 9:27 p.m.

OTHER BUSINESS:

None.

CITY CLERK’S REPORT:

City Clerk’s written report included:

- A] Lime Sludge Lagoon Bids
- B] 6th Street Road Project Bids
- C] United Wholesale, Inc. Regarding Street Name
- D] Baucom Tree Service Removing Additional Trees in Cemetery
- E] Laptop Computer Installation Fees
- F] Industrial Park Property Split for New Business

NOTES AND COMMUNICATIONS TO COUNCIL:

Council Discussed items, taking no action.

- a] *Kansas Government Journal* Volume 88, Number 1, January 2002
- b] 'Kansas Pesticide Certification' for James Hazelet
- c] KNOA Certificate of Training for Glenn Farrell
- d] Thank You to Park Board from Boy Scouts
- e] Park Board Meeting Minutes of February 24, 2002
- f] *League News*, Volume 7, Number 10, March 22, 2002
- g] 'Transportation Enhancement Workshop' by KDOT
- h] Community Development Division 'On the Road Tour 2002'
- I] 'Road Safety Audit' Information by KDOT
- J] 'Establishing Speed Limits' Information by KDOT
- K] Kansas Insurance Department Health Care Letter
- L] LKM Annual Conference Notice
- M] Kansas Chapter of the International Personnel Management Assoc Letter
- N] *Linn County News* Article 'Deadly West Nile Virus Coming to Kansas' from March 21, 2002
- O] *Linn County News* Article from March 21, 2002 'U.S. 69 May Get Trimmed'
- P] *League News*, Volume 7, Number 11, March 29, 2002

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member Shields, voted on, passed 5-0.**

The meeting was 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 3rd day of April 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday March 20, 2002. Council Members present were: Esther Shields; Mike VanVlack; Connie McGinnis; and Steve Hisel. Absent: Sam Barber.

Others present included: City Clerk Devona Herrin; City Police Chief Chuck Farrell; Jennifer McDaniel; City Attorney John Sutherland (arrived at 7: 20 p.m.); Lance Burrough, Parker; Kristie Cook; City Public Works Superintendent George Craig; Chuck Schlittler; and LeRoy Turpen.

Mayor Terry Weitman called the meeting to order at 7:04 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: March 4 – 20, 2002;
Minutes of March 4, 2002 City Council Meeting:

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

CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

Rob Gavin, Kirkham Michael Engineers, Submitted Written Report

Written report included: Rob Gavin met with Habib Ghali of KDHE on Tuesday, March 19, 2002. Habib had a few items he wanted changed prior to bidding the projects; including providing an updated General Conditions of the Contract and some verbiage to comply with Federal regulations for the loan money. Habib also requested the pump station calculations on the east interceptor. Kirkham Michael's is redrawing the plans and updating the specifications as requested and will have them back to Habib this week. The plan is to get approval to bid all three projects next week.

6TH STREET IMPROVEMENT

Rob Gavin, Kirkham Michael Engineers, Submitted Written Report

Written report included: The project is out for bids. Engineers currently have 4 bidders. Bids are due by Friday at 2:00 p.m.

WATER IMPROVEMENT PROJECT

Rob Gavin, Kirkham Michael Engineers, Submitted Written Report

Written report included: Lime cleanout project is out for bids. Currently there are three bidders on this project. Bids are due by March 29, 2002.

DISCUSSION FROM THE FLOOR

Thank You from Eastern Star

Mayor Weitman opened a thank you card from Eastern Star thanking the City Council for the use of the Community Building and donating \$30.00 to the Community Building maintenance.

REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Police Chief Farrell presented a written report of police activities for the period of March 1 – 18, 2002.

Passed out the bears Mary Able had made and donated to the Police Department to use in the vehicles to help towards children.

New Vehicle may arrive this week.

Requested attendance to Seminar *Fight Against Terrorism* on Thursday, April 4, 2002, Pittsburg, KS. There is no charge; it is an attempt to get all law enforcement to be ready to work together if there ever was a need.

REGULAR MEETING

Year =2002

- *Motion for City to Furnish \$100.00 for Food*

Council Member VanVlack moved for Chief Farrell to attend the seminar on April 4, 2002 at Pittsburg, Kansas. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:16 p.m.

Public Works Superintendent George Craig

Superintendent Moore reported the following:

1. Treatment of Sewer Lines, April 8, 2002. – Tabled at this time as the sewer project will address this and should be scheduled shortly from report.
2. Mosquito Maintenance – The mosquito fogger has been calibrated. Discussed setting up a schedule for spraying 14 times with Bio Mist at a cost of \$4500. Actual number of times to spray depends on the weather. There are briquettes available for the sewer lagoons at a cost of \$1.47 each. It would require 600. They are purchased by the case so the minimum cost would be \$1173.00. They are to last 150 days at a time. Mayor Weitman asked the Public Safety Committee to determine how often to spray. Discussed.

- *Motion to Up To Fourteen Times if Needed and to Spend Up To \$4500*

Council Member VanVlack moved to spray up to fourteen times if needed and to spend up to \$4500.00 on Bio Mist. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:29 p.m.

3. Sewer Lagoon Weeds – The chemical applicable for the lagoon area for this year is Double Six. The allotted amount to purchase is \$4400.00.

- *Motion to Purchase Chemicals for Lagoon Weed Spray for Up To \$4400.00*

Council Member Hisel moved to purchase weed chemicals for up to \$4400.00. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:33 p.m.

4. ‘Surface Water Workshop’ Emporia, KS, April 4-5, 2002 – Requested James Hazelet to attend.

- *Motion for James Hazelet to Attend ‘Surface Water Workshop’*

Council Member VanVlack moved for James Hazelet to attend workshop with per diem. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:35 p.m.

5. State inspector put the water plant through the long form inspection and the plant passed placing in the top 10% of all plants for inspections.
6. Checked for gas line leaks at street intersections. So far located three leaks and will begin addressing them tomorrow.

STANDING COMMITTEE REPORTS:

Street

Noted west Park Street is still a concern.

Community Building

Council Member VanVlack recommended not tying up the Community Building by Professional Rehabilitative Services on a regular basis. Council Member VanVlack noted he had met with Dr. Rogers and he has some space available. Chuck Schlittler, with Professional Rehabilitative Services, noted he had spoke with Dr. Rogers and would get back with him to discuss further.

FIESTA

Reported they are going to ask Don & Susan Pease for Grand Marshall at a later date.

UNFINISHED BUSINESS:

Gas Consultant Bids for Gas Utility System

Discussed the submitted options of:

UCI - No Emergency Service Available and Regular Prices listed charged per job/task.

Peoples Natural Gas - For Regular services as listed in Parts A, B, and C the cost is \$998.00 per month or \$11,976.00 annually. Emergency Response was included in the packet, but any response to the city would be on an hourly rate based on the equipment and manpower required.

Individual, Morgan Brown – To hire as a city employee for a minimum of ten hours a week at a cost of \$192.40 per week for the ten hours. This is an annual salary of approximately \$10,000.00.

K&B Construction – Emergency Response. The emergency retainer fee is \$500. Then if called on for an emergency, the hourly rate is based on the equipment and manpower required. (Rate charges slightly less than Peoples Natural Gas, both are private rates.) K&B Construction will work with city employees and the city's welding requirements.

Council and Mayor discussed options.

- *Motion to Hire K&B Construction on Emergency Retainer*

Council Member VanVlack moved to hire K&B Construction on an emergency retainer for gas utility for the retainer fee of \$500 and the standard rates. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:51 p.m.

- *Motion to Hire Morgan Brown as Part-Time Gas Utility Employee*

Council Member VanVlack moved to hire Morgan Brown as a part-time employee for ten hours a week at a cost of \$192.40 per week effective February 11, 2002. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:52 p.m.

NEW BUSINESS:

Property and Work Comp Insurance Bids

City Clerk reported Farm Bureau had notified the city they were unable to bid at this time. Then, read a letter from Linn County Insurance Agency declining to quote due to gas loss issues. City Attorney Sutherland opened the only bid from Harris Financial Services. The quote was for the period of April 1 2002 to April 1, 2003. The quote from Employers Mutual Insurance Companies for both property and workers compensation insurance is \$26,094.00.

- *Motion to Accept Quote for Property and Workers Compensation Insurance for Up To \$26,094*

Council Member Hisel moved to accept the quote for property and workers compensation insurance for up to \$26,094. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:56 p.m.

Break

- *Motion for Ten Minute Break*

Council Member VanVlack moved to take a ten-minute break. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 7:57 p.m.

Open Session Resumed at 8:04 p.m.

FEMA Project Worksheets

Reviewed the losses reported to FEMA. Category B costs reported at \$2,994.25. Category A costs reported at \$51,856.73. This did not include the volunteers' totals, as they will be tallied separately by FEMA. The initial total figure using FEMA costs allowable for volunteer's time was around \$11,000.

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NEW BUSINESS: (Continued)

Compactor Status on Easter

Discussed closing compactor on March 31, 2002. Bill Craven would like a day of vacation on that day.

- *Motion to Close Compactor on March 31, 2002 as Unpaid Holiday*

Council Member Hisel moved to close the compactor on Easter, March 31, 2002 as an unpaid holiday. Seconded by Council Member Shields, voted on, passed 4-0. Time: 8:12 p.m.

