

2016 LA CYGNE CITY MINUTES

REGULAR MEETING:

The La Cygne City Council met on Wednesday, January 06, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Tony Furse; Linda Meisel; Fred Meisel; Jodi Wade; and Wayne Benedick.

Mayor Robert Sullivan called the meeting to order at 6:00 p.m. with leading the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Thanked Public Works employees for the good job they did on the roads during the winter events about ten days ago.

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

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

Minutes of December 16, 2015 City Council Meeting;

Check Register: December 17 – January 6, 2016.

Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 6:03 p.m.

DISCUSSION FROM THE FLOOR:

JODI WADE TO DISCUSS PARK BOARD MEMBERSHIP REQUIREMENTS

Jodi Wade, Park Board Chairman, explained it had been brought to her attention the Park Charter ordinance requires all Park Board Members to either live in the city or the Lincoln Township, or both. Currently one member on the board does not meet this qualification and yet she has been a very active and positive participant. Currently the board is comprised of three residential individuals, one council member, and one Township representative. Jodi asked the city council what steps, if any, could be considered to open one Park Board position to be listed with the option to be a member at large (outside the designated area). Discussed the difficulty in finding individuals to be willing to be active board members within the designated area. Council Member Shields noted she is also an over 25-year Lincoln Township representative and felt that as the Township and City are co-owners of the park the members of the board should all reside within the designated area. Jodi asked about the concerns of having a member at large. Responses included the members should be taxpayers for the area and finding those who would be interested in becoming involved in our busy mobile society. Concurred to have a joint meeting with the township board, who is Jean Allen, Joe Turpen, and Esther Shields, at the next regular city council meeting.

- ✓ *Motion to Have Joint Meeting with Lincoln Township Regarding Board Member Requirements*

Council Member Curtis moved to hold a joint meeting with Lincoln Township regarding the board member requirements during the next regular city council meeting on January 20th.

Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:20 p.m.

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Esther Shields will contact the Township Board about meeting with the city council on January 20th. Also will place the joint meeting at the beginning of the city council meeting.

WAIVE COMMUNITY BUILDING FEE FOR ACETIN BENEDICK SCHOLARSHIP FUND FUNDRAISER

Wayne Benedick asked the council to consider waiving the community building fee on January 22nd for the third annual Texas Hold'em Fundraiser with proceeds going to the Acetin Benedick Scholarship Fund. This fund provides scholarships to a Prairie View High School Graduate.

✓ *Motion to Waive Community Building Fee for Acetin Benedick Scholarship Fundraiser*

Council Member Mitzner moved to waive the community building fee for the Acetin Benedick Scholarship Fundraiser on January 22nd. Motion seconded by Council Member Curtis. Voted on, passed 5-0. Time: 6:24 p.m.

Council reminded Mr. Benedick there would still be a deposit required that would be returned once the building was restored to the same condition as found.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Will cover at the next meeting.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Also cover at the next meeting.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Department Report – None
2. Working on Police property list to be able to track and maintain property for budget purposes.
3. Attend the Pipeline Safety Meeting on January 7th at 11:30 a.m. in Mound City

✓ *Motion to Approve Attending Pipeline Safety Meeting on January 7th in Mound City*

Council Member Williams moved to approve attendance to the Pipeline Safety Training on January 7th in Mound City. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:26 p.m.

4. Attend the Intoxilyzer 9000 training in Mound City on January 12th for both full time officers.

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✓ *Motion to Approve Two Officers Attending the Intoxilyzer 9000 Training Jan. 12th in Mound City*

Council Member Mitzer so moved to approve two officers to attend the Intoxilyzer 9000 Training on January 12th in Mound City. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:27 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Dig Safe Training, January 7th, Mound City – Public Works Superintendent Johnson reported all four Public Works employees would be attending the Dig Safe Training tomorrow night at Mound City.
2. Community Building Gas Cook Stove – Reported the commercial gas cook stove was shooting flames after having been lit to be used by those who had rented the building and was using the cook stove. Have had several negative experiences due to the pilots going out and have had repaired previously. Recommended pulling the gas line out so no one could reconnect and 'Red Tagging' the stove.

✓ *Motion to Red Tag the Community Building Cook Stove and Disconnect*

Council Member Shields moved to Red Tag the Community Building Cook Stove and disconnect the gas line. Motion seconded by Council Member Curtis, voted on, passed 5-0.

Time: 6:31 p.m.

3. State Water Plant Inspection with EPA Representative – Reported the state did not find any problems with the city's water plant; however, the EPA Representative did find problems they would like addressed. They were:
 - a. An enclosure around the Caustic Soda Container for a cost of \$338.00
 - b. An enclosure around the Ammonium tank for \$338.00
 - c. An enclosure around the Polymer tank for \$611.00
 - d. The PH Probe is not working correctly and to replace is \$1,020.00; and
 - e. Turbidity Meter needs to be replaced, as the state guy broke it, for \$1,240.They found the plant to be in good shape otherwise and with consent will order the parts from HACH as they have the equipment maintenance agreement.

✓ *Motion to Approve Purchasing Equipment for Total Cost Not to Exceed \$4,000.00*

Council Member Curtis moved to approve all of the items for a total cost not to exceed \$4,000.00. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:36 p.m.

4. Water Plant Electric Sludge Blow Down – This broke and the one on the shelf was used, so another one has been ordered to have ready if/when then next one breaks.
5. Sewer Maintenance Consideration – Have contacted Reddi-Rooter to obtain a maintenance cost report to annually repair/clean out some sewer lines. Will bring back for council info.
6. Industrial Park Sewer Problem – Contacted the Cement Company about building a gravel path to the sewer line needing repaired. The Cement Company was not only helpful with approving crossing their property to the easement, they have also volunteered to provide the gravel for the path. Also, Peoples Telecommunications has agreed to help with their equipment to shore up the dig site. A clamp special made for the broken pipe area and labor will be the only cost for making this repair.

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FIRE CHIEF – DAN NASALROAD

1. City ISO Rate Change – Reminder as of January 6th the city's protection class changed from a PC 7 to a PC 5. Contact your insurance company for a rate change.
2. Hydrants Related to Water Project – Looks like the city is good on the number of hydrants to be included in the water project. Have added a few on dead-end lines. If there is a question as to the location will do what is best for the water line.
3. Fire Station Design – Just received some updated drawings to review from the architect.
4. Annual State Report – Completed for the year. 2015 Call volume was down and believe that can be contributed to some good training.
5. Firefighter Relief Seminar, January 16th, Salina – Requested to attend along with J.K. Fleming. The cost is travel and one overnight with food.

✓ *Motion to Approve Two Fireman Attending Firefighter Relief Seminar, January 16th, Salina*

Council Member Williams moved to approve two firemen to attend the Firefighter Relief Seminar with per diem. Motion seconded by Council Member Shields, voted on, passed 3-0-2 (Abstain: Mitzner and Fleming). Time: 6:45 p.m.

CITY CLERK – DEVONA HERRIN

1. Continue with Review of Draft for Updating City Code – Inquired about holding a workshop prior to the next meeting to continue the review of the City Code Draft.

✓ *Motion to Hold a Workshop at 5:00 p.m. on January 20th for City Codes*

Council Member Mitzner moved to hold a workshop at 5:00 p.m. on January 20th for City Codes. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:46 p.m.

2. City Hall Storage Area Roof Leaking – Noted the roof is leaking again and Council Member Williams is going to look at the area again when the weather improves. Council Member Williams reported it is a flat metal roof that is not in bad shape, just appears to be a seam leaking and a matter of getting it to hold again.
3. Lights at North Park – Some youth had inquired as to how long the lights would be out for repair and just passing the information on. Discussed the report from the electrician or bulb company had not responded lately. Will check on status.
4. Annual Gas Liaison Notice – PWS Johnson presented the annual gas liaison emergency information notice for the council to sign. All signed.
5. Part Time Help Update – Ms. Curnutte has been working hard, but has been out with some family health problems, in case someone does not see her here.

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

1. Condition of Back Door – Discussed the back door has a gap from what appears to have had a crowbar attempt to pry the door open. Council will look at to consider replacing.
2. Thermostat Cover – Discussed placing a cover over the thermostat to keep anyone from turning the heat up and then opening the doors with the cost of heating the building being so expensive.

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SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT - NONE

SWANFEST COMMITTEE - NONE

UNFINISHED BUSINESS:

2016 MOBILE HOME PARK LICENSES

- I. SLOCUM, 627 N. BROADWAY
- II. BROKERAGE SECURITIES/JIM THOMPSON, 704 E. SYCAMORE
- III. MARSH, 520 N. 5TH STREET

Codes Officer West reported the physical inspections had been completed and now all the paperwork is completed too.

✓ *Motion to Approve the Three Listed 2016 Mobile Home Park Licenses*

Council Member Williams moved to approve the 2016 Mobile Home Park Licenses for Slocum at 627 N Broadway, Brokerage Securities at 704 E. Sycamore, and, Marsh at 520 N. 5th Street. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 6:58 p.m.

APPOINTMENT OF LA HARPER HEIGHTS (SENIOR HOUSING) BOARD

Table to January 20th meeting.

3 YEAR CAPITAL IMPROVEMENT PLAN FOR COUNTY ECONOMIC DEVELOPMENT PROJECT

Mayor noted the city allocation for 2016 is \$54,684. Discussed how to list various projects and how specific to be on spending the funds. Could be used for the fire department, the community building repairs, the streets, the sewer for cleaning purposes, or applied to the street project that may be years before taking it on with the need to look at the sewer first. Tabled to put on next agenda.

NEW BUSINESS:

DISCONTINUE LAND PHONE LINES AT STREET BARN AND COMMUNITY BUILDING

City Clerk Herrin inquired if the city council was interested in discontinuing the land phone lines at the Street Barn and the Community Building. The Community Building is only for local calls and with cell phones it is not used as it once was. PWS Johnson noted public works does not use the Street Barn line at all, they don't even answer it as it is always salesmen; they use their cell phones for long distance calls and to reach city hall.

✓ *Motion to Discontinue Phone Lines at Street Barn and Community Building*

Council Member Williams moved to discontinue the phone lines at the street barn and the community building. Motion seconded by Council Member Fleming, voted on, passed 4-1 (No: Curtis). Time: 7:11 p.m.

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EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to fifteen minutes following a five minute break. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 7:12 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Police Chief West.

Open Session Resumed at 7:31 p.m.

OTHER BUSINESS:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] December 2015 Unapproved Planning Commission Meeting Minutes
- b] KCP&L Six Month Franchise Report

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 7:32 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of January 2016.

END OF January 6, 2016 MEETING.

BEGINNING OF January 20, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, January 20, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Tony Furse; Jodi Wade; and Joe Turpen.

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Mayor Robert Sullivan called the meeting to order at 6:00 p.m. Council Member Mitzner lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ None.

PARK BOARD MEMBERSHIP REQUIREMENTS WITH LINCOLN TOWNSHIP BOARD:

Topic: At large member position on the Park Board. Currently one park board member resides out of the specified boundary area.

Lincoln Township Board present were: Esther Shields and Joe Turpen (Absent was Jean Allen).

Jodi Wade, Park Board Chairman, explained she had taken into consideration everyone's comments from the last city council meeting and the establishment of the park board and the reasons for how it was established. With today's current community environment she also experienced the community spreading out into the Scott Township direction too. Jodi asked about contacting Scott Township to see if they would also be interested in getting involved and if the Lincoln Township would consider such a proposal for opening a door for those living there. Discussed the following:

- ✓ Boundaries and Budgets for Boards
- ✓ Importance to serve the park with those devoted and able to give time and efforts
- ✓ About keeping the park entity available
- ✓ Steps to be taken if Scott Township were interested
- ✓ Park board still comes down to entity and the elected officials still have the final decision
- ✓ Lincoln Township's financial ability versus the Scott Townships financial ability
- ✓ Ways to alert the public when there is an opening on the park board to draw in members
- ✓ Original appointment of individual by previous Mayor Terry Weitman with three current council members also on the city council back then, including a Lincoln Township Board member. No one realized the boundary error
- ✓ Leave board member on as a member until the end of the term December 2016
- ✓ Lincoln Township Board Member Jean Allen is also an appointed park board voting member, however unable to attend meeting and Joe Turpen will attend in her place until determined if she can return
- ✓ City Attorney noted if all entities are ok to leave the member on the board that is out of the Chartered Ordinance boundary area it would be ok for the rest of the term.

City Council and Lincoln Township concurred to leave the board member as is until the end of the term in December 2016. At that time will require member to be from the designated area.

CONSENT AGENDA:

- ✓ ***Motion to Approve Consent Agenda***

Council Member Mitzner moved to approve the consent agenda which consisted of:

Minutes of January 6, 2016 City Council Meeting;
December 2015 Budget Report;
December 2015 Treasurer's Report;
4th Quarter 2015 Financial Statement;
2015 Annual Financial Statement;
Check Register: January 7 - 20, 2016.

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Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:22 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

2. Brian Kingsley with BG Consultants reported:
 - a. Phase I and Phase II Plans have been approved by the state,
 - b. Final Plans and Specs are available for review at City Hall,
 - c. Bid schedules and bid letting dates include the larger project, Phase II, to be opened on February 22nd at 10am. And, then, Phase I to be opened on February 24th at 10am.
 - d. Phase I award deadline is by March 1st after a 30 day advertisement. Have received approval to award any time after February 24th. Discussed special meeting date to award to allow time for the engineers to review the bids for accuracy.

✓ *Motion to Approve Special Meeting for Water Project on February 25th at 6:00 P.M.*

Council Member Fleming so moved to approve having a special meeting for the water project on February 25th at 6:00 P.M. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:32 p.m.

3. Amend Administrative Policy NO. 9, Purchasing and Bidding, for Competitive Negotiation
 - a. City Clerk Herrin passed out an amended Administrative Policy No. 9, and explained #13 of this policy has been added to meet the CDBG specifications for a city's procurement policy. Since the city is not currently following a detailed Competitive Negotiation this added section reads: *Competitive Negotiation: Proposals requested from a number of professional sources and a Request for Proposals (RFP) or a Request for Qualifications (RFQ) is not utilized by the City of La Cygne.* Adding this section to the Purchasing and Bidding Policy will meet the guidelines for this CDBG project and the sidewalk project.

✓ *Motion to Approve Amending Administrative Policy No. 9, Purchasing and Bidding*

Council Member Williams so moved to approve amending Administrative Policy No. 9 as presented. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:36 p.m.

4. CDBG 15-PF-009 Quarterly Progress Report presented.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

2. Brian Kingsley with BG Consultants reported:
 - a. Areas along the sidewalk that time had been, or would be, spent discussing changes with property locations/owners –
 1. 613 Market Street: There are a couple of trees on the property owner's side that the roots are into the sidewalk area and the roots will be cut to level the sidewalk. The owner has already contacted the city about removing the trees and thought they were in the right of way, however, they are on the edge on their side. It would be in the best interest to remove the trees and avoid future root / sidewalk problems. Before adding the tree removal to the project would like the council thoughts. Discussed would be in

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the best interest to remove the trees so will need city attorney to draw up an agreement or temporary easement for the contractor to be on the property to remove the trees. Council Member Shields also wondered if a tree in her yard would cause the same concerns.

✓ *Motion to Approve Working with Property Owner on Removing Two Trees with City Project*

Council Member Mitzner moved to approve working with the homeowner on removing two trees at 613 Market (with sidewalk project). Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:42 p.m.

2. 945 E Market, the Pharmacy: The owner was ok with signing an easement moving the sidewalk on the east side of the property onto the property for ease of pedestrians to cross the road at this intersection.
3. 1001 E Market St & 1017 E market St, Lincoln Scott Township Hospital District: Met with Chairman Joe Turpen for easements and removal of shrubs for placing of the sidewalk on the property just south of the right-of-way on this property. Mr. Turpen will be taking the information to the LSTHB next week.
4. 1002 E Market St, David & Darlene Engert: Met with them and discussed the options of where to cross for the intersection and they concurred they would like it as far east as allowed for a crossing. Coordinated the flower beds. They were agreeable to either a bridge with dark color blending into the area, or a reinforced concrete box walkway. Also discussed a temporary right-of-way to work on the drainage areas requiring culverts under the walkway, versus a permanent easement with the city where the city would then be responsible to keeping the drain area clear of debris after heavy rains. The Engert's wanted time to consider and will call city hall in a couple of days. Another concern was the length of sidewalk they would be responsible for during bad weather. City noted this is not an area the city is addressing with any residents. However, the city would be ok with keeping the bridge treated in bad weather by public works.
5. 19334 K-152, Dollar Store: Spoke with the manager and there were no concerns. Will be in the right-of-way in this area.
6. 19280 K-152, Mike and Brandy Van Vlack: Already spoke with Mr. Van Vlack.
7. 19242 K-152, Jana Stanage: Have not been able to reach Ms. Stanage as of meeting time. There are three posts and chain that are out in the right-of-way on the west side of the drive that will have to be removed and salvaged for the owner.
 - b. Will bid the project with two options for the approximately thirty foot bridge. One with a reinforced concrete box and one with an ascetically pleasing bridge.
 - c. Will try to set up this project for bid letting and acceptance of bids during regular city council meetings.
3. CDBG 15-PF-057 Quarterly Progress Report presented.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

5. Department Report –

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- a. Four Citations
- b. Codes Enforcement list noted
- c. Animal Control – No dogs in kennel
- d. Planning & Zoning – Holding a Public Hearing on the Future and Current Zoning Maps.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

7. Sewer Maintenance Program Options – Public Works Superintendent Johnson reported Reddi Rooter had been reviewing the city sewer lines today and would be working up a quote for a cleaning program in the next couple of weeks.
8. Water Plant Computer Malfunction – Reported the computer was down again and Nick Stradavari is working on it. It is an old system and the newer computers will not match up with the old program the water plant is currently using. The planned water project at the water plant should correct this outdated problem.
9. KDHE Public Water Supply – Sanitary Survey Inspection Report – Report is included in the agenda and the recommended items are being done.
10. Sewer Line Repair in Industrial Park – Still not completed. Weather has become a factor.
11. Summer Water Project and Need for Part Time Help – Inquired about needing some part time help as they used to get in the summer and this summer will be additionally busy with the water project and additional damages to the city utilities that will need to be repaired. Discussed the need to possibly begin to advertise in April depending on when the water project begins.
12. Stock Up on Utility Parts for Water Project Repairs - Will also need to stock up on clamps to be ready. Have previously not kept the stock up in an attempt to hold costs. Council Member Mitzner asked for a list of inventory needed. Agreed the parts are available in Kansas City when needed. Once bought they cannot be returned.

FIRE CHIEF – DAN NASALROAD

6. None

CITY CLERK – DEVONA HERRIN

6. Linda Elder as a Volunteer in City Hall – Inquired about considering a volunteer in City Hall to work on special projects that do not have deadlines but need to be done for improvements such as continuing to review the cemetery for properly identified lots that are available for sale in the areas that are getting full, or, to work on compiling the list for fees out of the codes book that was discussed in the workshop. Linda Elder has offered to volunteer her time to help with these projects as she has free time. Discussed the city office has not experienced this kind of offer and would like to try to see how it works.

✓ *Motion to Authorize Linda Elder as Volunteer in City Hall as Needed*

Council Member Shields moved to approve Linda Elder as a volunteer in city hall as needed. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:02 p.m.

COUNCIL COMMITTEE REPORTS:

PARK

Basketball Court Lights at North Park – Have not heard back from electrician.

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COMMUNITY BUILDING

Back Door Repair – Discussed either replacing the door or add on a kick panel to address the damaged part of the door. Until then will tape the bottom area of the door that will leave it with the ability to open if needed.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Emergency Generator System for City Hall – Discussed status for ordering a generator that would meet the needs to run city hall during an outage. Discussed different sizes of generators.

SWANFEST COMMITTEE - NONE

UNFINISHED BUSINESS:

SCHEDULE WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Discussed continuing with the workshop just prior to the next regular meeting.

✓ *Motion to Hold Workshop on February 3rd at 5 P.M. for Updating City Codes*

Council Member Williams moved to hold a workshop on February 3rd at 5 P.M. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:15 p.m.

APPOINTMENT OF LA HARPER HEIGHTS (SENIOR HOUSING) BOARD

Table to next meeting.

3 YEAR CAPITAL IMPROVEMENT PLAN FOR COUNTY ECONOMIC DEVELOPMENT PROJECT

Mayor noted the city allocation for 2016 is \$54,684. Discussed. Have until March 1st. Tabled to put on next agenda.

NEW BUSINESS:

ORDINANCE No. 1441 REGARDING GRAVEL DRIVES IN RESIDENTIAL AREAS PER PLANNING COMMISSION RECOMMENDATION

✓ *Motion to Approve Ordinance No. 1441 Regarding Gravel Drives in Residential Areas*

Council Member Shields moved to approve Ordinance No. 1441 as presented. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:24 p.m.

KMIT NEW EMPLOYMENT PHYSICAL REQUIREMENTS PROGRAM (POET)

City Clerk Herrin reported KMIT was ready to move forward with the POET program if the city council was agreeable. The city's location for a new employee physical will be in Olathe. Police Department and Public Works was ok with this change.

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✓ *Motion to Accept the KMIT's POET Program for New Hire Employees*

Council Member Mitzner moved to accept the Work Comp POET program for new hire employees. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:28 p.m.

KRWA ANNUAL CONFERENCE FOR PUBLIC WORKS AND CITY ATTORNEY'S FORUM

PWS Johnson reported Jerry McCarty was interested in getting certified in water and this conference would provide insight to how it works.
City Attorney Sutherland reported he would like to attend the City Attorney's Forum as they do cover some good topics concerning the city's water system. He would only be there for the March 29th Forum.

✓ *Motion to Approve Jerry McCarty to Attend the KRWA Annual Conference March 29 – 31, 2016*

Council Member Williams moved to approve Jerry McCarty to attend the KRWA Annual Conference March 29th through 31st in Wichita with per diem. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 7:31 p.m.

✓ *Motion to Approve City Attorney to Attend the KRWA Attorney Forum March 29th*

Council Member Mitzner moved to approve City Attorney Sutherland to attend the KRWA City Attorney Forum on March 29th in Wichita with per diem. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:32 p.m.

KRWA ANNUAL BUSINESS VOTING DELEGATE

✓ *Motion to Authorize Jerry McCarty as City's Voting Delegate at KRWA Business Meeting*

Council Member Mitzner moved to authorize Jerry McCarty as the city's voting delegate to the KRWA Annual business meeting on March 31st. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:33 p.m.

CITY CLERK'S ANNUAL SPRING CONFERENCE

City Clerk's Annual Spring Conference is in Wichita, March 16th through 18th.

✓ *Motion to Approve City Clerk Herrin to Attend the Clerk's Annual Conference March 16 – 18, 2016*

Council Member Mitzner moved to approve City Clerk Herrin to attend the Clerk's Annual Conference March 16th through 18th in Wichita with per diem. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:36 p.m.

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EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to ten minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:37 p.m.

Executive Session was cancelled. Break taken.

Open Session Resumed at 7:47 p.m.

OTHER BUSINESS:

RIDE ALONG POLICY FOR ALL CITY EMPLOYEES

Council Member Curtis reported in reviewing this section of the city policy, he would like further review for more guidelines than currently provided for all city vehicles. Inquired as to having a workshop to go over other options and come together with an updated plan to implement in the city's policy manual. Have examples of other cities guidelines and would like to be age specific, along with other criteria. The police department currently has a liability waiver agreement that the city may also want to review and update.

✓ *Motion to Hold a Workshop on February 17th at 5 P.M. for Ride Along Policy and Codes Book*

Council Member Curtis moved to hold a workshop on February 17th at 5 P.M. for review of the ride along policy and continue with the updates of the codes book. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:56 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Local Government Day at the Topeka Capital, January 27, 2016
- b] Planning Commission 'Notice of Public Hearing' Regarding Zoning Maps – Noted maps are available on the table in the front for anyone to review.
- c] KDOT January 2016 Linn County Projects

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 7:59 p.m.

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of January 2016.

2016 LA CYGNE CITY MINUTES

END OF January 20, 2016 MEETING.

BEGINNING OF February 03, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, February 03, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Esther Shields; and Gerald Williams. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 6:00 p.m. Council Member Williams lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ None.

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

Council Member Williams moved to approve the consent agenda which consisted of:

Minutes of January 20, 2016 City Council Meeting;
Check Register: January 21 – February 03, 2016.

Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 6:03 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

5. Noted Bid Openings would be February 22nd and February 24th with a Special Meeting on Thursday evening, February 25th at 6:00pm to accept the best bid.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

4. Easements status report from City Attorney John Sutherland:
 - d. The property owner is asking for some consideration in the area where the bridge is slotted to be placed and the city had asked for an easement. The property owner is concerned about maintenance and if that section is sold off any entrance issues. Noted any entrance issues would be between the owner and KDOT, not the city.
 - e. The sidewalk can go in the area without an easement and the ditch at the bridge area would not be as ascetically pleasing as it would include a box culvert.
 - f. Discussed:

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8. Better for both parties to have an easement, the easement is for drainage and maintenance of the drain area,
 9. Area would have a greater value with the sidewalk improvement,
 10. Property owner has concerns about snow removal and if the city would offer to do anything for snow removal,
 11. Property owner would be glad to do an easement with the city handling the snow removal on the sidewalk on their property,
 12. City was not adverse to treat the bridge during snow and ice,
 13. Council felt city sidewalk maintenance requirements should treat all city residents the same; and, they wouldn't enforce this area any more adversely than any other sidewalk in the city,
 14. An option for the property owner is to not sign the easement and the sidewalk is built without getting on the property. And, the city may then have some additional expense to cap the ditch area for drainage during construction.
- g. City Attorney Sutherland will take the city comments back to the property owners' attorney and then report back.
5. Tree Along Sidewalk Construction on LSTHB Property
- a. City Clerk Herrin reported she had heard from Brian Kingsley that the tree in this area would be a problem for the sidewalk and if the city wanted to have it removed as part of the project would need approval from the city. LSTHB Chairman Turpen called City Hall to remind the city clerk to check with the city about the tree as part of the project.

✓ *Motion to Approve Working with Property Owner on Removing Tree with City Project*

Council Member Curtis moved to approve working with the property owner on removing the tree with the sidewalk project. Motion seconded by Council Member Williams, voted on, passed 3-0-1 (Abstain: Shields). Time: 6:26 p.m.

6. Add Project to February 25th Special Meeting Topics.

✓ *Motion to Add Sidewalk Project to February 25th Special Meeting Topics*

Council Member Fleming moved to add the Sidewalk Project to the February 25th Special Meeting at 6:00 p.m. Motion seconded by Council Member Curtis, voted on, passed 4-0.
Time: 6:27 p.m.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

6. Department Report –
 - e. Seven Citations
 - f. Codes Enforcement list noted – One complaint from a neighbor received on one notice
 - g. Animal Control – No dogs in kennel
 - h. Update proposed Ride-Along Policy at February 17th meeting

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- i. Planning & Zoning – Holding a Public Hearing on the Future and Current Zoning Maps 02/11
7. Take Back Drugs is April 30th at City Hall from 10am – 2pm
8. Enbridge Grant has been submitted and should hear back in 4-6 weeks. Will also help out with the paperwork for the fire department and emergency services for their grants.
9. *Legal Response to Domestic Violence* training on Friday, March 11th in Pittsburg, Kansas. The class time is from 9am-4pm for a \$20 fee with lunch included and six hours of continuing education credits. Requested attendance for Chief West, Officer Shawn West, and Officer Moore.

✓ *Motion to Approve Three to Attend Domestic Violence training on March 11th in Pittsburg*

Council Member Williams moved to approve Chief West, Officer Moore, and Officer West to attend the domestic violence training in Pittsburg on March 11th. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 6:32 p.m.

10. Bid for Two Tasers – Requested purchase of two tasers. One for Officer Moore who has now completed his taser training and one for Officer K. West to have when he completes his training. Total cost for the two is \$2,684.89 from the police department budget.

✓ *Motion to Approve the Purchase of Two Tasers for a Total Cost of \$2,684.89*

Council Member Williams moved to approve the purchase of two tasers for a total cost of \$2,684.89 from the police budget. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 6:35 p.m.

11. Replacement Unit for Silver Crown Vic – Working on specs and prices to replace the silver car and will have prepared for the next meeting.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

13. Sewer Maintenance Program Options – Public Works Superintendent Johnson reported they still did not have a quote for a sewer cleaning program, the company is still working one up.
14. Water Plant Electrical Malfunction – Occurred last Saturday and the new part came in today and is now repaired.
15. Painting Curbs and School Crossings – Have ordered 20 gallons of white paint and some blue paint for a total cost of \$1,550.00. Will be painting the curbs and school crossings as weather allows. Also plan to repair the curbs where needed prior to painting.
16. Basketball Lights at North Park – Spoke with electrician and he has not heard back from the individual the lights came from. Looking at buying different lights. Electrician is going to check the status on the replacement of any of the old lights first.

FIRE CHIEF – DAN NASALROAD

7. Thanked Public Works for allowing the fire department to hold training at the water plant.
8. Revisit the Distribution for excess funds in the last year – the fire department was \$41,000 under budget last year and only \$10,000 went into a specific fire equipment reserve fund. Would like to have access to retain all of the outstanding specifically for the fire department when dollars are left at the end of the year. Discussed:
 - a. How budgets within the general fund vary on year end numbers and start up fund for the next year, as well as any capital improvement funds &/or equipment reserve funds are pulled from any amounts left at the year end,

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- b. In 2014 the council did designate \$10,000 to be specific to the fire department over and above what is available to all departments in the capital improvement fund and equipment reserve fund,
- c. The fire department would like to have specific dollars set aside for long range planning and saving for the long range plans,
- d. Need for the city to have a long range plan for all areas and to allocate as to priorities,
- e. Hard for long term planning as city councils and needs change,
- f. Check with accountant to determine if a separate fire fund can be established.
- g. Fire department wants to set goals for savings and long term planning without being dependent on grants.

CITY CLERK – DEVONA HERRIN

- 7. Media policy for publishing on web and FB – Inquired about city council establishing a policy for handling of the city municipal web site and FB. Will be attending some training in March at the clerks' conference. City Attorney will also check on information for legalities and government requirements.

COUNCIL COMMITTEE REPORTS:

CEMETERY

Trees Inspection – Mayor Sullivan reported he had contacted the council extension office and they are going to have the state arborist contact city hall to set up an appointment to inspect the trees in the cemetery to see if there is a way to save any of them.

Roads – PWS Johnson mentioned the possibility of the roads being repaired as part of the county economic development project. Will cover under the economic development project.

COMMUNITY BUILDING

Back Door Repair – Council Members Curtis and Williams are going to work with public works on adding a plate to the lower part of the back door for repair of the door.

Tables – Four-five tables were purchased when public works was picking up other items in the city. These were for replacing previously damaged tables that were no longer usable.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Emergency Generator System for City Hall – Discussed locating a generator for \$3,727.00 that is a 16K with a smart switch and includes shipping costs to location. Will have city employees build a cement pad when better weather. Have electrician information for installation. Will get generator ordered.

SWANFEST COMMITTEE - NONE

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UNFINISHED BUSINESS:

APPOINTMENT OF LA HARPER HEIGHTS (SENIOR HOUSING) BOARD

Mayor Sullivan recommended the appointment of Mary Heide to the La Harper Heights (Senior Housing) board.

✓ *Motion to Approve Appointment of Mary Heide to the La Harper Heights (Sr Housing) Board*

Council Member Curtis moved to approve the appointment of Mary Heide to the La Harper Heights (Senior Housing) board. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:06 p.m.

3 YEAR CAPITAL IMPROVEMENT PLAN FOR COUNTY ECONOMIC DEVELOPMENT PROJECT

Discussed. Public Works is getting a price to repair the cemetery road with the one part that is asphalt and the other part that would just be gravel as two different prices. The sewer project is also an option. And, looking for dollars to set aside for the fire department. Place on next agenda.

NEW BUSINESS:

RESCHEDULE MARCH 16TH CITY COUNCIL MEETING ON MARCH 23RD

City Clerk will be at conference on March 16th and the sidewalk bids will be due around that time.

✓ *Motion to Reschedule March 16th City Council Meeting to Wednesday, March 23rd, at 6:00 p.m.*

Council Member Curtis moved to reschedule the March 16th City Council Meeting to Wednesday, March 23rd, at 6:00 p.m. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:13 p.m.

RESIGNATION OF KENNY McCLANAHAN FROM PARK BOARD AND APPOINT REPLACEMENT

Mayor Sullivan reported Kenny McClanahan had regretfully resigned from the park board for health reasons. Recommended the appointment of Bobby Spencer to fill the vacancy.

✓ *Motion to Accept Kenny McClanahan's Resignation and Appoint Bobby Spencer to Park Board*

Council Member Curtis moved to accept Kenny McClanahan's resignation and approve the appointment of Bobby Spencer to fill the vacancy. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:14 p.m.

KRWA WASTEWATER TREATMENT WORKSHOP, FEBRUARY 17TH, AT HUMBOLDT

PWS Johnson requested attendance for two employees to the KRWA Wastewater Treatment Workshop on February 17th at Humboldt. There is no fee for the workshop. The employees are on their own for lunch. PWS Johnson and Bobby Spencer will be attending.

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✓ *Motion to Approve Two City Employees to Attend the Wastewater Treatment Workshop*

Council Member Shields moved to approve Jim and Bobby to attend the KRWA Wastewater Treatment Workshop on February 17th at Humboldt. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:16 p.m.

BARTON COUNTY ANNUAL CORROSION CONTROL SEMINAR, APRIL 12-14, 2016, GREAT BEND

PWS Johnson requested Bobby Spencer to attend the seminar for Bobby to complete the second phase of this gas training program. He attended the first phase last year.

✓ *Motion to Approve Bobby Spencer to Attend the Corrosion Control Seminar, April 12-14*

Council Member Shields moved to approve Bobby Spencer attend the Corrosion Control Seminar April 12-14th in Great Bend. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:18 p.m.

2016 MUNICIPAL COURT CLERKS CONFERENCE, JUNCTION CITY, 03/31-04/01

The spring conference expenses are paid by the state except for Regina's wages.

✓ *Motion to Approve Court Clerk Reynolds to Attend the Annual Court Clerk's Conference*

Council Member Fleming moved to approve Court Clerk Reynolds to attend the Annual Court Clerk's Conference March 31st through April 1st in Junction City. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:19 p.m.

PRAIRIE VIEW HIGH SCHOOL AFTER PROM DONATION

✓ *Motion to Donate \$150.00 to Prairie View High School After Prom*

Council Member Williams moved to approve donating \$150.00 to the Prairie View High School After Prom. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:20 p.m.

CITY WIDE CLEAN UP FOR 2016

City Clerk Herrin reported if this project was continued for the spring of 2016 the expense would have to be used from the general fund as the excess funds from the trash service fund has now been used up. Discussed it had been helpful in prior years and the residents were getting used to having to be ready early that Saturday if they wished to utilize the pickup. They have to pick up and be back to the landfill prior to noon for dumping. Asked city clerk to get the price for this year and the available date(s).

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CONSIDER TAKING LAWN MOWER BIDS FOR NEXT MEETING

PWS Johnson reported he was checking prices for lawnmowers and the prices are down right now. The purchase of the mower would come from the equipment reserve fund and he would like the council's consent to go physically look at a couple of kinds of mowers and bring back the information to the city council for the next meeting. Would also like to retain the old exmark lawnmower and use it for codes work until it needs major work. Concurred for Jim to obtain the information on different mowers and bring back to the next meeting.

HIRE EXCAVATION WORK FOR TWO DAMAGED SECTIONS OF SEWER MAIN (ONE AT CONCRETE PLANT AREA AND ONE AT THE NORTH SIDE OF INDUSTRIAL DRIVE)

PWS Johnson reported they had tried to build up a road with gravel to reach the area and have been unsuccessful in draining the area and the gravel not sinking. The sewer company that previously provided a bid to go in and reline the area has now declined due to other concerns in the pipe line. Stainbrook Farms Inc. has provided a price to excavate the two areas for public works to repair the area of pipe and then they will backfill the area. The cost for the sewer main near the concrete plant is \$2,000; and, the cost for the north side of Industrial Drive is \$1,200. Discussed doing the work now versus waiting until later for it to possibly dry out. PWS Johnson did not think the area would ever dry out and the bid was only good through the end of February as the contractor would be getting busy with other projects later.

Also asked to send a thank you to the concrete plant for the gravel they donated to attempt to build a road to the area.

✓ *Motion to Approve \$3,200 to Excavate and Backfill the Two Damaged Sewer Main Sections*

Council Member Williams moved to approve Stainbrook Farms Inc. to take care of the excavation of the two sewer main sections for a total cost of \$3,200.00. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:31 p.m.

DAMAGED LA CYGNE WELCOME SIGN LOCATED BY RAILROAD TRACKS

Council Member Shields requested the city relook at the sign that had fell down by the railroad tracks and pay for the repairs. A Linn County citizen has offered to make the repairs if the city would pay for the materials. She would like for the city to pay for the materials to repair.

Discussed:

1. The posts are also deteriorated,
2. May be a problem with the base also being deteriorated,
3. Dan noted he made the original sign and if the wood is rotted inside the sign the sign itself cannot be removed from the wood as it is permanently sealed to the wood,
4. Jim noted they could possibly trim the sign down and be ok, but it would not fit the original posts,
5. Council wasn't previously going to repair this sign when first mentioned in previous meeting,
6. The railroad may not allow it to be rebuilt and is on railroad property where they can remove it at any time if it is in their way,
7. Get costs to repair,
8. Check with railroad as to status of location,
9. Put on next agenda.

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EXECUTIVE SESSION:

None.

OTHER BUSINESS:

None.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] K-State "Community Board Leadership Series"

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 4-0.** The Regular meeting was adjourned at 7:40 p.m.

I, _____
(Devona Herrin)

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 February 2016.

END OF February 3, 2016 MEETING.

BEGINNING OF February 17, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, February 17, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Mike VanVlack; Beth Smith; Keith Smith; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 6:05 p.m. Council Member Mitzner lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Reminder: Daylight Savings Time begins mid-March. The March 2nd City Council Meeting will begin at 6:00 p.m. and the March 16th meeting that has been moved to March 23rd will begin at 7:00 p.m.

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CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

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

Minutes of February 03, 2016 City Council Meeting;
January 2016 Budget Report;
January 2016 Treasurer Report;
Check Register: February 04 - 17, 2016.

Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 6:07 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Reminder of Bid Openings February 22nd and February 24th with a Special Meeting on Thursday evening, February 25th at 6:00pm to accept the best acceptable bid.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Easements status report from City Attorney John Sutherland:
 - h. The property owner is asking for some consideration in the area where the bridge is slotted to be placed and has asked about any tree removal in the temporary easement area. Noted there could possibly be some trees removed at the drainage areas under the sidewalk. Will have more information available at the special meeting next week.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Department Report –
 - j. Eleven Citations
 - k. Codes Enforcement list noted – Noted action pending on 825 N 6th property.
 - l. Animal Control – 214 dogs have been tagged, four known dogs still untagged.
 - m. Planning & Zoning – Held the Public Hearing on the Current Zoning Map. The Planning Commission will work on the map as a group at the next meeting.
 - n. Only two will be attending the Domestic Violence training in Pittsburg due to other conflicts.
 - o. Tasers have been received.
2. The KDOT Traffic Safety Section will host a two-week seatbelt enforcement February 29 through March 11, 2016 targeting teen drivers and their occupants. The city officers will be participating in the SAFE enforcement effort.

