

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, January 4, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Dani McCammon, Travis Robbins, Joe Turpen, and Gerald ‘Skip’ Williams.

Others present at some point in the meeting included: City Clerk Devona Herrin, City Attorney John Sutherland, City Public Works Supervisor (PWS) George Craig, City Police Chief Glenn D. Farrell Jr., Kevin Kinder, Judy Kinder, James and Sandy White, LeRoy Turpen, Esther Shields, Evelyn Crawford, Maxine Smith, Susanna Fleming, Charles Boston, and, City Codes Officer Greg Osborne.

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

MAYOR’S COMMENTS:

1. Happy New Year to all.
2. The Linn County News article includes positive reports to the La Cygne Police Department.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: December 22, 2005 – January 4, 2006;
Minutes of December 21, 2005 City Council Meeting.

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

UTILITY IMPROVEMENTS REPORTS

a. **WATER IMPROVEMENT PROJECT**

- I. THMM’s & HAA’s Adjustment Project
 - i. Waiting on State Approval

DISCUSSION FROM THE FLOOR

Dotty Haupt Regarding Senior Housing Authority

Esther Shields reported Dotty Haupt was ill and unable to attend. The concerned residents living in the Senior Housing apartments were still concerned. Mayor Smith responded he had given serious consideration for the open board position and would be addressing it later in the meeting. The women noted they still had the same concerns as the last meeting.

DISCUSSION FROM THE FLOOR (Continued)

Charlie Boston Regarding 617 N. 7th

Mr. Boston asked what was unsafe on his property at 617 to cause the city to send him a letter. Mr. Osborne reported Mr. Boston had done the items previously listed, but sometimes they were done and sometimes they were not done earlier. The windows are covered now. The woodpile with nails in the wood still needs to be burned. Security is now good. The windows are now all boarded up and nailed shut from the inside. There is still a hole as Mr. Boston is in the process of putting in a window well and he will be addressing the hole.

Council noted safety concerns and continued complaints of a messy yard. The exterior of the property and yard need to be cleaned up and then kept clean. Mr. Boston noted he had taken care of the items previously listed by the codes officer and had received acknowledgement from the codes officer. Codes Officer Osborne reported he was not sure at this time, as he had not looked at the property that day. Council concurred they were making decisions based on the codes officer's information. Mr. Boston did not know when he had acquired the property.

Discussed time frame for progress on continuing improvements. Mr. Boston felt it would be pleasant to the eye from the road by the end of March or April depending on the weather. Council concurred Mr. Boston needed to continue to mow and maintain the property after the work on the house was finished. The goal is to keep the town presentable and everyone satisfied with the look of the town.

Noted there was no further action to be taken until the Public Hearing at the first meeting in February. At that time it can be decided if there are continuing improvements between now and then. Everyone was appreciative of the time to discuss the concerns.

REPORTS OF CITY OFFICERS:

Police Chief – Chuck Farrell Jr.

- i. Presented police report for December 2005.

Public Works Superintendent George Craig

- i. Sewer Lift Station Automatic Start in Industrial Park - PWS Craig reported two out of three of the lift stations now have automatic starts on the generators. He had found Page Electric had installed these items for others and has presented an estimate of \$3,450 for materials and labor to do the installation.

- *Motion to Install Automatic Start in Industrial Park Lift Station*

Council Member Williams moved to approve the bid of \$3,450 to upgrade the lift station (Industrial Park) to automatic start. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:21 p.m.

- ii. Annual Maintenance Agreement for Water Towers – Noted the inside and outside of the south tower will be painted this spring, was scheduled for late last fall and was rescheduled for spring. This is an annual maintenance agreement the city has renewed for several years. The cost is the same this year as last year.

- *Motion to Approve Annual Maintenance Agreement for Water Towers*

Council Member Robbins moved to approve the maintenance agreement with Utility Services Inc. to do the water tower inspections for a cost of \$3,650.10 for the south tank and \$5,931.70 for the north tower. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:24 p.m.

- iii. Public Works Trucks – Mayor Smith asked how the city trucks were running, as he knew of one that was for sale at a reasonable price. PWS Craig noted the trucks were running good.

REPORTS OF CITY OFFICERS: (Continued)

Codes Officer – Greg Osborne

- i. Recommendation for Condemnation of 412 N. 1st Street
- ii. Resolution #300 for Public Hearing of Condemnation

Codes Officer Greg Osborne reported he had spoke with the property owner, Mr. Raymond about the condition of the property and Mr. Raymond wants to repair the dwelling. It is basically held up by 1 x 2's and the condition is such the entire structure needs to be replaced. Presented a letter of recommendation for condemnation to the council listing the abated items. Mr. Osborne also gave a copy of this list to Mr. Raymond at City Hall.

- *Motion to Adopt Resolution #300 for Public Hearing of Condemnation*

Council Member Robbins moved to adopt Resolution #300 regarding a public hearing for condemnation for the property at 412 N. 1st Street, La Cygne, Kansas. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:30 p.m.

STANDING COMMITTEE REPORTS:

Street

- 1. Improvements for 2006 – PWS Craig presented list of streets to pave south of Market Street. The list included extending south of 1st Street to the south end of the city park.
Discussed the following:
 - 1. Having the manhole rings adjusted while doing the paving.
 - 2. The size of rings needed and estimated cost of \$300 each to purchase for about fifteen rings to cover the streets noted.
 - 3. The purchase of the rings from the sewer fund.
 - 4. Actual cost from street fund would be \$96,127.11
 - 5. Estimated cost to sewer fund between \$5,000 - \$10, 000.
 - 6. This would complete street project until 2007.

- *Motion to Approve Identified Streets Paved for 2006*

Council Member Turpen moved to approve street paving as presented in the south end of the city with the addition of 1st Street through the park for \$96,127.11 with an additional of up to \$10,000 from the sewer fund to purchase the sewer rings. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:46 p.m.

Water & Gas

- 1. Cleaning Settling Ponds: Council Member Boone reported it had been about ten or eleven years since the city had cleaned the settling pond and need to check this to do. PWS Craig noted they had been holding off on this item to see how the other project that includes purchasing additional property south of the pond is finalized.

STANDING COMMITTEE REPORTS: (Continued)

Cemetery

1. Storage Building Roof - Council Member Turpen reported there is a big hole in the building roof that needs repaired. Council Member Williams reported he had obtained prices for colored metal with installation of \$1,480 or galvanized metal with installation of \$1,355 and \$200 for repairs of the existing roof base. His son Tony with his crew can install with materials for \$1,700 using colored metal and \$1,600 for galvanized metal. Discussed colors.

- *Motion to Accept \$1,700 Proposal for Cemetery Shed Roof*

Council Member Robbins moved to accept the proposal for \$1,700 to repair and replace the cemetery shed roof. Seconded by Council Member Turpen. Council Member Williams noted the price was without tax for the purchase of the materials. City Clerk Herrin noted she would get a tax-exempt form for their purchase. **Motion was voted on, passed 5-0.** Time: 7:54 p.m.

Park

1. Trash Cans – Council Member McCammon thanked public works for taking such quick care of the demised trashcan.

Water & Gas (Continued)

2. Brush Pile – Council Member Boone asked about the status of removing the brush pile out on the gas line. PWS Craig reported it had been taken care of.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

1. Grant for Siren – City Clerk Herrin reported she had contacted Linn Valley and they had gone through Dennis Arnold’s county office for the grant. The information had been passed on to Police Chief Farrell who had just returned from vacation. The siren in question is the one behind city hall and does not run without electricity.

UNFINISHED BUSINESS:

Appointment of Housing Authority Board Member

Mayor Smith appointed Janet Eldridge to the Housing Authority Board. The following was noted:

1. Had spoken with both interested parties
2. Had spoke with many concerned entities
3. Would like to see Ms. Shields as an unofficial liaison for the residents to the board
4. Felt board was trying to work on the current concerns of the residents, and address issues, would like to give them some time to see how it works
5. Noted if a situation did arise they could come to the council or contact the Iola Housing contact person
6. Discussed Janet visiting with all of the housing residents
7. A letter of complaint can be written to the state housing authority by the residents, Ms. Shields presented a letter to City Attorney Sutherland that had been sent to the state
8. City Attorney reported there is a grievance procedure, discrimination requirements, and lease provisions.

UNFINISHED BUSINESS: (Continued)

Proposed Interlocal Agreement with Linn County

Presented a written request for Attorney Jim Kaup to meet with County Commissioners to better identify their concerns and possibly submit new or additional proposals.

- *Motion to Authorize Jim Kaup P.A. to Confer with County Commissioners*

Council Member Robbins moved to authorize City Clerk or Deputy City Clerk to go with Jim Kaup to meet with the County Commissioners to the next possible commissioners meeting to review concerns. Seconded by Council Member McCammon, voted on, passed 4-0 (No: Boone). Time: 8:17 p.m.

NEW BUSINESS:

Local Youth Basketball Donation Request

Discussed determining a proposal for the city to review in May any interested recreational entities interested in the park and rec funds available around June of each year. Those funds have already been distributed for last year.

- *Motion to Donate \$100 to Youth Basketball*

Council Member Boone moved to donate \$100 to local youth basketball. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:22 p.m.

Authorization of Chamber of Commerce Voting Delegate

- *Motion to Authorize Joe Turpen as Voting Delegate*

Council Member Boone moved to nominate Joe Turpen as the city’s voting delegate for the Chamber of Commerce. Seconded by Council Member McCammon, voted on, passed 4-0 (Abstain: Turpen). Time: 8:26 p.m.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for up to thirty minutes for discussion of land acquisition, legal, and personnel, following a ten-minute break. Motion seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:27 p.m.

Others invited into or requesting a portion of executive time: Police Chief Farrell.

Open Session Resumed at 9:00 p.m.

OTHER BUSINESS

None

CITY CLERK’S REPORT

Written Report: None.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Release: “Cities Seek to Block Soaring Natural Gas Prices”
- b] Building Permits – Yearly Comparison
- c] MLA “Municipal Finance” Course, January 21, 2006

d] "City Hall Day at the Capitol" Thursday, January 21, 2006

ADJOURNMENT:

✓ *Motion for Adjournment*

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

Meeting adjourned at 9:03 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 4th day of January 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday January 18, 2006 at the La Cygne Community Building. Council Members present were: Dani McCammon, Travis Robbins, Joe Turpen, and Gerald "Skip" Williams. Absent: Jerry Boone

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; Kevin Kinder; Judy Kinder; Sandy White; LeRoy Turpen; Rich Elliott; and Dotson Bradbury.

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

MAYOR COMMENTS:

Mayor Smith announced Kelly and Greg Haupt were now new grandparents. Daughter, Brooke had a little girl they named Quinn.

Thanked PWS Craig along with everyone in public works and the street committee for the work done on the streets. The completed parts look very good and he had received numerous positive comments about the project. Hope the project continues and have all of the streets completed by 2008 –2009.

CONSENT AGENDA:

Discussed the uses of the Special Highway Fund, which is separate from the General Street Fund.

- *Motion to Approve Consent Agenda*

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

Check Register: January 5 - 18, 2006
Minutes of January 4, 2006 City Council Meeting,
December 2005 Treasurer and Budget Reports,
4th Quarter 2005 Financial Statement,
2005 Annual Financial Statement.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:08 p.m.

WATER PLANT IMPROVEMENTS REPORT

a. Chemical Changes

PWS Craig reported the review of chlorine dioxide would possibly have a response from the state in a couple of weeks. Rex Heape had been to the plant this week to gather more information requested by the state and was forwarding it to them for the approval.

b. Upgrade Sludge/Backwash Lagoons

City Attorney Sutherland reported there was nothing new to report.

DISCUSSION FROM THE FLOOR:

Sherrri & Don Benthusen, 20752 Umphrey Road, Regarding Water Quality

Cancelled.

Rich Elliott Regarding Public Streets

Gave a THANK YOU for the road improvements in town to both the council and city employees.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- i. Stats Report: Noted written report for the 2005 annual period compared to previous years and of January 1 – 16, 2006. Mayor and council expressed appreciation for yearly comparison to previous years. No questions.
- ii. Officer Davis to Attend Training: Noted Officer Phillip Davis would leave next Monday for three months of training.

Public Works Superintendent George Craig

- i. KRWA Annual Meeting with Voting Delegate, March 28 – 30, 2006 - Public Works Superintendent Craig requested Arthur Terry attend the annual meeting as voting delegate. These meetings will meet education recertification requirements.

City Attorney Sutherland to Attend Attorney Forum Portion – City Attorney Sutherland requested to attend the attorney forum portion of the meeting on March 28.

- *Motion to Attend KRWA Annual Meeting*

Council Member Turpen moved for Arthur Terry to attend the KRWA annual meeting as a city voting delegate and to include City Attorney Sutherland to attend the attorney forum on the 28th with per diem. Seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:15 p.m.

- ii. 21st Annual Corrosion Control Seminar, February 8-10, 2006 – Requested Jerome Moore attend the corrosion seminar for his Class II gas certification.

- *Motion to Attend Corrosion Seminar*

Council Member Robbins moved for Jerome Moore to attend the corrosion seminar in Great Bend with per diem. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:17 p.m.

Fire Chief – Scott Stainbrook

Council discussed the status of the city fire department merging with the county fire department. City Clerk Herrin reported the last information received from the county was the county attorney was working on the legalities of the process.

Codes Officer Greg Osborne

Mayor Smith noted Mr. Osborne was not present and had nothing specific in his report.

STANDING COMMITTEE REPORTS:

Cemetery

Storage Building Roof Repair: Completed.

4-Wheelers in Cemetery – Discussed 4-wheelers going through the northeast area of the cemetery. Committee will review the area for concerns.

Community Building

Painting: Fiesta Committee is re-advertising the painting with more detailed bid specifications.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Mayor Smith reported the school wants to investigate the possibility of city hall being a contact area if there is ever an emergency at the school where there is no phone contact at the school. City Hall will be contacted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2006 Municipal Court Clerks’ Conference, April 6 & 7, 2006

- *Motion for Court Clerk to Attend Conference*

Council Member Robbins moved for Court Clerk Linda Elder to attend the court clerks’ conference on April 6th and 7th. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:27 p.m.

CCMFOA Annual Spring Conference, March 7 – 10, 2006

Discussed vendors are present and will gather information for cemetery programs. Concurrent meeting sessions cover various topics of concerns to cities.

- *Motion for City Clerk and/or Deputy City Clerk to Attend Conference*

Council Member Robbins moved for City Clerk Herrin &/or Deputy City Clerk Mahon to attend the clerks annual spring conference. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:32 p.m.

Sponsor City Wide Garage Sale 1st Saturday in May, 2006

Discussed continuing to sponsor for advertising expenses the citywide garage sale in the spring.

- *Motion to Sponsor for Advertising Spring City Wide Garage Sale*

Council Member Williams moved to sponsor a citywide garage sale the first Saturday in May for advertising expenses. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:36 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel, legal, and land acquisition for up to thirty five minutes following a five-minute break. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:38 p.m.

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

Open Session Resumed at 8:10 p.m.

OTHER BUSINESS:

Hire Part-time Police Officer Omar Crafton

- *Motion to Hire Omar Crafton as Part-time Police Officer for Period Officer Davis Away in School for \$12 per hour*

Council Member Robbins moved to hire Omar Crafton as a part time police officer to fill the vacancy of police officer Phillip Davis while away at school with pay of \$12.00 per hour. Seconded by Council Member Williams, voted on, passed 4-0. Time: 8:11 p.m.

Noted Mr. Crafton is a Kansas certified police officer currently working as a bailiff for the county judge. This part time work will be around his other job duties.

CITY CLERK'S REPORT:

Verbal Report:

1. Dog Days: April ?, 2006 – Reported dog days is being set up for a Saturday in April. Waiting to hear back from the vet on an open time for him.
2. City Wide Clean Up: September 5 – 8, 2006 – Reported public works had set aside this time for the annual city wide clean up. Council concurred.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] IIMC News Digest, December 2005, *Should Negative Motions be Allowed*
- b] 2005 Water Reports
- c] 2005 Gas Report
- d] *Kansas Government Journal* Volume 91 – Number 12, December 2005
- e] “League News” Volume 11, Number 1, January 13, 2006

DISCUSSION FROM THE FLOOR (Continued)

Dotson Bradbury Regarding Streets

Mr. Bradbury acknowledged appreciation of improvements to the streets and to the council for what they are doing for the city.

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 8:15 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of January 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, February 1, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Dani McCammon, Joe Turpen, and Gerald ‘Skip’ Williams. Absent: Travis Robbins.

Others present at some point in the meeting included: City Clerk Devona Herrin, City Attorney John Sutherland, City Public Works Supervisor (PWS) George Craig, City Police Chief Glenn D. Farrell Jr., Kevin Kinder, Judy Kinder, LeRoy Turpen, Mr. & Mrs. Charlie Boston, Michelle Burns P.A. and, City Codes Officer Greg Osborne.

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

MAYOR’S COMMENTS:

3. With the recent warm weather, maybe the temperatures will help with the heating utility bills.

PUBLIC HEARING:

Condemnation of Property Located at 617 N. 7th Street

Mayor Smith opened the public hearing noting the reason for the hearing was to determine what the steps were to take for improvements to the property or the condemnation of the property.

Property owner, Charles Boston, presented current pictures of the outside of the property and dwelling reflecting the improvements recently made to the area.

Mr. Boston’s attorney, Michelle Burns noted he had taken steps to remedy the items presented to him earlier by the city codes officer. Even the junk pile was just a pile of ashes. Felt there was nothing left from the list previously given for the city to act on.

Mayor Smith asked about the future of the home. Mr. Boston replied he planned to sell it.

City Codes Officer Greg Osborne presented pictures taken on January 31, 2006 to the council.

Council Member Boone reported he had been by the property and noted there had been considerable improvement.

Mayor Smith reported he had never intended to target any properties, just looking for the city to grow and want to do what can be done to make properties presentable. Discussed covering the basement windows.

Discussed time frame for completion of improvements. Mr. Boston reported the front will be presentable by the end of March, first of April, with the current weather.

City Attorney Sutherland noted the city could adjourn the hearing and reschedule at a later time to review the continuing improvements or the city can dismiss at this time. If there were future problems the city would need to begin the process again with the new items.

- *Motion to Dismiss Condemnation Proceedings at 617 N. 7th Street*

Council Member Williams moved to dismiss the condemnation order on 617 N. 7th Street due to the current progress. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:09 p.m.

Public Hearing portion of the meeting was closed. Time: 7:10 p.m.

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CONSENT AGENDA:

Council Member Turpen asked if the city had received the reimbursement payment from Labette Bank. Mayor Smith asked the city clerk to check one more time and work with the attorney if any concerns.

- *Motion to Approve Consent Agenda*

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

Check Register: January 19 – February 1, 2006;
Minutes of January 18, 2006 City Council Meeting.

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

UTILITY IMPROVEMENTS REPORTS

a. WATER IMPROVEMENT PROJECT

II. THMM's & HAA's Adjustment Project

- i. PWS Craig reported they had just received some information today on another method they are going to review. No items for tonight's meeting.

DISCUSSION FROM THE FLOOR

None

REPORTS OF CITY OFFICERS:

Police Chief – Chuck Farrell Jr.

- ii. Presented police report for January 2006. No questions.
- iii. Reported Omar Crafton began working part time last Sunday.

Public Works Superintendent George Craig

Codes Officer – Greg Osborne

Codes Officer Greg Osborne reported he was making progress. Approximately seventy vehicles have been moved.

Discussed the handling of inoperable vehicles. Discussion included:

1. Liability concerns
2. Handling through Municipal Court &/or District Court
3. Obtaining written practices other cities use for review.

Council Member McCammon asked if a log was kept of dates and times of phone calls, conversations, or letters for each concern that is addressed by the codes officer. Discussed the benefits of having this information prior to a council review with the property owner in question. Codes Officer Osborne noted he did have a file by property location.

Council Member Boone asked when he was going to address the urinals in the yard of one property.

Mayor Keith Smith asked Codes Officer Osborne to keep moving forward on addressing property and vehicle concerns.

STANDING COMMITTEE REPORTS:

Gas & Water

Discussed the current gas rates. The actual cost to purchase the gas was up less than \$.50 an MCF. The average usage was the same for the most recent bills as the prior month bills. Concerned about the cost to the consumer.

Street

1. Overlay Improvements for Unfinished Streets

Discussed the following:

1. Borrowing \$250,000 to complete the unfinished streets
2. Payments would be just over \$70,000 a year for four years
3. Issuing Bonds versus a temporary note with set payments
4. Ordinance and resolution requirements
5. Should be 5-8 years before a sealer coat would need to be applied for a cost of about \$60,000 - \$70,000 at today's costs
6. Complaints received of faster speeds driven on the improved streets and children playing with skates
7. Asphalt has no dust; chip and seal equals dust

- *Motion to Approve Street Improvements for Unfinished Streets*

Council Member Williams motioned to move forward with the street improvement project for a cost of \$250,000 and get with bond counsel to work up the temporary notes for a cost up to \$250,000. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:41 p.m.

Noted will address the sewer rings from the sewer fund with the final paperwork.

Cemetery

2. 4-Wheelers in the Cemetery - Council Member Turpen reported he could not find any evidence of them at the northeast end of the cemetery. Discussed prior use of this area but nothing evident currently. No action.
3. Storm Damaged Trees – Council Member Turpen reported he had spoke with caretaker Kenny McClanahan and determined would not address the removal of any more trees until spring and see if any of the remaining damaged trees leaf out.
4. Tree Stumps – Council Member Turpen reported there were about ten tree stumps that needed to be removed. He will contact a man from Pleasanton and one from Butler

about costs to remove the stumps.

Community Building

- 3. Interior Painting – Noted the Fiesta Committee was putting the painting project out for bids again with more detailed requirements.
- 4. West Wall – Discussed removing the fan and boarding up the south part of the west wall for painting. Also discussed placing another back door in that area with ADA accessibility in case of fire.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Will meet at 6:00 p.m. next Wednesday, as did not meet earlier tonight.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Dogs Running at Large Fines

Discussion for increasing fines:

- 1. Help deter people from letting the dogs run all the time
- 2. Help pay the costs of enforcing dog codes
- 3. A caught dog is kenneled by the city for up to ten days
- 4. An unclaimed dog is sent to the vet who will try to adopt out, or is put to sleep at a charge to the city
- 5. Dog Days is April 29, 2006
- 6. Continue with not charging the owner of a tagged dog for the first offense of running loose. Will contact the owner and return the dog to the owner.

Recommended the following changes:

Without Tags:

First offense - \$50.00 plus board

Second offense - \$100.00 plus board

Third and subsequent offenses - \$200.00 plus board

With Tags:

First offense – No charge

Second offense - \$20.00 plus board

Third offense - \$50.00 plus board

Fourth and subsequent offenses - \$100.00 plus board

- *Motion to Approve Increasing Dog Fines with Ordinance*

Council Member Williams motioned to move forward with an ordinance to adjust the dog fines for dogs running at large. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 8:03 p.m.

Cutting and Digging into Streets along with Load Limits

Mayor Smith asked about looking at the city’s policy for cutting and digging into city streets and load limits on city streets.

Discussed concern about enforcing city policy in order to retain the overlay improvements. Mayor Smith asked the city clerk to check on what policies other cities have in place and asked Codes Officer Osborne to help.

Goals/Projects Review

Reviewed the following items:

1. Community Building
 - a. Delete keyless entry
 - b. Add helping Fiesta Committee with interior painting to get it done if needed
 - c. Replace kitchen flooring – 2006
 - d. Remove counter top range
 - e. Add installing a three compartment sink
 - f. Add upgrading restrooms – 2006
 - g. Leave buffer (floor cleaner) machine without target date
 - h. Heaters/air conditioning & tables and chairs addressed in 2005

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NEW BUSINESS: (Continued)

Goals/Projects Review (Continued)

2. Fire Department
 - a. Additional/Replacement fire truck
 - b. New Firehouse
3. Street
 - a. Asphalt city streets – completed
 - b. Drainage on west side of 4th from Market to Walnut (Curb & Sidewalk?)
 - c. Re-stripe parking on Broadway – 2006
 - d. Fix erosion in ditch on south 6th Street
 - e. Repair, Replace, Clean street signs
4. Water Production
 - a. Clarifier Maintenance – completed
 - b. Floor Resurfacing in Front Part of Plant – 2006
 - c. Electrical Conduit in Basement – 2006
5. Water Distribution
 - a. Loop dead end lines – Mayor Smith with discuss with PWS Craig
 - b. Improve distribution between WTP and the two towers
 - c. New improved water tower on very top of hill
 - d. Annexation program in relationship to RWD's
 - e. Automatic meter readers

Stopped. Will continue at the next meeting.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Williams moved to go into executive session for up to thirty-five minutes for discussion of land acquisition, legal, and personnel, following a five-minute break. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 8:35 p.m.

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

Open Session Resumed at 9:15 p.m.

OTHER BUSINESS

None

CITY CLERK’S REPORT

Written Report:

- 1. Street Improvements
- 2. Dogs Running At Large
- 3. Goals/Projects Review

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Invitation for Bids, Interior Painting – Community Building
- b] LMI Grant Survey by Linn County
- c] “League News” volume 11, Number 2, January 20, 2006
- d] “La Cygne Interlocal Agreement Tabled” by Jackie Walker, Linn County News, 02/01/06 Edition – Council discussed with City Attorney if there was any action to be taken by them at this time. City Attorney Sutherland responded to wait until after the commissioners had looked at Miami County’s interlocal agreement with cities.

ADJOURNMENT:

✓ *Motion for Adjournment*

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

Meeting adjourned at 9:22 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 1st day of February 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday February 15, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Dani McCammon, Travis Robbins, Joe Turpen, and Gerald “Skip” Williams.

Others present included: City Clerk Devona Herrin; Public Works Superintendent George Craig; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Codes Officer Greg Osborne, Kevin Kinder; Judy Kinder; Sandy White; LeRoy Turpen; and Merle Raymond.

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

MAYOR COMMENTS:

Mayor Smith reported he had received word city resident Kenny Ross had received his Class C contractor's license. Congratulations to Mr. Ross.

PUBLIC HEARING:

Mayor Smith opened the Public Hearing being held for the purpose of consideration of condemnation of the property located at 412 N. 1st Street in the City of La Cygne.

City Codes Officer Greg Osborne referred to the repair list handed out to the council. Mayor Smith also referred to the unfit and dangerous conditions listed earlier.

Council Member Williams asked how the tresses would be fixed in the roof of the dwelling. Mr. Raymond explained how there were places on the beam to hook them onto. Codes Officer Osborne responded 1x2's there are cracked and being used in the process, which would still have them under stress. He was concerned for the safety of someone moving in. Also concerned about the possibility of other problems behind the walls that has not been seen yet. Noted the repairs exceeded the county value.

Council Member Boone responded he would like to sell his place for what the county has it valued.

City Attorney John Sutherland asked if the dwelling was considered dangerous, unfit, or unsafe? Codes Officer Osborne responded, "Yes".

Mr. Raymond reported the following items:

1. The roof and siding were fixed prior to the most current occupants moving in and new windows were put in at that time too.
2. A furnace man in Pleasanton has a good used furnace to replace the existing furnace.
3. The water and gas lines need to be replaced.
4. Have an electrical box to fix the electrical.
5. The part of the roof that fell in was repaired a couple of years ago.
6. Will replace the existing roof with a metal roof, it does currently leak.
7. The trailer should not pull apart as it has a metal beam holding it together as long as the foundation is ok.
8. Has guttering to put back on the dwelling and the front porch is good.

PUBLIC HEARING: (Continued)

Discussed the following:

1. Council Member McCammon – Asked if Mr. Raymond was going to rent the dwelling or sell it in the future. Response was undecided at this time.
2. Council Member McCammon – Expressed concerns if the city had rights to insist on new equipment for repairs.
3. Giving Mr. Raymond an opportunity to repair within a given time frame, such as complete repairs by spring.
4. Council Member Boone had no comments as he was working with Mr. Raymond on another property.

5. Council Member Robbins – Noted this same property was brought to the council about two years ago for the condition of the property. Also noted that was when Mr. Raymond had just purchased the property and made some repairs then, such as replacing the roof that had fell in.
6. Dwelling is currently vacant.
7. Foundation does not have any visual problems.