Trash Compactor Agreement with County

Discussed understanding a fence is going to be built dividing the area currently being used by both the compactor for La Cygne and the City Public Works Department. Mayor Weitman noted the city had always kept things working with the compactor part of the county and all of a sudden we have lost working relations for both to utilize the property. The point is to provide a service to the community. Recently the county skimmed all of the rock from the area to one hole and it's going to be mud when it rains. Asked Council Member VanVlack and City Public Works Superintendent Craig to meet with the local commissioners to try to find what the problem suddenly is and to report back to the next meeting.

Proclamation for *Fair Housing Month* in April

Mayor Weitman presented the proclamation for *Fair Housing Month* in April. Council Member Shields read the proclamation on behalf of the city.

Classic Communications, Inc Bankruptcy Notice

City Attorney Sutherland explained the notice of Classic Communications Bankruptcy notice. Determined not clear what the plans are for the franchise fee due next month. Mayor Weitman directed City Attorney Sutherland to write to see what the status of the current franchise fee will be.

2002 Municipal Court Clerks' Conference, Great Bend, KS, April 11-12, 2002

- *Motion for Court Clerk Linda Elder to Attend Conference*

Council Member Shields moved for Court Clerk Linda Elder to attend conference with covered expenses as needed. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:23 p.m.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member VanVlack moved to go into executive session for up to twenty-five minutes for legal, land

REGULAR MEETING

Year =2002

acquisition, and personnel. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 8:25 p.m.

Those invited into or requesting a portion of executive session were: Police Chief Farrell, and City Clerk Herrin.

Resumed meeting at 8:50 p.m.

OTHER BUSINESS:

Laptop Computer Installation Fees

City Clerk Herrin reported on inquiring on a laptop computer to be able to take some work home and work from there when trying to do some reports and at times when projects require additional time. City Clerk Herrin would purchase the laptop if the city council would consider paying for the installation of the programs for a cost of \$800. Council asked about the cost of the laptop. Cost of the laptop, software, and case was just under \$1500 for the one currently being considered. Council concurred total equipment should be the responsibility of the city.

- *Motion to Purchase Laptop and Network with other City Computers*

Council Member VanVlack moved to purchase laptop computer and cost of set up fees for up to \$2,300.00. Seconded by Council Member Shields, voted on, passed 4-0. Time: 9:00 p.m.

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OTHER BUSINESS: (Continued)

Outside Sign for City Notices

City Clerk asked about the possibility of an enclosed sign to be hung outside City Hall doors for city notices to be posted. Discussed as a possibility to have information posted for the public. Mayor Weitman asked the Public Relations Committee to review and report back at the next meeting, for costs, etc.

Spring City Wide Garage Sale

City Council discussed having a spring citywide garage sale as well as a fall citywide garage sale.

- *Motion to Have Spring City Wide Garage Sale on May 4, 2002*

Council Member VanVlack moved to have a spring City Wide Garage Sale on Saturday, May 4, 2002. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 9:08 p.m.

Jayhawk Software Program Changes

City Clerk Herrin reported she had learned while researching laptops that Jayhawk Software was preparing to have a whole new updated version of the Utility Software program ready to go this August or September that would have all of the additional features previously approved to be added to the existing program along with other data to help with the annual reports for utilities. Therefore, the previously requested updates had not been applied for as would like to review further the updating of the whole program and apply the money to that if City Treasurer felt it would be of benefit overall. Concurred to review the costs of the update to the total update prior to actually making any purchase.

Phone Advertisement Costs

City Clerk reported it had been brought to attention the city pays \$457.80 a year for information to be listed in the phone book, including listings under utilities information. The renewal of this contract is in February. Concurred to have this reviewed and determine if city is required to be listed in both the white pages and the yellow pages prior to the next February renewal of this agreement. Information gathered indicated this agreement had been in place since 1992 or 1993.

REGULAR MEETING

Year =2002

Annual Drinking Water Report

City Clerk distributed the Annual Drinking Water Report compiled by KRWA for the city. This report is required to be sent to both rural water districts for them to distribute to their customers and the city to distribute to the city customers. Concurred satisfaction with the information on the report.

Tables for the Community Building

Discussed purchasing tables for the Community Building. Determined want to make sure the quality is good, but cost also reasonable.

CITY CLERK'S REPORT:

City Clerk Herrin reported the National Weather Award to be presented to local citizen Evelyn Jackson had been rescheduled to March 29, 2002 at 10:00 a.m.

Written Report Included:

- A] FEMA Project Worksheets
- B] Compactor Status on Easter, March 31, 2002
- C] Trash Compactor Agreement with County
- D] 2002 Municipal Court Clerks' Conference

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] *League News* Volume 7, Number 8, March 8, 2002
- b] Thank You to Mike Watson from The School for Reading to Students
- c] Thank You to City Council from Eastern Star
- d] *League News* Volume 7, Number 9, March 15, 2002
- e] Small Business Development Center, Seminar for "How to Start & Grow Your Own Business", Tuesday, April 9, 2002, at the Fort Scott Community College

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ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member McGinnis moved to adjourn. Motion seconded by Council Member Shields, voted on, Yes – McGinnis & Shields, No – VanVlack & Hisel. Mayor Weitman voted to adjourn meeting.**

The meeting was adjourned at 9:25 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 20th day of March 2002.

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REGULAR MEETING:

The LaCygne City Council met in regular session on Monday, March 4, 2002 in lieu of Wednesday, March 6, 2002. Council Members present were: Steve Hisel; Sam Barber; Connie McGinnis; and Mike VanVlack. Absent: Esther Shields.

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Chuck Farrell; Rob Gavin; Randy Gorton; City Attorney John Sutherland; Mine Creek Radio Club Members Ron Cowan, Carl & Paula Brewer; Randy Tinsley; Chuck Schlitter; Pam Conger; Jennifer McDaniel; and Kristie Cook.

Mayor Terry Weitman called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: February 21 - March 4, 2002;
Minutes of February 20, 2002 Regular City Council Meeting;

Motion seconded by Council Member Barber, voted on, passed 4-0. Time: 7:03 p.m.

DISCUSSION FROM THE FLOOR:

Randy Gorton, Kirkham Michael Engineers, On-Call Planning Services Agreement

Randy Gorton explained how the On-Call Planning Services Agreement would apply should the city agree to the contract. There are no annual contract charges, the only charges would occur when contacted for assistance. Suggested the city set a limit and if the engineers reviewed a requested project and could see the project would possibly exceed that limit then they would respond with an estimate before they began the project. The contract is set up currently for just incidental routine items that come up such as a building question. Discussed the possibility of building into the building permits a structure where the applicant is responsible for the fees if the city wishes to look at that avenue. This fee structure for applicants for permits is typically adopted by ordinance and then completed by routine forms.

- *Motion to Approve Agreement with Kirkham Michael Engineers for On-Call Planning Agreement*

Council Member VanVlack moved to accept the agreement with Kirkham Michael Engineers for the On-Call Planning Services Agreement as proposed. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:16 p.m.

Mine Creek Amateur Radio Club, Bob Bousfield, Appreciation of Community Building

Mr. Ron Cowan introduced himself along with Carl and Paula Brewer as being members of the Mine Creek Amateur Radio Club. Mr. Bousfield was unable to attend due to conflicts. Mr. Cowan explained how the club operates. Mr. Cowan then thanked the city for the previous use of the Community Building for their annual get-together. In token of appreciation he presented a donation offering of \$250 for the city to purchase tables for the Community Building.

Mayor and Council returned appreciation and felt it was quite a gesture from the radio club. A photo was taken of Carl Brewer and Mayor Weitman by the radio club.

DISCUSSION FROM THE FLOOR: (Continued)

Professional Rehabilitative Services, Chuck Schlittler, Possible Regular Use of the Community Building

Chuck Schlittler, Sales Manager of Professional Rehabilitative Services presented a pamphlet of what their services consist of along with a request for the city to allow for the use of the Community Building a couple of days a week to set up their services in this area on a long term temporary basis. This is to help the Linn County residents that use their services be able to utilize them locally and to give the company time to see how the need develops in this area

to help determine if a full time location would be feasible. They are physical and occupational therapy based and experiencing a growth from this area, especially the north area of the county. The equipment is such that it can be brought to the community building each time they come; there is no heavy equipment that has to be left permanently at this time. Currently thinking a couple of half days a week, probably Tuesday and Thursday, but not sure of the hours at this time.

Mayor Weitman asked the Community Building Committee to review by looking into the trends and checking with the local medical staff, etc. then report back their finding at the next regularly scheduled city council meeting.

Mr. Schlittler felt that time frame would work with their company. They are a Medicare Provider and the building would have to be ADA accessible. If the services were provided, they would have the proper personnel here to do assessments and proper therapy. The service is currently looking at a 3-5 month period to see how it works out for the area. Mr. Schlittler thanked the council for their time and would wait to hear from them.

CDBG SEWER GRANT – STATE REVOLVING LOAN – EDA GRANT

Update on Status with KDHE – Kirkham Michael Engineers

Rob Gavin, Kirkham Michael Engineers, reported he had met with KDHE in Topeka that morning. The paper work is being processed. The bids for the sewer interceptor and pump station are to go to bids next week. The Lagoon and line repair bids are to be let the week after. He brought sets of all the plans.

Mr. Gavin presented an amendment to the SRF Agreement to add the Engineering Services created by the EDA project. KDHE requires authorization to accept the agreement prior to any payments being made for these services from the SRF monies.