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3. Vehicle Replacement – The part-time police car has maintenance issues so have obtained bids on different police vehicles. The lowest cost pickup is a 2015 Dodge Ram 1500 through the KHP program for \$27,444.73. With the equipment needed the total is \$37,616.62 using Chief Supply for the best equipment pricing. There is also a new radio to purchase for another \$2,800. Would like to look into financing part of the vehicle as the police capital improvement fund is not adequate at this time. Will be out on vacation for the next meeting and will bring back lease purchase options at the mid-March or first April meeting. This is a new vehicle. Will check with KHP as to the cutoff date to order, as it is usually around May.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Crosswalk Paint – Will paint and repair the crosswalks of an evening when there are few or no vehicles in the areas. Discussed the crosswalks to be painted around the school and on Market Street.
2. Employee Pay When Also a Firefighter or Police Officer – Have been letting the two public works' employees leave when there are fire calls or police calls and allow them to continue to be on the public works' payroll for the first hour out. Now have had some discussion if the process should be working this way and not showing the time for fire/police. Discussed for the fire to be recognized they have to be listed on the fire run sheet for fire coverage. Don't feel like it is abused right now, however they are getting paid a fire call and public works payroll. Some public businesses allow this. Council Member Mitzner, Fire Chief Nasalroad, Police Chief West, and Public Works Superintendent Johnson will get together and review.
3. Purchase Mower – Have obtained a price for an Exmark lawn mower for \$9,899 and for a Badboy lawn mower for \$7,850. Both have the same motor and feel both will hold up well. Recommend the Badboy as is cheaper.

✓ *Motion to Approve Purchasing BadBoy Lawn Mower for \$7,850.00*

Council Member Williams authorized Jim Johnson to purchase a BadBoy lawn mower for a cost of \$7,850.00. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time:

6:53 p.m.

4. Cemetery Roads – Spoke with Paradise Company and received a bid of \$89,000 to re-asphalt the paved portion of the cemetery road and another \$27,000 to lay 3 inches of gravel in the gravel road area. Might call and see what it would cost to tear out the existing asphalt and just gravel the road. More expensive than expected.
5. Sewer Repair Project in Industrial Park – Scheduled to begin next Tuesday with Stainbrook's Brothers.
6. Generator for City Hall – It has arrived. There is already an existing cement pad behind city hall. Will run a new gas line and meter for the generator. Public Works can do all of the installation except the electric. Noted if use city hall in a disaster for a command center the gas usage for the generator would be an itemized expense to recoup.
7. Sign on RR Property on Market Street – The framework needs some repairs to continue to use. The existing sign frame is too deteriorated to use. Council Member Shields has a place than can make one and someone frame for \$200; then decide where to put it. Discussed Jodi Wade has also offered to work on a big 'welcome' sign that would include arrows to the cemetery and the park.
8. Water Project – Have been asked by potential contractors if the city would take any dirt and gravel and public works felt they could handle this to reuse later. Also inquired as to allowing contractors to leave their equipment around the city barn area. Discussed they probably should obtain another area where they would have better access to their equipment when city workers are not around. Asked if anyone knew if there would be start and stop times or if

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public works would be working a lot of overtime to be there when the contractors were working no matter what day or time of the week.

9. East Sewer Lift Station Generator – Test the generator once and month and this month the electricity did not connect. Have company coming to look at it. It is not rodents this time.

DISCUSSION FROM THE FLOOR: (Continued)

WAIVE COMMUNITY BUILDING FEE FOR BENEFIT DINNER FOR ALEX GRAHAM

Keith and Beth Smith arrived and asked the city council to consider waiving the Community Building fee for a benefit dinner for 37 year old Alex Graham who has been diagnosed with cancer. The benefit dinner and silent auction will be Sunday, March 6th at 5:00 p.m.

✓ *Motion to Approve Waiving Community Building Fee for Benefit Dinner on March 6th*

Council Member Curtis approved waiving the community building fee for the benefit dinner for Alex Graham on March 6th for Beth and Keith Smith. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:04 p.m.

FIRE CHIEF – DAN NASALROAD

1. Reminded everyone to talk to their insurance agent for saving money with the new protection class rating for the city.
2. Inquired if it had been checked on about setting up a separate fund for fire department improvement projects. City Clerk Herrin has been out of the office and did not have a report yet.
3. Council Member Mitzner asked the fire chief to look at the city's current Air Pollution codes to determine if need to make any updates while reviewing/updating the codes book.

CITY CLERK – DEVONA HERRIN

1. RWD #3 Letter to City – Noted RWD #2 will be purchasing water from the city for the area west of town to Lamb Road to help meet obligations.
2. BG Consultants, Inc Payments – Monthly Phase II water project payment and Sidewalk project payment for February was not included in the above financials. A check will be written and dispersed prior to the next meeting to meet city's commitments.
3. MRWAD No 2 Quarterly Meeting Report – Board of Directors met February 10th and covered several items including the need to add operating capital for expenses in renegotiations of the operating agreement. A total increase of \$8,000 was agreed upon and the city's portion was \$29.40. Also will be going over the conservation plans to have all entities following similar guidelines later this year.
4. Host March Chamber Meeting – Agreed to host the March 9th Chamber Meeting at the library. Will keep the meal simple.
5. Upcoming Events in Newsletter – Discussed just having city events listed in the city newsletter with reference to websites for other community activities from the school or library or other entity. Helps make it clearer what the city government's events are and avoid possible changes from other entities the city is unaware of.
6. City Wide Garage Sale – Currently would be scheduled May 7th, the first Saturday in May. Council concurred to continue.
7. City Wide Clean Up with L&K/WasteManagement Services – They will continue the city wide clean up again this year on Saturday, May 14th for a cost of \$2,300 for two trucks. Last year two trucks were able to handle the volume. They did have another truck on stand-by and the

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cost to do that this year would be \$1,150 more if they were called into service. The expense will be from the general fund this year and was budgeted for.

✓ *Motion to Approve City Wide Clean Up with L&K/WasteManagement for \$2,300 on May 14th*

Council Member Fleming moved to approve a City Wide trash clean up with L&K/Wastemanagement for a cost of \$2,300.00 for two trucks on Saturday, May 14th. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:14 p.m.

Discussed if any excess trash over the volume capable with two trucks this year. Public Works does not have any vehicles to haul anything to Prescott. Amended motion:

✓ *Amend Motion to Approve City Wide Clean Up to Include a Stand-by Unit for \$1,150 if Needed*

Council Member Fleming moved to amend motion for a City Wide trash clean up to include having a stand-by truck for and additional \$1,150 if needed. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:15 p.m.

COUNCIL COMMITTEE REPORTS:

PARK

Skate Park Building Permit Fee Waived – Council Member Curtis asked the city council to waive the building permit fee for the skate park structure being built in the south park by the park board. Noted a permit would need to be on file, without a fee charged for a municipal structure.

✓ *Amend Motion to Waive Building Permit Fee for Skate Park Structure in South Park*

Council Member Fleming moved to waive the building permit fee for the skate park being built in the south park. Motion seconded by Council Member Mitzner, voted on, passed 5-0.

Time: 7:16 p.m.

Lights for Basketball Area in North Park – Still have not heard from the lights removed from the park.

CEMETERY

Trees Inspection – Have not heard from the extension office for a date to come inspect the trees in the cemetery to see if there is a way to save any of them.

COMMUNITY BUILDING

Back Door Repair – Council Members Curtis has installed a kick plate to the lower part of the back door for repair of the door.

EMPLOYEE RELATIONS AND TRAINING

'Community Board Leadership Series' by Extension Office – Council Member Shields requested to attend the training session offered by the Extension Office with the training being held over four evenings during a two week period in Paola. For a \$40 fee two people can attend, or just one. Discussed anyone with the city could attend with Esther that was available. Esther would not be able to attend on the Thursday, February 25th date as that was a Special Meeting night for the city council.

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✓ *Motion to Approve Council Member Shields and One Other Person from City to Attend Training*

Council Member Curtis moved to approve Council Member Shields and one other city person who might be available for any night to attend the Kansas State Extension Training in Paola with city paying usual expenses. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:21 p.m.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None.

SWANFEST COMMITTEE

Mayor Sullivan reported the first meeting would be March 7th at 6:00 p.m. at the community building. All interested are invited.

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Discussed different times and dates. Also, discussed moving to utilities portion while police chief out on vacation.

✓ *Motion to Approve Workshop For Updating City Codes Immediately Following February 25th Special Meeting at 6 p.m.*

Council Member Williams moved to hold a Workshop immediately following the February 25th Special Meeting at 6:00 p.m. for ongoing review of city codes. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:25 p.m.

✓ *Motion to Approve Workshop For Updating City Codes March 2nd at 5 p.m.*

Council Member Fleming moved to hold a Workshop March 2nd at 5:00 p.m. for ongoing review of city codes. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:26 p.m.

3 YEAR CAPITAL IMPROVEMENT PLAN FOR COUNTY ECONOMIC DEVELOPMENT PROJECT

Discussed the following:

1. \$25,000 set aside for the Fire Department Building Fund, \$27,000 used for sewer treatment for cleaning, \$27,000 to gravel the cemetery.
2. Only have around \$54,000 total for budget.
3. Council Member Williams felt could build less expensive fire building if do not use government funds and just build local. Recommended obtaining blue print and then adapting to build themselves.
4. Sewer chemicals to treat the sewer are \$12,000 a year per PWS Johnson.
5. New mosquito sprayer is needed and they cost around \$45,000.
6. Need a new fire station before don't have one.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Portion for Fire Station Building and Portion for Sewer*

Council Member Williams moved to approve \$25,000 for a fire station building fund and the rest to the sewer maintenance. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:38 p.m.

DAMAGED LA CYGNE WELCOME SIGN LOCATED BY RAILROAD TRACKS

Council Member Shields reported the existing structure needed repairs and what about moving it away from the railroad property. Noted formal permission to build at that site would be a long drawn out process with the railroad. Looking at options.

NEW BUSINESS:

INTERNATIONAL CONFERENCE OF POLICE CHAPLAINS

Police Chief West noted Police Chaplain Fulk had attended the beginners' course last year and is now looking to attend this enrichment course to continue training to utilize is service in this area. He will only be attending the Tuesday, Wednesday, and Thursday training dates with a cost of \$347.00 for the hotel and \$150.00 for the seminar. The police department budget can handle the expense.

✓ *Motion to Approve Dr. Fulk to Attend Requested Chaplain's Training for a Total Cost of \$477.00.*

Council Member Mitzner moved to approve Dr. Fulk to attend the requested Chaplain's training for a total cost of \$477.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:43 p.m.

SEKRPC CAPITAL IMPROVEMENT PLANNING WORKSHOP

City Clerk Herrin requested to attend this training sponsored by SEKRPC and USDA in Iola on April 12th from 1 – 4 p.m. The city's water bonds are through the USDA Rural Development and the city may be looking at future funds from them also. This will help with that process. It would also be good for anyone else interested in going from city council, or supervisors. The cost would be travel and attendance.

✓ *Motion to Approve City Clerk Herrin Attending SEKRPC Capital Improvement Planning Project*

Council Member Fleming moved to approve City Clerk Herrin attending the Capital Improvement Planning Project workshop in Iola on April 12th. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:46 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to fifteen minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:48 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Public Works Superintendent Johnson.

2016 LA CYGNE CITY MINUTES

EXTEND EXECUTIVE SESSION:

✓ *Motion To Extend Executive Session*

Council Member Curtis moved to extend executive session for personnel for up to ten minutes. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:14 p.m.

Open Session Resumed at 8:20 p.m.

OTHER BUSINESS:

None.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] 'Community Board Leadership Series' by Kansas State Extension Office
- b] January 2016 Park Board Minutes
- c] MDCWAD #2 February 2016 Minutes

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 8:21 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of February 2016.

END OF February 17, 2016 MEETING.

BEGINNING OF February 25, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Thursday, February 25, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Gerald Williams; Danny Curtis; Jerome Mitzner; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin, City Attorney John Sutherland, Public Works Superintendent Jim Johnson, BG Consultants Engineer Brian Kingsley; Terry Furse; and; Officer Klayton Parscale.

Mayor Robert Sullivan called the special meeting to order at 6:00 p.m.

2016 LA CYGNE CITY MINUTES

The Purpose of the Special Meeting was called for:

- ❖ **Water Project**
- ❖ **Sidewalk Project**
- ❖ **Three Year Capital Improvement Plan for County Economic Development Project**

Water Project:

BG Consultants, Inc. Engineer Brian Kingsley reported the city had received extremely good bid prices for the city's major water project. The Phase I bid price was 78% of the estimated costs and the Phase II bid price was 85% of the estimated costs. The city will still have to spend a dollar to get a dollar of the grant monies. Any grant monies left at the end will go back. Will now have the additional dollars needed to make needed improvements to the water plant with targeting the electrical issues.

Discussed the following:

- ✚ Work in progress is paid as it goes with 10% retainage held until inspected and work is totally finished.
- ✚ An outline of the job requirements will be covered in the Pre-Construction meeting with the contractor and city workers.
- ✚ Documenting the work completed will be part of the monthly pay requests.
- ✚ There are penalties to the contractor of \$750 per day if work is not complete by the agreed upon time frame.
- ✚ Property owner notices include: two week notice prior to when contractor will need to move meter; 48 hour notice for disturbing a driveway; and, 24 hour notice to switch a meter.
- ✚ Current vacant lots will remain without a meter pit while if there is an existing unused meter it will be replaced with a meter pit for possible future use.
- ✚ The construction work will include routine changes, like a missed meter or a meter listed but not there that will be handled while out in the field and changes noted as they occur.
- ✚ Change of scope changes like adding a water line, or other major change, will be brought to the city council for approval.
- ✚ Bids hit at a good time when contractors are looking for big jobs.

Phase I Water Distribution Improvements Recommendations

The bid letting was held on February 24th. Eight valid bids were addressed. The bids ranged between \$775,012.09 and \$1,419,643.00. The engineer's estimate was \$1,007,827.70. The original estimate for funding purposes was for \$1,222,980. Packet presented to city council.

After allowing for some contingencies, believe costs will still be about \$447,967.91 under budget and would be nice to see if the city could shift those dollars to the plant improvements. Will look at shifting the USDA dollar portion to the Phase II project. These are items the engineers will look at and get back with the city council to go over options.

BG Consultants recommend awarding the construction contract to Orr Wyatt Streetscapes in the amount of \$775,012.09, contingent upon funding agency concurrence and authorization for construction. The firm has worked with this contractor on other projects and is qualified to build the project. The contractor has preliminarily scheduled to start construction around April 1st. If the city concurs will need to make a motion and sign and date the attached Notice of Award for Phase I.

Phase II Water Distribution Improvements Recommendations

The bid letting was held on February 22nd. Eight valid bids were addressed. The base bids plus all four alternates ranged between \$2,632,792.69 and \$3,758,723.10. The engineer's estimate was \$3,014,376.75. The original estimate for funding purposes was for \$3,718,585.00. Packet presented to city council.

2016 LA CYGNE CITY MINUTES

After allowing for some contingencies, believe costs will still be about \$1,246,942.31 under budget and would be nice to consider the extra 2-3 miles of water line to address, or put up a water tower now on the south end of the city, &/or more updates in the water plant. Recommended reviewing the water system for additional improvements as any dollars given back will be grant dollars. These are items the engineers will look at and get back with the city council to go over options.

BG Consultants recommend awarding the construction contract to Orr Wyatt Streetscapes in the amount of \$2,632,792.69, contingent upon funding agency concurrence and authorization for construction. The contractor has preliminarily scheduled to start construction around April 1st. If the city concurs will need to make a motion and sign and date the attached Notice of Award for Phase II.

MOTION:

✓ *Motion to Approve Phase I and Phase II Water Projects Contingent upon Funding Agency Concurrence and Authorization for Construction on Each.*

Council Member Williams moved to approve both Phase I and Phase II Water Project bids to Orr Wyatt Streetscapes for the amounts listed for each phase, contingent upon funding agency concurrence and authorization for construction for each. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:55 p.m.

- ✚ BG Consultants will return to the city council with staff recommendations for further improvements.
- ✚ Will target the water plant wiring, ventilation, and other needs.
- ✚ If a water tower is part of the project that will extend closing out the project for that portion as usually takes about 365 days to build one and they need painted by fall of the year completed.
- ✚ Reviewed CDBG requirements that are included in Phase I and not part of the requirements in Phase II.

Sidewalk Project:

City Attorney Sutherland reported he had discussed the concerns the Engert's had on a couple of issues with their attorney and now had an agreement. Some of the items they were concerned about were:

- ✚ The city would not enforce storm removal in this area more than on anyone else.
- ✚ Work with the property owners to minimize any loss of trees in the 'strip' easement.
- ✚ Cooperate with the property owners to facilitate the creation of any state approved entries to their property if sold or necessary for any other reason.
- ✚ Noted city would only be clearing brush and grass in the area when regarding issues of drainage, the rest of the maintenance would fall on the property owner.
- ✚ The city would make payment of \$500 for attorney's fees, not for payment for easement.
- ✚ For reimbursement of attorney fees the Engert's will sign a permanent easement for the 10' strip and the area for the walkway bridge.

Brian Kingsley noted there will be no trees left in the right-of-way, they will all be cleared. The trees on the property owner's side would need to be removed if they are in the drainage area where the drainage pipes will be placed. Most of these trees that you see right now are in the right-of-way.

✓ *Motion for Authorization to Pay the Engert's \$500 for Legal Fees on Sidewalk Easement*

Council Member Williams moved to authorize paying the Engert's \$500 for legal expense fees on the sidewalk easement on their property. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:09 p.m.

2016 LA CYGNE CITY MINUTES

Brian Kingsley reported they would be publishing for bid-letting now. Have the bid opening on April 15th at 10 a.m. and Notice of Award at the regular April 20th city council meeting. The bid will include a bid for the bridge as a truss bridge and an alternate price for a box culvert for the bridge.

Three Year Capital Improvement Plan for County Economic Development Project:

City Attorney Sutherland reported he had discussed the Economic Development guidelines with Dennis Arnold and learned a fire station was not anticipated to be a part of the projects to be considered with these funds. City Clerk Herrin reported Dennis Arnold had called today and again explained what they were looking for in infrastructure projects, such as deteriorating roads, or utilities needing improvements, etc. Mr. Arnold noted they considered a fire station more of a service than a public infrastructure. He went on to explain a sewer project was fine, and cemetery road improvement, or any road improvement was fine. Also, if any funds need to be held to be added to next year's allotment that can be approved too. If next year the dollars are not available the dollars held over will still be available to the city to be used on an improvement.

Public Works Superintendent Johnson had obtained prices on Sewer Cleaning with examples of how the money could be utilized for 'light cleaning' at a cost of \$1.45 a ft. and 'heavy cleaning' at a cost of \$2.75 a ft. for the sanitary sewer line. To clean all of the city lines was way over the available \$54,684 from the county.

Discussed:

- ✚ Different ways to spend the \$25,000 previously allocated to set aside for a fire station.
- ✚ Price break downs on the sanitary sewer cleaning.
- ✚ Utilizing all of the dollars on the sewer cleaning.
- ✚ Applying the \$25,000 to be set aside and use with next year's funds.
- ✚ Applying the \$25,000 to the cemetery for the area needing gravel for this year.

✓ *Motion to Rescind Previous Meeting Motion of \$25,000 to a Fire Station and Apply to Maintenance of Cemetery Roads*

Council Member Williams moved to rescind the previous meeting motion to allocate \$25,000 of the Economic Development funds for a fire station and use this amount for maintenance of cemetery roads. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:27 p.m.

Council discussed contacting the Cemetery Association to let them be aware of the project and see what roads they found most important. Council Member Shields will contact them.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Special meeting was adjourned at 7:30 p.m.

I, _____
(Devona Herrin)

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 25th day of February 2016.

2016 LA CYGNE CITY MINUTES

END OF February 25, 2016 SPECIAL MEETING.

BEGINNING OF March 02, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, March 02, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Police Officer Shaun West; Russ Gardner; Jodi Wade; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 6:02 p.m. City Attorney Sutherland lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ The city's new web site is up and running.

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

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

Minutes of February 17, 2016 City Council Meeting;
Minutes of February 25, 2016 Special City Council Meeting;
Check Register: February 18 – March 02, 2016.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:06 p.m.

DISCUSSION FROM THE FLOOR:

RUSS GARDNER

Russ Gardner introduced himself as a Republican running for Linn County Sherriff. He presented his credentials and reasons for running for office.

JODI WADE REGARDING A SIGN FOR THE CITY

Jodi Wade reported she would like to 'jump on board' with a sign for the city to include information for where the park and cemetery are within the city. She had heard the sign by the railroad tracks had been damaged beyond repair and the Park Board would like to help with a new sign for the city. Council Member Shields reported the hospital board had ok'd to put a city sign on their property on the east side of town and Marvin Clements was going to handle it, if Jodi wanted to contact him. Group also discussed the possibility of a sign on the west entrance to the city and various possible sites. Jodi closed by noting the park board would like to join together for the community to pull together for the location, design, and etcetera and would get with Marvin Clements.

2016 LA CYGNE CITY MINUTES

WAIVE COMMUNITY BUILDING FEE FOR LA CYGNE SCHOOL ALUMNI

Council Member Shields reported the La Cygne Alumni needed a place to meet and organize this year's Alumni gathering. Asked the city council to waive the community building fee for these meetings; and she will make the deposit as the city has established.

✓ *Motion to Approve Waiving Community Building Fee for La Cygne Alumni Meetings this Year*

Council Member Williams moved to waive the community building fee for the La Cygne Alumni for this year's gathering. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:16 p.m.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. None.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. None.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Police Officer Shaun West expressed appreciation for being a part of the city's police force. He also reported the railroad crossing improvement on Market Street was completed and he was monitoring any possible city road damages for repairs.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Mower – The BadBoy mower has been ordered.
2. Sewer Line Repairs – The sewer line by the cement plant had been repaired. Unable to determine cause of the broken pipe. The other sewer main line is set to be repaired next Tuesday.
3. Water Line Break – Repaired a water line break on Market Street by the Second Hand Rose business.
4. Paint for Striping Streets – The paint is now in. Will get with Police Chief West for instructions on how to paint the lines when he returns from vacation.
5. Gas Alarm Call at Casey's – Thanked the Fire Department for their help when a possible gas leak was reported at Casey's. Appreciate their help and no problem was found.
6. Generator for City Hall – The generator has been set behind city hall and the gas line run. Will get with electrician to set up the electrical part. It did require purchasing a battery and plumbing parts to set up installation. Will try to install without disrupting city hall too much.

2016 LA CYGNE CITY MINUTES

7. Patch for Pothole Repair – A load of patch costs \$1,400 for a load. If it sets is not as effective. With all of the contractors' work being done around the city where they have to repair any street damages, question if the city should purchase any right now. Think have enough for small repairs. Determined if needed can always order later.
8. Water Line North of City Limits – Inquired as to the status of the city continuing to serve the two residents north of the city limits north of the north water tower. City Attorney Sutherland reported he had not heard anything from RWD #1. Discussed that when the north water tower begins to operate as it should these two properties will not have adequate flow due to their relative height level location to the north water tower. Felt need to let the property owner know whether or not the water service is going to be continued by the city. City Attorney is going to inquire.

FIRE CHIEF – DAN NASALROAD

1. Reminded everyone of the benefit fundraiser this Sunday night at 5:00 p.m. for Alex Graham.

CITY CLERK – DEVONA HERRIN

1. None

COUNCIL COMMITTEE REPORTS:

PARK

Lights for Basketball Area in North Park – Still have not heard from the lights removed from the park. Mayor asked if could have a resolution by the first meeting in April. Would like the lights back if company is not going to replace them. Jim will inquire.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

City Hall Generator – Emergency Management Nasalroad reported the expenses for the generator would be from this department.

SWANFEST COMMITTEE

Mayor Sullivan reported the first meeting would be March 7th at 6:00 p.m. at the community building.

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Noted next meeting is March 23rd instead of the 16th, and the meeting will start at 7:00 p.m.

✓ *Motion to Approve Workshop For Updating City Codes March 23rd at 6 p.m.*

Council Member Mitzner moved to hold a Workshop at 6:00 p.m. for ongoing review of city codes. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:33 p.m.

2016 LA CYGNE CITY MINUTES

INTERNATIONAL CONFERENCE OF POLICE CHAPLAINS REGISTRATION FEE ADJUSTMENT

City Clerk Herrin reported there had been a misunderstanding at the last meeting as to which seminar Dr. Fulk would be attending. He attended the Enrichment seminar last year and will be attending the Advanced this year which has an additional \$15 cost, the seminar will be \$165 instead of the previously requested \$150.

✓ *Motion to Approve Amending Chaplain Seminar Fee from \$150 to \$165 for Dr. Fulk*

✓

Council Member Fleming moved to approve the additional \$15 to change the seminar cost from \$150 to \$165 as previously approved. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:35 p.m.

CAPITAL IMPROVEMENT FUND FOR FIRE DEPARTMENT

City Clerk Herrin reported different options the city council could consider to the city's Capital Improvement Fund for the Fire Department as well as other departments. With a 5-10 year plan of each department needs, the existing funds can adjust each year the capital improvement line within their current department; the Capital Improvement Fund and Equipment Reserve Fund can be set up with subs under each fund and dollars allocated each year as the city council determines; or several more separate funds can be created and dollars allocated to be transferred to these funds.

Discussed:

1. Each individual division to work at saving money and generate savings to move to their respective capital improvement funds.
2. Importance of having a place for the city's fire equipment if the county would ever decide to discontinue their lease. The agreement is up next year.
3. Grants have run out for new fire stations. Will have to self-fund or take out a low interest loan.
4. Establish five-year goals for each area with the 2017 budget this year.

NEW BUSINESS:

RESIGNATION OF PART TIME OFFICE EMPLOYEE LESLI GEORGE-MITZNER

✓ *Motion to Approve Resignation of Part Time Office Employee Lesli George-Mitzner.*

Council Member Curtis moved to accept the resignation of part time office employee Lesli George-Mitzner. Motion seconded by Council Member Fleming, voted on, passed 4-0-1 (Abstain: Mitzner). Time: 6:51 p.m.

OFFICE EMPLOYEE VACANCY

City Clerk Herrin asked the city council to consider hiring a full time employee now with the vacancy for a Deputy City Clerk. She is planning to retire in three years and this would allow adequate time for a Deputy City Clerk to learn the different aspects of city government duties/responsibilities for a smoother transition. Discussed: the monies for a deputy clerk were included in the 2016 budget; the option of continuing with a part-time office employee; the heavier workload that will be from the extra water projects; how to advertise, and the qualifications to look for in a candidate. Council concurred and Mayor Sullivan instructed to advertise for a full time Deputy City Clerk.

2016 LA CYGNE CITY MINUTES

OFFICE PHONE SYSTEM OPTIONS

City Clerk Herrin reported when the computers and server were updated from XP to Windows 7 the phone system was missed. Now the phone system will no longer be supported after July 2016. The city has the server, computers, and phone system all with Advantage Computers allowing ease of service interconnections. Advantage Computers has provided three different options for the city to consider as the service contract expires this month. The city can continue with the existing service and if there are any issues the cost is \$450 per hour for maintenance. Or, the second option is to update the current system to the current Windows version, however the system is eight years old and soon the 32bit the city has will no longer be serviced either as systems are going to 64bit or bigger. Or, go to a complete new system. A Panasonic System was presented for review. The system included seven new phones and currently does not require an annual service fee. The cost to upgrade would be \$5341.50. Discussed the funds the dollars could be allocated from for updating. Determined to stay as are for now until get started on the new projects as it may take a couple of days of the phone system being down to upgrade. Council members will also explore other phone systems.

PURCHASE AEDs FOR TWO POLICE VEHICLES THRU PARTNERING WITH AMR

City Clerk Herrin presented information Police Chief West left regarding the opportunity to acquire AEDs for two police vehicles. The only cost available at this time was \$1,300 each and with a generous offer and partnership with AMR the city has the chance to purchase one and a second one would be funded by AMR.

Discussed if this might also be possible for the fire department and it was unknown at this time. City Clerk noted all the other information she had was that this offer was not something that could wait until the next regular city council meeting so the information had been left for the council to consider.

Noted the participants would need to be APR and AED certified.

Police Officer West noted it was a good opportunity and the council could make the motion contingent on compatibility to work with existing equipment with one for the police and one for the fire department if available for them.

✓ *Motion to Approve Purchase of Two Sets of AED's Contingent as Noted, One Police & One Fire*

Council Member Mitzner moved to approve the purchase of two sets of AED's, one for police and one for fire (if available), contingent on compatibility to work with existing equipment and AMR funding the second of each set. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:25 p.m.

FLOODPLAIN MANAGEMENT CLASS ON "POST FLOOD RESPONSIBILITIES"

City Clerk Herrin reported this class was being held in Paola on March 24th. The course focuses on what to do during and after a disaster event. It should be helpful for the employees primarily responsible for their departments and the one handling the paperwork as well as city council members. Discussed who could attend; possibly Council Member Mitzner, &/or Police Chief West, &/or the City Clerk. City Clerk will sign up Council Member Mitzner and Police Chief West.

✓ *Motion to Approve Two City Representatives to Attend Floodplain Management Class*

Council Member Fleming moved to approve two city representatives to attend the Floodplain Management Class in Paola on March 24th. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:30 p.m.

2016 LA CYGNE CITY MINUTES

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to ten minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:31 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Public Works Superintendent Johnson and City Clerk Herrin.

Open Session Resumed at 8:46 p.m.

OTHER BUSINESS:

Alex Graham Fundraiser – There is the possibility of a quorum present at the Sunday night fundraiser.

Water Project Pre-Construction Date – Inquiry as to the Pre-construction date for the water project. City Clerk did not have a date; would check and report back.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] Thank you from Mine Creek Amateur Radio Club

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 7:49 p.m.

I, _____
(Devona Herrin)

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 March 2016.

END OF March 2, 2016 MEETING.

BEGINNING OF March 23, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, March 23, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

2016 LA CYGNE CITY MINUTES

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Assistant Superintendent Jerome Moore; City Fire Chief Dan Nasalroad; Jodi Wade; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. City Clerk Herrin lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Community Easter Egg Hunt, 10am, Saturday, March 26th
- ✓ 'Natural Gas Utility Workers' Day' Proclamation

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

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

Minutes of March 02, 2016 City Council Meeting;
February 2016 Treasurer's Report;
February 2016 Budget Report;
Check Register: March 03 - 23, 2016.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:05 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Preconstruction Conference will be held Monday, March 28th at 1:00 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Bid Opening is scheduled for 10:00 a.m. on Friday, April 15th
2. City Attorney Sutherland reported the pending easements' had all been received except for the one applicable for the bridge walkway area that had previously been confirmed by the property owner's attorney as being agreed to. As of this meeting date the property owner's had not responded to their attorney regarding the actual signing of the easements. The city has sent the agreed upon check for the easement. If the easement is not signed the city will have to make a change in the plans and stay in the easement; and, the city will not be able to be involved in keeping the north area free of debris after a heavy rain fall.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

2016 LA CYGNE CITY MINUTES

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Eleven citations since the last meeting.
2. Nuisance – Noted 420 N. 1st and 502 E. Walnut.
3. Stagnant Ponds – 825 N. 6th St completed.
4. Animal Control – Two dogs in kennel; 218 dogs tagged in 2016.
5. Vin Inspections – Six.
6. Planning & Zoning – Working on map to update recommended changes. A hearing will be scheduled for the May meeting.
7. Dog Days – 57 dogs were vaccinated and 41 dogs were tagged.
8. Take Back Drugs – April 30th at City Hall from 10:00 a.m. – 2:00 p.m.
9. Enbridge Grant – Approved for \$1,000.
10. Post Flood Responsibilities – Attending class tomorrow in Paola.
11. High School Seat Belt Enforcement – Participated for twenty hours by three officers.
12. Kansas Police Administrators Seminar – August 15-19, 2016, for a cost of \$250.

✓ *Motion to Approve Police Chief West to Apply and Attend Seminar for \$250 Costs*

Council Member Mitzner moved to approve Police Chief West to apply and if approved to attend the Kansas Police Administrators Seminar in August for costs of \$250. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:24 p.m.

13. Fence for Horse – Council Member Williams asked if an area resident was going to build a fence for a horse met the city requirements. Confirmed the requirements are being met with a request for a variance and there are strict requirements for keeping the area clean.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Jerome Moore reported on the following:

1. Lagoons – The herbicide has been ordered.
2. Sewer Line Repair – The second sewer line repair reflected there were two fiber optic lines bored through the sewer line. Council Member Curtis noted the city just had to send copies of the bills to the phone company and they would pay the city for the damages.
3. Paint Cross Walks – The school cross walks have been painted.
4. Basketball Lights at North Park – Still trying to contact the electrician and get it straightened out to get them replaced.
5. Cemetery Seasonal Help – Cecil Blevins will be working at the cemetery again soon. Bruce Howell has indicated he is available to help as he did last year. Council concurred he was also still on the payroll as part of the cemetery seasonal workers.
6. Summer Seasonal Workers – Asked the city council to advertise for two seasonal public works workers.
7. City Hall Generator – Ready for the electrician.
8. Van Diest Mosquito Workshop – Requested to attend the Van Diest Mosquito Sprayer workshop in Ottawa on April 7th to have the city's mosquito sprayer calibrated and certified. The company does this without charging the city, just have to take the sprayer to that location.

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✓ *Motion to Authorize One PW's Employee to Take Mosquito Sprayer to be Calibrated*

Council Member Mitzner moved to authorize one public works employee to take the mosquito sprayer to Ottawa on April 7th to have Van Diest calibrate the equipment. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:32 p.m.

9. Replace Mosquito Sprayer – Presented four different mosquito sprayer equipment options varying in prices and specifications. Recommended the city replace the over 25 year old existing sprayer with a Cougar sprayer, by Clark. The cost for this model is \$10,200 prior to shipping. How often the city sprays each year depends on weather conditions. Will contact representative to see if can avoid shipping.

✓ *Motion to Purchase Cougar Mosquito Sprayer for \$10,200 Plus Shipping from Van Diest*

Council Member Williams moved to approve the purchase of a Cougar Mosquito Sprayer for \$10,200 plus shipping from Van Diest Company, using funds from Equipment Reserve. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 7:38 p.m.

10. Old Mosquito Sprayer – Discussed saving, selling, trading in, or donating to the City of Parker if they are still interested. Concurred to take the old sprayer to have it calibrated and if still ok will contact Parker to see if they are interested on an 'as is' basis.
11. Advertise for Two Seasonal Workers for Public Works – Asked if the city would advertise for two seasonal public works employees with all of the anticipated extra workload for the water project pending this summer. This would be at the regular rate of pay of \$10.00 per hour.

✓ *Motion to Approve Advertising for Two Seasonal Public Works Employees*

Council Member Mitzner moved to approve advertising for two seasonal public works employees. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:42 p.m.

FIRE CHIEF – DAN NASALROAD

1. KSFFA Conference, April 27-30, at Wichita – Requested to have up to four fire fighters approved to attend the Kansas State Fire Fighters Association annual conference in Wichita from April 27th to 30th. The cost is \$75 per delegate plus travel, hotel, and food. Right now do not expect to have more than two available to attend.

✓ *Motion to Approve Up To Four to Attend KSFFA Conference with Per Diem*

Council Member Williams moved to approve up to four firemen to attend the annual KSFFA Conference in Wichita from April 27th to 30th with conference cost of \$75 each and per diem. Motion seconded by Council Member Shields, voted on, passed 2-0-3 (Abstain: Fleming, Curtis, & Mitzner). Time: 7:46 p.m.

2. Fire Station Design – Plan to review a couple of options with Tom from BG Consultants tomorrow and hopefully have a cost analysis by the next city council meeting.
3. Old Station Building North of Water Plant – Mayor Sullivan inquired as to contents. Houses two fire trucks and some equipment.

2016 LA CYGNE CITY MINUTES

CITY CLERK – DEVONA HERRIN

1. None

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

Cook Stove(s) – City Clerk Herrin reported the city had received inquiries if the community building would have cook stoves by May as individuals renting the building would be needing to cook. The current commercial stove is disconnected and needs repairs. Discussed purchasing two 36" gas ranges. Council will look into prices. Fire Chief Nasalroad also requested the city install a working hood vent system.

PARK

Skate Park at South Park – Jodi Wade reported the skate park ramps had been installed this week and provided a list of the rules. This area is for skates and bikes. Will set up a table during the Saturday Easter Egg Hunt to provide materials and information about the area for the skate park. Also expressed a big thanks to all of those that continued to work towards making this possible through the last several years.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Emergency Management Dan Nasalroad reported it is beginning to be storm season.

SWANFEST COMMITTEE

Mayor Sullivan reported the next meeting would be April 4th at 6:00 p.m. at the community building. This project is volunteer driven and needs as much participation as possible.

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

✓ *Motion to Hold Workshop For Updating City Codes April 6th at 6 p.m.*

Council Member Fleming moved to hold a Workshop at 6:00 p.m. on April 6th for ongoing review of city codes. Motion seconded by Council Member Williams, voted on, passed 5-0.

Time: 8:04 p.m.

OFFICE PHONE SYSTEM OPTIONS

City Clerk Herrin reported Advantage Computers could switch the city's phone system with only about 15-20 minutes of actual down time as they handle all of the city's server wiring. The cost for the recommended Panasonic phone system for city size of network is \$5,341.50 with the quote firm until March 25, 2016. Council Member Curtis noted the local phone company should be able to provide this service. Discussed the internet communication link with the copier and the issue of who was responsible when it failed to handle emails. Noted when one entity is responsible for all of the wiring it

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is easier to know to go to one place for the issue. Discussed local versus current system running smoothly.

✓ *Motion to Accept Jayhawk Phone System Quote for \$5,341.50.*

Council Member Williams moved to accept the Jayhawk phone system quote for \$5,341.50. Motion dies for lack of a second.

DODGE TRUCK BID WITH LEASE PAYMENT OPTIONS

Police Chief West requested permission to purchase a 2016 Dodge Ram 1500 with equipment to be installed by Allen Huggins who has installed several sheriff's vehicles and the last city vehicle. Also requested to obtain a lease agreement with one of the local bank for \$10,000 of the total costs to leave dollars in this year's budget for possible unexpected emergencies. Discussed various options for paying the additional costs and who would install the equipment. Concurred to purchase the new vehicle to get it on order and then determine the equipment purchases and installation.

✓ *Motion to Authorize Purchase and Financing of New 2016 Police Truck for a cost of \$27,444.73*

Council Member Mitzner moved to order a 2016 Dodge Police truck for \$27,444.73 and authorize to finance \$10,000 of the cost as discussed. Motion seconded by Council Member Fleming, voted on, passed 4-1 (No: Curtis). Time: 8:26 p.m.

NEW BUSINESS:

SUMMER PUBLIC WORKS EMPLOYMENT

Completed.

HRMAK CONFERENCE APRIL 15, 2016, TOPEKA, KS

City Clerk Herrin requested to attend the last HRMAK Conference as the association is disbanding this year and they have some good topics to cover at this one day conference. Will drive up to the conference the same day. No cost for the conference except travel.

✓ *Motion to Authorize City Clerk Herrin to Attend HRMAK Conference April 15th in Topeka*

Council Member Fleming moved to approve City Clerk Herrin attending the HRMAK conference on April 15th in Topeka. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:28 p.m.

REVIEW DEPUTY CITY CLERK JOB DESCRIPTION

City Clerk Herrin asked the city council to review the job description being distributed for the Deputy City Clerk open position. Did city council want to make any changes? Noted the city job description does not specifically state that the deputy report to the city clerk, however they do fill in in the absence of the city clerk once training is established for adequately handling procedures. Noted the League does recommend including 'The deputy city clerk shall perform those duties assigned to that office by the city clerk'. Concurred to add that to the job description and bring back to the city council for approval.

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KCC NATURAL GAS WORKSHOP, TUESDAY, MAY 10TH, CHANUTE

City Clerk Herrin reported this is a new workshop being provided by KCC for natural gas utilities. Public Works Superintendent Johnson had left information that it would be good to have someone from the city attend.

✓ *Motion to Approve Public Works Have One/Two Attend the KCC Workshop on May 10th in Chanute*

Council Member Fleming moved to approve public works having one person attend the KCC Workshop on May 10th in Chanute. Public Works Moore asked for two to be approved if they had the ability to let two go at that time. **Amended motion to include two public work's employees. Motion seconded by Council Member Mitzner, voted on, passed 5-0.** Time: 8:36 p.m.

VAN DIEST 2016 SPRING MOSQUITO WORKSHOPS, APRIL 7TH, OTTAWA

Completed.

ANNUAL STATE BUDGET WORKSHOP, MAY 23RD, IOLA

✓ *Motion to Approve City Clerk Herrin to Attend State Budget Workshop, May 23rd in Iola*

Council Member Mitzner moved to approve City Clerk Herrin to attend the state budget workshop on May 23rd in Iola. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:37 p.m.