City Attorney Sutherland asked everyone if the dwelling was habitable now. Mr. Raymond responded no, Mr. Osborne responded no, and council agreed.

City Attorney Sutherland noted if number one the property is uninhabitable now is agreed to by all; then the second part that needs to be considered is can it be repaired for less than 50% of the value of the dwelling. Council expressed concern to let him repair.

City Attorney Sutherland reported the council also could adjourn the public hearing to obtain more information as to the value of the dwelling versus the repair values, or set a later time to give him more time to repair if Mr. Raymond requests more time. Mr. Raymond noted he would like that. Mr. Sutherland noted that on Mr. Raymond's request the council would have to make a motion to such noting that #1 all are in agreement it is currently uninhabitable and #2 to allow Mr. Raymond more time for repairs and for the council to determine if the dwelling can be repaired within 50% of the value.

Mayor Smith noted there were also concerns of safety as well as the looks. Council Member Boone noted it looked better than the house across the street.

Discussed time frames to attempt to repair. City Attorney Sutherland recommended a review in thirty days to see if there is a chance the repairs are too excessive and Mr. Raymond discovers this in that amount of time. At that time it can be determined if want to continue with repairs or move forward with the condemnation.

- *Motion to Adjourn to Reconvene Public Hearing on March 15, 2006*

Council Member McCammon moved at Mr. Raymond's request to adjourn to reconvene the public hearing on March 15th to reevaluate the property with Mr. Raymond requested to attend. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:26 p.m.

Mayor Smith closed the public hearing portion of the meeting. Time: 7:27 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: February 2 - 15, 2006
Minutes of February 1, 2006 City Council Meeting,
January 2006 Treasurer and Budget Reports,

Motion seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:28 p.m.

WATER IMPROVEMENT PROJECTS

- c. THHM's & HAA's Adjustment Project
- d. Upgrade Sludge/Backwash Lagoons

Tabled until later in the meeting when Public Works Superintendent George Craig is present.

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- iii. Stats Report: Noted written report for February 1 – 14, 2006
- iv. STEP Program: Explained the STEP program stands for Special Traffic Enforcement Program. Linn County police along with the other cities in Linn County have signed up for parts of this program. It is a grant that will pay for the overtime of police officers for up to \$2,500 a year for extra patrols that require overtime to accomplish coverage during certain times of the year. The holiday dates marked for this year were Memorial Day and Labor Day. If the city signs the agreement for the grant it will be mandatory during that time frame for the city to participate. Didn't sign up for the year 2007 as wanted to see how the program worked this year first.
 - *Motion to Participate in STEP Program*

Council Member Robbins moved to have the city police officers participate in the STEP program and the mayor sign the agreement. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:33 p.m.

Public Works Superintendent George Craig

- iii. "Distribution Systems O & M" Workshop, Iola, KS - Tabled until PWS Craig is present.

Codes Officer Greg Osborne

Codes Officer Osborne reported he was planning to have recommendations for handling nuisance enforcement through municipal court.

STANDING COMMITTEE REPORTS:

Water & Gas

Council Member Boone reported engineer, Rex Heape, met with public works employees today, but he had not heard any findings.

Discussed the uses of the Special Highway Fund, which is separate from the General Street Fund.

Street

Mayor Smith noted the three items listed adding a need for re-stripping streets too:

- Total Amount of Street Improvement Costs
- Ordinance #1337, for Street Improvements
- Manhole Rings for Street Improvements

Discussed the total costs of all of the streets listed along with the legal and filing fees being about \$5,000 over the \$250,000 temporary note limit. City Clerk Herrin reported the one street the temporary note will not apply to is 7th Street Court, as it is not considered an inner-connecting street. Also, the cost of that one block is the amount over the previously approved funds. The additional monies could be handled through the general street fund.

Discussed who was responsible for 7th Street Court, if it was a city street or a private street. Noted the individual who worked up the subdivision for this area had paid to set up utilities, and have the road established with grading and rock. Determined Heckert construction is not here until the end of March or the first of April so would review the street to see what it would take to finish getting it ready to pave and to determine who's street it was. Noted the platting of the subdivision intends for it to be a city street.

Discussed 8th Street north of Grandview Avenue. The drive has a street name, but is a private drive and has never been set up by the owner to be dedicated as a public street.

Discussed the Ordinance #1337 establishes the city to move forward with the temporary notes for the street project.

- *Motion to Approve Ordinance #1337, for the Costs of Trafficway Improvements*

Council Member Williams moved to approve Ordinance #1337 for street improvements. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:48 p.m.

Tabled the purchase of manhole rings for street improvements until the next meeting when PWS Craig is present.

Community Building

Painting: Fiesta Committee has reviewed bids and is holding them for additional information including insurance requirements of the city.

SPECIAL COMMITTEE REPORTS:

Fiesta Committee

Mayor Smith reported they have about \$1,500 in funds for painting.

Planning Commission Committee

Council Member Turpen noted the minutes of the last Planning Commission under Notes and Communications. Asked where Block 33 was in the city. It is on the southeast corner of 1st and Swan Streets west of the railroad tracks. Codes Officer Osborne responded the committee is publishing a request for a variance for a doublewide trailer and once that lot is set up the new owner plans to improve the next two lots south of him with additional new homes.

UNFINISHED BUSINESS:

Ordinance #1336, Dogs Running At Large

Noted the title on the attached Ordinance #1336 does not refer to Dogs Running At Large. The rest of the contents are correct for this ordinance. Will correct the title sentence.

- *Motion to Approve Ordinance #1336 with Wording Correction*

Council Member Robbins moved to adopt Ordinance #1336 with the changes to the title to refer to ‘dogs running at large’. Seconded by Council Member Williams, voted on, passed 4-1 (No: Boone). Time: 7:57 p.m.

Council Member Boone asked about an ordinance for cats. Mayor Smith asked City Clerk Herrin to review for a city ordinance and report back.

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UNFINISHED BUSINESS: (Continued)

Review of City Goals/Projects

Addressed the following items:

Gas System:

1. Remove old gas line to the City
2. Reduce the price of gas

Mayor Smith commented he worked with an individual who drives from Bonner Springs and gasoline was only \$1.86 there.

Cemetery:

1. Square off Section of Land for New Portion
2. Plat road and plots in new portion (2006)
3. Structure roads in new portion (2006)
4. Program for Location of Lots in Cemetery (2006) - City Clerk will review some options next month at city clerks meeting in Wichita
5. Structure for Location Information at Cemetery Entrance (2006) – Will look for different types of structures and prices
6. Tree replacement (2007)

Police Department:

1. Police vehicle replaced every three years (2006) – Discussed. Instructed Chief Farrell to get bids on another vehicle and then council would decide.
2. New portable radios (2006) – Bernard Streeter with Linn County received a grant and will be providing these radios for the city police.
3. Replace Video Cameras (2006)
4. Replace Evidence Cameras (2006) – These are also being purchased with the grant obtained by Bernard Streeter
5. Replace Speed Radars (2006) – Need at least one this year
6. Networking of computers in new city hall – Delete. Complete except for the major change in location.

City Hall:

1. Designer for Floor Plan to Move City Hall and Police Dept. (2006) – Leave until there are tentative dates.
2. Computer Equipment Replacement Plan (On-going)
3. Copier Replacement Plan (2008 – Review when warranty expires)
4. Phone System – Get prices

North Park:

1. Merry Go Round or Similar Equipment
2. Paint Shelter House

Vehicle Equipment Replacement Program:

1. White Truck Replacement (2008)
2. Backhoe (2009)
3. Bobcat – Upgrade yearly

Projects:

- 1. Implement Three-mile Comprehensive Plan (2006)
- 2. Update Codes Book (On-going)

WATER IMPROVEMENT PROJECTS (Continued)

- e. THHM’s & HAA’s Adjustment Project
- f. Upgrade Sludge/Backwash Lagoons

Public Works Superintendent George Craig reported they had met with engineer, Rex Heape and a supplier of the adjustment equipment on a particular system. The cost would be about \$30,000. Mr. Heape is reviewing the information and how it fits with the city water plant and will report back later.

The upgrade on the lagoons is on hold until the purchase of the property.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig (Continued)

- iv. “Distribution Systems O & M” Workshop, Iola, KS - PWS Craig requested attendance of this workshop if possible by either Jerome Moore or Art Terry and have Harry Smith also attend. Jerome may be out for some surgery at the time so this and workload will determine attendance. The workshop has no attendance fee, is in Iola, Kansas, and provides five hours of water certification credit. The date of the workshop is March 23rd.

- *Motion for Two Public Works Employees to Attend Workshop*

Council Member Turpen moved to send Harry Smith and either Jerome Moore, if available, or Art Terry to the Distribution Systems workshop in Iola, Kansas on March 23rd with per diem. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:21 p.m.

UNFINISHED BUSINESS: (Continued)

Street Excavation Codes Update

Discussed the following:

- i. Establishing weight limits
- ii. Requiring bores under the streets
- iii. If have to cut, require it to be sawed
- iv. Address unloading heavy equipment
- v. Do not have heavy National Guard Equipment at Parade

Noted questions for discussion and decisions prior to an ordinance being drawn up were with the packet. Also noted having feedback from PWS Craig would be helpful. Discussed having a workshop prior to a regular city council meeting to go over in detail each area. Deputy City Clerk Gary Mahon had compiled the attached information to work from.

- *Motion for Workshop on March 15th at 6:00 p.m.*

Council Member Turpen moved to have a workshop as suggested by Mayor Smith (to have a workshop to discuss the street excavation codes update on March 15th at 6:00

p.m. with a fifty minute time limit). Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:30 p.m.

NEW BUSINESS:

CPA Firm Contract for 2005 Audit

- *Motion to Approve Hiring Diehl Banwart Bolton CPA Firm for 2005 Audit and Next Budget*

Council Member Turpen moved to hire Diehl Banwart Bolton CPA firm for a cost of \$4,996 plus travel and out-of-pocket expenses for the 2005 Audit and for a cost of \$1,495 plus travel and out-of-pocket expense for the budget work. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:33 p.m.

City of Parker on Spraying for Mosquitoes

Discussed city employees are not certified commercially for pesticide handling; and, the machine requires special maintenance for continued service. Instructed City Clerk Herrin to write a letter declining to spray for others.

PVHS After Prom Donation

- *Motion to Donate \$150 to PVHS After Prom*

Council Member Boone moved to donate \$150.00 to the PVHS After Prom event. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 8:35 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel, legal, and land acquisition for up to twenty minutes following a ten-minute break. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:36p.m.

Others invited into or requesting a portion of time in executive session included: City Codes Officer Osborne.

Open Session Resumed at 9:02 p.m.

OTHER BUSINESS:

None

CITY CLERK'S REPORT:

Verbal Report:

1. Will be on vacation next week.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] January 2006 Water Production Reports
- b] "League News" Volume 11, Number 3, January 27, 2006
- c] "League News" Volume 11, Number 4, February 3, 2006
- d] Annual Volumes of Water Distribution
- e] KMGGA Reports

- f] La Cygne Planning Commission Minutes of February 9, 2006
- g] La Cygne Zoning Appeals Board Minutes of February 9, 2006
- h] "League News" Volume 11, Number 5, February 10, 2006
- I] *Kansas Government Journal* January 2006

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 9:10 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of February 2006.

REGULAR MEETING:

The La Cygne City Council met in a regular session on March 1, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone; Travis Robbins; Joe Junior Turpen; Gerald "Skip" Williams; and Dani McCammon.

Others present included: City Clerk Devona Herrin; City Attorney John Sutherland; Kevin Kinder; Public Works Superintendent George Craig; City Police Chief Glenn D. Farrell; Judy Kinder; Darlene and David Engert, Sandy White, and LeRoy Turpen.

Council President Travis Robbins called the meeting to order at 7:00 p.m.

CONSENT AGENDA:

Council President Robbins noted check #5166 is blank in the packet. The final check voucher to be signed has the correct amount of \$20.00 to Coryell & Sons for spraying the community building.

- *Motion to Approve Consent Agenda with Check #5166 Change*

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

Check Register: February 16 - March 1, 2006;
Minutes of February 15, 2006 Public Hearing and City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:01 p.m.

UTILITY IMPROVEMENTS REPORT

a. WATER IMPROVEMENT PROJECTS

I. THMM's & HAA's Adjustment Project

Status – PWS Craig reported Rex Heape with Shaffer Kline & Warren was going to a water treatment plant in Oklahoma that is currently using the chlorine dioxide process the city is looking at using. This method has been filed with the state and should have an answer shortly.

II. Upgrade Sludge/Backwash Lagoon

Pending purchase of property.

DISCUSSION FROM THE FLOOR:

Darlene Engert Regarding Speed Limits and City Limits Signs on East Market

Darlene Engert asked if there was anything the city could do to lower the speed limit going east out of town on Highway 152 at the area around her property. She has a day care and the cars are going 55 mph as they hit the speed limit sign for that speed not waiting until they get to the area to begin that speed. There is a lot of traffic of a morning and parents are trying to pull in to her house and then further down there are businesses where people are stopping to turn into and others behind are passing them. Concerned for some major potential accidents. Asked if the state was the one they would have to talk to.

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DISCUSSION FROM THE FLOOR: (Continued)

Darlene Engert Regarding Speed Limits and City Limits Signs on East Market (Continued)

City Clerk Herrin reported the Kansas Department of Transportation had been contacted, as they were the ones to establish the speed limits for the highway, even within the city limits. The state had been contacted in 2001 and 2002 right after this area was annexed for adjusting the speed limit and it had been declined. The state has this area on their agenda to review the speed limit again this summer. Had also asked about the city placing “Children at Play” signs in the area, however, the state individual to respond to that request is out of the office until Thursday. That is also the same individual to ask about double yellow lines for no passing in the area.

Council President Robbins asked to find out if KDOT would make a presentation this summer while they are in the area explaining how the speed limits are determined. Also noted there were some KDOT handouts available concerning how speed limits are reviewed if anyone was interested. Noted the council would ask Police Chief Farrell to watch the area more, especially in the early morning. The Engert’s asked to be contacted if the state would make a presentation as they would be interested in attending. Thanked the council for their time.

Sandy White Regarding Inoperable Vehicles

Sandy White reported she had received a letter from the city codes officer requesting some inoperable vehicles be moved from the property. Her husband was currently in the hospital and may be for a couple of more weeks. She had talked to Codes Officer Osborne and Mayor Smith and Mr. Osborne asked her to bring it to the city council. The letter from the codes officer was not available at the meeting. Council concurred if there were health concerns for a couple of weeks that should be able to be worked out with the codes officer. City Attorney Sutherland reported the codes officer could give them the additional time and then if nothing continued to be done the codes officer would bring it back to the council for further action.

REPORTS OF CITY OFFICERS:

City Attorney John Sutherland

1. Fire Department Merger Proposal – Mr. Sutherland reported he had some questions from the county commissioners attorney and requested adding this topic to the March 15th workshop if time prevails.

- *Motion for Item on Workshop on March 15th*

Council Member Williams moved to add the fire department merger proposal to the workshop on March 15th if time prevails. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:15 p.m.

Chief of Police Glenn Farrell Jr.

Presented written report for February 2006 stats.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent – George Craig

1. 2006 Spring Mosquito Workshop, March 28th, Ottawa, KS: Public Works Superintendent Craig requested attendance to this workshop by either Jerome Moore or Harry Smith. There is no fee for the workshop and the mosquito sprayer will be calibrated at no cost during the workshop. The sprayer was not calibrated last year and needs to be this year prior to use.

- *Motion for Jerome Moore or Harry Smith to Attend Mosquito Workshop*

Council Member Turpen moved to send Jerome Moore or Harry Smith to the Mosquito Workshop in Ottawa on March 28th. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:18 p.m.

2. Mosquito Spray: PWS Craig reported the total gallons of mosquito spray required to handle the councils requested 28 spraying for this year would be 112 gallons total. To cover the entire areas requested including some alleys would take four gallons each spraying. The total cost to purchase this amount of mosquito spray is \$7,616.00.

- *Motion to Purchase Mosquito Spray for \$7,616.00*

Council Member Turpen moved to purchase mosquito spray for up to \$7,616.00. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:20 p.m.

3. KRWA Training Session at Community Building: PWS Craig reported Gary Armentrout with KRWA was asking the city to waive the community-building fee for a training class. The class will give all city employees who attend five hours toward continuing education for their water certificates and they can stay here in the city while they get this training. The topic is Chlorine and includes chlorine requirements for swimming pool managers. The session starts at 8:00 a.m.; Council Member McCammon also expressed an interest in attending.

- *Motion to Waive Community Building Fee for KRWA Workshop*

Council Member Williams moved to waive the community-building fee for KRWA training session on April 25th. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:22 p.m.

4. Automatic Meter Readers: PWS Craig reported they had been looking into automatic meter readers. The system similar to RWD's #1 was presented at a cost of around \$150,000 and included replacing all water meters and about 250 meter pits. Another system can be used that does not require all the meters be replaced, nor any meter pits, for a cost of \$105,000 and includes having all the gas meters also on automatic read. PWS Craig had spoke with another city that uses this system and they recommend it. The company will be doing a presentation to public works on the 8th. Council

concurred for PWS Craig to continue gathering information and bring it back to the next meeting.

- 5. Paint for Street Stripping: Reported the various colors of paint required to repaint and stripe the streets would cost \$3,385.00 plus freight.

- *Motion to Purchase Street Paint for \$3,385 plus freight*

Council Member Williams moved to purchase street paint for \$3,385.00 plus freight. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:25 p.m.

Mayor Keith A. Smith arrived at 7:26 p.m. and presided over the remainder of the meeting.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent – George Craig (Continued)

- 6. Replace Floor Tile in Water Treatment Plant: Reported a bid for tile and installation had been received from Carpetman at a cost of \$675.53 to cover the front area.

- *Motion to Accept Bid of \$675.53 for Tile and Installation*

Council Member Turpen moved to accept the bid of \$675.53 for tile and installation at the water plant from Carpetman. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:27 p.m.

STANDING COMMITTEE REPORTS:

Street

- 1. 7th Street Court Improvement: City Attorney Sutherland reported he had reviewed the requirements for street dedication and for all intents and purposes the actions taken by the city Planning Commission and Council would have the city responsible for the street. Council Member Boone asked why sidewalks and curbs were not done. Noted they were not required at that time. City Attorney Sutherland reported previously when the subdivision was handled with the city the Planning Commission approved the final plat and the City Council approved the dedication with the approval of the final plat, rather than accepting, and then the final plat was filed with the county. At that time a resolution should have been done when all was completed and it was not done; however, the plat was filed and this accepts the dedication. Discussed what would be required to be ready for any paving. PWS reported the paving contractor, Heckert Construction, had looked at the street and thought if it was bladed out good it would be ok to asphalt. Noted the cost from Heckert to pave the street is \$3,791.00.

- *Motion to Include 7th Street Court in Paving Project for Additional \$3,791*

Council Member Turpen moved to include 7th Street Court to the paving project for an additional \$3,791 and change by Heckert Construction. Seconded by Council Member Williams, voted on, passed 5-0. **Time: 7:35 p.m.**

Sewer

- 1. Manholes for Street Improvement Areas: PWS Craig reported there is 42 manholes that need to be replaced on the roads that need paved. The cost is being worked up now and should have at the next meeting. Tabled until the next meeting.

Park

Council Member Turpen reported he had been at the park utilizing the new park equipment when an individual new to the city was also there and she was very happy with the playground equipment, better than some other cities bigger than La Cygne.

Community Building

Council Member Turpen reported he had asked a person to measure the kitchen area for new tile and to also provide a price for a kitchen sink. When the contractor has the estimates he is going to take them to city hall.

SPECIAL COMMITTEE REPORTS:

None

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UNFINISHED BUSINESS:

None

NEW BUSINESS:**Marias des Cygnes Basin Advisory Committee Presentation**

City Clerk Herrin requested for at least one city employee to attend this presentation at Ft. Scott on March 21st. Asked if any council members &/or mayor was available to attend. Council Member McCammon expressed an interest.

- *Motion to Send City Clerk and Council Member McCammon to Presentation*

Council Member Robbins moved to send City Clerk Herrin and Council Member McCammon to the Marias des Cygnes Basin Advisory Committee Presentation on March 21st. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:44 p.m.

Regional City Clerks Meeting, March 17th, Altamont, KS

- *Motion to Attend Regional City Clerks Meeting March 17th*

Council Member Robbins moved to send Deputy City Clerk Mahon or City Clerk Herrin to the Regional City Clerks meeting on March 17th at Altamont, Kansas. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:45 p.m.

Property Casualty, Liability, and Workmen's Comp. Insurance Bids

City Clerk Herrin presented a sealed bid from Schulte Insurance, the city's current insurance agent. Discussed if the city wanted to continue to ask for bids every three years with the current tight market for city coverage. Council Member Turpen asked City Clerk Herrin to inquire at the PVHS office as to who they had the school insurance with, as that could be another avenue in the future. Noted the bid &/or renewal of the existing coverage has a change in the Workman's Comprehensive coverage. It now reflects a \$1,000 deductible by the city. There have been some claims in recent years that have played a factor in this change. It is the first time a deductible has been added to the city's coverage requirements. Other cities already have a \$5,000 deductible with their workman's comp &/or are with the state pool for this coverage instead of in the open market.

City Attorney Sutherland opened the bid package for the period of April 1, 2006 to April 1, 2007. The property and liability premium was \$24,383.00 and the Workman's Comprehensive with \$1,000 deductible per claim was \$13,441.00 for a total of \$37,824.00.

- *Motion to Accept Insurance Bid from Schulte Insurance Agency for \$37,824*

Council Member Turpen moved to accept the bids for insurance for the April 2006 to 2007 term for \$37,824 from Schulte Insurance Agency. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:54 p.m.

Small Customer Transportation Agreement No. 011480 Between Panhandle Eastern Pipeline Company and the City of La Cygne

Noted the period of four years is the same time frame as used with past renewal agreements and this continues the transportation of the gas at the original agreement rate.

- *Motion to Approve and Sign the Transportation Agreement with Panhandle Pipeline Company*

Council Member Robbins moved to approve and sign the Small Customer Transportation Agreement No. 011480 with Panhandle Eastern Pipeline Company. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:56 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of legal, land acquisition, and personnel for up to twenty minutes following a five-minute break. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:58 p.m.

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

Open Session Resumed at 8:19 p.m.

OTHER BUSINESS:

Previously Condemned Trailer Remaining in City Limits

Council Member Turpen discussed a comment from a concerned citizen about a single wide trailer that was condemned by the city about ten years ago and is still in the city and someone is living there. It's on 5th Street.

CITY CLERK'S REPORT:

Verbal Report:

1. Researched other cities for cat ordinance and to date have only located such in large cities. Discussed reviewing requirements of a kennel and state licensing if continue with ordinance project. Council concurred to table project.

Written Report:

1. Automating Court Record Keeping

Reminder:

1. Workshop, 6:00 p.m. March 15th Regarding Street Excavation Codes Review – Noted sandwiches and other items would be available just prior to the workshop.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Planning Commission 'Notice of Public Hearing'
- b] *League News*, Volume 11, Number 6, February 17, 2006
- c] "Legislative Alert" Number 1, February 21, 2006
- d] "League Alert" Public Funds Bill
- e] MCRWA Dist #2 Meeting Minutes of February 14, 2006

ADJOURNMENT:

- *Motion to Adjourn*

With no further business, Council Member McCammon moved to adjourn. Seconded by Council Member Robbins, voted on, 5-0.

Adjourned the meeting at 8:25 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 1st day of March 2006.

Page 1 of 5 Pages

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday March 15, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Gerald "Skip" Williams. Absent: Dani McCammon.

Others present included: City Clerk Devona Herrin; Deputy City Clerk Gary Mahon; City Treasurer Linda Elder; Public Works Jerome Moore; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Codes Officer Greg Osborne, Kevin Kinder; Judy Kinder; Sandy White; LeRoy Turpen; and Merle Raymond.

Mayor Keith A. Smith called the meeting to order at 7:03 p.m.

MAYOR COMMENTS:

Mayor Smith noted the schools' spring break was next week.

PUBLIC HEARING:

Mayor Smith reopened the Public Hearing being held for the purpose of consideration of condemnation of the property located at 412 N. 1st Street in the City of La Cygne.

City Codes Officer Greg Osborne noted there had been no contact with him by Mr. Raymond until just before the meeting. The estimates listed are the same as from the beginning of the Public Hearing.

Mr. Raymond reported he had half of the roof already replaced and planned to have the rest done by the weekend if the weather cooperated. The new roof is metal.

City Attorney John Sutherland noted the city could continue the public hearing for a period and have the Codes Officer review the premise for completion.

Mr. Raymond concurred.

- *Motion to Adjourn to Reconvene Public Hearing on April 19, 2006*

Council Member Robbins moved at Mr. Raymond's request to adjourn to reconvene the public hearing on the second April Meeting which was April 19th to reevaluate the property with Mr. Raymond requested to attend. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:06 p.m.

Mayor Smith closed the public hearing portion of the meeting. Time: 7:07 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: March 2 - 15, 2006
Minutes of March 1, 2006 City Council Meeting,

February 2006 Treasurer and Budget Reports,

Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:08 p.m.

WATER IMPROVEMENT PROJECTS

- g. THHM's & HAA's Adjustment Project
- h. Upgrade Sludge/Backwash Lagoons

No report.

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DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

City Attorney John Sutherland – Reported suit had been filed on the property at 319 N. 1st.

Police Chief Glenn D. Farrell Jr

- v. Stats Report: Noted written report for March 1 – 14, 2006.

Public Works Superintendent George Craig by Jerome Moore

- v. Automatic Meter Reading - Tabled until second meeting in April when representative from Datamatic can be present.

Fire Chief Scott Stainbrook

- i. Merger with Linn County Fire Department – Scott Stainbrook was unable to attend the meeting. Left a written recommendation for the city to rescind the previous requested agreement with Linn County to merge the fire departments. This agreement was approved at the December 7, 2005 La Cygne City Council Meeting. This was due in part to the restructuring of the Rural Fire Department Board. Council discussed reconsidering a merger at a later date. City Clerk Herrin will contact another county fire department that has merged with cities within that county for a copy of their agreements and resolutions to review for possible future consideration. Discussed the desire to see this handled for the best of everyone.

City Attorney Sutherland read the motion from the December 7, 2005 minutes:
“Council Member Turpen moved to sign the proposed agreement with Linn County as presented including paying utilities for a year, waiving building permit, city dissolving its fire department when new building is completed, and next years city taxes to purchase new truck. Discussion: Deputy City Clerk Mahon asked if motion meant building permit or building permit fee. Answer: Both. Motion seconded by Council Member Boone, voted on, passed 5-0.”

City Attorney Sutherland noted if this motion was rescinded the city would need to make the agreement sent to Linn County null and void.

- *Motion to Rescind Fire Department Merger Agreement of December 7th with Linn County*

Council Member Robbins moved to rescind the fire department merger agreement approved at the December 7, 2005 meeting as just read by City Attorney Sutherland, and to make this agreement sent to Linn County null and void. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:14 p.m.

Codes Officer Greg Osborne

- i. Concerns about Buildings - Codes Officer Osborne presented pictures of the exterior condition of two buildings on Broadway. Mr. Osborne was concerned about the exterior of 101 Broadway on the Market Street side; and, the backside of 109 Broadway where it appeared the back part would fall into the alley anytime. Mr. Osborne has sent certified letters to both property owners asking to be contacted regarding the properties. Mr. Osborne asked if the council had any suggestions, or if they were interested in further professional inspections. Council requested he get in contact with the owners for now and then let them know if the owners do not respond.

Also, Mr. Osborne had reviewed the back of the barbershop building and found bricks in decay. However they did not appear to be any worse then in 1996. The barber's building is leaning on the community building, but again does not appear to be any worse. Property owner is going to work on the bricks.

REPORTS OF CITY OFFICERS: (Continued)

Codes Officer Greg Osborne (Continued)

Discussed possible need of barriers in the areas. Determined the conditions had been a gradual process. Mr. Osborne noted they would need a structural engineer to make a final determination. Determined to give property owners time to respond.