- *Motion to Accept Amendment to SRF Agreement for Engineering Services*

Council Member Barber moved to accept the amendment to the SRF Agreement for Engineering Services. Seconded by Council Member VanVlack, voted on, passed 4-0.
Time: 7:46 p.m.

Mr. Gavin handed out to the Sewer Committee Members different ordinance examples from other cities for different utilities for review and comparison.

Loan Agreement Payment of \$14,203.46

City Clerk Herrin reported the first payment of \$14,203.46 was made to the SRF loan based on the amount of monies already drawn down.

KDCH Letter to Move Forward with Project

Mr. Gavin noted this letter was sent to all cities with pending projects. The city's project was now moving forward.

WATER IMPROVEMENT PROJECT

Agreement with Kirkham Michael Engineers Signed

Agreement with Kirkham Michael Engineers was presented for signature based on prior meeting approval. Agreement was signed.

Lime Sludge Pond Project

Mr. Gavin reported the plans should be available for bidding by April.

Update for Piping Specs for Plant

Mr. Gavin reported the filter to waste plans should be ready in about two weeks from now and construction to be completed by this summer.

GAS IMPROVEMENT PROJECT – CDBG GRANT

Mr. Gavin presented current natural gas rates from other entities as fact-finding information. Determined may want to revisit rates after the project is in place and total costs are known.

Mayor Weitman asked if it was typical for gas systems to be several miles from the supply. Mr. Gavin noted it is not common, but is not unheard of.

6TH STREET IMPROVEMENT PROJECT

Mr. Gavin reported the plans are ready to go to local papers and have been sent to the DOT reports.

REPORTS OF CITY OFFICERS:

Police Chief & Codes Officer – Chuck Farrell Jr.

Police Chief Farrell submitted and reviewed a written report of police activities for the month of February 2002. Reported the new police vehicle should be arriving any time.

Public Works Superintendent George Craig

Public Works Superintendent George Craig reported on the following:

1. Will pick up the rest of the brush this week.
2. Discussed purchasing electronic read head water meters for \$4 more if the city is planning to convert to this in the future for water meters. Consensus was to purchase standard meters.
3. Storm: Gas Line Right of Way Clearance Bid – Presented Mark Michelle Excavating bid of \$1,200 for the clean up of 30 feet of right of way on gas line from 2300 Road to 2400 Road.

- *Motion to Accept Bid of \$1200 from Mark Michele Excavating for Gas Line Clean Up*

Council Member Barber moved to accept bid for up to \$1200 for clean up of designated area of gas line from Mark Michelle Excavating contingent on FEMA approval. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:12 p.m.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig (Continued)

4. Storm: Street Limb Overhang Bid – Presented bid of \$9,175.00 from Jim Thompson dba: Double Eagle Excavating for the cutting of limbs/hangers along city streets and bid includes all clean up of the limbs.

- *Motion to Accept Bid of \$9,175.00 from Double Eagle Excavating for Street Tree Hanger Cleanup*

Council Member Hisel moved to accept bid of \$9,175 from Jim Thompson dba: Double Eagle Excavating for hanging limbs in city streets contingent to FEMA approval. Discussed if city's responsibility and determined it was for those that fell in the streets. **Council Member Hisel withdrew motion as stated. Council Member Hisel moved to approve the bid of up to \$9,175.00 from Jim Thompson dba: Double Eagle Excavating to clear the hanging limbs and George Craig inspecting work prior to determining work completion. Seconded by Council Member VanVlack, voted on, passed 4-0.** Time: 8:22 p.m. City Clerk Herrin noted the city would require a certificate of insurance from entity prior to the work being done as per city codes.

STANDING COMMITTEE REPORTS:

Park

Council Member Hisel reported the Park Board had met and concluded there was a need for more concrete around the concession stand. They had received a bid from John Patrick Goucher for La Cygne Ready Mix for two sidewalks 4 feet wide for a total measurement of 41 X 10 at a total cost of \$962.75. The Park Board plans to proceed with this project.

Cemetery

Storm: Bid to Remove Limbs on 25 Trees from Baucom Tree Service at \$60.00 a tree for a total of \$1500.

- *Motion to Accept Bid from Baucom Tree Service to Remove Tree Hangers for up to \$1500*

Council Member VanVlack moved to accept the bid to remove tree hangers in the Oak Lawn Cemetery from Baucom Tree Service for up to \$1500.00. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 8:28 p.m.

Community Building

Council Member VanVlack noted the guttering was up on the front of the Community Building. The committee will check into getting good tables with the donation.

Employee Relations & Training

City Attorney Sutherland requested attendance at the KRWA Attorney's Forum in Wichita on March 26, 2002 with usual per diem.

- *Motion for City Attorney Sutherland to attend KRWA Attorney Forum*

Council Member Barber moved to approve City Attorney Sutherland to attend the KRWA Attorney's Forum on March 26, 2002 at Wichita with usual per diem for attorney. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:30 p.m.

SPECIAL COMMITTEE REPORTS:

Fiesta

The next Fiesta Meeting is March 13, 2002, 7:00 p.m. at City Hall.

UNFINISHED BUSINESS:

Ordinance 1280, Closing Vine Street east of 1st Street

- *Motion to Approve Ordinance #1280 in the Closing of Vine Street east of 1st Street*

Council Member VanVlack moved to approve Ordinance #1280 regarding the Closing of Vine Street east of 1st Street. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 8:32 p.m.

Gas Consultant Bids for Gas Utility System

Discussed the bid of People's Utility to include emergency service versus hiring an employee with emergency backup from an outside source. Asked City Clerk to review further on an emergency backup source if an employee is hired prior to making a decision.

NEW BUSINESS:

Jayhawk Software Program Changes

City Clerk Herrin presented cost of changes to utility software to enable the system to retain the usage for one location to one account for an entire year. Currently if an account is dropped midyear after someone moves the usage is lost for the final annual year numbers.

- *Motion to Approve \$662 to Make Changes to Jayhawk Utility Software Program*

Council Member McGinnis moved to approve the purchase of the software for the utility billing program with Jayhawk Software for a cost of \$662.00. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 8:49 p.m.

Municipal Budget Training for 2003 Budgets

- **Motion for City Clerk to Attend Budget Training Sessions**

Council Member Barber moved for City Clerk Herrin to attend the two budget training sessions on April 19, 2002 and May 29, 2002 in Iola with usual expenses. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 8:52 p.m.

City Speed Limit East and West of Town

City Clerk Herrin presented some concerns from local residents regarding the speed limits to Highway 152 entering from both the east and west ends of town. To make any changes the processes requires the city contact KDOT and ask them to review the speed limits in those areas.

- **Motion to Continue with Paperwork in Regards to the Reduction in Speed Limits for the edge of City Limits**

Council Member VanVlack moved to have the City Clerk continue with the paperwork to review reducing the speed limit on the edges of town. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:53 p.m.

NEW BUSINESS: (Continued)

Webb Site for City of La Cygne

Discussed the advantages of a Webb Site for the City and going through ‘The National Association of Cities’ for establishing the Webb Site for the City.

- *Motion to Go Forward with the Member Cost of \$125 and Investigate Web Site Further*

Council Member McGinnis moved to go forward by paying the member cost of \$125 to The National Association of Cities and to investigate the web site further. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 9:04 p.m.

Iota Tau Lights Donation

- *Motion for Annual Donation of \$500 to Iota Tau for Christmas Lights*

Council Member Hisel moved to donate \$500 to Iota Tau for Christmas lights. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 9:05 p.m.

Executive Session

- *Motion to Go Into Executive Session Following a ten-minute Break*

Council Member VanVlack moved to go into executive session for discussion of personnel and legal for up to 25 minutes following a 10-minute break. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 9:08 p.m.

Open Session Resumed at 9:34 p.m.

OTHER BUSINESS:

City Walk Team

Council Member McGinnis reported the city’s walk team consisted of Carmen and Russell Clair, Dee Wagner, Wilma Stainbrook, Becca Hubbard, and herself.

CITY CLERK’S REPORT:

City Clerk Herrin reported the Consortium was having drug and alcohol training sessions in the area over the next two months that three employees (George Craig, James Hazelet, and Mike Watson) would be required to attend. Two of the locations for training were close by, one Paola and the other Mound City.

Written report included:

- a] Mine Creek Amateur Radio Club
- b] Professional Rehabilitative Services
- c] Gas Consultant Bids for Gas Utility System
- d] Ordinance 1280, Closing Vine Street East of 1st Street
- e] Storm Removal Bids
- f] Jayhawk Software Program Changes

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Weather Service Length of Service Award for Local Citizen
- b] "League News" Volume 7, Number 6, February 22, 2002
- c] "The Center for Crisis" Communication
- d] "League News" Volume 7, Number 7, March 1, 2002

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member Barber moved to adjourn. Motion seconded by Council Member McGinnis, voted on, McGinnis – Yes, Hisel and VanVlack – No, Barber – Abstain.**

Mayor Weitman adjourned the meeting at 9:37 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 4th day of March 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session on Wednesday, February 20, 2002. Council Members present were: Sam Barber, Steve Hisel; Connie McGinnis, Mike VanVlack, and Esther Shields arrived at 7:05 p.m.

Others present included: City Clerk Devona Herrin; Chief of Police Glenn Farrell; Public Works Superintendent George Craig; City Attorney John Sutherland; Jeremy Bray; Kristie Cook; Jerry Boone; Rosella Gorell; and Charlene Sims.

Mayor Terry Weitman called the meeting to order at 7:03 p.m.