CLOSE TRASH COMPACTOR EASTER SUNDAY, MARCH 27TH

✓ *Motion to Close Trash Compactor Easter Sunday, March 27th*

Council Member Fleming moved to close the trash compactor Easter Sunday, March 27th. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:38 p.m.

BVPS MAINTENANCE CONTRACT FOR 2016-2017 WARNING SIREN SYSTEM

Police Officer West reported on this year's maintenance check by Blue Valley Public Safety and presented Maintenance Agreement of \$1,554.00 for the next year's maintenance program.

✓ *Motion to Approve the BVPS 2016-2017 Maintenance Agreement for the Warning Siren System*

Council Member Mitzner moved to approve the BVPS maintenance agreement for the siren system for the next year. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:40 p.m.

APRIL PROPERTY / CASUALTY INSURANCE RENEWAL – DELETE THE SENTRY SIREN BEHIND CITY HALL

City Clerk Herrin referred to the age of the sentry siren behind city hall and the inability to obtain repairs when some parts of it broke as it is now considered obsolete as far as replacing. Recommended deleting the siren for property damage coverage to the siren itself. Council concurred. Also noted the insurance company is now recommending adding Cyber Solutions to the city's policy for data compromise and identity recovery. The premium for this coverage is \$921.00 annually. Council concurred. The total premium for this year is \$37,350.00 and needs to have the check issued prior to the end of the month.

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✓ *Motion to Approve Property – Casualty Insurance Premium of \$37,350*

Council Member Mitzner moved to approve paying the annual insurance premium of \$37,350.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:47 p.m.

AED PROGRAM AVAILABLE THRU PARTNERING WITH AMR

Council Member Mitzner asked if the AED program was available with AMR. Fire Chief Nasalroad noted they were not available.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal, land acquisition, and personnel for up to twenty-five minutes following a ten minute break. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:49 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Police Chief West and City Clerk Herrin.

Open Session Resumed at 9:25 p.m.

OTHER BUSINESS:

Contact Peoples Telephone Regarding Phone Systems – Mayor Sullivan asked City Clerk Herrin to check with Peoples Telephone for the availability of any phone system that is like the phone system the city is considering.

Hire Linda Elder for Part Time Office Help – City Clerk Herrin asked the city council to consider hiring Linda Elder as a part-time office person while working through the extra projects this year and to be on-call when need an extra person. Noted pay would be at part time help of \$10.00 per hour.

✓ *Motion to Hire Linda Elder for Part Time Office Help*

Council Member Mitzner moved to hire Linda Elder for part time office help. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 9:26 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Thank You from Osawatomie Fire Department
- b] LKM 'Leadership Summit & Mayor's Conference'
- c] KKMU Conference 2016
- d] February 2016 La Cygne Park Board Meeting Minutes

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ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 9:29 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 23rd day of March 2016.

END OF March 23, 2016 MEETING.

BEGINNING OF April 06, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 06, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Assistant Superintendent Jerome Moore; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. Public Works Assistant Superintendent Moore lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Commended Kurtis West for becoming certified with KLETC and welcomed him as an employee with the City of La Cygne

CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

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

Minutes of March 23, 2016 City Council Meeting;

Check Register: March 24 – April 06, 2016.

Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 7:07 p.m.

DISCUSSION FROM THE FLOOR:

NONE

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. City Clerk Herrin reported to meet the HUD requirements the two water projects have been determined they will have to be done consecutively instead of simultaneously. This will have Phase II project being completed first and then Phase I project will be done. The paperwork for the BNSF Railroad permits have already been submitted prior to learning of this change. The permits, once signed by the designated railroad manager, are good for one year. The Phase I project should be started within that one year time frame, however weather could play a factor in causing a delay. If the permits are not completed within 60 days of starting them there is another charge of \$775.00 to refile. There is also a Railroad Protective Liability Insurance charge for \$1,150 that is only good for one year from when the permit is approved. If it takes more than one year and the permit is in place this will have to be paid a second time. The Phase I permit can be delayed as close to the 60 day completion as possible if the city chooses to move forward with the permits on the premise all of the railroad work being done within the applicable time frame. With average weather the engineer felt the process should be complete within the year without any problems, but could not guarantee it.

✓ *Motion to Approve Processing Railroad Permits for Phase I and Phase II*

Council Member Mitzner moved to move forward to provide railroad permits and insurance for Phase I for a cost of \$3,965.00 for the contract fee and \$1,150 for the insurance fee and Phase II for a cost of \$3,840.00 for the contract fee and \$1,150 for the insurance fee. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:15 p.m.

No definite start date has been set yet.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. City Attorney Sutherland reported the pending easements' have still not been received, nor has their attorney received any response from the property owner. Without the easement the city will need to plan on staying in the right of way at this time.
2. Bids will be opened on April 15th.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. 19 citations since the last meeting. Driving across lawns citation occurred in the city park resulting in damage to the ground by the skate park area. The individuals involved have been told not to return to the park for six months.
2. Nuisance – Noted list provided.
3. Animal Control – One dog in kennel; two adopted.
4. Vin Inspections – Six.
5. Planning & Zoning – Zoning Maps hearing scheduled for the May meeting.
6. Take Back Drugs – April 30th at City Hall from 10:00 a.m. – 2:00 p.m.

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7. New Dodge Truck Lease Update – The lowest lease interest rate offered was 3.5% from First Option Bank, so will be contacting them to set up the paper work.
8. New Dodge Truck Equipment – Completed a list of the items needs to equip the police truck just ordered for a total cost of \$10,171.89 if use Chief's Supply for many of the items. Have requested installation bids from entities, however have not received any response yet. Would like to go ahead and purchase the equipment to have available when the vehicle arrives.

✓ *Motion to Approve Purchasing Equipment for New Vehicle for a Total Cost of \$10,171.89*

Council Member Mitzner moved to approve Police Chief West to purchase the equipment for the new police truck for a total cost of \$10,171.89. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:25 p.m.

9. Safety: Bushes in Front of Hospital Board Property – The Lincoln Scott Hospital Board has asked if the city workers could remove the bushes now on the property along where the new sidewalk is going to go as they are blocking the view from drivers trying to exit out of Industrial Road onto Market Street and feel it would be prudent to remove them now for safety reasons instead of waiting. Council discussed the safety concern.

✓ *Motion to Approve Public Works to Assist in Removing the Shrubs for Safety Reasons*

Council Member Mitzner moved to assist to remove the shrubs on the Hospital Board Property that is blocking the view for vehicles. Motion seconded by Council Member Williams, voted on, passed 4-0-1 (Abstain: Shields). Time: 7:25 p.m.

10. Firing Range Training – Firing Range Training this year will be in Fort Scott on April 14th for all officers. It's an NRA certified range master doing the training for this area.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Jerome Moore reported on the following:

1. Gas Valve Inspections/Repairs – Four gas valves were identified and action taken. Two were replaced, one was removed, and one is being monitored.
2. Water Sales Equipment Down – The water salesman is electronically broke and the cost to repair is unknown as it is very old and will just have to start replacing parts to find what is not working. It does not have high usage and suggest leaving out of order until the water project addresses the updates to the water plant and replace with new equipment. City Council concurred to wait and update with the water plant project. Will put up a sign as to where the nearest water sales is located.
3. Mosquito Sprayer – Picking up the new one tomorrow and will calibrate the old one if possible. The actual cost of the new sprayer was \$9,751 instead of \$10,200.
4. Electric for City Hall Generator – Presented proposal from Page Enterprise to install transfer switch and hook up generator to existing 200 amp panel for a total cost of \$3,393.00. Discussed Emergency Management budget already used to purchase generator and materials needed to get set up for the electric hook up. Reviewed Capital Improvement fund to cover additional costs.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Page Enterprise to Install Electric to City Hall Generator for \$3,393.00*

Council Member Mitzner moved to contract with Page Enterprise to install the transfer switch and hook up city hall generator to existing 200 amp panel for a total cost of \$3,393.00 from the Capital Improvement Fund. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:45 p.m.

5. Utility Materials – Council Member Mitzner inquired if public works had enough materials for repairs when they would be needed during the new water line construction. Mr. Moore noted they had enough materials and access to acquire more if needed.

FIRE CHIEF – DAN NASALROAD

1. None

CITY CLERK – DEVONA HERRIN

1. City's Sales Tax – The State contacted the city about an adjustment to the city's sales tax due to a large entity filing for an adjustment for year 2015. There were no monies received for the month of March at all as part of this adjustment / refund to the entity.
2. County Capital Improvement Grant – Notice was received the city's grant request to the county was approved.
3. 2008 Chev PU Damaged – The 2008 Chev Pu was damaged on the driver's side rear by an unknown entity. The city has a \$1,000 deductible and it has been reported to the city's insurance to handle the repairs.
4. PVHS Donkey Basketball Tournament for Charity – The PVHS Student Council sponsor Sara Johnson has asked if the city would be sending out any mailings this month where they could insert their flyer in an attempt to reach as much of the community as possible. They will submit all of the information, they are just asking for space.

✓ *Motion to Approve Adding PVHS Flyer for Fundraiser to City Newsletter*

Council Member Shields moved to approve adding the PVHS Fundraiser information to the newsletter. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:50 p.m.

COUNCIL COMMITTEE REPORTS:

PARK

Basketball Lights at North Park – City Clerk Herrin reported the electrician, Gary Spears, had been in contact with the individual on the damaged lights and one was being replaced and they had some others they would like to work with the city on for a good price. City Clerk Herrin noted she had called just before the meeting and left a note for a call back regarding the lights. Will try to have an answer by the next meeting.

CEMETERY

Inspection for Trees – Mayor Sullivan reported the city had not been contacted from the State Extension Office to inspect the trees in the cemetery. Will check in status.

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COMMUNITY BUILDING

Cook Stove – Discussed purchasing two residential gas cook stoves to replace the existing mal-functioning commercial gas stove. Noted proper ventilation would also be a concern. Reviewed 36" and 30" sizes with range in prices from \$999.00 to \$690.00 via the internet and handouts. Located one on sale from Best Buy for \$679.99 if ordered today. Also discussed the Community Building Budget for 2016 was not set up for any major purchases.

✓ *Motion to Authorize Purchase of Two Gas Ranges for \$679.99 Each at Best Buy from Equip Reserv*

Council Member Williams moved to purchase two gas ranges at \$679.99 each from Best Buy using funds from Equipment Reserve. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:03 p.m.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

✓ *Motion to Hold Workshop For Updating City Codes April 20th at 6 p.m.*

Council Member Mitzner moved to hold a Workshop at 6:00 p.m. on April 20th for ongoing review of city codes. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:05 p.m.

OFFICE PHONE SYSTEM OPTIONS

Tabled until April 20th meeting.

JOB DESCRIPTION FOR DEPUTY CITY CLERK

City Clerk Herrin reported the verbiage covered in the last meeting had been added to the City Clerk/Deputy City Clerk job description and was ready for approval.

✓ *Motion to Approve Change in City Clerk/Deputy City Clerk Job Description*

Council Member Mitzner moved to approve the changes in the City Clerk/Deputy City Clerk job description. Motion seconded by Council Member Fleming, voted on, passed 5-0 Time: 8:07 p.m.

NEW BUSINESS:

KMGA BOARD OF DIRECTORS MEETING, MAY 4, WICHITA

City Clerk Herrin and Public Works Assistant Superintendent Moore are the two city appointed delegates for attending these meetings. It is at 4 p.m. on May 4th and will last about 30 minutes. The board has to have a quorum to hold a meeting.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve a City Delegate to Attend the KMGa Board of Directors Meeting*

Council Member Mitzner moved to approve a city delegate to attend the KMGa Board of Directors meeting on May 4th in Wichita with per diem. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:09 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to sixty minutes following a ten minute break. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:10 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): PWAS Moore and City Clerk Herrin.

Open Session Resumed at 9:13 p.m.

OTHER BUSINESS:

Amend Motion on Community Building Ranges – Police Chief West reported he had attempted to order the two ranges from Best Buy and was declined due to being out of stock. The same stove/range is available through Home Depot for a cost of \$690 each if ordered tonight. The cost for the same unit tomorrow will be \$999 when it is no longer on sale.

✓ *Motion to Amend Motion for Purchase Price of Ranges to \$690 Each Through Home Depot*

Council Member Mitzner moved to amend the motion to purchase the two gas stoves through Home Depot for \$690 each. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:14 p.m.

Workshop and Special Meeting – Discussed holding a workshop for review of interview guidelines and a Special Meeting for Personnel for interviews for Deputy City Clerk.

✓ *Motion for Workshop at 5 PM and Special Meeting for Personnel at 6 PM on April 18th*

Council Member Mitzner moved to hold a workshop at 5 p.m. and a Special Meeting for Personnel for interviews for the Deputy City Clerk position on April 18th. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 9:16 p.m.

Noted salary range would be based on an hourly rate.

Public Works Seasonal Summer Help – Discussed two council members interviewing, with PWAS Moore prior to the April 20th meeting, the applicants for Public Works Seasonal Summer Help. Concurred Council Members Curtis and Williams would do the interviews with PWAS Moore.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KDHE Reduced Monitoring the Tetrachloroethylene
- b] KDHE Solicitation for Public Water Supply Infrastructure Projects

2016 LA CYGNE CITY MINUTES

ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 5-0.** The Regular meeting was adjourned at 9:21 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of April 2016.

END OF April 6, 2016 MEETING.

BEGINNING OF April 18, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Monday, April 18, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Gerald Williams; Jerome Moore; Danny Curtis; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin, City Attorney John Sutherland, and City Treasurer Regina Reynolds.

Mayor Robert Sullivan called the special meeting to order at 6:00 p.m.

The Purpose of the Special Meeting was called for:

❖ Personnel

Executive Session:

✓ Motion to Go Into Executive Session for Up To Two and ½ Hours for Personnel

Council Member Williams moved to go into executive session to review applications and individuals for up to 2 ½ hours. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:02 p.m.

Extend Executive Session:

✓ Motion to Extend Executive Session for Up to Thirty Minutes for Personnel

Council Member Williams moved to extend executive session up to thirty minutes for personnel. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:30 p.m.

Six Applicants for Deputy City Clerk were interviewed.

2016 LA CYGNE CITY MINUTES

Open Session Resumed at 8:55 p.m.

ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Fleming, voted on, passed 5-0.** The Special meeting was adjourned at 8:55 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of April 2016.

END OF April 18, 2016 SPECIAL MEETING.

BEGINNING OF April 20, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 20, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Assistant Superintendent Jerome Moore; City Fire Chief Dan Nasalroad; Police Chief Tate West; Lesli George-Mitzner; Linda Elder; Daniel Reedy; Brian Kingsley with BG Consultants, Inc; Eric Taylor; Kelli Osborn; Ali Osborn, Kylee Osborn; Braysen Osborn; Aaralyn Osborn; Brennan Taylor; Tony Furse; Greg Houston; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. Police Chief West lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Take Back Drugs, Saturday, April 30th, 10:00 a.m. to 2:00 p.m.
- ✓ City Wide Garage Sale, Saturday, May 7th
- ✓ City Wide Clean Up, May 14th, with items to the curb by 7:00 a.m.

CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

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

Minutes of April 6, 2016 City Council Meeting;
Minutes of April 18, 2016 Special City Council Meeting;
March 2016 Treasurer's Report;
March 2016 Budget Report;
1st Quarter 2016 Financial Statement;
Check Register: April 7 – 20, 2016.

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

2016 LA CYGNE CITY MINUTES

DISCUSSION FROM THE FLOOR:

LESLI GEORGE-MITZNER COMMUNITY PROJECT FOR BOY SCOUTS

Lesli George-Mitzner asked the city council for input on the bench the Boy Scouts had as a project to place on the south side of the Community Building door. What would the city council like the bench to look like, what color, and if needs to be bolted down. City Council concurred it would need to be bolted down and would prefer the color be the same as those already in the area. As to style the Boy Scouts could choose. Council thanked the Boy Scouts for their continuing community efforts.

LESLI GEORGE-MITZNER REGARDING THE FARMERS' MARKET AND ICE CREAM

Lesli George-Mitzner noted she would like to try selling ice cream next week if the weather permitted; and, again would like to use the community building on Wednesday's. Would the city council again waive the community building fee this year? Later noted the ice cream time frame would be between 3:00 p.m. to 6/7 p.m. as in previous years.

✓ *Motion to Approve Waiving Community Building Fee for Boy Scouts Farmers Market*

Council Member Williams moved to waive the community building fee for the Boy Scouts Farmers' Market. Noted it would not always be Boy Scouts, but would be for a fund raiser each time. Motion seconded by Council Member Shields, voted on, passed 4-0-1 (Abstain: Mitzner). Time: 7:09 p.m.

RESCIND CODE 2-301 IN CHAPTER II, ANIMALS AND FOWL, ARTICLE 3, PIT BULL TERRIERS AND SIMILAR BREEDS

Police Chief West requested to move this topic to the front of the meeting as several were present to talk on the subject. Daniel Reedy introduced himself as a city resident attempting to sell his home in the city and the potential buyer, who was also present, had a pet dog that was on the city's restricted dog list. He asked the city council to please reconsider this list as not all dogs on the list were vicious and the city does have a vicious dog ordinance to handle dogs that can do physical harm no matter what the breed is.

Codes Officer Tate West informed the city council they did have in the city codes a section that prohibits all pit bulls no matter their disposition. He felt since the city also had a Vicious Animals section this could address any issues if an officer deemed an animal vicious and needs action taken to protect the public. Recommended eliminating the specified breed section of the codes.

✓ *Motion to Approve Repealing 2-301 Pertaining to Specified Pit Bulls and Similar Breeds*

Council Member Williams moved to repeal 2-301 pertaining to Pit Bulls and similar breeds, and to have an ordinance drawn up for the city council. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:15 p.m.

Noted will have ordinance drawn up for the next regular meeting.

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

Report – Brian Kingsley, BG Consultants, reported there had been some information obtained at the pre-construction meeting that effected the Davis Bacon Act. The bidding contractor bid with plans to do both projects at the same time. Now the contractor will have to build Phase I and close it out and then begin with Phase II immediately following. This will place the Phase I substantial completion with a punch list that will work under the warranty.

Mr. Kingsley also reported that since the Phase I bid was under budget would take any excess USDA funds and move them to Phase II and work on the water plant and possibly a water tower. Will need to address the improvement to the water treatment plant then see if enough funds to build a water tower.

Phase I has 120 days for completion with a target completion date of October 5th. Phase II will then start on October 6th with a targeted completion date of May 1, 2018 before time runs out. The contractor is waiting on the confirmation from the Department of Commerce and then begin the project. Will also include a notice to proceed to city hall. Again the public will be notified prior to the contractors working in the area; and, they will provide city hall with the areas they are going to be working in to have answers ready for the public.

Approve Water Project Construction Inspector (Returned to Topic after Sidewalk Project)

The Construction Inspector, Zach Whitford, is an employee with BG Consultants, Inc, with prior inspection experience. He will be providing regular reports.

✓ *Motion to Approve Construction Inspector for Water Project*

Council Member Williams moved to approve the recommended Construction Inspector. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:48 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Easements received.
2. Bid Opening Report by Brian Kingsley, BG Consultants, Inc. – Presented bid review packet covering all of the bidders and the estimated costs for the project. Detailed bid tabulations were attached. Kansas Heavy Construction submitted the low bid for the project with either bridge option. Council concurred they wanted the Prefabricated Pedestrian Bridge for a total cost of \$270,860.50.
3. AWARD OF BID:

✓ *Motion to Award Sidewalk Contract to Kansas Heavy Construction for \$270,860.50*

Council Member Curtis moved to award Base Bid plus Pedestrian Bridge construction contract to Kansas Heavy Construction in the amount of \$270,860.50 contingent upon funding agency concurrence and authorizing construction. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:44 p.m.

Noted the actual bid was \$43,639.50 under the estimated costs. Discussed if the city council wanted to ask the Department of Commerce for additional sidewalk improvement with the

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remaining funds. If the city is interested will ask CDBG if this can be accomplished with a change order. Council concurred to do more sidewalk work if possible. Brian Kingsley will run estimates with the information and bring back to the council for review.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Ordered two AED's with the police grant monies.
2. Seven citations.
3. Codes Enforcement listed with attention to Poultry and Accessory Uses.
4. Animal control – 80 dogs have been tagged for the current year.
5. Vin Inspections – Four.
6. Take Back Drugs – April 30th at City Hall from 10 a.m. to 2 p.m.
7. Equipment Installation for New Vehicles – still waiting on estimates.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Jerry McCarty completed the Cathodic Protection Training in Great Bend.
2. City Hall Generator – The wiring is being completed on the generator by Page Electric.
3. Seasonal Part Time Applications – Completed interviews for the positions.
4. Jim Johnson is doing ok

FIRE CHIEF – DAN NASALROAD

1. Replace Intake Valve on Fire Truck – Requested to purchase a 6" Butterfly Valve for the intake on the fire truck as the old valve will not work and this new one will fit as it should.

✓ *Motion to Approve Purchase of 6" Intake Valve for Fire Truck for \$902.47 Plus Shipping*

Council Member Williams moved to approve the purchase of the 6" Intake Valve for the fire truck for \$902.47 plus shipping. Motion seconded by Council Member Shields, voted on, passed 2-0-3 (Abstain: Curtis, Fleming, and Mitzner). Time: 7:56 p.m.

CITY CLERK – DEVONA HERRIN

1. County Infrastructure Grant Received
2. 2015 Audit Refund for City's Work Comp Received
3. Reimbursement for Sewer Damage's for Fiber Line Received

COUNCIL COMMITTEE REPORTS:

PARK

Lights for Basketball Area in North Park – Greg Houston reported on the three previous lights and one qualified under warranty. Also presented some different LED lights that were much more inexpensive

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if the city was interested. Covered the details of the lights and a presentation of how they would work. Recommended painting the back board white for better visibility. The new LED lights would only have a cost of \$35 per light and would need six. Also would have to redo the light fixture and build covers to protect the lights from being hit by anything. Thanked the City Council for their time. Mayor Sullivan asked for the city to go ahead and get the lights and whatever was needed for the basketball area. If need be, get with electrician to get the hook ups taken care of.

COMMUNITY BUILDING

Cook Stoves Report – Council Member Curtis reported he had removed the old cook stove last night by taking it apart in sections. Discussed what to do with old stove. Concurred to not try to sell it since it was not working and did not want any liability with a mal-function.

✓ *Motion to Approve Stove be Placed with City's Scrap Metal*

Council Member Mitzner moved to send the parts of the old stove to go with the city's scrap metal pile to be sold at a later date with money back to the city. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:04 p.m.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None

SWANFEST COMMITTEE

None

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Discussed a workshop prior to the May 4th regular meeting and/or the May 18th regular meeting.

✓ *Motion to Approve Workshop For Updating City Codes May 18th at 6 p.m.*

Council Member Fleming moved to hold a Workshop at 6:00 p.m. for ongoing review of city codes on May 18th. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:37 p.m.

OFFICE PHONE SYSTEM OPTIONS

City Clerk Herrin reported the City had not received a bid from Peoples Telecommunications. They had been over and looked over city hall after the last meeting and said they would have a bid by last Friday, however as of the meeting time there was no bid received. Mayor Sullivan asked the city council if they wanted to take any action on the office phone system. No action taken.

NEW BUSINESS:

RESCIND CODE 2-301 IN CHAPTER II, ANIMALS AND FOWL, ARTICLE 3, PIT BULL TERRIERS AND SIMILAR BREEDS

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Handled under Discussion from the Floor.

PVHS STUDENT COUNCIL TO SPONSOR A COMMUNITY SERVICE PROJECT DAY

City Clerk Herrin presented email from Christy Nickelson regarding the PVHS Student Council to sponsor a community service project day on either May 10 or 11 during the school day. Ms. Nickelson is asking if the city has any items they would like to see accomplished in the City of La Cygne. Discussed some of the items mentioned in the list was cleaning around the dog kennels, picking up trash in the ditches throughout the city in sections, picking up sticks in the cemetery, planting flowers. Council discussed the cemetery association might be interested and those working with Thayer Park, and any clean up throughout the city would be much appreciated. City Clerk Herrin will pass the information on the Ms. Nickelson.

2001 FORD CROWN VIC DAMAGED BEYOND VALUE

Police Chief West reported the 2001 Ford Crown Vic had recently been damaged beyond the value of the vehicle to probably include bending of the frame. Requested to decommission the vehicle and sell for scrap metal.

✓ *Motion to Approve to Decommission the 2001 Crown Vic and Sale As Scrap Metal*

Council Member Mitzner moved to decommission the 2001 Crown Vic and send to scrap metal to avoid any potential liability. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:49 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to fifty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:51 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Public Works Assistant Superintendent Moore, Police Chief West, and City Clerk Herrin.

Open Session Resumed at 9:46 p.m.

OTHER BUSINESS:

\$.50 AN HOUR RAISE FOR GERALD McCARTY FOR COMPLETING GAS TRAINING

✓ *Motion to Approve \$.50 an Hour Raise for Gerald McCarty for Completing Gas Training*

Council Member Mitzner moved to give Gerald McCarty a \$.50 an hour raise for competing the gas training courses. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 9:49 p.m.

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RAISE HOURLY RATE TO \$11.00 AN HOUR FOR NOW CERTIFIED PART TIME OFFICER KURTIS WEST

✓ *Motion to Approve Raising Hourly Rate for Kurtis West to \$11.00 per Hour*

Council Member Mitzner moved to give Kurtis West, a part time police officer a pay raise to \$11.00 per hour. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 9:50 p.m.

HIRE TWO SEASONAL PART TIME EMPLOYEES FOR PUBLIC WORKS: DANE WILLIAMS AND CASE PEMBERTON FOR \$10.00 PER HOUR

✓ *Motion to Hire Dane Williams and Chase Pemberton for \$10.00 per Hour for Public Works*

Council Member Curtis moved to hire Dane Williams and Case Pemberton for \$10.00 per hour for the summer for public works. Motion seconded by Council Member Mitzner, voted on, passed 4-0-1 (Abstain: Williams). Time: 9:51 p.m.

RECENT ACCIDENTS WITH CITY VEHICLES

Police Chief reported on the two recent accidents involving city vehicles.

1. Last Saturday at 11:55 a.m. a vehicle was driving 72 miles per hour through town while the officer on patrol was doing radar. The speeding vehicle was pursued going west out of town and then turning south on 1095 Road. As the officer attempted to turn south on 1095 Road the 2001 Crown Vic hit some loose gravel and the officer lost control going over the embankment. The fleeing vehicle was later identified and apprehended with county help. The officer of the police unit was checked out at the hospital and released. The vehicle was totaled.
2. Last Tuesday morning Pubic Works Jerry McCarty was backing out of a drive in the 1 Ton Flat Bed Pickup and backed into a Toyota Tacoma pickup damaging the passenger side front panel and tire of vehicle backed into. No one was injured.

CALL SPECIAL MEETING ON SATURDAY, APRIL 23RD, AT 9:30 A.M. FOR PERSONNEL

✓ *Motion to Authorize a Special Meeting on Saturday, April 23rd, at 9:30 a.m. for Personnel*

Council Member Mitzner moved to hold a Special Meeting on Saturday, April 23rd, at 9:30 a.m. for Personnel. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:53 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Thank you from 'After Prom' Committee
- b] Enbridge Grant for Police Department
- c] Enbridge Grant for Fire Department
- d] April 14, 2016 Planning Commission Minutes
- e] Thank you from the Lincoln Scott Township Hospital Board for removing brush for safety.
- f] Thank you from the Cub Scouts Pinewood Derby 2016

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ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 9:54 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of April 2016.

END OF April 20, 2016 MEETING.

BEGINNING OF April 23, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Saturday, April 23, 2016, at La Cygne City Hall. Council Members present were: Gerald Williams; Jerome Mitzner; Danny Curtis; and Esther Shields. Absent: Jake Fleming.

Others in attendance included, but not limited to: City Clerk Devona Herrin, and Police Chief Tate West.

Mayor Robert Sullivan called the special meeting to order at 9:40 a.m.

The Purpose of the Special Meeting was called for:

❖ Personnel

Dispersed list of interview questions.

Executive Session:

✓ Motion to Go Into Executive Session for Up To Two Hours for Personnel

Council Member Williams moved to go into executive session for personnel to interview individuals for up to 2 hours. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 9:53 p.m.

Three Applicants for Deputy City Clerk were interviewed.

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Extend Executive Session:

✓ *Motion to Extend Executive Session for Up to 12:40 p.m. for Personnel*

Council Member Curtis moved to extend executive session up to 12:40 p.m. for personnel. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 11:53 p.m.

Open Session Resumed at 12:34 a.m.

Offer Deputy City Clerk Position to Teresa Brockett at \$15.38 Per Hour

✓ *Motion to Offer Teresa Brockett for Deputy City Clerk at \$15.38 Per Hour*

Council Member Shields moved to hire Teresa Brockett for Deputy City Clerk at \$15.38 per hour. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 11:53 p.m.

City Clerk Herrin will follow up Monday with pre-employment requirements and start date.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 4-0.** The Special meeting was adjourned at 12:36 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 23rd day of April 2016.

END OF April 23, 2016 SPECIAL MEETING.

BEGINNING OF April 27, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Wednesday, April 27, 2016, at La Cygne City Hall. Council Members present were: Gerald Williams; Danny Curtis; and Esther Shields. Absent: Jake Fleming and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin, and Police Chief Tate West.

Mayor Robert Sullivan called the special meeting to order at 5:00 p.m.

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The Purpose of the Special Meeting was called for:

❖ **Personnel**

Executive Session:

✓ *Motion to Go Into Executive Session for Up To Thirty Minutes for Personnel*

Council Member Curtis moved to go into executive session for personnel for up to thirty minutes. Motion seconded by Council Member Williams, voted on, passed 3-0. Time: 5:02 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin and Police Chief West.

Open Session Resumed at 5:31 p.m.

Withdraw Offer of Deputy City Clerk Position to Teresa Brockett

✓ *Motion to Withdraw Offer of Deputy City Clerk Position to Teresa Brockett*

Council Member Williams moved to withdraw offer of employment to Teresa Brockett as doesn't meet stated qualifications. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 5:32 p.m.

Offer Josh Ravnika Position of Deputy City Clerk at \$15.38 Per Hour

✓ *Motion to Offer Josh Ravnika Position of Deputy City Clerk at \$15.38 Per Hour*

Council Member Curtis moved to offer Josh Ravnika the position of Deputy City Clerk at \$15.38 per hour. Motion seconded by Council Member Williams, voted on, passed 3-0. Time: 5:33 p.m.

Directed City Clerk Herrin to contact Josh Ravnika.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 3-0.** The Special meeting was adjourned at 5:34 p.m.

I, _____
(Devona Herrin)

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 27th day of April 2016.

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END OF April 27, 2016 SPECIAL MEETING.

BEGINNING OF May 04, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, May 04, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; Jerome Mitzner; Esther Shields; and Gerald Williams. Absent: J. K. Fleming.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Public Works Assistant Superintendent Jerome Moore; City Fire Chief Dan Nasalroad; Police Chief Tate West; Robert Spencer; Chris Jones; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. Council Member Shields lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Community Prayer Breakfast, Thursday, May 5th at 7 a.m.
- ✓ City Wide Garage Sale, Saturday, May 7th
- ✓ City Wide Clean Up, May 14th, with items to the curb prior to 7:00 a.m.

ANNUAL ORGANIZATION:

Mayor Robert Sullivan presented a recommended list of annual appointments. The list of annual appointments included:

City Clerk – Devona Herrin;	City Treasurer – Regina M Reynolds;
Chief of Police – Tate A. West;	City Attorney – John Sutherland;
Fire Chief – Dan Nasalroad;	Municipal Judge – Claude Warren;
Codes Officer/Zoning Compliance – Tate West;	Public Health Officer – Tate West;
Council Representative to Park Board – Danny Curtis	

✓ *Motion to Accept Annual City Officer Appointments*

Council Member Williams moved to accept the annual appointments of City Officers as presented. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 7:06 p.m.

Official City Newspaper – *Linn County News*

✓ *Motion to Designate Official City Newspaper*

Council Member Shields moved to designate the *Linn County News* as the official city newspaper. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 7:07 p.m.

Planning Commission (3 year terms) – Expiring: Dr. Jeff Fulk, Steve Hisel, and Rick Waddell

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Mayor Sullivan noted he had not spoken with any of the current members as of meeting time. Tabled until the next meeting.

Standing Committee Appointments:

Water & Gas	J. K. Fleming	Gerald Williams
Street	J. K. Fleming	Jerome Mitzner
Sewer	J. K. Fleming	Jerome Mitzner
Park	J. K. Fleming	Danny Curtis
Cemetery	Danny Curtis	Esther Shields
Public Safety	Jerome Mitzner	Gerald Williams
Community Building	Esther Shields	Danny Curtis
Employee Relations/Training	Gerald Williams	Esther Shields

✓ *Motion to Accept Standing Council Committee Appointments*

Council Member Mitzner moved to accept the Standing Council Committee Appointments as presented. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:08 p.m.

Resolution #387 – Waiver from Certain Accounting Procedures

✓ *Motion to Approve Resolution No. 387*

Council Member Williams moved to approve Resolution No. 387. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:10 p.m.

Resolution #388 – Authority to Pay Payroll and Certain Bills Early

✓ *Motion to Approve Resolution No. 388*

Council Member Williams moved to approve Resolution No. 388. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 7:11 p.m.

Elect Council President

Council Member Mitzner nominated Gerald Williams. There were no other nominations.

✓ *Motion to Nominate Council Member Williams as Council President*

Council Member Mitzner moved to nominate Council Member Williams as Council President. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:11 p.m.

ANNUAL ORGANIZATION:

City Officers: With renewal of appointments each officer will sign an updated Oath of Office for their file.

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CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

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

Amended Minutes of April 18, 2016 Special City Council Meeting;
Minutes of April 20, 2016 City Council Meeting;
Minutes of April 23, 2016 Special City Council Meeting;
Minutes of April 27, 2016 Special City Council Meeting;
Check Register: April 21 – May 04, 2016.

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

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Contractor has now ordered the pipe with a noted delivery date of May 27th. With the pipe delivered on schedule the start date for Phase I will be May 31st. The first monthly status report meeting will be Tuesday, June 2nd.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. None.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Ten Citations
2. Continuing with Codes Enforcement
3. 95 Dogs have been tagged for the year. Reminder the dog tags expired April 30th and will begin sending out notices soon
4. Two Vin inspections
5. Planning and Zoning will hold a public hearing on updating Zoning Maps at the June meeting
6. Collected about 30 lbs of drugs at the Take Back Drugs program last Saturday.

Bullet Proof Vest Policy SOP 16b

Police Chief West reported he was applying for a Bullet Proof Vest Grant to help finance the purchase of new vests for all of the current officers. Part of the grant requires the city have a Bullet Proof Vest Policy in place and attached to the application. To meet this requirement and provide city law enforcement officers with guidelines for the proper use and care of body armor a Policy SOP 16b is

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being presented to the city council for approval. This is a sub part to the Police Department Policy SOP 16 (SOP = Standard Operating Procedure).

Noted the equipment stays with the department with a five year life expectancy and as of now the department can apply for the grant every five years.

✓ *Motion to Approve Bullet Proof Vest Policy SOP 16b*

Council Member Williams moved to approve Bullet Proof Vest Policy SOP 16b as presented. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:19 p.m.

Bullet Proof Vest Grant

Police Chief West reported the Bullet Proof Vest Grant he was applying for required the city to purchase only a type of vest that was approved by the grant program. These are more expensive than the basic vests, but also provide much better protection to the officer. The department has to purchase the vests and then submit the bill for approval and then be reimbursed for half of the cost. Concurred the police department does have budget funds available. Applying and receiving the grant will help with the costs and budget.

✓ *Motion to Approve Five Bullet Proof Vests for a Total Cost of \$2,494.05*

Council Member Mitzner moved to authorize spending \$2,494.05 for the purchase of five bullet proof vests. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:24 p.m.

Status of Part Time Officer Kurtis West

Mayor Sullivan inquired as to when Part Time Officer Kurtis West would be working on his own. Police Chief West reported he would be with another officer for one more weekend then would start on the schedule on his own.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Sewer Line Repairs – Ready to get the sewer cleaning scheduled using the County Infrastructure's funds of \$29,684.00 that has been set aside for this project. Will identify the 'hot spots' and continue until the amount of funds available has been exhausted.
2. Cemetery Road Repairs – Have the \$25,000 from the County Infrastructure funds so will begin looking into locating a contractor to mill the crumbling paved road in the cemetery and take it back to gravel. If can get with the contractor currently working in the park while they are here will move forward.
3. Patch for Pothole Repair – A load of patch costs \$1,400 for a load. Since the water project has been delayed and the holes in the road are getting worse with the rains would like to order the usual load for the season and begin patching some of the pot holes. It is a large dump truck load and should last all season.

✓ *Motion to Approve a Load of Road Patch for \$1,400.00*

Council Member Mitzner moved to approve to purchase a load of road patch for a cost of \$1,400.00. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:30 p.m.

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FIRE CHIEF – DAN NASALROAD

1. Jake Fleming and Dan attended the 128th Firefighters' Convention. Thirty-three departments were represented. Felt they learned a lot.

CITY CLERK – DEVONA HERRIN

1. PVHS LD Work Study Program – This program is giving students the opportunity to see firsthand what is expected in the community based vocational training. They are asking if the city would have the ability to provide work for 2 hours a day during next year's school term. Discussed. Determined there is not enough filing and basic office work to keep them busy without disrupting the everyday computer work. Will decline for this next school term.

COUNCIL COMMITTEE REPORTS:

STREET

502 Lincoln, Culvert Replacement – Inquired about status of request for culvert replacement. Public Works noted they are working on it.

PARK

Lights for Basketball Area in North Park – Public Works did some inquiring and located lights to meet the needs for the area for \$183.00. They have been ordered and Gary Spears has reported he will install them as soon as they arrive.

South Park Report – A lot of activity is taking place. Paving parking areas; replacing fence around ball field; and working on how to repair the pool pump to get it operating to be able to open the pool on schedule.

CITY HALL

Generator – Noted it is all set and waiting to get with KCP&L to connect the electrical and fire it up to test.

COMMUNITY BUILDING

Two New Gas Cook Stoves – Council Member Curtis noted the stoves are now connected to natural gas and usable. Thanked Public Works Bobby Spencer for doing the gas installation.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Resignation of Dan Nasalroad – Mayor Sullivan read the resignation letter from Dan Nasalroad as he felt the committee was no longer pro-active.

Enbridge Grants Update – Police Chief West reported the 2015 Grant money had been received this week; and, an application had been submitted for a 2016 grant.

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SWANFEST COMMITTEE

Mayor Sullivan asked for volunteers. Discussed getting with the Chamber as they were still part of the planning for this year.

UNFINISHED BUSINESS:

NEW POLICE TRUCK EQUIPMENT INSTALLATION

Police Chief West reported he had still not heard from Comenco for a price on installing the equipment in the new police truck when it arrives. Discussed contacting K-Kom on Monday. An estimated delivery date for the truck is still unknown.

NEW BUSINESS:

WATER PLANT EQUIPMENT MAINTENANCE AGREEMENT WITH HACH

Public Works Johnson noted this is an annual agreement and meet's the KDHE requirements for maintaining the equipment in the water plant. HACH checks the equipment quarterly and recalibrates as needed to meet the state standards. Another piece of equipment was added during the year that caused an increase in the total annual price of \$6,983.00.

✓ *Motion to Approve Annual Maintenance Agreement with HACH for Water Plant Equipment*

Council Member Williams moved to approve the Annual Maintenance Agreement with HACH for the water plant equipment for a cost of \$6,983.00. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 7:47 p.m.

ORDINANCE NO. 1442, RESCINDING CODE 2-301 IN CHAPTER II, ANIMALS AND FOWL, ARTICLE 3, PIT BULL TERRIERS AND SIMILAR BREEDS

City Council approved to have ordinance drawn up at the last meeting.

✓ *Motion to Approve Ordinance No. 1442, Rescinding Code 2-301*

Council Member Williams moved to approve Ordinance No. 1442, rescinding code 2-301 pertaining to specific breeds of dogs. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 7:49 p.m.