STANDING COMMITTEE REPORTS:

Street

- i. "Children at Play" Signs on East 152 Highway – Discussed the city filling out the KDOT application for signs in this area and then bringing it back to the council to continue after receiving a response from KDOT. Mayor Smith instructed City Clerk Herrin to process the application.

Sewer

- i. Manhole Rings for Street Improvements – PW's Jerome Moore reported they were still putting the cost figures together. Tabled until the next meeting.

SPECIAL COMMITTEE REPORTS:

None

UNFINISHED BUSINESS:

Street Excavation Codes Review

Mayor Smith reported this item had been reviewed at the workshop just previous to the meeting. Deputy City Clerk Mahon presented a written recommendation report read by Mayor Smith of the following items determined to be considered at this meeting:

1. Street Bond: \$1,000 Must be cash, money order, surety bond, or letter of credit. If city incurs costs in excess of \$1,000, such costs may be billed to contractor, applicant, or property owner.
2. Responsibility of refilling and replacing street surfaces? Contractor/Applicant responsible. Fill material to be base rock. All work to be performed under the supervision of the Public Works Superintendent. If repairs are not made or unsatisfactory, the city may complete and charge costs to contractor, applicant, or property owner. *Added at Meeting: Must be 4" asphalt at discretion of PW Superintendent.*

- 3. What type of materials can excavations be refilled with? This is addressed in item No. 2.
- 4. Make the following part of our codes: “The person making the refill of excavations, digs, cuts, holes, ditches, trenches, tunnels, bores through, in over or under any street, avenue, park or parking, pavement, curb, sidewalk, crosswalk or public place in the City shall be required to clean up and haul away all surplus earth, rock or rubbish within 24 hours after such refill has been completed and in the event of default thereof, the superintendent of public works shall have the right to order and cause the removal of such earth, rock or rubbish and charge the cost of such removal against the person to whom the permit was issued or the person who commenced or performed the work, or any property owner on whose behalf the work was being performed”.

UNFINISHED BUSINESS: (Continued)

Street Excavation Codes Review (Continued)

- 5. Penalty Clause: (Sample subject to attorney review) In addition to any civil remedy, including compensatory damages and injunctive relief, violation of this article is punishable by a fine of up to five hundred dollars (\$500.00) per day for each violation.
- 6. New codes to include:
 - Appropriate wording to prohibit tracked equipment to be operated, loaded, or off-loaded on any city street.
 - Provisions for performing emergency excavations, noting that bond must be paid by next business day, even if work is complete.
 - Streets are to be bored. Cuts not allowed unless approved by the Public Works Superintendent and then by sawing only.

Discussed adding to #2 by the base rock about 4” Asphalt layer with the depth to be at the discretion of the Public Works Superintendent. Mayor Smith asked to have an ordinance and any policy procedure to be drawn up and presented back to the council.

NEW BUSINESS:

Ordinance No. 1338 - Nuisances

- *Motion to Approve Ordinance #1338 - Nuisances*

Council Member Williams moved to approve Ordinance #1338 regarding nuisances. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:30 p.m.

Vacancy for City Rep on Linn Co. Steering Committee for Comprehensive Plan

Discussed current City Rep Kenny McClanahan was no longer available to be the local representative on the Linn County Steering Committee for Comprehensive Plan. Asked council to pass it on if they knew of anyone for the city representative for this committee. Deputy City Clerk Mahon will be presenting this information to the Planning Commission tomorrow night.

Authorization for Part Time Cemetery Help

Mayor Smith reported Cemetery Caretaker Kenny McClanahan was asking for some help with the weed eating in the cemetery this year. It was estimated it would take about 8 – 10 hours a week during the mowing season. He would like to have someone who could work without him being there and he would continue to handle the rest of the cemetery tasks. Mayor Smith instructed City Clerk and Deputy City Clerk to review requirements and determine if there was any city employee that wanted to take this project on.

REPORTS OF CITY OFFICERS: (Continued)

Public Works Superintendent George Craig by Jerome Moore (Continued)

- vi. Request for 100 Water Meters - PW's Moore requested the purchase of 100 water meters for replacements. This was an area they wanted to target hard this year as they had located several older ones. The cost is approximately \$38 each, maybe less.

- *Motion to Purchase 100 Water Meters*

Council Member Robbins moved to purchase 100 water meters for a cost of around \$38.00 each. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:37 p.m.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of land acquisition for up to five minutes. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:42 p.m.

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

Open Session Resumed at 7:42 p.m.

OTHER BUSINESS:

Deputy City Clerk Mahon's CMC Announcement

Council Member Turpen reported the announcement in the *Kansas Government Journal* for Deputy City Clerk Mahon's CMC designation. Everyone congratulated DCC Mahon.

CITY CLERK'S REPORT:

Written Report:

1. The following scheduled payments have been paid for March 2006:
 - a. Wastewater SRF: \$15,638.11
 - b. Water G.O. Bonds: \$10,458.75
 - c. Gas Revenue Bonds: \$41,322.50.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] "League News" Volume 11, Number 7, March 1, 2006
- b] February Monthly Gas Report
- c] February Monthly Water Reports
- d] *Kansas Government Journal* Volume 92, Number 2, February 2006
- e] "Legislative Alert" Number 2, March 14, 2006

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 7:44 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of March 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, April 5, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Dani McCammon, Joe Turpen, and Gerald ‘Skip’ Williams. Absent: Travis Robbins.

Others present at some point in the meeting included: City Clerk Devona Herrin, City Attorney John Sutherland, City Public Works Supervisor (PWS) George Craig, City Police Chief Glenn D. Farrell Jr., City Treasurer and Court Clerk Linda Elder, Kevin Kinder, Judy Kinder, LeRoy Turpen, City Codes Officer Greg Osborne, Sandy White, Fiesta Committee Chair Person Connie McGinnis, and, Fire Department Members Jake Fleming, Danny Curtis, Matt Byerly, and Jimmie Whitworth.

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

MAYOR’S COMMENTS:

- 4. Encouraged everyone to watch the school’s spring activities when possible.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: March 16 – April 5, 2006;
Minutes of March 15, 2006 City Council Meeting.

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

UTILITY IMPROVEMENTS REPORTS

a. WATER IMPROVEMENT PROJECT

III. THMM’s & HAA’s Adjustment Project

i. KDHE Permit Application Approval

- i. *Motion to Approve Signing KDHE Permit Application*

Council Member Williams moved to approve the mayor signing the KDHE Permit Application for the chlorine dioxide project. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:06 p.m.

ii. Work Session to Review Two Chlorine Dioxide Proposals

Discussed dates everyone would be available for a work session to go over the two different proposals Rex Heape has found for the chlorine dioxide project.

- *Motion for Work Session on May 3, 2006*

Council Member Williams moved to have a workshop on May 3rd at 6p.m. prior to the regular meeting to go over the two proposals. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:08 pm

IV. Upgrade Sludge/Backwash Lagoons

Pending acquiring property.

SPECIAL COMMITTEE REPORTS:

Fiesta Committee

Connie McGinnis informed the council she would have to leave the committee due to health problems; and, Linda Jo and Steve Hisel would also be leaving due to business change commitments. They volunteered to help somebody get started, but would then have to get completely out. Asked the council to put out the word and see if someone would come forward to volunteer.

Mayor Smith thanked Connie, Linda Jo, and Steve for all the hard work they had put into the fiesta in the past.

Connie McGinnis also reported the bids for painting the community building were more than the fiesta committee had to spend. Asked the council if they would share in the costs and get it painted. Council Member Boone reported he knew of individuals who would volunteer to paint it if there is enough money to purchase the paint. Discussed different potential volunteer sources. Mayor Smith instructed to have this put on the next agenda with the money available to spend.

DISCUSSION FROM THE FLOOR

None

REPORTS OF CITY OFFICERS:

Police Chief – Chuck Farrell Jr.

- iv. Presented police report for March 2006. No questions.

Public Works Superintendent George Craig

- a. Excavation Safety Program by Kansas One Call: PWS Craig reported Council Member Boone, Harry Smith, and he would be attending this meeting the following day in Paola.
- b. Weed Spray: Requested \$8,500 to purchase weed spray for the sewer lagoons, parks, cemetery, gas lines, and other miscellaneous areas. The new cell at the lagoon will require spraying this year for the first time and this is an estimate for the newer area.
- c. Automatic Meter Readers: Still gathering information. A representative from D.C.&B will have a presentation for the April 19th council meeting.

- i. *Motion to Purchase Weed Spray*

Council Member Williams moved to spend up to \$8,500 for weed spray for all concerned areas. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:18 p.m.

Fire Chief – Scott Stainbrook

Mayor Smith reported Scott Stainbrook was unable to attend tonight’s meeting due to other conflicts. Scott had left the following recommendations for the city council to consider for further discussion at the next meeting:

- 1. Dispose of both existing fire trucks
- 2. Purchase one better truck

- 3. Consider garaging in the water plant building
- 4. Let public works use the existing garage for storage.

REPORTS OF CITY OFFICERS:

Fire Chief – Scott Stainbrook

Four city firemen attended the meeting. Jimmie Whitworth reported the two existing trucks need to be recalibrated and also recommended trading the two existing trucks in with the purchase of another truck. They had brought the county’s 951 fire truck as an example of the type of truck to be purchased. Council Member Boone asked them to find out if the truck they were looking at was still available and if so find out the cost and to bring it to the next meeting. Mr. Whitworth reported if they could find one that had been recently calibrated and inspected for under \$60,000 the city would have an almost brand new truck. Mayor Smith asked them to move forward on the inquiries and bring them back to the next meeting. Discussed taking a break to look at the city’s existing fire trucks and the one example from the county.

- *Motion for Ten Minute Break to Inspect Fire Equipment*

Council Member Turpen moved to take a ten-minute break to inspect the fire equipment. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:26 p.m.

Mayor Smith expressed appreciation for the firemen bringing the trucks to the meeting for the council to inspect.

Codes Officer – Greg Osborne

Codes Officer Greg Osborne reported on two locations:

- 1. 101 Broadway – the owner did not claim his notice through the mail. Mr. Osborne had attempted to hand deliver and was unsuccessful. Will try again.
- 2. 109 Broadway – spoke with the owner and he is going to try to repair the east side.

MAYOR’S COMMENTS: (Continued)

Mayor Smith acknowledged there were two individuals we needed to be thinking about and wishing them our best. Former Mayor and Councilman Sam Barber had attempted a kidney transplant and was unsuccessful at this time. Public Works Jerome Moore had major surgery and was beginning to get around some. Looked forward to having him back soon.

STANDING COMMITTEE REPORTS:

Street

- 1. Resolution #301 for Street Improvement Temporary Note

- *Motion to Approve Resolution #301*

Council Member Williams moved to approve Resolution #301. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:40 p.m.

- 2. Execute Documents for Temporary Note:

- *Motion to Execute Documents for Temporary Note*

Council Member Williams moved to authorize the appropriate city officials to execute documents for the temporary notes for the street improvements. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:42 p.m.

3. Children at Play Signs on East 152 Highway:

City Clerk Herrin reported the city had not received word back regarding a permit from KDOT. Will report at the next meeting.

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STANDING COMMITTEE REPORTS: (Continued)

Sewer

1. Manholes for Street Improvement Areas

PWS Craig reported he is waiting on Heckert Construction for the costs.

Cemetery

5. Burning the Brush - Council Member Boone asked whose responsibility it was to burn the limbs and branches piled from the storm? PWS Craig reported they were going to do it; however, Caretaker McClanahan had asked them to wait last winter. Mayor Smith noted they would just let the caretaker and public works handle it.

Community Building

5. South Wall Leaking:

Council Member Williams reported the drain on that wall is plugged tight so the trough fills up and dumps back on the roof. Need to get a water hose up there and wash it out. Will also get a level and check the drain angle. May need to drain some to the front.

6. Quote for Kitchen Floor Covering

Council Member Turpen reported the quote of \$1,104.97 is for vinyl commercial grade floor covering. Noted there may be asbestos in the existing tile. Discussed removing appliances and installing baseboard. Requested another quote to include these two items.

Employee Relations & Training

1. Employee Evaluations

City Clerk Herrin reported this is the time of year to begin the employee evaluation process. Council instructed the supervisors to begin the process.

SPECIAL COMMITTEE REPORTS: (Continued)

Planning Commission Committee

1. La Cygne Representative Appointment to the Linn County Comprehensive Plan Steering Committee

Council discussed the unavailability of any of the Planning Commission Members. Mayor Smith appointed Deputy City Clerk Mahon as the city representative.

UNFINISHED BUSINESS:

Street Excavation Ordinance #1339

- *Motion to Approve Street Excavation Ordinance #1339*

Council Member Williams moved to approve Street Excavation Ordinance #1339 as presented. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:55 p.m.

UNFINISHED BUSINESS: (Continued)

Part Time Cemetery Help

Discussed the following:

1. Labor laws make it difficult for Deputy City Clerk Mahon to take this on as a part time position.
2. Chuck Ruse has been helping out during this time and will try to add this to the park duties with approval of the city council.
3. The possibility of contracting the mowing.
4. The need to have someone able to work independently.

Council requested advertising for a part time cemetery maintenance employee.

NEW BUSINESS:

Rock Bids

Discussed rock is now only used for water leaks and general repairs with the change in paving of streets. Determined there was no longer enough volume to request rock bids.

Personnel Policies and Guidelines Update Section F-7

The additional option for city employees to purchase life insurance through KPERS at the employees cost has been added to this section.

- *Motion to Approve Update of Section F-7*

Council Member Turpen moved to approve the update to the Personnel Policies and Guidelines Section F-7 to include 'KPERS'. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:05 p.m.

Court Management Software

Discussed the following:

1. Cost of software, installation, and training is \$3,550.00
2. State is setting up for electronic emissions
3. Presentation to employees reflects a user friendly system
4. Current system is hard copy
5. Price based on size of city
6. Jayhawk support for utility system is great
7. Keeps track of diversions, payments, suspensions, and payment records

- *Motion to Purchase Court Management Software for \$3,550*

Council Member McCammon moved to approve the purchase of the court management software from Jayhawk Software for \$3,550.00. Seconded by Council Member Boone, voted on, passed 4-0. Time: 8:10 p.m.

Electronic Utility Payments and City Web Site

Council asked if the city had the ability to handle electronic utility payments. City Treasurer Elder reported the city was not able at this time to handle electronic payments, could not even handle credit card payments.

City Treasurer Elder reported the city web site is ready to go on line with a special thanks to Deputy City Clerk Mahon for helping. Mayor Smith noted it is nice to see the web site going.

City Treasurer Elder reported a city newsletter is being prepared for the third week in April. Asked the mayor and council if they had any ideas, and if so, to let her know prior.

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NEW BUSINESS: (Continued)

KMU Conference 2005 and Annual KMGGA Meeting

- *Motion for City Clerk to Attend KMU Conference and KMGGA Meeting*

Council Member Williams moved to send City Clerk Herrin to the KMU Conference and the KMGGA meeting in Wichita with per diem. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 8:14 p.m.

Kansas Mayors Conference, May 19 & 20, 2006

Discussed Mayor Smith &/or Deputy City Clerk Mahon attending. Unsure at this time if either is available to attend. Tabled until the next meeting.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for up to thirty minutes for discussion of land acquisition, legal, and personnel, following a ten-minute break. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 8:17 p.m.

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

Open Session Resumed at 8:17 p.m.

OTHER BUSINESS

South Water Tower Repairs

PWS Craig reported the south water tower is scheduled for a major internal repair project that will last about three weeks. This tower controls the flow of water from the water plant. PWS Craig presented five options for handling this down time affecting the water plant:

1. Putting a blow-off valve on a hydrant in Industrial Park creating a high water loss and a lake due to heavy flow times
2. Turn down the pressure in the plant; however, if there is any unexpected high usage the plant will run dry and cause problems
3. Have public works employees manually run the plant twenty-four hours a day, seven days a week during the down time to monitor the pressure. The estimated overtime would be approximately \$7,500
4. Place a sonar apparatus on the north tower for \$3,000 - \$3,500. This is a lease and includes installation and removal
5. Council Member Boone will monitor the water plant during this period for \$2,500.

Discussed Council Member Boone manning the water plant during this time. PWS Craig noted the work could possibly begin next week. City Attorney Sutherland noted this could constitute a conflict of interest, as there are cases that make it clear that governing body members of a city cannot be employees of the city. Council Member Boone asked where that was stated as the city used to have a Council Member that was the Superintendent of Public Works, and maybe should do that again. City Clerk Herrin noted there were state changes that had changed that. Council Member Williams felt Council Member Boone should be allowed to do it. PWS Craig reported he felt that would work. City Attorney Sutherland noted it could be possible to consider this as an occasional work.

- *Motion to Hire Council Member Boone to Work Water Plant for \$2,500*

Council Member Turpen moved to hire Jerry Boone at \$2,500 to work the water plant during the three-week maintenance period. Seconded by Council Member McCammon. Council Member Williams noted he considered this an occasional situation. PWS Craig concurred, as you didn't want just anybody. **Voted on, passed 3-0-1 (Abstain - Boone).** Time: 9:02 p.m.

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CITY CLERK'S REPORT

Verbal Discussion:

1. Bleachers: Mayor Smith noted the city appreciated the school donating the bleachers behind the La Cygne Grade School to the city.
2. Mayor Smith noted he would check with a couple of other people for possibly filling the representative position on the Linn County Comprehensive Plan Steering Committee. In the meantime he appreciated Deputy City Clerk Mahon assuming this position.
3. Discussed the latest "League News" covering eminent domain.
4. Mayor Smith asked all concerned to watch the general funds closely for a period, as the March percentage was 39%. This is high for this time of year.
5. KanCap Program is a KDHE program given to council and administrative personnel involved with water production and distribution. Eddie Andersen with WWD#13 and Linn County Water District #1 is in the planning stages with KDHE to have a training session in Linn County presented by KDHE. Council concurred to let him know the city would plan on attending if the dates worked out.
6. Discussed annexing Highway 152 east of Darlene Engert out to Family Café. City Clerk Herrin reported the city did not include any of Highway 152 with the earlier annexation on the east of the city and north of Highway 152. City Clerk Herrin had spoke with a person in KDOT and it should not be any problem at this time to request the annexation of this part of the highway and could include both the north and south side of the highway at the same time. Mayor Smith asked City Clerk Herrin to proceed with this process and put it on the agenda.

Written Report:

4. Bleachers
5. Water Improvement Project
6. Excavation Safety Program by Kansas One Call
7. Weed Spray
8. Fire Truck Replacement
9. Temporary Notes for Street Improvement Project
10. Children at Play Signs on East 152 Highway
11. Community Building South Wall
12. La Cygne Representative on the Linn County Comprehensive Plan Steering Committee
13. Street Excavation Ordinance
14. Part Time Cemetery Help
15. Rock Bids
16. Personnel Policies and Guidelines Update Section F-7
17. Court Management Software
18. KMU Conference 2006 and Annual KMGGA Meeting
19. Kansas Mayors Conference, May 19 & 20, 2006
20. "League News" and "Legislative Alerts"

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] 'Thank You' from J.V.'s Automotive Repair & Car Sales
- b] Minutes of La Cygne Zoning Appeals Board
- c] Minutes of La Cygne Planning Commission
- d] KMU Membership Letter
- e] NAGC "Newsletter" March 23, 2006, Page 1, Regarding Natural Gas Antitrust Case in Federal District Court
- f] "League News" Volume 11, Number 8, March 13, 2006
- g] "League News" Volume 11, Number 9, March 17, 2006
- h] "Legislative Alert" Number 3, March 21, 2006
- I] "Legislative Alert" Number 4, March 22, 2006
- J] "Legislative Alert" Number 5, March 23, 2006
- K] "League News" Volume 11, Number 10, March 24, 2006
- L] "Legislative Alert" Number 6, March 28, 2006
- M] Notice Industrial Park Does NOT Have a Dump Site
- N] "League News" Volume 11, Number 11, April 4, 2006
- O] *Kansas Government Journal* Volume 92, Number 3, March 2006

ADJOURNMENT:

✓ *Motion for Adjournment*

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

Meeting adjourned at 9:25 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 5th day of April 2006.

*****No Meeting April 19, 2006 due to lack of quorum.****

WORKSHOP: Chlorine Dioxide Change Options

A workshop was held at 6 p.m. to review & discuss chlorine dioxide system proposals from U.S. Filter and CDG. Formal action was taken during the regular city council meeting which commenced at 7:00 p.m. Those in attendance at the workshop included: Rex Heape, Gerald Williams, Dani McCammon, Joe Turpen, Jerry Boone, Mayor Keith Smith, Public Works Superintendent George Craig, City Attorney John Sutherland, Deputy City Clerk Gary Mahon, Police Chief Glen Farrell, and Kevin Kinder.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, May 03, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Dani McCammon, Joe Turpen, and Gerald 'Skip' Williams. Absent: Travis Robbins.

Others present at some point in the meeting included: Deputy City Clerk Gary Mahon, City Attorney John Sutherland, City Public Works Supervisor (PWS) George Craig, City Police Chief Glenn D. Farrell Jr., City Treasurer and Court Clerk Linda Elder, Kevin Kinder, Judy Kinder, LeRoy Turpen, City Codes Officer Greg

Osborne, Sandy White, Fire Chief Scott Stainbrook, Fireman Jake Fleming, Matt Downey, Craig, Hurt, Dale Windler, Jeff Gulley, Jennifer McDaniel, Jackie Walker, and Dan Gullota.

Mayor Keith Smith called the meeting to order at 7: 05 p.m.

MAYOR’S COMMENTS:

- Read Thank You Card from Twin River’s Scouts for use of park facilities for recent camp out;
- Welcomed Mid Am Hydraulics to the La Cygne Business Community;
- Extended congratulations to Officer Phil Davis on his recent graduation from the Kansas Police Academy.

APPOINT COUNCIL PRESIDENT:

Mayor Smith appointed Travis Robbins to be Council President.

- *Motion to Accept Travis Robbins as Council President*

Council Member Turpen moved to accept the appointment of Travis Robbins as Council President. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:07 p.m.

NEW YEAR ORGANIZATION:

Mayor Smith presented council with his list of annual appointments. The list included:

- City Clerk: Devona Herrin
- Deputy City Clerk: Gary D. Mahon
- City Treasurer: Linda Elder
- Chief of Police: Glenn D. Farrell, Jr.
- City Attorney: John Sutherland
- Fire Chief: Scott Stainbrook
- Municipal Judge: Robert Stocking
- Codes Officer/Zoning Compliance: Greg Osborne
- Public Health Officer: Glenn D. Farrell, Jr.
- Council Rep to Park Board: Jerry Boone
- Planning Commission Member: Bob Burnett
- Planning Commission Member: Don Wagner
- Zoning Appeals Board Member: Don Wagner

Standing Committee Appointments:

- Water & Gas: Jerry Boone & Skip Williams
- Street Dani McCammon & Skip Williams
- Sewer Jerry Boone & Travis Robbins
- Park Jerry Boone & Dani McCammon
- Cemetery Travis Robbins & Joe Turpen
- Public Safety Dani McCammon & Joe Turpen
- Community Building: Joe Turpen & Skip Williams
- Employee Relations/Training Travis Robins & Skip Williams

REGULAR MEETING

Year = 2006

- *Motion to Approve Annual Appointments*

Council Member Turpen moved to accept the annual appointments as presented. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:10 p.m.

DESIGNATION OF OFFICIAL NEWSPAPER:

Jackie Walker, publisher of the *Linn County News*, and Jennifer McDaniel, editor of *Osawatomie Graphic* made presentations to council requesting their respective papers be named the official paper. Council members thanked and commended both papers for their service and professionalism. Citing publication costs as the deciding factor it was consensus to name *Linn County News* as the official paper.

- *Motion to Adopt Resolution No. 302 Naming Official City Newspaper*

Council Member Boone moved to adopt Resolution No. 302 naming the *Linn County News* as the city's official newspaper. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:27 p.m.

RESOLUTION FOR WAIVER FROM CERTAIN ACCOUNTING PROCEDURES

- *Motion to Adopt Resolution No. 303 Waiving Accounting Principles*

Council Member Williams moved to adopt Resolution No. 303 regarding a waiver from GAAP-prescribed statements and general fixed assets accounting. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:26 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: April 6 thru May 3, 2006
Minutes of April 5, 2006 City Council Meeting
April 2006 Treasurer's & Budget Report
1st Quarter 2006 Financial Statement

Motion seconded by Council Member McCammon voted on, passed 4-0. Time: 7:27 p.m.

UTILITY IMPROVEMENTS REPORTS

a. WATER IMPROVEMENT PROJECT

THMM's & HAA's Adjustment Project - Chlorine Dioxide Proposals

Proposals submitted by U.S. Filter and CDG Technology, Inc. for changing the city's water treatment process by installing a chlorine dioxide system was acted upon. Preliminary information about the proposals had been discussed at a workshop held earlier in the evening (6:00 p.m.)

- *Motion to Purchase Chlorine Dioxide System from CDG*

Council Member Turpen moved to purchase a chlorine dioxide 2 chemical system (General Model No. GS-20) as presented from CDG Technology at a purchase price of \$21,000 with purchase to be made after an initial lease of 6 months at \$600 per month with ½ of the lease payments being applied to the purchase price. Motion seconded by Council Member Boone, voted on, passed 4-0.

- *Motion to Purchase Chlorine Dioxide Monitoring System from HACH*

Council Member Turpen moved to purchase an autocat 9000 monitoring system and accessories at a cost

not to exceed \$3483.70 with necessity of printer and paper rolls to be determined. Motion seconded by Council Member McCammon, voted on, passed 4-0.

DISCUSSION FROM THE FLOOR:

Dale Windler inquired about final actions on the Henson gas line replacement project. In response to council questions, Mr. Windler stated he had never received notice of final actions concerning clean-up, seeding, and crop damage. Council was under impression that the project had been finalized and closed. Mr. Windler stated that if he did not receive further communications from the City within a week he would proceed with other remedies. He didn't list any specific action he would take.

REPORTS OF CITY OFFICERS:

Police Chief – Glenn D. Farrell Jr. Police Chief Farrell presented written reports for April 2006 police activity and for Officer Phil Davis' radar certification.

Public Works Superintendent George Craig

a. Automatic Meter Reading Presentation

PWS George Craig introduced Matt Downey from Data Matic. Council had previously been given information concerning an automatic meter reading program offered by Data Matic. Mr. Downey was in attendance to present further information and answer questions. Mr. Downey covered areas concerning cost, installation, training, software, reports, warranties, and maintenance. Several minutes of discussion ensued.

It was noted that an automatic meter reading for the entire system (water & gas) would cost \$109,058. (Not including installation) Annual maintenance costs for software and laptop would be approximately \$6,000 and conversion to the city's Jayhawk Utility billing program would be approximately \$3500. In response to funding questions, Deputy City Clerk Mahon noted that funding would probably be pro-rated between the water and gas departments. There would be no problem with funding from the water department, but as the gas fund was tight we might have to use capital outlay or equipment reserve funds. Mr. Mahon felt there would not be a problem in financing the project. PWS Craig noted that City Clerk Herrin had informed him that she had developed an idea for funding the gas portion. Deputy Clerk Mahon was unaware of the plan so it was decided to bring a funding plan back to the next meeting. It was consensus of council that the system would be purchased and made final after method of funding was established.

b. Gas Training Class at Butler County Community College

PWS Craig asked permission to send Jerome Moore to a two week course on natural gas operator qualified skills training. The class would be held May 15th through 19th and June 5th through 9th at Barton County Community College in El Dorado, Kansas. Registration Cost = \$529.

- *Motion to Send Jerome Moore to Gas Training Class*

Council Member Turpen moved to send Jerome Moore to the gas training class at Butler County Community College as presented with expenses to be paid by the City. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 8:23 p.m.

Fire Chief – Scott Stainbrook

a. Purchase of Fire Truck

Fire Chief Scott Stainbrook presented information concerning a 1990 Ford F-800 S&S 4X4 Midi-Pumper. Scott noted the truck could be purchased for \$72,500 with a down payment of \$35,000. Trade-in of our old truck would credit \$5,000 toward the down payment. City would keep old truck to give to another fire department. A lease agreement with Government Capital Corporation estimated annual payments of \$8123.16 for six years. Pricing includes delivery.