PUBLIC HEARING - CLOSING PORTION OF VINE STREET WEST OF 1ST STREET

A public hearing was held concerning Danny McElreath's request to close Vine Street east of 1st Street as it dead ends to the river. The street is platted but is not maintained nor used. Mayor Weitman asked for public comment. No public comment received.

- c *Motion to Approve Closing Vine Street West of 1st Street*

Council Member VanVlack moved to approve closing Vine Street west of 1st Street to dead end at river. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:04 p.m.

CLEAN UP AFTER ICE STORM:

Mayor Weitman the city council was signing several thank you letters to those volunteers that helped put the city back together after the ice storm. The City Employees contributed too and that was much appreciated. Not only did many individuals donate their time, but also equipment to help with the clean up.

In response Mayor Weitman also noted several city individuals had expressed their thanks to those who helped as well as read some thank you cards from some who received help.

The La Cygne Soccer Club also submitted a thank you for the city's support. Mayor Weitman noted the council was glad to have City Attorney John Sutherland back and hoped he continued to improve.

CONSENT AGENDA:

City Council reviewed consent agenda documents. A question was asked about a meal charge while city employee was out of town.

c Motion to Approve Consent Agenda

Council Member VanVlack moved to approve the consent agenda, which consisted of:

Check Register: January 30 - February 20, 2002;
Minutes of January 30, 2002 Regular City Council Meeting that Replaced the
February 6, 2002;

Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 7:09 p.m.

DISCUSSION FROM THE FLOOR:

Jeremy Bray, Linn County News, Introducing Kristie Cook

Jeremy Bray reported he would be leaving the newspaper portion of reporting on city council meetings and later in the year returning to college. He introduced Kristy Cook as the Linn County News Reporter who would be covering the city in the future.

Charlene Sims & Rosella Gorell with Linn County Children's Coalition

Ms. Sims reported on the Linn County Children's Coalition Organization beginning with its history, purpose, accomplishments, goals, meeting times of the 2nd Thursday of every month at 2:00 p.m. in Mound City, to their future goal of obtaining awareness and a means to continue with the program in all of Linn County after the grant expires. Mayor Weitman said it was worthwhile as they were working with our county's future in working with the children. Thanks and concern was expressed from both the city and the organization.

DISCUSSION FROM THE FLOOR: (Continued)

Betty Bullock, with Eastern Star, Asks to Waive Community Building Fee for a Fellowship Dinner on March 2, 2002

c Motion to Waive Community Building Fee for Eastern Star Dinner

Council Member VanVlack moved to waive the Community Building Fee for Eastern Star Fellowship Dinner. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:26 p.m.

Jerry Boone Expressed Concern About City Gas Rates

Mr. Boone reported he was at the meeting to express concern for those fixed income people struggling to pay their gas bills. Has there been any thought to lowering the rates? Mayor Weitman said that the city had thought long and hard before the rates were established. The city is faced with some major repairs to the over 60-year-old gas line and still have not found

all of the leaks. The city had previously discussed update of the line or to sell the system. Determined it would be best in the long-term interest of the city to retain the line and do the repairs. There is an energy assistance program for those who meet the need basis. Mr. Boone was still concerned with those struggling on fixed incomes. Council and Mayor discussed the city's current attempt to get grants to help with the costs, have made attempts to lock in prices to keep from having the high swing costs that occurred last year and cost the city over \$100,000 above the prices charged to the city customers, as well as the need to protect the lines by the roads from a possible hazardous auto accident which would put the city out of gas for a time period. Mayor Weitman went on to explain it had been 17 years since the last gas price change and therefore there was no reserve to fall back on now that it was time to do the updates. The choice now was to go forward with updates for the future of the city or to sell the utility. Mr. Boone asked why the rates were different outside the city. The rates outside the city are governed by the KCC and rates are only changed when several steps are made to reflect the change in costs and submitted to the State for approval.

Mr. Boone asked why the water stinks? What is being done to correct it? Mayor Weitman noted the problem was being addressed. Mr. Boone explained how to correct the problem. Mayor noted it was being handled. Mr. Boone responded no one is at fault; it just happens and has to be handled when it does. Mr. Boone reported he had been in the water plant and was proud of how the interior had been improved. Also thanked the city for helping with his mom's yard after the ice storm.

REPORTS OF CITY OFFICERS:

Chief of Police Farrell

Police Chief Farrell submitted and reviewed a written report of police activities for the month of January 2002, and another for the period of February 1 - 18, 2002.

Public Works Superintendent George Craig

Superintendent Craig reported on the following:

- 1. The JCI Contract for the sewer lift stations was dropped in 1999.
- 2. Requested a target date be established to cease to pick up brush and to provide a brush dumpsite.

c Motion to Have March 1, 2002 to Cease Pick Up and Burn Site

Council Member VanVlack moved to set March 1, 2002 as the cease date for brush pick up and burn site availability. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 7:51 p.m.

3. Hach Training Class in Kansas City –Mr. Craig requested approval for James Hazelet to attend the equipment training class for two days at a cost of \$100 a day plus room and board. This is to help have a trained person on staff that has a working knowledge to be able to repair the equipment when needed.

c Motion for James Hazelet to Attend Hach Training Sessions for Two Days in Kansas City of Lacygne

Council Member VanVlack moved to send James Hazelet to the Hach Training Classes for two days in Kansas City with usual per diem. Seconded by Council Member Shields, voted on, passed 5-0. Time: 7:56 p.m.

REGULAR MEETING

Year =2002

Fire Chief – Ernie Moylan

Council Member VanVlack requested on behalf of Fire Chief Moylan that the Fire Department was interested in purchasing a pole saw for ventilating houses and the city employees could also have access to the equipment if they needed to use it. Public Works Superintendent Craig reported he had received estimates of a Stihl Pole Saw of \$600 from Town and Country; \$550 from Rays Lawn and Garden; \$600 from Blue Valley; and, \$550 from New Lancaster Sales but they did not have any in stock. This piece of equipment would get about 90% of the hanging limbs over the streets.

c *Motion to Purchase Stihl Pole Saw*

Council Member Hisel moved to purchase a Stihl pole saw from Rays Lawn and Garden for up to \$550.00. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:00 p.m.

STANDING COMMITTEE REPORTS:

Park

Council Member Hisel reported the Park Board is now meeting the last Sunday of the month at 7:00 p.m. at City Hall.

UTILITY IMPROVEMENTS REPORTS:

City Clerk Herrin gave update as given to her from Rob Gavin with Kirkham Michael Engineers.

CDBG Sewer Grant – State Revolving Loan – EDA Grant

Mr. Gavin has set up a meeting with Rod Geisler of KDHE the first of next week to go over all three sewer projects currently pending. He will report back as soon as he has completed the meeting and will provide the report at the next city council meeting.

Water Improvement Project

Mr. Gavin will have the agreement completed to be signed by the end of the week. Putting Specs together for the lime sludge pond and plan to obtain KDHE's written approval next week to put to bids. Reviewing the piping changes with Public Works Superintendent Craig on Thursday, February 21, 2002 along with reviewing the entire update project of the water plant.

Gas Improvement Project

Per letter from SEKRPC the application has been submitted and have target date of May 1, 2002 for response on CDBG Grant.

6th Street Improvement Project

Mr. Gavin has the specs ready to go. Will put notice in the applicable papers and provide advertisement to city to put in local papers. Will set time frame of 2-3 weeks for bids to be returned.

SPECIAL COMMITTEE REPORTS:

Fiesta

Next meeting is March 13, 2002, the second Wednesday of each month.

UNFINISHED BUSINESS:

Gas Consultant Bids for Gas Utility System

Received bids from Utility Consultants, Peoples/Energy One, and an Individual.

Utility Consultants provided a contract of what services they would provide on an hourly cost basis depending upon service type requested with no emergency services available.

Peoples/Energy One presented a contract for services based on A. thru F. topics. For A., B., and C. topics the monthly fee would be \$998.00 with an initial \$1,000.00 set up fee for city records to be established with them.

Page 4 of 6

UNFINISHED BUSINESS: (Continued)

Gas Consultant Bids for Gas Utility System (Continued)

Topics D. thru F. would be on an established cost basis on an as needed basis. No comments as to if able to provide any emergency service.

The individual that has expressed an interest is qualified but will not always be 100% available for an emergency needs basis. Has discussed the city obtaining a reciprocal emergency agreement with another nearby gas service to be able to step in should there ever be a need.

Mayor Weitman recommended the Gas Committee pursue the individual's request to get with a nearby gas service to see if a reciprocal gas emergency agreement could be worked out before making any final decisions. Requested a report back at the next council meeting.

Land Use Map Review as Presented from Planning Commission

Discussed the one lot in Block 68 still reflecting residential when it is part of the Postal Service property.

C Motion to Approve Existing Land Use Map with Lot in Block 68 Reflecting Change to Government

Council Member VanVlack moved to accept the Existing Land Use Map as presented by the Planning Commission with the change in Block 68 from residential to Government. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:20 p.m.

Ordinance 1279, for Mileage Expenses

City Attorney Sutherland presented a change to the printed ordinance in the packet. He recommended that instead of listing a specific rate to just set up the ordinance to reflect the government rate in effect for any current period; then the ordinance would just flow with the current costs and not have to be changed each time. Concurred to table the ordinance change till after the break to review the recommended changes.