KANSAS ONE-CALL SYSTEM, INC. VOTING PROXY

The city is a member of the Kansas One-Call System and this is the annual voting proxy for the board members.

✓ *Motion to Approve Yes for All Nominees for Kansas One-Call Voting Proxy*

Council Member Mitzner moved to approve yes for all for all nominees for the annual Kansas One-Call Voting Proxy. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:53 p.m.

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USDA RURAL DEVELOPMENT WORKSHOP, MAY 11TH, FORT SCOTT

Discussed if anyone was available to attend. No action.

LKM, EMERGENCY PLANNING COURSE, MAY 13TH, FRONTENAC

Discussed if anyone was available to attend. No action.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Mitzner moved to go into executive session for personnel for up to twenty-five minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:58 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Public Works Superintendent Johnson; Police Chief West; and City Clerk Herrin.

Open Session Resumed at 8:34 p.m.

OTHER BUSINESS:

LKM, EMERGENCY PLANNING COURSE, MAY 13TH, FRONTENAC

Police Chief West reported he would be available to attend the Emergency Planning Course on May 13th in Frontenac.

✓ *Motion To Approve Police Chief West to Attend the LKM, Emergency Management Course*

Council Member Mitzner moved to approve Police Chief West to attend the LKM, Emergency Management Planning Course on May 13th with costs. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:38 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] March 31, 2016 Park Board Meeting Minutes

b] April 28, 2016 Park Board Meeting Minutes

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.** The Regular meeting was adjourned at 8:39 p.m.

I, _____
(Devona Herrin)

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 May 2016.

2016 LA CYGNE CITY MINUTES

END OF May 4, 2016 MEETING.

BEGINNING OF May 18, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, May 18, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Police Chief Tate West; Brian Kingsley with BG Consultants, Inc.; Marvin Clements; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. Council Member Curtis lead the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ City Wide Clean Up took place last Saturday
- ✓ Thank You Card from the Schlegel family to the Chief of Police and the city
- ✓ Thank You Card from Devona for her personal loss
- ✓ Remind all that PVHS Graduation is this next Sunday, wish them all the best

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

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

Minutes of May 4, 2016 City Council Meeting;
April 2016 Treasurer's Report;
April 2016 Budget Report;
Check Register: May 5 – 18 2016.

Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:05 p.m.

DISCUSSION FROM THE FLOOR:

MARVIN CLEMENTS REPORT ON THAYER PARK ON BEHALF OF THE CHAMBER OF COMMERCE

Marvin Clements reported the targeted construction is going great, just slow. The pergola is almost done. There has been a memorial donation and the item is being chosen by the family to be added to the area. And, there are plans for another Christmas tree this year.

MARVIN CLEMENTS REPORT ON SWANFEST ON BEHALF OF THE CHAMBER OF COMMERCE

Marvin Clements reported the Chamber was having difficulty finding someone who was available to be in charge of the Swanfest. He had travel plans that would be taking him out of town for most of June and September. However, he agreed to work with Dr. Jaccard to move forward with the Swanfest plans for this year. Now they are finding many of last years' key people are not available this year. Asked the City Council to try to help find some key people for this year or may just not have it this

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year. He has Facebook going on in an attempt to reach people. If anyone is willing please contact Marvin or Dr. Jaccard.

MARVIN CLEMENTS REGARDING A CITY SIGN REPLACED AT MARKET AND RAILROAD CORNER

Marvin Clements asked the city to put a sign back on the Railroad Right-of-way corner of Market Street that had blew over earlier in the year. Would like for the city to commit to replacing it at an estimated cost of less than \$200.00. Was also told from the railroad that if it is not a problem they probably would not bother if it was just put up without their consent. The city would have to realize that if it did become an issue for the railroad they would just remove it. The sign was a nice introduction into the center of town and would like see it rebuilt.

Also looking at another sign east of town where an entity has offered to donate \$5,000 towards the sign if they can put their advertising on the sign.

Asked for some comments from the city council in a couple of weeks.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Brian Kingsley, BG Consultants, provided a review of the Phase I and Phase II water projects, including an update on CDBG requirement changes and USDA wanting to know what the city plans to do with any excess grant funds since the city received favorable bids. Brian presented a handout providing the estimated budget with the bids received stressing the actual numbers will change depending on the number of change orders that will occur as the project moves forward and problems are determined when the digging begins. Noted he would recommend the city request to move the USDA grant dollars left over in Phase I over to Phase II as the city has already taken on the debt for these matching funds. He also presented the findings at the water treatment plant for repairs that were over the original PER presented and how this will be presented to USDA for approval. USDA is requesting this information by the end of this week. Brian will work with the city to get this letter ready by Friday.

✓ *Motion to Approve Estimated Project Summary as Presented; Return to CDBG; and, Roll USDA Funds into Phase II*

Council Member Mitzner moved to approve the estimated summary as presented and return the summary to CDBG/USDA and roll excess USDA funds from Phase I into Phase II.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:17 p.m.

Brian Kingsley provided the process for the monthly pay requests and will have the over and under runs reports with each pay request. Other routine changes will be reported at a different time.

Brian Kingsley also asked the city council to consider having the public works superintendent, or someone in the city, authorized to approve any unknown water line changes that would be of some size; and/or any water line breaks the contractor can quickly repair and be charged back to the city project. This would keep the project moving and the contractor cannot stop each time and be effective. If the first bills from the contractor seem out of line the city could then reconsider other options.

2. Two Properties North of City Limits just East of the North Water Tower – PWS Jim Johnson asked the city council to review these two properties as far as continuing to provide water service to them. The north water tower is being drained for preparations of the water project beginning in that area. When the tower is drained these two properties do not have water

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pressure to get water to the property. These two properties are in the Rural Water District area. Unknown why they were not changed over to the rural water when the rural water district laid line in that area as it runs right beside the water line that was laid by someone to provide these two locations city water many years ago.

Discussed options. The city does not guarantee service, per codes. The city attorney sent a letter to the rural water district, however, he did not get any response back. Noted the properties need water for sanitary issues; however, the current line running from the city will not provide the KDHE required 20 lbs. of pressure. If the rural water district will not work with the property owners for an easy hook up what can the city afford to do. Cost to run a line that will meet guidelines for two locations is cost prohibitive, especially since there is already a rural water district line right there that does meet the requirements. The cost to the city to pay the rural water district fees would total \$10,000.00. The city does have the option to notify the owners the city is going to discontinue in the area that is part of the rural water district.

✓ *Motion to Contact Two Property Owners the City is Unable to Continue to Furnish Water to Area*

Council Member Shields moved to contact the property owners that the city cannot furnish water to them to satisfy the state requirement. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:46 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Brian Kingsley, BG Consultants, provided a review of the Sidewalk Project. The bridge has been ordered and is 12-14 weeks out. With this time delay the project will not begin until around the first of August. There will be some submittals between now and then and you will see some activity in preparation.

CDBG NEW FUNDING CATEGORY 'SPECIAL ACTIVITY'

Brian Kingsley, BG Consultants, provided an update on the recent notice of CDBG having a new funding category. The CDBG application would have to be due by late October. If the city wants to use this to extend the sidewalk improvements further through the city, BG Consultants would revise the current proposal to cover an area and pass it on to SEKRPC to submit for no cost. If you want to look at different improvements there are a lot of requirements for small projects. Looks like this might be an every year option from CDBG in the future.

Discussed also looking for sidewalk for kids to stay on when going and coming from the school. Brian also noted that KDOT has a program for Safe Routes to School the city may want to look into. This looks at the arterial paths to school.

Council Member Curtis will get with Park Board Chairman Jodi Wade and then with Brian for Park Improvements for the grant option.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

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POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. 16 Citations
2. On-going codes enforcement listed
3. 105 Dogs tagged. About half still untagged. Need to make sure they are vaccinated and safe.
4. Bullet Proof Vest Price Adjustment – Had to get the sizing for the vests after the last city council meeting and then send off the purchase order by the 16th. When went back into the web site to order the vests found the previous price was a sale price that was no longer offered. It did not provide an expiration date to know there was a deadline for that price. The price now, after shipping, is \$2,786.01. The grant application is complete for ½ of the previously listed price so the city will be responsible for the difference. The current vests are outdated. Concurred a necessary expense for safety.

✓ *Motion to Approve Adjusted Bullet Proof Vest Purchase Cost of \$2,786.01*

Council Member Mitzner moved to allow the purchase of the bullet proof vests for the increased cost of \$2,786.01. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:00 p.m.

5. Reviewed Requirements for Work-site UTV and ATV Section 13-202 – Reviewed the age of a driver/operator of one of these units, how violations are handled depending on age of the operator, how many passengers are allowed depending on the unit, and city right of ways and reckless driving anywhere within the city.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Sewer Cleaning with the \$29,684 Infrastructure Funds – Have completed 2,734 feet of heavy cleaning (\$2.75 per foot) and 6,394 feet of light cleaning (\$1.45 per foot). Have found different items within the pipes. Will have another week or so before the funds will be exhausted. There is also a large rock in a deep manhole ReediRooter will help remove.
2. Cemetery Roads Infrastructure with \$25,000 in Funds – Have contacted Kellogg Construction and received a price of \$9,900 to mill the black top, level it out, and place 3 inches of AB3 rock with pavement setter. Will also spray an area 9 feet wide on the gravel roads and place 3 inch depth of AB3 rock until the money is exhausted. Will try to have complete by Memorial Day with weather permitting.
3. Blade for Tractor to Grade Cemetery Roads in the Future – Requested to get a quote for a blade for the tractor and bring back to the council if they were interested. Council Member Shields made a motion to just purchase a blade for the tractor. Council discussed and Jim will bring back prices before making any purchase.
4. Three Properties Effected by sewer cleaning - All are vent related problems.
5. CONDITION OF LINCOLN AVE. BETWEEN BROADWAY AND 2ND STREET – Asked the city council to consider closing this road, for now, due to poor condition. Noted the road is only 8-9 feet wide. The base has given out and is a hazard to drive on. Spoke with McRae's and Burke's and they are ok with shutting it down while it is unsafe. The base was not built up when it was created. There is a process to close a city road. Just barricade for now with lights for after dark.
6. Trash Pick Up After Clean Up Weekend – Three homes claimed their items had not been picked up; N 3rd Street, 710 Vine, and 108 Swan where there is a mess. Would like to just use the 1 Ton city truck and own trailer and haul the items to Prescott. Council concurred.

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7. KRWA 'Math Refresher Course for Water & Wastewater Operators' June 9, in Lawrence – Requested Jerome Moore and Bobby Spencer attend the training session for Jerome's continuing credit hours and to help prepare Bobby to take the sewer operator exam.

✓ *Motion for J. Moore and R. Spencer to Attend KRWA Training in Lawrence on June 9th*

Council Member Mitzner moved for Jerome Moore and Bobby Spencer to attend the KRWA 'Math Refresher Course for Water & Wastewater Operators' in Lawrence on June 9th with per diem. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:22 p.m.

FIRE CHIEF – DAN NASALROAD

1. None

CITY CLERK – DEVONA HERRIN

1. Josh Ravnikar to Attend Budget Meeting in Iola, May 23rd - Requested permission for J. Ravnikar to attend the state budget meeting in Iola with D. Herrin next Monday, May 23rd.

✓ *Motion for J. Ravnikar to Attend State Budget Meeting in Iola on Monday, May 23rd*

Council Member Mitzner moved for Josh Ravnikar to attend the State Budget meeting in Iola next Monday, May 23rd. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:24 p.m.

COUNCIL COMMITTEE REPORTS:

PARK

Lights for Basketball Area in North Park – Two of the four lights ordered have been received. Attempting to determine what happened to the other two lights as electrician was going to install three new ones at the time of installation. Should be done soon.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Police Chief West reported he had attended the LKM Emergency Management training last week. Encouraged each city council member to make sure they had completed their NIMS training and the NIMS card in case there is an emergency. It will take having the card to get into the area.

SWANFEST COMMITTEE

Discussed earlier.

UNFINISHED BUSINESS:

EXPIRING THREE YEAR PLANNING COMMISSION TERMS (DR. JEFF FULK, STEVE HISEL, AND RICK WADDELL)

Mayor Sullivan noted he had not had an opportunity to speak with Steve and Rick prior to the meeting. He did recommend the re-appointment of Dr. Jeff Fulk.

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✓ *Motion to Approve Dr. Jeff Fulk to a Three Year Term on the Planning Commission*

Council Member Mitzner moved to approve the appointment of Dr. Jeff Fulk to a three year term on the Planning Commission. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:28 p.m.

NEW POLICE TRUCK EQUIPMENT INSTALLATION

Police Chief West referred to the bids in the agenda from 911 Custom for \$1,650.00 and Commenco for \$1,864.00 along with the previous bid from an individual for \$1,500.00. Police Chief West recommended if they did not want to stay with the local individual and wanted a commercial entity to do the work he would recommend Commenco even though they were higher as they have set up the city's police department repeater system to go with the vehicle and the best reports for this type of installation was provided for this business.

✓ *Motion to Approve Commenco to Install the Equipment in Police Truck for Cost of \$1,864.00.*

Council Member Mitzner moved to use Commenco to install the equipment in the new police truck for a cost of \$1,864.00. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:31 p.m.

NEW BUSINESS:

LKM, 'SPRING CAAK MEETING', FOR CITY ATTORNEYS, JUNE 10TH IN OLATHE

✓ *Motion to Approve City Attorney Sutherland to Attend the Annual Spring CAAK Meeting in Olathe.*

Council Member Mitzner moved to approve City Attorney Sutherland to attend the LKM, Annual Spring CAAK Meeting in Olathe on June 10th. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:32 p.m.

\$50.00 DRAWING FOR 'GAS LEAK PUBLIC INFORMATION SURVEY'

City Clerk Herrin reported the response this year was not as good as it had been in previous years. Only five surveys had been returned to city hall. Mayor Sullivan drew a card from the folder. Mitch and Julie Clark were the winners.

SUMMER FOOD PROGRAM FOR CHILDREN

City Clerk Herrin reported the city had just received a letter from the Library asking the city if they had anyone available for some volunteer time to help during the summer with their Summer Food Program for Children. And, at the same time the LKM had also sent out letters to cities regarding Child Nutrition in Your Community. They are two separate projects. The city council discussed the projects. The library is separate from the LKM project which appears to be a year round project. Council Member Shields will contact the library while others were not available due to work restraints. No further action.

APPOINTMENT OF DEPUTY CITY CLERK

City Clerk Herrin reported the city council had hired Josh Ravnikaar to be the Deputy City Clerk. Now as a formality, since he was not here at the first of May appointment meeting, the mayor and city council would need to formally appoint him as the Deputy City Clerk for the city records.

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Mayor Sullivan recommended the appointment of Josh Ravnikar as Deputy City Clerk.

✓ *Motion to Approve Josh Ravnikar as Deputy City Clerk*

Council Member Williams moved to appoint Josh Ravnikar as the Deputy City Clerk. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:41 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for trade secrets for up to fifteen minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:42 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Fire Chief Dan Nasalroad.

Open Session Resumed at 8:57 p.m.

OTHER BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Noted next meeting is June 1st. Council Member Mitzner will not be present for the next three regular meeting dates.

✓ *Motion to Approve Workshop for Updating City Codes June 1st at 6 p.m.*

Council Member Fleming moved to hold a Workshop at 6:00 p.m. on June 1st for ongoing review of city codes. Motion seconded by Council Member Williams, voted on, passed 5-0.
Time: 9:03 p.m.

Public Works Mowing Railroad Property Around Old Sign Area – Public Works Superintendent Johnson reported they had not been mowing the railroad property as there had been comments from the railroad to leave the area alone. Wanted to clarify if the city council wanted it mowed. No comment.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] International Conference of Police Chaplains Certificate for Dr. Fulk
- b] Kansas Housing 'National Housing Trust Fund – Public Input Process'
- c] Certificate to Tate West 'Series 2016: Emergency Planning'
- d] Thank you card to Police Chief West and the City

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 5-0.** The Regular meeting was adjourned at 9:04 p.m.

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I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 18th day of May 2016.

END OF May 18, 2016 MEETING.

BEGINNING OF June 01, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 01, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Esther Shields; and Gerald Williams. Absent: Jerome Mitzner

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; City Fire Chief Dan Nasalroad; Police Chief Tate West; Brian Kingsley with BG Consultants, Inc; Brandy Dunn; Bob Durbin; Jack Howell; J. R. May; Debra May; Melody Troth; Caitliln Burton; Terry Weitman; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:03 p.m. by leading the pledge of allegiance.

MAYOR'S COMMENTS:

- ✓ Watched the PVHS girls softball Buffalos compete at state in Emporia and very proud of our local team

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

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

Minutes of May 18, 2016 City Council Meeting;

Check Register: May 19 – June 1, 2016.

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

DISCUSSION FROM THE FLOOR:

MARVIN CLEMENTS REPORT ON SWANFEST ON BEHALF OF THE CHAMBER OF COMMERCE

Not present. Discussed he hadn't had anyone interested to help with the Swanfest this year.

MARVIN CLEMENTS REGARDING A CITY SIGN REPLACED AT MARKET AND RAILROAD CORNER

Not present.

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DEBBIE MAY REGARDING WATER SERVICE TO PROPERTIES NORTH OF CITY LIMITS AND EAST OF NORTH WATER TOWER

Debbie May asked if the city had made a decision as to what they were doing about providing water to the two customers the city had sent a letter to informing them service would be discontinued by the city. Ms. May reported she had contacted the rural water district she is in and was told by Mike Ernst he could not handle her request to change as there are rules and requirements. Also per Mike Ernst the city was to go to a rural water meeting three months ago, then 2 months ago, and then a month ago and never showed up; and, they meet the second Tuesday of each month with the next meeting being June 14th. What are the city's plans? Ms. May would like a seamless transition; and is the city paying for the rural water meters? She is not renting the property out without water with pressure for safe water. She reported per Mike Ernst it would take about two hours to switch over and hook up but they could do nothing until the city talks to them; and, feels it should be an exchange for the property owners. Where does the city stand on that?

City Attorney responded he could represent the city at the next rural water district meeting with the council. He also noted it was the rural water unit that was the cost. We'll talk to them and then the city council can decide. Council Member Curtis reported he could attend.

Concurred the city will set up to meet with the rural water district at their June 14th meeting and then the city council would next meet on June 15th. Ms. May noted she would be at both meetings for the findings.

BOB DURBIN REGARDING THE CLOSURE OF LINCOLN STREET WEST OF BROADWAY

Bob Durbin asked why the one section of Lincoln Street was closed and the newspaper had reported all the neighbors were contacted when he wasn't.

PWS Johnson reported he had thought he had contacted all affected and was in the process of getting a cost to mill the road and take it back to gravel because the condition of the road right now will cause a vehicle to bottom out and then have the vehicle owner upset.

Discussed:

1. The condition of the road in front of some property owners being as bad as the stretch that was closed off.
2. Road was closed for safety purposes.
3. None of the property owners want it closed permanently.
4. Will hopefully have a cost to mill the area and put back to gravel at the next meeting.
5. Need to build a base as when road was built the base was not properly built.
6. One property owner opposed to just a gravel road.
7. Putting notification signs in advance of closed area will be ordered.
8. Due to the narrowness of the street, look into a one way street in the future.
9. Will have some prices by the next city council meeting.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Brian Kingsley, BG Consultants, reported the letter had been sent to USDA and now the USDA representatives would like to set up a meeting on June 14th with the city to go over the requested additional improvements as part of the project. As previously discussed the original PER did note some water plant problems, but not all of them; and, another water tower was

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also listed in the PER. The recommendation is for a meeting to be held in the city where they can review the water treatment plant and the water tower to be replaced. If not, the meeting will be in Topeka at the USDA office there. The additional updates are after a more in-depth review of the water treatment plant. Also the south tower has already exceeded its life expectancy. The old water tower is not on the historic register. Will get the requested meeting scheduled. Also noted the contractor will be starting Phase I in a couple of days. There has been some discussion to remove the seeding from Phase I as Phase 2 could be going back over these areas.

2. Pay Request for Phase I, Stored Materials, \$234,617.82

This is documented and agreed to pay for the stored materials for both Phase I and Phase 2 now and the contractor will leave them in storage until used. The inspector has reviewed the materials.

✓ *Motion to Approve Pay Request for Phase I, Stored Materials, \$234,617.82*

Council Member Williams moved to approve the pay request for Phase I for stored materials for \$234,617.82. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:33 p.m.

3. Pay Request for Phase II, Stored Materials, \$723,495.73

✓ *Motion to Approve Pay Request for Phase II, Stored Materials, \$723,495.73*

Council Member Williams moved to approve the pay request for Phase II for stored materials for \$723,495.73. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:34 p.m.

4. Request for Drawdown of CDBG Funds, Request No. 2, \$149,963 – This releases funds from CDBG to pay a portion of the Phase I stored materials costs and administrative expenses.

✓ *Motion to Approve Request for Drawdown of CDBG Funds, Request No. 2, \$149,963*

Council Member Williams moved to approve the request for payment of CDBG Funds, Request No. 2, for \$149,963. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:35 p.m.

5. SEKRPC Invoice for \$6,250.00 – This pays a percentage of the administrative fees already agreed to.

✓ *Motion to Approve Pay SEKRPC Invoice for \$6,250.00*

Council Member Williams moved to approve the SEKRPC pay request for \$6,250.00. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:36 p.m.

Brian Kingsley noted these payments are all part of the already approved budget amounts in accordance to contract. Anything different would require a change order to be approved by the city council. These requests are acknowledging this part has been completed and the contractors requests are reviewed by the inspector, USDA, and CDBG (when applicable) prior to payment being requested.

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CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Brian Kingsley, BG Consultants, reported the project should be complete around mid-October for the area between 6th Street east to Family Café. There were other areas of sidewalk identified in the project west of 6th Street if there were any funds left. There is around \$43,000 remaining and this can be used to extend the improvement further with a change order since the amount does not exceed \$50,000. Will not be replacing any new sidewalks. Looking to the city for direction on options. Every block is an estimate of around \$30,000. Council concurred to do as much sidewalk as there were funds for.

CDBG NEW FUNDING CATEGORY 'SPECIAL ACTIVITY'

Brian Kingsley, BG Consultants, reported he had attended the recent CDBG Workshop. He presented the city council with the handout that was used at the workshop to explain what the new CDBG funding category 'Special Activity' would provide funds for. Any applications for this grant would have to be prepared and submitted by November 1st. A city can have three active CDBG grants open at one time so the city could apply for this grant if interested. This grant would qualify for up to \$400,000 with a minimum match of 25%. Generally it is found if a 30% or better match is used it adds more weight to the applicant receiving the grant. The city already has a PER on the city's sidewalk if interested in going on further west towards 1st Street. This would be done with no additional engineering costs to prepare for the application.

Discussed if the city is interested in applying for this grant Mr. Kingsley would like to take the project to CDBG and see if it met the intent of the grant application. Council Member Curtis asked about a different type of funding for other projects. Noted there are three different CDBG grants each year to cover different projects. Noted the city would need to know what they wanted to do by early July if they wanted to work towards a Community Facility or Special Activity grant.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Four Citations
2. Still several dog tags outstanding.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Emergency Cemetery Tree Removal – One of the trees in the cemetery was in a dangerous condition and had to be removed quickly as fell over one of the cemetery roads. There are three more trees that need attention eventually.
2. Infrastructure Sewer Project – Have finished cleaning the sewer lines as have cleaned 16,507 feet and spent the infrastructure amount of \$29,684 by a total amount of \$29,683.75. ReddiRooter also removed the large rock in the manhole after checking for a safe air quality in the manhole. Very good to work with and would like to send a thank you to the company for their efforts.
3. Blade for Tractor to Grade Cemetery Roads in the Future – Presented a bid of \$379.99 for a 7 foot blade to attach to the tractor. Will get the blade ordered.

2016 LA CYGNE CITY MINUTES

4. Summer Help – Thanked the council for the two summer workers hired. They started today and completed their list today doing a neat job and being polite to work with. Looking forward to working with them this summer.
5. Infrastructure Cemetery Street Project – Kellough Construction will mill the road for \$9,900 and then lay three inches of rock. After that they will work on the gravel roads adding three inches of rock until the \$25,000 is exhausted.
6. Apologized for missing the person on the end of Lincoln Street.

FIRE CHIEF – DAN NASALROAD

1. Working with engineering for a design and hope to have a presentation at the next meeting.

CITY CLERK – DEVONA HERRIN

1. Trash Pick Up Day of the Week will be changing in July as the trash company is rearranging it's daily pickups. Will have more info later, but will be moving to Wednesday in July.
2. The 2015 EMC Dividend was \$5,039.02.
3. The KCP&L Franchise Renewal is pending. Part of the franchise renewal is placing a public notice in the paper. To meet the deadline requirements this notice will be in the paper soon and then the ordinance will be given to the council to review prior to approval.

COUNCIL COMMITTEE REPORTS:

PARK

Lights for Basketball Area in North Park – City Clerk Herrin reported on why two of the four lights ordered have not been received. PWS Johnson reported they would like to put up the two lights received and the one that was working back up and see how these lights work out. Gary Spears has agreed to put them up as he had time around his full time work schedule and right now is one of their busy times. Concurred to have him install when he could.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None.

SWANFEST COMMITTEE

Council Member Shields noted Marvin Clements did not get any interest from anyone to help with Swanfest this year.

UNFINISHED BUSINESS:

EXPIRING THREE YEAR PLANNING COMMISSION TERMS (STEVE HISEL, AND RICK WADDELL)

Mayor Sullivan recommended the re-appointment of Steve Hisel and Rick Waddell.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Steve Hisel & Rick Waddell to a Three Year Term on the Planning Commission*

Council Member Fleming moved to accept the appointments of Steve Hisel and Rick Waddell to a three year term on the Planning Commission. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 8:13 p.m.

ZONING APPEALS BOARD TERMS

City Clerk Herrin reported the Zoning Appeals Board had not met for a while and the terms for all of the members on the board had expired. In the past it has been five members from the Planning Commission Board that live within the city limits. Codes Officer West noted the Planning Commission Secretary is listed to be a member of the Zoning Appeals Board and that current individual is Mary Heide. Mayor Sullivan recommended the appointment of Keith Stoker, Ron Wier, Bob Burnett, Gerald Stanley, and Mary Heide. Adjusted term expirations to be determined by the board.

✓ *Motion to Approve Five Listed Individuals to the Zoning Appeals Board*

Council Member Fleming moved to accept the appointments of Keith Stoker, Ron Wier, Bob Burnett, Gerald Stanley, and Mary Heide to the Zoning Appeals Board. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:17 p.m.

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

✓ *Motion to Hold Workshop for Reviewing the Updates for City Codes.*

Council Member Curtis moved to hold a workshop for continuing to review the updates for City Codes on Wednesday, June 15th, at 6:00 p.m. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:18 p.m.

NEW BUSINESS:

RESIGNATION OF DEPUTY CITY CLERK JOSH RAVNIKAR

✓ *Motion to Accept Resignation of Deputy City Clerk Josh Ravnika.*

Council Member Shields moved to accept the resignation of Josh Ravnika. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:19 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal for up to twenty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:20 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): None.

Open Session Resumed at 8:40 p.m.

2016 LA CYGNE CITY MINUTES

OTHER BUSINESS:

Discussed reviewing all of the needs for the city and grading them for needs for any Community Facilities Grant.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] USPS Mayors Day Event

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.** The Regular meeting was adjourned at 8:41 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 1st day of June 2016.

END OF June 1, 2016 MEETING.

BEGINNING OF June 02, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Thursday, June 02, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Gerald Williams; Jerome Moore; Danny Curtis; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin, Public Works Superintendent Jim Johnson, City Police Chief Tate West; and Tony Furse.

Mayor Robert Sullivan called the special meeting to order at 4:33 p.m.

The Purpose of the Special Meeting was called for:

❖ **Lincoln Street Milling Bid from Killough Construction for \$880.00**

Public Works Superintendent Johnson presented a bid from Killough Construction, Inc. for a total of \$880.00 if they do the work while they are here tomorrow milling the road in the cemetery. The street milling is approximately 2" deep, 600' in length for an 11' wide road area. This is for milling only, and they will leave the milling to help build a base. The gravel and any future chip and seal would be separate purchases.

✓ *Motion to Contract with Killough Construction to Mill 600' of Lincoln Street for \$880.00*

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Council Member Mitzner moved to contract with Killough Construction for \$880.00 to mill 2" deep by 11' wide an area 600 foot long. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 4:38 p.m.

Discussed the road area addressed is crowned very badly. It was not previously packed correctly. The Street Committee will go out and review the road area and discuss any recommendations about going to a one way street in the future.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 5-0.** The Special meeting was adjourned at 4:40 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 2nd day of June 2016.

END OF June 2, 2016 SPECIAL MEETING.

BEGINNING OF June 15, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 15, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Esther Shields; and Gerald Williams. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; J. R. May; Debra May; Linda Meisel; Fred Meisel; Mike Mishler; Linda Mishler; Dale McIntosh; Mike VanVlack; Terry Weitman; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. by leading the pledge of allegiance.

MAYOR'S COMMENTS:

✓ None.

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CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of June 01, 2016 City Council Meeting;
Minutes of June 02, 2016 Special City Council Meeting;
Check Register: June 1 - 15, 2016.

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

DISCUSSION FROM THE FLOOR:

DEBRA MAY AND MIKE MISHLER WITH LINN COUNTY RURAL WATER #1 REGARDING WATER SERVICE TO PROPERTY NORTH OF CITY LIMITS AND EAST OF NORTH WATER TOWER

Debbie May reported they had met with RWD #1 last night and she would let Mike talk. Mike Mishler introduced himself as a member of the RWD #1 Board and passed out pages 13 and 14 of Kansas Statutes Pertaining to Public Water Supply covering emergency plans for the public water supply system. Mr. Mishler noted he felt the city should continue to be responsible for the resident outside the city limits as the city had continued to provide them water in the past.

Discussion continued:

1. Ms. May felt any previous unsafe problems with the water line to the property she just purchased should not be her problem but the city.
2. PWS Johnson noted the city goes off the Kansas Regulations. Since it is now known there is not adequate pressure at your property the city cannot continue without being in violation.
3. Mr. Mishler discussed safety standards and steps to take.
4. Ms. May requested safe water with adequate pressure at the city's expense.
5. City Attorney Sutherland noted an expert opinion had been obtained by the city and there isn't any duty to serve a non-residential not in the territory. The City ordinance also says the city does not have to serve. And, there is no agreement with anyone on the property. The city has tried to make the change over with everyone involved. It is not the rural water districts place to tell the city how to proceed. The city has options of doing nothing, everything, or a compromise with the rural water district.
6. Mayor Sullivan read the May 18, 2016 motion to discontinue service for the two customers outside the city limits due to the concerns. Motion passed unanimously.
7. Discussed financial concerns for all.
8. Discussed obligations. Ms. May asked why they didn't discontinue on previous property owners then.
9. Noted the line in question had been installed back in 1950 before any rural water district was in the area. Apparently when the rural water district took over the area the property owners at that time chose not to hook up to the rural water for whatever reason.
10. Ms. May and Mr. Mishler noted concerns as to how the process was handled. Felt it should have been handled differently.
11. Mayor inquired as to executive session time to discuss. City Attorney noted the topic does not meet executive session topics.
12. Noted the city had to purchase customers east of town when that area was annexed and the water rights were released to the city. Now the rural water district wants the city to buy units that already belong in the water district to allow the rural water district to serve those already in their district.
13. Muffled discussion about outlandish amount of money the water district's charge to purchase a unit of service versus the city charge; and, who should be responsible for what part.

Mayor Sullivan asked the individual group discussions to stop.

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City Attorney Sutherland asked Ms. May if they would consider an offer by the city to pay half of the benefit unit. The group discussed if this would include offering labor assistance on laying the line or the cost of the pipe. Mayor asked Ms. May for a yes or no on the offer. She asked for a letter in writing. City Attorney Sutherland noted the offer was on the table now. Ms. May reported she was not ready to decide. City Attorney Sutherland noted the offer was then back to zero and noted the offer is declined and no longer available.

Ms. May thanked the council for their time and left.

Resident Terry Weitman commented as a user he was uncomfortable with having to pay for other's utilities. A lot of city residents struggle to pay their own.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson - Reported the contractor had tied into the north tower and headed south. Then they went down to Grand and headed east to 4th Street. The fiber in the ground around 4th Street caused the hydrant to have to be moved slightly. The contractor will be trimming trees along the right of way not just taking a bush-hog and whacking at them. Did have the first water main break today, but has started well and going good.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. No Report.

CDBG NEW FUNDING CATEGORY 'SPECIAL ACTIVITY'

City Clerk Herrin presented the Annual Competitive Round Overview of the CDBG Programs from the Kansas Department of Commerce website. The 'Special Activity' funding is available in the future. It does require a minimum of 30% match. The only savings right now would be going with more sidewalk improvements as the engineering part is already done and there would not be a further charge for that. However, it would require the 30% match instead of last year's 10% match. Council concurred they were not in a position to move with the requirement of up to \$90,000 for a match on a project right now.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. One Citation
2. Two VIN inspections
3. One dog sent to animal rescue
4. Two yards mowed at the property owners' expense. Multiple letters are being sent for yard mowing.

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PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Infrastructure Cemetery Street Project – The project has been completed.
2. Lincoln Street west of Broadway – The milling has been completed and cleaned up. Is now ready to lay gravel. Have a quote from Wade Quarries on AB-3 rock for 600 feet by 9 feet at three inches deep to take about 84 tons at \$10.60 per ton for \$890.40. Then the city workers will try to roll it down with the equipment the city has available. Discussed the amount of rock is an estimate.

- ✓ *Motion to Approve Wade Quarries Quote for \$890.40 For Rock for Lincoln Road*
- ✓ *Amended Quote for Up To \$1,000 for Necessary Rock for Lincoln Road.*

Council Member Curtis moved to approve Wade Quarries quote for \$890.40 for rock for Lincoln Road. Motion seconded by Council Member Shields. Amended motion by Council Member Curtis to spend up to \$1,000 on necessary rock. Amended motion seconded by Shields, voted on, passed 4-0. Time: 7:48 p.m.

3. Blade for Tractor to Grade Cemetery Roads in the Future – Bought the previously agreed to blade and it would not fit the New Holland tractor the city owns. Was able to return the blade for full credit. Had to contact a New Holland dealer (Gravelly in Greely) and received a price of \$1,200 to purchase an eight foot offset blade that will fit the tractor.

- ✓ *Motion to Approve Price of \$1,200 for Blade to Fit New Holland Tractor.*

Council Member Curtis moved to approve the price of \$1,200 for the blade for the city tractor. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:50 p.m.

4. Lights for North Park – Reported the city now has four new lights for the north park. The efforts by an employee to get the two lost ones resulted in the city receiving two more. Gary Spears will install as soon as he has time.
5. KRWA Training, June 21 & 22, Iola, Ks, Jerome Moore – Requested approval for Jerome Moore to attend this training class as it will go towards renewal requirements for his license.

- ✓ *Motion to Approve J Moore Attending KRWA Training June 21 & 22 in Iola.*

Council Member Williams moved to approve Jerome Moore attending the KRWA training June 21 and 22 in Iola to renew his license. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:51 p.m.

6. Water Operators School & Examination, Lawrence, Aug 2-5, J. McCarty – Requested approval for Jerry McCarty to attend Water Operators School and take the examination in Lawrence from August 2 – 5, 2016. He will have been an employee long enough to qualify to take the exam.

- ✓ *Motion to Approve J McCarty Attending Kansas Water Operators School & Examination.*

Council Member Shields moved to approve Jerry McCarty attending the Kansas Water Operators School and examination in Lawrence, August 2nd through the 5th with per diem. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:53 p.m.

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7. Codes Mowing – While doing some codes mowing Jerry hit a tree limb that took out the windshield on the tractor. Making arrangements to replace the windshield.
8. Mosquito Spraying – Council Member Fleming asked about spraying for mosquitos at least at the park. Mayor Sullivan noted they were also bad on 1st Street.

FIRE CHIEF – DAN NASALROAD

None

CITY CLERK – DEVONA HERRIN

1. Trash Pick Up Day of the Week will be changing in July as the trash company is rearranging it's daily pickups. Will have more info prior to the next meeting in July and will be getting notices out to the residents that use the trash service through the city's billing system.
2. Five Year Goals for Each Department with 2017 Budget needs to be started to meet deadlines.

✓ *Motion to Have a Workshop for 2017 Budget Review Tuesday, June 28th at 6:00 p.m.*

Council Member Fleming moved to have a workshop to begin the 2017 Budget review on Tuesday, June 28th, at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:01 p.m.

3. The KCP&L Franchise Renewal is pending. Part of the franchise renewal process is placing a public notice in the paper. The notice will be in the paper soon and then the ordinance will be given to the council to review prior to approval.
4. Move Uniform Service for Public Works Employees – Reported on the service concerns of Aramark Services as discussed with Public Works Superintendent Johnson. Have been in contact with Cintas and UniFirst Uniforms and can have some savings by making a change in the uniform service provider. Concurred with public works the apparent best service with a price savings is UniFirst Uniforms. Unless the city council has some concerns, will transfer this service agreement to UniFirst Uniforms. Council concurred there were no problems if/when the city could hold the costs of service. City Clerk Herrin will make the change over.

COUNCIL COMMITTEE REPORTS:

PARK

Community Park – Council Member Curtis reported the Park Board is holding “2016 Blast in the Park” on July 1st from 5:00pm-9:00pm with a Picnic Supper, Whiffle Ball Tournament, Bingo, and Youth Triathlon. Invited everyone to come participate and see the improved Park Facilities.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None.

SWANFEST COMMITTEE

Mayor Sullivan reported he had spoken with Dr. Jacquard and they are looking to scale back the Swanfest this year. Will continue with the parade and some games for the kids and a couple of food vendors.

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Resident Linda Meisel inquired as to how many years the Chamber of Commerce was handling the event as thought it was to only be for two or three years and how long had it been. No one had the exact number available at meeting time.

Discussed how the previous expenses and revenue were handled through the city for Swanfest and how was it expected to be handled this year. The Mayor did not know at meeting time. Will look into when the Chamber is done or if they are just going to assume the responsibility and expense and revenue so it will no longer be through the city. And, Mayor will resolve the guidelines with the committee this year.

UNFINISHED BUSINESS:

WORKSHOP FOR ONGOING REVIEW OF DRAFT FOR UPDATING CITY CODES

Discussed delaying the continuance of the City Codes updates and have some more workshops for the 2017 Budget. Will go back to the City Codes Updates after completing the 2017 Budget process.

SECOND WORKSHOP FOR 2017 BUDGET PROCESS

Discussed when all of the city council would possibly be available to go over the 2017 Budget process.

✓ *Motion to Hold Workshop for 2017 Budget Process.*

Council Member Fleming moved to hold a workshop for the 2017 Budget process on Wednesday, July 6th at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:22 p.m.

NEW BUSINESS:

NONE

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty minutes. Motion seconded by Council Member Williams, voted on, passed 4-0.
Time: 8:23 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): None.

Open Session Resumed at 8:30 p.m.

OTHER BUSINESS:

CONSIDER JOSH RAVNIKAR TO HELP PART TIME WITH 2017 BUDGET AT \$15.38 PER HOUR

City Clerk Herrin inquired if Josh Ravnika could help part time in preparing the 2017 City Budget which would be after regular working hours and around his full time job. This would only be during the preparation of the budget and would end when the budget was complete. Discussed if this would help with overtime and acknowledged it would save the time that the clerk would be doing the necessary entry. Mr. Ravnika may not even be available any longer, will have to check if the council is ok.

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✓ *Motion to Approve Josh Ravnikar to Work Part Time at \$15.38 Per Hour for Budget Process.*

Council Member Fleming moved to approve Josh Ravnikar to work part time at \$15.38 per hour for the 2017 Budget process. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:45 p.m.

CONSIDER APPOINTING COMMITTEE TO NEGOTIATE WITH RESIDENT NORTH OF CITY LIMITS ON WATER ISSUES

City Attorney Sutherland inquired about the city appointing a committee of two council members to negotiate with the resident north of the city limits regarding the water issues. Explained trying to do this with the entire council just during the regular sessions doesn't work well. Council discussed and concurred.