REGULAR MEETING

Year = 2006

Deputy Clerk Mahon noted that the City could inquire with other financial institutions to obtain competitive rates and determine how to best fund the purchase. Fire Chief Stainbrook noted that City Clerk Herrin had informed him that the down payment could be funded with \$16,000 from the equipment reserve fund and \$14,000 from the general fire department fund.

Noting that City Clerk Herrin had not shared that information with him, Deputy Clerk Mahon would not endorse a funding plan until visiting with Ms. Herrin.

REPORTS OF CITY OFFICERS: (Continued)

Fire Chief – Scott Stainbrook (Continued)

- *Motion to Purchase Fire Truck*

Council Member Williams moved to purchase the 1990 F800 4X4 Pumper fire truck as presented for \$72500 with the method of payment to be determined later. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 8:31 p.m.

Codes Officer

Reconvening 412 N. 1st Public Condemnation Hearing: Codes Officer Greg Osborne reported that there had not been any communications from Merle Raymond concerning the property at 412 North 1st Street. Attorney Sutherland instructed Mr. Osborne to send notification to Mr. Raymond that the Public Condemnation Hearing would be continued at the May 17, 2006 meeting.

Dewayne Pemberton Request to Move Building into City: Codes Officer Osborne reported that Dewayne Pemberton had inquired about moving a manufactured home into the city. Mr. Pemberton was not in attendance. Council instructed Codes Officer to have Dewayne submit more detailed information about the building.

STANDING COMMITTEE REPORTS:

Sewer

PWS Craig reported that it would require 36 manhole extensions @ \$210 each to complete the asphalt paving project. Total cost = \$7560.

- *Motion to Purchase Manhole Extension*

Council Member Turpen moved to approve the purchase of 36 manhole extensions at a cost of \$7560 for street reconditioning. Motion seconded by Council Member Boone, voted on, passed 4-0. Time 8:40 p.m.

Park

Council Member Boone reported that the Stainbrook family would be purchasing and installing playground equipment in the south park in memory of Brandon.

Cemetery

Council reviewed request from Busy Workers 4-H Club seeking permission to remove flowers from Oak Lawn Cemetery, refurbish, then re-sell as a club money making project. After several minutes of discussion, council decided to table the matter until receiving further clarification of the requests.

Community Building – Interior Painting Project

Mayor Smith requested this item be tabled until next meeting.

UNFINISHED BUSINESS:

Part Time Cemetery Help

REGULAR MEETING

Year = 2006

One application had been received for the part-time cemetery maintenance position. Mayor Smith requested this item be tabled until next meeting, when more applications could be obtained.

NEW BUSINESS:

Trudy Trinkle Resignation for Cleaning City Hall

Deputy Clerk Mahon reported that Trudy Trinkle had resigned the cleaning position at City Hall. One application had been received. Council will review it during executive session.

Resolution 304 – Transfer ownership of Cebridge Cable TV to Rapid Communications.

- *Motion to Approve Resolution No. 304*

Council Member Turpen moved to approve Resolution No. 304 approving the transfer of ownership from Cebridge to Rapid Communications. Motion seconded by Council Member Williams, voted on, passed 4-0. Time 8:57 p.m.

Disposal of Ford Ranger Pick Up

Deputy City Clerk Mahon reported that Council Member Boone had requested the process of disposing of the Ford Ranger Pick Up be started. It was explained that a Resolution declaring certain property as surplus would be drafted and presented at the next meeting. Council and employees were requested to submit items to City Hall by Wednesday May 10th so they could be considered for surplus status.

Bulletin Board at Trash Compactor

A request to purchase a bulleting board for the trash compactor was discussed and denied.

DAR Budget Training

Deputy Clerk Mahon requested permission for either the City Clerk or himself to attend a budget seminar in Iola, Kansas on June 1st. Cost = \$50 per person.

- *Motion to Approve Attendance at Budget Seminar*

Council Member Turpen moved to approve sending either Gary Mahon or Devona Herrin to Budget Seminar in Iola, Kansas on June 1' 2006. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time 9:06 p.m.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for up to forty minutes for legal, and personnel, following a ten-minute break. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 9:08 p.m.

Others invited into or requesting a portion of executive time: Chuck Farrell and Greg Osborne.

Open Session Resumed at 9:57 p.m.

Meeting Extended

REGULAR MEETING

Year = 2006

- *Motion to Extend Meeting*

Council Member Turpen moved to extend the meeting up to 10:30 p.m. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time 9:59 p.m.

OTHER BUSINESS

Rate of Pay Increase for Officer Phil Davis

- *Motion to Increase Hourly Rate for Phil Davis*

Council Member Williams moved to increase Police Officer Phil Davis pay rate by \$1.00 per hour. Motion seconded by Council Member McCammon, voted on, passed 4-0. Time 10:00 p.m.

Clarification of 4-H Request Concerning Cemetery Flowers

Deputy Clerk Mahon reported that he thought that what the Busy Worker's 4-H club was asking was: Help pick up flowers in June (after Memorial Day and after proper notification) then refurbish them to resell at a future city wide garage sale. (September ?) Council was agreeable.

Financial Statements

Council member Turpen noted that debits and credits on the budget report did not agree with debits and credits on the Quarterly Financial Statements. Ending Balances were in agreement and are correct. Deputy Clerk Mahon was unsure of reason for discrepancy, but would try to determine and report back to Joe.

CITY CLERK'S REPORT

Written Report:

21. Automatic Meter Reading Presentation
22. Children at Play Signs on East Highway 152
23. Signs at Three Entrances to City Limits about Children
24. Painting Interior of Community Building
25. Trudy Trinkle's Resignation for Cleaning City Hall
26. Cable System (Cebridge) by Rapid
27. Floor Covering for Community Building Kitchen Area
28. Annexation of East Highway 152
29. Kansas Mayors Conference, May 19 & 20, 2006

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Planning Commission Notes for April 13, 2006
- b] March 2006 Water Production Reports
- c] March 2006 Gas Report
- d] KRWA Training Session Dates for La Cygne Changed
- e] *Kansas Government Journal* Volume 92, Number 4, April 2006

ADJOURNMENT:

- ✓ *Motion for Adjournment*

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

Meeting adjourned at 10:12 p.m.

I, _____, LaCygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 3rd day of May 2006.

Pages 1 of 6

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday May 17, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Dani McCammon Travis Robbins, Joe Turpen, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; City Codes Officer Greg Osborne; Kevin Kinder; Judy Kinder; Sandy White; LeRoy Turpen; Robert Turpen; Jake Fleming; City Fire Chief Scott Stainbrook; and Merle Raymond.

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

PUBLIC HEARING:

Council President Robbins reopened the Public Hearing being held for the purpose of consideration of condemnation of the property located at 412 N. 1st Street in the City of La Cygne.

City Codes Officer (CO) Greg Osborne noted there had been no contact with him by Mr. Raymond.

Mr. Raymond reported he had been in City Hall when Mr. Osborne was not there. Mr. Raymond's current report on the property included: replaced almost all of the siding, painted, and mowed; had to repair some more rafters and add 2x4's to the inside and then would replace the furnace and wiring.

Council Member Boone asked CO Osborne if he had not accused Mr. Raymond of not being at the last meeting when Mr. Raymond was at the last meeting he was supposed to attend and the city council was not there to hold that meeting. And, didn't CO Osborne tell Mr. Raymond to remove paneling so Osborne could check for mold?

CO Osborne responded that he had informed Mr. Raymond of the possibility of mold behind the paneling and that it would be good to check behind to determine if there was any.

Council Member Boone asked if CO Osborne had inspected the property today prior to the meeting. CO Osborne responded in the negative but would get with Mr. Raymond when it would work for both. Mr. Raymond responded any time the rest of this week and CO Osborne concurred.

Council discussed there had been noted improvement at this location while there were other locations in town that continued to have siding off and windows out that had not been addressed.

Discussed rescheduling the Public Hearing in another sixty days. Mr. Raymond concurred. This would be the second City Council Meeting in July.

- *Motion to Adjourn to Reconvene Public Hearing on July 19, 2006*

Council Member Boone moved at Mr. Raymond's request to adjourn to reconvene the public hearing on the second July Meeting which is July 19th to reevaluate the property

REGULAR MEETING

Year = 2006

with Mr. Raymond requested to attend. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:05 p.m.

Council President Robbins closed the public hearing portion of the meeting. Time: 7:06 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: May 4 - 17, 2006
Minutes of May 3, 2006 City Council Meeting,
April 2006 Treasurer and Budget Reports,

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

WATER IMPROVEMENT PROJECTS

- i. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- vi. Stats Report: Noted written report for May 1 – 15, 2006.
- vii. Vicious Dog: Dropped.

Public Works Superintendent George Craig

- vii. Automatic Meter Reading – Public Works Superintendent George Craig reported they had delayed action to purchase the automatic meter readers until this meeting to determine funding.
Discussed the funding could be handled by the Water Distribution Department being charged for the system and water fireflies and then charging the gas fireflies from the Gas Fund. The Jayhawk conversion fee of \$3,525 would also be charged to the Water Distribution Department.
Council President Robbins concurred it would be a good improvement and understood handling the funds from Distribution. However, he was concerned about having money left for looping the lines and paying for a future bigger line from the north tower to the water plant, or any other future water problem not foreseen right now.
Discussed:
 - i. The cost of personnel to manually read the meters each month versus the cost of the annual maintenance. Determined the cost of the annual maintenance fee of the system is around \$6,000 and the cost to read meters is in this price range too. Determined there would be no future annual savings.
 - ii. The new system has the ability to retain data for quite awhile and help someone identify days when there is high usage when they have concerns. Be a more helpful answer to complaints.

REGULAR MEETING

Year = 2006

- iii. Several meters are terrible to read due to water in the meter pits, along with critters (including snakes) and four legged animals in the area.
- iv. Being able to read meters closer to the billing dates for weather and bills to be more consecutive.
- v. Possibility of chlorine residual on end lines becoming a concern and causing costs to remedy.
- vi. Need for a generator for the water plant and the river pumps when there is an electrical outage.

Concurred they needed to look at other possible future expenses (some of the newer council members did not have any idea what could possibly be needed in the future). Tabled until the next meeting.

- *Motion to Table Purchase of Automatic Meter Readers Until the Next Meeting*

Council Member Turpen moved to table the purchase of the automatic meter reader system until the next meeting. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:31 p.m.

Fire Chief Scott Stainbrook

- ii. Signing Lease Agreement for Purchase of Fire Truck – Fire Chief Scott Stainbrook reported the letter of intent and 10% down had been sent to Fire Trucks Plus. The company had forwarded the request to purchase the 1990 F800 to the current municipality owner and it should be released after their next council meeting.

Discussed the financing. From the information provided earlier, City Clerk Herrin presented the financing solution of \$8,000 from the General Fire Department fund, and \$12,000 from the Equipment Reserve Fund of which almost \$8,000 of the \$12,000 was already tagged for a fire truck. Then the company, (Fire Trucks Plus), had agreed to a \$5,000 trade in on the existing fire trucks for a remaining total to be financed of \$47,500. First Option Bank provided the lowest interest rate of 4.9% for a lease purchase agreement without any up front processing fees. The agreement had been set up on a seven-year term for the payments to be in the \$8,000 a year range to be paid under the General Fire Department fund. If council approved of this financing Resolution #306 would need to be passed authorizing the signing of all of the financial paperwork.

Council discussed with Fire Chief Stainbrook the financial strain this would place on the fire department as far as any other major purchases for the next seven years. Fire Chief Stainbrook reported there were grants available to purchase other equipment and the fire department planned to apply to obtain equipment in the future.

- *Motion to Approve Resolution #306 for Financing of 1990 F800 Fire Truck*

Council Member Turpen moved to approve Resolution #306 for the financing of the fire truck. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:37 p.m.

Codes Officer Greg Osborne

- ii. Concerns - Codes Officer Osborne reported the earlier inquiries made by the mayor had been addressed. Also, notices had been sent on any grasses that were too tall and if not addressed tickets would be issued next week.

Discussed the following:

- a. City crew had not mowed any properties yet.
- b. Property owners are responsible for mowing to the streets that abut their property.
- c. Attention to trees and brush growing around stop signs. City crew is spraying these areas.

STANDING COMMITTEE REPORTS:

Park

- ii. Grass Growing in Ball field – Discussed spraying the grass growing in the ball field area versus the ball association dragging the field until the grass is pulled out and the ground is worked. Council President Robbins noted he as just asked about the possibility of spraying and was just passing the question on to the council.
- iii. Park Property Line – Council Member Boone asked about a survey of the city park to place survey stakes marking the property line corners of the park. He had some concerns about encroachment including the area on the west abutting the river. Asked City Clerk Herrin to check on the cost of a current survey. Council Member Boone will check with the Park Board a about this request.
- iv. Water Availability in Restrooms – Questioned why water was not always available in the restrooms. There had been a water leak, however, no one was aware of any problems now.
- v. Ball Schedule for Spraying – PWS Craig asked if there would be any way the city could have a ball schedule to know when not to be spraying, or to be able to spray before people arrived for a game. Has asked for this information for several years but had been unable to obtain one.

Community Building

- ii. Painting Interior – Tabled until Mayor Smith was back as he was working on a potential volunteer group.

SPECIAL COMMITTEE REPORTS:

Fiesta

City Clerk Herrin reported representatives from the Chamber had scheduled a meeting for May 31st at 7:00 p.m. in the Community Building to determine if there was enough interest to continue. Everyone is invited. The notice if running on the City web site.

Planning Commission Committee

Discussed why out of town citizens were on the committee. Council Member Turpen asked for the guidelines for the members.

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

Council Member Williams moved to appoint Mike Feldman to the Zoning Appeals Committee. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:56 p.m.

UNFINISHED BUSINESS:

Part Time Cemetery Help

Will review applications during executive session.

Cleaning City Hall Help

Will review applications during executive session.

Surplus Resolution #305

REGULAR MEETING

Year = 2006

- *Motion to Approve Surplus Resolution #305*

Council Member Turpen moved to approve Resolution #305 for surplus equipment taking sealed bids for the second meeting in June, being June 21st. Council Member Turpen reported he would be gone the first meeting in June. **Seconded by Council Member McCammon, voted on, passed 5-0.** Time: 7:59 p.m.

NEW BUSINESS:

Blue Cross Blue Shield Employee Health Insurance Renewal

Discussed the following:

- a. This is a renewal with the city's existing carrier with less than \$1.00 increase for any of the coverage options available.
- b. Dental coverage is optional for each employee when they first sign up.
- c. The group policy requires the whole group to participate at least on the employee only level except one and if they are insured elsewhere.
- d. The city provides city benefits the employee can apply first towards the insurance coverage and then if there is any city benefit dollars left for the employee they can be applied to Aflac benefits also available to each employee. Requested Aflac be noted under City Benefits on the spreadsheet for future referral.

- i. *Motion to Retain Same City Benefit Contribution*

Council Member Turpen moved to leave the City Benefit contribution the same as the 2005 amounts. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:13 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of land acquisition, personnel, and legal for up to forty minutes following a ten minutes break. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:16 p.m.

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

Open Session Resumed at 9:06 p.m.

OTHER BUSINESS:

Thank You Card from Deputy City Clerk Mahon

Council Member Turpen acknowledged the thank you card from Deputy City Clerk Mahon and gave his condolences to Gary and his family.

Cleaning Help for City Hall

- *Motion to Hire Aurelia Caruthers to Clean City Hall*

Council Member McCammon moved to hire Aurelia Caruthers for cleaning city hall effective immediately for \$25.00 a cleaning. Seconded by Council Member Boone, voted on, passed 5-0. Time: 9:08 p.m.

Part Time Cemetery Help

City Clerk Herrin asked if the council was not going to hire anyone for the part time cemetery help would it be possible for other city employees to help out with the weed eating to have the cemetery ready for Memorial weekend. Council discussed they had decided to wait and make a final decision on who to hire after talking with Caretaker Kenny McClanahan as they would be working together. City Attorney Sutherland noted the council could move to authorize Council President Robbins to meet with Caretaker McClanahan and choose the help for \$8.00 an hour with the usual work time of less than ten hours a week after this first initial catch up period.

- *Motion to Authorize Council President Robbins to Hire Part Time Help for \$8 an Hour*

REGULAR MEETING

Year = 2006

Council Member Turpen moved to authorize Council President Robbins to get with Caretaker Kenny McClanahan to choose an individual for part time help at the cemetery for \$8.00 an hour and hire this individual to begin work immediately. Seconded by Council Member McCammon, voted on, passed 5-0.
Time: 9:11 p.m.

CITY CLERK'S REPORT:

Verbal Report:

1. CPA Firm will be here for the 2005 Audit process next week.

Written Report:

1. Automatic Meter Readers
2. Fire Truck Purchase
3. Signs Regarding Children
4. Painting Interior of Community Building
5. Annexation East Highway 152
6. Dale Windler's Concerns

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Planning Commission Minutes for May 11, 2006
- b] "League News" Volume 11, Number 12, May 2, 2006
- c] "League News" Volume 11, Number 13, May 11, 2006
- d] *Thank You* Card from Gary Mahon

DISCUSSION/COMMENTS

Market Street/Highway 152 Maintenance

Council Member Boone asked if the city received pay from the State Highway department to patch holes by the state highway. City Clerk Herrin reported the city does not receive any monies from the State Highway department; KDOT maintains and repairs Highway 152 that runs through the city (Also known as Market Street). Discussed any pot holes in drives abutting the highway would be the property owner's responsibility to maintain.

Rents Income for Private Parties

Council Member Turpen asked what fund any rents for private parties held at the swimming pool or the Community Building were deposited into. City Clerk Herrin reported they went back into the fund applicable for the expenses for those structures and applied towards the income to maintain. Council Member Turpen asked to speak to the accountant to see if that could be handled differently so as not to be controlled by an annual budget amount.

Ice Cream Truck in Town

Council reported there is an ice cream truck driving around town. Was there a permit for this truck on file? City Clerk was unaware of a permit, or a request for one.

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 9:24 p.m.

REGULAR MEETING

Year = 2006

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of May 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday, May 7, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone (arrived at 7:15 p.m.), Dani McCammon, Travis Robbins, and Gerald 'Skip' Williams. Absent: Joe Turpen.

Others present at some point in the meeting included: City Clerk Devona Herrin, City Attorney John Sutherland, City Public Works Supervisor (PWS) George Craig, City Police Officer Phillip Davis, Kevin Kinder, Judy Kinder, LeRoy Turpen, City Codes Officer Greg Osborne, Sandy White, Craig Hurt with D.C.&B. Supply, and Paul Earl.

Mayor Keith Smith called the meeting to order at 7: 18 p.m.

MAYOR'S COMMENTS:

None.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: May 18 – June 7, 2006;
Minutes of May 17, 2006 City Council Meeting.

Motion seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:19 p.m.

UTILITY IMPROVEMENTS REPORTS

a. WATER IMPROVEMENT PROJECT

V. Upgrade Sludge/Backwash Lagoons

PWS Craig reported John Brann with Ponzer Younquist Engineers would be here next week to review options.

DISCUSSION FROM THE FLOOR

La Cygne Library for Consideration of Waiver of Charges Related to Unhooking Utilities

Paul Earl of the La Cygne Library Board asked the city to consider waiving the charges incurred related to the unhooking of the utilities at the future Library site for the demolition crew to be able to clear the property for building a new building.

- *Motion to Waive Expenses Related to Unhooking Utilities at Future Library Site*

Council Member Williams moved to waive the expenses related to unhooking the utilities at the future library site. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 07:21 p.m.

REPORTS OF CITY OFFICERS:

Police Chief – Chuck Farrell Jr.

- v. Mayor Smith wished Police Chief the best as he recovered from a personal auto accident.

Public Works Superintendent George Craig

d. Automatic Meter Readers:

PWS Craig noted the figures for the purchase was in the packet. The city could drop the laptop computer and save around \$23,000 and some of the annual maintenance fees. Mayor Smith noted the budget is now getting tight and this is becoming a concern regarding a major purchase.

Discussed:

1. Concern about the possibility of raising gas rates and avoiding this action.
2. Great deal and system, just not sure the timing is right for the city.
3. Can read a lot of meters for this cost.
4. Could buy just a few units at a time.

Mayor Smith and Council concurred to table to now.

Fire Chief – Scott Stainbrook

City Clerk Herrin reported the fire chief would be inspecting two fire trucks this weekend and would be reporting back to the council at the next meeting.

Codes Officer – Greg Osborne

- i. MLA Nuisance Abatement Course, Friday, June 30, 2006

Codes Officer Greg Osborne requested attendance to this course in Shawnee, Kansas to learn more about recent Legislative changes as well as what is recommended to compare to how the city is set up for handling codes.

- *Motion Approving Greg Osborne Attending Nuisance Abatement Course*

Council Member Williams moved to send Greg Osborne to the Nuisance Abatement Course at Shawnee Civic Center with per diem. Seconded by Council Member McCammon, voted on, passed 4-0. Time: 7:30 p.m.

SPECIAL COMMITTEE REPORTS:

Fiesta Committee

Next meeting is June 14th at 7:00 p.m.

Planning Commission Committee

- i. Approval of Replat for Block 58, Lots 1, 2, & 3, 1st Addition

Codes Officer Osborne reported the Planning Commission held a Public Hearing with no one present opposing this change. The Planning Commission recommended approval of this replat.

- *Motion to Approve Replat of Block 58, Lots 1, 2, & 3, Elder Addition to 1st Addition*

Council Member Robbins moved to follow the recommendation of the Planning Commission and approve the replat of Block 58, Lots 1, 2, & 3. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:38 p.m.

SPECIAL COMMITTEE REPORTS: (Continued)

- ii. Appoint Kenny McClanahan to Zoning Appeals Board

Noted Mike Feldman’s previous appointment was replaced by this appointment since the member is required to live in the city limits. Discussed request for two more individuals for the Planning Commission. If anyone has any one in mind please pass the information on to Mayor Smith.

- *Motion to Approve Kenny McClanahan to Zoning Appeals Board*

Council Member Robbins moved to approve the recommendation of Kenny McClanahan to the Zoning Appeals Board. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:39 p.m.

STANDING COMMITTEE REPORTS:

Street

PWS Craig reported Heckert Construction was aware the sewer rings were approved by the city. There was no known date as to when they would begin on the streets.

Park

Council Member Boone reported Public Works would be mowing the North Park as the park mower was not to be used there.

Community Building

Painting Interior

Tabled.

UNFINISHED BUSINESS:

Employee Performance Appraisals

Tabled for Executive Session.

NEW BUSINESS:

La Cygne Library for Consideration of Waiver of Charges Related to Unhooking Utilities

Handled under “Discussion from the Floor”.

KCPL Franchise Renewal

Reviewed the proposed ordinance. Requested a change to the time period of ten years.

Waiver of Building Permit Fee for Labette Bank

- *Motion to Waive Building Permit Fee for Labette Bank*

Council Member Boone moved to waive building permit fee for Labette Bank for the building permit exchange circumstances. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:45 p.m.

Employee Annual Raises

Tabled until next meeting for full council.

2005 AUDIT REPORT BY TERRY SERCER, CPA

Terry Sercer with Diehl Banwart and Bolten firm reported on the following:

1. The city had no cash basis violations
2. Stayed within budget
3. Had no compliance violations
4. Met Gas Revenue Bond requirements only because money left over from the gas project was moved into the gas funds
5. If don't meet the gas bond requirements in 2006 the bond holders can enforce the city to raise the rates to meet the requirements
6. Other cities with gas utility are working with tighter gas fund's
7. Met state statutes
8. Noted loose management letter with report for handling processes
9. Recommended council look closely at bills each month to make sure they are right.

Mr. Sercer will be back next month for the 2007 Budget.

EXECUTIVE SESSION:

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to forty minutes for discussion of land acquisition, legal, and personnel, following a five-minute break. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:03 p.m.

Others invited into or requesting a portion of executive time: George Craig.

Open Session Resumed at 8:47 p.m.

OTHER BUSINESS

Performance Appraisals

Mayor Smith reported he would be completing the performance appraisals for the applicable employees then bring them back to the council at the next meeting for review in executive session; and, would include salaries at that time.

CITY CLERK'S REPORT

Written Report:

30. Partial Replat: Block 58, Grady Elder
31. Appointment of Kenny McClanahan to Zoning Appeals Board
32. EMC Dividend for \$1,298.54

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] MRWAD Board Meeting Minutes May 23, 2006
- b] May 2006 Gas Report
- c] May 31, 2006 Park Board Meeting Minutes
- d] KDHE Water Supply Permit for "Intake Structure"
- e] Notice of Cable Communications Name Change
- f] Surplus Resolution #305
- g] EMC Dividend Letter

h] May 2006 Water Reports

I] *Kansas Government Journal*, Volume 92 – Number 5, May 2006

Council Member McCammon asked if the city had been contacted by any traveling ice cream trucks for a city permit. City Clerk Herrin did not have any information that they had.

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ADJOURNMENT:

✓ *Motion for Adjournment*

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

Meeting adjourned at 8:58 p.m.

I, _____, LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of June 2006.

The LaCygne City Council held a Special Meeting at 4:00 p.m., Tuesday, June 13, 2006 at LaCygne City Hall. The purpose of the Special Meeting was: 1. Authorization to Purchase 1990 Pierce Dash 4x4 Pumper Fire Truck.

Council Members present were: Jerry Boone, Dani McCammon, Jerry Boone, and Gerald ‘Skip’ Williams. Council Member Travis Robbins arrived at 4:05 p.m. Absent: Mayor Keith Smith.

Others present included: Deputy City Clerk Gary Mahon, and Fire Chief Scott Stainbrook.

In his absence and the absence of Travis Robbins, Mayor Keith Smith appointed Council Member Gerald ‘Skip’ Williams to chair the meeting.

The meeting was called to order at 4:00 p.m. by Council Member Skip Williams. Fire Chief Scott Stainbrook presented Council with picture of proposed truck plus supporting information.

Supporting Information Included:

- Broker = Fire Trucks Plus
- 1990 Pierce Dash 4x4 Pumper, Caterpillar 3208 Diesel Engine
- Allison automatic transmission
- 500 gallon poly tank, Waterous 1250 GPM Pump – 2 State
- Waterous 1250 GPM Pump – 2 state
- Preconnects – 2, Pump inlets: 3-5” and 2 – 2 ½”
- Aluminum body
- Akron deck gun
- 5 – Man cab w/jump seats, 3 – SCBA seats
- 29,000 miles, All wheel drive
- 5 – Compartments
- Alcoa aluminum wheels, Tires – 11R22.5, Front tires are good condition
- Rear tires are new
- GVW – 37,000
- 163” wheelbase
- Power Inverter
- 2 – 500 watt telescoping lights by pump panel
- Code 3 Light bar and Whelen strobes
- 35’ extension, 14’ roof and 10’ folding ladders
- 4 – 6” x 10 hard suction tubes
- Power Steering
- Height – 9’ Length – 25’ 10”

Fire Chief Stainbrook reported that:

- Cost of the truck was \$67,500;
- Truck would be delivered;

REGULAR MEETING

Year = 2006

- No trade-in, City would keep present trucks;
- Felt this was a better truck than the 1990 Ford the city had intended to buy a few weeks earlier;
- The truck had been personally inspected by Fire Chief Stainbrook and Fireman J.K. Fleming.

- *Motion to Purchase 1990 Pierce Dash 4x4 Pumper*

Council Member Turpen moved to accept the recommendation of Fire Chief Stainbrook and authorize purchase of the 1990 Pierce Dash 4x4 Pumper as presented at a cost of \$67,500. Motion seconded by Council Member McCammon. Discussion: Councilmember Robbins arrived at meeting. He was presented with material for his review and afforded opportunity to ask questions. *The motion was then voted on, passed 5-0.* Time: 4:07 p.m.

ADJOURNMENT:

There being no further business the Special Meeting was adjourned at 4:07 p.m.

I, _____, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and hereby subscribe my name this 13th day of June 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday June 21, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Gerald "Skip" Williams. Absent: Dani McCammon.

Others present at some time during the meeting included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; City Fire Chief Scott Stainbrook; Kevin Kinder; Judy Kinder; Sandy White; LeRoy Turpen; Jimmy Whitworth; Jake Fleming; County Fire Chief Bernard Streeter; Danny McElreath; and Jackie Pribble.