NEW BUSINESS:

The Consortium, Drug & Alcohol Testing and EAP Service Agreement

City Clerk Herrin noted this was a new government required service agreement with the existing Consortium the city uses for their Drug & Alcohol Program.

C Motion to Accept Service Agreement with Designated Contact Persons

Council Member Shields moved to accept the Service Agreement with the designated contact persons listed. Seconded by Council Member Hisel, voted on, passed Council Member Shields moved to accept the Service Agreement with the designated contact

persons listed. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:20 p.m.

Phase 2 of Comprehensive Plan Update Agreement with Kirkham Michael Engineers for the Planning Commission Committee

c Motion to Approve Phase 2 of Comprehensive Plan Update for up to \$8,500

Council Member VanVlack moved to approve Phase 2 of the Comprehensive Plan update for up to \$8,500. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:25 p.m.

City Attorney Sutherland addressed the possible extra costs included in the contract if the engineering firm incurs outside expenses as listed in Part A of the General Terms and Conditions.

c Amend Motion to Include Other Possible Expenses as Listed in Contract

Council Member VanVlack moved to amend previous motion to include the other possible expenses as outlined in Part 1 of the General Terms and Conditions. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:28 p.m.

Planning Commission Committee Request for Agreement for Professional On-Call Planning Services on an As Needed Fee Basis

Discussed the need for the services, but had questions of how to install within a spending limit. Had questions on how the rates would apply. Mayor requested to ask Randy Gordon of Kirkham Michaels to attend the next city council meeting to go over the contract.

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NEW BUSINESS: (Continued)

Small Customer Transportation Agreement No. 011480 between Panhandle Eastern Pipeline Company and the City of La Cygne

c Motion to Approve Agreement for a Period of Four Years

Council Member McGinnis moved to approve the renewal of Transportation Agreement No. 011480 for a four-year period. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:38 p.m.

Executive Session

c Motion to Go Into Executive Session

Council Member VanVlack moved to go into executive session for legal advice, land acquisition, and discussion of personnel for up to 35 minutes following a 10-minute break. Motion seconded by Council Member Hisel, voted on, passed 5-0. Time: 8:45 p.m.

Executive Session Extended

c Motion to Extend Executive Session

Council Member VanVlack moved to extend the executive session for discussion of personnel for up to 15 minutes. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:30 p.m.

Open Session Resumed at 9:45 p.m.

UNFINISHED BUSINESS: (Continued)

Ordinance #1279, for Mileage Expenses

City Attorney Sutherland presented final copy of ordinance pertaining to mileage expenses whereby leaving the rate that of the U.S. Internal Revenue Service rates.

c Motion to Approve Ordinance #1279, for Mileage Expenses Based on the U.S. Internal Revenue Service Rates

Council Member Shields moved to approve Ordinance #1279 for Mileage Expenses based on the U.S. Internal Revenue Service rates. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:46 p.m.

OTHER BUSINESS:

March 6, 2002 Regular Scheduled Meeting Date Change

Discussed changing the next city council meeting date due to city clerk being out of town on the regularly scheduled date of March 6, 2002, or just taping the meeting.

c Motion to Change Date For Council Meeting to Monday, March 4, 2002

Council Member VanVlack moved to change the March 6, 2002 City Council Meeting to Monday, March 4, 2002 for full attendance. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:50 p.m.

CITY CLERK'S REPORT:

The written report included:

- a] Linn County News Reporter Change;
- b] Linn County Children's Coalition;
- c] Gas Consultant Bids for Gas Utility System;
- d] Panhandle Eastern Pipeline Contract.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] 2002 Attorneys- Forum, Sponsored by KRWA, Tuesday, March 26, 2002, Wichita, Kansas;
- b] KSU, [Potential Walk Kansas Participants]
Council Member McGinnis expressed an interest in the city participating in the Walk. She will take on the project for city representation.
- C] Municipal Leadership Academy 2002, [Municipal Finance]
- D] [League News] Volume 7, Number 4, February 8, 2002
- E] Kansas Pesticide Certificate for George Craig
- F] La Cygne Park Board Minutes of January 27, 2002 Meeting
- G] [League News] Volume 7, Number 3, February 1, 2002
- H] [Kansas Government Journal] Volume 87, Number 12, December 2001
- I] La Cygne Soccer Note Card and Picture
- J] FSCC, Congratulations to James Hazelet for One of Highest Scores on Water

Test

ADJOURNMENT:

REGULAR MEETING

Year =2002

c *Motion to Adjourn*

There being no request for adjournment, nor a motion to extend the meeting, the meeting ended at 10:00 p.m. as per the city codes three hour time limit.

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 20th day of February 2002

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The LaCygne City Council held a Special Meeting at 7:05 p.m., Monday, January 21, 2002, at LaCygne City Hall. The purpose of the Special Meeting is for: 1. Paperwork for Issuance of Revenue Bonds for Gas Utility System Repairs; and, 2. City Hall Maintenance.

Council Members present were: Esther Shields, Sam Barber, Steve Hisel; and Mike VanVlack. Absent: Connie McGinnis.

Others present included: City Clerk Devona Herrin.

Mayor Weitman called the Special Meeting to order at 7:05 p.m.

Mayor Weitman announced the purpose of the Special Meeting was for consideration of paperwork for issuance of revenue bonds for the Gas Utility System repairs and for City Hall maintenance.

Paperwork for Issuance of Revenue Bonds for Gas Utility System Repairs

Discussed the issuance of revenue bonds to have in place if the CDBG grant is approved.

- *Motion to Approve Resolution #263 Authorizing the Issuance of Revenue Bonds for the Gas Utility System*

Council Member VanVlack moved to approve Resolution #263 for authorizing the issuance of revenue bonds for the gas utility system. Seconded by Council Member Barber, voted on, passed 4-0. Time: 7:07 p.m.

- *Motion to Publish Notice of Intent*

Council Member Barber moved to publish the notice of intent in the official city paper. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:08 p.m.

City Hall Maintenance

City Council discussed painting the paneling in City Hall and carpet. Reviewed bid from Carpetman for Salisbury carpet to be laid and old carpet removed. Declined interest in painting the paneling.

- *Motion to Purchase 72 Yards of Carpet from Carpetman for \$1,073.52*

Council Member VanVlack moved to purchase 72 yards of carpet from Carpetman to include installation and old carpet removal. Seconded by Council Member Shields, voted on, passed 4-0. Time: 7:16 p.m.

Discussed other ways to improve the walls. No further action.

Adjourn

With no further business, **Council Member VanVlack moved to adjourn the meeting. Seconded by Council Member Hisel, voted on, passed 4-0.** Time: 7:20 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 21st day of January 2002.

REGULAR MEETING:

The LaCygne City Council met in regular session with a PUBLIC HEARING included on Wednesday, January 16, 2002. Council Members present were: Steve Hisel; Sam Barber; Esther Shields; Connie McGinnis; and Mike VanVlack.

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Chuck Farrell; Rob Gavin; Mike Deeker; City Attorney John Sutherland arrived at 7:55 p.m.; Public Works Gary Curnutte; LeRoy Turpen; Brenda Johnson; Jim Johnson; Donna K. Thomas; Danny McElreath; Gary Harvey with Shepard Team Motors; and, Grant Administrator Linda Weldon, SEKRPC.

Mayor Terry Weitman called the meeting to order at 7:04 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda that consisted of:

Check Register: December 31, 2001 - January 16, 2002;
Minutes of January 2, 2002 Regular City Council Meeting;
Minutes of January 8, 2002, Regular City Council Meeting;
December 2001 Financial Statement;
4th Quarter 2001 Financial Statement;
2001 Annual Financial Statement.

Motion seconded by Council Member VanVlack, voted on, passed 5-0. Time: 7:05 p.m.

DISCUSSION FROM THE FLOOR:

Donna K. Thomas: Questions about Police Protection and Complaints

Ms. Thomas noted she had two points of concern with the local police department. She reported she felt the police department was used for purposes not intended for and this could create a potential problem if they were busy this way and another call was reported at the same time. The police were called about two weeks ago to have her niece removed and this had not been done before so why wasn't a formal complaint written up and then sent to her? Mayor Weitman noted the city has active police protection including county backup if needed. City Police Chief Farrell noted the city does have a responsibility to respond to a call when received. Manager of Lindentree Apartments, Brenda Johnson, spoke of having received a complaint from one of the other tenants that the niece, Lori, was mouthing off and making threats. When asked to stop, she just continued and got louder so the police were called to avoid any further potential problems. Ms. Johnson felt the police handled it very professionally and just asked Lori to leave the premises. At that time Donna did remove Lori. The call to the police was made at 6:50 p.m. per records.

Ms. Thomas noted the police are not always called when there are problems, it only happens for certain people, like the drunk every weekend never has a call on him. Ms. Johnson noted they were not aware of a weekend drunk, if it was ever reported it would be responded to. Mayor Weitman noted Ms. Thomas's complaint about the condition of the unit was not a city issue that she may want to pursue legal council for advice. From the initial information given the city police responded as they were called to do. (7:16 p.m.)

RWD #1, Eddie Andersen: Connecting a Line to KCP&L

Mr. Andersen gave a report on how the past few years the Kansas laws have changed for drinking water and how KCP&L had approached the RWD a couple of times in the past for the purchase of water for the power plant then went on to use their own water plant. Now the cost to update may be more than hooking up with the district and they have again contacted the RWD to ask for approximately 650,000 gallons of water a month. The RWD will ask that they fill a holding tank in the off hours to help with the volume for the RWD. KCP&L would abandon their plant and this would be a long-term agreement.