✓ *Motion to Appoint Council Members Williams and Curtis as a Committee to Work on Water Issue with Resident North of City Limits (J.R. and Debra May)*

Council Member Fleming moved to appoint Council Members Williams and Curtis as a Committee to work with the May's on the water issue. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:46 p.m.

REPORT ON USDA MEETING OF JUNE 14TH

Mayor Sullivan reported the meeting was good; thought there was the possibility of getting more done. Then, discussion took place regarding the loss of grant dollars not being favorable for the city; that USDA only gave the city until next Friday, June 24th, to come up with a plan. USDA did not want to recognize the city water treatment plant as a future regional provider even though the water rights are in place and the cost of producing water is less than the wholesale water districts costs. Noted USDA used to let an entity continue to make improvements on a utility if the bids happened to come in under budget for a project as a way for an LMI (low-to-middle income) community to further improve the utility being addressed by loans and matching grant money. Now USDA will leave the city with the full debt and just take away grant funds lowering the percentage of matching funds for the city considerably. The city is still required to meet their requirements without them providing the funds they committed to just because the contractor provided a lower bid than ever presented to any other entity. Had the contractors all been higher, then the city would not have received more grant monies; the city would have just had to go borrow more. The city was of the original understanding any additional grant money left over would be available for the water utility to further update the entire system to help carry it through the committed debt period. Comment was made of typical bureaucracy at the small city's expense.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] May 12, 2016 La Cygne Planning Commission Minutes
- b] May 23, 2016 La Cygne Park Board Meeting Minutes
- c] Peoples Telecommunications, LLC Franchise Payment Notice
- d] Housing Trust Fund Public Hearing Reminder
- e] May 2016 La Cygne Planning Commission Minutes
- f] Unapproved June 2016 Planning Commission Minutes
- g] Unapproved June 2016 Zoning Appeals Board Minutes

ADJOURNMENT:

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✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0.** The Regular meeting was adjourned at 8:57 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of June 2016.

END OF June 15, 2016 MEETING.

BEGINNING OF June 17, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Friday, June 17, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Gerald Williams; Danny Curtis; and Esther Shields. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin, Public Works Superintendent Jim Johnson, and Jackie Harvey.

In the absence of Mayor Robert Sullivan, Council President Gerald Williams called the special meeting to order at 4:0 p.m.

The Purpose of the Special Meeting was called for:

- ❖ **Agreement to Release Water Line North of Grand Street Running to Two Resident Properties Located North of the City Limits**

The Rural Water District has asked the city to abandon the city's water line running north of Grand Street so they (the rural water district) can use the existing line to hook on to for Mr. Jack Howell's property. Noted the city has to abandon the pipe to the property owners of the site of the city's pipe. Have to know who the owners are to provide them with an agreement to abandon (release) the water line. Then the property owners can give the pipe to the rural water district.

✓ *Motion to Abandon Water Line North of Grand Street And Turn Back to Property Owners*

Council Member Curtis moved to abandon the water line north of Grant Street running to the two properties out of the city limits and turn over to the owners of the real estate. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 4:08 p.m.

Public Works Superintendent Johnson inquired about calling Rural Water District Water Operator Mike VanVlack to see if they had any further questions. The phone call was made, reported Mr. VanVlack had to call his boss to get the ok, phone line kept open, reported back it was ok if the city got the ok

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from the property owner first. Then rural water district would start work on Monday. Phone call disconnected.

PWS Johnson reported they would be digging on Mr. Bunch's line and tapping there so had to have Mr. Bunch's signature for the line on his property. Also would need the property owners at 508 E Grand to sign an agreement.

Discussed to get signatures now would have to be hand delivered.

Discussed authorizing the city clerk to sign the agreement as representative for the city.

✓ *Motion to Authorize the City Clerk to Sign Agreement for the City Representative*

Council Member Fleming moved to authorize the City Clerk to sign the paperwork as the representative for the city. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 4:19 p.m.

Discussed who would be available to contact the property owners to sign the agreement before next Monday. Determined needed to be someone who could discuss the topic with the property owners, not just a police officer. PWS Johnson noted the most critical signature would be Doc Bunch where the tie in would take place. Council Members Curtis and Williams will each take one to Doc Bunch and the other to the owners for the house facing Grand Street.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0.** The Special meeting was adjourned at 4:22 p.m.

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of June 2016.

END OF June 17, 2016 SPECIAL MEETING.

BEGINNING OF July 6, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, July 06, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; and Esther Shields. Absent: Jerome Mitzner and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Debra May; Linda Meisel; Fred Meisel; Ron Wier; Rhonda Matthews; Tony Furse; and LeRoy Turpen.

In the absence of the Mayor Robert Sullivan, Council Member Curtis called the meeting to order at 7:00 p.m. by leading the pledge of allegiance.

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APPOINTMENT OF COUNCIL CHAIR FOR MEETING:

✓ *Motion to Appoint J. K. Fleming as Council Chairman for Meeting*

Council Member Shields moved to appoint J. K. Fleming as Council Chair for the meeting. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 7:02 p.m.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of June 15, 2016 City Council Meeting;
Minutes of June 17, 2016 Special City Council Meeting;
May 2016 Treasurer's Report;
May 2016 Budget Report;
Check Register: June 16 – July 6, 2016.

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

DISCUSSION FROM THE FLOOR:

DEBRA MAY REGARDING WATER SERVICE TO PROPERTY NORTH OF CITY LIMITS AND EAST OF NORTH WATER TOWER

Debbie May handed out a copy of a letter her Attorney Jesse T. Randall had written to the City's Attorney John Sutherland. After handing out the letter she read about her concerns for the city's lack of communication to her as a customer. Ms. May asked the city council to review her attorney's letter and then discuss with her attorney. Ms. May also asked the city to educate the employees to prevent future incidents from occurring. She thanked the city council for their time.

RON WIER REGARDING WATER SERVICE FOR JACK HOWELL (PROPERTY NORTH OF CITY LIMITS AND EAST OF NORTH WATER TOWER)

Ron Wier asked the city council to consider how they treated Jack Howell by just cutting his water off and leaving him without water for five days. Asked the city council to make adjustments before this happens to someone again.

RHONDA MATHEWS (313 N BROADWAY) REGARDING WATER BILL FROM WATER LINE BREAK

Rhonda Matthews asked the city council if there was any help available such as a bulk rate or a tier rate when there were water line breaks on the property owners' side of the meter as 95,000 gallons of water went through the meter and out into the ditch before it was caught on her property. Noted the city had already adjusted the sewer rate as the line break was out in the yard. And, since a property owner, the city clerk had agreed to a payment plan while continuing with services. Ms. Matthews was asking if there was any other way to lower the bill. Council discussed. The current process does not have any other options for excess water flow.

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson - Reported all was going ok. Did have one complaint about a driveway.
2. City Clerk Herrin - Reported she had been contacted about a culvert that had crumbled when they were working near it. Had agreed to work with a new culvert for this very unusual situation. Would like to discuss these type of unique incidents at the next meeting.
3. CHANGE ORDER REQUEST #1, For Valves on N. 6th Street – The change order request is for several additional fittings (valves) in order to connect the new waterline to the existing ground storage tank north of town. This results in an increase of \$7,872.88 to the Construction Contract Price.

✓ *Motion to Approve Phase I Change Order Request #1 for Valves on N. 6th Street*

Council Member Curtis moved to approve Phase I Change Order Request #1 for \$7,782.88 for additional valves on North 6th Street. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:17 p.m.

4. CONTRACTOR'S PAYMENT NO. 2 REQUEST FOR PHASE I – Requesting Contractor's Payment #2 in the amount of \$92,740.54. The amount has been reviewed and approved by the engineer.

✓ *Motion to Approve Contractor's Payment #2 Request for Phase I for \$92,740.54*

Council Member Curtis moved to approve the contractor's pay request #2 for Phase I in the amount of \$92,740.54. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:20 p.m.

5. REQUEST #3 FOR PAYMENT OF CDBG FUNDS – Requesting Payment #3 from CDBG for \$57,450.00 towards Phase I expenses.

✓ *Motion to Approve Request #3 for Payment of CDBG Funds to City for Phase I Expenses*

Council Member Shields moved to approve Request #3 for payment to city of CDBG Funds for Phase I project. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 7:22 p.m.

6. CDBG 15-PF-009 Quarterly Report for 06/30/16 – Noted.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. CDBG 15-PF-057 Quarterly Report for 06/30/16 – Noted.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

2016 LA CYGNE CITY MINUTES

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Ten Citations
2. Over 100 letters for various codes enforcement have been mailed. The city has already had to mow a few yards that were in violation
3. One VIN inspection
4. 139 dogs have been tagged; approximately 88 still have not renewed their tags
5. Would like to meet with the Safety Committee either prior or after regular meeting to review budget and other projects for this department. No comment.
6. Received the new truck and setting up a date for equipment installation
7. Working on a job description for a supervisor position for other officers to report to for police matters in the absence of the Police Chief. Will have a draft at the next meeting.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. North Park Basketball Court Lights – The lights have been installed. Have not heard anything further.
2. Removing Equipment from Two Old Vehicles – Will be removing excess equipment such as radios and lights from two old public works vehicles and then will ask the council what they want to do with the units.
3. Robert Spencer to Attend KMU Natural Gas Boot Camp and OQ Workshop – Requested Bobby to attend the KMU Gas training in McPherson, on July 27-29, 2016. He attended last year and would like to attend again this year to continue with natural gas training.

✓ *Motion to Authorize Bobby Spencer to Attend the KMU Natural Gas Training in McPherson.*

Council Member Shields moved to approve Bobby Spencer to attend the KMU Natural Gas training in McPherson, July 27th-29th, for registration fee of \$150.00 (and per diem).

Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 7:28 p.m.

4. Water Salesman (Public Water Sales) at Water Plant – Has been repaired for around \$150.00. Let the public know it is back working again.

FIRE CHIEF – DAN NASALROAD

None

CITY CLERK – DEVONA HERRIN

8. None.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None.

2016 LA CYGNE CITY MINUTES

SWANFEST COMMITTEE

Resident Linda Meisel inquired as to how many years the Chamber of Commerce was handling the event and thought it was to only be for three years; and how long had it been. City Clerk Herrin did not have the information. The chamber meets next Wednesday, July 13th and think the mayor is planning to attend and report back.

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:

ORDINANCE #1443, KCP&L FRANCHISE RENEWAL AGREEMENT

Noted this ordinance covers a twenty (20) year period, and retains the 5% franchise fee.

✓ *Motion to Approve Ordinance #1443, KCP&L Franchise Renewal Agreement*

Council Member Curtis moved to approve Ordinance #1443, KCP&L Franchise Renewal Agreement for a twenty year period. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:35 p.m.

SPECIAL MEETING JULY 13, 2016 FOR TOPICS LISTED

Discussed holding a special meeting when more council members are present for:

1. Terry Sercer, CPA, for City's 2016 Financial Report
2. 2017 Budget Review
3. Water Project – To Include BG Consultants

✓ *Motion to Call a Special Meeting on July 13th at 5:30 p.m. for the Above Three Topics*

Council Member Curtis moved to call a special meeting on July 13th at 5:30 p.m. for: Terry Sercer, CPA, for City's 2016 Financial Report; the 2017 Budget Review; and, the Water Project, to include BG Consultants. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:38 p.m.

DONATION FOR GRADY'S KIDS FUNDRAISER

Discussed when a decision would need to be made as would like to have more of the council present prior to deciding. Fundraiser is Saturday, July 23rd. Asked city clerk to place back on the next regular meeting schedule.

MODERN COPY SYSTEM'S COPIER MAINTENANCE AGREEMENT

City Clerk noted this is a one year term and covers maintenance and any needed parts. Modern Copy System's has been very prompt arriving to help when needed.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Modern Copy System's Copier Maintenance Agreement*

Council Member Curtis moved to approve Modern Copy System's Copier Maintenance Agreement for \$900.00 per year. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:42 p.m.

KMGA BOARD OF DIRECTORS APPOINTMENT RECERTIFICATION

Discussed KMGA consists of one Director for each Member City. The alternate does not have to be recertified every two years, however the appointed City Director does. Jerome Moore has been the alternate for several years. The City Clerk has been the director and between the two the necessary meetings to be attended have been accomplished.

✓ *Motion to Approve City Clerk Herrin as City Director for KMGA*

Council Member Curtis moved to approve City Clerk Herrin on KMGA Board and Jerome Moore as alternate. Motion seconded by Council Member Shields, voted on, passed 3-0. Time: 7:44 p.m.

CLEANING/MAINTAINING FRONT OF CITY HALL AND COMMUNITY BUILDING

City Clerk Herrin inquired if the city council would be interested in hiring, or placing out to bids, anyone for cleaning the benches and sidewalks in front of the community building and city hall. Council asked to put back on the next agenda and they would inspect the area prior to the next meeting.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal for up to fifteen minutes. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 7:47 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin.

Open Session Resumed at 8:01 p.m.

OTHER BUSINESS:

ADD EXECUTIVE SESSION FOR LEGAL TO SPECIAL MEETING TOPICS ON JULY 13TH

✓ *Motion to Add Executive Session for Legal to Special Meeting on July 13th*

Council Member Shields moved to add executive session time for legal to special meeting on July 13th. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time: 8:02 p.m.

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CONSIDER APPROVING PERSON FOR CHANGE ORDERS ON WATER PROJECT

PWS Johnson asked if the city council was going to appoint someone for the incidental changes that occur on the water project so the contractors can continue working in the applicable area. Discussion took place as to if this had already been approved in a prior meeting. Concurred to check the prior meeting minutes and it would be covered under next week's meeting under the Water Project topic.

STATUS OF COUNCIL MEMBER GERALD WILLIAMS

Council Member Gerald Williams was injured in an accident and is now in rehab. Everyone wished him well and a quick recovery.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KCP&L June 2016 Franchise Report
- b] *Kansas Lifeline* "Why You Should Try to Avoid Having Closed Sessions"
- c] Letter Request for Distribution of Park Money
- d] LKM "2016 Legislative Wrap-Up"

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Fleming, voted on, passed 3-0.** The Regular meeting was adjourned at 8:09 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of July 2016.

END OF July 6, 2016 MEETING.

BEGINNING OF July 13, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Wednesday, July 13, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Jerome Mitzner; Danny Curtis; and Esther Shields. Absent: Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin, Public Works Superintendent Jim Johnson, Brett Waggoner with BG Consultants, and Tony Furse.

In the absence of Mayor Robert Sullivan, Council Member Mitzner moved to appoint Council Member Fleming as Council Chair for the Special Meeting. Seconded by Council Member Shields, voted on, passed 4-0 at 5:42 P.M.

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The Pledge of Allegiance was led by Council Member Fleming.

Mayor Sullivan arrived at 5:43 P.M.

The Purpose of the Special Meeting was called for:

- ❖ Terry Sercer, CPA, for City's 2016 Financial Report
- ❖ 2017 Budget Review
- ❖ Water Project – Including BG Consultants
- ❖ Executive Session – Legal

1. TERRY SERCER, CPA, FOR CITY'S 2016 FINANCIAL REPORT

Terry Sercer, CPA, with Diehl, Banwart, Bolton CPA Firm, presented the city's 2015 Financial Audit Report with the usual unqualified opinion report. Noted the city was beginning the 2016 year with good fund balances. Know the money can disappear quickly, however, currently have good revenues set aside. The city was not cited for any violations. Noted it was good for the city council to ask questions whenever there is something happening that does not make sense. Makes for a good checks and balance for the city.

Mr. Sercer noted the 2018 budget year will be a hard budget and recommended planning the 2017 budget with an idea of having a similar budget in 2018 for the taxed funds. Any increases in 2018 or after will be subject to a petition to vote and the expense of holding an election for the vote.

2. WATER PROJECT – INCLUDING BG CONSULTANTS

Brett Waggoner with BG Consultants presented discussion on the following items:

- i. Quick review: The original preliminary report for the city identified several parts of the water system needing updated. Phase I and Phase II of the water lines were identified to move forward with; and then, the lower than anticipated bids left some excess funding available. USDA has currently agreed to use the majority of these funds for the Water Treatment Plant electrical repairs and a new water tower.
- ii. Three potential locations for a water tower: Presented three possible sites for a new water tower all on city property locations. Site #1 where the existing witch hat water tower is now located. Site #2 on South 5th Street on the north-west corner of the Industrial Park where the city owns property. And, Site #3 just west of the water treatment plant in the vacant lot owned by the city. Discussed Engineer's Opinion of Probable Cost has been reduced to \$872,000 reflecting lower engineer's construction observation fees with the assumption this project will coincide with the other project for observation to take place on both at the same time. All discussed pros and cons of each location. Discussed removal costs of old tower and environmental review requirements. Preference was for by the water plant if the area met environmental review requirements. Discussed type of tower would be determined after bids were reviewed.

✓ *Motion to Locate New Water Tower by Water Plant, if Workable, or at Old Water Tower Site*

Council Member Mitzner moved to ask BG Consultants to work with Site #3 by the water plant if that area is found to be workable, and if not then to choose the old water tower site. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 6:36 p.m.

- iii. Appoint someone to authorize unanticipated items creating a change process between council meetings: Discussed it is helpful to have someone in the city able to ok any

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unforeseen changes with costs of up to \$10,000 – \$15,000 on the project so the workers can stay in the area and keep working. Any really big changes would create a need to wait until a council meeting to discuss and the city council approve. For these other miscellaneous changes that shouldn't happen often, but do, they would be considered by the contractor, inspector, and Brett prior to getting permission from the city, and then the change order would be handled by the entire city council at the next regular meeting where the city person would explain what is taking place. Discussed possible options to keep the project moving and have someone available. PWS Johnson felt comfortable with handling these changes with concurrence with Mayor Sullivan, who could be available during the day by phone.

✓ *Motion to Authorize PWS Johnson to Authorize Change Orders Up To \$10,000 After Conferring with Mayor or Any Council Member*

Council Member Mitzner moved to give Jim Johnson, as public works supervisor, authorization to approve any change requests for the water project for up to \$10,000 after conferring with the mayor or any council member. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 6:59 p.m.

- iv. Removal of Old Tower: City council asked Brett to find out if the project would include the removal of the old tower.

3. EXECUTIVE SESSION - LEGAL

✓ *Motion for Executive Session for Legal*

Council Member Fleming moved to go into executive session for up to fifteen (15) minutes for legal. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time: 6:42 p.m.

Open Session Resumed at 6:55 p.m.

4. 2017 BUDGET REVIEW

City Council reviewed the different city fund accounts beginning with the non-budgeted funds.

Discussion included:

1. Projected Sales Tax Revenue will have to match on the Park & Pool Project Fund with the General Fund.
2. Sewer Fund covered estimated sewer chemical cleaning products for an annual cost of between \$8,000 - \$10,000; the 2016 Budget includes some County Economic Development Project Funds, so will monitor to determine if need to amend 2016 Budget prior to yearend; and, have moved \$8,000 from the payroll fund to the Street Departments for a balanced budget and use of personnel.
3. Gas Utility Fund reflects an increase in Professional Services as part of maintaining the existing lines. The revenue is trending acceptably with the change in last year's bond refinancing.
4. Water Utility reflects a change in the anticipated revenue from the water salesman to be available should the usage increase from this potential revenue source. Will check professional services increase of costs for 2016 and report at next budget review.
5. Oaklawn Cemetery Fund reviewed to continue with existing \$20,000 transfer from General Fund to be adequate to meet the needs for the cemetery with the tree concerns. Also discussed needing a new lawn mower for an estimated cost of \$10,000 - \$12,000 in 2017. Have been using the same mower since 2009. Concurred to increase fund \$10,000 in 2017 for the purchase of a mower.

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6. Reviewed individual General Sub-Funds. The Police Chief and Fire Chief were unavailable. Considering Capital Improvement Fund for any purchase of Security Camera System for city hall. Purchase of a used utility truck from the general street fund. When vehicles are used for public works utilities this is not the area as would be designated for streets only. Will review options for the purchase of a public works truck in 2017 with a less than \$20,000 purchase price and have for the next budget session. Will review previous costs for salt and sand for winter weather as part of street expenses. Noted work comp premium increases pending for 2017 and a 5-7% increase in health insurance predicted by LKM. Will review General Fund numbers again at next budget meeting and include Police Chief and maybe Fire Chief.
7. Schedule Workshop for Budget Review

✓ *Motion for Workshop for 2017 Budget Review on Wednesday, July 20th at 5:30 p.m.*

Council Member Fleming moved to hold a workshop for 2017 Budget review on Wednesday, July 20th at 5:30 p.m. Motion seconded by Council Member Mitzner, voted on, passed 4-0.

Time: 8:40 p.m.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 4-0.** The Special meeting was adjourned at 8:41 p.m.

I, _____
(Devona Herrin)

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 13th day of July 2016.

END OF July 13, 2016 SPECIAL MEETING.

BEGINNING OF July 20, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, July 20, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Gerald Williams; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Tom Arpin with B. G. Consultants; Gerald Stanley; Rick Waddell; Steve Hisel; Keith Stoker; Aaron Brooks and son; Jim Thies; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance.

MAYORS COMMENTS:

Asked for a moment of silence for the men and women who protect us.

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CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

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

Minutes of July 06, 2016 City Council Meeting;
Minutes of July 13, 2016 Special City Council Meeting;
June 2016 Treasurer's Report;
June 2016 Budget Report;
2016 Second Quarter Financial Statement;
Check Register: July 7 - 20, 2016.

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

DISCUSSION FROM THE FLOOR:

RICK WADDELL REGARDING PLANNING AND ZONING BOARD CONCERNS

Rick Waddell inquired if the Planning and Zoning Board could get with the city council and find out what the board can and cannot do and check to see what in the codes book is really relevant to the community. Noted the board had a situation earlier where six of the members agreed and voted on a change for a property and later found out they couldn't agree to this change per the book.

Keith Stoker noted the request for a variance procedure was gone through and they had not processed correctly. Would like to amend the code book and allow some changes as some currently don't make sense. Feel the property owner should be allowed to change the size of structures on property if they have space. Ultimately the city council will determine if you want change and if you do not then there is no need to go forward.

Discussed who currently cancels a planning commission meeting and why. The board in attendance would like to have some input on cancelling a meeting as well as the board chair in case they have something to bring to the table that month that has not been brought forward prior as an agenda item.

Discussed secondary structure sizes and if the city council would be receptive to any changes. Noted those built since 2005 had a size limit when built on residential property. Also talked about changing boundaries to build fences for already existing non-conforming. Concurred would need quantitative lists of why to agree to changes requested or not.

Concurred to review the Planning and Zoning book and determine reasons why you can and cannot do certain building structures in certain areas and go through due process. Will start review during the monthly planning and zoning meetings.

GERALD STANLEY, 714 N 4TH, REGARDING RAIN DRAINAGE IN FRONT OF RESIDENCE

Gerald Stanley presented overhead photos of his driveway condition after a heavy rain. A heavy rain has started washing away his gravel driveway and leaving deep ruts. This has just started about three years ago and need to have the drainage area that was addressed back in the '90's addressed again as to why it is no longer functioning properly. Discussed the grade problem, the possible size of the drainage pipe, possibly removing the pipe that had been installed in the '90's. Asked the city to address the problem. Street Committee will meet with PWS Johnson and go over the area.

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Only current change is on the road cuts and changed the height of the overlay to prepare for the road milling. They are currently south of Grandview.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Pre-Construction Conference – Will be held on Wednesday, August 10th, at 1:00p.m. in City Hall.

FIRE STATION DESIGN WITH BG CONSULTANTS

Fire Chief Dan Nasalroad reported the design project had been completed so if grants did come available this part was ready for a new fire station.

Tom Arpin, with BG Consultants, presented the Feasibility Study complete with a diagram of the potential new fire station to have a facility that meets the needs of the fire department to include meeting rooms, an office, storage, and fire truck bays. The feasibility study is based on a flat site with relatively available utilities for a building 50 X 90 with three 90' bays, a concrete apron in front, and additional parking in back for ten vehicles. Roof slope based on where water flow needs to run off so as not to create a problem in the area. Discussed roof pitch. Passed out Opinion of Costs for the project that are just happy medium estimates with not a lot of frills. Currently estimated the total to be around \$595,286. Any CDBG grants would require a 50% match from the city and the price bumps 12-20% in rural areas to meet the CDBG Davis Bacon Act wage rates. This is just an estimate and would need to get into design at the time the city is ready to move on the project to determine definite costs. The actual costs would depend upon costs at that time and would need to be reviewed again at the time the city is ready to do more than the feasibility study.

REPORTS OF CITY OFFICERS:

FIRE CHIEF – DAN NASALROAD

No further reports. Fire Chief Nasalroad had to leave, 8:07 p.m.

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Twenty-two Citations
2. List of various codes enforcement and actions completed where applicable
3. Four VIN inspections
4. One dog from the county in the dog pound. 171 dogs have been tagged; approximately 46 still have not renewed their tags
5. Waiting on four light mounts and then the new truck will be ready to be sent to Commenco for equipment installation

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6. Presented draft of a job description for a supervisor (Captain) position for other officers to report to for police matters in the absence of the Police Chief. Basically the description is the same as the police chief's except this position would report to the police chief instead of the city council. Would have to be a law enforcement officer and could be an existing individual that would just be available to work in this capacity when the police chief is out. Will go over potential individuals with the Safety Committee.
7. Mayor Sullivan asked if there had been any more issues with chickens. Response was not recently.
8. The variance for the fence to hold a horse has been processed.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Painting Parking Stripes – Most of the stripes have been painted this week.
2. Additional Tree Removal in Cemetery – \$1,316 of the \$25,000 allocated to the cemetery from the Linn County Economic Development funds has been left from redoing the roads in the cemetery. There are still several trees that need to be removed and would like to get some estimates for these trees using these funds. Council concurred to get estimates.
3. Mosquito Sprayer and City of Parker – City of Parker is interested in the city's old mosquito sprayer. Discussed value and noted replacement parts are no longer available.

✓ *Motion to Donate Old Mosquito Sprayer to the City of Parker on an As Is Basis*

Council Member Mitzner moved to donate to the City of Parker the old mosquito sprayer on an as is basis if they will come get it. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:18 p.m.

4. Two Old Trucks Out of Use – The old Dodge truck, known as the dog truck, had a break line rust out and with all the other issues determined it was not worth repairing this break. The old Silverado had been setting for over a month due to dash panel not working. Decided to get a new battery and use it locally without the dash panel and found that when it is without a battery for over a month the computer panel locks you out and the cost to reset that is by adding a part at a time so could cost more than it's worth and still not have the dash panel. Called the Dodge dealer in Paola to inquire about a used pickup with 50-60,000 miles for around \$15,000 and was told that was not likely. Government surplus pickups seem to be running high. Going to look around for another truck as have six workers and only three trucks.

CITY CLERK – DEVONA HERRIN

1. Dale Elkins with Liberty National has requested time at the next meeting to present to the city council benefit options for the city employees from his company. Noted the city employees currently have access to Aflac coverage options and KPERS additional life insurance options. If the city council is interested in reviewing his information prior to the next meeting they can go to LibertyNational.com and go to the worksite option for benefits offered.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

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None.

SWANFEST COMMITTEE

Mayor Sullivan reported he had spoken with Dr. Jaccard and the Swanfest Committee is planning a parade; currently had 2-3 food vendors, preparing to have some inexpensive games for the children, and possibly a pageant for the younger kids. The time frame had been shortened to 10 am through 3 pm. Not planning on any expense through the city.

UNFINISHED BUSINESS:

DONATION REQUEST FOR GRADY'S KIDS FUNDRAISER

The Fundraiser has been moved to the Community Building for meals and the auction. They are asking if the city will waive the community building fee for the fundraiser. Also looking at using the community building in October for their second fundraiser for the year so would the city consider waiving that now.

✓ *Motion to Waive Community Building Fee for the Two Grady's Kids Fundraisers in 2016*

Council Member Fleming moved to approve waiving the community building fee for this Saturday's event and the one in October. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:30 p.m.

CLEANING/MAINTAINING THE FRONT OF CITY HALL AND COMMUNITY BUILDING

Discussed if there was any entity that did this kind of work and how often it would need to be done. Police Chief West reported S&S Painting did power washing of decks, he volunteered to contact them to see if they were interested and get some prices.

NEW BUSINESS:

KANSAS DEPARTMENT OF REVENUE REGARDING COLLECTION AND REMITTANCE OF SALES TAX FOR SPECIAL EVENTS HELD IN THE CITY

City Clerk Herrin reported this paperwork had been sent to the city for distribution. Will pass forms to the Swanfest Committee Chair. Concurred no one entity in charge of the Farmers' Market booths. Discussed who would be responsible for handling this request from the state.

DATA TECH TRAINING FOR CITY HALL EMPLOYEES

Requested approval for one day of training with Date Tech for City Hall Employees in either September or October, with date to be determined when trainer is available. Noted last training cost was around \$750 for the day.

✓ *Motion to Approve One Day Data Tech Training for City Hall Employees for up to \$800*

Council Member Mitzner moved to approve on day of training with Data Tech for a cost of up to \$800.00 with date to be determined. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:45 p.m.

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2017 BUDGET REVIEW WITH PUBLIC HEARING DATE SET FOR AUGUST 17TH

Discussed reviewing the general funds in the earlier workshop and the current numbers are reflecting a mill change from 84.144 in 2016 to 86.304 for 2017 budget. Noted the valuation is down some for 2017 from 2016 for the city. To meet publication requirements the budget will need to be published prior to the next regular city council meeting and the council will need to publish as currently reviewed; or, have a special meeting to review further. Noted the amounts could be reduced at the public hearing, however they could not be increased.

✓ *Motion to Publish the 2017 Budget as Presented with August 17th Public Hearing Date*

Council Member Mitzner moved to publish the 2017 Budget as presented with the Public Hearing on August 17th at 7:00 p.m. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:56 p.m.

FALL COURT CLERK'S CONFERENCE, SEPTEMBER 28 – 30, IN MANHATTAN, KS

Noted the cost would be for registration, hotel room, mileage, and per diem. This is an annual conference the city court clerk (Regina Reynolds) attends for training.

✓ *Motion to Approve Court Clerk Reynolds to Attend Fall Kansas Court Clerk's Conference*

Council Member Fleming moved to approve Court Clerk Reynolds to attend the Fall Kansas Court Clerk's Conference in Manhattan with usual expenses (per diem). Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:00 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty minutes following a five minute break. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 9:05 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Police Chief West.

Open Session Resumed at 9:17 p.m.

OTHER BUSINESS:

CHURCH HAVING 9/11 FIRST RESPONDERS APPRECIATION DAY

Council Member Shields reported her church is having a 9/11 First Responders Appreciation Day on Sunday, 9/11. Letters have been sent out asking for a response for attendance. Encouraged all to sign up.

MISCELLANEOUS

Welcomed Council Member Gerald Williams back. And, wished Council Member Shields a Happy Birthday.

2016 LA CYGNE CITY MINUTES

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LKM Update Letter for Kansas Legislature
- b] Thank you for Codes Response
- c] Kansas Brownfields Program Workshop
- d] 2016 FSCC Fall Online Classes
- e] KDOT July 2016 Monthly Report for Linn & Miami Counties
- f] Cycling Kansas City thru La Cygne, July 24th

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 5-0.** The Regular meeting was adjourned at 9:20 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of July 2016.

END OF July 20, 2016 MEETING.

BEGINNING OF August 3, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, August 03, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Gerald Williams; and Esther Shields. Absent: Jerome Mitzner

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; David Brenneman; Linda Meisel; Fred Meisel; Dale Elkins with Liberty National; Debra Wilson; Emil Wilson; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by City Clerk Herrin.

MAYORS COMMENTS:

- Read a Thank You card from Grady's Kids for the use of the Community Building.
- Encouraged attending the 9/11 Calvary Baptist Church service in honor of those involved in public service.

2016 LA CYGNE CITY MINUTES

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of July 20, 2016 City Council Meeting;

Check Register: July 21 – August 03, 2016.

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

DISCUSSION FROM THE FLOOR:

DAVID BRENNEMAN, 518 SYCAMORE, REGARDING CODE VIOLATION LETTER

David Brenneman expressed concern about receiving a code violation letter from the city regarding the very deep ditch on his property that is hard to mow and had some higher than normal grass in the area for a short time. Mr. Brenneman felt that the city should have taken into consideration the more than normal rain fall recently and the area in question as it receives a higher than normal amount of the city's runoff of rainwater.

Codes Officer West concurred the area in question had unusual exposure to rainfall; however he was meeting the 12" city requirement to mail notices. He only goes out about every 10 days and the last time was shortly after a heavy rain.

Public Works Superintendent Johnson noted he had taken down a lot of rip-rap to this area to keep it from washing and maybe needed to look at taking some more.

Discussed more than a usual amount of water in the ditches from rain this time of year causing some places to take longer to get mowed than usual.

Mr. Brenneman thanked the city council for their time and just wanted them to know he does keep his yard up around his rotating work schedule.

EMIL AND DEBRA WILSON, 334 GRAND, REGARDING WATER PROJECT CLEAN UP CONCERNS

Emil Wilson expressed concern about the side of his property with the city's utility easement and how the ground was looking after the contractor had bored in the area. They just wanted to make sure the area would be cleaned up before the contractor left and that with the current condition there would be tall grass in areas that they were unable to mow. Also asked the city to save the tree on the corner of their property if possible, but if it doesn't survive asked the city to take responsibility for removing the tree since the contractor had to dig by the side of the tree. Discussed the tree was noted in the contractors scope of work and would determine if the tree had been further harmed from the digging to need the tree to be removed. Also asked to be called if they were coming back into the area as they had been gone for a few days and would have preferred to be called even though they were not home. Public Works Superintendent Johnson noted the contractors have a 'punch list' and the cleanup will be on the list. Thanked the city for their time and hoped the concern would help others through the process of laying the new lines.

DALE ELKINS WITH LIBERTY NATIONAL

Dale Elkins with Liberty National Life Insurance Company presented his policies the city could provide to the city employees on a payroll deduction basis like the currently provided AFLAC options the city already has. Mr. Elkins presented life insurance options including group term policies; Cancer policy options; Critical illness options; Accident Protection options; and, a Basic Accident Protective Plan. Would give a free accidental death policy and a discount drug card to each employee that reviewed his products. If the city council was interested there would be some paper work for the city to sign up. Did the city council have any interest to provide these coverages to the city employees?

2016 LA CYGNE CITY MINUTES

Mayor Sullivan noted they city would look at their options and decide at the next city council meeting. At that time the City Clerk could pass on the city council's decision the next working day. Mr. Elkins thanked the city for their time.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Only current complaint was from the property owner who was just here. The contractor has found lines the city did not know about and even a 4" line that was not live after hand digging for several hours. They are currently at 6th and Locust.
2. City Clerk Herrin – The engineer is working on the water treatment plant and water tower PER to get to USDA.
3. The new line on Market Street will be on the north side of the highway.
4. Contractor's Payment Request #3 for \$54,502.84

✓ *Motion to Approve Contractor's Pay Request #3 for \$54,502.84*

Council Member Shields moved to approve the contractor's pay request #3 for \$54,502.84. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:49 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Pre-Construction Conference – Will be held on Wednesday, August 10th, at 1:00p.m. in City Hall.

REPORTS OF CITY OFFICERS:

FIRE CHIEF – DAN NASALROAD

None.

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Seven Citations
2. List of various codes enforcement and actions completed where applicable
3. Four VIN inspections
4. All dogs not tagged by August 15th will be issued a notice-to-appear for September Municipal Court. 181 dogs have been tagged with approximately 42 left to be tagged.
5. Working with the Planning Commission Board on updating the zoning maps.
6. Waiting on radio information to take new truck to Commenco for equipment install.
7. Install graphics on new truck August 5th.
8. Asked for consideration of implementing the Captain position to have someone in charge when the police chief is not available as need someone to guide new officers when there is a crucial case.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Authorize Shaun West for a Captain Position with No Change in Pay*

Council Member Shields moved to authorize Shaun West as the 'go to' person, or captain position, to mentor new officers when the police chief is not here. Motion seconded by Council Member Williams, voted on, passed 3-1 (No: Curtis). Time: 8:03 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Summer Help – Both of the summer help ended work yesterday, August 2nd.
2. RWD 3's 4" Water Meter – The meter quit and a new one was ordered for a cost of over \$1,000. Going to plan to install next Tuesday.
3. Patch Work on Streets – Did some patch work at Casey's, the Car Wash, and the grocery store along the edge of the road to all three entrances.
4. Sewer Line Clog – Again by Mr. Paul's the sewer line has clogged and had to call Reddi-Rooter out to clean the line. This happens about every 2 ½ years. There is not enough 'fall line' in this line.
5. Mosquito Spray – Plans are to spray for mosquitos tomorrow night, Thursday.
6. Truck Replacement – Made some phone calls and just for a Dodge Ram 1/2T 2WD the cost is around \$24,726. Going to continue to look.
7. City of Parker Took Old Mosquito Sprayer – The City of Parker came and picked up the mosquito sprayer and now coming back to be shown how to use it.
8. Cemetery Tree Removal – Received a bid from Carl Marrs to remove a dead tree from the cemetery for \$800.00. This will be taken from the Economic Development Funds left for the cemetery.

✓ *Motion to Accept Bid from Carl Marrs to Remove a Tree from Cemetery for \$800.00*

Council Member Fleming moved to hire Carl Marrs to remove a tree and stump from the cemetery for \$800.00. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:15 p.m.

CITY CLERK – DEVONA HERRIN

1. The USDA Compliance Review requires the city to choose a group of individuals to complete a self-evaluation of a primary facility within the community for any structural or non-structural barriers to accessibility. Then complete a plan with a timeframe to address the barriers. The library has agreed to that facility being the one identified for the city. Now there is a need to have a council member, mayor, someone from the library, and another person meet and complete the form. Council Member Shields volunteered and the mayor asked for late afternoons, if possible. City Clerk Herrin will check with library and set up the meeting.
2. The Marais des Cygnes River Water Assurance District No. 2 quarterly meeting is next week and the board will be reviewing Marais Des Cygnes River Water Assurance Operations Agreement as well as meeting with the Kansas Water Office personnel to go over Conservation Plans as they wish for all entities within the district to have similar plans. Will report back after the meeting.
3. City Budget Hearing will be August 17th.
4. Police Chief West reported the bullet proof vests had arrived today and will be requesting the grant reimbursement now.

2016 LA CYGNE CITY MINUTES

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

Received the \$1,000 grant check from Enbridge for 2016. The city has now received three different \$1,000 checks from Enbridge for this year and the 2015 check for Emergency Management this year. Police Chief West completed the applications to make the grant money possible for 2016.

SWANFEST COMMITTEE

Noted Dr. Jaccard had called and inquired if there were funds available but did not call back, nor is present to determine what her final inquiry, if any, would be.

UNFINISHED BUSINESS:

714 N. 4TH STREET DRAINAGE IN FRONT OF RESIDENCE

Council Member Mitzner left a written report of the inspection of the driveway and ditch of this property. Noted it was felt the problem has been created by the driveway now being 6" higher than the north side of the yard where the water runs from the north to the south causing the buildup at the driveway and then a wash-out during really hard rains. The driveway being higher than the yard is not an area the city addresses.

CLEANING/MAINTAINING THE FRONT OF CITY HALL AND COMMUNITY BUILDING

Police Chief West has not received a return call from S & S regarding their cleaning the area in front of city hall and the community building. Will try to locate him in person to see if they are interested.

NEW BUSINESS:

NONE

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to twenty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:30 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin.

Open Session Resumed at 8:57 p.m.

2016 LA CYGNE CITY MINUTES

OTHER BUSINESS:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Swanfest Updates
- b] KHRC Notice of Housing Needs Public Hearing
- c] KDOR Motor Vehicle Dealer Licensing Notice
- d] State Law Enforcement Training Fund Rate Change
- e] Thank You from Grady's Kids
- f] La Cygne Park Board Meeting Minutes for July 28, 2016
- g] Enbridge \$1,000 Grant Received for Emergency Management

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 4-0.** The Regular meeting was adjourned at 9:00 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 3rd day of August 2016.

END OF August 3, 2016 MEETING.