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

MAYOR'S COMMENTS

Mayor Smith acknowledged a Thank You note from Grady Elder. Everyone wished Grady continued health improvement.

Proclamation: Darrell Kimzey All-Star Football Shrine Bowl Day

By Proclamation the Mayor Smith declared July 29th as *Darrell Kimzey All-Star Football Shrine Bowl Day* in La Cygne, Kansas. The city is proud to have a young man participating in this Shrine Bowl.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: June 8 - 21, 2006
Minutes of June 7, 2006 City Council Meeting,
Minutes of June 13, 2006 Special City Council Meeting,
May 2006 Treasurer and Budget Reports,

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

WATER IMPROVEMENT PROJECTS

- j. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR:

- a. Request to Waive Building Permit Fee for Linn County Fire Department
- b. Re-establish the Local Emergency Planning Committee

County Emergency and Fire Administrator Bernard Streeter was not present. Tabled until later in the meeting.

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REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- viii. Stats Report: Noted written report for May 2006 and June 1 – 16, 2006.
- ix. Mayor and Council was glad to have Police Chief Farrell back after his personal auto accident.

Public Works Superintendent George Craig

- viii. HACH Service Agreement – Public Works Superintendent George Craig presented the annual maintenance renewal agreement with HACH for an annual fee of \$2,897.00. With this agreement HACH will calibrate and service the fifteen instruments in the water plant quarterly and certify them to be correct as required by KDHE.
 - *Motion to Approve HACH Service Renewal Agreement for \$2,897*

Council Member Turpen moved to approve the \$2,897 for the HACH Service Agreement for instrument calibration at the water plant. Seconded by Council Member Boone, voted on, passed 4-0. Time: 7:10 p.m.

Fire Chief Scott Stainbrook

- iii. New Fire Truck – Fire Fighter Jake Fleming reported the 1990 Pierce Fire Truck recently purchased by the city should be delivered the first of next week.
- iv. Controlled Burns in the City – Mayor Smith asked if there were any restrictions for burning brush in the city at this time. Fire Fighters noted the county had not initiated any burn bans and the city usually followed this process. Mayor Smith asked to have the codes information on burning in the city placed in the next newsletter.

STANDING COMMITTEE REPORTS:

Community Building

- iii. Painting Interior – Noted the one volunteer group was not available. Asked the Fiesta Committee to purchase the paint and council would put a volunteer group together to paint. Estimated would need about twenty-five gallons for one coat of good paint.

SPECIAL COMMITTEE REPORTS:

Fiesta

- i. Appoint Chamber of Commerce as Fiesta Committee – Mayor Smith recommended the appointment of the Chamber of Commerce as the Fiesta Committee.

- *Motion to Approve Appointment of Chamber of Commerce for Fiesta Committee*

Council Member Robbins approved the appointment of the Chamber of Commerce for the Fiesta Committee. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:18 p.m.

Executive Session

- *Motion for Executive Session*

Council Member Robbins moved to go into executive session for up to thirty minutes for personnel. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:20 p.m.

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Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for personnel for up to forty minutes. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:50 p.m.

Others requesting or invited into Executive Session included: Police Chief Farrell.

Open Session Resumed at 8:30 p.m.

UNFINISHED BUSINESS:

Employee Annual Raises

Mayor Smith tabled until the next regular meeting with a full council.

DISCUSSION FROM THE FLOOR: (Continued)

- c. Request to Waive Building Permit Fee for Linn County Fire Department
- d. Re-establish the Local Emergency Planning Committee

City Fire Chief Scott Stainbrook reported the newly purchased fire truck should be delivered next Monday if all goes well.

County Fire Department asked to waive the building permit fee for the Linn County Fire Department building being built in the La Cygne Industrial Park. The cost of the permit is \$105. Per Bernard Streeter the building is going to be available for the city firefighters to use for meetings as well as the county fire fighters. The county fire fighters plan to continue working with the city fire fighters. The building is being built big enough for the city to house a fire truck in the building along with the county trucks. The long-range plans are to have the ambulance housed there too.

City Council noted the present County Commissioners are not trying to work with the city on other matters; however they would consider waiving the building permit fee for the fire department.

- *Motion to Waive Building Permit Fee for Linn County Fire Department*

Council Member Boone moved to waive the building permit fee for the Linn County Fire Department. Council Member Turpen asked if a slot for the fire truck could be put in writing. Bernard Streeter responded it was a gentleman's agreement to include the city fire truck; and, the building will also be used as a local voting center; but, would do all he could to get it in writing. Council Member Robbins recommended going ahead with waiving the fee for all the county fire department does to help the city. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 8:38 p.m.

Mayor Smith asked if there were any future plans for a junior fire-fighting program for Linn County? Discussed: 1. Liability concerns, 2. Required protective equipment cost of over \$1,000 per outfit, 3. Trying to recruit new active members and use grant monies for

their equipment costs, 4. Schools have junior police grants available, the fire department will try to see what grants can be located and possibly utilized.

Bernard Streeter reported he was trying to get the county Local Emergency Planning Committee back up and running again. Noted the La Cygne individuals had been participating until the county ceased to have the meetings. There is a chain for contacts in place by the state and federal governments. Would like to have some members again from this area. City Clerk Herrin reported Randy Tinsley and Diane Dotts were still active with the city Emergency Planning Committee and agreed to again participate in the Local County Planning Committee to have cohesion between the two entities. Mayor Smith also asked to have Police Officer Phillip Davis involved to learn how the process is handled prior to Police Chief Farrell retiring early next year. Bernard Streeter reported when the plan is fully put together there would be a complete plan for the city to follow in case of emergency in the area. The next meeting for the county is June 28th at 7:00 p.m. in the Linn County Commissioners Room in Mound City.

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NEW BUSINESS:

Items for Budget 2007

Discussed the following:

- e. Community Building – Continue with list as monies available.
- f. Delete merger with Linn County Rural Fire Dept.
- g. Fire Truck purchased – complete.
- h. Re-stripe of Broadway completed.
- i. Resurface floor in front area of WTP completed.
- j. Continue yearly upgrade of Bobcat and add 4WD in 2006.
- k. Add Generator for WTP. (Asked PWS Craig to check on a possible used one to be purchased as soon as possible.)
- l. Replace police car video cameras – one 2006 and one 2007.
- m. Replace speed radars – one 2006 and one 2007.
- n. Purchase police car.
- o. Update Codes Book (On-going)
- p. Purchase phone system for new city hall
- q. Drop designer for floor plan of city hall. Council will review prior to the move.
- r. Plat road and plots in new section of cemetery (2006-2007)
- s. Program for location of lots in cemetery (2006 – 2007)
- t. Construct structure for location of information at cemetery entrance (2006 - 2007)
- u. 2008 Goals – leave as is.
- v. 2009 Goals – leave as is.
- w. Unscheduled goals - leave as is.

Open Surplus Equipment Bids per Resolution #305

City Attorney Sutherland opened and read the following bids:

1. Danny McElreath bid on:

- a. Pneumatic Street Roller \$1,107
- b. Generator Model #18 \$ 257

2. Jackie Pribble bid on:

- a. Generator Model #18 \$ 285.85
- b. 1990 Ford PU \$ 388.88
- c. 1973 Ford Oil Truck \$ 222.22
- d. 1991 Sweepster \$ 55.55
- e. Pneumatic Street Roller \$ 111.11

REGULAR MEETING

Year = 2006

- f. Small Folding Table \$ 5.56
- g. Small Drop Leaf Stand \$ 5.56

3. Jerry Boone bid on:

- a. 1990 Ford Ranger PU \$ 310.00

4. Darrell Wilson bid on:

- a. 1990 Ford Ranger PU \$ 307.00

i. *Motion to Accept Four Bids*

Council Member Turpen moved to accept the highest bids on the 1990 Ford Ranger, the Pneumatic Street Roller, the small folding table, and the small drop leaf table. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:18 p.m.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of land acquisition and legal for up to ten minutes. Seconded by Council Member Boone, voted on, passed 4-0. Time: 9:15 p.m.

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

Open Session Resumed at 9:25 p.m.

OTHER BUSINESS:

CITY CLERK'S REPORT:

Verbal Report:

2. KDOT will be reviewing speed limits the week of July 17th. Cheryl Hendrickson, of KDOT, is available that week for a presentation on how the speed limits are established. Concurred to set up a Public Forum on July 19th at 6 P.M. just prior to the city council meeting. If a newsletter is published prior to this time, please publish in the newsletter.

Written Report: None.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KRWA Membership Certificate
- b] Minutes of Zoning Appeals Board for June 1, 2006
- c] La Cygne Chamber Minutes of 06/14/06

DISCUSSION/COMMENTS

Minutes of Zoning Appeals Board for June 1, 2006

Council Member Turpen asked to have the meeting of June 1st declared null and void. The board did not have three appointed members present. The third member, Kenny McClanahan was not appointed by the Mayor until the June 7th city council meeting. Discussed they could meet without motions.

ADJOURNMENT:

- *Motion for Adjournment*

REGULAR MEETING

Year = 2006

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

Meeting adjourned at 9:30 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of June 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday July 05, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Dani McCammon and Gerald "Skip" Williams.

Others present for all or portions of the meeting included: Deputy City Clerk Gary Mahon; Police Officer Phil Davis; City Attorney John Sutherland; City Public Works Superintendent George Craig; Codes Officer Greg Osborne; Kevin Kinder; Judy Kinder; LeRoy Turpen; Dave Jackson; Scott Shaull; Darrell Kimzey; and Eddie Andersen.

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

MAYOR'S COMMENTS

Mayor Smith extended Thank You's to Julie's Thriftway and Syd' for their donations and presentation of a fireworks show at the park on July 4th. The display was good and very well attended.

Presentation/Proclamation: Darrell Kimzey All-Star Football Shrine Bowl Day

Assisted by Shriners Dave Jackson and Scottie Shaull, Mayor Smith presented Darrell Kimzey with a framed proclamation designating July 29th as Darrell Kimzey All-Star Football Shrine Bowl Day in La Cygne. Nobles Jackson and Shaull spoke briefly about the Shriner's Hospital program and of Darrell's selection to this year's all-star shrine team.

CONSENT AGENDA:

➤ *Motion to Approve Consent Agenda*

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

Check Register: June 21 thru July 5, 2006
Minutes of June 21, 2006 City Council Meeting,

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

WATER IMPROVEMENT PROJECTS

k. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR:

Eddie Andersen, Vice-Chairman of Hospital District Steering Committee

REGULAR MEETING

Year = 2006

Mr. Anderson reported that progress was continuing on forming a new hospital board for Lincoln and Scott Townships. Letters were being prepared to be mailed to registered voters containing petitions for them to sign. Fifty One percent of eligible voters must sign petition for hospital district to be formed. Mr. Andersen expressed the steering committee's appreciation of the city's backing on the project. Notice of future meetings will be posted on the City's Web Site. Cityoflacygne.org.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

Police Chief Farrell was not present at the meeting, but a written report for June 2006 activities had previously been submitted to council members.

Public Works Superintendent George Craig

PWS Craig reported on the upcoming July 11th seminar on water meters being conducted by the Kansas Rural Water Association. The seminar is scheduled to be held at the LaCygne Community Building from 8 a.m. to 4 p.m. There is no cost. PWS Craig asked permission for the public works employees to attend if work schedules permitted. Mayor Smith and Council concurred that permission be granted, especially since the seminar was being held in LaCygne.

Codes Officer Greg Osborne

Codes Officer Osborne thanked council for allowing him to attend a recent seminar in Shawnee, Kansas pertaining to codes enforcement. Emphasis was heavy on documentation, especially when dealing with dangerous structures.

In response to a question from councilmember Turpen, Codes Officer Osborne noted that citizens were usually informed of tall grass violations by a personal visit if they were home. If not home, a certified letter is mailed to them. Councilmember Turpen highly recommended a personal visit to be the preferred means of notification. Discussion then centered on responsibility of mowing ditches when property owner is physically unable to do so. Other than Mayor Smith offering to weed-eat a ditch for a particular citizen, no action was taken on changing or implementing codes or policy.

STANDING COMMITTEE REPORTS:

Street

Councilmember Robbins reported that sections of Park Street were developing large cracks. PWS Craig noted that Heckert Construction was scheduled to start resurfacing the remaining streets on July 6th. He will ask them to inspect Park Street. Councilmember Robbins also reported that the county would be doing resurface work starting either July 5th or 6th. PWS Craig noted that in prior discussions, Linn County officials had agreed to take care of the entire resurfacing project on 4th and 5th streets.

Community Building

Councilmember Turpen reported that the Fiesta Committee had told him they were only going to do front part of community building. Joe had thought the project would encompass the entire building. It was noted that the first two bids were to paint the entire building but bids

REGULAR MEETING

Year = 2006

had come in too high for Fiesta Committee. Councilmember Williams will obtain paint prices and report back at next meeting.

SPECIAL COMMITTEE REPORTS:

Planning Commission

Deputy City Clerk Gary Mahon reported that the Planning Commission needed to have two more members to raise membership level to nine. Gary asked council to submit names of interested citizens.

EXECUTIVE SESSION:

- *Motion for Executive Session*

Council Member Robbins moved to go into executive session for up to sixty (60) minutes for personnel, legal, and land acquisition. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:25 p.m.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for personnel, legal, & land acquisition for up to thirty (30) minutes. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 8:23 p.m.

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for personnel, legal, & land acquisition for up to fifteen (15) minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:54 p.m.

Others requesting or invited into the Executive Sessions included: None.

Open Session Resumed at 9:09 p.m.

UNFINISHED BUSINESS:

Employee Annual Raises

- *Motion to Grant Employee Pay Raises*

Council Member Turpen moved to grant the following hourly pay raises: George Craig, \$.30; Jerome Moore, \$.35; Art Terry, \$.30; Harry Smith, \$.40; Gary Mahon, \$.35; Devona Herrin, \$.30; Linda Elder, \$.25 if she begins full time work, otherwise no raise; Chuck Farrell, \$.25; and Bill Craven, \$.20 with raises to be effective with next payroll checks. Motion seconded by Council Member Boone, voted on, passed 5-0. Time: 9:11 p.m.

Budget Preparation

The 1st Draft of the proposed 2007 budget was discussed. Deputy City Clerk Mahon noted that City Clerk Herrin and he were preparing the new budget for the first time. City Auditor Terry Sercer was providing guidance and advice. Notes to the 1st draft were distributed to the council and discussed. Mahon noted that the 1st draft would require an increase of

REGULAR MEETING

Year = 2006

approximately 4.5 mills with most of the increase needed for the employee benefits fund. It was council's consensus to try and find avenues to reduce budget to keep from having a mill levy increase. Mahon asked council members for suggestions. It was decided to possibly have a workshop before the July 19th meeting if the scheduled speaker for KDOT did not need an entire hour. The Deputy City Clerk will check schedule of KDOT.

NEW BUSINESS:

Ordinance # 1340, Annexing K-152 from East City Limits to Robertson Road

- *Motion to Adopt Ordinance No. 1340*

Council Member Turpen moved to adopt Ordinance No. 1340 annexing that portion of K-152 from the existing east city limits eastward to Robertson Road. Seconded by Council Member McCammon, voted on, passed 5-0. Time: 9:33 p.m.

NEW BUSINESS: (Continued)

Bobcat Replacement

- *Motion to Upgrade Bobcat Loader*

Council Member Boone moved to accept the quote from KC Bobcat Inc. to upgrade the Bobcat S205 at a cost of \$2987.00 with \$1100 to be paid from general fund and balance from equipment reserve fund. Motion seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:36 p.m.

72" Bobcat Sweeper Attachment

A quote of \$4,111 from KC Bobcat for a 72" sweeper attachment was reviewed. After discussion, Council directed PWS Craig to schedule a demonstration of the sweeper. This item was tabled until after seeing a demonstration.

Ordinance No. 1341, KCPL Franchise Ordinance

This ordinance had been reviewed at an earlier meeting and had been changed to reflect a ten (10) year term. Attorney Sutherland did not observe any irregularities in the ordinance.

- *Motion to Adopt Ordinance No. 1341, KCPL Franchise*

Council Member Turpen moved to approve Ordinance No. 1341 pertaining to a franchise agreement with Kansas City Power & Light. Motion was seconded by Council Member Williams, voted on, passed 5-0. Time: 9:40 p.m.

Flood Zone Determination Training

Deputy City Clerk asked permission for either Devona Herrin or himself to attend this training. Cost = \$20. Mahon noted that the new flood plain maps had arrived and felt this training would be very beneficial. Mahon also noted that the new maps showed increased dimensions of flood area.

- *Motion to Attend Flood Zone Determination Training*

Council Member Robbins moved to send either Deputy City Clerk Mahon or City Clerk Herrin to Flood Zone Determination Training at Westwood, Kansas. Motion was seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:43 p.m.

OTHER BUSINESS:

REGULAR MEETING

Year = 2006

Councilmember Wages

Mayor Smith recommended that the Councilmembers wages be increased by \$10 per meeting. He felt the time and efforts required of councilmembers warranted higher compensation.

➤ *Motion to Raise Wages of Council Members*

Council Member Boone moved to increase council member benefits by \$10 per meeting.. Motion was seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:46 p.m.

CITY CLERK'S REPORT:

Verbal Report: None

Written Report:

1. Reminder: Public Forum at 6:00 pm July 19, 2006 for KDOT Speed Limit Presentation;
2. KCPL Franchise Payment of \$3189.55;
3. City Attorney Sutherland will not be in attendance at July 19th meeting.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KCPL six month franchise tax ending May 2006;
- b] MLA "Guiding the Municipal Organization" Course;
- c] Quarterly of Kansas Dept. of Commerce;
- d] *Kansas Government Journal* Volume 92 – No. 6, June 2006.

ADJOURNMENT:

➤ *Motion for Adjournment*

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

Meeting adjourned at 9:46 p.m.

I, _____, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 5th day of July 2006.

Following a Public Forum and Budget Workshop, the La Cygne City Council met in regular session on Wednesday July 19, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Dani McCammon and Gerald "Skip" Williams.

Others present for all or portions of the forum, workshop, and meeting included: Deputy City Clerk Gary Mahon; Police Chief Glenn 'Chuck' Farrell; City Public Works Assistant Superintendent Jerome Moore; KDOT Representative Cheryl Hendrixson; Kevin Kinder;

REGULAR MEETING

Year = 2006

Judy Kinder; LeRoy Turpen; Fire Chief Scott Stainbrook; Fireman Jake Fleming; and Fireman Jimmy Whitworth.

PUBLIC FORUM – KDOT SPEAKER CHERYL HENDRIXSON 6:00 P.M.

Cheryl Hendrixson of the KDOT Bureau of Traffic Engineering spoke on how speed limits are established on state highways. The city had expressed an interest in lowering the speed limit eastward from the original east city limits to the new city limits at Robertson Road. A rep from KDOT will do a traffic data study and make recommendations from the data gathered. Ms. Hendrixson suggested that the city move the 'city limits' sign before the study is conducted. It is anticipated the state will conduct the survey in approximately one month.

BUDGET WORKSHOP 6:30 P.M.

Council had previously been distributed a budget proposal entitled '2nd Draft'. Deputy City Clerk Mahon noted some corrections that needed to be made. Mahon noted that the 2nd draft would require a mill levy increase of approximately 5 mills. Discussion then centered on ways to cut expenses and lower the required mill levy. At 7:00 p.m., Council decided to think about discussed options and resume budget discussion later in the regular meeting.

REGULARLY SCHEDULED MEETING

Mayor Keith A. Smith called the regular meeting to order at 7:03 p.m.

MAYOR'S COMMENTS

Mayor Smith noted that members of the La Cygne Volunteer Fire Department were present to demonstrate the City's recently purchased fire truck. The meeting was recessed to view the truck parked in front of Labette Bank.

Meeting resumed at 7:12 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: July 06 thru July 19, 2006;
Minutes of July 05, 2006 City Council Meeting;
June 2006 Treasurer's & Budget Report;
2006 Second Quarter Financial Statement.

Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:15 p.m.

WATER IMPROVEMENT PROJECTS

1. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR: None

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

REGULAR MEETING

Year = 2006

Police Chief Farrell submitted a written report for police activities during the period of July 1st – 18th, 2006.

Public Works Assistant Superintendent Jerome Moore

PWAS Moore reported that no one from public works was requesting to attend the trenching/excavation and/or confined space entry training being offered by the Kansas Rural Water Association.

Mr. Moore also reported that the carbon dioxide parts for the water plant were had arrived and that equipment installation was scheduled to commence July 24th.

STANDING COMMITTEE REPORTS:

Street

It was reported that Heckert Construction would be returning this week to finish the City's street resurfacing project. Heckert had been pulled away by the State for emergency repairs.

Park

Council Member McCammon thanked the public works employees for the recent pick up of trash in Bittiker Park.

Community Building

Council Member Williams advised waiting on painting until after budget preparations were complete.

Public Safety

Council Member McCammon inquired about the status of the City's public warning sirens. Police Chief Farrell reported that the radio equipment had been installed in the police cars several months prior. The sirens can now be set off remotely as well as from city hall. He also noted that the sirens are tested at 11:00 a.m. the first Wednesday of every month.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Police Chief Farrell reported that Linn County Emergency Preparedness Director Bernard Streeter had requested some information from the City. Items requested included a contact list of the city's emergency personnel, a resource list of available equipment that could be used in case of an emergency, and a list of training and exercises that would be of interest to the City.

Fiesta

Council Member McCammon reported that the Fiesta Committee was searching for volunteers to help run events at the 2006 Fiesta. Interested persons were encouraged to contact Dana Goudie.

UNFINISHED BUSINESS:

Complete 2007 Budge for Publishing and Public Hearing

REGULAR MEETING

Year = 2006

Moved to *Other Business* after executive session.

Bobcat Sweeper Attachment

Council reviewed a product quotation from KC Bobcat for a 72' sweeper attachment including gutter brush. Quoted price = \$4,111.00. PWAS Moore reported that the unit had been demonstrated in front of City Hall. Mr. Moore and Deputy City Clerk Mahon noted that the unit did a good job of sweeping the gutter. Council Member Boone noted that the unit was independent and did not require an additional loader to pick up the sweepings.

➤ *Motion to Purchase Bobcat Sweeper Attachment*

Council Member Turpen moved to purchase the sweeper attachment as presented at a cost of \$4111.00. Motion seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:32 p.m.

Council directed Deputy City Clerk Mahon to pay for the attachment from the Equipment Reserve fund.

Ordinance No. 1342 – Council Meeting Compensation

➤ *Motion to Approve Ordinance No. 1342*

Council Member Boone moved to approve Ordinance No. 1342 raising Council Member compensation to \$30.00 per meeting. Motion seconded by Council Member Williams, voted on, passed 5-0. Time: 7:34 p.m.

NEW BUSINESS:

Amend 2006 Park Board Budget

Deputy Clerk Mahon reported that the cash carry over for the Special Park fund was approximately \$13,000 higher than originally budgeted. To be able to spend the money this year, the budget would need to be amended. The Park Board was using the extra funds to pay for the asphalt overlay on some of the park streets.

➤ *Motion to Amend 2006 Special Park & Pool Budget*

Council Member Boone moved to publish an amended Special Park & Pool Budget with the public hearing to be 7:00 p.m., August 16, 2006. Motion seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:37 p.m.

Appointment to KMGA Board of Directors

➤ *Motion to Appoint Herrin and Craig to KMGA Board*

Council Member Turpen moved to appoint Devona Herrin as primary and George Craig as alternate members to the KMGA Board of Directors for two (2) year terms. Motion seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:38 p.m.

CITY CLERK'S REPORT:

Verbal Report: Deputy City Clerk Mahon reported that the City had received the following premium adjustment from EMC Insurance; \$657 for general and \$516 from the work comp audit. The new fire truck premium added \$214 making the net reimbursement = \$959.00.

Written Report: None

REGULAR MEETING

Year = 2006

EXECUTIVE SESSION:

➤ *Motion for Executive Session*

Council Member Robbins moved to go into executive session for up to thirty-five (35) minutes for personnel. Motion seconded by Council Member McCammon, voted on, passed 5-0. Time: 7:42 p.m.

Others requesting or invited into the Executive Sessions included: None.

Open Session Resumed at 8:21 p.m.

OTHER BUSINESS:

Budget Preparation

Discussion resumed on the 2nd Draft of the proposed 2007 budget. Discussion again centered on ways to reduce expenses and the mill levy. Council Member Turpen noted he was unclear about calculations on the employee benefits. Turpen was working on 3% increase and Mahon/Herrin was working on 5%.

Deputy City Clerk Mahon and City Clerk Devona Herrin will work on the budget some more. They will submit two or three different proposals to the council for their consideration. The employee benefits will be scrutinized more to see if further reductions can be made. A special meeting to finalize the budget will be held at 7:00 p.m., Wednesday, July 26th at the LaCygne Community Building.

Natural Gas Prices

Council Member Boone inquired as to why the City's natural gas prices remained high as other entities had begun to lower theirs. Deputy Clerk Mahon responded that part of the problem was due to the fact that large amounts of high priced gas had been purchased at the onset of winter. The subsequent mild winter resulted in lower sales volume. Thus the City had a large supply of high priced gas on hand at the end of the heating season and was only now using up the excess.

Good Bye Kevin Kinder

Mayor Smith noted this would be Osawatomie Graphic Reporter Kevin Kinder's last meeting. Kevin had accepted a position with a paper in Fayetteville, Arkansas and would be leaving Friday, July 21st. The Mayor & Council thanked Kevin for his commitment to covering La Cygne and wished him well in his new venture.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] June 2006 Gas Report;
- b] June 2006 Water Report.

ADJOURNMENT:

➤ *Motion for Adjournment*

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

Meeting adjourned at 8:49 p.m.

REGULAR MEETING

Year = 2006

I, _____, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 19th day of July 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday August 2, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Gerald "Skip" Williams. Absent: Dani McCammon.

Others present for all or portions of the meeting included: City Clerk Devona Herrin; Police Chief Chuck Farrell; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Robert Turpen; Sandy White; and Dennis Arnold.

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

MAYOR'S COMMENTS

Mayor Smith expressed Darrell Kimzey's appreciation of the city's support. It was conveyed he did very well at the game and was a positive representation to our area.

Mayor Smith passed on the information he had received from Rick Nash about discussing a memorial for Joanne Fisher with U.S. Senator Sam Brownback. There may be further contact in the future about such a memorial if the funds are available. Joanne Fisher invested her efforts greatly in this area during her time here as a teacher at the local schools.

CONSENT AGENDA:

➤ *Motion to Approve Consent Agenda*

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

Check Register: July 20 thru August 2, 2006
Minutes of July 19, 2006 City Council Meeting,
Minutes of July 2, 2006 Special City Council Meeting.

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

WATER IMPROVEMENT PROJECTS

m. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR:

Sandy White, Nuisance Letter from Codes Officer Osborne

Sandy White expressed concern about a nuisance letter they had received earlier today regarding inoperable vehicles. She was unhappy about the letter being delivered to her daughter instead of to her. Reported her husband had been in the hospital again and had suffered a stroke this time. He was now recovering at his parents' house. He has been sick for the last several months. The only one available to help remove the vehicles is a nephew living in Iowa. Before they move the blue van they want to take the rear end out; it has been sitting for over six months. Plans were to build a privacy fence and put all of the inoperable vehicles behind the privacy fence as the codes officer has told them this would be ok. Now don't know when the fence will be completed, or the vehicles moved.

Discussed the desire of the city to have the codes officer address the needs of the city to have a presentable community as much as possible; not to just take one area and concentrate only there. Council conveyed that some areas have letters sent to them and they are quickly addressed; while with others, the city tries to work with the property owners as long as there is some evidence of progress through the process.

DISCUSSION FROM THE FLOOR: (Continued)Sandy White, Nuisance Letter from Codes Officer Osborne (Continued)

Council asked for the Whites to take this time to find out what plans can be set up for the help that would be available and make a schedule of those plans to present to city hall &/or the codes officer for future improvements to allow for an extension. If there were no improvements as set out by the White's plans, then there would be further action taken.

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

Police Chief Farrell presented a written report for July 2006 activities.