Mr. Craig reported the water plant could handle this additional volume with about an hour a day more run time.

Mayor Weitman asked if the water commitment would stay with the La Cygne water distribution or be moved to the Wholesale Water District when it was up and running.

Mr. Andersen responded the water district could set it up either way and would be ok with leaving it with the city.

Mayor and Council confirmed the city did have an interest in providing this additional water volume.

Mr. Andersen reported he would get back with KCP&L to see if they will meet the RWD's requirements, as they will have to run a 6-inch line from the hill to the power plant.

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DISCUSSION FROM THE FLOOR: (Continued)

RWD #1, Eddie Andersen: Connecting a Line to KCP&L (Continued)

Mayor Weitman asked Mr. Andersen if the RWD was ready to resolve the annexation settlement. Mr. Andersen reported they were waiting on a written report from the appraisers and as soon as they had that would be ready to get back with the city.

Council Member Barber asked how soon KCP&L would react to the water use request. Mr. Andersen responded it could take them a little while, as there would be easements involved along with other issues. Mayor Weitman again noted the city did have an interest. Mr. Andersen said he would get back with KCP&L then get back with the city to work on the contracts. (7:25 p.m.)

PUBLIC HEARING: COMMUNITY IMPROVEMENT APPLICATION FOR GAS LINES (Time: 7:26 p.m.)

Rob Gavin, Kirkham Michael Engineers, reported the initial review was completed and presented the preliminary report. Most of the old pipe is above surface and/or shallow except for recent upgrades. Discussed changing the lay of the pipe line to go along 1095 Road all of the way, was noted the state might pull the grandfather clause on the line left to serve the four residences on the old line if moved, no action was taken. Noted points from the preliminary report were:

1. The gas system was well maintained with the construction practices of the 1940's.
2. Most of the line needs to be replaced and buried to protect from vehicle accidents and mowers.
3. The line moves during weather cycles.
4. A four inch steel line is adequate for the city usage based on residential growth.
5. Recommend stay with four-inch steel. The city would have to change the entire line to go to eight inch if change to poly pipe, as it would all have to be the same.
6. The by-pass odorizer at the station is the old method of placing odor in the lines. During low volume periods it may not be getting all the odorizer volume you need.

7. Current status of gas line is grand fathered now; but the time may come when you will be required to bury the line. Regulations say above ground pipe is to be buried by 1995.
8. Probably originally laid above ground because of the amount of rock in the area. There are now ways to bury in the rock safely.
9. The preliminary cost estimate is right at \$20 a linear foot to replace.
10. Recommend rectifiers for cathodic protection.
11. Cost based on cost per meter would be \$27.70 per month if just bonds used, and with a CDBG of \$400,000 it would be \$22.30 per month per meter.
12. Discussed splitting into two phases and applying for two CDBG Grants for a meter cost of \$16.90 per month.
13. Reviewed gas sales and loss history of the gas.

Grant Administrator, Linda Weldon, Executive Administrator with SEKRPC, noted there would be no guarantee CDBG would do a two-part phase project. KDOCH prefers to see a total project. Documents were presented that required signing for the grant. The city needed to show readiness to start the project by having the contracts signed with the administrator and engineer with the contracts based on the contingency the grant is awarded and the funds in place also. There was fifteen points for this readiness to be in place. If the city wants to submit the application they needed to signature approval for the required resolutions and the administrators contract. There is no charge from the administrator if the grant is not approved.

- *Motion to Sign Required Resolutions and Contracts*

Council Member Barber moved to authorize the mayor and city clerk to sign the required resolutions and contracts to apply for the CDBG grant. Seconded by Council Member Shields, voted on, passed 5-0. Time: 8:00 p.m.

Discussed the need to decide what part of the line would be part of the project or to apply for the whole project. Discussed also applying to EDA for part of the project to help with the businesses in the city that use the gas line. Ms. Weldon agreed to call Paul Hildebrand with EDA to see if it's possible with the city having other EDA grants already pending. Concurred to go with 100% of the project. Asked city clerk to contact Dave Malone with Cooper Malone McClain Inc, Investment Bankers to get the funds in place for part of the readiness requirement.

- *Motion to Apply for Full Project*

Council Member Barber moved to apply for the full project amount. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:05 p.m.

No other discussion. No other comments from the floor.

Mayor Weitman closed the Public Hearing portion of the meeting. Time: 8:06 p.m.

6TH STREET IMPROVEMENT PROJECT

Mike Deeker, Kirkham Michael Engineers, presented diagram of the widening of 6th Street between Market and Vine to handle the Postal Trucks for the new post office location. With a new pharmacy also being built on the east side, Mayor Weitman noted it would be better served by the community if both the pharmacy individuals, Karen and Freeman Thomas, and the city would have the work done at the same time as it saves everyone to have it done together. Discussed that the city would go to radius and then the Thomas's pick up the curb and perimeter of the parking area with the Thomas's east of the gutter and the city to pay for the gutter if the Thomas's were in agreement.

- *Motion to Accept Diagram Contingent on the Thomas's Approval*

Council Member Hisel moved to approve the diagram contingent upon the Thomas's approval of approximately 100 feet. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:12 p.m.

Mike Deeker noted they would move forward if the Thomas's were ok with the project; if not, he would start over with the design. Council Member asked what the cost to the city was for this project. Mr. Deeker noted it was still at the total project cost earlier determined to be about \$34, 000. It depended on the final bids and the final area design on the northeast end. Mayor Weitman asked the Street Committee to talk to the Thomas's as soon as possible.

REPORTS OF CITY OFFICERS:**Public Works Superintendent George Craig**

Mr. Craig reported Council Member McGinnis had brought Gary Harvey with Shepard Team from Fort Scott, KS, to the meeting with a 2000 Chevy 3500 1Ton Truck for the city council to inspect for a public works vehicle.

- *Motion for Ten Minute Break to Inspect Vehicle*

Council Member VanVlack moved to take a ten-minute break to inspect vehicle. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 8:20 p.m.

Open Session Resumed 8:30 p.m.

Mr. Craig described vehicle and asked for opinion from the council on purchasing. Discussed it was big enough to pull the necessary trailers needed to haul equipment. Discussed how much a heavy-duty 5th wheel trailer would cost and determined an estimate of \$6-8,000.00. Mr. Shepard acknowledged the hold on this vehicle is only good to the end of the council meeting, it will be available to anyone else to purchase after that.

- *Motion to Purchase 2000 Chevy 3500 Model Truck for \$23,788*

Council Member McGinnis moved to spend \$23,788 for the 2000 Chevy 3500 Model Truck. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:42 p.m.

Agreed to pick up the vehicle on Thursday, January 17, 2002 at 10:00 a.m.

Mr. Craig reported on the following:

1. Turbidity Meter with Computer Equipment for Water Plant – Presented total bid of \$13,896 for a turbidity meter (\$9,832.00), computer (\$2,254.00), installation (\$1,750.00), and freight (\$60.00). This packet was put together after looking at several quotes that would meet the state requirements for the city water plant. The lesser bids were compiled into the one packet. The computer has a three-year warranty and was the lower of two bids.

- *Motion to Spend Up to \$13,896 for Turbidity Meter and Computer Equipment*

Council Member Hisel moved to spend up to \$13,896.00 for turbidity meter and computer equipment for the city water plant. Seconded by Council Member Barber, voted on, passed 5-0. Time: 8:48 p.m.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig (Continued)

2. Water Plant Scales for Chlorine Cylinders – The old plant scales have been broken for a while and having to estimate the chlorine cylinders weight thus losing some that could be used and it is required by the state to have the required scales. Received two bids to replace the scales. Haynes Co. includes installation for \$3,445.00. Sidener Environmental Co does not include installation and is for \$3,549.00.

- *Motion to Purchase Water Plant Scales for \$3,445*

Council Member Barber moved to purchase new chlorine scales for \$3,556.00 including installation. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 8:52 p.m.

3. Water Tower Door Repair – Have attempted to obtain other bids to install a new steel roof hatch on the top of the 50,000-gallon water tower and have been unsuccessful in locating anyone else. The bid from Utility Service Co., Pittsburg, Kansas is \$2,150.00. This installs a new 24” lockable steel roof hatch with a 4” raised lip to prevent rain run-off and contaminates from entering the water chamber.

- *Motion to Install New Roof Hatch on Water Tower for \$2,150*

Council Member Shields moved to accept bid of \$2,150.00 to install new roof hatch for water tower. Seconded by Council Member VanVlack; voted on, passed 5-0. Time: 8:55 p.m.

UNFINISHED BUSINESS:

Bids for Fence Around Water Plant

Public Works Superintendent Craig presented three bids for a fence around the Water Plant.

- | | |
|---------------------------------------|-------------|
| 1. Mark Michelle Excavating & Welding | \$10,500 |
| 2. Lane Ranch Construction LLC | \$8,944.50 |
| 3. Challenger Fence Co. & Supply | \$10,132.81 |

The Lane Ranch Construction bid did not specify what type of materials would be used, nor if there would be any preparation or clean up included in the project. The other two bids did give the type of materials used, and what preparation and/or clean up would be included. Mark Michelle’s bid did request \$6,500.00 be paid at the start of the job to pay for the materials.

- *Motion to Accept Mark Michelle Excavating Bid for Fence for \$10,500*

Council Member McGinnis moved to accept the \$10,500 bid from Mark Michelle for the fence with the \$6,500 paid when the materials were on the city property. Seconded by Council Member VanVlack –

discussed further – motion withdrew.