BEGINNING OF August 17, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, August 17, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Gerald Williams; and Esther Shields. Absent: Jerome Mitzner

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Daniel Brenneman; Nick Brenneman; Linda Meisel; Fred Meisel; Gerald Stanley; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by Public Works Superintendent Johnson.

2016 LA CYGNE CITY MINUTES

2017 La Cygne BUDGET HEARING:

- Mayor Sullivan opened the 2017 Budget Hearing for comments from the Public
- City Clerk Herrin reported there had been an adjustment from the originally published 2017 budget to reflect an adjustment in the delinquency tax rate to reflect more accurately. This adjustment created a change in the Capital Outlay for the General Street fund and a \$2.00 reduction in the Ad Valorem Tax amount while leaving the estimated mill levy at the published rate of 86.304. This will be more realistic in the actual tax dollars received in 2017.
- Inquired if any comments from the public. There were none.

✓ *Motion to Approve The 2017 City Budget with Adjustment as Presented*

Council Member Shields moved to approve the 2017 La Cygne Budget with the adjustment as presented. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:05 p.m.

MAYORS COMMENTS:

- Today was the first day back to school for the local children, asked all to take care

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of August 03, 2016 City Council Meeting;
July 2016 Treasurer's Report;
July 2016 Budget Report;
Check Register: August 04 - 17, 2016.

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

DISCUSSION FROM THE FLOOR:

GERALD STANLEY, 714 N. 4TH STREET, DRAINAGE IN FRONT OF RESIDENCE

Gerald Stanley passed out a written response to the city council's last meeting response to his inquiry regarding the drainage in front of his residence during heavy rains. Mr. Stanley agreed the yard was not the city's concern. However he felt he could not address improvements to the yard without changing something in the ditch so the ditch would provide a place for the rain to go. The current piping will not hold any volume of rain.

Mayor Sullivan reported he had reviewed the 1996 city council minutes and noted the ditch was addressed due to erosion occurring on that side of 4th Street. There was discussion of rip-rap during one meeting. Then in 1997 it is again brought up with an approval for the city employees to purchase and install 230 foot of 24 inch culvert and then reseed.

Discussed how to determine if a 24 inch culvert is adequate for the area, and extreme rains cause problems for the area. Also noted clean out holes were never placed in the pipe. Determined they could try a couple of clean outs and work on the slope on the property owners' side of the ditch area to see if that helps.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Installing Two Clean Outs in Drainage Pipe at 714 N. 4th Street*

Council Member Williams moved to approve putting two clean outs in the drainage pipe at the designated area. Motion seconded by Council Member Fleming, voted on, passed 4-0.

Time: 7:17 p.m.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Missed marking a 2" water line and it was cut this week and then quickly repaired. All of the connections in the ditches are for the taps they will be later using to run the water lines to the new meters and meter pits when they get to Phase II. Some fire hydrants are very close to the ditch due to the way the easements are in the designated area. They are currently at 6th and Walnut Streets.
2. Assessability Self-Evaluation Project – City Clerk Herrin asked for the authority to pursue the possibility of completing this project for city hall to determine if possible to accomplish within USDA guidelines. Have met with Mayor Sullivan and Special Committee Members Shields and Williams regarding the project. This would possibly allow the city to upgrade a restroom within city hall.

✓ *Motion to Authorize City Clerk Herrin to Proceed with Assessability in City Hall*

Council Member Shields moved to authorize City Clerk Herrin to move forward with the Assessability Self-Evaluation Project for City Hall and report back. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:23 p.m.

3. CDBG Fund Request #4 for \$33,792.00 was processed.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Contractor work is scheduled to begin on September 12, 2016.
2. Public Works Superintendent Jim Johnson – Have set up a site for the contractor to dispose of the broken up old sidewalk. The city can use this material for fill at other locations. The contractor has also asked about a brush dump site for the brush and stumps that will be removed along the new sidewalk area. The city currently does not have an open brush pile site and the only burn permit area is north of the cemetery and the road is now overgrown. City will check with the contract and see how it is worded as do not think the city is responsible for providing a dump site for brush.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Four Citations

2016 LA CYGNE CITY MINUTES

2. List of various codes enforcement and actions completed where applicable
3. Seven VIN inspections – Processed within the city whenever possible
4. All dogs still not tagged will be issued a notice-to-appear for September Municipal Court.
5. New truck scheduled to go to Commenco for equipment install this Friday or next Monday.
6. Shared User Agreement for 800 Mhz P25 Digital Radio System – Noted the new radio is here for the new truck and requires a KDOT agreement to set up the radio system.

✓ *Motion to Authorize Police Chief to Sign KDOT Digital Radio System Agreement*

Council Member Shields moved to authorize Police Chief West to sign the KDOT Digital Radio System agreement for the new radio. Motion seconded by Council Member Fleming, voted on, passed 3-1 (No: Curtis). Time: 7:31 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. 518 Sycamore, David Brenneman, Ditch Repair – Hauled several loads of rock into the ditch. Now adding seeding for ground cover. Also added more rock in the ditch by the post office.
2. RWD 3's 4" Water Meter – The new meter is in.
3. Mosquito Spray – Sprayed last week and will spray again this week.
4. City of Parker Took Old Mosquito Sprayer – The City of Parker picked up the mosquito sprayer.
5. Jerry McCarty Passed Class I Certification for Water – He will now be working towards his Class 2 water license for full certification to run the city's water plant.
6. Cemetery Part Time Help – Bruce Howell has turned in his resignation. Finances are where we can try to hire some outside part time help and need to look for someone since there is still so much mowing to do.
7. Cemetery Tree Removal – Have three more trees that need to be removed. One is really an issue and concerned about anyone walking around the tree. There is around \$400 left from the Economic Development funds and then also have around \$3,000 left in the cemetery fund until the end of the year to work on trees. Noted no plans for new trees. Discussed costs of cutting down one at a time or getting a bid to cut all three at the same time. PWS Johnson will look into it for a possible lower cost if do more than one at a time.
8. Cemetery Lawn Mower – The mower has 2,700 hours on it and has broken down to the estimated cost of \$3,300 to repair the engine and other needed repairs. Think the mower is about 8 years old. Would prefer to replace the mower with a grasshopper or exmark as they have lasted the best for the type of use the city uses them for. Discussed the general fund could purchase the mower this year and then the 2017 budget would not have the dollars as set up to purchase this mower then. Concurred to get prices for a new mower.

FIRE CHIEF – DAN NASALROAD

1. Grant for SCBA's - Just received notice the county has again been turned down for the grant this year. Need to plan on purchasing four this year and another four next year.
2. Fire Engine Pump Tested – The fire engine had been pump tested for a cost of around \$580.00.

CITY CLERK – DEVONA HERRIN

1. Boy Scouts' Bench – Lesli George is asking if the city would like the new bench the Boy Scouts are donating to be placed in front of the Community Building to be anchored to the cement and what color. She was also asking if there was anyone to paint the bench. Council concurred they would like to have the bench anchored. And, will get with Bill Ross to see if he is interested in painting that bench as well as the others in front of city hall and the Community Building.

2016 LA CYGNE CITY MINUTES

COUNCIL COMMITTEE REPORTS:

PARK

1. North Park – Discussed the light on the timer at the north park. Neighbors have commented it is on later than 11:00 p.m. Will have the police check the time when they are out patrolling to see if there is a problem with the timer.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

None.

SWANFEST COMMITTEE

None.

UNFINISHED BUSINESS:

CLEANING/MAINTAINING THE FRONT OF CITY HALL AND COMMUNITY BUILDING

Police Chief West reported S & S had come and inspected the area, however, he still did not have a bid yet. Hoped to have by the next meeting.

NEW BUSINESS:

LIBERTY NATIONAL LIFE INSURANCE PROGRAMS TO OFFER AS BENEFIT TO CITY EMPLOYEES ON A PAYROLL DEDUCTION PLAN

City Clerk Herrin reported she had presented the Liberty National Life Benefit options to the employees and they were not interested in any further coverage at this time. It takes at least three employees to sign up for the program. No further action.

EMERGENCY WATER SUPPLY PLAN ANNUAL REVIEW

The city's Emergency Water Supply Plan is to be reviewed annually by the city council and employees. It requires the mayor and operator's signature confirming it was reviewed. Other than updating the employees, there are no recommended changes for this year.

✓ *Motion To Approve the Emergency Water Supply Plan Annual Review*

Council Member Shields moved to approve the Emergency Water Supply Plan as presented authorizing the mayor to sign the review sheet. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:58 p.m.

WATER CONSERVATION PLAN WITH ORDINANCE #1434 ANNUAL REVIEW

There are no recommended changes for this year.

2016 LA CYGNE CITY MINUTES

✓ *Motion To Approve the Review of the Water Conservation Plan that Includes Ordinance #1434*

Council Member Fleming moved to approve the review of the Water Conservation Plan that includes Ordinance #1434 as presented. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:59 p.m.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

City Clerk Herrin inquired if the city council was ready to start working on the city codes book again now that next years' budget was complete.

✓ *Motion To Hold Workshop for Codes Book Review on September 7th at 6:00 p.m.*

Council Member Fleming moved to have a workshop for the codes book review on September 7th at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:00 p.m.

LKM ANNUAL CONFERENCE, OCTOBER 8-10, OVERLAND PARK

Mayor Sullivan requested attending the LKM Annual Conference to include the KanCap workshop on that Saturday and to stay in Overland Park during the conference.

✓ *Motion To Approve Mayor Sullivan to Attend LKM Annual Conference and Stay in Area*

Council Member Fleming moved for Mayor Sullivan to attend the LKM Annual Conference and stay in the area with per diem. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:01 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to twenty minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:02 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Public Works Superintendent Johnson and Police Chief West.

Open Session Resumed at 8:24 p.m.

OTHER BUSINESS:

GERALD McCARTY - \$.50 RAISE FOR COMPLETING CLASS I WATER CERTIFICATION

Noted the raise will be effective the next pay period.

2016 LA CYGNE CITY MINUTES

✓ *Motion To Approve \$.50 Raise for Gerald McCarty for Completing Water Certification*

Council Member Williams moved to approve a 50 cent an hour raise for Jerry McCarty for completing the Class I Water Certification. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 8:24 p.m.

RESIGNATION OF POLICE OFFICER KLAYTON PARSCALE

✓ *Motion To Approve the Resignation of Police Officer Klayton Parscale*

Council Member Curtis moved to approve the resignation of Police Officer Klayton Parscale effective August 29th. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 8:24 p.m.

SCRAP METAL HAULED OFF

PWS Johnson reported the city's scrap metal had been hauled off and he had a check for the city for around \$240.00.

POST FOR FULL TIME POLICE OFFICER

✓ *Motion To Advertise for a Full Time Police Officer*

Council Member Fleming moved to advertise for a full time police officer. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:26 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] LWCF Application Notice for Community Park Improvements
- b] Thank You to the Police Department
- c] Letter from Resident David Brenneman, 518 Sycamore, regarding code concerns and other concerns

Discussed the letter submitted by David Brenneman as he was unable to be here this evening due to his work schedule. Mr. Brenneman had questions as to how to know what the requirements were to put up a shed on his property, to possibly build a fence, and if he could gravel a driveway. Noted that after his letter was submitted it was found the building regulations were not on the new web site and would be added in the next few days. Codes Officer West will also send him some of the pages to cover this information.

Mr. Brenneman also had expressed concern over family members working in one department. Discussed the nepotism policy had been dropped from the city policies several years ago when another Police Chief and his son worked in the police department. Police Chief West noted if there were any family member to apply he would recuse himself from the hiring process. Noted first the city has to receive qualifying applications.

Mr. Brenneman also thanked public works for working on the ditch by his property.

2016 LA CYGNE CITY MINUTES

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.** The Regular meeting was adjourned at 8:34 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of August 2016.

END OF August 17, 2016 MEETING.

BEGINNING OF August 22, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Monday, August 22, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Gerald Williams; Danny Curtis; Jerome Mitzner; and Esther Shields.

Others in attendance included, but not limited to: City Treasurer Regina Reynolds and; Public Works Superintendent Jim Johnson

Mayor Robert Sullivan called the special meeting to order at 5:30 p.m.

The Purpose of the Special Meeting was called for:

❖ **Lawn Mower for Cemetery**

Lawn Mower:

Jim Johnson discussed that the old cemetery mower was picked up from Blue Valley Tractor & Supply and while there an Equipment Sales Specialist provided him with information about replacing the old mower.

- ✚ Estimated cost of \$3,300 to repair the engine and other needed repairs on old lawn mower. 8 Years Old with 2700 Hours on it.
- ✚ New Mower is an Exmark Pioneer S-Series, 52" Fab Deck, Zt720 Kohler, SS
- ✚ 20 Hours on new mower
- ✚ Full Warranty
- ✚ Price listed is \$7,549.00 but offering to the City for \$5,919.00

MOTION:

✓ *Motion to Approve the purchase of the Exmark Pioneer S-Series lawnmower for the cemetery.*

Council Member Mitzner moved to approve the purchase of the Exmark Pioneer S-Series lawn mower. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 5:32 p.m.

2016 LA CYGNE CITY MINUTES

MOTION:

✓ *Motion to approve stamping both Mayor Sullivan and City Clerk Devona Herrin signatures on check for Blue Valley Tractor and Supply.*

Council Member Mitzner moved to approve the use of signature stamps for both the Mayor and City Clerks signatures. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 5:33 p.m.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, Passed 5-0.** The Special meeting was adjourned at 5:35 p.m.

I, _____ La Cygne City Treasurer, do hereby declare the
(Regina Reynolds) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 22nd day of August 2016.

END OF August 22, 2016 SPECIAL MEETING.

BEGINNING OF September 7, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, September 7, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Gerald Williams; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Daniel Brenneman; Nick Brenneman; Rene Slinkard; Andrew Kidwell; Karen Kidwell; Judy Albright; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by Public Works Superintendent Johnson.

MAYORS COMMENTS:

- Swanfest is this Saturday starting with the parade at 11:00 a.m. and other activities throughout the day ending with a kids car show at 3:00 p.m. Hope all can attend.
- Attended a Linn County Mayor's meeting last month and Dennis Arnold passed out the approved City Infrastructure Grant Allocation, Per Capita, for 2017. The city will receive \$54,279 based on a population of 1,116; and, will have until next March to let the county know

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how the city wishes to apply the funds. In the past the city has used the funds for the cemetery and the sewer. May want to consider those as well as maybe a review of the streets to be ready for the street project. Will be up to the council to review and determine.

CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

Council Member Shields moved to approve the consent agenda with the change in the August 17th regular meeting minutes to reflect a correction of 2016 to 2017 on the Budget Hearing report, and, a change in the August 22nd special meeting minutes to reflect the meeting beginning at 5:30 p.m. These corrections are noted in the below list of:

Minutes of August 17, 2016 City Council Meeting;
Minutes of August 22, 2016 Special City Council Meeting;
Check Register: August 18 – September 7, 2016.

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

DISCUSSION FROM THE FLOOR:

PROCLAMATION – CONSTITUTION WEEK, SEPTEMBER 17-23, 2016

Rene Slinkard spoke on the annual celebration of Constitution Week, and urged everyone to fly their flags and enjoy their freedom.

Mayor Sullivan read and signed the proclamation. Photos were taken.

JUDY ALBRIGHT REGARDING CITY CODES AND MOWING YARDS

Judy Albright, 203 S 3rd Street, passed out a letter to the city council regarding a violation of a city codes notice she had received for the length of her grass on her property. She had mowed within 10 days of receiving the notice and then failed to mow for a two week period later and the city then came in and mowed without sending another notice. Ms. Albright noted:

1. Did not feel that only one letter should be mailed a year for a codes violation that a letter should be mailed each time the violation reoccurred.
2. Asked the city council to do what was right, legal is one thing and right is another.
3. Asked why the cemetery was not maintained and codes violations trumped keeping the cemetery up.
4. If the payment had to be made could there be an extension, or a pay plan set up and who did she talk to about that.
5. Suggest 7-703d6 be reviewed and changed.

Codes Officer West noted he had followed codes regulations and the once a year notice was established to help with remailing costs. Noted if she had contacted the codes officer he would have tried to work with her on when the mowing would be occurring.

City Council noted maybe they should look at a change and how quickly grass can get a foot tall.

Discussed additional costs for extra mailing, door hangers, habitual offenders versus unusual circumstances. Pay arrangements can be set up with the city clerk.

Concurred to look at the codes and review the process.

PWS Johnson asked Ms. Albright for a moment to discuss a tree they found growing around a gas riser they were unaware of until they were mowing her property. Public Works need to address the hazard with the gas riser and would like to talk to her about setting up a time.

Everyone thanked each other for their time.

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DAVID BRENNEMAN, 518 SYCAMORE, REGARDING INOPERABLE VEHICLE

David Brenneman expressed concern for receiving a codes violation for an inoperable vehicle. An untagged vehicle was on his property awaiting the paperwork from the previous owner who lives out of state. There had been extenuating circumstances causing a delay in receiving the paperwork and was concerned about the ten day notice.

Codes Officer West reported he had told Mr. Brenneman's son that the letter was being sent, but since the son had told him they were waiting on paperwork he was set up the file for a 30 day extension and if there continued to be an issue to stay in touch. Before any inoperable vehicle is towed away a certified letter is sent to the property owner informing them of the final pending action.

Mr. Brenneman appreciated the additional information and thanked the council for their time.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Missed marking a 2" water line as not sure where it is and it has now been hit twice. The crew is on schedule with the project.
2. Accessibility Self-Evaluation Project – City Clerk Herrin has spoken with USDA and the city can move forward with Legacy Contracting to work out the specifics and file for the project after discovery is determined. Next step is to contact Legacy Contracting. This would possibly allow the city to upgrade a restroom within city hall.
3. Phase II Contractor's Pay Request #2 for \$61,479.25

✓ *Motion to Authorize Mayor to Sign Phase II Contractor's Pay Request #2 for \$61,479.25*

Council Member Williams moved to authorize the mayor to sign the Phase II Contractor's Pay Request #2 for \$61,479.25. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 7:48 p.m.

4. Phase I Contractor's Pay Request #4 for \$33,434.43

✓ *Motion to Authorize Mayor to Sign Phase I Contractor's Pay Request #4 for \$33,434.43*

Council Member Mitzner moved to authorize the mayor to sign the Phase I Contractor's Pay Request #4 for \$33,434.43. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:49 p.m.

5. SEKRPC Administrative Invoice #3 for \$5,000

✓ *Motion to Authorize Payment of SEKRPC Administrative Invoice #3 for \$5,000*

Council Member Mitzner moved to authorize payment of the SEKRPC Administrative Invoice #3 for \$5,000. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:51 p.m.

6. CDBG Fund Request #5 for \$38,434.43

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✓ *Motion to Authorize CDBG Fund Request #5 for \$38,434.43*

Council Member Mitzner moved to authorize CDBG Fund Request #5 for \$38,434.43. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:52 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Contractor work is scheduled to begin on September 12, 2016.
2. Noted the city is not responsible for providing a dump site for brush.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Forty-one Citations – A three week report, school has started back up, and increased traffic from a holiday.
2. List of various codes enforcement and actions completed
3. All dogs still not tagged will be addressed later.
4. New truck is in use. Using now to get a 1,000 miles on the unit in order to be able to quickly identify any potential problems with the vehicle &/or it's added equipment. Have been working with improving the radio connection.
5. Council Member Shields inquired about little girls riding bicycles around the businesses on Market Street and the construction area. Did Dan address that as a school police officer? Discussed extra precautions that would be taken by City Police Chief West and SRO Nasalroad during the time the contractors were working in the crosswalks; and, that the contractor and inspector were also working with the school.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. 714 N 4th, Gerald Stanley, Ditch Repair – Have addressed the drainage problem with Mr. Stanley. Made some changes to the way the repair was addressed and hope it works. It took about \$1,100 to complete the project and still have some dirt work to do to smooth the area.
2. Anodes Added to Gas Line – To date, have located four areas of the gas line needing anodes added while working with the water project.
3. Exmark Pioneer S-Series Mower – Having good luck with the new cemetery mower.
4. Cemetery Help – Hired one and he didn't work out. Need somebody to work in the cemetery with Cecil. Have gotten behind on the weed eating at the cemetery and Cecil does not weed eat. Expressed concern about pre-employment testing.
5. Cemetery Trees Removal – One large tree by the railroad tracks was removed by public works. It was not around any stones. Carl Marrs is still planning to remove the other tree. There is a third tree but believe it can wait until next year to be cut down.
6. Robert Spencer Tested for Sewer Certification – Tested and did not meet the requirements for certification. Will look at some training options and then he will retest.

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7. Two Old Trucks Out of Service – Still have the two old trucks that are not running and need to either salvage them or surplus them. What would the council prefer? (1996 Dodge Extended Cab and 2003 Chev Silverado) Believe you are to surplus the old police unit.

✓ *Motion to Authorize PWS Johnson to Liquidate Two Pickup Trucks and Police Vehicle*

Council Member Mitzner moved to authorize Jim to liquidate the two pickup trucks and the police vehicle as he deemed best. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:10 p.m.

City Clerk Herrin will remove the units from insurance coverage after they are removed.

8. Old Cemetery Lawn Mower – Junk the old mower or put it out for bids? We have had some interest for bidding on the mower.

✓ *Motion to Accept Sealed Bids with a Reserve Option on the Old Cemetery Mower*

Council Member Mitzner moved to take sealed bids with option of a reserve right to refuse on the old cemetery lawn mower. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:11 p.m.

FIRE CHIEF – DAN NASALROAD

1. Water Project with New Tower - Inquired about getting with the engineer to have the new tower two feet higher for higher water pressure. City Clerk Herrin will check on the status of the development of that part of the water project.
2. SCBA Gear – The grant was declined and need to get ready to just purchase four sets this year and then four more next year if possible. Checked prices and going to wait until closer to the end of the year and see how the year's expenses are looking.

CITY CLERK – DEVONA HERRIN

1. None

COUNCIL COMMITTEE REPORTS:

CEMETERY

Thanked the public works employees for hustling to get the cemetery improved prior to some funeral services.

EMPLOYEE RELATIONS

Thanked Regina and John for helping with the special meeting process while the city clerk was on vacation.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

2016 LA CYGNE CITY MINUTES

UNFINISHED BUSINESS:

CLEANING/MAINTAINING THE FRONT OF CITY HALL AND COMMUNITY BUILDING

Reviewed bids from S&S Contractors for power washing and some painting in front of the community building and city hall. Discussed delaying addressing the posts and soffits in front of city hall as two posts will be involved in the Accessibility Self-Evaluation Project. There are three different bids for different parts.

1. Power Wash Front Brick and Concrete Sidewalk - \$300.00
2. Power Wash and Paint Posts and Soffits - \$350.00
3. Power Wash Upper Siding of Community Center, Stain on Soffit, and Repaint White Lettering - \$300.00

✓ *Motion to Accept Bid of \$300.00 for Siding of Community Center from S&S Contractors*

Council Member Mitzner moved to accept the S&S Contractors bid of \$300.00 for the Community Building siding clean up. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:29 p.m.

✓ *Motion to Accept Bid of \$300.00 for Power Washing Front Brick and Concrete Sidewalk*

Council Member Mitzner moved to accept the S&S Contractors bid of \$300.00 for the Power Washing of the Front Brick and Concrete Sidewalk. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:30 p.m.

NEW BUSINESS:

LKM ANNUAL CONFERENCE CITY VOTING DELEGATE

Mayor Sullivan is attending the LKM Annual Conference.

✓ *Motion To Appoint Bob Sullivan as City Voting Delegate at the LKM Annual Conference*

Council Member Mitzner moved to appoint Bob Sullivan as City Voting Delegate at the LKM Conference. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:31 p.m.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, September 21st.

✓ *Motion To Hold Workshop for Codes Book Review on September 21st at 6:00 p.m.*

Council Member Williams moved to have a workshop for the codes book review prior to the next meeting at 6:00 p.m. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:32 p.m.

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HIRE DANIEL L BRENNEMAN FOR PART TIME CEMETERY EMPLOYEE AT \$7.25 PER HOUR

✓ *Motion To Hire Daniel L Brenneman for Part Time Cemetery Employee at \$7.25 Per Hour*

Council Member Mitzner so moved to hire Daniel Brenneman for Part Time Cemetery Employee at \$7.25 per hour. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:33 p.m.

RELEASE DANIEL BRENNEMAN FROM PART TIME CEMETERY EMPLOYMENT

✓ *Motion To Release Daniel Brenneman From Part Time Cemetery Employment*

Council Member Mitzner so moved to release Daniel Brenneman from Part Time Cemetery Employment. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:33 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to thirty-five minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:35 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin

EXTEND EXECUTIVE SESSION

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend executive session for personnel for up to ten minutes. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:20 p.m.

Open Session Resumed at 9:30 p.m.

OTHER BUSINESS:

RESCIND JUDY ALBRIGHT'S BILLING STATEMENT FOR CODES VIOLATION (MOWING)

✓ *Motion To Rescind Ms. Albright's Codes Violation Billing Statement of \$86.50*

Council Member Shields moved that due to unclear letters to rescind the payment due on Ms. Albright's mowing violation. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 9:32 p.m.

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MOWING CODES AND CEMETERY MOWING

Council Member Mitzner instructed PWS Johnson to focus on cemetery mowing first until the rain slows down. Requested to delay processing codes notices on mowing until the Public Safety Committee met with Codes Officer West.

Discussed the codes expenses and fees charged are both handled through the general fund for costs and any revenue.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Thank You from City of Parker
- b] August 11, 2016 Planning Commission Meeting
- c] August 2016 Chamber of Commerce Notes and Minutes
- d] August 10, 2016 MDCRWA Dist. #2 Annual Meeting Minutes
- e] Letter to David Brenneman from Codes Officer West

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 9:38 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of September 2016.

END OF September 7, 2016 MEETING.

BEGINNING OF September 21, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, September 21, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; and Gerald Williams. Absent: Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Mr. & Mrs. Len Jensen; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by Council Member Fleming.

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MAYORS COMMENTS:

- None.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

Council Member Fleming moved to approve the consent agenda which consisted of:

Minutes of September 7, 2016 City Council Meeting;
August 2016 Treasurer's Report;
August 2016 Budget Report;
Check Register: September 8 - 21, 2016.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:01 p.m.

DISCUSSION FROM THE FLOOR:

LEN JENSEN, 822 VINE ST, REGARDING WATER METER CHARGES

Len Jensen reported he had been working with Jim Johnson regarding his 4-plex at 822 Vine Street regarding the water usage. Last year there had been a really high bill and came at that time to discuss the amount at which time the city agreed to set up payments, but not make any adjustments. Now another water bill higher than usual and Jim has determined the meter was broke and skipping at certain numbers. Would like some consideration on the higher bill and also ask the council to waive the multi-family commercial monthly use rate of around \$65 and go to a lower rate.

PWS Johnson reported public works had been monitoring the meter and then one day caught it reflecting a 980 gallon jump in a two hour period. He determined there had been no unusual usage during this time and noted the meter jumping at a certain number. Has now replaced the 1960 water meter and noted the new meter will show low volume usage as the older meter did not, so there will be some difference in the monthly usage with accurate readings.

City Clerk Herrin noted the two months that spiked were 09/2015 and again in 09/2016. The first one reflecting 54,820 gallons and the second 20,210 gallons. The office personnel determined a 24 month average, not including the two months in question, and determined an average usage of 6,006 gallons a month for a water and sewer cost of \$155.86 on the average. This would create a two month refund total of \$956.88, if the city council wants to use the 24 month average usage report. City Council recommended refunding the overage.

Len Jensen asked about considering a multi-family rate instead of the 1" commercial rate for the water meter. Discussed the charge for four families would be higher than the 1" commercial rate he is now being charged. Mr. Jensen noted he has tried to update all his plumbing and hold costs for the 4-plex.

✓ *Motion to Refund Water and Sewer Over Charges for 822 Vine for a Total of \$956.88*

Council Member Mitzner moved to refund the water and sewer over charges for 822 Vine in the total amount of \$956.88 for the month in 2015 and the month in 2016. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 7:17 p.m.

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Will have a change order on Industrial Boulevard from a road cut to a bore. The contractors have moved to 7th Street.
2. Questions from the city council:
 - i. Why water meters in ditch – They are taps that will go to the meter pits when the contractor returns to install them in the second phase.
 - ii. Why some fire hydrants are in a ditch – The easement area restricts them from being placed further out of the ditch.
 - iii. Status of the tall stand pipes – They will be cut down when the meters are connected.
 - iv. Water Shut Off Valves at angles – They will be straightened out when finish project.
3. Police Chief West – The contractors are targeting next Monday and Tuesday to cross 8th Street and Market. There is a chance they will not cut that street.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Contractor work has rescheduled to begin on September 26, 2016, due to weather.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

Reported on the following:

1. Requested to attend the LKM City Attorney's Forum on October 7th in Overland Park.

✓ *Motion to Approve City Attorney Sutherland to Attend the LKM CAK Forum on October 7th*

Council Member Mitzner moved to approve City Attorney Sutherland to attend the LKM's City Attorney Forum on October 7th in Overland Park. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:27 p.m.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Fourteen citations issued.
2. List of various codes enforcement and actions completed.
3. All dogs still not tagged will be addressed. None in the kennel.
4. Two vin inspections.
5. Council inquired what action, if any, was addressed to the building in Industrial Park where an extension had been added. Noted the addition had been added without a building permit. The permit had now been obtained and the addition met requirements, so no further issues.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Cemetery – Asked to advertise for help at the August 17th meeting. Need somebody. Want to hire a person that walked in today. Have every lot mowed. Want to review the position (job description) and change back to the old way; put marking graves back on the caretaker responsibility. Can't perform with public works and take care of the cemetery. Dan Nasalroad

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was the last cemetery caretaker. Budget always short. Busy during the day and other employees declined to work overtime on the cemetery. Want to hire now for this gentleman that just came in today. Will hold executive session for personnel later.

2. Mosquito Spraying – Sprayed yesterday, Tuesday, and will spray again tomorrow, Thursday.
3. Gas Meter at 503 Sycamore – A tree has grown around the gas meter at 503 Sycamore. There are also electrical lines in the above tree limbs. Asked Carl Marrs for a bid to cut the tree down and the cost is \$850.00. After the tree is cut down the stump will be treated and then when the stump breaks down will replace the gas meter. The property owners are ok with removing the tree to safely address the gas meter issue. Noted will need a signed agreement from the property owners. This has been this way for years, but does need addressed.

✓ *Motion to Hire Carl Marrs to Remove Tree at 503 Sycamore for \$850.00*

Council Member Curtis moved to pay \$850.00 for removing the tree at 503 Sycamore to reach the gas meter. Motion seconded by Council Member Williams, voted on, passed 4-0.

Time: 7:55 p.m.

4. Gas Risers and Growth – LeRoy Turpen noted some other locations that had trees growing around gas risers. PWS Johnson asked him to let him know about them when he found them.
5. Robert Spencer to Attend Wastewater Basics Training – Requested for Bobby Spencer to attend a Wastewater Basics Training in Leavenworth on October 5th to prepare to retake the wastewater certification course.

✓ *Motion to Authorize Robert Spencer to Attend Wastewater Basics Training on October 5th*

Council Member Mitzner moved to send Bobby Spencer to the wastewater basics class in Leavenworth on October 5th. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:58 p.m.

FIRE CHIEF – DAN NASALROAD

1. None

CITY CLERK – DEVONA HERRIN

1. Water Project Accessibility Self-Evaluation Project – Presented draft of report.
2. Grants – Received information for playground grant, fire equipment grant, and KCP&L beautification grant. Passed the two out to the park board and fire chief and flagged the third to apply next year as too late this year.
3. KMGGA representatives stopped by the office today and went over gas purchase process. Also learned they are now available to help work up rates for customers. Have set a flag to work with them next year after the sidewalk project is complete. Will still have the water and sewer rates set to review next month.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

2016 LA CYGNE CITY MINUTES

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:

RESOLUTION #389, SALE OF SURPLUS EQUIPMENT

This is for taking bids on the 2008 Grasshopper Mower 54" Model 223

✓ *Motion To Approve Resolution #389, Sale of Surplus Equipment*

Council Member Fleming moved to approve Resolution #389 as presented. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 8:06 p.m.

RESOLUTION #390, SALVAGE OF SURPLUS EQUIPMENT

Salvage of items: 1996 Dodge 1500 Ext Cab, 2003 Chev Silverado, and, 2001 Ford Crown Victoria.

✓ *Motion To Approve Resolution #390, Salvage of Surplus Equipment*

Council Member Fleming moved to approve Resolution #390 as presented. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:07 p.m.

2016 BLUES BAR AND GRILL, INC. DRINKING ESTABLISHMENT LICENSE

Noted Lucky 13 (known as Alibi) is in the process of selling to Blues Bar and Grill, Inc, The new owners would like to have approval for the city license once the state inspection and license is approved and not have to wait for another city council meeting. Approval can be made with the stipulation of meeting all requirements, this is at the city council's discretion.

✓ *Motion To Approve 2016 Blues Bar and Grill, Inc. Drinking Establishment License with Stipulations*

Council Member Mitzner moved to approve the Blues Bar and Grill, Inc. 2016 Drinking Establishment License for the City of La Cygne contingent on the state liquor license and sales tax information being submitted to the city prior to issuance of the said license. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:09 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to forty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:11 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin and Public Works Superintendent Johnson

2016 LA CYGNE CITY MINUTES

EXTEND EXECUTIVE SESSION

✓ *Motion To Extend Executive Session*

Council Member Mitzner moved to extend executive session for personnel for up to ten minutes. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:56 p.m.

Open Session Resumed at 9:00 p.m.

OTHER BUSINESS:

OFFER PART TIME CEMETERY EMPLOYMENT TO CHARLES BUCK FOR \$10.00 PER HOUR

✓ *Motion To Offer Part Time Cemetery Employment to Charles Buck for \$10.00 per hour*

Council Member Mitzner moved to offer part time cemetery employment to Charles Buck for \$10.00 per hour. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 9:01 p.m.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, October 5, 2016.

✓ *Motion to Hold Workshop for Codes Book Review on October 5th at 6:00 p.m.*

Council Member Fleming moved to have a workshop for the codes book review prior to the next meeting on October 5th at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 9:03 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KDHE Sponsored Training Events 2016/2017
- b] KDHE KanCap Board/Council Education
- c] Notice of Public Meeting
- d] Notice of Public Hearing

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.** The Regular meeting was adjourned at 9:03 p.m.

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of September 2016.

2016 LA CYGNE CITY MINUTES

END OF September 21, 2016 MEETING.

BEGINNING OF October 5, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 5, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Esther Shields; and Gerald Williams. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Chris Self; Charlie Bangs; Keith and Beth Smith; Linda Elder; Rob George with Legacy Contractors; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance.

MAYORS COMMENTS:

➤ None.

CONSENT AGENDA:

✓ ***Motion to Approve Consent Agenda***

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

Minutes of September 21, 2016 City Council Meeting;

Check Register: September 22 – October 5, 2016.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:01 p.m.

DISCUSSION FROM THE FLOOR:

CHARLIE BANGS, 326 GRAND STREET, REGARDING WATER DISCONNECT FEE

Charlie Bangs expressed concern about having late fees and then a \$50 shut off fee added to his water bill when he had a month he was unable to pay. Asked when all of the extra charges had been added by the city for the amounts.

City Clerk Herrin noted the late fees have been in existence a long - long time. The shut off fee had been raised back in 2013 by the city council.

Mr. Bangs asked what to do when he was short on cash and could not pay the bill to avoid the shut off fee being added. Clerk Herrin explained he could request the water be shut off prior to being shut off for non-payment dates for a charge of \$10.00; if he wanted any other changes the city council would need to make those changes to the city codes.

Mr. Bangs thanked all for the explanation as extra fees was making hard times harder.

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BETH SMITH REGARDING COMMUNITY BUILDING FEE FOR GOOD NEIGHBORS BENEFIT

Beth Smith thanked everyone who helped with the Good Neighbors Benefit last Saturday evening. The benefit is the annual fund raiser for the Christmas Sharing Gift program for impoverished children in the area. Would like to waive the fee for the use of the Community Building. Discussed the benefit supper being an annual event and city has always waived the fee. The Volunteer Fire Department plays a big part in making this benefit a success. They met the matching funds requirement of \$1,000 to receive another \$1,000 to the purchase of gifts. There are a lot of impoverished children moving into the area.

✓ *Motion to Make an Annual Waiver of the Community Building Fee for Benefit Project*

Council Member Curtis moved to make an annual waiver for the benefit project (Good Neighbors Benefit for Christmas Sharing Gifts). Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:07 p.m.

CHRIS SELF REGARDING LANDLORD RESPONSIBILITIES FOR OUTSTANDING CITY UTILITIES

Chris Self introduced himself as a landlord for properties within the city and his concern over the city's ordinance for a landlord being liable for any outstanding city utility bills left by a renter of his properties. He presented a 2004 state statute and newspaper article stating that the city would be responsible for collecting city utility debt from the renters. Mr. Self also presented instances where other cities had made changes to handling landlord properties recognizing the landlord was not responsible for city utility debt.

City Attorney Sutherland reported the city codes are such the landlord would be responsible for debt to the property and the city council could either leave as is or make a change to the city codes. Over the years there has been no test as to changing to where the landlord is not responsible.

Discussed the specific location (722 N Broadway) also had extremely high water bills the last two months the renter was in residence at the location. She had been contacted to pay by the landlord and had not come forward to take on the responsibility.

Discussed going to a higher water deposit fee &/or possibly just for rental property. Council Member Curtis felt it should go back to the person responsible and not to a landlord. Noted the city could not refuse utilities if a deposit was paid as a private sector business could; once a landlord rented the property to whomever and a deposit was paid the city utilities would be left with the cost of the outstanding utilities as utilities are not shut off for nonpayment until after there are over two months of utility usage costs built up. Council Member Curtis expressed the need to help the landlord and let a new renter move in.

✓ *Motion to Allow City Utilities to be Turned On for Landlord and New Tenants Leaving Outstanding City Utility Bill*

Council Member Curtis moved to allow the utilities to be turned on in the landlords name and then once new tenants come in let them have utilities. Motion seconded by Council Member Williams. Discussion: City Attorney Sutherland pointed out the city council is going against their own ordinance at this point without a new ordinance to put in place, so is the council just making an exception for this one case. Council concurred for property located at 722 Broadway. Voted on, passed 3-1 (No: Fleming). Time: 7:28 p.m.

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Council Member Curtis requested the city council work on making a change to the city codes for the landlords.

Mr. Self thanked the city council for hearing the situation.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works Superintendent Jim Johnson – Project on target. Few issues with the water lines except when find the existing water lines in a different location than thought and mapped.
2. Phase I Contractor's Pay Request #5 for \$60,579.63

✓ *Motion to Approve Phase I Contractor's Pay Request #5 for \$60,579.63*

Council Member Fleming moved to approve Phase I Contractor's Pay Request #5 for \$60,579.63. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:30 p.m.

3. Self-Evaluation for City Hall Update – Rob George with Legacy Contractor – Rob George with Legacy Contractor presented the identified ADA issues for the ADA self-evaluation for barrier removal. A breakdown of seven items were identified with budget values for a total cost of \$31,911.20 if both restrooms were addressed. Noted USDA had only currently allocated \$20,000 for this project. Discussed updating only one restroom. Have option to discuss with USDA prior to making a decision.

✓ *Motion to Accept Legacy Contractor's ADA Barrier Removal Price Omitting #7 (Staff Restroom)*

Council Member Shields moved to accept Legacy Contractor's bid except #7 (Staff Restroom for \$13,059.90). Motion seconded by Council Member Curtis, voted on, failed 2-0 (No: Fleming and Williams), Mayor opposed. Time: 7:45 p.m.

Rob George recommended the city discuss the options with USDA to see if they would only allow certain sections of the ADA barrier removal list prior to making a final decision. Mayor Sullivan asked City Clerk Herrin to check with USDA and report back at the next meeting. Clerk Herrin is to meet with USDA representative tomorrow and will present at that time.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Public Works Superintendent Jim Johnson – Reported the inspector had been checking the thickness of the concrete and meeting the 4" depth agreement. Council Member Curtis expressed concern about one inspector doing both projects.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. KHP had refunded over \$200 for late delivery compensation of the police truck.