Public Works Superintendent George Craig

No report.

STANDING COMMITTEE REPORTS:Water & Gas

PWS Craig reported they were installing Weers in the water plant system the following day.

Street

Mayor Smith conveyed Linn County Commissioner Herb Pemberton had approached him about the city paying for materials to chip/seal South 5th Street and North 4th Street. He presented the information he had asked city employees to gather for him regarding these prior street improvements as Mayor Smith had been proceeding this year with the understanding the County was maintaining these two streets including the cost of the materials.

1. City Clerk Herrin reported the funds covering these streets had already been used this year for the asphalt project, without any being set aside to pay the county for materials on these two streets.
2. Noted the city previously has no record of paying for materials on South 5th Street. Information gathered indicates the county has previously maintained that street, as they are the major heavy users of that street to get to the County Street Barn.
3. Council Member Boone reported the county always furnished materials in return for using the two streets to get the county equipment out into the county.
4. The county paved N. 4th Street in 2001 and billed the city for the cost of materials.
5. The county asked the city to pay for the materials for N. 4th Street in 1997, however, there was never a payment made. Unknown if the county did not send a statement, or if the city did not get it handled and the county did not follow up.
6. There was no discussion found for the county's request of payment of materials in years prior to 1997.

Mayor Smith conveyed the information was just for the council's awareness since there had been no further communication from Commissioner Pemberton.

Public Safety

REGULAR MEETING

Year = 2006

Discussed the recent fire to the elevator in Pleasanton involving an inoperable fire hydrant. Public Works checks all of the city fire hydrants annually.

Park

Council Member Boone informed the council Carol Stainbrook's family was in the process of adding children's play equipment to the south park.

STANDING COMMITTEE REPORTS: (Continued)

Community Building

Painting the interior is on hold.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Mayor Smith described Doug Lloyd as a good candidate for this committee since he is a former fire fighter in another county and familiar with emergency procedures. Mayor Smith added Doug to this committee.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Planning Commission Appointment of Doug Lloyd

Mayor Smith recommended the appointment of Doug Lloyd to the Planning Commission.

- *Motion to Appoint Doug Lloyd to Planning Commission Committee*

Council Member Robins moved to appoint Doug Lloyd to the Planning Commission Committee as recommended by Mayor Smith. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:34 p.m.

Resolution #307 for Water Temporary Note Payment

- *Motion to Approve Resolution #307 for Water Temporary Note Payment*

Council Member Williams moved to approve Resolution #307 for the water temporary note payment. Motion seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:35 p.m.

EXECUTIVE SESSION:

- *Motion for Executive Session*

Council Member Robbins moved to go into executive session for up to twenty-five minutes for personnel, legal, and land acquisition. Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:36 p.m.

Others requesting or invited into the Executive Sessions included: None.

Open Session Resumed at 8:00 p.m.

OTHER BUSINESS:

Council Member Dani McCammon's Resignation

Mayor Smith read Council Member Dani McCammon's letter of resignation to the council and public. Mayor Smith acknowledged her resignation and asked council for ideas for a replacement.

CITY CLERK'S REPORT:

Verbal and Reminders:

1. Public Hearing August 16th for Amending 2006 Park and Pool Budget
2. Public Hearing August 16th for 2007 City Budget.

City Clerk Herrin explained the current four members of the council would have to be present to hold these budget hearings and complete the approval process. The city ordinance requires four council members to be present to hold a meeting.

Verbal:

1. Public Works had received a big "THANK YOU" for removing a tree and brush at the intersection of 5th and Lincoln.

Written Report:

4. Planning Commission Appointment.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Notice of 2007 Budget Hearing
- b] State Firefighters Relief Fund Benefit – Discussed this was placed in a separate fire department fund to help pay the firefighters annual life insurance policies.
- c] July 13, 2006 Planning Commission Minutes – Discussed concerns about wind turbines in the city. Noted there is a Public Hearing the council members along with the public is invited to attend to hear about the workings of the wind turbines and express concerns. City Attorney Sutherland reported he had found one city who allowed wind turbines if a person's back yard had enough room to allow for the tower required to fall entirely in their own yard area.

OTHER BUSINESS: (Continued)

Dennis Arnold with Linn County Economic Development arrived and explained a matching grant that will be available soon for business owners to replace &/or build a sidewalk. The total matching grant amount from the county is \$2,500. There will only be 3-4 grants available within the entire county. It will require the city to also have some matching funds available as well as the business owner contributing. Detailed information will be arriving at city hall.

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 8:15 p.m.

REGULAR MEETING

Year = 2006

I, _____, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 2nd day of August 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday September 6, 2006 at the La Cygne Community Building. Council Members present were: Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams. Absent: Jerry Boone.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Deputy City Clerk Gary Mahon; Judy Kinder; Robert Turpen; LeRoy Turpen; Jim Wilson; Eddie Andersen; City Fire Chief Scott Stainbrook; Jim Whitworth; Kevin Morgan; and Codes Officer Greg Osborne.

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

MAYOR'S COMMENTS

1. North Water Tower Inspection Report: Mayor Smith commended public works' employees for a very good report reflecting good maintenance of the tower.
2. Linn County Recycling: Reported he was with the county in encouraging the county recycling program. Reported estimated earnings last year were approximately \$40,000.
3. First Impressions Community Meeting: Described how the report was established for the meeting that was held. Deputy City Clerk Mahon instigated this accomplishment for the community. Mayor Smith encouraged everyone to continue friendliness within the community and especially with city employees. Encouraged the city to make this city a place people want to come to live and visit. Asked city clerk and deputy city clerk to check on grants for downtown improvements, parks, main street programs, or other monies available to help make improvements. Asked the city to consider establishing a citizens group for the town itself, for the continued improvements in town.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: August 17 – September 6, 2006
Minutes of August 16, 2006 City Council Meeting.

Motion seconded by Council Member Williams, voted on, passed 4-0. Time: 7:08 p.m.

WATER IMPROVEMENT PROJECTS

- n. Upgrade Sludge/Backwash Lagoons

No report.

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DISCUSSION FROM THE FLOOR:

Kevin Morgan Regarding Marvin Cole Property and Gas Service Agreement:

Kevin Morgan explained he was purchasing the property at 107 E Market with the option for the residents, Marvin and Alta Cole to continue to reside at the residence as long as they wanted to. Mr. Morgan wanted to make sure the Cole's would continue to receive their natural gas at no cost as the city contract indicated when the city purchased the corner portion containing the gashouse from Mr. Cole in 2001.

Council concurred the noted contract speaks for itself and the city remaining with the contract.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- x. Stats Report: Noted written report for August 2006.
- xi. First Option Bank Robbery: Noted it occurred today.

Public Works Superintendent George Craig

- ix. Acid Application for Sewer Cleaning: Public Works Superintendent reported there were 4-5 high risk areas for the sewer lines in town and recommended the city treat these areas saving a future Rotor Rooter fee of approximately \$2,500 for just one of the areas. The purchase of a special acid along with Citra flow to kill the smell of the acid, but not the effectiveness, would cost up to \$1,500.
- x. Gate to East Life Station: Council asked if the east lift station was gated and what the status was on closing the road to the lift station. PWS Craig reported the closing of the road had been dropped for now and the lift station was gated and locked.

- *Motion to Purchase Acid Treatment for Sewer System*

Council Member Robbins moved to spend up to \$1,500 for acid application for the sewer system. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 7:15 p.m.

- xi. KCC Annual Gas Pipeline Safety Seminar: PWS Craig requested the approval of someone to attend the Annual KCC Gas Pipeline Safety Seminar. At this time was not sure who would be available to attend.

- *Motion to Approve a Public Works Employee to Attend KCC Seminar*

Council Member Turpen moved to approve a person from public works to attend the KCC Annual Gas Pipeline Safety Seminar paying seminar fees and per diem in November. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:17 p.m.

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REPORTS OF CITY OFFICERS: (Continued)

Fire Chief Scott Stainbrook

- v. Future Fire Truck Placement – Fire Chief Scott Stainbrook reported a local commissioner asked if the city would still be interested in placing the newly purchased city fire truck in the county fire station being built in exchange for the city furnishing two sewer drops and a two-inch water line to the new building with the county furnishing some equipment for the digging. Bearing the costs of the utility installation would not include the electric costs. The building will be totally electric, so there will be no installation costs for natural gas. Also, the commissioner told Fire Chief Stainbrook the county would pay the future monthly utility bills. The following items of discussion were:
- a. Sewer and Water are both located south and north of the building site.
 - b. The best water site is probably the line south and would require a bore under the road to reach the existing main water line. The city would have to hire out the road bore, if the county did not have the equipment to handle a bore.
 - c. Council felt best move with current situation would be for the county and city attorneys' to get something workable in a written agreement.
 - d. Noted the current agreement with the county allows the county to charge the city when they assist and this could begin to be implemented. Concurred this should also be changed in the written agreement.
 - e. Discussed fire truck being with fire fighters should there ever be two fires, one out in the county a certain distance from the city and one in town, at the same time.
 - f. Time frame for utilities to be installed was getting close.

Mayor and Council asked for a definitive cost from public works and a preliminary agreement for review.

Codes Officer – Greg Osborne

Mayor Smith passed a request to Codes Officer Osborne to check on a property.

STANDING COMMITTEE REPORTS:

Public Safety

Mayor Smith asked about an area by the railroad tracks on Market where there used to be a walkway for individuals to walk across the tracks without getting out on the highway. For the safety of the public asked what could be accomplished to put a simple crossing area in place on both sides of the highway for individuals to walk across the railroad tracks without getting out on the highway.

Police Chief Farrell reported the one walkway that had been there and in good condition had been removed by the railroad when they reduced the number of tracks from three to two and they did not replace the walkway area for the public. He asked the railroad at that time for a time when it would be replaced and it was never done.

Mayor Smith requested the railroad be contacted to find out how to get the walkway back. If there were some kind of cost to the city it would be worth it.

SPECIAL COMMITTEE REPORTS:

Fiesta

i. Resolution #308, Temporary Closing of Streets for Fiesta

- *Motion to Approve resolution #308*

Council Member Williams moved to approve Resolution #308 for the temporary closing of streets for Fiesta. Seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:32 p.m.

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UNFINISHED BUSINESS:

Ordinance #1344, Allow Certain Wind Energy Conversion Systems as a Conditional Use in Central Business District (C-3) Zoning District

Jim Wilson reported he is still working towards a business for this area that would also provide growth in the area. Mr. Wilson is also interested in developing the sidewalk area in front of his commercial building store and interested in participating in any program the city has to offer for this improvement. Another item Mr. Wilson is considering is placing a sitting area in the vacant space beside the building allowing people to see the visual impact of the wind turbine display he is requesting.

Discussed the following:

- i. Council is interested in bringing businesses to town and the wind turbines could be a wave towards alternative energy.
- ii. A conditional use permit with the conditions outlined within the permit.
- iii. The business would begin with 2-3 full time employees with possible tremendous growth opportunity.
- iv. Wind turbines are not available in town now, but may be possible in the future.
- v. The marketing strategy could possibly be something the city can eventually identify with as one of the first markets of this alternative energy source in the state.

1. *Motion to Approve Ordinance #1344*

Council Member Turpen moved to approve Ordinance 1344. Noted this is just the beginning of the process. The final conditional use permit will be brought back to council for approval if the process proceeds through the Planning Commission Committee. **Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:47 p.m.**

City Clerks' Regional Conference September 22nd

Mayor Smith reported he would be able to attend the City Clerks' Regional Conference the city was hosting on September 22nd.

LKM 98th Annual Conference

Council was unavailable to attend. City Attorney Sutherland requested attendance to the Attorney's Forum portion on October 10th.

- *Motion for City Attorney Sutherland to Attend Attorney Forum on October 10th*

Council Member Robbins moved to approve City Attorney Sutherland to attend the Attorney Forum portion of the 98th Annual LKM Conference with registration paid and per diem. Seconded by Council Member Williams, voted on, passed 4-0. Time: 7:50 p.m.

NEW BUSINESS:

Zoning Appeals Board Appointment

Mayor Smith recommended the appointment of Doug Lloyd to the Zoning Appeals Board.

- *Motion to Approve Appointment of Doug Lloyd to the Zoning Appeals Board*

Council Member Robbins moved to approve the recommended appointment of Doug

Lloyd to the Zoning Appeals Board. Seconded by Council Member Williams, voted on, passed 3-1 (No: Turpen). 7:52 p.m.

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NEW BUSINESS: (Continued)

Park Recreational Funds Distribution

Discussed the following:

- x. There is now a football organization getting started and asking for funds.
- y. Possibly contacting each organization and asking for an application/letter for funds from the city.
- z. Possibly splitting the \$1,200 between softball, baseball, soccer, football, and park items.

Mayor Smith requested the dispersal be tabled until the first October meeting to allow the council time to consider options. Will make a decision prior to the end of the year.

Waive Community Building Fee for Annual Hunter's Safety Course, Oct. 13-14, 2006

- i. *Motion to Waive Community Building Fee*

Council Member Turpen moved to waive the community building fee for the annual Hunter's Safety Course on October 13th and 14th. Seconded by Council Member Williams, voted on, passed 4-0. Time: 8:00 p.m.

Upgrade Computer (Linda's)

Discussed the cost of the replacement would be divided between several funds as the computer was used for several different projects. The cost includes transferring existing programs from the old computer to the newer computer.

- ii. *Motion to Upgrade Computer*

Council Member Williams moved to upgrade the computer for a cost of up to \$1,157. Seconded by Council Member Robbins. Discussed if this included up to 1 gig of Ram. Quote indicates there are two sets of 512 MB of Ram. If not, will check on making sure it has that much space. **Voted on, passed 4-0. Time: 8:05 p.m.**

KPERS Annual Designated Agent Workshop

Discussed needs to stay informed of KPERS changes, and stay refreshed with the topic. City Clerk Herrin asked for the ability to decide at a later date, around other work schedules, for a final date for attendance, as there were three within the same distance span.

- iii. *Motion for City Clerk to Attend KPERS Workshop*

Council Member Turpen moved to send City Clerk Herrin to KPERS Annual Workshop. Seconded by Council Member Williams, voted on, passed 4-0. Time: 8:08 p.m.

Ordinance #1345, Adopt Uniform Public Offense Codes for 2006

Police Chief Farrell noted there had been several changes this year by the state creating the need to update these codes this year, even though the city usually only updates every other year.

- iv. *Motion to Approve Ordinance #1345, Adopt Uniform Public Offense Code for 2006*

Council Member Williams moved to approve Ordinance #1345 to adopt Uniform Public Offense Code for 2006. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 8:08 p.m.

Ordinance #1346, Adopt *Standard Traffic Ordinances* for 2006

v. *Motion to Approve Ordinance #1346, Adopt Standard Traffic Ordinance for 2006*

Council Member Robbins moved to approve Ordinance #1346 to adopt *Standard Traffic Ordinance* for 2006. Seconded by Council Member Williams, voted on, passed 4-0. Time: 8:10 p.m.

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NEW BUSINESS: (Continued)

Sidewalk Replacement Grant for City's Commercial Area

Council reviewed Linn County Economic Development worksheets for a "Sidewalk Replacement Grant for Cities – Commercial Areas". Noted the county is matching with \$12.00 a linear foot and requires the city to match with at least that amount if not more and for the city to be the administrator. The maximum grant to any one city by the county is \$2500.00.

vi. *Motion to Approve Sidewalk Replacement Grant with Maximums*

Council Member Robbins moved to approve the Sidewalk Replacement Grant for the City's Commercial Area applying \$12.00 per linear foot up to a maximum to the city of \$2,500 and city being the administrator. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 8:15 p.m.

Purchase Credit Card Machine for Payments

Deputy City Clerk Mahon presented the request to purchase a credit card machine to allow for customers to pay bills due the city by a credit card. The credit card charges are to be paid by the customer using this method of payment. The rate of the charge is available to the city employees to determine what this charge is at the time of use of the card. For example swiping a card has a lower rate than when a card is called in and then keyed into the machine. Deputy City Clerk Mahon provided samples between companies IRN, Heartland and TC; then, recommended IRN for total overall simplicity, costs, and no cancellation fees if the city finds there is not the expected demand. Each company listed different up front costs, and different monthly costs as well as warranties and cancellation fees.

Deputy City Clerk Mahon reported on more and more customers asking about this method and by paying by computer, which the city has not pursued at this time, but plans to look at in the future.

Council thanked Gary for his presentation.

vii. *Motion to Purchase IRN Credit Card Machine Agreement*

Council Member Robbins moved to purchase IRN Credit Card Machine at a cost of \$659 plus tax, if applicable, to accept payments to the city. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 8:30 p.m.

Deputy City Clerk Mahon reported he would have an ordinance to establish transaction fees at the next regular city council meeting.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of land acquisition, personnel, and legal for up to forty minutes following a five-minute break. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 8:34 p.m.

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

Extend Executive Session

viii. *Motion to Extend Executive Session*

REGULAR MEETING

Year = 2006

Council Member Robbins moved to extend executive session for land acquisition for up to ten minutes. Seconded by Council Member Turpen, voted on, passed 4-0. Time: 9:20 p.m.

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

Open Session Resumed at 9:30 p.m.

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OTHER BUSINESS:

Workshop September 20th at 6:00 p.m.

City Clerk Herrin reported the Labette Bank building was available for the city council to inspect for space arrangements for the move of city hall. Mayor Smith asked for a rough floor plan of the bank for council to work from during the workshop. City will also provide sandwiches.

ix. Motion for Workshop September 20th to Review Labette Bank Building

Council Member Robbins moved to have a workshop on September 20th at 6:00 p.m. to review the Labette Bank facility. Seconded by Council Member Weitman, voted on, passed 4-0. Time: 9:33 p.m.

Amended Water Notice

City Clerk Herrin reported KDHE had found a sentence in the water violation report that was mailed by the city last month and KDHE is requesting the notice be re-mailed with the correction. Plans are to have this completed shortly.

1st Impressions Report

Council Member Turpen noted there are copies of the "1st Impressions Report" available at City Hall. During the slide show part of the "1st Impressions" meeting the trash compactor area was viewed showing the condition of the fence needing repairs. Discussed the need to repair the fence, possibly raise the height of the fence, and/or find ways to reduce the size of the metal pile that can be viewed above the height of the fence, or possibly move the entire site to another location.

Also discussed concern to look for ways to improve the signs on the east and west edge of town. Noted the Mound City Chamber of Commerce spearheaded the new Mound City signs.

CITY CLERK'S REPORT:

Reminder:

3. KDOT Working Session for Community on Tuesday, September 12th at 10:30 a.m.

Written Report:

1. Financial Notes on Check Register
2. Statute Requiring an Ordinance to Increase 2007 City Budget
3. Resolution #308, Temporary Closing of Streets for Fiesta
4. LKM 98th Annual Conference
5. Planning Commission Appointment
6. Park Recreational Funds Distribution
7. Waive Community Building Fee for Hunter's Safety Course
8. Upgrade Computer (Linda's)
9. KPERS Annual Designated Agent Workshop
10. Public Offense and Traffic Ordinances
11. Sidewalk Replacement Grant for City's Commercial Area
12. Kevin Morgan Regarding Marvin Cole Property and Gas Service Agreement

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KDOT Working Session Notice
- b] MRWA Dist. #2 May 23, 2006 Meeting Minutes

- c] MLA “Code of Meeting Procedure” Workshop
- d] KRWA *Clarifier* August 2006
- e] *Kansas Government Journal* Volume 92 – Number 8, August 2006
- f] NAGC *Newsletter* August 18, 2006, Pages 1-3

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 9:43 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of September 2006.

WORKSHOP for PERUSE LABETTE BANK BUILDING FOR SPACE ARRANGEMENTS FOR CITY HALL/POLICE DEPT:

The council and mayor met at the Labette Bank to review on site the area of the bank available for use as a combined city hall and police department.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday September 20, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald “Skip” Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Public Works Jerome Moore; Public Works Harry Smith; Judy Kinder; LeRoy Turpen; Codes Officer Greg Osborne; Penny Osborne, and Parker City Clerk Sally Trickey.

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

MAYOR’S COMMENTS

4. Fall School Activities: Mayor Smith reported there were several fall school activities. The community was welcome to attend any events.
5. Fiesta: Mayor Smith commended the Fiesta Committee for a very good report on the overall activities and especially the parade.
6. FEMA Flood Insurance Program: Announced a meeting being held by FEMA regarding all of Linn County to discuss preliminary results of a local Federal Flood Insurance Study. The meeting is scheduled for Tuesday, September 26th at 7:00 p.m. in Mound City at the Linn County Courthouse Annex building.
7. Osawatomie Graphic Reporter: Introduced new Osawatomie Graphic Reporter Liz Beggs. Welcomed her to the meeting.
8. Presentation at PSU called “Dirt” by John Morillo on October 10th. He is an actor giving a presentation on how drugs affect a person’s life and the loved ones around them.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: September 7 - 20, 2006
Minutes of September 6, 2006 City Council Meeting
August 2006 Treasurer's and Budget Reports.

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

WATER IMPROVEMENT PROJECTS

- o. Upgrade Sludge/Backwash Lagoons

No report.

Page 2 of 5

DISCUSSION FROM THE FLOOR:

Mandy & Matt Higgins, Regarding Water & Gas Installation Statements:

The Higgins were not present.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

- i. Preliminary Agreement Between County & City Fire Departments for Storage of City Fire Truck: Discussed the following:
 1. Three primary items to review: 1. Ownership of apparatus – the city will retain and maintain the apparatus. 2. Use of city apparatus in and out of the city limits – the current reciprocal agreement allows for the truck to be used both in and out of the city limits. Concurred to continue to allow this leaving the final decision during an occurrence to be handled by the city fire chief. 3. Current reciprocal agreement allows the right of the county to charge the city to respond to a city fire – concurred to waive the fee possibilities in the future.
 2. Current estimated cost for water and sewer materials for the city to furnish the new building was \$2,477. The price of pipe is changing daily.
 3. Discussed moving the existing fire truck in the old fire barn to the water plant storage area if the new truck is moved to the new county fire barn and thus would no longer have to heat the existing building, which is costly in the wintertime.
 4. How often the agreement should be reviewed.
 5. Length of a lease agreement to allow the city truck to be stored in the county fire barn before the county could request to have it moved.

Police Chief Glenn D. Farrell Jr

- xii. Stats Report: Noted written report for September 1 – 19, 2006.
- xiii. Night Out Against Crime: The date for the city's participation is Saturday, September 30th from 4 – 6 p.m. at the City Park. Will be contacting the church to see if they will participate again this year with the cooking.
- xiv. First Option Bank Robbery: Noted another bank had been robbed today and the person was caught, at this time it is believed to be the same person involved in the local robbery last week.

Public Works Superintendent George Craig

- xii. KRWA Workshop, October 18 & 19: Public Works Superintendent George Craig requested attendance to the workshop by Jerome Moore and Art Terry, as both need credit hours for their sewer and water certifications. No fee for the sessions.

- *Motion for Jerome Moore and Art Terry to Attend KRWA Workshop*

Council Member Williams moved to send Art Terry and Jerome Moore to the KRWA workshop in Ottawa with per diem. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:24 p.m.

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REPORTS OF CITY OFFICERS: (Continued)

Codes Officer – Greg Osborne

i. Property at 401 E. Chestnut: Codes Officer Osborne reported this property had been involved in a fire earlier this year. The property had continued to be mowed and the windows covered, however there was neither improvements nor any demolition taking place. CO Osborne had begun the process of condemnation and then this last week there had been someone in the house working on removing the damaged parts of the interior. Alerted the council he was going to try to contact the property owner to find out the time frame plans for completing the restoration and let the property owner know if the process stops the city will move forward with the condemnation process. The only observed structural damage was in one bedroom; the remaining damage appeared to be normal fire damage throughout the entire interior.

STANDING COMMITTEE REPORTS:

Streets

PWS Craig reported a person driving a Heckert Construction truck had been seen driving the city streets last week and measuring the depth of the cracks. Discussed what and how these cracks would be filled. Council Member Weitman requested public works let him know when Heckert would be around to discuss, as he would like to try to be present at the time.

Public Safety

City Clerk Herrin reported the Railroad had not yet been contacted about replacing the walkway over the tracks.

Community Building

i. Use of Tables for Community Thanksgiving Dinner: Council Member Turpen asked about the city allowing the use of twenty tables from the Community Building for the Community Thanksgiving Dinner at the Grade School in November. Noted the front of the community building is rented, however there would be ten tables left for that event in the smaller area of

the building. Council concurred for the community Thanksgiving event it would be good to allow the use of the tables.

SPECIAL COMMITTEE REPORTS:

Fiesta

Report after Fiesta not complete at this time.

Planning Commission Committee

Noted the Committee is still working with Jim Wilson and the Wind Turbines.

UNFINISHED BUSINESS:

Ordinance #1347, Relating to Service Charges Associated with Electronic Payment Methods

City Attorney Sutherland reported this Ordinance was not ready for this meeting. Tabled.

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NEW BUSINESS:

KMGA, Request to Withdraw from City of Garden Plain

City Clerk Herrin reported the City of Garden Plain had not been a gas purchaser, just a member paying the annual dues for information participation. They are now requesting to withdraw and each participating city has a vote as each participating city makes up the whole of KMGA.

- *Motion to Approve KMGA Withdrawal Request from City of Garden Plain*

Council Member Turpen moved to approve the KMGA Resolution #42 allowing the withdrawal of the City of Garden Plain and waiving the 2006 dues. Seconded by Council Member Williams, voted on, passed 5-0. 7:36 p.m.

Review of Labette Bank Building for City Hall/Police Department Move

Discussed the workshop materials list. City Clerk Herrin asked council to not make any final personnel arrangement decisions until Linda, Chuck, Gary and Devona could be present at the same time. Added carpet replacement to the items list. Agreed some of the items could be addressed as to how to proceed at the next meeting if city hall employees could obtain the information by that time to present to council. Plan on employees attending the second meeting in October to go over office arrangement with each council member working on own ideas along with the employees to bring back to the table for review of similarities.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, and personnel for up to sixty minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:44 p.m.

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

City Attorney Sutherland left at approximately 8:30 p.m. and Council Member Robbins left approximately 8:35 p.m.

REGULAR MEETING

Year = 2006

Open Session Resumed at 9:50 p.m.

OTHER BUSINESS:

New 5th and 6th Grade Football Organization

Mayor Keith Smith informed the council there was a new football organization being established for the 5th and 6th graders. George Kellerman is in charge of this group and has asked the city to consider them when there is a division of the park fund distribution. A full uniform for the players of this group is \$170 - \$180 each. Mayor Smith asked City Clerk Herrin to contact the necessary parties if they would like to be considered in the distribution and for those interested to please have a letter in writing at the next council meeting. This announcement could also be put on the city web page.

Discussion from the Floor Topic – Matt Higgins City Statement for Gas & Water Installation

Mayor Smith asked the council how they felt about the statement sent for the gas and water installation and if this wasn't high for city involvement. Aren't city taxes used to purchase the city equipment and then the city charges the property owner for the use of the equipment. Discussed the true cost with the utilities is whether all the customers are going to absorb the individual costs in the utility rates or if the person receiving the benefit should pay the cost. Either way the cost is paid by the utility income for utility installation. Concurred there could be more detail in how the costs/fees are established on the statements.

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CITY CLERK'S REPORT:

Written Report:

13. Report on MDCWA^{Gary}

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] August 2006 Water Reports
- b] August 2006 Gas Report
- c] Public Meeting, Flood Insurance Program, September 26th

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Turpen moved to adjourn the meeting. Motion seconded by Council Member Williams, voted on, passed 3-1 (No: Boone).**

Meeting adjourned at 9:09 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of September 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday October 04, 2006 at the LaCygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, and Terry Weitman. Absent: Skip Williams.

Others present included: Deputy City Clerk Gary Mahon; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; City Codes Officer Greg Osborne; Fire Chief Scott Stainbrook; Fireman Jimmy Whitworth; Judy Kinder; Liz Beggs; Frankie Howard; Charles Reed; and Sandy White.