Council Member McGinnis moved to accept the \$10,500 bid from Mark Michelle as per contract. Seconded by Council Member VanVlack, voted on, passed 5-0. Time 9:02 p.m.

NEW BUSINESS:

Danny McElreath Request to Close Vine Street West of First Street

Mr. McElreath presented a diagram of his plans to put a house where the undeveloped street currently is should the city agree to close the street. Mr. McElreath reported there would not be anything done to the ditch as it is a run off ditch for this area. Mayor Weitman reported the recommendation from the Planning Commission was to close the street as this area has been determined not to be a growth area due to the location to the river and the lay of the ground.

- **Motion to Close Vine Street West of 1st Street**

Council Member Shields moved to close Vine Street on the west side of 1st Street. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:07 p.m.

REPORTS OF CITY OFFICERS: (Continued)

Police Chief – Chuck Farrell Jr.

Police Chief Farrell presented written report of police activities for January 1 – 15, 2002. Requested to attend the KCJ Program for six hours of credit for no charge except lodging and meals on January 29, 2002 in Salina, Kansas at KHP. Also requested to attend the K.N.O.A. Training Conference in Topeka, Kansas, March 25 – 28, 2002 for a cost of \$80 plus per diem for 26-28 hours of training. Chief Farrell is required to have forty hours of training a year.

- *Motion to Attend K.N.O.A. Training Conference*

Council Member Barber moved to send Chief Farrell to K.N.O.A. Training Conference in Topeka for a cost of \$80.00 and per diem usually paid. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:13 p.m.

Council Member Barber moved to send Chief Farrell to KHP training on January 29, 2002 with usual per diem costs. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:14 p.m.

Mayor Weitman reported there was quite a disturbance in La Cygne last Friday Morning. According to the front-page news Chuck turned 50. What a day.

Fire Chief – Ernie Moylan

Council Member VanVlack reported the fire department wanted to purchase three pagers to replace the radios so the firefighters would just get the fire messages without having to listen twenty-four hours to the other information also given over the radios. The cost of each pager is \$355 each for a total of \$1,065 with complete set up.

- *Motion to Purchase Three Pagers for a Total Cost of \$1,065*

Council Member Hisel moved to buy three Motorola Mentor 3 pagers at \$355 each for a total of \$1,065.00. Seconded by Council Member Barber, voted on, passed 5-0. Time: 9:21 p.m.

STANDING COMMITTEE REPORTS:

Sewer

Council Member Barber asked for an update on the CDBG Sewer Project. City Clerk Herrin reported Mike Deeker from Kirkham Michael Engineers had reported he had heard from KDHE that they were looking at two of the three projects and would be responding to the engineers in the next week or so. Then the comments would have to be responded back to KDHE, and then they would go to bids.

Cemetery

Council Member VanVlack reported the new street in the new part had been flagged out and a roller ran over it. Also the rock had been delivered.

SPECIAL COMMITTEE REPORTS:

Fiesta – Next Meeting is February 13, 2002, 7:00 p.m. at City Hall.

UNFINISHED BUSINESS: (Continued)

Senior Housing Authority Appointment – Rose Mary Atwood

Mayor Weitman reported the city had been in contact with the state and it was the understanding that since Mrs. Atwood had previously served on the board and was currently the secretary and willing to serve another term of which it is hard to find people will actively serve on these committees it should be alright for her to serve another term with the understanding that the board find another member that meets the requirements at the end of that term. Should there be problems before her term expires the state will just ask the board to replace her at that time.

- *Motion to Accept Rose Mary Atwood to Re-appointment*

Council Member VanVlack moved to accept Rose Mary Atwood for reappointment to the Senior Housing Authority Board. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:30 p.m.

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UNFINISHED BUSINESS: (Continued)

Mobile Home Park Renewal Applications

1. Brokerage Security, Jim Thompson

Discussed the noted repairs. A notification is being sent to both the owner of a dog that needs some clean up as well as to Mr. Thompson. The pole that is leaning is being addressed per information received.

Other items noted improved and appreciated by the city.

- *Motion to Renew Brokerage Security Mobile Home Park License*

Council Member Barber moved to renew Brokerage Security Mobile Home license contingent the two items listed are addressed. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:38 p.m.

2. La Cygne Mobile Home Park, Larry Erickson and Betty Moore

Codes Officer Farrell reported Larry had walked around the park with him at the time he did the inspection and agreed with all of the recommendations. Improvements had continued last year with the park and the area was much improved with a lot of other improvements still required. The license application has not been received by city hall as of this date. Officer Farrell will contact him for response. Tabled.

3. Marsh Mobile Home Park

Discussed the noted repairs. Determined could be approved contingent on repairs being noted in writing by Mr. Marsh within a thirty-day time frame that would address the written problems repairs to be scheduled to be completed by April 2002.

- *Motion to Approve Marsh Mobile Home Park License Contingent on Repair Schedule*

Council Member Barber moved to approve the Marsh Mobile Home Park License contingent on a repair schedule given within thirty days and the repairs completed by April 2002. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:39 p.m.

Lease Agreement for 2002 Police Interceptor

Police Chief Farrell explained the bids were sent out on a three-year lease agreement basis. However the bid acceptance completed at the last council meeting was for the full value of the vehicle. This needed to be amended to reflect the inclusion of the three-year lease agreement.

- *Motion to Amend 2002 Police Interceptor Purchase to Include Three Year Lease*

Council Member Hisel moved to amend the previous motion on the 2002 Police Interceptor to include the three-year lease on the purchase. Seconded by Council Member Barber, voted on, passed 5-0. Time: 9:41 p.m.

Resign Amended 2001 Budget Certificate

City Clerk Herrin explained that the published amended 2001 Budget Report was correct and all of the paperwork to amend the budget was ok except for the signed form sent to the County Clerk at the completion of amending the 2001 Budget. The previously signed forms listed the beginning budget for the three parts of the amended budget and now the form listing the corrected amounts needs to be signed and sent to the County Clerk. The City Council signed the correct form that the December 19, 2001 Public Hearing approved the council to sign.

NEW BUSINESS: (Continued)

Amend Ordinance for Mileage Expenses

Discussed the ordinance dated in 1991 and the current mileage expenses allowed by the state.

- *Motion to Amend Ordinance to Reflect State Recommendation for Mileage Expenses*

Council Member Shields moved to amend ordinance to reflect state recommendation for mileage expenses. Seconded by Council Member VanVlack, voted on, passed 5-0. Time: 9:45 p.m.

NEW BUSINESS: (Continued)

Linn County Economic Development Annual Meeting & Entrepreneur Program, Thursday, January 24, 2002, Mound City, KS at 7:00 p.m.

- *Motion for Mayor to Attend LCED Annual Meeting*

REGULAR MEETING

Year =2002

Council Member VanVlack moved to have Mayor Weitman attend the Linn County Economic Development Annual Meeting. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 9:47 p.m.

KRWA's 35th Conference with Voting Delegate, March 26-28, 2002, Wichita, KS

Discussed sending one or two public works employees to the conference with one as a voting delegate. Tabled. The Employee Relations and Training Committee will get with public works and report back.

- *Motion to Reserve One Motel Room Now for Attendance to Conference*

Council Member Barber moved to reserve one motel room now while they are available for this conference. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 9:52 p.m.

KRWA, 'Water System Training Seminar', Wednesday, February 6, 2002, Pittsburg, KS

Discussed sending two public works employees to the training session.

- *Motion for George Craig and James Hazelet to Attend 'Water System Training Seminar'*

Council Member Barber moved for George Craig and James Hazelet to attend the KRWA, 'Water System Training Seminar' on Wednesday, February 6, 2002 in Pittsburg, Kansas with mileage and usual per diem. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:55 p.m.

Planning Commission Recommendation of Change in City Land Use Maps

Discussed the maps presented. Located some additional changes to be made. Agreed to review and discuss at the next meeting for final approval with the changes.

EXTEND SESSION

- *Motion to Extend Meeting*

Council Member Barber moved to extend the meeting to 10:30 p.m. Seconded by Council Member Shields, voted on, passed 5-0. Time: 9:57 p.m.

Change Next Council Meeting Date of February 6, 2002 to January 30, 2002

- *Motion to Change Meeting Date*

Council Member VanVlack moved to change the next City Council Meeting date of February 6, 2002 to January 30, 2002. Seconded by Council Member McGinnis, voted on, passed 5-0. Time: 10:12 p.m.

Executive Session

None.

OTHER BUSINESS:

Dog License Due in April

Council Member Shields asked about changing the effective date for dog licenses to January 01, thru the next January 01, instead of from April to April. Discussed Dog Days is held the end of April for nice weather and both are handled at the same time.

- *Motion to Change Dog License Effective Date from April to January*

Council Member Shields moved to change the dog license effective date to January 01.

Died for lack of a second.

OTHER BUSINESS: (Continued)

AFLAC Section 125 Cafeteria Plan Document Amendment

City Attorney Sutherland reported the IRS had mandated changes in the wording requirements for the AFLAC Section 125 Cafeteria Plan. There are no options with the changes but the government is requesting the changes be approved by the city council to confirm the council is aware of it.

- *Motion to Accept Section 125 Cafeteria Plan Document Amendment*

Council Member VanVlack moved to sign the AFLAC Section 125 Cafeteria Plan Document Amendment. Seconded by Council Member Hisel, voted on, passed 5-0. Time: 10:20 p.m.