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2. On track with budget.
3. Just looked at a property where holes were occurring in the ground more or less in a north south line just north of a city fire hydrant. Not sure of the cause at this time.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Gas Line at 508 Sycamore – The tree has been removed by Carl's Tree Service; and, the gas line replumbed. Will remove the old meter from the area when can get it from the trunk of the tree.
2. Wastewater Training Class – Bobby Spencer attended a wastewater training class yesterday.
3. Cemetery Employee Charles Buck – Charles Buck is no longer working as a cemetery employee.
4. Cemetery Mowing Status – As of the September 21st council meeting the cemetery lots were all mowed and had started some weed eating. Mayor requested Monday wanted the weed eating done this week so stopped everything but the water plant and spent 36 hours on the cemetery to date. Cecil is out this week for family reasons. This time of year there should be a slowdown in grass growth. Today emergencies came up and could not get to the cemetery. Mayor Sullivan thanked them for addressing the cemetery.
5. Sewer Lagoon Dam – May have a seep in the lagoon dam at the same place where Page worked previously. It might also be an animal digging. With the rains unable to tell if it is wetter there than elsewhere. When done with cemetery will check further to see if area stays damp after area around it dries out.
6. Lift Station at City Park – The lift station stopped pumping last night and the whole control panel is dead. Checked with KCP&L and they have no problem. Called Douglas Pump and they will be here tomorrow. Have the lift station working until Douglas Pump gets here tomorrow.
7. Water Project at Casey's – The boring crew digs in this area and gets rock pouring back out at them from when the area was filled with rock by Casey's contractors prior.
8. Low Water Pressure on Hillside Drive – The cause was the contractor working on the new line and the low pressure was just during the work time.
9. Property with Sink Holes – Pretty sure not a sink hole and not a drinking water issue. Think maybe an abandoned water well or septic tank. Will check further later.

FIRE CHIEF – DAN NASALROAD

1. Fundraiser – Thanked everyone who helped last Saturday night with the fundraiser.
2. Halloween – Will have the Halloween hot dogs on Monday night the 31st.

CITY CLERK – DEVONA HERRIN

None.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

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UNFINISHED BUSINESS:

CITY HALL PHONE SYSTEM UPDATE

Mayor Sullivan reported the local phone company had not returned any bids for the city's phone system. Advantage Computers was again contacted and as part of a government pricing program is able to still offer the Panasonic Phone System at the same price as earlier in the year. City Clerk Herrin reported the outdated phone system has begun to have some issues and with the seven year warranty on all Panasonic Parts with this system free of annual fee charges the phone system will pay for itself in the annual charge fees of the old system. The total quoted price is \$5,341.50.

✓ *Motion to Approve Updating Office Phone System with Panasonic Phone System for \$5,341.50*

Council Member Williams moved to approve updating the city's phone system with Advantage Computer's quote of \$5,341.50. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:14 p.m.

WELCOME SIGN AT RAILROAD AND MARKET / NEW WELCOME SIGN

Mayor Sullivan inquired as to whose property the old La Cygne sign set on at the corner of Railroad and Market as he had been told it was not on railroad property. An aerial was brought up from the county mapping system and the sign appeared to be in the railroad right of way. Discussed other locations for placing a different sign including the area the city owns at 1st & Market where the old gas house used to be; &/or if the city could place a sign in the highway right of way when coming into town from the west. Codes Officer West will inquire with KDOT and report back.

NEW BUSINESS:

HOLIDAY APPRECIATION DINNER FOR EMPLOYEES AND CITY BOARD MEMBERS, OR OTHER THANK YOU

Discussed had given gift cards the last couple of years as difficult to find a date for a dinner for a large attendance as well as someone to cater the meal. The gift cards seem to have been appreciated in years past. The cards were from the Dollar Store, Moon's Grocery, and Casey's and dispersed randomly. If going to go back to a dinner will need to get a date picked out.

✓ *Motion To Give Gift Cards to Employees and City Board Members, Same as Last Year*

Council Member Fleming moved to give gift cards to city employees and city board members the same as last year. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:31 p.m.

TRUCK FOR PUBLIC WORKS

Police Chief West presented a proposal to transfer one of the current police trucks to public works and then the police department purchase another unit using the Police Purchase Program. The city cannot use the program to purchase a public works unit, however once the unit is used for the police it can then be transferred to another department. The unit in question only has 17,000 miles on it and appraised for \$36,000. To transfer would have a cost of around \$35,000 for a new unit and all of the equipment transfer for both units. Council Member Curtis noted public works needed a truck with a utility bed to haul stuff; and, don't think they need a deluxe truck for public works. Discussion noted the police unit did not have extras in the truck. Public Works Johnson noted he had been looking for less expensive ½ ton pickups and could broaden his search with a dollar budget way over what he

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was attempting to work with, so he would like to hold off and look for something with more money. Concurred to table topic for now.

LINN COUNTY'S INFRASTRUCTURE GRANT ALLOCATION FOR 2016

The city received \$54,684.00 for year 2016 from Linn County's City Infrastructure Grant Allocation. \$29,684 was spent on sewer maintenance with Reddi Services. \$23,683.80 was spent on cemetery road improvements with Killough Construction. \$800 was spent on a cemetery tree removal with Carl's Tree Service. \$516.20 is remaining that was allocated to cemetery improvements.

PWS Jim Johnson reported there were three large tree 'hangers' in the air that public works could not reach in the cemetery that need to be removed as well as some other low hanging branches that Carl Marr's Tree Service has verbally given a price of \$525 to address these concerns in the cemetery as his work is slow right now and will give workers some work. Would like to use the remaining fund amount to address the tree limbs.

✓ *Motion To Approve Carl's Tree Service to Cut Cemetery Tree Limbs for \$525.00*

Council Member Shields moved to approve Carl's Tree Service to cut the cemetery tree limbs using \$516.20 of the grant allocation and the cemetery covering the difference. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 8:45 p.m.

LINN COUNTY'S INFRASTRUCTURE GRANT ALLOCATION FOR 2017

The city will receive \$54,279 for the 2017 grant allocation. Briefly discussed if wanted to consider videoing the sewer system in preparation of repairing the sewer mains; or the part of Lincoln Street that had been repaired back to gravel, or possibly other options. Have some time to consider needs and then determine priority. Tabled.

KMGA/KMEA ANNUAL CONFERENCE 2016

The annual conference is November 3rd and 4th in Wichita.

✓ *Motion To Approve City Clerk Herrin Attending KMGA Conference in Wichita*

Council Member Curtis approved City Clerk Herrin to attend the KMGA Conference in Wichita November 3rd and 4th. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:50 p.m.

LKM RECOMMENDING TWO BYLAW CHANGES

Discussed the Leagues presented Bylaw changes to be voted on at the annual meeting Mayor Sullivan was attending and thus the voting delegate for the city.

✓ *Motion To Give Mayor Sullivan Authority to Vote As He Determined Best for the City*

Council Member Fleming moved to give Mayor Sullivan the authority to vote as he determined best at the annual meeting for the bylaws changes. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:55 p.m.

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SALE OF SURPLUS EQUIPMENT, 2008 GRASSHOPPER MOWER

City Attorney Sutherland opened two bids. Jason Petric bid \$505.00. Cecil Blevins bid \$300.00.

✓ *Motion To Accept Jason Petric bid of \$505.00 for 2008 Grasshopper Mower*

Council Member Williams moved to accept the bid of \$505.00 from Jason Petric for the 2008 Grasshopper Mower. Motion seconded by Council Member Curtis, voted on, passed 3-0-1 (Abstain: Fleming). Time: 8:58 p.m.

DONATION FOR LA CYGNE COMMUNITY THANKSGIVING DINNER

Have not previously donated to Community Thanksgiving Dinner.

✓ *Motion To Donate \$250.00 to Community Thanksgiving Dinner*

Council Member Curtis moved to donate \$250.00 to the Community Thanksgiving Dinner. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 9:00 p.m.

MAINTENANCE FOR OUTSIDE CITY HALL AND COMMUNITY BUILDING

Mayor Sullivan noted he did not feel the ladies in the administration office should have to be cleaning off sidewalks and asked the city council for their comments. Council Member Shields felt it should be part of the cleaning person's duties. PWS Johnson felt the ice cream sales in the area causes a lot of need for clean-up. Concurred would like to look at the details of what the cleaning person's job duties are.

CORNER BRICK BUILDING AT BROADWAY AND MARKET

Council Member Shields reported the owner was again working on the corner brick building and was glad they were working on it again.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to twenty minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 9:09 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin

Open Session Resumed at 9:40 p.m.

OTHER BUSINESS:

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, October 19, 2016.

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✓ *Motion to Hold Workshop for Codes Book Review on October 19th at 6:00 p.m.*

Council Member Fleming moved to have a workshop for the codes book review prior to the next meeting on October 19th at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 9:41 p.m.

COLLECTIONS BUREAU OF KANSAS WILL BE ATTENDING NEXT MEETING FOR PRESENTATION

POSSIBLE QUORUM AT PLANNING COMMISSION MEETING NEXT THURSDAY, OCTOBER 13TH

The Planning Commission meeting is covering pending zoning changes and public discussion on the size of additional structures in R-1 zoning areas. Current size is limited to 1,200 square feet.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Notice of Public Hearing
- b] Notice of Public Meeting
- c] La Cygne Chamber Info Dated October 3, 2016
- d] Chamber Notes on Thayer Memorial Park, October 3, 2016
- e] Linn County Rural Fire District #1 Protection Class Press Release

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 4-0.** The Regular meeting was adjourned at 9:46 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 5th day of October 2016.

END OF October 5, 2016 MEETING.

BEGINNING OF October 19, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 19, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Assistant Public Works Superintendent Jerome Moore; Police Chief Tate West; Fire Chief Dan Nasalroad; City Treasurer Regina Reynolds; Chad Hollins with Collection Bureau of Kansas, Inc; Bobby Spencer; Tony Furse; and LeRoy Turpen.

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Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by Council Member Mitzner.

MAYORS COMMENTS:

- Acknowledged Proclamation to Honor Public Natural Gas Systems.
- Reported on the two LKM Bylaw Changes that were voted on at the annual League Meeting. Mayor Sullivan voted for both and both passed. One was for adding three more members to the board creating more representation for the smaller cities. The other was for a change in the fee charges to include a base charge as well.

CONSENT AGENDA:

✓ Motion to Approve Consent Agenda

Council Member Mitzner moved to approve the consent agenda which consisted of the below with the correction of a motion on page 2 of the October 7th minutes to reflect a 3-1 vote, not 4-1 as only four council members present:

Minutes of October 7, 2016 City Council Meeting;
September 2016 Treasurer's Report;
September 2016 Budget Report;
3rd Quarter 2016 Financial Statement;
Check Register: October 6 - 19, 2016.

Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:07 p.m.

DISCUSSION FROM THE FLOOR:

CHAD HOLLINS, WITH COLLECTIONS BUREAU OF KANSAS

City Treasurer Reynolds introduced Chad Hollins with Collections Bureau of Kansas (CBK). Mr. Hollins provided a background of the company and how they can help assist government entities attempt to collect outstanding debts to the city. They will also forward these debts on to the Kansas Set Off Program that the city currently uses as it is another method for the city to collect outstanding debts.

The program is set up to receive all outstanding debts due the city and will not charge the city for any of these debts unless a debt is collected. There is a 30% charge when the debts are collected. If it is a debt collected from the Kansas Set Off Program then they only receive the difference from what the state charges to the total of the 30%. The city can pass an ordinance whereby the fees are passed on to the debtor and then the city can attempt to collect 100% of their debt. Currently averaging 38 – 43% of recovery. Currently work with several local governments and if there is a debtor owing more than one entity the debtor is allowed to choose which debtor is paid off first. All calls are recorded so if there are any complaints they can be reviewed. A presentation of the percentage of collections and litigation was reviewed and discussed. City Attorney Sutherland noted it adds another tool to help recovery. Would help with possible recovery of outstanding debt created with the pending change in how landlord properties are going to be addressed for outstanding debts.

✓ Motion for City Attorney to Review CBK Contract and Ordinance Prior to Next Meeting

Council Member Mitzner moved for the City Attorney to review the Collection Bureau of Kansas contract and subsequent ordinance for fee handling prior to the next council meeting. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 7:35 p.m.

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Noted if the city signs up there is a client portal for city employees for coordination between cities of existing bad debt. Also suggested adding a note on the utility application noting any outstanding fees will be collected.

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works – Discussed the public seeing the stem of the drill pipe that is not the actual pipe size being installed.
2. Self-Evaluation for City Hall Update – Discussed which restroom to make ADA accessible as USDA will only approve one restroom to be updated. Discussed space taken up in the main area versus having to move the water tank and heater with the other restroom.

✓ *Motion to Approve Legacy Contractor's ADA Barrier Removal Bid of \$18,851.30 Omitting #7*

Council Member Williams moved to accept Legacy Contractor's ADA Barrier Removal bid for \$18,851.30 omitting #7 of the list of items. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:47 p.m.

Discussed amending motion for up to \$20,000, the amount USDA would accept for the cost of updates in case of any change needed when work begins.

✓ *Motion to Amend Bid Price for Up To \$20,000.00 Contingent on Change Order Needs*

Council Member Williams moved to amend the price bid for up to \$20,000.00 contingent on change order needs. Motion seconded by Council Member Shields, voted on, passed 5-0.

Time: 7:49 p.m.

1. CDBG Drawdown Request #6 for \$37,560 – City Clerk Herrin reported this drawdown had been handled to go with the last pay request from the contractor.
2. Phase I CDBG #15-PF-009 Quarterly Progress Report – Noted.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Public Works – Noted work moving forward. One gas line had to be lowered for the project. Now have core samples at the bridge area for the piers. And, getting ready to take the sidewalk to the east side of Broadway and Market Street.
2. CDBG #15-PF-0057 Quarterly Progress Report - Noted

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. Noted two week department report handed out.

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PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. 812 Market Street Water Leak – Water contractors hit an old buried unknown water pit in front of Wanda Stainbrook's house. Had to dig up the yard.
2. Continuing Normal Operations – Noted.
3. KCC Annual Gas Inspection – Bobby Spencer met with KCC person for the annual gas inspection. This year was the five year detailed inspection including the procedural side. Noted three non-compliances.

FIRE CHIEF – DAN NASALROAD

1. Halloween – Will have the Halloween hot dogs and chili on Monday night the 31st.
2. SCBA's Purchase – Requested consideration for the purchase of SCBA equipment for \$26,539.14 as the regional fire grant had been denied for the third year. The county is going to file again, however, this would replace up to four units and if still do not receive a grant the city needs to start replacing some as they go. Most of the packs are from 1997 and NFPA says they should be replaced every 10 years. Have had the price for a while. Was asked to check and see if they possibly had any end of the year special prices.

CITY CLERK – DEVONA HERRIN

None.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

CITY WELCOME SIGN

Police Chief West reported a city sign could be placed in the state right-of-way with an approved KDOT permit. A permit would require a plan including a design and form for a sign. He will get with Jodi Wade and the Chamber to let a committee know the process.

REPOST CEMETERY CARETAKER POSITION IN EARLY 2017

Discussed holding the opening for a cemetery caretaker until early 2017. Council concurred.

REVIEW JOB DESCRIPTION FOR CEMETERY CARETAKER

Concurred to table job description review to a January agenda.

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CLEANING PUBLIC AREA OF CITY HALL

Discussed the flat \$75 rate was established in 2008 to include windows and outside front. Also reviewed a draft of expected cleaning duties, some not necessarily required every week. Mayor Sullivan will set up meeting with current cleaning person and city clerk to go over criteria.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, November 2, 2016.

✓ *Motion to Hold Workshop for Codes Book Review on November 2nd at 6:00 p.m.*

Council Member Mitzner moved to have a workshop for the codes book review prior to the next meeting on November 2nd at 6:00 p.m. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:30 p.m.

NEW BUSINESS:

LEAVE FOR CEMETERY EMPLOYEE CECIL BLEVINS

Noted Cecil Blevins, seasonal cemetery employee, will be off work from now until spring for health reasons and part of the normal time off.

TRI-KO, INC. LETTER OF SUPPORT REQUEST FOR GRANT SECTION 5310

✓ *Motion To Approve TRI-KO, Inc. Letter of Support Request*

Council Member Fleming moved to approve the TRI-KO, Inc. letter of support request for their Grant Section 5310. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:33 p.m.

KRWA TRAINING 'REVISED REGULATORY REQUIREMENTS, WATER SYSTEM OPERATIONS'

The KRWA training is Tuesday, November 8th in Pittsburg, Kansas. There is no charge for the training. Does provide five hours of continuing education credit to the attendee.

✓ *Motion To Approve Jerome Moore to Attend KRWA Training, November 8th, in Pittsburg*

Council Member Mitzner moved to approve Jerome Moore to attend the KRWA training on November 8th in Pittsburg. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:35 p.m.

POLICE DEPARTMENT STAFFING

City Clerk Herrin presented request to consider a change to three officers in the police department with one of those three being the police chief. Have reviewed the police department budget with controls on the overtime the department could work with three officers thus providing an easier workload for the officers, especially the one night and weekend officer as well as reducing the overtime for the department. Council discussed the pros and cons. City would have the expense of sending a second officer for training, but would also have the opportunity to have two officers on staff when one leaves as turnover seems to be recurring. Having three would give the officers an opportunity to allow scheduling changes and family time. Also, look for ways to stop being the

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stepping stone for new officers and a rotating schedule could be helpful. Council expectations of patrol time to be considered as coverage comes at a cost and city needs to determine what they want. No decision today. Will continue to review at a later meeting.

HIRE FULL TIME POLICE OFFICER

Tabled to Other Business.

LKM TRAINING FOR CITY OFFICIALS "ETHICS & CIVILITY"

Training is in Kansas City on Thursday evening, November 10th. Discussed. No one available to attend.

OUTSTANDING UTILITY BILL PROCESS/POLICY FOR LANDLORDS PROPERTIES

Discussed during the codes book workshop about making changes to the utility section to reflect a different way of handling the landlords' properties when the renter leaves with an outstanding bill. Will research how other cities handle this process differently. Also discussed raising the water deposit for all from \$100 to \$200 as a two month water, sewer, and trash bill can easily reach the \$200 total now for an average size household. Concurred want to increase the water deposit now with an ordinance for the deposit change at the next meeting.

✓ *Motion To Approve Raising the Water Deposit from \$100.00 to \$200.00*

Council Member Mitzner approved raising the water deposit from \$100.00 to \$200.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:53 p.m.

Noted the collections program being considered may help with the outstanding bills and will discuss further at a later meeting. Council Member Mitzner also noted he had checked with the city of Louisburg and they are also going by that any outstanding utility bill follows the property and do not turn the utilities back on at the property until the outstanding bill is paid by someone. So the city is not the only one working with utility bills following the property. This is the part being reviewed by the city.

THIRD QUARTER BUDGET REVIEW

City Clerk Herrin reported on the status of the different funds within the city's budgets. Noted the following:

1. Sales tax was down less than half projected,
2. City attorney fees up considerably in the general fund, but down in the police fund,
3. Fire fund budget includes \$5,000 of grant revenues that have not been received so need to adjust accordingly; this is the same for all grant budgets that did not receive revenues,
4. Community building fund is staying within budget even with the purchase of the two cook stoves,
5. General cemetery fund is over budget this year due to the purchase of the lawnmower and the economic development project. The lawnmower was scheduled for 2017 and that budget will have that much less to work with in 2017. The economic development portion received the matching funds so is not effecting to total budget as other departments can absorb the difference on the final general fund total for the year.
6. The compactor fund is going to use all of its budget for the year,
7. Emergency management appears to be over due to last year's purchase of the generator that was not paid for until this year, the grant monies were not received until this year either.
8. Employee benefits doing ok.
9. Gas department had some subcategories high, but others were low and total balance doing ok.

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10. Water department is somewhat high in distribution salaries; may be a matter to reporting to payroll.
11. Sewer utility also received economic development cash flow for a sewer improvement project. Earlier it looked like the fund would stay within budget. Now there has been a lift station go down and this is creating costs that could go outside the budget limit. Will need to amend this budget prior to year-end.
12. Solid waste fund is going to be close, but appears to be ok.
13. Special Highway fund has been reviewed to move the street funds from the general funds over to this fund to use towards the future street improvement project and have the general fund more in line with usual percentage numbers. Asked city attorney to review the state statues for this fund to see if that is the way to set up the reserve for the future street project. If so will move these reserves prior to year-end.
14. Special Park and Pool will be reviewed by that board and if need be will amend this budget too.
15. Oaklawn budget will be reviewed again after October as there were several hours of payroll added to this fund in October.
16. Other funds are non-budgeted and doing ok.

Will prepare an amended budget after getting with the park board for later this year.

WATER AND SEWER RATE REVIEWS

City Clerk Herrin passed out expense and revenue for the years 2007 to current 2016 to date. The water fund is currently growing at the pace projected for the current rates. The sewer fund is holding, but is not noticeably growing; it continues to get hit with unexpected repair costs.

Discussed establishing a small percentage increase at least for now in the sewer utility to try to avoid another large increase to this fund after going flat for several years and not meeting the growing expense needs. Will check with other cities and see how a percentage increase is handled and report back at the next meeting.

EXTEND MEETING

Discussed likely need to go past the three hour time set for a city council meeting.

✓ *Motion To Extend Meeting up to 10:30 p.m.*

Council Member Mitzner moved to extend the meeting time up to 10:30 p.m. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 9:27 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to forty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 9:28 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin

Open Session Resumed at 10:08 p.m.

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OTHER BUSINESS:

LINN COUNTY TRANSPORTATION LETTER OF SUPPORT REQUEST

✓ *Motion to Approve Letter of Support for Linn County Transportation*

Council Member Mitzner moved to approve the letter of support for Linn County Transportation. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 10:09 p.m.

HIRE FULL TIME POLICE OFFICER

✓ *Motion to Hire Michael Miles as Police Officer for \$14.00 per Hour Meeting Qualifications*

Council Member Mitzner moved to hire Michael Miles at \$14.00 per hour as a full time police officer on condition of meeting full time qualifications. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 10:10 p.m.

✓ *Motion to Include Attending KLETC Beginning October 31st*

Council Member Mitzner moved to amend to include if qualifies Michael Miles will attend the KLETC program beginning on October 31st. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 10:11 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Chamber of Commerce Garden Committee Report
- b] September 8, 2016 Planning Commission Meeting Minutes
- c] August 25, 2016 Park Board Meeting Minutes
- d] September 29, 2016 Park Board Meeting Minutes
- e] Governor's Water Conference Agenda
- f] Take Back Drugs, National Med Collection on October 22, 2016

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 10:12 p.m.

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 19th day of October 2016.

END OF October 19, 2016 MEETING.

BEGINNING OF November 2, 2016 MEETING

2016 LA CYGNE CITY MINUTES

REGULAR MEETING:

The La Cygne City Council met on Wednesday, November 02, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Assistant Public Works Superintendent Jerome Moore; Police Chief Tate West; Fire Chief Dan Nasalroad; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 7:00 p.m. with the pledge of allegiance led by Council Member Williams.

MAYORS COMMENTS:

- Thanked the Firemen for their contribution of hot dogs and chili for the community Halloween activities. It's a good reflection on a safe city and the police department did a good job too.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

Council Member Mitzner moved to approve the consent agenda which consisted of the following:

Minutes of October 19, 2016 City Council Meeting;
2017 Cereal Malt Beverages License to Casey's General Store #3397;
Check Register: October 20 - November 02, 2016.

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

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Public Works – Had to expose the existing water line at Industrial Road and Market so the contractor could bore the new line around it. The tanks found at 5th and Market have been removed by KDHE and the contractor is going to fill the hole as he wants to see what is there prior to boring in that area. Have had a difficult time locating the existing 4" water line in the area where there is not a current map in existence nor was any tracer wire used. Thanked all of public works for their hard work on getting the exposed line identified.
2. Self-Evaluation for City Hall Update – City Clerk Herrin reported the city council would be receiving a formal agreement with Rob George with Legacy for the ADA restroom and renovations. However, the work would not be done until after the first of next year as other projects had come up for him right before Rob was contacted by the city. Have passed this delay in work information on to USDA and have it in writing that as long as the work is done prior to the entire project being complete there would not be a problem. The updates should be done by spring according to Rob.

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3. Contractors Pay Request #6 for \$58,220.98

✓ *Motion to Approve Contractors Pay Request #6 for \$58,220.98*

Council Member Mitzner moved to approve the contractors pay request #6 for \$58,220.98. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:09 p.m.

4. CDBG Drawdown Request #7 for \$36,097

✓ *Motion to Approve CDBG Drawdown Request #7 for \$36,097.00*

Council Member Mitzner moved to approve the CDBG Drawdown request #7 for \$36,097.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:10 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Public Works – Project moving east. There is a gas line that will have to be lowered in the area they are laying drainage pipes on the east section. Estimate the project to be about 40% complete.
2. CDBG Drawdown Request #3 for \$6,480.00

✓ *Motion to Approve CDBG Drawdown Request #3 for \$6,480.00*

Council Member Mitzner moved to approve the CDBG Drawdown request #3 for \$6,480.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:15 p.m.

3. Contractors Pay Request #1 for \$101,469.01

✓ *Motion to Approve Contractors Pay Request #1 for \$101,469.01*

Council Member Mitzner moved to approve the contractors pay request #1 for \$101,469.01. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:16 p.m.

4. SEKRPC Pay Request for \$4,750

✓ *Motion to Approve SEKRPC Pay Request for \$4,750.00*

Council Member Mitzner moved to approve the SEKRPC pay request for \$4,750.00. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:17 p.m.

5. CDBG Drawdown Request #4 for \$106,219.01

✓ *Motion to Approve CDBG Drawdown Request #4 for \$106,219.01*

Council Member Mitzner moved to approve the CDBG Drawdown request #4 for \$106,219.01. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:19 p.m.

6. CDBG Completion Time Frame – Notice has been received from the state that this special CDBG project has to be closed out by December 31, 2016.

2016 LA CYGNE CITY MINUTES

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. The two week department report was handed out. Noted vin inspections had changed to two just prior to the meeting.
2. Council Member Mitzner thanked Police Chief West for helping to block the intersecting streets for the school children as they walked their Halloween parade to town. Police Chief West noted the school does an awesome job on having the children arranged safely for that parade each year.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON – BY JEROME MOORE

Reported on the following:

1. Industrial and Market Street Area – Water project has taken up a lot of time for determining where the water line is in this area. With everyone's help located the line this week.
2. Leak in Front of First Option Bank – Contacted KRWA and they used their equipment to locate just where the leak was occurring on the line and it has also been repaired.
3. Sewer Lift Station South of Park – The seal has broken on the #2 pump and has been pulled by Douglas Pump and now being inspected to determine if it can be repaired or will have to be rebuilt. Cost will be around \$5,000 if it has to be rebuilt. Have a smaller pump that is retained for these emergencies doing the work until the pump can be put back in.
4. Maintenance Program for Sewer Lift Stations – Used to have a maintenance contract with Douglas Pump to have the pumps inspected every six months. Not sure what happened that it did not get renewed to still be in place. Getting information for the council at the next meeting for getting back on this program.

FIRE CHIEF – DAN NASALROAD

1. Halloween – Thanked all of the firemen and their families for helping with preparing and serving the hot dogs and chili, and then the cleanup for the project.
2. Hydrants Installation Height with Water Project – Expressed concern that the fire hydrants being installed are not meeting height requirements for quick access by the fire trucks when needed to be opened. Just checked the one at 8th and Market and it does not currently meet the 18" height requirement to use the proper wrench to get the cap off. Does anyone know the process for height? Discussed the city mains vary in depth and possibly the internal stem of the hydrants is a standard height which does not allow to adjust above the ground as they need to. Fire Chief Nasalroad will send an email to the project engineer and find out what is to be done or can be done before all of the hydrants are installed with potential height problems.
3. SCBA's Purchase – Requested permission to go forward and purchase 4 air masks, voices amplifiers, back backs, and two air bottles that will interchange with the county for a total of \$26,539.14. Have filed with the county for another grant, but need to start a replacement program for this equipment.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve the Purchase of SCBA Equipment for a Total of \$26,539.14*

Council Member Williams moved to purchase SCBA equipment for a total cost of \$26,539.14. Motion seconded by Council Member Shields, voted on, passed 2-0-3 (Abstain: Curtis, Fleming, & Mitzner). Time: 7:39 p.m.

CITY CLERK – DEVONA HERRIN

1. Street Funds Adjustment – Still working on the process.
2. Utility Responsibility for Landlord Properties – Still obtaining information for this ordinance change.
3. New Phone System – Installation is set up for next Tuesday.
4. Amending Sewer and Park/Pool Budgets – Have drawn up the paperwork to amend these 2016 budgets. Will have later in the meeting.
5. Cleaning City Hall – Have not had an opportunity to speak with the current individual.

COUNCIL COMMITTEE REPORTS:

PARK

The ADA Shelter Grant Jodi Wade had applied for on behalf of the Park Board has been approved and set for a 2017 project in the south park.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

CITY WELCOME SIGN

Police Chief West reported he had provided the KDOT information to Jodi Wade and will continue working with her on the project for KDOT requirements.

POLICE DEPARTMENT STAFFING

Police Chief West presented a proposal for Salaries and Shift Coverage if the Police Department is converted to a three full time staff department. Noted it would require an adjustment in the capital outlay portion of the police department fund thus using a longer time between replacements of police units; and, there would not be any overtime from any of the officers. If there was callout during time off hours there would just have to be time off taken later in the same pay period to hold the hours to a regular time payroll. Discussed the plan to increase to three full time officers would increase service time to the community and remove the concern for overtime within the police department. Did concur that if there were codes issues after regular scheduled hours or life threatening concerns there would need to be allowance to compensate with time off later. No action taken.

SEWER RATE OPTIONS

City Clerk Herrin presented the current rate ordinance for the city sewer rates and a review breakdown for making an annual 2.5% rate increase the first of each year and the first year projected

2016 LA CYGNE CITY MINUTES

increase in revenue for the sewer fund would be around \$2,800.00. Council will review and asked to have the topic back on the next city council meeting agenda.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, November 16, 2016.

✓ *Motion to Hold Workshop for Codes Book Review on November 16th at 5:00 p.m.*

Council Member Mitzner moved to have a workshop for the codes book review prior to the next meeting on November 16th at 5:00 p.m. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:58 p.m.

NEW BUSINESS:

WEBSITE PAGE(S) FOR CHAMBER OF COMMERCE UTILIZING CITY WEBSITE

City Clerk Herrin presented an inquiry from Dr. Jaccard regarding the possibility of the Chamber being able to set up website pages somehow with the city website to save in costs. Allyson James supports the city's website through OneEach and has volunteered to help with the Chamber website in connection with the city website with two different options. Either way Allyson James has agreed to be the person doing the website updates for the chamber as whoever would do it would have access to all of the city's website. City Council discussed and asked to check with the chamber at their next meeting as to if they want a heading page and pay for a Sub theme or just some information listed under the city's heading page. The chamber meeting is prior to the next city council meeting and will report at the next city council meeting.

ORDINANCE NO. 1444 REGARDING COLLECTION FEES

City Attorney Sutherland noted the city council needed to put an ordinance in place regarding collection fees prior to accepting any entity to handle the process.

✓ *Motion To Approve Ordinance #1444 Regarding Collection Fees*

Council Member Mitzner moved to approve Ordinance #1444 regarding collection fees. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:08 p.m.

COLLECTION BUREAU OF KANSAS, INC. (CBK) AGREEMENT DRAFT

City Attorney Sutherland noted he did not see any problems with the contract CBK presented. It can be cancelled at any time by the city if they ever choose to discontinue.

✓ *Motion To Accept the Collection Bureau of Kansas, Inc. Agreement*

Council Member Mitzner moved to accept the Collection Bureau of Kansas, Inc, Agreement for the city's collection process. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:09 p.m.

ORDINANCE NO. 1445 WATER UTILITY DEPOSIT RATE CHANGE

The ordinance presented changes the water utility deposit from \$100 to \$200.

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✓ *Motion To Approve Ordinance #1445 Regarding Water Utility Deposit Rate to \$200.00*

Council Member Mitzner moved to approve Ordinance #1445 regarding water utility deposit rate change to \$200.00. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:12 p.m.

REVIEW INSTALLATION OF CULVERTS, CITY CODE 12-218 & POLICY NO. 12

Tabled to next meeting.

ORDINANCE NO. 1446 SOLID WASTE RATE CHANGE EFFECTIVE JANUARY 1, 2017

This adjustment is part of the agreement with Waste Management Services, previously L & K Services. They did not have a rate adjustment last year. It is an .8% rate increase.

✓ *Motion To Approve Ordinance #1446 Regarding Solid Waste Rate Change Effective 01/01/2017*

Council Member Mitzner moved to approve Ordinance #1446 regarding the solid waste rate change effective January 1, 2017 for Waste Management. Motion seconded by Council Member Sheilds, voted on, passed 5-0. Time: 8:14 p.m.

TRASH COMPACTOR HOURS OVER CHRISTMAS HOLIDAY 2016

Discussed the city's trash compactor's regular closed days are Thursday and Friday. This year Christmas Eve and Christmas Day are on a Saturday and Sunday. In years prior have tried to stay open on the Thursday and Friday before but have not been busy. Bill Craven has asked about just being closed for the four days this year. Also discussed that city hall would be closed that Monday, how did Bill Craven feel about being open that Monday? Will check and report back at the next meeting.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to thirty - five minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:18 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin and Police Chief West

Open Session Resumed at 9:05 p.m.

OTHER BUSINESS:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

a] National Drug Take-Back Day Reports

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ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 9:06 p.m.

City Clerk Herrin asked to reopen the meeting to discuss amending the 2016 Budget.

REOPEN MEETING:

✓ *Motion to REOPEN Meeting*

Council Member Fleming moved to reopen the meeting to discuss amending the budget. Motion seconded by Council Member Mitzner, voted on, passed 5-0. The Regular meeting was reopened at 9:07 p.m.

OTHER BUSINESS:

AMEND 2016 SEWER AND PARK/POOL BUDGETS

City Clerk Herrin presented a request to amend the expenditures on the Sewer Utility from the existing \$126,026 to \$155,710 to cover the revenue and expense created in 2016 from the Economic funds spent on the sewer utility that was not previously budgeted. And, to amend the expenditures on the Park/Pool Budget for unexpected revenue and costs changing those expenditures from \$68,400 to \$73,400. Would like to publish the notice and hold the Public Hearing for the changes at the December 7th regular scheduled meeting.

✓ *Motion To Approve Publishing Sewer & Park/Pool Budget Amendments for Year 2016*

Council Member Shields moved to approve amending the 2016 budget as presented and publish for the December 7th meeting. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 9:08 p.m.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 9:09 p.m.

I, _____
(Devona Herrin)

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 November 2016.

END OF November 2, 2016 MEETING.

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BEGINNING OF November 16, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, November 16, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Public Works Robert Spencer; Tony Furse; and LeRoy Turpen.

Mayor Robert Sullivan called the meeting to order at 6:00 p.m. with the pledge of allegiance led by City Attorney Sutherland.

MAYORS COMMENTS:

- Community Thanksgiving Dinner is Saturday from 11am to 1pm at the La Cygne Elementary School building. All are welcome.

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

Council Member Williams moved to approve the consent agenda which consisted of the following:

Minutes of November 2, 2016 City Council Meeting;
October 2016 Treasurer's Report;
October 2016 Budget Report;
Check Register: November 02 - 16, 2016.

Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 6:02 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Report – Railroad bore, some cleanup, and hydrant adjustments are pending to be completed. The Dept. of Commerce/CDBG will allow Phase 2 to begin as soon as the waterline from Phase 1 is in place, which could be as early as next week if all goes well. The waterline contractor will replace the pavement and realign the alley between Broadway and 4th as they will be working there after the sidewalk project is complete and does not make sense to tear up new sidewalk.

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CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Report – The steep driveways at the pharmacy and 931 Market are being fixed. The abutments for the bridge are being placed this week. The pedestrian bridge is scheduled to be delivered and installed on November 29th. The storm water pipes and box will be placed next week. Then the temporary seeding will be done with the permanent seeding to be done as part of the warranty work when the weather warms up in the spring.
2. Change Order #1 for \$43,207.00 – This covers a change in the storm water pipe at Market and Industrial for an additional cost of \$6,669.00 and then an estimated increase of \$43,207.00 to extend the sidewalk east to Broadway from 6th Street.

✓ *Motion to Approve Change Order #1 for \$43,207.00*

Council Member Mitzner moved to approve Change Order #1 for \$43,207.00. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:16 p.m.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. The two week department report was handed out.
2. Discussed working with Jodi Wade on the City Sign.
3. Officer Miles will have two breaks during his training schedule, one during the week of Thanksgiving and another during the Christmas Holiday. He will be working with the Chief during those two periods.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Robert Spencer Request to Retake Wastewater Exam – Robert Spencer requested to retake the wastewater exam with costs to the city of the exam fee and travel costs to Emporia the day of the exam, December 15th.

✓ *Motion to Approve Robert Spencer to Take the Wastewater Exam, December 15th*

Council Member Curtis moved to approve Robert Spencer to take the wastewater exam on December 15th with travel expenses that day to Emporia. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 6:19 p.m.

2. Jim Johnson Discuss His Work Injury and Returning to Work – Requested to discuss his work comp injury in open session. He reported he accidentally hurt his shoulder about 10 and ½ months ago and had surgery then tore out the area and had a second surgery four weeks ago. Jim reported he was released today for light duty with restrictions of a weight limit for 10lbs, and ok to run the backhoe. He expressed concern that it had been reported to the work comp rep that he wouldn't go by the restrictions and wanted to make it clear to the public that all he wanted was to come back to work for the city and retire from the city doing his share. He noted he was told he would have some permanent damage and not be able to lift above his shoulder. Thanked his public works co-workers for picking for the slack for him while he was

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out. Discussed weekend staffing and any lifting requirements over his current limitations while he was on light duty restrictions. Concurred he would call one of the others if that happened and he would be reviewed in 8 weeks for lifting the 10lb weight limit. The work comp rep can be here on November 28th to talk to everyone about the expectations but would like to return to work now. City Attorney Sutherland noted the council did not have to discuss this in open session.

✓ *Motion to Table Jim Johnson's Request to Executive Session*

Council Member Mitzner moved to table the topic to Executive Session. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:31 p.m.

FIRE CHIEF – DAN NASALROAD

1. Hydrants Installation Height with Water Project – Council Member Mitzner reported the fire hydrants being installed will be adjusted in length by the water contractor as part of the project.
2. SCBA's Grant for 2017 – The County has filed for another grant in 2017. If successful the city portion of grant match will be \$3,626.79.

CITY CLERK – DEVONA HERRIN

1. Budget Amendment Hearing at December 7th Meeting
2. Transfer of Street Funds at December 7th Meeting
3. Possible Grant Opportunities – Email received from Linn County Fire Chief and includes a community food project grant. Council Member Shields will take to the Food Pantry to see if they are interested.
4. K-State Research and Extension Request to Participate in First Impressions – Email received from K-State inquiring if the city would be interested in participating in this project where two cities would have individuals visiting each other and reporting back on findings of their experience within the community. Discussed if there was time to inquire if the Chamber was interested. With other existing projects council was not prepared to add this project at this time. City Clerk will inquire as to time line and pass on to the Chamber if time allows.

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

CITY WELCOME SIGN

Police Chief West reported Jodi Wade is working with the chamber and the State for the location of a sign and the requirements depending on where a sign is located. She is looking at options for both the east and west entrances to the city.

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TRASH COMPACTOR HOURS OVER CHRISTMAS HOLIDAYS

City Clerk Herrin reported Bill Craven was ok to be open on Monday, December 26th, and just closed on the actual holidays, December 24th and 25th. This is a different schedule than the office since the office is regularly closed on Saturday and Sunday.

✓ *Motion to Close Trash Compactor on December 24th & 25th and Open December 26th*

Council Member Shields moved to approve Trash Compactor being closed on December 24th and 25th, and to be open on Monday, December 26th. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 6:44 p.m.