REGULAR MEETING

Year = 2006

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

MAYOR'S COMMENTS

9. Prairie View High School Homecoming Activities and Parade;
10. Congratulations to George Craig on 5th anniversary of employment with City of LaCygne;
11. Thank You Card from Devona Herrin.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: September 21 – October 04, 2006
Minutes of September 20, 2006 City Council Meeting

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

WATER IMPROVEMENT PROJECTS

- p. Upgrade Sludge/Backwash Lagoons

No report.

DISCUSSION FROM THE FLOOR:

Frankie Howard – One Time Sunday Liquor Sales New Year's Eve 2006

Frankie Howard, owner of Frankie's Liquor, asked Council to consider allowing Sunday Liquor sales for one day only on December 31, 2006. Frankie noted that New Year's Eve is the busiest day of the year for their business but it would fall on Sunday in 2006.

Deputy City Clerk Mahon reported that it is permissible for city's to designate certain Sunday's for liquor sales. Attorney Sutherland reported that the process would encompass adopting an ordinance, publishing twice, and then allowing a 60 day protest period. It was unclear when the 60 day protest period would start, 1st publication? Or 2nd publication? Attorney Sutherland will try to clarify. If protest period begins after 2nd publication, a special meeting would have to be called to adopt an ordinance to allow for the 60 days to elapse before December 31st.

Council requested additional time to consider the request and requested this item to be placed on next meeting agenda. Council was agreeable to special meeting if needed.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

Agreement with Linn County Regarding Storage of Fire Truck: Attorney Sutherland reported that Linn County officials had suggested a 20 year lease with a 6 month escape clause. Council and Fire Chief Stainbrook preferred not to have an escape clause. After discussion, Council instructed City Attorney Sutherland to counter with a 20 year lease with option to renew.

REPORTS OF CITY OFFICERS: (Continued)

Police Chief Glenn D. Farrell Jr

Police Chief Farrell presented Council with a written report of police activities for September 2006. Chuck also reported there were 33 participants at the recent Night Out Against Crime.

Fire Chief Stainbrook

REGULAR MEETING

Year = 2006

Fire Chief Scott Stainbrook read a Thank You letter from Tanglewoods Lake for the City's recent contribution of a fire truck.

Codes Officer – Greg Osborne

Condemnation Recommendation for 212 N. 7th – Wanda Nash: Codes Officer Osborne recommended that condemnation proceedings be initiated for property at 212 N. 7th owned by Wanda Nash. A written report accompanied with pictures was presented to Council for consideration. CO Osborne noted he had not been able to personally visit with Ms. Nash as she had moved and he did not know her forwarding address. A letter had been sent to her by mail. Council requested that CO Osborne try to personally contact Ms. Nash again and place this item on the next meeting agenda.

James & Sandy White Property at 4th and Locust: Noting that Sandy White was in attendance, Councilmember Boone asked her when their property was going to be cleaned up. Ms White responded that they were working on it. Council noted that the White's had been working on the property for approximately 11 years and felt that a time frame for completion possibly needed to be established. Sandy cited problems with health, stroke, neighbors, money etc., being a hindrance to completing some of their projects. Council noted that health problems were not cited 11 years ago, and that problems with neighbors needed to be dealt with through either the local police department or file a complaint through county attorney's office.

Council instructed CO Osborne to continue monitoring the White's progress on a regular basis. Additionally CO Osborne was requested to present a concrete plan for property clean up and a time frame for completion at the next Council meeting.

STANDING COMMITTEE REPORTS:

Streets

Councilmember Weitman reported that he had recently visited with Heckert Construction and they were planning on repairing cracks in the city's street very soon.

Sewer

Inspection reports on the sewer lagoons and water plant waste water discharge were received earlier in the day. They will be distributed to Council at a later time.

Cemetery

Council reviewed a request to purchase a pole saw. In response to Council's questions, PWS Craig acknowledged that the city already owned a pole saw that could be used. The saw was stored at the street barn.

Employee Relations

PWS Craig reported that city employee Jerome Moore had been a recent hospital patient having had a stint implanted in his heart. Jerome was home and doing well at this time.

Public Safety

Councilmember Turpen submitted a list of needed play equipment repairs at the south park. Councilmember Boone noted the Park Board was planning on disposing of much of the old equipment and was also considering installing a new merry-go-round.

Councilmember Turpen submitted a list of 4 stop signs that were faded and needed to be replaced. 1. 6th & Walnut (EB); 2. Chestnut & Broadway (EB); Chestnut & 4th (WB); and 7th & Chestnut (SB).

SPECIAL COMMITTEE REPORTS:

Fiesta

Deputy City Clerk Mahon reported that all bills had not been received, but thought the Fiesta Committee would clear over \$2,000..

REGULAR MEETING

Year = 2006

Planning Commission Committee

The public hearing for Jim Wilson's conditional use permit to install a wind energy conversion system is scheduled for October 12, 2006..

UNFINISHED BUSINESS:

Park/Recreation Funds Distribution

A letter from the Little Buffs football program was received asking they be considered for any available recreation money. Council requested that info about Park/Recreational Funds be posted on City's Web Site. Item tabled until next agenda.

Ordinance – Credit Card Payments

Deputy City Clerk Mahon informed council that it was against state law for businesses or credit card companies to pass credit card fees on to customers. However it is O.K. for an independent company to handle the transaction and charge a fee. Mahon & City Treasurer Linda Elder had been in contact with cities and counties that use such a service. Mahon & Elder will research further and report back at next meeting.

NEW BUSINESS:

Prairie View High School Homecoming Parade

Deputy Clerk Mahon requested that the Resolution authorizing the closure of streets for the Homecoming Parade be changed to 309.

- *Motion to Approve Resolution No. 309*

Council Member Turpen moved to approve Resolution No. 309 authorizing the closure of certain streets for the Prairie View High School Homecoming Parade. Motion seconded by Council Member Weitman, voted on, passed 4-0.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to fifty minutes, following a ten-minute break, for discussion of legal, land acquisition, and personnel. Motion seconded by Council Member Boone, voted on, passed 4-0. Time: 8:00 p.m.

Others invited into or requesting a portion of time in executive session included: Codes Officer Greg Osborne.

Open Session Resumed at 8:55 p.m.

OTHER BUSINESS:

CITY CLERK'S REPORT:

Written Report:

14. Regional City Clerk's Meeting
15. 2006 Fiesta

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Planning Commission Minutes of September 14, 2006
- b] Thank You from Pittsburg for Hosting Regional City Clerk's Meeting
- c] Updated Roster of Planning Commission Members
- d] Updated Roster of Zoning Appeals Board Members

REGULAR MEETING

Year = 2006

e] Kansas Government Journal, Sept. 2006, Vol. 92, #9

ADJOURNMENT:

- *Motion for Adjournment*

As there was no further business **Council Member Robbins moved to adjourn the meeting. Motion seconded by Council Member Boone, voted on, passed 3-1 (No: Weitman).**

Meeting adjourned at 9:01 p.m.

I, Gary D. Mahon, La Cygne Deputy City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 4th day of October 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday October 18, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Public Works Jerome Moore; Deputy City Clerk Gary D. Mahon; City Treasurer Linda Elder; Judy Kinder; LeRoy Turpen; Codes Officer Greg Osborne; Robert Turpen; City Fire Chief Scott Stainbrook; Officer Phillip Davis; Fire Fighter Jimmy Whitworth; Liz Beggs; and Dan Gulotta.

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

MAYOR'S COMMENTS

12. PVHS Girls Volleyball Team: Placed 5th in the Sub-State Volleyball Tournament.
13. Children will be out of school Thursday and Friday.
14. Halloween coming, watch out for children playing and walking at dusk, and all times.
15. Election time is fast approaching; support your chosen officials and vote.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: October 5 - 18, 2006
Minutes of October 4, 2006 City Council Meeting
September 2006 Treasurer's and Budget Reports
3rd Quarter 2006 Financial Statement.

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

WATER IMPROVEMENT PROJECTS

- q. Sludge Pond Lagoons

Public Works Superintendent George Craig presented two diagrams of the two backwash lagoons; one describing the existing backwash lagoon process and another for the piping changes to the existing two cells to help meet BOD requirements of the State. Both cells are 60 X 120' in size. The cost of the piping materials to change the order of the water distribution to the cells was at \$6,500 and had to be special ordered.

PWS Craig reported the other part of the project involves cleaning the sludge from the two cells as soon as possible. Discussion of the project included:

1. Prices for rental of a large excavator. The cost for one week of rental was \$2,515 plus \$495 each way for freight.
2. Estimated 50 hours of excavating to complete the clean out of both cells.
3. Plans are to pull out the sludge and let it dry by the side of the cells before dispersing later.
4. Need an operator for the excavator machine.
5. Cost would be about \$8,000 if the city hires the equipment with operator for fifty hours at a rate of \$150 per hour for operator and machine.
6. Time frame for beginning the project.
7. Retaining these two cells and tying them into the third cell when built.
8. Machine operators available in the area.

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WATER IMPROVEMENT PROJECTS (Continued)

r. Sludge Pond Lagoons (Continued)

9. Council Member Boone is an operator. Charge for operating would be \$15 an hour but he did not think he wanted to get involved.
10. Ordering the materials and while waiting on the materials attempt to locate operator(s) for when materials are ready.
11. Weather could be a factor now as well as in 4-6 weeks.

Council Member Turpen moved to get the materials ordered for \$6,500 and then the \$2,145 for machine and Boone to run the machine. Discussed: 1. How many hours the machine could be used in a week before there were additional charges. 2. Freight needed to be included in the machine costs. **Council Member Turpen rescinded motion.**

Council Member Turpen moved to rent the 37' track hoe from Victor L Phillips Company for \$2,515 plus freight. Discussed: 1. When would there be an operator available to run it once the machine was available. PWS Craig noted Boone had cleaned the cells before and would like for Jerry to do it. 2. Mayor Smith noted need to secure the machine, parts, and operator while paying the least amount possible for the best product; asked about tabling until later in the meeting. 3. Concern as to whether Council Member Boone would operate the machine or not. 4. Noted the motion was on the table. **Motion died for lack of a second.**

DISCUSSION FROM THE FLOOR:

Dan Gulotta Regarding 4th & Locust Property Condition

Dan Gulotta asked if the council had a deadline for cleaning up the property at 4th and Locust on James and Sandy White. Noted there was still junk and inoperable vehicles on the premises and visible from his property. Discussed the rebar and railroad ties laying in the yard for walkers to trip over. Council noted there is to be a report every two weeks on the continuing improvements for this property.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

- i. Preliminary Agreement Between County & City Fire Departments for Storage of City Fire Truck: Still working with the county on this project, should have ready for the next meeting.

Police Chief Glenn D. Farrell Jr

- xv. Stats Report: Noted written report for October 1 – 16, 2006.
- xvi. Retirement Notice from Police Chief: Presented written retirement notice effective February 1, 2007. Noted would have to begin process of advertising.

Public Works Superintendent George Craig

- xiii. Sludge Pond Recommendations: Topic was addressed under Water Project.

Fire Chief – Scott Stainbrook

Discussed the storage of city fire truck in the county building. The agreement is being worked up with a twenty-year period.

Page 3 of 5

REPORTS OF CITY OFFICERS: (Continued)

Codes Officer – Greg Osborne

- i. Condemnation Report – 212 N. 7th:
 - i. Contacted property owner earlier this week.
 - ii. Plans are to remove the trees around the trailer, refurbish the interior and rent it out.
 - iii. Discussed time frame for work to commence.
 - iv. Requested report and time frame for improvements at the November 15th meeting.

- xvii. Consideration of Condemnation Resolution
 - i. Tabled.

- xviii. Clean Up Plan/Completion Date – Jim/Sandy White – 4th and Locust
 - i. Unable to obtain a time frame from the White's.
 - ii. Requested the White's be contacted and report to the mayor this Friday.
 - iii. Fire Chief Stainbrook noted even with the fence the accumulation of such items on the property were such should there be a fire the department would not enter the area, just protect the homes surrounding the area as it is considered an existing hazardous condition unsafe for firemen to enter.

STANDING COMMITTEE REPORTS:

Public Safety

Noted the city fire department is not in any distress due to the county commissioners' recent actions. The county back up equipment and fire fighters are still available and the certified fire fighters are still certified at this time. Discussed writing a letter to commissioners' about the city's concern over recent sudden changes affecting everyone in the county.

Employee Relations and Training

- i. Employee Appreciation Holiday Dinner: Discussed the Crystal Shed was booking for the month of December. Council determined not to take any action at this time, will discuss at a later date.

SPECIAL COMMITTEE REPORTS:

Fiesta

Deputy City Clerk Mahon reported the committee had cleared just over \$2,000.

Planning Commission Committee

Public Hearing on the wind turbines was delayed until next month due to lack of quorum. The rest of the meeting will be held the 26th of this month.

UNFINISHED BUSINESS:

Sunday Liquor Sales – December 31st

Deputy City Clerk Mahon reported the LKM and ABC both informed the city any sales on Sundays had to be all or nothing. No action for sales on December 31st.

Page 4 of 5

UNFINISHED BUSINESS: (Continued)

Park/Recreation Funds Distribution

Discussed using the funds at the parks instead of distributing this year.

Council Member Boone moved to distribute the Park/Recreation funds in the parks this year dividing the amount between the north and south parks. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:58 p.m.

Credit Card Payments

Deputy City Clerk Mahon reported all of the information was not yet available. Put on next agenda.

Moving City Hall Items

1. Layout as presented from city employees was acceptable.
2. Discussed changing the counter top and utilizing it for council meetings.
3. Will review carpeting, phone system, and camera system later. The bank will be leaving an older phone system and camera system if the city wants to use those items.

NEW BUSINESS:

Master Municipal Clerks Academy – Nov 9th & 10th at Wichita

Tabled.

KMGA Board of Directors Meeting Nov 7th at Wichita

Mayor Smith directed one of the delegates to attend the KMGA Board of Directors meeting.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, and personnel for up to forty minutes. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:15 p.m.

Others invited into or requesting a portion of time in executive session included: Police Chief Glenn D Farrell Jr

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for personnel for up to ten minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 9:05 p.m.

Open Session Resumed at 9:15 p.m.

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OTHER BUSINESS:

Advertise for Police Chief, Police Officer, and Trac Excavator

Mayor Keith Smith requested the city begin the process of advertising for a police chief and a police officer. Also, advertise for a trac excavator as a temporary employee or for contract labor with the applications to be received by the November 1st meeting and applicants available to interview at the November 1st meeting.

Purchase of Materials for the PWS Backwash Lagoon Improvement

- *Motion to Purchase Materials for Lagoon Improvement for up to \$6,500*

Council Member Turpen moved to purchase the materials from Olathe Winwater for the lagoon changes for a cost of up to \$6,500. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:21 p.m.

CITY CLERK'S REPORT:

Written Report:

16. October Planning Commission Meeting/Hearing Postponed *Gary*
17. Sludge Pond Recommendations *Gary*
18. Sunday Liquor Sales (New Year's Eve) *Gary*
19. Park/Recreation Funds Distribution *Gary*
20. Credit Card Payments *Gary*
21. New City Hall *Gary*

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Water Production Records
- b] Gas Loss/Gain Report
- c] Building Permits Issued – 2006
- d] Communications from Linn County – Salvaging from Transfer Stations
- e] LKM – Regional Suppers

ADJOURNMENT:

- *Motion for Adjournment*

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

REGULAR MEETING

Year = 2006

Meeting adjourned at 9:27 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of October 2006.

REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday November 1, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; City Fire Chief Scott Stainbrook; Jim Whitworth; Codes Officer Greg Osborne; Sandy White; Penny Osborne; Ray Fink; Liz Beggs; City Officer Phillip Davis; and Dan Gulotta.

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

PUBLIC HEARING – RECONVENE

Condemnation of 412 N. 1st Street

16. Codes Officer Osborne had been unable to obtain physical contact with the property owner prior to the meeting.
 17. Council Member Boone had inspected the property finding a new ceiling, replaced hot water tank, new carpet, painted on the outside and cleaned up.
- *Motion to Discontinue Condemnation of 412 N. 1st Street*

Council Member Boone moved to drop the condemnation on 412 N. 1st Street. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:03 p.m.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: October 19 – November 1, 2006
Minutes of October 18, 2006 City Council Meeting.

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

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WATER IMPROVEMENT PROJECTS

- A. Upgrade Sludge/Backwash Lagoons
 - i. Disposal of Sludge in WTP Lagoons
 - a. Review Application/Contractor/Estimates

REGULAR MEETING

Year = 2006

One employee application was received.

Discussed:

1. Mr. Fink, a contractor, asked if all bids were covering the same bid specifications.
2. Cleaning the sludge out with the ponds containing water and leaving the watery material on site on the edge of the berms.
3. Whether or not there was room to stockpile, and what action to take if not enough room after the project has begun.
4. Disposing of sludge at location designated by city.
5. How many yards of material to be removed. Nearest estimate of 12 –15 feet deep.
6. Previous clean out methods.

- *Motion for EXECUTIVE Session for Personnel*

Council Member Weitman moved to go into executive session for fifteen minutes for personnel. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:16 p.m.

Mayor Keith Smith arrived at 7:25 p.m.

Open Session Resumed at 7:31 p.m.

Mayor Smith deferred to Council President Robbins to cover topic. Council Member Robbins noted the employee application had been reviewed and there would be no action taken regarding the employee application.

Discussed placing project for bids on contractor basis.

- *Motion to Accept Contractor Bids for Cleaning Water Sludge Ponds*

Council Member Weitman moved to accept contractor bids on an hourly rate with equipment furnished by contractor and the hourly cost not to exceed a maximum dollar amount. Discussed advertising and have bids presented at next meeting. Amended motion to include advertising with bids to be presented at the next meeting. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:34 p.m.

DISCUSSION FROM THE FLOOR:

Dan Gulotta Regarding Time Line for Neighbors Property Clean Up:

Mr. Gulotta asked what time line had been established for the clean up of his neighbor's property. The condition of the neighbor's property was affecting the value of his property. Codes Officer Osborne noted this topic was on the agenda late for discussion.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- xix. Stats Report: Noted written report for October 2006.
- xx. Halloween: Reported the Trick-or-Treaters had fun without any major problems.

Public Works Superintendent George Craig

- xiv. KCC Annual Conference in Salina: Public Works Superintendent Craig reported Public Works Employee Harry Smith was attending the conference this week.

Page 3 of 5

REPORTS OF CITY OFFICERS: (Continued)

Fire Chief Scott Stainbrook

- vi. Fire Truck Placement – Fire Chief Scott Stainbrook discussed the following on the presented “Lease Agreement” between the city and county regarding the storage of the newly purchased city fire truck:

- a. Draft covered most previous discussed topics.
- b. Add agreement that if the city allows the city truck to leave the city limits to assist the county the county in turn would not charge the city when they assist the city.

City Attorney Sutherland noted the final draft would include the assist agreement.

Codes Officer – Greg Osborne

Codes Officer Osborne presented a list of several properties identified for code issues and status of any actions taken by the property owners.

Mrs. White of 4th and Locust was present to discuss property status:

1. Mrs. White not sure what council wanted addressed first and how often they could work on the property, as her husband was often sick.
2. Codes Officer Osborne suggested a written report from the White's listing the items in order they would address with time frame for completing each item.
3. Council felt this had been discussed over and over without any improvements.
4. White's still trying to move inoperable vehicles requested to be moved months ago.
5. Neighbor, Dan Gulotta did not feel just talking was acceptable; the city needed to have reports and continued improvements. Mr. White is seen caring sacks of concrete and moving by hand trailers from one part of the property to another so how can he be unable to handle the items needing addressed.
6. Fence being built is a concern due to the height above the ground before the fence begins. The White's planned to add dirt after the fence was built.
7. Council requested the dangerous rebar be removed immediately.

Mayor Smith asked for a report at the next meeting and future meetings of continued improvements. Also, asked Fire Chief Stainbrook to inspect the property for hazards and report back at the next meeting.

STANDING COMMITTEE REPORTS:

Street

Council discussed property owner with a sewer problem in an area where the city sewer line is twenty feet deep and on the opposite side of the paved street. This particular individual has the option to change direction and put a new hook up in the back of his property. For future similar situations where there is no other option council would like to look at the current regulations that require to fill back with rock and then asphalt on top, would like to also consider a fill with concrete before asphalt. Council asked public works and city hall employees to review this regulation for changes.

Park

Council discussed using the park money distributed between to two parks for play equipment. Per Council Member Boone the south park is adding that portion towards a new merry-go-round. Council discussed options for the north park and concurred it could be held to add to next years amount and have enough money to handle a decent project for improvements.

STANDING COMMITTEE REPORTS:

Employee Relations & Training

Council Member Robbins asked about a Holiday Dinner for appreciation of everyone who helps with the city. Mayor Smith asked about the city taking care of the meat and drinks and then asking everyone to bring salads to go with the meal. Mayor Smith will check prices on food and serving and report back at the next meeting.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Officer Davis reported the local committee is trying to set a date to start having meetings again since the county is no longer meeting. As for any emergency right now there is a list set up of areas available for those in need and how to handle such things as outages in inclement weather.

PWS Craig reported he has been unable to obtain any bidder on a water plant generator.

UNFINISHED BUSINESS:

Credit Card Payments: Information still not received. Tabled.

NEW BUSINESS:

Casey's 2007 Cereal Malt Beverage License Renewal

- *Motion to Approve Casey's 2007 Cereal Malt Beverage License*

Council Member Williams moved to approve Casey's 2007 Cereal Malt Beverage License renewal. Seconded by Council Member Robbins, voted on, passed 5 - 0. 8:02 p.m.

Flood Plain Management for Small Cities Training

- *Motion for Deputy City Clerk Mahon to Attend Flood Plain Management Training*

Council Member Robbins moved to send Deputy City Clerk Mahon to the Flood Plain Management for Small Cities Training in Pittsburg, Kansas with per diem. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:05 p.m.

Goals/Projects 4th Quarter Review

Council concurred to review the goals again after the first of next year. No other action taken.

Police Applications

Council asked if any applications had been received. City Clerk Herrin reported there had been some that had been received. Council concurred to review applications at the next regular meeting.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of land acquisition, personnel, and legal for up to forty-five minutes following a five-minute break. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:10 p.m.

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

Open Session Resumed at 8:55 p.m.

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OTHER BUSINESS:

None

CITY CLERK'S REPORT:

Reminder:

REGULAR MEETING

Year = 2006

4. City Hall Closed November 10th for Veterans Day; Trash Compactor Closed November 11th for Veterans Day.

Written Report: None.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Letter to Linn county Commissioners Regarding Fire Protection and Emergency Response Concerns
- b] MLA/LKM *Ethics* Course, December 1, 2006
- c] October 26, 2006 Minutes of La Cygne Planning Commission

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 8:52 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 1st day of November 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday November 15, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Public Works Jerome Moore; Judy Kinder; LeRoy Turpen; Codes Officer Greg Osborne; City Fire Chief Scott Stainbrook; Officer Phillip Davis; Fire Fighter Jimmy Whitworth; Liz Beggs; Penny Osborne; Ray Fink; Jim Wilson; Sandy White; and Dan Gulotta.

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

MAYOR'S COMMENTS

18. Wished everyone Happy Thanksgiving.
19. Remember to help all the food drives and other organizations holiday fund raisers when possible. And Thanks to those who support the needs of others.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: November 2 - 15, 2006
Minutes of November 1, 2006 City Council Meeting
October 2006 Treasurer's and Budget Reports

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

WATER IMPROVEMENT PROJECTS

- s. Sludge Pond Lagoons
 - i. Review Bids for Cleaning Sludge Ponds

Bids were reviewed from Diversified Contracting, Hall's Backhoe Service Inc., Fink Excavating, and Aust Farms.

- a. Diversified Contracting: \$150 per hour for excavating with estimate of 32 hours. Expressed concern about leaving sludge at the site; and, asked for opportunity for trucking removal.
- b. Hall's Backhoe Service Inc: \$180 per hour for excavating not to exceed \$16,700. Hauling/trucking at \$85 per hour not to exceed \$22,950.00. Listed description of excavating equipment.
- c. Fink Excavating: Listed hourly rates for equipment including dump trucks. Maximum excavation cost of \$14,500. Expressed concern about leaving sludge at site requested addressing potential problem if occurs during project.
- d. Aust Farms: \$100 per hour for excavator, man, and fuel. No maximum. Expressed concern about properly cleaning without draining first as cannot tell how deep sediment is.

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WATER IMPROVEMENT PROJECTS (Continued)

- a. Sludge Pond Lagoons (Continued)
 - i. Review Bids for Cleaning Sludge Ponds (Continued)

Discussed the following:

1. Inconsistencies on how bids were stated.
2. Review scope of project due to the inconsistencies
3. Appointed special committee to review project, bids, and contact each interested contractor for more details as to what their bids involve. Committee: Council Men Jerry Boone and Terry Weitman along with Public Works Superintendent Craig.
4. May call Special Meeting if information is ready prior to next regular meeting.

DISCUSSION FROM THE FLOOR:

Jim Wilson Regarding Wind Turbine System

Disbursed a printed power point presentation called 'Permitting Small Wind Turbines: A Handbook'. Mr. Wilson presented examples of decibel levels and invited anyone interested in attending a planning commission committee meeting tomorrow night for a detailed review.

Dan Gulotta Regarding 4th & Locust Property Condition

Dan Gulotta presented photos of his neighbor's property from angles of his driveway, church view, and 4th Street view. Informed council this condition had been going on for ten years, and now he was unable to sell his property because of it.

Council reviewed photos and explained they had this property listed later in the agenda for review.

Councilman Jerry Boone Regarding New Businesses in La Cygne

Council Member Boone requested a moment to make it clear to the public it was not the city council turning down any new businesses in the city; that the council had not even been informed of any requests for new businesses. Council Member Turpen reported he had attended the last Planning Commission meeting and the commission had approved changing the city codes to allow for a new hairdresser in the city.

REPORTS OF CITY OFFICERS:

City Attorney – John Sutherland

Preliminary Agreement Between County & City Fire Departments for Storage of City Fire Truck:

Mr. Sutherland reported the county requested five years for a renewal option termination upon sixty days notice at any time.

Discussed:

1. Offering a term of two years and if terminated in the first two years the county pays the cost of the water and sewer installation fees.
2. Just forget the process. There are two commissioners just fighting people and they don't want to try to get along.
3. Sending one more proposal to again try to partner and challenge them to accept.
4. Get on county meeting agenda and try to discuss in person.

Page 3 of 5

REPORTS OF CITY OFFICERS: (Continued)

City Attorney – John Sutherland (Continued)

Preliminary Agreement Between County & City Fire Departments for Storage of City Fire Truck: (Continued)

5. Comments made by the commissioners about their new fire building in this area being an albatross. They were the ones that approved the building and now they don't appear to want to improve in this area of Linn County.

- *Motion to Discontinue Negotiations with Linn County for Storage of City Fire Truck*

Council Member Boone moved to discontinue negotiations with Linn County regarding the storage of the city fire truck at the new Linn County Fire Barn in the Industrial Park. Seconded by Council Member Turpen, voted on, passed 4 – 1 (No: Robbins).

Police Chief Glenn D. Farrell Jr

- xxi. Stats Report: Noted written report for November 1 – 14, 2006.

Public Works Superintendent George Craig

- xv. KDOT Utility Questionnaire for Proposed Bridge Construction: PWS George Craig reported John Brann, with Ponzer-Youngquist firm had agreed to respond to the KDOT questionnaire without cost for the city. He asked to continue to talk to Ponzer-Youngquist about this project in order for them to prepare a cost estimate to present back to the council. Council agreed as long as there were no costs involved in the preliminary to continue discussions.
- xvi. Chlorine Dioxide System: PWS Craig reported the city had the first water tests back after the change over to the Chlorine Dioxide System with excellent report

results. The Halo acetic Acids have to be less than 60 and reported back at 15. The Trihalomethanes have to be less than 80 and reported back at 11. The city is the first in the state to go to this system and having excellent results.

- xvii. Mayor Smith reiterated there are more regulations for city water than for bottled water.

Fire Chief – Scott Stainbrook

The Fire Department is getting ready to file for grants.