CITY CLERK'S REPORT:

Written report included:

- a] RWD #1, Eddie Andersen, Connecting a Line to KCP&L
- b] Senior Housing Authority Appointment

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM, Municipal Leadership Academy, 'Disaster Preparedness' February 8, 2002, Topeka, KS
- b] KMU, Benefits Letter
- c] KRWA, 'Confined Space Entry Training, Friday, January 25, 2002, Howard, KS
- d] KDCH, CDBG 97-BF-127, America One, L.L.C. Close-out Letter
- e] Utility Service Co. Inspection Report for 50,000-gallon Water Tank
- f] KCC, 2001 Annual Inspection Completed Letter

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, **Council Member Barber moved to adjourn. Motion seconded by Council Member Shields, voted on, passed 5-0.**

The meeting was adjourned at 10:29 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 16th day of January 2002.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, January 2, 2002. Council Members present were: Mike VanVlack; Sam Barber; Connie McGinnis; and, Steve Hisel. Absent: Esther Shields.

REGULAR MEETING

Year =2002

Others present included: City Clerk Herrin; Public Works Superintendent Craig; City Police Chief Farrell; City Attorney Sutherland; Grant Administrator Bob Stocking; Jeremy Bray; and Jennifer McDaniel.

Mayor Terry Weitman called the meeting to order at 7:12 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

Council Member VanVlack moved to approve the consent agenda that consisted of:

Check Register: December 20 - 31, 2001;
Minutes of December 19, 2001, Public Hearing Amending Budget with
Regular City Council Meeting.

Motion seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:14 p.m.

UTILITY IMPROVEMENTS REPORTS

CDBG Sewer Grant – State Revolving Loan – EDA Grant

None.

Water Improvement Project

Grant Administrator Stocking explained he had put together a revised grant for \$863,204.00 to the water tower on the southeast end of town and some distribution lines. This revised grant does not include any plant improvements so the city can go forward with those improvements and not have to wait on approval of the grant. The EDA does not normally do one grant with another one not completed, but there are times when they both go on at the same time.

- *Motion to Sign EDA Grant Amendment*

Council Member VanVlack moved to sign the amended EDA Grant Amendment and move forward. Seconded by Council Member Hisel, voted on, passed 4-0. Time: 7:16 p.m.

Gas Improvement Project

None.

6th STREET PROJECT

None.

Rural Water District #1 Regarding Annexed Properties

None.

DISCUSSION FROM THE FLOOR:

None.

REPORTS OF CITY OFFICERS:

Police Chief Chuck Farrell Jr.

Chief of Police Farrell presented a written report of police activities for the month of December 2001 and the Annual 2001 Report.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig

Reported on the following:

8. James Hazelet passed his Class I Water Exam with a score of 96.
9. Working with Hach Inc. on turbidity meters; will have more at the next meeting.
10. Presented a 1994 Ford Ranger with 132,000 miles for \$7,200 from Gold Bank for purchase consideration. Presented photos of a 1 Ton Dually. But would like to look at pickups and bigger trucks at the Federal Surplus prior to making any decisions.
11. Requested consent to go the Federal Surplus in Topeka, Kansas to look for a portable welder and generator, a hot water washer, copier, and other small items with authority to purchase up to \$2500 of these items.

- *Motion to Give Authority to Spend up to 2500 at Surplus*

Council Member Barber moved to spend up to \$2500 at Federal Surplus. Seconded by Council Member VanVlack, voted on, passed 4-0. Time: 7:25 p.m.

Council Members, Mayor, and Public Works Superintendent discussed the presented vehicles for public works employees and the possibility of looking for others prior to making a final decision.

STANDING COMMITTEE REPORTS:

Cemetery

Council Member VanVlack noted they were planning to lay out a road in the new section later in the week.

SPECIAL COMMITTEE REPORTS:

Fiesta

Meets next Wednesday, January 9, 2002.

UNFINISHED BUSINESS:

Senior Housing Authority Appointment

Noted a letter had been sent to the Housing Authority Board with no response back to date.

Hudson Ground in Industrial Park Donated to City for a Fire Station

Council Member VanVlack reported he had spoke with Mitch Clark and the Hudson Trust was in no hurry, so would just leave as is for now.

NEW BUSINESS:

Mobile Home Park Renewal Applications

Tabled until January 16, 2002 Meeting

Meeting at Osawatomie City Hall, Thursday, January 3, 2002, 1:30 p.m. Regarding Osawatomie Correctional Facility

Council discussed the need to try to have a representative in attendance if possible. Determined Mayor Weitman would try to attend if his work schedule allows.

Executive Session

- *Motion to Go Into Executive Session*

Council Member VanVlack moved to go into executive session for discussion of personnel and legal for up to 40 minutes. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:33 p.m.

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

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Open Session Resumed at 7:53 p.m.

OTHER BUSINESS:

Road for New Section in Oaklawn Cemetery

Council Member VanVlack noted the road to be laid would require some rock on it and now would be a good time with the weather to get the initial rock spread.

- *Motion to spend up to \$1,000 for the Purchase of Rock for New Road in Oaklawn Cemetery*

Council Member VanVlack moved to spend up to \$1000 for rock for a road to be laid in the new section of Oaklawn Cemetery. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:54 p.m.

Bids for New Police Interceptor Vehicle

Police Chief Farrell presented two bids for a city police car to replace the 1992 model, which he recommended to be sold outright. Four requests for bids had been sent out to Shepard Team, Beckman Motors, Cox Motors, and Shawnee Mission. Only two were received back. For a 2002 Crown Victoria Police Interceptor Cox Motors bid was \$21,245 and Shawnee Mission bid \$21,017. Cox Motors indicated they could deliver by early March and Shawnee Mission could be up to 120 days to deliver. Discussed for the price difference and time frame for delivery it would be best to purchase within the county.

- *Motion to Purchase 2002 Police Interceptor from Cox Motors for \$21,245*

Council Member VanVlack moved to buy a new 2002 Police Interceptor from Cox Motors for \$21, 245. Seconded by Council Member McGinnis, voted on, passed 4-0. Time: 7:47 p.m.

Police Chief Farrell asked about the extra equipment to get it up and running as a police vehicle such as lights, radio, radar, etc. The total cost for these items should be less than 5,000.

- *Motion to Authorize Police Department to Spend Up To \$5,000 for Equipment*

Council Member VanVlack moved to authorize the police department to spend up to \$5,000 for equipment for the new vehicle. Seconded by Council Member Barber, voted on, passed 4-0. Time: 8:00 p.m.

CITY CLERK'S REPORT:

Reported on the Following:

- A] Second Half of 2001 Franchise Payment from KCP&L was \$7,883
- B] City Received \$8,962 as Ad Valorem Refund from Panhandle Eastern

C] January 10, 2002, 7:00 P.M., is the Planning Commission Public Hearing for City Map Updates

OTHER BUSINESS: (Continued)

Fence Around Water Plant

Discussed status of fencing around the Water Plant. Public Works Superintendent Craig reported they had only received one bid to date, but were supposed to be receiving more shortly. Requested City Clerk publish for bids with response requested by the next city council meeting. The bid will include eight-foot chain link with barbed wire on top.

Video from LKM Regarding October Annual Convention

Mayor Weitman reported he had watched the video received from the League regarding the last October LKM Annual Convention. It talks about the Kansas Home Rule and then goes on into parts of the October Meeting. If anyone has time, he would recommend they watch it.

Television and VCR for City Hall

Council discussed the purchase of a television and VCR in the future for City Hall for training of the Fire Department, the Police Department, Public Works, and Red Cross Training. One Cable Unit is furnished free to City Hall per the franchise agreement. No action taken.

Page 4 of 4

OTHER BUSINESS: (Continued)

Storm Sirens Tested Today, January 2, 2002

Council Member VanVlack reported the storm sirens were tested successfully today. The test is scheduled to take place the first Wednesday of each month at approximately 11 A.M.

CPR Class for Fire Department

Council Member VanVlack asked when the CPR Class for the Fire Department was to take place. Noted it was approved for when the fire department set it up with Rick Waddell. Discussed now adding the swimming pool employees to the same class. No further action.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] 2002 City Hall Day at the Capitol, Thursday, January 24, 2002, Topeka, KS
- b] Municipal Leadership Academy, Class on 'Economic Development', January 12, 2002, Abilene, KS
- c] KCC, Report on Annual Inspection of Drug and Alcohol Program with The Consortium in Topeka, KS
- d] FSCC, 2002 Spring Class for 'Water Treatment Plant Operations'
- e] Kansas Department of Revenue, Letter Regarding the Clean Drinking Water Fee
- f] KCC Notice of Interest Rates on Deposits
- g] "Kansas Government Journal" November 2001, Volume 87 – Number 11
- h] James Hazelet Class I Water Certification
- I] KDCH Extension Letter for CDBG Sewer Project

ADJOURNMENT:

- *Motion to Adjourn*

Being no further business, **Council Member Barber moved to adjourn. Motion seconded by Council Member McGinnis, voted on: Barber – Yes, Hisel and VanVlack – No, McGinnis – Abstain. No Action.**

REGULAR MEETING

Year =2002

Council Member VanVlack moved to adjourn. Seconded by Council Member Hisel, voted on, passed 4-0.

The meeting was adjourned at 8:14 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 2nd day of January 2002.