ORDINANCE NO. 1447, SEWER RATE CHANGE

Reviewed the previously presented Sewer Rate information that consisted of the current rate ordinance for the city sewer rates and a review breakdown for making an annual 2.5% rate increase the first of each year and the first year projected increase in revenue for the sewer fund would be around \$2,800.00. Council discussed adding some changes for easier clarification of the rate being based on water usage. City Attorney Sutherland was ok with the changes. A clean ordinance was presented for approval.

✓ *Motion to Approve Ordinance No. 1447, Sewer Rate Changes Beginning January 2017 Bills*

Council Member Shields moved to approve Ordinance No. 1447 pertaining to Sewer Rate changes effective the January 1, 2017 Utility Bills. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 6:46 p.m.

WORKSHOP FOR CODES BOOK REVIEW PROCESS

Next regular meeting is Wednesday, December 7, 2016.

✓ *Motion to Hold Workshop for Codes Book Review on December 7th at 5:00 p.m.*

Council Member Williams moved to have a workshop for the codes book review prior to the next meeting on December 7th at 5:00 p.m. Motion seconded by Council Member Fleming, voted on, passed 4-0-1 (Abstain: Mitzner). Time: 6:48 p.m.

OUTSTANDING UTILITY BILL PROCESS/POLICY FOR LANDLORDS PROPERTIES

City Clerk reported still gathering information from different cities already working with this method.

WEBSITE PAGE(S) FOR CHAMBER OF COMMERCE UTILIZING CITY WEBSITE

City Clerk reported Treasurer Regina Reynolds attended the chamber meeting and the chamber inquired as to cost of a sub-page. Treasurer Reynolds is working on the project and will take the information back to the chamber for a report back. Will table until a January City Council Meeting.

REVIEW INSTALLATION OF CULVERTS, CITY CODE 12-219 & POLICY NO. 12

Discussed the existing code and policy. The recommendation by Public Works Assistant Superintendent Moore was a change in wording to one paragraph in Policy No. 12. PWS Johnson agreed with Moore to make the change to clarify the charge to the resident. Further discussion took

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place to just place the policy wording into the city code and discontinue referencing a Policy with the code. Requested to put back on next agenda.

CITY CODES FOR DRIVEWAYS AND OTHER STRUCTURES

Discussion regarding eliminating permit requirements for driveways and other structures was briefly covered.

NEW BUSINESS:

KANSAS CORPORATION COMMISSION ANNUAL GAS INSPECTION

Public Works Robert Spencer reported on the Annual KCC Gas Inspection report and how he would address the noncompliance concerns in the future. Will make sure the required paperwork and record keeping is up to date for the next inspection. Noted he is given adequate time to get the paperwork done. Council thanked him for his report.

REVIEW GAS MANUALS: EMERGENCY, PUBLIC AWARENESS, O&M, AND OQ

Rough drafts of the updated manuals were placed at the council table. City Clerk Herrin reported besides what Bobby would be reporting there were also places within these manuals that referred to the superintendent as it was originally written up for the supervisor to be responsible. Now with the pending change in the codes to 'superintendent, or city representative', will also be making this change in these manuals to match.

Bobby Spencer, with Public Works, reported he had updated the manuals with the information KCC requested to be changed. He would also be bringing a Public Awareness form to the next city council meeting for the council members to complete and document. And, he would like to spend time getting feedback from the community from other than the newsletter, which is not bringing in the results that KCC is wanting. Would like to get involved with other community projects to get Public Awareness out to the public.

Bobby Spencer confirmed the manual drafts had been reviewed by him and KCC; did add items such as a natural disaster to meet federal requirements. These manuals are reviewed every year. PWS Johnson noted Bobby does a good job.

✓ *Motion To Approve Manuals as Reviewed by Spencer and KCC*

Council Member Mitzner moved to approve amendments and changes as reviewed by Bobby and KCC. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:15 p.m.

KDOT GRADE DETERMINATION FOR RAILROAD GRADE CROSSING INTERSECTION AT W. LINCOLN ST

City Clerk Herrin reported she had received a call from KDOT where the railroad had made a change at this intersection from their determination of 'private' to 'public'. For KDOT this change requires them to follow up and see if the crossing has become more active and being maintained by the city. Council discussed this is not an area even open for any kind of crossing as the railroad has placed gravel on each side of the crossing. Concurred it is to stay 'private' and let KDOT know so they can follow up with the railroad for all to have the same determination.

US MINERAL POSSIBLE USE PERMIT VIOLATION

Codes Officer West reported there is evidence US Minerals is violating their Use Permit and will be requesting them to attend the next city council meeting to discuss their emission requirements.

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Discussion took place regarding the amount of ash in the air at different times when they are running the equipment versus other times and if they are always following requirements.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to thirty - five minutes following a ten minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:25 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): City Clerk Herrin and Public Works Superintendent Johnson.

Open Session Resumed at 8:09 p.m.

OTHER BUSINESS:

PWS JOHNSON RETURN TO WORK WITH LIGHT DUTY

✓ *Motion To Approve PWS Johnson Return to Work with Light Duty*

Council Member Mitzner moved to approve PWS Johnson to return to work with light duty meeting stipulations on medical release as discussed. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:10 p.m.

HIRE BRADLEY BARRETT AS PART TIME POLICE OFFICER AT \$11.00 PER HOUR MEETING REQUIREMENTS

✓ *Motion To Approve Hiring Bradley Barrett as Part Time Police Officer at \$11.00 per hour*

Council Member Mitzner moved to approve hiring Bradley Barrett as a part time police officer, provided he meets requirements, at \$11.00 per hour with actual start date when he is available. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:11 p.m.

Discussed the training for a part time police officer is not available until April 2017. Will move forward on the prerequisites for qualifying to attend the training.

THIRD FULL TIME POLICE OFFICER IN 2017

Council Member Mitzner requested to review the previous meeting request to consider another full time police officer position in 2017 and eliminating overtime in that department. Police Chief West has indicated he can make that work within his department budget.

✓ *Motion to Approve a Third Full Time Position in 2017 Staying Within Budget Parameters*

Council Member Mitzner moved to approve to allow Chief West to have a third full time position in the police department in 2017 while staying within the police department budget. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:18 p.m.

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Discussed when to advertise for the position. Will begin advertising for the position the week of November 28th. If the individual chosen is required to attend the academy will target having a candidate hired in time to attend the March training class.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Thank You for Help to Peoples Telecommunications
- b] L & K / Waste Management 2016 Holiday Service Delivery Update – They will be picking up on the usual day of the week during Christmas and New Year's.
- c] Mayors Christmas Tree Lighting, December 3rd, 7:00 p.m.
- d] Chamber of Commerce Activity Updates

ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 5-0.** The Regular meeting was adjourned at 8:23 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 16th day of November 2016.

END OF November 16, 2016 MEETING.

BEGINNING OF November 22, 2016 SPECIAL MEETING

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Tuesday, November 22, 2016, at La Cygne City Hall. Council Members present were: Jake Fleming; Jerome Mitzner; Danny Curtis; Gerald Williams; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin and City Police Chief and Codes Officer Tate West.

Mayor Robert Sullivan opened the meeting at 5:00 p.m.

The Purpose of the Special Meeting was called for:

❖ Cereal Malt Beverage License for Bilyeus Bar & Grill, LLC

Codes Officer Tate West reported the current manager of Blues Bar & Grill has suddenly separated from running the bar and grill. The liquor license is the responsibility of the person/entity of who is operating the establishment. When she left she took the license that was her responsibility and the liquor that was also her responsibility. The owners of the building have met and are getting a corporation established to keep the establishment open under their names. They can get that completed today, however it will take longer to get a state liquor license completed. However, with

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the approval of the city they can serve 3.2 beer during this time they are waiting for their state liquor license. The name of the manager they are incorporating under will be Nicole Wilson and the property owners will be the same as the LLC owners.

Codes Officer West recommended approving a Cereal Malt Beverage license contingent on obtaining the new corporations Tax ID applicable to Bilyeus Bar & Grill, LLC. The owners are on their way to Topeka to have it tomorrow to give to the city. During all this time it has been the same cooks, etc. The change has been the manager. They have attested they meet all the requirements for a license. Also, with a change in ownership the Department of Agriculture license changes for the cooking area and requires inspection. They have six days to get this complete to continue to run that area and say it will be addressed.

✓ *Motion to Approve CMB License Contingent on Tax ID Information for Bilyeus Bar & Grill, LLC*

Council Member Curtis moved to approve a Cereal Malt Beverage license for Bilyeus Bar & Grill, LLC contingent on the city receiving the State Tax ID number. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 5:08 p.m.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 5-0.** The Special meeting was adjourned at 5:09 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 22nd day of November 2016.

END OF November 22, 2016 SPECIAL MEETING.

BEGINNING OF December 7, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, December 07, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Esther Shields; and Gerald Williams. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Vice President of Operations Jeff Buehrle with U.S. Minerals; EHS Manager Ron Aranda with U.S. Minerals; Danny Weitman; Terry Weitman; Fred Meisel; Linda Meisel; Diane Burnett with County Extension Office; Chris Friend with Harsco; Mike Van Vlack; Brett Waggoner with BG Consultants; and Tony Furse.

Mayor Robert Sullivan called the meeting to order at 6:00 p.m. with the pledge of allegiance led by City Clerk Herrin.

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PUBLIC HEARING:

2016 AMENDED LA CYGNE BUDGET HEARING

Mayor Sullivan opened the 2016 Amended Budget Hearing at 6:01 p.m.

- ❖ City Clerk Herrin noted the two budgets being amended were the Sewer Fund and the Park & Pool Fund to allow for the expense budget for some additional improvements not previously budgeted for, but the monies are available for the improvements.
- ❖ Opened for any comments or questions from the floor.
- ❖ There were no comments or questions.

Mayor Sullivan closed the 2016 Budget Hearing at 6:02 p.m.

✓ *Motion To Approve 2016 Amended La Cygne City Budget*

Council Member Shields moved to approve the amended City of La Cygne 2016 Budget as presented. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time: 6:02 p.m.

MAYORS COMMENTS:

- Community Thanksgiving Dinner was last Saturday and was well attended by the community with good company and good food.
- Mayor's Christmas Tree Lighting had a small crowd due to the cold weather. Appreciate all of the help with the decorations and the tree.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of November 16, 2016 City Council Meeting;
Minutes of November 22, 2016 Special City Council Meeting;
Check Register: November 17 – December 07, 2016.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 6:04 p.m.

DISCUSSION FROM THE FLOOR:

DIANE BURNETT WITH K-STATE RESEARCH & EXTENSION REGARDING THE FIRST IMPRESSIONS PROGRAM

Diane Burnett introduced herself and explained the First Impressions Program. She inquired as to whether the city would consider doing an exchange with the City of Altamont through the program at no charge to the city. The findings will be reported back to the community after completed. They are attempting to put like sized communities together. She has a couple of people interested and will handle the project if the city is ok to move forward.

✓ *Motion to Approve First Impressions Study Through the Extension Program*

Council Member Curtis moved to approve the First Impressions Study through the Kansas Extension Program. Motion seconded by Council Member Shields, voted on, passed 4-0.
Time: 6:09 p.m.

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SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Report from PWS Jim Johnson – They are on schedule. There are a few fire hydrants that are short and will be extended later. They continue to address any cut roads that are sinking. The bore at 4th Street and Market caused some problems, but they are addressing them.
2. Brett Waggoner with BG Consultants – The repairs to this particular bore were compounded by a concrete approach from the highway and they will address with a saw cut and putting in foundation material. Will repair half of the road at a time as to only have half at a time closed. Weather will now play a factor in when the repairs will be completed. This will also include the repairs to the sidewalk at Casey's and the Insurance Office. As for the alley east of Broadway and Market they will reset this with a new entrance that lines up as it should and meet ADA requirements for the sidewalk in that area. This is also weather dependent and part of the Phase II project.
3. Pay Requests:
 - i. Contractor Phase I Pay Request #7 for \$50,351.47
 - ii. Engineer Phase I Pay Request for \$16,086.40
 - iii. Phase I CDBG Drawdown Request #8 for \$31,218.00
 - iv. Contractor Phase II Pay Request #3 for \$51,979.25

✓ *Motion to Approve Financials as Presented: Contractor Pay Request for \$50,351.47; Engineer Pay Request for \$16,086.40; CDBG Drawdown Request for \$31,218.00; and Contractor Pay Request for \$51,979.25*

Council Member Williams moved to approve the financials as presented to include the contractor pay request for \$50,351.47, the engineer pay request for \$16,086.40, the CDBG drawdown request for \$31,218.00, and, the contractor pay request for \$51,979.25. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 6:17 p.m.

4. Brett Waggoner, BG Consultants with Project Review – Brett Waggoner reported Phase I is almost substantially complete and as soon as it is the contractor will immediately begin with Phase II.
 - i. A water tower is now part of Phase II and the first part is to have structural engineering for the foundation. Four reputable firms were contacted for proposals on the service as BG Engineering does not provide this. He presented a handout on all of the proposals with a recap. The budget had \$6,000 identified for this project. GSI Engineering came in with a proposal of \$3,490 for the lowest cost. This contract is with the city as part of the project. BG Engineering has worked with this firm in the past and recommends the city approve this proposal. They will also send a report to all of the firms as to the final proposals. This needs to be completed for the report to be part of the bid documents targeted to be let around January 15th.
 - ii. A recap of styles of water towers was presented with handouts of preliminary site plans for two designs that would meet the approved USDA cost estimates. Depending on prices the city should be able to decide after the bids come in.
 - iii. Logo options for the water tower were presented from what the city had provided the engineering firm. These were different variations of the swan, but none of them were just like the one on the existing tower. The city will need to decide if they want two swans, one facing east and one facing west; or, just one swan facing the highway. Also the font lettering will be the city's choice. They can try to do one like the one existing on the city tower by a photo of the tower itself.

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- iv. Miscellaneous items included: 1. Already seeing some better pressure within the town from the north tower changes, 2. Have some discussion on the permit with the railroad, however, the issue is being handled, and, 3. The Paint color chosen for the water tower will be the same cost of those colors presented tonight. The difference will be in maintenance costs. Tearing down the old tower will be a line item in the Phase II project.
- v. Geotechnical Engineering Service Proposals: Noted need to make a choice for BG Consultants to move forward with the water tower project.

✓ *Motion to Give BG Consultants Authority to Hire GSI Engineering for Geotechnical Services*

Council Member Williams moved to give BG Consultants the authority to hire GSI Engineering for geotechnical engineers' services at a cost of \$3,490.00. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 6:36 p.m.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Report from PWS Jim Johnson – Have a good relationship with the contractor. The complaint has been they have left the sidewalks dirty saying the rain will wash them off. Council Member Shields noted the rain had washed hers off. And, the concrete box out on Industrial Road and Market Street was usable after all, they just cut the opening bigger prior to installing for another adjustment in the change order.
2. Brett Waggoner, BG Consultants, with Project Review – The signs and street markings were completed today. Will be issuing the substantial completion request. Any remaining unfinished sidewalk will be completed by the water contractor as they will be working in those areas. There are still 2-3 stop signs to replace. They will be back in the spring to regrade, reseed, and mulch. It is under warranty for a year and around the end of next October, BG Consultants will come back and inspect the area. Will have the final paperwork at the next city council meeting.
3. Property Owner Mike VanVlack Concern Regarding Size of Culvert – Mr. VanVlack expressed concern for the size of the 18" culvert installed east of his property in the drainage area. He did not feel the size was big enough for the area when there were heavy rains so was concerned where the additional runoff that built up would go. Brett Waggoner noted he would check the calculations and make sure it was designed to meet the factored needs. He took Mr. VanVlack contact information to follow-up with him.

BRETT WAGGONER, BG CONSULTANTS, REGARDING CAPITAL IMPROVEMENT PROJECTS FOR THE FUTURE

Brett Waggoner passed out an example of potential projects compiled by the City of Tonganoxie. Since both presidential candidates promised massive infrastructure bills after elected BG Consultants are asking each city to take a self-inventory of projects and then the firm will take the ideas and put a broad estimated cost to them. This is to help be ready to move if/when any funds become available to cities for infrastructure. One example that was discussed with Police Chief West was a sidewalk project to the school itself.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

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1. The department report was handed out.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Preventative Maintenance Cost Proposal from Douglas Pump Service, Inc for the Three Sewer Lift Stations at a cost of \$1,430 Each Time All Three are Inspected – Requested to have the three sewer lift stations back on a maintenance program by Douglas Pump System. Discussed whether to have it twice a year of just once a year.

✓ *Motion to Approve Maintenance of Sewer Lift Stations Two Times a Year by Douglas Pump*

Council Member Curtis moved to approve Douglas Pump for Maintenance of the Sewer Lift Stations two times a year for an annual cost of \$2,860.00. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 6:55 p.m.

2. Gas Odorant for Gas Distribution Line – One-hundred pounds of gas odorant was purchased about ten years ago. Now public works has emptied the reserve tank and have just a little over a year left of the existing odorant. Have made some contacts and have found a company that sell the product for \$8.00 a pound and will deliver 70 gallons for a total cost of \$3,785.60 when they have another delivery in the area to make. They will not fill to the rim as it causes problems in the summer time with the heat. Will get more information and bring back to the next meeting.
3. Residential Gas Lines Addressed – Have lowered two gas lines for the sidewalk project and two houses have had gas leaks and were shut down until the lines were replaced.
4. Water Distribution Activity – a. At 5th and Grandview a 2" line burst and became an issue due to previous repairs on the line at that location. Council Member Curtis helped public works complete the project and would like to thank him for the five hours he spent in the ditch with the city workers. b. 4th Street Intersection was addressed. c. Have dug test holes along the railroad bore and hope the existing line has been located to avoid problems with the bore at this location. d. A two inch line was repaired that was hit by the sidewalk crew.
5. Street Activity – A few areas repaired by the city continue to just have gravel in them and would like to continue to maintain with just gravel through the winter as now is not a good time for try to put in patch.
6. Dump Truck – The headlights on the dump truck have quit and have not been able to identify the problem. Have been able to wire them to the plow lights and hope they will hold through the winter. Need to look at a different dump truck as more problems are occurring with this unit.
7. Mike Hilton's Property on Broadway – Mr. Hilton is trying to identify water running into his basement in his building just south of his old bank building. The city has checked the water and it does not have chlorine residual in the water. Appears to be ground water. The contractors were digging at the south corner of Broadway and ran into water too. The water is coming from somewhere.
8. Santa & the Reindeer Figures – They are really old and falling apart again. Would like to pass them on to the historical society before they are past using at all. Have heard they may belong to someone other than the city. Will check to see who's they are and what to do with them after the season.

FIRE CHIEF – DAN NASALROAD

1. 2017 Firefighter Relief Seminar – Requested two firefighters to attend the annual Firefighter Relief Seminar in Salina on Saturday, January 21st with Friday night lodging.

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✓ *Motion to Approve Two Firefighters to Attend 2017 Annual Firefighter Relief Seminar*

Council Member Williams moved to approve sending two firefighters to attend the 2017 Annual Firefighter Relief Seminar. Motion seconded by Council Member Shields, voted on, passed 2-0-2 (Abstain: Firefighters Curtis & Fleming). Time: 7:08 p.m.

CITY CLERK – DEVONA HERRIN

NONE

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

CITY WELCOME SIGN

Tabled.

WORKSHOP FOR CODES UPDATE REVIEW

City Clerk Herrin inquired about a workshop for compiling a Project List.

✓ *Motion to Hold Workshop for Project List on December 21st at 5:00 p.m.*

Council Member Curtis moved to have a workshop to work on a Project List prior to the next meeting on December 21st at 5:00 p.m. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:12 p.m.

OUTSTANDING UTILITY BILL PROCESS/POLICY FOR LANDLORDS PROPERTIES

Tabled.

REVIEW INSTALLATION OF CULVERTS, CITY CODE 12-218 & POLICY NO. 12

Tabled to next meeting to review an ordinance draft.

NEW BUSINESS:

U.S. MINERALS REGARDING EMISSIONS

Codes Officer West reported there were concerns with emissions at U.S. Minerals at different times with more happening at night than in the daytime. Appeared a chance it was outside the acceptable limits and presented a photo of a vehicle parked two blocks from the industry with sediment on it.

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CO West also noted around the area there is output of the product that has washed down to the storm sewer along with buildup on the road in Industrial Park. At night there is a large plume of apparent smoke. City resident Linda Meisel noted it was not smoke or steam, it was 'dust'. The original conditional use permit that was approved while she was on the city council included the promise they would keep it clean and it is always dusty. Fire Chief Nasalroad asked if it could be the filtration systems. Terry Weitman, 213 S 9th, reported he was also on the council when the permit was approved and with his previous work background he knew how clean they can be run; two reasons for the problem would be they are exceeding production or there is poor maintenance. Mr. Weitman had previously gone down to the plant and expressed his concern as a local citizen and the industry is responsible for fugitive dust. Since then they have been run clean during the day.

U.S. Minerals Vice President of Operations and EHS Manager Ron Aranda spoke about the city's concerns and actions being taken. Noted they do have dust collectors; there was a time during load-out that dust was blowing and a new system to load into containers has been made in this process; the ventilation ducting inside has been replaced; shutting down and replacing another part tomorrow; have also made plans to purchase a water truck to keep dust down in March/April.

Discussed the fire station, on the same block, is always full of that dust and was promised that would not happen prior to the industry being approved for building. Those present concurred it was noticeably better the last couple of weeks; the frustration was it was not supposed to happen at all and it is an industry that can work for the business and the local residents. Public asked for assurance they would keep their promise in the future and help the community avoid health concerns from the dust as well as the grime from the dust.

Concurred there were steps that could be taken to address the air quality if improvements did not continue. Codes Officer West offered to monitor the changes the company was planning to continue the positive steps for everyone and be able to report back to the city council the items that were being addressed. Agreed it would be reasonable to have all items addressed by May 1st.

TRANSFER STREET FUNDS PER STATUTES K.S.A. 68-590 &/OR K.S.A. 12-1,118

City Clerk Herrin presented the options for moving the \$600,000.00 from the general street capital improvement fund to the Capital Improvement Fund with a sub notation of 'street' as has been done with the 'fire department' and a percentage to the Special Highway fund as had been discussed during the 2017 City Budget. Noted the Capital Improvement Fund can always be moved back to the general fund in an emergency. The Special Highway fund is for streets. Council discussed being able to move it within the general fund should there be a need and can continue to monitor each General 'Sub' fund as to their individual percentage use. City Council requested to leave as is in the General-Street fund.

APPOINTMENT OF PARK BOARD MEMBERS

Mayor Sullivan tabled until the next meeting.

APPOINTMENT OF PUBLIC BUILDING COMMISSION MEMBERS

Mayor Sullivan tabled until the next meeting.

APPOINTMENT OF LA HARPER HEIGHTS (SENIOR HOUSING) BOARD

Mayor Sullivan tabled until the next meeting.

AUTHORITY TO TRANSFER EXCESS GENERAL FUNDS

Tabled until the next meeting for closer to the end of the year financials.

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EXECUTIVE SESSION

None

OTHER BUSINESS:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KDOT November 2016 Linn County Projects
- b] MDCRWAD #2 November 2016 Meeting Updates
- c] Thank You from Cecil Blevins Family
- d] Notice of Public Hearing at Planning Commission on Dec. 8th
- e] KMU Headlines, December 2, 2016
- f] KDHE Inspection of Wastewater Treatment Facility at Water Treatment Plant
- g] KCC Annual Investigation Response

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0.** The Regular meeting was adjourned at 8:51 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of December 2016.

END OF December 7, 2016 MEETING.

BEGINNING OF December 21, 2016 MEETING

REGULAR MEETING:

The La Cygne City Council met on Wednesday, December 21, 2016 at La Cygne City Hall. Council Members present were: Danny Curtis; J. K. Fleming; Jerome Mitzner; Esther Shields; and Gerald Williams.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Public Works Superintendent Jim Johnson; Police Chief Tate West; Brian Kingsley and Brett Waggoner with BG Consultants; and Tony Furse.

Mayor Robert Sullivan called the meeting to order at 6:00 p.m. with the pledge of allegiance led by Public Works Superintendent Johnson.

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MAYORS COMMENTS:

- Everyone have a safe and joyous Holiday.

CONSENT AGENDA:

- ✓ ***Motion to Approve Consent Agenda***

Council Member Williams moved to approve the consent agenda which consisted of the following:

Minutes of December 7, 2016 City Council Meeting;
November 2016 Treasurer's Report;
November 2016 Budget Report;
Check Register: December 08 - 21, 2016.

Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:02 p.m.

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PROJECT UPDATE

1. Report from PWS Jim Johnson – Weather has slowed completing the boring under the railroad. If the weather holds they plan to do the bore tomorrow.
2. Brett Waggoner with BG Consultants – Once the bore is done across the railroad there will be a request for substantial completion and then they will begin immediately on Phase II dependent on the weather. Discussed:
 - a. 104 Market Culvert on East Side – when the water line was backfilled the east drainage pipe was covered up. They will check.
 - b. New Water Tower Logo(s) – the same swan that is on the witch hat tower can be used on the new tower. Council would like to have a swan on both the east and west side of the new tower.
 - c. Color of New Tower – White with Black Logo.
 - d. Tower Side Driveway will be changed to concrete to meet city requirements for these entries.
 - e. Area around tower to be grass and public works will mow.

CDBG SPECIAL ROUND (SIDEWALK) PROJECT #15-PF-057

1. Report from PWS Jim Johnson – The project is done to date. The part not done will be completed by the water contractor. And, there is the one year warranty.
2. Brett Waggoner, BG Consultants, with Project Review – Asked the city to keep track of any complaints. The contractor will be back in the spring for mulch and seeding. Discussed:
 - a. The change order is an adjustment of the first change order and the estimated quantities did an actual decrease by about \$8,000.00.
 - b. The KDOT replacement requirements for the north and south stop sign poles.
 - c. Property Owner Mike Van Vlack was present when the culvert size was inspected east of his property. The actual size is 24" not the previously discussed 18", and meets the area needs for natural rain falls.

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d. Water line is also being addressed on the Engert property by the new sidewalk and the currently disturbed area is not from the sidewalk project, but from the water project.

3. Change Order #2 Decreasing Change Order #1 by \$8,245.30.

✓ *Motion to Approve Change Order #2 Decreasing Change Order #1 by \$8,245.30*

Council Member Williams moved to approve change order #2 decreasing change order #1 by \$8,245.30. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:23 p.m.

4. Contractor Final Pay Request #3 for \$56,791.62 – Brett Waggoner noted this final pay request reduces the retainage and the contractor agrees all bills have been paid. The actual final payment will be held until all documents are signed by the contractor and received by the city.

✓ *Motion to Approve Contractor Final Pay Request #3 for \$56,791.62 Contingent on Signed Forms*

Council Member Mitzner moved to approve the final pay request #3 for \$56,791.62 provided the city receives the signed documents prior to the actual payment made. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 6:25 p.m.

5. Final Engineer Pay Request for Sidewalk Project for \$259.20

✓ *Motion to Approve Final Engineer Pay Request for Sidewalk Project for \$259.20*

Council Member Williams moved to approve the engineer's final pay request for the sidewalk project for a total of \$259.20. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:26 p.m.

6. CDBG Drawdown Request #6 for \$64,650.82

✓ *Motion to Approve CDBG Drawdown Request #6 for \$64,650.82*

Council Member Williams moved to approve the CDBG Drawdown request #6 for the sidewalk project for a total of \$64,650.82. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:28 p.m.

7. SEKRPC Invoice for \$7,600.00

✓ *Motion to Approve SEKRPC Invoice for \$7,600.00*

Council Member Williams moved to approve the SEKRPC invoice for \$7,600. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 6:29 p.m.

BRIAN KINGSLEY AND BRETT WAGGONER, BG CONSULTANTS, REGARDING CAPITAL IMPROVEMENT PROJECTS FOR THE FUTURE

City Clerk Herrin passed out a list of potential infrastructure projects that were brought up during the workshop prior to the meeting as city infrastructure needs. The list included sewer mains, streets with drainage, additional sidewalks in the main part of town, water plant pond refurbish of removing sludge and reinforcing berms, a wash bay for city equipment, refurbish shop restroom and office, rip-rap water plant backwash ponds, pole barn for city equipment and to store salt & sand, dog kennel, sidewalks for side streets to include safe routes to school, remodel/replace community building, city

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fire station, storm shelter, city hall security/alarm system, city hall lighting, auto read gas meters, and improve street lights.

Discussed:

1. Different resources available for different types of projects.
2. Any sewer main projects should be addressed prior to a street project since many are under the streets.
3. A proposal to video all the sewer lines in town and then prioritize the lines per the NASSCO (Nation Association of Sewer Service Companies) standard. Possibly use the Linn County Infrastructure dollars for the video process. Set proposal for January 18th city council meeting.
4. Prioritize streets as to need. Consider change in width.
5. Combine some projects together that are in similar project types.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

None.

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. No department report.
2. Children's Coalition Annual Donation – Currently have \$535.00 collected for the Children's Coalition Donation, may have a few dollars more by the end of the year.

✓ *Motion to Approve Children's Coalition Donation to Donate \$3.00 Per Citation*

Council Member Fleming moved to approve to donate \$3.00 per citation to the Children's Coalition for the period up to December 31st. Motion seconded by Council Member Sheilds, voted on, passed 5-0. Time: 7:25 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. 4" Water Main Break – Occurred on Saturday, December 17th at Broadway & Park St.
2. Lift Station Malfunction – There was an electric surge and had to call for help. It was a fuse.
3. Water Line Bore at Railroad Crossing – Water contractor plans to work on the bore tomorrow.
4. Dig Safe Training Exercise in Ottawa, KS on January 17th – This is an annual training that takes place in the evening. Would like at least three public works employees to attend if they are available.

✓ *Motion to Approve Three to Attend Dig Safe Training Exercise in Ottawa on January 17th*

Council Member Fleming moved to approve three public works employees to attend the Dig Safe Training exercise in Ottawa on January 17th in the evening. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:28 p.m.

5. Gas Odorant for Gas Distribution Line – Some confusion between emails occurred and the odorant was ordered prior to council approval, but when realized the confusion had the order cancelled. Now will need to bring to the city council for approval. It has been ten years since there has been a need to order the odorant so it took a bit to get the records set up. Noted information will be ready for the city council at the January 4th meeting.

2016 LA CYGNE CITY MINUTES

FIRE CHIEF – DAN NASALROAD

None.

CITY CLERK – DEVONA HERRIN

Certification of City Offices to be Filled – With the change of elections from April to November the deadline for certifying the city offices was amended and is now May 1 of every election year (K.S.A. 25-2118)

COUNCIL COMMITTEE REPORTS:

NONE

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT

SWANFEST COMMITTEE

UNFINISHED BUSINESS:

CITY WELCOME SIGN

Tabled.

WORKSHOP FOR CODES UPDATE REVIEW

✓ *Motion to Hold Workshop for Codes Update on January 4th at 5:00 p.m.*

Council Member Fleming moved to have a workshop for Codes Update on January 4th at 5:00 p.m. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:36 p.m.

OUTSTANDING UTILITY BILL PROCESS/POLICY FOR LANDLORDS PROPERTIES

Tabled.

NEW BUSINESS:

ORDINANCE NO. 1448 REGARDING INSTALLATION OF CULVERTS

✓ *Motion to Approve Ordinance No. 1448 Regarding Installation of Culverts*

Council Member Shields moved to approve Ordinance No. 1448 regarding the installation of culverts. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:38 p.m.

DELETE ADMINISTRATIVE POLICY NO. 12, INSTALLATION OF CULVERTS

The administrative policy is no longer necessary as it is now included in the ordinance.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Deleting Administrative Policy No. 12, Installation of Culverts*

Council Member Fleming moved to approve deleting Administrative Policy No. 12, Installation of Culverts. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:39 p.m.

ORDINANCE NO. 1449 AMENDING LA CYGNE ZONING MAP

Codes Officer West reported the recommended changes on the map was approved by the Planning Commission after many meetings and public hearings. The last public hearing had over 50 individuals present. Discussed:

1. Besides multiple notices in the paper why not notify anyone being changed directly.
2. If the changes made are found to need to be changed again how does the property owner address the desired change. Response: They present a plan to the Planning Commission who reviews for the desired change to be a fit for the area concerned and then forwards a recommendation to the city council.
3. Already have non-conformity commercial businesses in residential areas and they are ok so why not others. Reviewed how they were non-conforming prior to zoning and how they are restricted now to meet requirements to rezone if any further changes.
4. Planning Commission spent considerable time and discussion on the intent of the city's area to encourage growth where residential is residential and commercial be commercial with blending where they meet.
5. Changes may not be what everyone wants. Response: Planning Commission reviewed in depth and worked to come up with how the areas are currently used and what is best for the whole community. Changes can be brought to the city with a plan on how it works with the area to be effected instead of just being zoned and the possibility of a commercial business in the middle of residential homes without the city having any say about the area's changes.

✓ *Motion to Accept the Current Zoning Map With Changes*

Council Member Mitzner moved to accept the current zoning map with the changes. Motion seconded by Council Member Fleming, voted on, failed 2-3 (No: Curtis, Shields, and Williams). Time: 8:11 p.m.

6. Suggested a Council Committee discuss with the Planning Commission for the process they went through.
7. Council Member Curtis asked for personal notification to those with changes.
8. Joint meeting with the Planning Commission. If done with a Planning Commission meeting then they would have time to just cover the zoning changes with the Planning Commission.
9. Will table until the January 18th city council meeting.

✓ *Motion for Joint Meeting with City Council and Planning Commission January 12th*

Council Member Curtis moved to have a joint meeting with the Planning Commission during the regular Planning Commission meeting on January 12th at 7:00 p.m. Motion seconded by Council Member Fleming, voted on, passed 4-0-1 (Abstain: Mitzner). Time: 8:19 p.m.

ORDINANCE NO. 1450 AMENDING SQUARE FOOT LIMIT ON ACCESSORY BUILDINGS

The current square foot limit on an accessory building is 1,200 square feet in a residential area. A property owner wanted to add a lean-to of an additional 400 sq. ft. to an existing 1,200 sq. ft. accessory building and now to meet those needs there is a recommendation to go up to 20% of the property and the building could be up to 3,500 sq. ft. if meets all the setbacks.

2016 LA CYGNE CITY MINUTES

✓ *Motion to Approve Ordinance No. 1450 Amending Square Foot Limit on Accessory Buildings*

Council Member Fleming moved to approve Ordinance No. 1450 amending the square foot limit on accessory buildings. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time: 8:23 p.m.

APPOINTMENT OF PUBLIC BUILDING COMMISSION MEMBERS

Tabled.

APPOINTMENT OF PARK BOARD MEMBERS

Mayor Sullivan recommended Bobby Spencer for another term on the Park Board.

✓ *Motion to Approve Robert Spencer for another term on the Park Board*

Council Member Curtis moved to approve Bobby Spencer for another term on the park board. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:24 p.m.

Mayor Sullivan recommended Lesli Mitzner for a term on the Park Board.

✓ *Motion to Approve Lesli George-Mitzner for a term on the Park Board*

Council Member Fleming moved to approve Lesli Mitzner for a term on the park board. Motion seconded by Council Member Shields, voted on, passed 4-0-1 (Abstain: Mitzner). Time: 8:24 p.m.

APPOINTMENT OF LA HARPER HEIGHTS (SENIOR HOUSING) BOARD

Mayor Sullivan recommended Barbara Pemberton and Mary Heide for another term on the La Harper Heights Board.

✓ *Motion to Approve Barbara Pemberton and Mary Heide for another term on the La Harper Heights Board*

Council Member Mitzner moved to approve Barbara Pemberton and Mary Heide for another term on the La Harper Heights Board. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:26 p.m.

AUTHORITY TO TRANSFER EXCESS GENERAL FUNDS

City Clerk Herrin reported with the big reduction in anticipated sales tax for 2016 and the budgets for some sub funds that exceeded at year end the anticipated expectations during the 2017 budget process there would not be much, if any, left over to transfer to the Equipment Reserve Fund and the Capital Improvement Fund. The 2016 Budget had been set up anticipating to move \$30,500 to each fund and another \$10,000 to the sub fire fund in the Capital Improvement fund for a total of \$71,000. This is also leaving the \$600,000 for the Street Project in the General Street Fund as previously discussed. The options are to not transfer anything and if something unexpectedly is left it can be used with amending the 2017 budget; or, to allocate a percentage as the council determines and then transfer that portion, whatever it is, after the audit is completed next year.

2016 LA CYGNE CITY MINUTES

- ✓ *Motion to Authorize to Transfer General Funds to Capital Improvement and Equipment Reserve Funds*

Council Member Mitzner moved to allow the maximum year-end transfer from the general fund to the capital improvement and equipment reserve fund with 50% allocated to capital improvement and 50% allocated to equipment reserve. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:34 p.m.

REQUEST TO WAIVE LATE FEES FOR COUNTY UTILITY BILLS

City Council discussed the written request from Linn County for the city to delay the late fee for them until the 20th of each month, or to waive the late utility fees for the three locations within the city limits, as they process checks on the second Monday of each month and this can cause late fees when attempting to meet the due date by the 15th of each month.

- ✓ *Motion to Approve Waiving Late Fee Until 20th Of Each Month for Linn County Utilities*

Council Member Shields moved that due to the county's schedule of payments would move to waive the late fee until the 20th of the month to give time to go through the system. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:40 p.m.

MOBILE HOME LICENSE RENEWALS FOR:

- I. MARSH TRAILER PARK
- II. SLOCUM TRAILER PARK
- III. THOMPSON TRAILER PARK

Codes Officer West reported they had all passed inspection with one modification done at the north trailer park earlier this year.

- ✓ *Motion to Approve the Mobile Home Park License Renewals for:*
- ✓ *i. Marsh Trailer Park*
- ✓ *ii. Slocum Trailer Park*
- ✓ *iii. Thompson Trailer Park*

Council Member Fleming moved to approve the Mobile Home Park license renewals for Marsh Trailer Park, Slocum Trailer Park, and Thompson Trailer Park. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:41 p.m.

TRASH COMPACTOR HOURS OVER NEW YEAR'S HOLIDAY

Discussed will be closed on Sunday, January 1st and open Monday, January 2nd for regular hours for the trash compactor.

- ✓ *Motion to Approve Trash Compactor being Closed January 1st and Open January 2nd 2017*

Council Member Fleming moved to approve the Trash Compactor being closed Sunday, January 1st and open on Monday, January 2nd, 2017. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:42 p.m.

2016 LA CYGNE CITY MINUTES

EXTEND THE MEETING TIME

✓ *Motion to Approve Extending the Meeting Up To 9:30 p.m.*

Council Member Fleming moved to approve extending the meeting up to 9:30 p.m. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time: 8:43 p.m.

EXECUTIVE SESSION

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to twenty minutes following a five minute break. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 8:44 p.m.

In addition to the Council Members and City Attorney, others requesting time or invited into portions of the executive session(s) included (but not limited to): Police Chief West

Open Session Resumed at 9:09 p.m.

OTHER BUSINESS:

HIRE KURTIS WEST AS A FULL TIME POLICE OFFICER STARTING JANUARY 1ST AT NORMAL STARTING WAGE

✓ *Motion to Hire Kurtis West as a Full Time Police Officer Starting January 1st at Normal Starting Wage*

Council Member Shields moved to hire Kurtis West as a full time Police Officer at normal starting wage beginning January 1st. Motion seconded by Council Member Mitzner, voted on, passed 4-1 (No: Curtis). Time: 9:10 p.m.

REQUEST FOR SALARY ADJUSTMENT CONSIDERATION FOR EMPLOYEES

City Clerk Herrin inquired if the City Council was going to consider any salary adjustments for the employees this year. Both the 2016 and 2017 budgets had allowed for salary adjustments when figuring the budgets. Council noted the health insurance premiums had gone up for those on social security, how much had they increased for city as this is a benefit to the employee. Asked to have the salary adjustment amount figured in the 2017 budget and the amount the insurance had increased for the next city council meeting.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Waste Management Winter Reminder
- b] KMIT 2017 Certificate of Coverage
- c] November & December Chamber of Commerce Notes
- d] Kansas Senate and House Leadership Election Results
- e] LKM Membership Letter

2016 LA CYGNE CITY MINUTES

ADJOURNMENT:

✓ Motion to Adjourn Meeting

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 5-0.** The Regular meeting was adjourned at 9:13 p.m.

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of December 2016.

END OF December 21, 2016 MEETING.