Codes Officer – Greg Osborn

- i. Clean Up Plan/Completion Date – Jim/Sandy White – 4th and Locust
 - i. Received list of eight items from the White's at the meeting.
 - ii. Established time schedule to complete so many items between every council meeting review.
 - iii. Fire Chief Stainbrook reported for safety in case of a fire the yard needed to be cleaned up; any extra vehicles should be place in the back in an enclosed area there; and, an area behind a fence needs to be safe and clean.
 - iv. Reviewed plans for removing non-operating vehicles not listed.
 - v. Noted some progress had already been made.
 - vi. Will continue to monitor every meeting to meet the timeline. If weather becomes a factor, continue with other items on the list that weather will not bother.

STANDING COMMITTEE REPORTS:

Street

Council Member Weitman will contact Heckert Construction to follow-up on the repairs for the cracks in the streets as have not heard back from them from the last visit and weather is going to become a factor.

Park

Council Member Boone reported the utility flags in the park are due to the park board looking at placing new hook ups for campers in that area.

Public Safety

Discussed a stop sign north of Casey's needing attention.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

Officer Phillip Davis reported the city committee was resuming meetings beginning tomorrow night at 6:00 p.m.

Planning Commission Committee

Mayor Smith recommended Mike DeMott to the Committee with his term expiration date of May 2007.

- *Motion to Appoint Mike DeMott to the Planning Commission*

REGULAR MEETING

Year = 2006

Council Member Robbins moved to appoint Mike DeMott to the Planning Commission Committee with his term expiration period of May 2007. Seconded by Council Member Weitman, voted on, passed 4 – 0 – 1 (Abstain: Turpen). Time: 8:12 p.m.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Amend Gas Fund Budget for 2006

City Clerk Herrin requested the council to set up the process to amend the 2006 Gas Fund Budget to allow for any unexpected costs through December. The current budget appears to meet costs if there is an average to warm December; however, a cold December would raise the amount of gas required increasing costs over the budget. The public notice would be published in next week's paper and the Public Hearing takes place at the beginning of the December 6th regular meeting.

- *Motion to Establish Process to Amend 2006 Gas Fund Budget*

Council Member Turpen moved to begin the process to amend the 2006 Gas Fund Budget to the amount of \$953,171.00. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:14 p.m.

Applications for Police Officer &/or Police Chief

Mayor Smith recommended appointing a special committee to review the applications and screen them down to 3 – 5 applicants to bring back to the council for review. Proposed Council Members Williams and Turpen together with Police Chief Farrell to review the applications and present findings at the next meeting.

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Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session following a ten-minute break for discussion of legal, land acquisition, and personnel for up to thirty-five minutes. Seconded by Council Member Williams, voted on, passed 5-0. Time: 8:20 p.m.

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

Open Session Resumed at 9:05 p.m.

OTHER BUSINESS:

Holiday Appreciation Dinner

- *Motion to Authorize Mayor Smith to Spend up to \$1,500 for City Christmas Dinner*

Council Member Turpen moved to authorize Mayor Smith to spend up to \$1,500 for a Christmas dinner for employees and city committees on December 2nd at the community building. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:07 p.m.

CITY CLERK'S REPORT:

Written Report:

1. Amending Gas Fund Budget

NOTES AND COMMUNICATIONS TO COUNCIL:

REGULAR MEETING

Year = 2006

- a] October 2006 Water Production Records
- b] October 2006 Gas Loss/Gain Report
- c] KMGGA Annual Meeting Report

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 9:08 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of November 2006.

The LaCygne City Council held a Special Meeting at 7:00 p.m., Monday, November 20, 2006 at LaCygne City Hall. The purpose of the Special Meeting was: 1. Bids for Cleaning WTP Sludge Ponds.

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

Others present included: City Clerk Devona Herrin, and Public Works Superintendent George Craig.

Council Member President Travis Robbins called the meeting to order at 7:00 p.m.

Council Member Terry Weitman reported the special committee of Jerry, George, and he had reviewed the bids. He had met with Jerry, and spoke with George prior to this special meeting, regarding all contractors having the same concern about mud on the sides of the ponds.

In reviewing the bids found:

- Hall's maximum total was \$23,000.
- Fink's maximum total was \$14,500
- Diversified's was \$4,800 for hoe and \$5,760 for dump truck.
- Aust's was \$100 per hour for hoe and \$50 per hour for dump truck with three – four days to complete the project.

Discussed:

- Adding City dump truck and employee to keep the waste moving, may have to pay some overtime for longer days;
- Aust offered a dump site at no charge;
- If work is done all day and no progress seen can discontinue the project by this method and review;
- Certificate of Insurance is available from all contractors;
- All contractors capable of project
- Local contractors providing lowest price;
- Cannot isolate ponds for drying until the sludge clean up is complete and the piping redone.

- *Motion to Authorize Brad Aust for Project Contractor*

Council Member Boone moved to go with Brad Aust for project contractor. Motion seconded by Council Member Williams. The motion was then voted on, passed 5-0. Time: 7:12 p.m.

Discussed:

- Being able to separate the two ponds in the future for easier clean out.

ADJOURNMENT:

- *Motion to Adjourn*

Council Member Boone moved to adjourn. Seconded by Council Member Turpen, voted on, passed 5-0.

There being no further business the Special Meeting was adjourned at 7:14 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and hereby subscribe my name this 20th day of November 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday December 6, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald “Skip” Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Attorney John Sutherland; City Public Works Superintendent George Craig; Judy Kinder; City Fire Chief Scott Stainbrook; Codes Officer Greg Osborne; Sandy White; Liz Beggs; City Officer Phillip Davis; Mark Lee; Morgan Brown; and City Treasurer Linda Elder.

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

PUBLIC HEARING – AMEND 2006 GAS FUND

Mayor Smith asked for comments. There were none.

- *Motion to Amend Gas Fund Budget*

Council Member Turpen moved to amend the Gas Fund Budget as presented. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:02 p.m.

Mayor Smith closed the Public Hearing portion of the meeting and moved on to the regular meeting.

MAYORS COMMENTS:

1. Commended Public Works Employees for the excellent report on the water system from the KDHE inspectors today. The inspectors noted the water plant was the best it’s ever been.
2. Thanked Public Works for clearing the city streets quickly after the recent snow. Received several compliments from residents. Was nice to learn the city can also help with Market Street generally handled by KDOT next time to keep it as clear as the side roads until KDOT can get here to clear the road (HWY 52).
3. The Avery Foundation is a new organization to help community members in need by collecting donations through an annual drive. All donations appreciated.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: November 16 – December 6, 2006
Minutes of November 15, 2006 City Council Meeting
Minutes of November 20, 2006 Special City Council Meeting.

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

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WATER IMPROVEMENT PROJECTS

- A. Upgrade Sludge/Backwash Lagoons
 - i. Disposal of Sludge in WTP Lagoons

PWS Craig reported the contractor has the backhoe on site and is waiting for the weather to dry up before beginning.

DISCUSSION FROM THE FLOOR:

Morgan Brown, Gas System Compliance, LLC

Morgan Brown has created his own business known as Gas System Compliance LLC. Mr. Brown is now available to help comply with natural gas state and federal regulations, to help with surveys, to provide materials and construction inspection services. He has worked with the city in the past; has over thirty years experience in the field. Mr. Brown is now available to offer any services to the city in the field. Council thanked him for his information.

Mark Lee, Regarding Donation for Baseball and Soccer

Mark Lee asked the city to reconsider and donate the annual park funds for baseball and soccer. Mr. Lee explained these ball associations affect over 250 kids in the community. Mr. Lee felt the donation, even though small compared to total ball costs, helps to keep the costs down when the city helps. He asked to city to re-look at their decision to use the money for park equipment.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- xxii. Stats Report: Noted written report for November 2006.

Public Works Superintendent George Craig

- xviii. KDOT Utility Changes for Proposed Bridge Construction:
 - a. Authorize Engineering Agreement Between City & Ponzer-Youngquist

Public Works Superintendent George Craig explained KDOT was requiring the city to retain the engineer prior to any design proposals for the utility changes due to the proposed new bridge construction. It was with the understanding any engineering fees would be paid by KDOT.

- *Motion to Retain Ponzer-Youngquist to Design Relocation of Utilities for Bridge*

Council Member Weitman moved that Ponzer-Youngquist be retained by the City of La Cygne to design the relocation of utilities necessitated by KDOT's Marias Des Cygnes' river bridge construction with all engineering costs to be paid by KDOT.

xix. City Cleaning State Highway After Snowfall

PWS Craig reported KDOT is ok with the city blading the highway after a snowfall if the council is ok with the city doing the road along with the side streets. The highway is not KDOT's first priority and in major storms the city can get to the highway before they can and KDOT will follow up with salt and sand, or whatever is needed as soon as they can. Council concurred it would be no problem for the city to blade Market Street/Highway 152.

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REPORTS OF CITY OFFICERS: (Continued)

Fire Chief Scott Stainbrook

- vii. New Door for Fire Barn – Fire Chief Scott Stainbrook asked to change the door at the fire barn to one door for a cost of up to \$3,230.00 from a business in Paola. It will take 2 – 3 weeks to get a special order on the door.

- *Motion to Purchase Installed Door for up to \$3,230*

Council Member Robbins moved to allow up to \$3,230 for a door to be installed in the fire barn. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:21 p.m.

Codes Officer – Greg Osborne

- i. 317 N. 4th Property Review

Codes Officer Osborne reported the repair items were on schedule. A car has been moved, the roof on the north side is 90% finished prior to the snow, and a blue Monte Carlo is being moved this coming Sunday.

- ii. List of Other Locations

Council Member Turpen asked if any of the other locations on the list had shown improvements. Codes Officer Osborne noted the industrial complex list portion was complete, and most of the other items had been addressed.

STANDING COMMITTEE REPORTS:

Sewer

Council Member Boone noted the city had been out of compliance with the sewer lagoons. The water level in the lagoons has been raised and being in compliance and out of compliance will continue for a few months.

Public Safety

Council Member Turpen noted the recent problems in St. Louis due to weather factors affecting their electricity. If these types of electrical problems hit this area the water plant would have major problems quickly without a generator to kick in to keep the plant and pumps running. Felt it would be a very safe and worthy cause to get a generator for the water plant. Discussed a previous bid with a spread of the costs between 65,000 –75,000 and public works was attempting to obtain more detail with a more specific price. Discussed purchasing a surplus generator where there are a large variety of price ranges. Mayor Smith asked PWS Craig to look into any options available to the city to put a generator in place at the water plant.

SPECIAL COMMITTEE REPORTS:

Emergency Disaster Committee

The committee is meeting tonight.

UNFINISHED BUSINESS:

None.

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NEW BUSINESS:

Christmas Holiday Hours for Trash Compactor

Discussed listing the Trash Compactor Holiday hours as December 24th and 25th instead of the regular city Holiday dates of December 25th and 26th. Mayor Smith authorized the Trash Compactor to change dates to December 24th and 25th and to work on the 26th.

Mobile Home Park License Renewal

- i. Marsh Trailer Court

Codes Officer Osborne reported the Marsh Trailer Court met the requirements.

- *Motion to Approve Marsh Trailer Court License Renewal*

Council Member Robbins moved to approve the Marsh Trailer Court License renewal. Seconded by Council Member Williams, voted on, passed 5 - 0. Time: 7:35 p.m.

Cereal Malt Beverage Licenses Renewals

- i. Syd's Market
- ii. Julie's Thriftway

- *Motion to Approve Syd's Market and Julie's Thriftway Cereal Malt Beverage Licenses Renewals*

Council Member Williams moved to approve the cereal malt beverage license renewals for Syd's Market and Julie's Thriftway. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:36 p.m.

Authority to Transfer 2006 Funds

Discussed what percentage to place in the Equipment Reserve Fund versus the Capital Improvement Fund if any monies are left to transfer. Noted there are steps that can be taken to later transfer between the funds if need be.

- *Motion to Transfer Any Excess Funds to Equipment Reserve*

Council Member Robbins moved to transfer any excess 2006 funds to Equipment Reserve. Discussion: Council Member Turpen asked if the final decision of all going one way could be changed later. City Clerk Herrin reported it could be moved again after put in equipment reserve if the council wanted to go through the steps. **Seconded by Council Member Weitman, voted on, passed 4-0-1 (Abstain: Turpen). Time: 7:43 p.m.**

La Cygne Business Sidewalk Grant Application

Jim Wilson submitted an application for the City/County Business Sidewalk Grant to be applied at 216 Commercial. Discussed the business is not up and running yet; however, the grant lists commercial property, not necessarily a current business in operation.

- *Motion to Approve Business Sidewalk Grant Application by Jim Wilson*

Council Member Weitman moved to approve the Sidewalk Grant application under the grant criteria for Jim Wilson's property. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:48 p.m.

NEW BUSINESS: (Continued)

Approving Credit Card Payments

City Treasurer Linda Elder reported the company IRN had found a solution on how to handle the credit card handling fee for the city. IRN will partner with Plug N Pay to handle the transactions. Plug N Pay will charge the customer a 3.5% handling fee. There will be no transaction costs (no monthly fees, statement fees, or transaction fees) to the city and the city will receive 100% of the amount due. The new plan will have a set up fee of \$179 plus \$99 for the credit card swiper instead of the original \$659 for the credit card machine plus per month statement fee plus transaction fees.

- *Motion to Proceed with New Agreement with IRN for Credit Card Payments*

Council Member Robbins moved to proceed with the new agreement with IRN and Plug N Play for handling credit card payments. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:54 p.m.

Year End City Boundaries Resolution #310

- *Motion to Approve Year End City Boundaries Resolution #310*

Council Member Turpen moved to approve Resolution #310. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:55 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Turpen moved to go into executive session for discussion of trade secrets, land acquisition, personnel, and legal for up to one hour and five minutes following a ten-minute break. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:57 p.m.

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

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for ten minutes for personnel. Seconded by Council Member Williams, voted on, passed 5-0. Time: 9:10 p.m.

Open Session Resumed at 9:20 p.m.

OTHER BUSINESS:

Change Location of January 17, 2007 City Council Meeting

REGULAR MEETING

Year = 2006

Discussed changing the location of the January 17, 2007 City Council meeting due to conflicts booking the community building. The old Labette Bank Building is available on that date.

- *Motion to Change Location of January 17, 2007 Council Meeting to Old Labette Bank Building*

Council Member Williams moved to change the location of the January 17, 2007 Council Meeting to the present Labette Bank Building. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 9:30 p.m.

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OTHER BUSINESS:

WTP Lagoon Project

Mayor Smith noted Committee Council Members Boone and Weitman had done a good job on the water treatment plant lagoon project. The project is set up and ready to go with weather permitting.

Police Chief Applications

Mayor Smith noted Committee Council Members Turpen and Williams had done a good job reviewing the applications.

Council Member Turpen reported they had about eighteen candidates and had narrowed it down to five. They had interviewed Officer Davis tonight and would call in three other applicants and run checks. Will set up the interviews to be handled by special meetings, preferably next Wednesday night, but was also available Thursday night if need be, starting at 6:00 p.m. Goal is to have a new officer ready to start by January 2nd.

CITY CLERK'S REPORT:

Reminder:

5. January 6, 2007 is Tentative Date for Labette Bank Move.

Written Report:

1. Public Hearing for Amending Gas Budget
2. Christmas Holiday Hours for Trash Compactor
3. Authority to Transfer 2006 Funds
4. La Cygne Business Sidewalk Grant Application

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] La Cygne Notice of Public Hearing
- b] November 9, 2006 Minutes of La Cygne Planning Commission

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 9:31 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 6th day of December 2006.

REGULAR MEETING

Year = 2006

The LaCygne City Council held a Special Meeting at 6:00 p.m., Wednesday, December 13, 2006 at LaCygne City Hall. The purpose of the Special Meeting was: 1. Personnel.

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

Others present included: City Clerk Devona Herrin, Public Works Superintendent George Craig, and Judy Kinder.

Mayor Keith Smith called the meeting to order at 6:03 p.m. noting the meeting was being held for Personnel and the anticipated applicant for interview was not present. Discussed using the time for personnel topics as the Special Meeting was called for personnel.

Executive Session

- *Motion for Executive Session*

Council Member Turpen moved to go into executive session for personnel for up to twenty minutes. Motion seconded by Council Member Williams. The motion was then voted on, passed 5-0. Time: 6:05 p.m.

Others invited into executive session were: None.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Turpen moved to extend executive session for personnel for up to twenty minutes. Seconded by Council Member Boone, voted on, passed 5-0. Time: 6:25 p.m.

Open Session: 6:45 p.m.

ADJOURNMENT:

- *Motion to Adjourn*

Council Member Robbins moved to adjourn. Seconded by Council Member Williams, voted on, passed 5-0.

There being no further business the Special Meeting was adjourned at 6:46 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and hereby subscribe my name this 20th day of December 2006.

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REGULAR MEETING:

The La Cygne City Council met in regular session on Wednesday December 20, 2006 at the La Cygne Community Building. Council Members present were: Jerry Boone, Travis Robbins, Joe Turpen, Terry Weitman, and Gerald "Skip" Williams.

Others present included: City Clerk Devona Herrin; City Police Chief Glenn Farrell Jr.; City Public Works Superintendent George Craig; Judy Kinder; LeRoy Turpen; Codes Officer Greg Osborne; City Fire Chief Scott Stainbrook; Officer Phillip Davis; Fire Fighter Jimmy Whitworth; Fire Fighter Jake Fleming; Liz Beggs; Penny Osborne; Jim Wilson; James White; Christine White; Robert Turpen; Jennie Heide; and, Curt Heide.

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

MAYOR'S COMMENTS

20. School's out for the holidays.
21. Wish everyone a Merry Christmas.
22. Thanks to everyone for the many cards and cookies.

CONSENT AGENDA:

- *Motion to Approve Consent Agenda*

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

Check Register: December 7 - 20, 2006
Minutes of November 6, 2006 City Council Meeting
Minutes of November 13, 2006 City Council Meeting
November 2006 Treasurer's and Budget Reports

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

WATER IMPROVEMENT PROJECTS

t. Utility Changes for KDOT Road Project

- i. Proposed Agreement Between City and KDOT, Resolution #311, Federal Aid Benefits for Highway Construction

- *Motion to Approve Resolution #311*

Council Member Williams moved to approve Resolution #311 for the agreement between the city and KDOT to cover Federal Aid Benefits for highway construction. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:04 p.m.

u. Water Improvement Project

- i. Resolution #312, Regarding Condemnation of Property for Sludge/Backwash Lagoons

- *Motion to Approve Resolution #312*

Council Member Williams moved to approve Resolution #312 regarding condemnation of the Stevermer property for utility improvements. Seconded by Council Member Boone, voted on, passed 5-0. Time: 7:06 p.m.

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DISCUSSION FROM THE FLOOR:

Mark Lee Regarding Ball Association Donation

Not present. No action.

REPORTS OF CITY OFFICERS:

Police Chief Glenn D. Farrell Jr

- xxiii. Stats Report: Noted written report for December 1 – 19, 2006.

Public Works Superintendent George Craig

- xx. Cleaning and Repairing Existing Sludge Ponds: PWS George Craig reported the clean out of the existing sludge ponds was done except for waiting on two valves to install. Anticipate having the valves by next week and will finish then.

Fire Chief – Scott Stainbrook

- i. Door on Fire Barn: Fire Chief Scott Stainbrook reported the door to the fire barn is to be installed next week. It will take two days for the installation and asked the police department to please keep a close watch during the time the door would be open for installation of the new door.
- ii. Firefighter Equipment Sets: Asked council to consider purchasing six firefighter equipment sets for a cost of approximately \$1,200 each as soon as the city could afford the purchase; even if just one set at a time. The fire department was also going to file for grants early next year to try to help with the costs.
- iii. Thanks from Mayor Smith: Mayor Smith thanked the fire department crew for their quick response when his family had to make a 911 call. They were very helpful, and very much appreciated.

Codes Officer – Greg Osborn

- i. Clean Up Plan/Completion Date – Jim/Sandy White – 4th and Locust: Codes Officer Greg Osborne reported the White's are continuing on schedule.
 - i. 90% finished with roof, need wood trim finished,
 - ii. Currently putting yard items in one section of the yard.
- xxiv. Backflow Prevention – Cross Connection Course, January 8 & 9: Requested attendance to the 2 day course with mileage for the second day as the first day would be split between the course and a military obligation. KRWA employee Gary Armentrout recommended this course as it pertains to City Resolution 128 and requires someone to have the training. Council Member Boone noted the city had not been doing anything with this resolution and until the state sent a letter showing where it was necessary. KDHE would require the places that needed it to install one when they were building. Mayor Smith requested a hold be put on any training in this area and allow the council to review the topic.

STANDING COMMITTEE REPORTS:**Public Safety**

Noted 'Children Playing' signs were down earlier in the week. Public Works had put them back up yesterday.
Discussed those needing some community service time to get with public works and also to consider deep cleaning the community building.

Page 3 of 5**SPECIAL COMMITTEE REPORTS:**

None

UNFINISHED BUSINESS:**Crosswalk at Railroad Crossing**

Mayor Smith reported he had contacted the railroad again and learned there had been a change in personnel and no action had been taken on his previous request. Expressed disappointment in the railroad not taking care of the request in a timely fashion. Deputy City Clerk Mahon is still working on making contact with the right person to get something to happen. Police Chief Farrell noted he had attempted to have the crosswalk replaced as soon as it was tore up by the railroad, but had been unsuccessful then. Council Member Weitman

REGULAR MEETING

Year = 2006

asked if KDOT could be of any help to put pressure on the railroad. Will check into that avenue.

Fire Insurance Refund for David Trinkle Property

Reported the Codes Officer had inspected and filed a written report the property had been rebuilt and met refund requirements. The refund had been processed and was listed on the check register.

Status of KDOT Speed Check on Highway

Council Member Turpen asked if there had been any response regarding the speed check KDOT was scheduled to do this last summer. City Clerk Herrin reported nothing had been received; will check into the status.

NEW BUSINESS:

Appointment of Park Board Members

Mayor Smith recommended renewing Park Board Members Kenny McClanahan and Tammy Weitman.

- Appoint Kenny McClanahan and Tammy Weitman to Park Board

Council Member Robbins moved to accept the mayors recommended appointments of Kenny McClanahan and Tammy Weitman to the Park Board. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:24 p.m.

Appointment of Housing Authority Board Members

Mayor Smith recommended appointing Susan Pease to her expiring term, then Judy Weir for the open term expiring 2007, and Joe junior Turpen for the open term expiring 2009.

- *Motion to Appoint Housing Authority Board Members*

Council Member Williams moved to approve the recommended appointments of Judy Weir, Joe Junior Turpen, and Susan Pease for the terms listed. Seconded by Council Member Boone, voted on, passed 4-0-1 (Abstain: Turpen). Time: 7:26 p.m.

Establish Floating Holiday for 2007

Discussed. Requested feedback from the city employees as to which day they would like to have. Put on next agenda.

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NEW BUSINESS: (Continued)

Brokerage Securities Mobile Home Park License Renewal

- *Motion to Approve Brokerage Securities Mobile Home Park License Renewal*

Council Member Turpen moved to approve the Brokerage Securities Mobile Home Park License #237. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:30 p.m.

CPA Contract to Audit Year End 2006 Financial Statements

- *Approve CPA Contract for 2006 Audit for \$5,240 and Out of Pocket Expenses*

Council Member Turpen moved to approve the CPA contract with Diehl Banwart Bolten for the 2006

REGULAR MEETING

Year = 2006

audit for a cost of \$5,240.00 and out of pocket expenses. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:32 p.m.

Ordinance #1347, Home Occupations in Detached Accessory Buildings

- *Motion to Approve Ordinance #1347, Home Occupations in Detached Accessory Buildings*

Council Member Weitman moved to accept the Planning Commission's recommendation and approve Ordinance #1347 for Home Occupations in Detached Accessory Buildings. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:33 p.m.

Conditional Use Permit, Jim Wilson, Wind Energy Conversion System

- *Motion to Approve Conditional Use Permit for Jim Wilson, and Wind Energy Conversion System*

Council Member Turpen moved to approve the Conditional Use Permit for Jim Wilson, Wind Energy Conversion System as presented. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:34 p.m.

Erickson/Moore Mobile Home Park License Renewal

- *Motion to Approve Erickson/Moore Mobile Home Park License Renewal*

Council Member Williams moved to approve the Erickson/Moore Mobile Home Park License #238. Seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:35 p.m.

Executive Session

- *Motion to Go Into Executive Session*

Council Member Robbins moved to go into executive session for discussion of personnel for up to twenty minutes. Seconded by Council Member Turpen, voted on, passed 5-0. Time: 7:37 p.m.

Others invited into or requesting a portion of time in executive session included: Codes Officer Greg Osborne.

Extend Executive Session

- *Motion to Extend Executive Session*

Council Member Robbins moved to extend executive session for up to ten minutes for personnel. Seconded by Council Member Williams, voted on, passed 5-0. Time: 7:55 p.m.

Open Session Resumed at 8:05 p.m.

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OTHER BUSINESS:

Police Chief Applicant

Council Member Turpen reported the council was considering one of the applicants interviewed and hoped to have that candidate present to introduce to everyone at the next regular meeting on January 3rd.

Holiday Bonus for City Employees

- *Motion for City Employee Holiday Bonus*

REGULAR MEETING

Year = 2006

Council Member Williams moved to authorize Holiday Bonus' for city employees in the amount of \$100 for full-time employees and \$50 for part-time employees. Seconded by Council Member Boone, voted on, passed 5-0. Time: 8:08 p.m.

CITY CLERK'S REPORT:

Written Report:

5. 2007 City Election: Mayor Smith encouraged everyone & anyone interested to run. January 23rd at noon is the filing deadline. The General Election is in April. The positions are for two council members and the mayor.
6. Housing Authority Board Member Appointments

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] November 2006 Water Production Records
- b] November 2006 Gas Loss/Gain Report
- c] S.P.E.A.K., Animal Kindness Program at PVHS: Mayor Smith noted this is a new group at school and will be available to help with any of the city kennel upkeep if needed.
- D] Notice of Public Hearing for Zoning Change
- E] *Clarifier*, KRWA, December 2006
- F] *Kansas Government Journal*, Volume 92, Number 11, November 2006

ADJOURNMENT:

- *Motion for Adjournment*

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

Meeting adjourned at 8:12 p.m.

I, _____, La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of December 2006.

The LaCygne City Council held a Special Meeting at 3:00 p.m., Friday, December 22, 2006 at LaCygne City Hall. The purpose of the Special Meeting was: 1. Personnel – Police Chief Vacancy.

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

Others present included: Deputy City Clerk Gary Mahon.

In the absence of Mayor Keith Smith, the special meeting was called to order by Council President Travis Robbins at 3:00 p.m.

Mayor Keith Smith phoned in at 3:01 p.m. and participated by speaker phone.

Council Member Joe Turpen reviewed the responses he had received from contacting references for Greg Cook. Council Member Turpen also reviewed discussions concerning salary. Discussion followed.

➤ *Motion to Hire Greg Cook as Police Chief*

Council Member Turpen moved to hire Mr. Greg Cook as Chief of Police for the City of LaCygne, Kansas at \$14.00 per hour with a six (6) month probation period and that all employee benefits including health insurance for employee/spouse, vacation, and sick leave be approved according to city personnel policies and guidelines. Motion was seconded by Council Member Williams, voted on, passed 5-0. Time: 3:06 p.m.

Council Member Turpen instructed Deputy City Clerk Mahon to fax or e-mail a copy of the minutes to Mr. Cook. Mr. Cook will acknowledge the motion/agreement, sign, and return to City Hall. Council Member Turpen noted that Mr. Cook would give his present employer two weeks notice and commence his new duties at LaCygne as soon as possible thereafter. It was anticipated Mr. Cook would attend the January 3rd Council Meeting and hoped that he could begin his employment around January 8th.

Mayor Smith disconnected from speaker phone participation at 3:08 p.m.

ADJOURNMENT:

➤ *Motion to Adjourn Special Meeting*

There being no further business, Council Member Williams moved to adjourn. Motion seconded by Council Member Turpen, voted on, passed 5-0.

There being no further business the Special Meeting was adjourned at 3:09 p.m.

I, _____, La Cygne Deputy City Clerk,

Gary D. Mahon

do hereby declare the above to be true and correct, to the best of my knowledge, and hereby subscribe my name this 22nd day of December 2006.
